

HOUSE JOURNAL
OF THE
SIXTY-FIFTH LEGISLATURE
OF THE
STATE OF WASHINGTON
AT
OLYMPIA, THE STATE CAPITOL

2017 Regular Session
Convened January 9, 2017
Adjourned Sine Die April 23, 2017
2017 First Special Session
Convened April 24, 2017
Adjourned Sine Die May 23, 2017
2017 Second Special Session
Convened May 23, 2017
Adjourned June 21, 2017
2017 Third Special Session
Convened June 21, 2017
Adjourned July 20, 2017

VOLUME 1



Frank Chopp, Speaker
Tina Orwall, Speaker Pro Tempore
Bernard Dean, Chief Clerk

Compiled and edited by Maureen Mueller, Journal Clerk

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SIXTY FIFTH LEGISLATURE – REGULAR SESSION

FIRST DAY

House Chamber, Olympia, Monday, January 9, 2017

The House was called to order at 12:00 noon by the Chief Clerk, Barbara Baker.

The flags were escorted to the rostrum by the Washington State Patrol Honor Guard commanded by Sergeant Jason Greer. The National Anthem was sung by Representative Paul Harris. Chief Clerk Baker led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Patricia Simpson, University Temple United Methodist Church, Seattle.

Reverend Patricia Simpson: “Whether your spiritual home is a mosque, church, temple, or meditation hall, a flyfishing stream or a wilderness trail, or the circle of your family and friends, I invite you to join me and each other in seeking a power beyond ourselves for the work of this body. Let us pray. Creator we come before you today in gratitude for the gift of our lives and for this amazing place we live. From coastline to glacier to channeled scablands and fertile hills, we are surrounded with beauty and sustained by the web of life we share with all your creatures. We come from different landscapes, towns and cities from a variety of life and work experience and yes, from different parties. Give the members of this body curiosity to know each other, and humility to learn from each other, so that diversity can bring forth wisdom, its finest fruit. These people have answered a call to public service to seek the common good. Bless them with the clarity and stamina they will need. Give them courage to speak truly and patience to listen. For those who are beginning their first term today, especially walk with them as they learn so much so quickly. Bless all the hardworking staff in this place too. Most of all help this body keep faith with the people whether they dwell in a mansion or a homeless camp, a prison cell or a city apartment, in a

trailer park or on a leafy street, their human dignity and wellbeing must be honored here. Drawing on the wisdom of our traditions and summoning the power of your life-giving spirit, we begin this session with hope and high resolve. May it be a worthy offering, Amen.”

The Chief Clerk called upon Representatives-elect Mike Pelliciotti and Jim Walsh to escort Justice Charles Johnson of the Supreme Court of the State of Washington to the rostrum.

FORMAT CHANGED TO ACCOMMODATE TEXT

MESSAGE FROM THE SECRETARY OF STATE**The Honorable Speaker of the House of Representatives
The Legislature of the State of Washington
Olympia, Washington**

Mr. Speaker:

I, Kim Wyman, Secretary of State of the state of Washington, do hereby certify that the following is a full, true, and correct list of persons elected to the Office of State Representative at the state General Election held in the state of Washington on the 8th day of November 2016, as shown by the official returns of said election now on file in the Office of the Secretary of State:

REPRESENTATIVES ELECTED NOVEMBER 8, 2016

District	Counties Represented	Name	Party
1	King,* Snohomish*	Derek Stanford Shelly Kloba	Prefers Democratic Party Prefers Democratic Party
2	Pierce,* Thurston*	Andrew Barkis J.T. Wilcox	Prefers Republican Party Prefers Republican Party
3	Spokane*	Marcus Riccelli Timm Ormsby	Prefers Democratic Party Prefers Democratic Party
4	Spokane*	Mat Shea Bob McCaslin	Prefers Republican Party Prefers Republican Party
5	King*	Jay Rodne Paul Graves	Prefers Republican Party Prefers Republican Party
6	Spokane*	Mike Volz Jeff Holy	Prefers Republican Party Prefers Republican Party
7	Ferry, Okanogan,* Pend Oreille, Spokane,* Stevens	Shelly Short Joel Kretz	Prefers Republican Party Prefers Republican Party
8	Benton*	Brad Klippert Larry Haler	Prefers Republican Party Prefers Republican Party
9	Adams, Asotin, Franklin,* Garfield, Spokane,* Whitman	Mary Dye Joe Schmick	Prefers Republican Party Prefers Republican Party
10	Island, Skagit,* Snohomish*	Norma Smith Dave Hayes	Prefers Republican Party Prefers Republican Party

District	Counties Represented	Name	Party
11	King*	Zack Hudgins Steve Bergquist	Prefers Democratic Party Prefers Democratic Party
12	Chelan, Douglas, Grant,* Okanogan*	Cary Condotta Mike Steele	Prefers Republican Party Prefers Republican Party
13	Grant,* Kittitas, Lincoln,* Yakima*	Tom Dent Matt Manweller	Prefers Republican Party Prefers Republican Party
14	Clark,* Klickitat, Skamania, Yakima*	Norm Johnson Gina R. McCabe	Prefers Republican Party Prefers Republican Party
15	Yakima*	Bruce Chandler David V. Taylor	Prefers Republican Party Prefers Republican Party
16	Benton,* Columbia, Franklin,* Walla Walla	William 'Bill' Jenkin Terry R. Nealey	Prefers Republican Party Prefers Republican Party
17	Clark*	Vicki Kraft Paul Harris	Prefers Republican Party Prefers Republican Party
18	Clark*	Brandon Vick Liz Pike	Prefers Republican Party Prefers Republican Party
19	Cowlitz,* Grays Harbor,* Lewis,* Pacific, Wahkiakum	Jim Walsh Brian E. Blake	Prefers Democratic Party Prefers Democratic Party
20	Clark,* Cowlitz,* Lewis,* Thurston*	Richard DeBolt Ed Orcutt	Prefers G.O.P. Party Prefers Republican Party
21	Snohomish*	Strom Peterson Lillian Ortiz-Self	Prefers Democratic Party Prefers Democratic Party
22	Thurston*	Laurie Dolan Beth Doglio	Prefers Democratic Party Prefers Democratic Party
23	Kitsap*	Sherry V. Appleton Drew Hansen	Prefers Democratic Party Prefers Democratic Party
24	Clallam, Grays Harbor,* Jefferson	Mike Chapman Steve Tharinger	Prefers Democratic Party Prefers Democratic Party

District	Counties Represented	Name	Party
25	Pierce*	Melanie Stambaugh Joyce McDonald	Prefers Republican Party Prefers Republican Party
26	Kitsap,* Pierce*	Jesse Young Michelle Caldier	Prefers Republican Party Prefers Republican Party
27	Pierce*	Laurie Jinkins Jake Fey	Prefers Democratic Party Prefers Democratic Party
28	Pierce*	Richard (Dick) Muri Christine Kilduff	Prefers Republican Party Prefers Democratic Party
29	Pierce*	David Sawyer Steve Kirby	Prefers Democratic Party Prefers Democratic Party
30	King,* Pierce*	Mike Pellicciotti Kristine Reeves	Prefers Republican Party Prefers Democratic Party
31	King,* Pierce*	Drew Stokesbary Phil Fortunato	Prefers Republican Party Prefers Republican Party
32	King,* Snohomish*	Cindy Ryu Ruth Kagi	Prefers Democratic Party Prefers Democratic Party
33	King*	Tina Orwall Mia Su-Ling Gregerson	Prefers Democratic Party Prefers Democratic Party
34	King*	Eileen L. Cody Joe Fitzgibbon	Prefers Democratic Party Prefers Democratic Party
35	Kitsap,* Mason, Thurston*	Dan Griffey Drew C. MacEwen	Prefers Republican Party Prefers Republican Party
36	King*	Noel Christina Frame Gael Tarleton	Prefers Democratic Party Prefers Democratic Party
37	King*	Sharon Tomiko Santos Eric Pettigrew	Prefers Democratic Party Prefers Democratic Party
38	Snohomish*	June Robinson Mike Sells	Prefers Democratic Party Prefers Democratic Party

District	Counties Represented	Name	Party
39	King,* Skagit,* Snohomish*	Dan Kristiansen	Prefers Republican Party
		John Koster	Prefers Republican Party
40	San Juan, Skagit,* Whatcom*	Kristine Lytton	Prefers Democratic Party
		Jeff Morris	Prefers Democratic Party
41	King*	Tana Senn	Prefers Democratic Party
		Judy Clibborn	Prefers Democratic Party
42	Whatcom*	Luanne VanWerven	Prefers Republican Party
		Vincent Buys	Prefers Republican Party
43	King*	Nicole Macri	Prefers Democratic Party
		Frank Chopp	Prefers Democratic Party
44	Snohomish*	John Lovick	Prefers Democratic Party
		Mark Harmsworth	Prefers Republican Party
45	King*	Roger Goodman	Prefers Democratic Party
		Larry Springer	Prefers Democratic Party
46	King*	Gerry Pollet	Prefers Democratic Party
		Jessyn Farrell	Prefers Democratic Party
47	King*	Mark Hargrove	Prefers Republican Party
		Pat Sullivan	Prefers Democratic Party
48	King*	Patty Kuderer	Prefers Democratic Party
		Joan McBride	Prefers Democratic Party
49	Clark*	Sharon Wylie	Prefers Democratic Party
		Monica Jurado Stonier	Prefers Democratic Party

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the state of Washington at Olympia, this 7th day of December 2016.

KIM WYMAN
Secretary of State

MESSAGE FROM THE KING COUNTY COUNCIL

Proposed No. 2017-0006.2

Sponsors Balducci, McDermott and Dembowski

A MOTION making an appointment to fill the vacancy in 2 the position of state representative for the 48th legislative district. WHEREAS, a vacancy exists in the position of state representative for the 48th 5 legislative district due to the appointment of a former state representative to serve as state 6 senator for the 48th legislative district, and

WHEREAS, the 48th legislative district Democratic precinct committee officers 8 have met to consider candidates for the position, and

WHEREAS, the King County Democratic Central Committee has submitted the names of three nominees to fill the vacancy;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

Vandana Slatter is hereby appointed to the position of state representative for the 48th legislative district.

Motion 14787 was introduced on 1/5/2017 and passed as amended by the Metropolitan King County Council on 1/5/2017, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Uptegrove, Ms. Kohl-Welles and Ms. Balducci

Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair
Melanie Pedroz, Acting Clerk of the Council

MESSAGE FROM THE KING AND PIERCE COUNTY COUNCILS

Proposed No. 2017-0013.1 Sponsors Dunn

A JOINT MOTION AND RESOLUTION of the Metropolitan King County Council and the Pierce County Council making a prospective appointment to fill the vacancy that will exist in the position of state representative for the 31st Legislative district.

WHEREAS, a vacancy will exist effective January 9, 2017 in the position of state representative for the 31st legislative district due to the appointment of state representative-elect Phil Fortunato to serve as state senator for the 31st legislative district, and

WHEREAS, the 31st legislative district is a multicounty legislative district, including part of King County and part of Pierce county, and

WHEREAS, Article II Section 15 of the Washington state constitution provies that in the event of a vacancy occurring in a multicounty legislative district the vacancy shall be filled by joint action of the legislative authorities of the respective counties from a list of three candidates nominated by the state central committee of the same political party as the legislator whose office os vacated, and

WHEREAS, the candidates must reside in the 31st legislative district and be of the same political party as the legislator whos office is vacant, and

WHEREAS, the Washington State Republican Central Committee has submitted the names of three constitutionally qualified candidates to fill the vacancy that will exist on January 9, 2017 if state representative-elect Phil Fortunato is appointed to serve as state senator for the 31st legislative district;

NOW, THEREFORE, BE IT MOVED AND RESOLVED by the Councils of King County and Pierce County:

Morgan Irwin, one of the three nominees, is hereby appointed to the position of state representative for the 31st legislative district in the Washington state House of Representatives effective January 9, 2017 continuing until a successor is elected at the next general election, and has qualified.

The clerks of the councils shall provide a copy of this joint Motion and Resolution to the clerk of the Washington state House of Representatives, the governor of the state of Washington and the chair of the Washington State Republican Central Committee

PIERCE COUNTY COUNCIL
PIERCE COUNTY, WASHINGTON

Doug Richardson, Chair

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

Linda Medley, Clerk

Melanie Pedroza, Acting Clerk of the Council

The Clerk called the roll and a quorum was present.

OATH OF OFFICE

Justice Charles Johnson administered the Oath of Office to members of the House of Representatives. The Certificates of Election were distributed to the members.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4601, by Representatives Sullivan and Kretz

BE IT RESOLVED, That no later than Friday, January 27, 2017, the nineteenth legislative day, the House of Representatives shall meet to consider adoption of permanent House Rules for the Sixty-Fifth Legislature; and

BE IT FURTHER RESOLVED, That temporary House Rules for the Sixty-Fifth Legislature be adopted as follows:

TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES SIXTY-FIFTH LEGISLATURE 2017-2018

HOUSE RULE NO.

Rule 1	Definitions
Rule 2	Chief Clerk to Call to Order
Rule 3	Election of Officers
Rule 4	Powers and Duties of the Speaker
Rule 5	Chief Clerk
Rule 6	Duties of Employees
Rule 7	Admission to the House
Rule 8	Absentees and Courtesy
Rule 9	Bills, Memorials and Resolutions - Introductions
Rule 10	Reading of Bills
Rule 11	Amendments
Rule 12	Final Passage
Rule 13	Hour of Meeting, Roll Call and Quorum
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Rule 15	Motions
Rule 16	Members Right to Debate
Rule 17	Rules of Debate
Rule 18	Ending of Debate - Previous Question
Rule 19	Voting
Rule 20	Reconsideration
Rule 21	Call of the House
Rule 22	Appeal from Decision of Chair
Rule 23	Standing Committees
Rule 24	Duties of Committees
Rule 25	Standing Committees - Expenses - Subpoena Power
Rule 26	Vetoed Bills
Rule 27	Suspension of Compensation
Rule 28	Smoking
Rule 29	Liquor
Rule 30	Parliamentary Rules
Rule 31	Standing Rules Amendment
Rule 32	Rules to Apply for Assembly
Rule 33	Legislative Mailings

Definitions

Rule 1. "Absent" means an unexcused failure to attend.

"Term" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the house in accordance with Article ((2)) II § 12 of the state Constitution.

"Committee" means any standing, conference, joint, or select committee as so designated by rule or resolution(~~(, and also means any standing committee subcommittee)~~).

"Fiscal committee" means the appropriations, capital budget, finance, (~~(general government & information technology)~~) and transportation committees.

"Bill" means bill, joint memorial, joint resolution, or concurrent resolution unless the context indicates otherwise.

Chief Clerk to Call to Order

Rule 2. It shall be the duty of the chief clerk of the previous term to call the house to order and to conduct the proceedings until a speaker is chosen.

Election of Officers

Rule 3. The house shall elect the following officers at the commencement of each term: Its presiding officer, who shall be styled speaker of the house; a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker; a deputy speaker pro tempore, who shall serve in absence or in case of the inability of the speaker and speaker pro tempore; and a chief clerk of the house. Such officers shall hold office during all sessions until the convening of the succeeding term: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their votes shall be entered on the journal. If any office is declared vacant, the house shall fill such vacant office as hereinafter provided. In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their votes shall be entered on the journal. (Art. II § 27)

Powers and Duties of the Speaker

Rule 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house to order precisely at the hour appointed for meeting and if a quorum be present, shall cause the journal of the preceding day to be read and shall proceed with the order of business.

(B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same and may order the sergeant at arms to remove any person creating any disturbance within the house chamber or legislative area.

(C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) The speaker shall sign all bills in open session. (Art. II § 32)

(E) The speaker shall sign all writs, warrants, and subpoenas issued by order of the house, all of which shall be attested to by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall neither extend beyond adjournment nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) The speaker, in open session, shall appoint committee chairs as selected by the majority party caucus, and shall appoint members to committees in the same ratio as the membership of the respective parties of the house, unless otherwise provided by law or house rules.

(H) The speaker shall serve as chair of the rules committee.

(I) The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties.

(J) The speaker pro tempore shall exercise the duties, powers, and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act until the speaker's successor shall be elected.

Chief Clerk

Rule 5. The chief clerk shall perform the usual duties pertaining to the office, and shall hold office until a successor has been elected.

The chief clerk shall employ, subject to the approval of the speaker, all other house employees; the hours of duty and assignments of all house employees shall be under the chief clerk's directions and instructions, and they may be dismissed by the chief clerk with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and appropriately transmit the same. In the event of the chief clerk's death, illness, removal, or inability to act, the speaker may appoint an acting chief clerk who shall exercise the duties and powers of the chief clerk until the chief clerk's successor shall be elected.

Duties of Employees

Rule 6. Employees of the house shall perform such duties as are assigned to them by the chief clerk. Under no circumstances shall the compensation of any employee be increased for past services. No house employee shall seek to influence the passage or rejection of proposed legislation.

Admission to the House

Rule 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) The sergeant at arms shall admit only the following individuals to the wings and adjacent areas of the house chamber for the period of time beginning one-half hour prior to convening and ending one-half hour following the adjournment of the house's daily session:

- The governor or designees, or both;
- Members of the senate;
- State elected officials;
- Officers and authorized employees of the legislature;
- Former members of the house who are not advocating any pending or proposed legislation;
- Representatives of the press;
- Other persons with the consent of the speaker.

(B) Only members of the house, pages, sergeants at arms, and clerks are permitted on the floor while the house is in session.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited when the house or committee is in session unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

Absentees and Courtesy

Rule 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session, only the speaker shall recognize visitors and former members.

Bills, Memorials and Resolutions - Introductions

Rule 9. Any member desiring to introduce a bill shall file the same with the chief clerk. Bills filed by 10:00 a.m. shall be introduced at the next daily session, in the order filed: PROVIDED, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal. (Art. II § 36)

Any returning member or member-elect may prefile a bill with the chief clerk commencing the first Monday in December preceding any regular session or twenty (20) days before any special session. Prefiled bills shall be introduced on the first legislative day.

All bills shall be endorsed with a statement of the title and the name of the member or members introducing the same. The chief clerk shall attach to all bills a substantial cover bearing the title and sponsors and shall number each bill in the order filed. All bills shall be printed unless otherwise ordered by the house.

Any bill introduced at any session during the term shall be eligible for action at all subsequent sessions during the term.

No house bill may be introduced that is identical to any other pending house bill.

Reading of Bills

Rule 10. Every bill shall be read on three separate days: PROVIDED, That this rule may be temporarily suspended at any time by a two-thirds (2/3) vote of the members present; and that on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended by a majority vote.

A bill may be returned to second reading for the purpose of amendment by a suspension of the rules: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended and a bill returned to second reading for the purpose of amendment by a majority vote.

(A) **FIRST READING.** The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the bill shall be referred to an appropriate committee.

Upon being reported out of committee, all bills shall be referred to the rules committee, unless otherwise ordered by the house.

The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) **SECOND READING.** Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No amendment shall be considered by the house until it has been sent to the chief clerk's desk in writing, distributed to the desk of each member, and read by the clerk. All amendments adopted during second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments.

When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) **SUBSTITUTE BILLS.** When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute the first time and have the same printed. A motion for the substitution shall not be in order until the second reading of the original bill.

(D) **THIRD READING.** Only the last line of bills shall be read on third reading unless a majority of the members present demand a reading in full. No amendments to a bill shall be received on third reading but it may be referred or recommitted for the purpose of amendment.

(E) **SUSPENSION CALENDAR.** Bills may be placed on the second reading suspension calendar by the rules committee if at least two minority party members of the rules committee join in such motion. Bills on the second reading suspension calendar shall not be subject to amendment or substitution except as recommended in the committee report. When a bill is before the house on the suspension calendar, the question shall be to adopt the committee recommendations and advance the bill to third reading. If the question fails to receive a two-thirds vote of the members present, the bill shall be referred to the rules committee for second reading.

(F) **HOUSE RESOLUTIONS.** House resolutions shall be filed with the chief clerk who shall transmit them to the rules committee. If a rules committee meeting is not scheduled to occur prior to a time necessitated by the purpose of a house resolution, the majority leader and minority leader by agreement may waive transmission to the rules committee to permit consideration of the resolution by the house. The rules committee may adopt house resolutions by a sixty percent majority vote of its entire membership or may, by a majority vote of its members, place them on the motions calendar for consideration by the house. House resolutions are not subject to debate, except for resolutions necessary for the operation of the house, and resolutions commemorating Children's Day, Day of Remembrance, Martin Luther King Jr. Day, National Guard Day, and President's Day.

(G) **CONCURRENT RESOLUTIONS.** Reading of concurrent resolutions may be advanced by majority vote.

Amendments

Rule 11. The right of any member to offer amendments to proposed legislation shall not be limited except as provided in Rule 10(E) and as follows:

(A) AMENDMENTS TO BE OFFERED IN PROPER FORM. The chief clerk shall establish the proper form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) COMMITTEE AMENDMENTS. When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house before any amendments that may be offered from the floor.

(C) SENATE AMENDMENTS TO HOUSE BILLS. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to the appropriate committee and shall take the same course as for original bills unless a motion not to concur is adopted prior to the bill being referred to committee.

(D) AMENDMENTS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) SCOPE AND OBJECT NOT TO BE CHANGED. No amendment to any bill shall be allowed which shall change the scope and object of the bill. This objection may be raised at any time an amendment is under consideration. The speaker may allow the person raising the objection and the mover of the amendment to provide brief arguments as to the merits of the objection. (Art. II § 38)

(F) NO AMENDMENT BY REFERENCE. No act shall ever be revised or amended without being set forth at full length. (Art. II § 37)

(G) TITLE AMENDMENTS. The subject matter portion of a bill title shall not be amended in committee or on second reading. Changes to that part of the title after the subject matter statement shall either be presented with the text amendment or be incorporated by the chief clerk in the engrossing process.

Final Passage

Rule 12. Rules relating to bills on final passage are as follows:

(A) BUDGET BILLS. No final passage vote may be taken on an operating budget, transportation budget, or capital budget bill until twenty-four (24) hours after the bill is placed on the third reading calendar. The twenty-four (24) hour requirement does not apply to conference reports, which are governed by Joint Rule 20, or to bills placed on the third reading calendar by a two-thirds (2/3) vote of the members present.

(B) RECOMMITMENT BEFORE FINAL PASSAGE. A bill may be recommitted at any time before its final passage.

(C) FINAL PASSAGE. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor. (Art. II § 22)

(D) BILLS PASSED - CERTIFICATION. When a bill passes, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

Hour of Meeting, Roll Call and Quorum

Rule 13. (A) HOUR OF MEETING. The speaker shall call the house to order each day of sitting at 10:00 A.M., unless the house shall have adjourned to some other hour.

(B) ROLL CALL AND QUORUM. Before proceeding with business, the roll of the members shall be called and the names of those absent or excused shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 21(B). For the purpose of determining if a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8)

(C) The house shall adjourn not later than 10:00 P.M. of each working day. This rule may be suspended by a majority vote.

Daily Calendar and Order of Business

Rule 14. The rules relating to the daily calendar and order of business are as follows:

(A) DAILY CALENDAR. Business of the house shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer, and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor, and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions, and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials, and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

(B) UNFINISHED BUSINESS. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

(C) EXCEPTIONS. Exceptions to the order of business are as follows:

(1) The order of business may be changed by a majority vote of those present.

(2) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(3) House resolutions and messages from the senate, governor, or other state officials may be read at any time.

Motions

Rule 15. Rules relating to motions are as follows:

(A) MOTIONS TO BE ENTERTAINED OR DEBATED. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. A motion shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated and by the consent of the house may be withdrawn before amendment or action.

(B) MOTIONS IN ORDER DURING DEBATE. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

(1) Privileged motions:

Adjourn
Adjourn to a time certain
Recess to a time certain
Reconsider
Demand for division
Question of privilege
Orders of the day

(2) Subsidiary motions:

First rank:	Question of consideration
Second rank:	To lay on the table
Third rank:	For the previous question
Fourth rank:	To postpone to a day certain
	To commit or recommit
	To postpone indefinitely

Fifth rank: To amend

- (3) Incidental motions:
 Points of order and appeal
 Method of consideration
 Suspension of the rules
 Reading papers
 Withdraw a motion
 Division of a question

(C) THE EFFECT OF POSTPONEMENT - MOTIONS TO POSTPONE OR COMMIT. Once decided, no motion to postpone to a day certain, to commit, or to postpone indefinitely shall again be allowed on the same day and at the same stage of the proceedings. When a question has been postponed indefinitely, it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) MOTIONS DECIDED WITHOUT DEBATE. A motion to adjourn, to recess, to lay on the table and to call for the previous question shall be decided without debate.

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22.

Motions to adopt house resolutions shall be decided without debate, except as provided in Rule 10(F).

A motion for suspension of the rules shall not be debatable except that the mover of the motion may briefly explain the purpose of the motion and one member may briefly state the opposition to the motion.

(E) MOTION TO ADJOURN. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move for adjournment when another member has the floor.

Members Right to Debate

Rule 16. The methods by which a member may exercise his or her right to debate are as follows:

(A) RECOGNITION OF MEMBER. When any member desires to speak in debate or deliver any matter to the house, the member shall rise and respectfully address the speaker and pause until recognized.

(B) ORDER OF SPEAKING. When two or more members arise at once, the speaker shall name the one who is to speak.

(C) LIMITATION OF DEBATE. No member shall speak longer than ten (10) minutes without consent of the house: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day any bill must be reported from the house as established by concurrent resolution, no member shall speak more than three (3) minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chair of the committee or the mover of the question may close debate if it is consistent with Rule 18 (Previous Question).

Rules of Debate

Rule 17. The rules for debate in the house are as follows:

(A) QUESTION OF PRIVILEGE. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) WITHDRAWAL OF MOTION, BILL, ETC. After a motion is stated by the speaker or a bill, memorial, resolution, petition, or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

(C) READING OF A PAPER. When the reading of any paper is called for and is objected to by any member, it shall be determined by a vote of the house.

(D) DISTRIBUTION OF MATERIALS. Any materials of any nature distributed to the members' desks on the floor shall be subject to approval by the speaker and shall bear the name of at least one member granting permission for the distribution. This shall not apply to materials normally distributed by the chief clerk.

(E) ORDER OF QUESTIONS. All questions, whether in committee or in the house, shall be propounded in the order in which they are named except that in filling blanks, the largest sum and the longest time shall be put first.

(F) DIVISION OF POINTS OF DEBATE. Any member may call for a division of a question which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

(G) DECORUM OF MEMBERS. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(H) REMARKS CONFINED. A member shall confine all remarks to the question under debate and avoid personalities. No member shall impugn the motive of any member's vote or argument.

(I) EXCEPTION TO WORDS SPOKEN IN DEBATE. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(J) TRANSGRESSION OF RULES - APPEAL. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall prevail.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

Ending of Debate - Previous Question

Rule 18. The previous question may be ordered by a two-thirds (2/3) vote of the members present on all recognized motions or amendments which are debatable.

The previous question is not debatable and cannot be amended.

The previous question shall be put in this form: "Representative _____ demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative it shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED HOWEVER, That when a bill is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the bill or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

Voting

Rule 19. (A) PUTTING OF QUESTION. The speaker shall put the question in the following form: "The question before the house is (state the question). As many as are in favor say 'Aye'; and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) ALL MEMBERS TO VOTE. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

Upon a division and count of the house on the question, only members at their desks within the bar of the house shall be counted.

(C) CHANGE OF VOTE. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When an oral roll call is taken, no member shall be allowed to vote or change a vote after the result has been announced.

(D) PRIVATE INTEREST. No member shall vote on any question which affects that member privately and particularly. A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (Art. II § 30)

(E) INTERRUPTION OF ROLL CALL. Once begun, the roll call may not be interrupted. No member or other person shall visit or remain at the clerk's desk while the yeas and nays are being called.

(F) YEAS AND NAYS - RECORDED VOTES. Upon the final passage of any bill, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth (1/6) of the members present. (Art. II § 21)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question, it shall be entered upon the journal of the house. A recorded vote may be compelled by one-sixth (1/6) of the members present. A request for a recorded vote must be made before the vote is commenced.

(G) TIE VOTE, QUESTION LOSES. In case of an equal division, the question shall be lost.

(H) DIVISION. If the speaker is in doubt, or if division is called for by any member, the house shall divide.

(I) STATEMENT FOR JOURNAL. A member whose recorded vote does not accurately reflect his or her intent may submit a written statement for the journal clarifying their intent to vote aye or nay. The statement must be submitted to the chief clerk on the same day the vote is taken. A member who is excused for one or more days of recorded votes may submit a written statement for the journal explaining the reason for his or her absence. The statement may not exceed fifty words and must be submitted to the chief clerk on the same day the member returns.

Reconsideration

Rule 20. Notice of a motion for reconsideration on the final passage of bills shall be made on the day the vote to be reconsidered was taken and before the house has voted to transmit the bill to the senate.

Reconsideration of the votes on the final passage of bills must be taken on the next working day after such vote was taken: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, then reconsideration of votes on the final passage of bills must be taken on the same day as the original vote was taken.

A motion to reconsider an amendment may be made at any time the bill remains on second reading.

Any member who voted on the prevailing side may move for reconsideration or give notice thereof.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

Call of the House

Rule 21. One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) DOORS TO BE CLOSED. When call of the house has been ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) SERGEANT AT ARMS TO BRING IN THE ABSENTEES. The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are excused and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) HOUSE UNDER CALL. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to excuse absentees, or a motion to dispense with the call of the house. The motion to proceed with business under the call of the house and the motion to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof. The motion to dispense with the call of the house may be adopted by a majority of the members present.

Appeal from Decision of Chair

Rule 22. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal, the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

Standing Committees

Rule 23. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Agriculture & Natural Resources	13
2. Appropriations	33
3. Business & Financial Services	11
4. Capital Budget.....	(9) <u>19</u>
5. Commerce & Gaming	(9) <u>11</u>
6. Community Development, Housing & Tribal Affairs	7
7. Early Learning & Human Services.....	(11) <u>13</u>
8. Education	(21) <u>19</u>
9. Environment.....	(11) <u>9</u>
10. Finance	(15) <u>11</u>
11. (General Government & Information Technology	7
12.) Health Care & Wellness	15
(13.) <u>12.</u> Higher Education	(13) <u>9</u>
(14.) <u>13.</u> Judiciary	13
(15.) <u>14.</u> Labor & Workplace Standards.....	7
(16.) <u>15.</u> Local Government.....	(9) <u>7</u>
(17.) <u>16.</u> Public Safety	(9) <u>11</u>
(18.) <u>17.</u> Rules	(23) <u>25</u>
(19.) <u>18.</u> State Government.....	(7) <u>9</u>
(20.) <u>19.</u> Technology & Economic Development	(13) <u>15</u>
(21.) <u>20.</u> Transportation	25

Committee members shall be selected by each party's caucus. Membership on appropriations subcommittees is restricted to the membership of the appropriations committee. The majority party caucus shall select all committee chairs.

Duties of Committees

Rule 24. House committees shall operate as follows:

(A) NOTICE OF COMMITTEE MEETING. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject.

(B) COMMITTEE QUORUM. A majority of any committee shall constitute a quorum for the transaction of business.

(C) SESSION MEETINGS. No committee shall sit while the house is in session without special leave of the speaker.

(D) DUTIES OF STANDING COMMITTEES.

(1) Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial, or resolution may be reported out: PROVIDED, That by motion under the eighth order of business, a majority of the members elected to the house may relieve a committee of a bill and place it on the second reading calendar.

Majority recommendations of a committee can only be "do pass," "do pass as amended," or that "the substitute bill be substituted therefor and that the substitute bill do pass."

(3) Members of the committee not concurring in the majority report may prepare a written minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a bill out of committee shall be taken by the yeas and nays, and the names of the members voting for and against, as well as the names of members absent, shall be recorded on the committee report. Any member may call for a recorded vote, which shall include the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct appropriation shall be referred to the appropriate fiscal committee before their final passage.

(7) No standing committee shall vote by secret written ballot on any issue.

(8) During its consideration of or vote on any bill, resolution, or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

(9) A standing committee to which a bill was originally referred shall, prior to voting the bill out of committee, consider whether the bill authorizes rule-making powers or requires the exercise of rule-making powers and, if so, consider:

(a) The nature of the new rule-making powers; and

(b) To which agencies the new rule-making powers would be delegated and which agencies, if any, may have related rule-making powers.

(10) Standing committee subcommittees established in Rule 23 have the same powers and duties as standing committees.

(11) Insofar as practicable, testimony in public hearings should be balanced between those in support of and in opposition to proposed legislation, with consideration given to providing an opportunity for members of the public to testify within available time.

Standing Committees - Expenses - Subpoena Power

Rule 25. Regardless of whether the legislature is in session, members of the house may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses, and payments in lieu of subsistence and lodging for conducting official business of the house.

The standing committees of the house may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. Before a standing committee of the house may issue any process, the committee chairperson shall submit for approval of the executive rules committee a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by the executive rules committee. The process shall be limited to the named individuals.

Vetoed Bills

Rule 26. Veto messages of the governor shall be read in the house and entered upon the journal. It shall then be in order to proceed to reconsider the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house. Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house, which have not been passed notwithstanding the veto of the governor, shall remain in the custody of the officers of the house until the close of the term, after which they shall be filed with the secretary of state.

Suspension of Compensation

Rule 27. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, office space facilities, and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since sentencing shall be forthwith paid, and the member shall thereafter have the rights and privileges of other members.

Smoking

Rule 28. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives or within House facilities.

"No smoking" signs shall be posted so as to give notice of this rule.

Liquor

Rule 29. The House of Representatives shall strictly adhere to the liquor laws of the state of Washington, including provisions relating to banquet and special occasion permits. The proper permits must always be obtained before consumption of liquor in any house facility.

Parliamentary Rules

Rule 30. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

Standing Rules Amendment

Rule 31. Any standing rule may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted at least one day in advance in writing to the members together with notice of the consideration thereof. Any standing rule may be suspended temporarily by a two-thirds (2/3) vote of the members present except as provided in Rule 10.

Rules to Apply for Assembly

Rule 32. The permanent house rules adopted at the beginning of the term are to govern all acts of the house during the course of the term unless amended or repealed.

Legislative (~~(Mailings)~~) Publications

Rule 33. The House of Representatives directs the house executive rules committee to adopt procedures and guidelines to ensure that all legislative (~~(mailings)~~) publications at public expense are for legitimate legislative purposes.

Representative Sullivan moved adoption of HOUSE RESOLUTION NO. 4601.

Representative Sullivan spoke in favor of the adoption of the resolution.

There being no objection, HOUSE RESOLUTION NO. 4601 was adopted.

ELECTION OF THE SPEAKER

Representative Sullivan: "Thank you Madam Speaker. It's really an honor to nominate Representative Frank Chopp for Speaker of the House. I have to admit when I was first elected, I think I'd met him one time before I showed up here in Olympia, and I'd heard all these stories, this reverence, then I came down here and I remember being in his office and he was just pouring ketchup on his food. He had this big supply of ketchup in his bathroom which I thought was kind of weird. And then there were the Junior Mints. I mean Junior Mints on the desk where he's met with Governors and C.E.O.s from across the state. Then there was his neck, I thought he actually had a problem with his neck because he would do this all the time and I just kind of wondered. But it really didn't take long, Madam Speaker, to understand why Frank Chopp is the longest serving speaker in the history of the state of Washington.

His passion for issues like homelessness and mental health and housing really move this state forward. His respect for this institution is second to none. I know of no one who does more work and provides more effort to ensure that the integrity of the House of Representatives is maintained at all times. And I think one of the things that is most important about Speaker Chopp is the fact that when any legislator goes into his office and asks for help he responds.

Whether you're a Republican, a Democrat, from eastern Washington, western Washington, whether you're conservative or moderate or even liberal. He will actually work with you to get your legislation passed, to try to solve problems, and that is something that I think is very important for this institution. It's important and he will say over and over again that helping people to be successful is what makes this operation run smoothly. So with that, Madame Speaker it's my honor to move forward the nomination of Frank Chopp for Speaker of the House. "

MOTIONS

Representative Sullivan moved that the nominations for the Office of Speaker of the House of Representatives be closed. The motion was carried.

Representative Sullivan moved that Representative Frank Chopp be elected Speaker of the House of Representatives. The motion was carried.

Representative Sullivan escorted Speaker Frank Chopp to the rostrum.

OATH OF OFFICE

Justice Charles Johnson administered the Oath of Office to Speaker Chopp.

Chief Clerk Baker congratulated the Speaker and turned the gavel over to him.

SPEAKER'S REMARKS

Mr. Speaker: "Thanks Pat for those great words, I really appreciate it, I really do. Also, let us recognize Paul Harris for that great singing. I could barely talk, let alone sing here, so thanks Paul, so much. Also, I want to recognize Secretary of State Ralph Munro who's here for his 150th opening day. Actually it's only fifty but Ralph has been here for so many years, done a great job for our state, and we should keep in mind is also from Bremerton. Ralph, thank you so much. At this point I would like to recognize the person who handed me the gavel, Barbara Baker. Barbara's served as our Chief Clerk for ten years. Her goodwill, her patience, her understanding and leadership have distinguished her as one of the best Chief Clerks ever to serve this House. Most of all she has set a high mark for ethical behavior and fair treatment of everybody, in a job that demands real devotion to service. Barb, I just want to thank you so much for your great work. Please everybody up. Please join me in applauding our great Chief Clerk. Imagine putting up with us for ten years.

Welcome to the people's house. Will the new members please stand? John(Lovick) and John(Koster) keep standing Great to see both of you back. Thank you all for stepping forward to serve the people of Washington State. I know that you enter this chamber with one goal and that is to solve the problems facing our communities and our people. Your energy will be an asset to us all. Now everybody up and let's give a rousing standing ovation for all these new members.

None of us could do this job without the support of our families, employers and friends. In particular, I want to thank all the family members who are here with us today, for the sacrifices you have made to allow us to be here. Let me introduce my family. With me today is my wife Nancy Long, and my daughter Ellie.

Here in the people's house we work hard to meet the needs of the people across our state. We reject the notion that there are conflicting regions or cultures in our state. We work for the success of one Washington, based on the shared values of our people. These values have led this house to enact a record of great accomplishments.

Because we believe that early investments in education will pay dividends for decades to come, we passed the Early Start Act, the largest expansion of early learning in state history.

Because we believe that education is the best way up and out of poverty we passed opportunity gap legislation and carried out the college bound and opportunity scholarship programs to help our next generation.

Because we believe that health care is a fundamental human need, we expanded our Apple Health program by six hundred thousand people, the largest expansion of health care in state history

Because we believe that mental illness deserves the same concern as physical illness, we enacted Joel's Law, Shana's

Law and Ricky's Law empowering families and friends to save lives, and giving them greater peace of mind.

Because we believe in putting people to work, we approved the largest investments in public works jobs and transportation in state history to help create an economy that can work for everybody. Thank you Judy.

And because we very much believe in standing up for working people, this House passed a huge increase in the state minimum wage and a mandate for paid sick and safe leave. And this past November the voters of our state agreed.

Because we believe in equal justice for all, we passed the Equal Pay Act and the Voting Rights Act and someday soon we hope the Senate will agree.

And most importantly because basic education is a constitutional right, we acted to fulfill our duty to our kids and passed House Bills 2261 and 2776, which form the framework for the McCleary Supreme Court decision. Three and a half years ago this house actually passed a package that funded the promise it made to provide excellent education for our kids, but the Senate refused to act then. But this year, this year we must get the job done. This year there will be many important issues for us to take into consideration, like supporting our community colleges and providing opportunities for job creation in areas of high unemployment the state. But this year providing full funding of basic education is imperative. Our young people are depending on us to get the job done. It's important to our students and their families, but also to our businesses and our workforce, to create a better economy for all of us.

At the same time, we must rededicate ourselves to the provision of basic health care for our people. In the other Washington back East, there is a very very real threat to 750,000 of our fellow Washingtonians. An average of fifteen thousand of our neighbors in each legislative district are on the verge of losing their health care. If that happens, many will suffer, many will go bankrupt, many will be neglected, many will die. Whatever happens in Washington D.C., in this Washington we must not let our neighbors in rural and urban areas be without basic health. That includes mental health all across our state. In every workplace, in hospital hallways, in the jails and on the streets, people are struggling with mental illness.

Over the past several years, we've made a lot of progress in education and health care but we have so much more to do. As we work on these goals, let us treat each other with respect. Keep an open mind and most importantly hold the public interest as our prime directive. Our constitutional duty is to fund our students who are learning, our moral imperative is to care for our people who are suffering. Because we believe in working together for one Washington. Please let's get to work. Thank you very much."

POINT OF PERSONAL PRIVILEGE

Representative Kristiansen: "Thank you Mr. Speaker and congratulations on becoming speaker again. Congratulations to all of you here. To families and friends in the gallery and in the wings today, I want to thank you so much for the support that you provide to all of us back home and here. This job can be a tough job as the Speaker knows and as you who have been here for a little while know. The challenges that are before us can be very difficult and I've

said this before, but it's for those new members that are here with us today.

One of the things that kind of brings me back in is I go to the fourth floor in this building and I look at the class pictures of those who've been here before us in very challenging times. And we're going to face some challenges this year. But like those that have gone before us, they have come up with a way to get the job done. They've come up with a way, in the past, to work with each other, despite their differences. They've come up with a way that when things seemed impossible or improbable, they were able to set their personal stuff aside. They were able to look at each other in the eye and focus in on what those real challenges were and the fact that the citizens sent us down here collectively to govern this state. Not for any special interest group, but for the citizens of the state of Washington.

And my hope as we convene today and as all, well I guess only ninety seven of us today, were sworn in, that we are going to do that. That our goal as we move forward, is going to be to set a lot of our personal stuff aside without stepping across that line that each one of us has in our own lives. There's a time to campaign. It was a brutal year for that, amen. But now it's time to govern. And governing is what we were actually hired to do. Each one of us has approximately 137,000 constituents that we represent, and there's nearly seven million people in this state that are counting on us to take on these challenges and get the job done, and do it right by them. Not by us, by them, and some of the times, I've got to admit, I struggle with that. Because like many of you, if not all of you in here, you have your own personal agenda. We have our own personal ideals. Our convictions, those echo chambers and those citizens in those groups that we talk to all the time that are pushing us really hard to make sure that we meet their needs. And I don't know that if we're really going to be successful, any one of us individually in this job or collectively, that we can afford to have tunnel vision on our own issues. The luxury of having tunnel vision on our own issues has got to be set aside if we're going to get this job done and do it right

And Mr Speaker, you and I have been able to work I think very well the last several years. In coming up with budgets it's only been the last couple budgets actually were some of the strongest bipartisan budgets in decades and it wasn't because we agreed on everything. My wife is in the wings here and if I have your permission I'd like to introduce my wife Janet - getting back to, getting back to agreeing with somebody all the time. I always agree with her. It may not always be reciprocated but thirty-one years later we're going strong. But collectively if despite our differences, we can work together, we can be a strong united front here.

We all come from all walks of life. We come from different backgrounds, demographics, everything about us is so doggone diverse. I mean we're a pretty eclectic bunch wouldn't you say? But it's cool to see the fact that we have got all corners of this state represented here. But, let's not forget that that person that you're sitting next to, that person that is sitting across the room from you, that person that's going to be sitting alongside you in committee, that person that maybe you just met today may not think the way you do. May not have been raised the way you were, may not have the same background, ethnicity, religion, marriage all that stuff. But can we set that stuff aside?

A few years ago I was asked to speak at a high school senior class meeting. I gotta tell you it was May - nothing like having hundreds of seventeen and eighteen-year-olds with spring fever on a sunny May day and you're supposed to talk to these kids for an hour. And I was five minutes into my little thing and we open it up for Q and A. One of the first questions that was asked of me was 'Representative Kristiansen, what's your party affiliation?' gulp. There's no good answer to that, by the way. But what I did is I explained why I had a Republican affiliation. And as soon as that word Republican came out of my mouth, the room was filled with cheers and jeers and a lot of single digit sign language. Thumbs up, come on you guys. And that was just the staff. The kids, you know, the kids had a pretty emotional response to it as well, but thankfully I did have the mike and I asked them all I said 'Now I want you to all think about something. First of all I what do you think about your last name,' and for those of you are sitting here on the floor it's on your desk, in case you weren't sure. 'And I want you to be honest with this, the answer to this next question. If you always agreed with and condoned the actions of everybody who has the same last name you do?' The place went silent, except for one kid who said 'Well I have.' and I said 'So you've always agreed with Mom and Dad?' 'Well maybe not.' said 'gotcha.'

Politics is very similar to that. Let's not put people in a corner or judge them based on their affiliations. Whether it be political, whether it be your sex, your religion, and so on and so forth. Let's get to know each other down here, because as the Speaker and I have come to know each other over the course the last few years it's been very interesting, our conversations that we've had, of course we're always talking about you guys. But it's been very interesting for me as I've gotten to know the speaker, to understand what really motivates him. Now the way by which me we may want to get there may be different, but oftentimes our goals are very very similar if not the same. Let's keep that in mind as we move forward.

Because as we've seen at a national level, I don't want to be like Washington D.C., regardless of who's in control. We're Washington state let's do right by the citizens that hired us here. Let's keep them in mind because behind every dollar that we're in charge of, behind every regulation that we pass, behind every law, amendment, bill, all the stuff we're doing down here there are real people that are being affected by, and having to abide by, those things that we do down here. Let's keep them in mind. Let's be respectful of each other as we move forward, and I want to thank you Mr Speaker for your job and working with you. We've got a lot of work still to get done down here. It's not just education, believe it or not. We've got a lot of other things that are important to deal with as well and I want to thank you all for the job that you do and I look forward to working with all of you. Thank you Mr. Speaker"

ELECTION OF SPEAKER PRO TEMPORE

Representative Goodman: "Thank you very much Mr. Speaker. It is a great honor to speak on behalf of my friend and a very accomplished colleague Representative Tina Orwall. Her presence is familiar to the members here, having already served as Deputy Speaker Pro Tempore of the last

session. She has led this body through some contentious and challenging debates, always maintaining the decorum necessary which really serves as an example to our citizens. She has impressive legislative accomplishments which is a testament to her building constructive and agreeable relationships with each of us. She has a thorough knowledge of the rules of the House, and more than anything, Representative Orwall leads us with a sense of grace which unfortunately is in short supply in too many political arenas in this country. And so I'm very proud to nominate Representative Tina Orwall for Speaker Pro Tempore of the House. Thank you, Mr Speaker"

MOTIONS

Representative Sullivan moved that the nominations for the Office of Speaker Pro Tempore of the House of Representatives be closed. The motion was carried.

Representative Sullivan moved that Representative Tina Orwall be elected Speaker Pro Tempore of the House of Representatives. The motion was carried.

Representative Goodman escorted Speaker Pro Tempore Orwall to the rostrum.

OATH OF OFFICE

Justice Charles Johnson administered the Oath of Office to Speaker Pro Tempore Orwall.

SPEAKER PRO TEMPORE REMARKS

Representative Orwall: "I want to say thank you. I'm so deeply honored and touched that you trust me with this position. I want to thank the good gentleman from the forty-fifth for those very kind words and for your leadership in the house and having worked with you as chair of public safety you just do extraordinary work, thank you. You know it's interesting I was reflecting on my years as Deputy Speaker Pro Tempore, we shared a lot of experiences. A lot of late nights and long sessions. I know members got pretty well versed in switching between Mr. Speaker and Madam Speaker, that was nice. And there was something about a broken voting machine, so I'm glad we got through all that.

This is such an incredible institution to work in. I want to thank Mr. Speaker for your support. I also want to thank Representative Dan Kristiansen for your leadership. I'm really excited also to serve with Representative John Lovick. You served this institution for many years and I look forward to teaming up with you.

My children couldn't be here today. Like a lot of us, our children grow up and they're out doing their career path, but I thought about them today because we all know our families make such incredible sacrifices for us to be here, and I know as they're venturing in their careers we're down here because we want every child in this state to be successful and to have a career path. I want to thank my good friend Bill Fletcher for being here today

One of the things I reflected on was when we do the Pledge of Allegiance, it makes me think of my father. My father was a World WarTwo veteran and he was a

businessman. He was the hardest working man I've ever met, and we had a tradition at our house of putting out the flag every day, I don't know if you did as well, and he always taught me how to take care of the flag. It never can touch the ground, how to fold it and really what it meant to him, and I know when we say the Pledge of Allegiance, it touches something in all of our hearts and to me that's what brings us together, is that deep love we have for our country.

And I really hope that as we're working on what might be a tough, but hopefully very focused and timely session, is that we're going to think about those bonds that bring us together, because I think if the people of Washington, knew all the great things we got done together, it would give them hope. So hopefully this session will be about healing and strengthening our communities, our state and our country, and again I am just so honored to serve and look forward to a very great session. Thank you."

ELECTION OF DEPUTY SPEAKER PRO TEMPORE

Representative Santos: "Thank you Mr Speaker. Opening day of legislative session is always just a remarkable day, full of a lot of pomp and circumstance, but particularly for new members. We have many new members in this chamber, and we also have some returning members, so we want to welcome them back. But it is also a day I think that reminds us of how awesome, how truly awesome is the responsibility that we have been given, and the privilege that we have been given to represent the people of the state of Washington.

The gentleman that I place in nomination for Deputy Speaker Pro Tempore, Representative John Lovick, is a member that we are welcoming back. He previously served as the Speaker Pro Tempore of this chamber. At the time, we often called him Johnny Decorum. Because as Speaker Pro Tempore, one of the talents and abilities he had was to impart, both by his demeanor but also by his expectation of our behavior, a gravitas and a dignity that is the core and essence of this institution and our democracy. In policy debates, he ruled with an even hand but let me tell you when he was prime sponsoring a bill, you never saw anyone more tenacious. You remember the seat belt bill.

He is also somebody who has a heart of gold. One of the things that I will always remember about Representative Lovick is when one of our colleagues who lived in the same county was in need of daily dialysis. He would drive her every day back to Snohomish County to receive her dialysis, and then bring her back again. Mr. Speaker I cannot think of a finer person to serve as the Deputy Speaker Pro Tempore, who along with you and the newly elected Speaker Pro Tempore, will represent visibly and honorably the diverse faces of the people's house in Washington State. Please support this nomination for Deputy Speaker Pro Tempore."

MOTIONS

Representative Sullivan moved that the nominations for the Office of Deputy Speaker Pro Tempore of the House of Representatives be closed. The motion was carried.

Representative Sullivan moved that Representative John Lovick be elected Deputy Speaker Pro Tempore of the House of Representatives. The motion was carried.

Representative Santos escorted Deputy Speaker Pro Tempore Lovick to the rostrum.

OATH OF OFFICE

Justice Charles Johnson administered the Oath of Office to Deputy Speaker Pro Tempore Lovick.

DEPUTY SPEAKER PRO TEMPORE REMARKS

Representative Lovick: "I want to start by thanking the Chief Justice and my good friend from the thirty-seventh district. I want you to know that you are both kind and thoughtful public servants, thank you very very much. I want to introduce my wife Karen of many many many years and my two great friends Linda Heller and Joyce Watson. They're all retired school teachers in the Everett school district, all three of them. And, this next young man is, Karen and I are blessed with five children and five grand boys and this is our oldest grandson Sarrod. I want Sarrod to know we're so proud of you. Proud of the great things that you're doing in the community, proud of the things that you are doing in school, we're just happy to have you here, thank you. I am going to close by thanking the brave men and women in our military serving both here at home and abroad, our law enforcement officers, firefighters, and emergency responders for all that they do to keep us safe in our homes, on our streets, and for keeping our children safe in our schools. Thank you very very much and I'm going to say, like the Speaker always says, 'let's get to work.' Thank you."

ELECTION OF THE CHIEF CLERK

Representative Cody: "Thank you Mr. Speaker. Many of us think we know Bernard Dean but I would just like to give a few words about him. Bernard is a born and bred Washingtonian, graduated from Steilacoom High School, went to college here in Washington. I think many of you know that he's a Cougar, we hear that a lot around here. He graduated in '94 with his bachelors, in '96 with his masters. He's been working for us here in the house since the year 2000 and I was lucky enough to actually work with Bernard when he was on the House Appropriations Committee.

Bernard got the great task of handling long term care, and for those of you who've been around for a while know, there's always a few bills about long term care and financing and we went through quite a few different iterations of nursing home financing and this was also in the era of the IEPs (the individual providers) becoming unionized and having contracts. Well I have to admit, I did torment Bernard on a few occasions with wearing purple or leaving purple things in his office because he was having some difficulties with all the people that would be coming to visit him in his office. I also, he maintains, (I have no recollection of this event) but at one point I was shooting Nerf bullets at him because he was telling me that we couldn't fund something the way I wanted to do it. I will admit that I was the one

when he started working as the Deputy Chief Clerk that told the freshman that year that you had to rub his head when you put on an amendment to make sure that your amendment would pass. So I will take some responsibility for the thinning of his hair. I also would like to say that he has done a great job the last ten years as Deputy Chief Clerk. He did leave us for four months this last summer. He refers to it as a sabbatical, I think he lost his way, but fortunately he has returned to us. So again, I nominate Bernard Dean for Chief Clerk”

Representative Smith: “Well thank you Mr. Speaker, and before I begin about Bernard I would just like to join Representative Lovick and to say thank you for all of law enforcement. It is Law Enforcement day and we have such a, we owe so much in terms of our own gratitude to those men and women who are protecting us each and every day on our streets so we want to say thank you.

It is an honor to stand and nominate Bernard Dean and to ask my colleagues to join us in supporting him today to become our Chief Clerk. There are a couple things I just want to mention. As you have already heard he did become our Deputy Chief Clerk in 2007 and I arrived shortly after that. What has struck me about Bernard’s service to this institution is his commitment to its integrity. His commitment to doing what is right to helping us see what is right, in listening to us, in being willing to consider new ideas but giving us the very best of his guidance. He is an able administrator which is a huge task here that I think probably most of the public does not recognize, in keeping those many pages and amendments and bills moving and moving effectively. He is an able administrator because he cares about people and he wants us to do our job well.

You know there is an ancient story of a king in which it was said that he serves with integrity and skillful hands, and I believe that as our Chief Clerk that’s why I stand here today. I believe Bernard will serve us with integrity and he will bring to this institution the kind of skill that we need in our Chief Clerk, and that the people of the state will be grateful for and will appreciate and with that I would ask for you to join me in supporting Bernard Dean as our Chief Clerk.”

MOTIONS

Representative Sullivan moved that the nominations for the Office of Chief Clerk of the House of Representatives be closed. The motion was carried.

Representative Sullivan moved that Bernard Dean be elected Chief Clerk of the House of Representatives. The motion was carried.

Representatives Cody and Smith escorted Chief Clerk Dean to the rostrum.

OATH OF OFFICE

Justice Charles Johnson administered the Oath of Office to Chief Clerk Dean.

Chief Clerk Dean: ”Thank you Associate Chief Justice Johnson, thank you Speaker Chopp, Representatives Cody and Smith, I appreciate your kind nominating remarks. I was warned about Representative Cody but I trust her.

Thank you for the opportunity to serve as Chief Clerk. It’s been an honor to have been a part of this institution for the last sixteen years, and I look forward to serving you in my new capacity. I also want to take this opportunity to thank Nona Snell for agreeing to serve with me as Deputy Chief Clerk. Everyone here could have chosen a different line of work. One that perhaps pays more, requires fewer hours, comes with more prestige or perhaps involves fewer headaches, but both members and staff are here because you’re committed to public service and to improving people’s lives

I learned the value of public service as a young child from my father who proudly served our country for twenty-five years in the United States Army. After retiring he continued to serve by working at the V.A. hospital in Lakewood. He was stationed in Germany for part of his military career which is where he met my mother. My mom and my dad taught me about hard work, respect and discipline. They taught me to use money wisely and to live frugally. I know I have a reputation for being a bit of a stickler and a penny pincher when it comes to managing House resources, so now you know it’s not my fault, it’s genetics.

I also learned that part of public service involves sacrifice. You all made sacrifices to be here and will continue to do so. The late nights, the time away from your families, that’s part of what it means to serve in this great institution and I don’t take that lightly. I can appreciate those sacrifices, having raised a young daughter while working many late evenings and weekends scrubbing budgets on the Appropriations Committee staff. My daughter is now a young adult and headed back to her college campus today - she’s actually on a flight back to Georgia. She probably still thinks I spend too much time here at work but I know she understands the importance of public service so thank you again for everything that you do to be part of this great institution and for working together to develop good public policy for the people of this state.

And finally I want to thank my parents for all the support that they’ve given me over the years. Unfortunately my parents could not be here today. My father took a bit of a fall last week and is recovering from a few broken ribs, but I want you both to know how much I appreciate you. He’s eighty one years old and still refereeing varsity basketball games if you can believe that. Lastly to my mother who may be watching: ‘Ohne euch, wäre Ich nicht hier.’ Or, in English, ‘I would not be here without you.’ Thank you all.”

Speaker Chopp thanked Justice Johnson and called upon Representatives Pellicciotti and Walsh to escort the Justice from the Chamber.

RESOLUTION

**HOUSE RESOLUTION NO. 2017-4600, by
Representatives Sullivan and Kretz**

BE IT RESOLVED, That a committee consisting of two members of the House of Representatives be appointed by the Speaker of the House to notify the Governor that the House is organized and ready to conduct business.

Representative Sullivan moved adoption of HOUSE RESOLUTION NO. 4600

Representative Sullivan spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4600 was adopted.

The Speaker appointed Representatives McBride and Steele to notify the Governor.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1000 by Representatives Doglio, Appleton, Dolan, Frame, Peterson, Gregerson, Santos, Fey, Sawyer and Cody

AN ACT Relating to the use of deadly force by law enforcement and corrections officers; amending RCW 9A.16.040; and creating a new section.

Referred to Committee on Public Safety.

HB 1001 by Representatives Morris, Smith, Tarleton, Haler and Doglio

AN ACT Relating to utility easements on state-owned aquatic lands; and amending RCW 79.110.240.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1002 by Representatives Taylor, Shea, McCaslin, Volz, Klippert, J. Walsh, Griffey, Chandler, Holy, Harris, Short, Hargrove, Rodne, Buys, Pike, Young, Koster, Barkis, MacEwen and McCabe

AN ACT Relating to restricting public funds from being used for elective abortions; amending RCW 9.02.100, 9.02.160, 9.02.170, and 43.70.040; reenacting and amending RCW 74.09.659; adding a new section to chapter 41.05 RCW; adding a new section to chapter 74.09 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1003 by Representatives Shea, Taylor, Volz, Rodne, J. Walsh, Haler, Holy, Short, McCaslin, Young, Pike, Koster, Hargrove, MacEwen, Barkis, Van Werven, Buys, Schmick, Klippert and Chandler

AN ACT Relating to requiring parental notification for abortion; adding a new section to chapter 9.02 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1004 by Representatives Shea, Taylor, McCaslin, MacEwen, Buys, Haler and Young

AN ACT Relating to protecting the constitutionally guaranteed right to the lawful possession of firearms during a state of emergency; amending RCW 43.06.220; and creating a new section.

Referred to Committee on Judiciary.

HB 1005 by Representatives Taylor, Orcutt, Shea, J. Walsh, Haler, Condotta, Young, McCaslin, Griffey, Van Werven, Dent, Short, Manweller, Hargrove, Holy, Rodne, Buys, Pike, Koster, Barkis and Schmick

AN ACT Relating to creating accountability in agency rule-making authority; amending RCW 34.05.030; adding new sections to chapter 34.05 RCW; and declaring an emergency.

Referred to Committee on State Government, Elections & Information Technology.

HB 1006 by Representatives Shea, Taylor, McCaslin, Buys and Young

AN ACT Relating to protecting the right to work; amending RCW 41.56.113, 41.56.122, 41.59.060, 41.59.140, 41.76.045, 41.80.050, 41.80.100, 47.64.130, 49.66.010, 49.66.050, and 53.18.050; adding new sections to chapter 49.36 RCW; prescribing penalties; and repealing RCW 28B.52.045 and 47.64.160.

Referred to Committee on Labor & Workplace Standards.

HB 1007 by Representatives Shea, Taylor, McCaslin, Buys and Chandler

AN ACT Relating to accommodating the civil rights of religious objectors to mandatory payments to labor organizations; and amending RCW 41.56.122, 41.76.045, 41.59.100, 28B.52.045, 49.39.090, 47.64.160, 41.80.100, and 49.66.010.

Referred to Committee on Labor & Workplace Standards.

HB 1008 by Representatives Shea, Taylor, Short, McCaslin, Buys, Schmick and Haler

AN ACT Relating to the acquisition of land by state natural resources agencies; amending RCW 77.12.037, 77.12.220, 79.70.030, 79.71.040, 79A.05.030, and 79A.05.095; adding a new section to chapter 77.12

RCW; adding a new section to chapter 43.30 RCW; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Capital Budget.

HB 1009 by Representatives Shea, Taylor, Short, McCaslin, Pike, Buys, Haler and Young

AN ACT Relating to clarifying that the authority to mitigate environmental impacts under the state environmental policy act applies only to significant adverse environmental impacts; and amending RCW 43.21C.060.

Referred to Committee on Environment.

HB 1010 by Representatives Shea, Taylor, Holy, Short, McCaslin, Pike, Haler and Young

AN ACT Relating to directing the department of ecology to submit an annual report to the legislature detailing the department's participation in interagency agreements; amending RCW 43.21A.150; and creating a new section.

Referred to Committee on Environment.

HB 1011 by Representatives Taylor, Shea, McCaslin, Young, Klippert, J. Walsh, Haler, Short, Manweller, Hargrove, Pike, Holy, Rodne, Buys, Koster and Schmick

AN ACT Relating to allowing the use of gender-segregated facilities; and amending RCW 49.60.030.

Referred to Committee on Judiciary.

HB 1012 by Representatives Taylor, Young, McCaslin, Harris, Manweller, Volz, Shea, J. Walsh, Stambaugh, Smith, Haler, Hargrove, Holy, Rodne, Short, Pike, Hayes, Bergquist, Schmick and Klippert

AN ACT Relating to eliminating the use of the high school science assessment as a graduation prerequisite; and amending RCW 28A.655.061, 28A.655.065, and 28A.655.068.

Referred to Committee on Education.

HB 1013 by Representatives Shea, Taylor, Short, McCaslin, Buys, Haler, Young and Pike

AN ACT Relating to reducing overlap between the state environmental policy act and other laws; and amending RCW 43.21C.060, 43.21C.240, 43.21C.460, 36.70C.140, 36.70A.295, and 43.21C.075.

Referred to Committee on Environment.

HB 1014 by Representatives Shea, Taylor, Holy, Short, McCaslin, Pike, Buys, Haler and Young

AN ACT Relating to establishing a peer review process to ensure robust economic analysis of department of ecology administrative rules; amending RCW 19.85.030; adding new sections to chapter 34.05 RCW; and creating a new section.

Referred to Committee on Environment.

HB 1015 by Representatives Shea, Taylor, McCaslin, Buys and Haler

AN ACT Relating to prohibiting restrictions on the carrying of a concealed pistol by persons with a valid concealed pistol license in certain facilities; adding a new section to chapter 36.100 RCW; adding a new section to chapter 36.102 RCW; and adding a new section to chapter 9.41 RCW.

Referred to Committee on Judiciary.

HB 1016 by Representatives Taylor, Shea, Goodman, Condotta, Holy, Young, McCaslin, Hayes, Appleton, Van Werven, Buys, Haler and Blake

AN ACT Relating to requiring a finding of guilt prior to the forfeiture of private property; and amending RCW 9.46.231, 9.68A.120, 9A.88.150, 10.105.010, 9A.83.030, 19.290.230, 46.61.5058, 69.50.505, 70.74.400, 82.24.130, 82.26.230, 82.26.240, 82.32.670, and 82.38.360.

Referred to Committee on Judiciary.

HB 1017 by Representatives McCaslin, Barkis, Blake, Holy, Pettigrew, Haler, Taylor, Shea, Harris, Chandler, Smith, Muri, Stokesbary, Nealey, Stambaugh, Griffey, Vick, Buys, Dye, Short, Pike, Wilcox, Van Werven, Hargrove, Young, Klippert, Kilduff and Sawyer

AN ACT Relating to the siting of schools and school facilities; amending RCW 36.70A.280 and 36.70A.280; adding a new section to chapter 36.70A RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1018 by Representatives Dent, Gregerson, Hargrove, Tarleton, Pike and Klippert

AN ACT Relating to modifying the maximum amount for grants provided to airports and air navigation facilities; amending RCW 47.68.090; and creating a new section.

Referred to Committee on Transportation.

HB 1019 by Representatives Dent, Goodman, Griffey, Blake, Dye, Short, Haler, Tharinger, Shea and Chandler

AN ACT Relating to state fire services mobilization; amending RCW 43.43.960; reenacting and amending RCW 43.43.960; providing an effective date; and providing an expiration date.

Referred to Committee on Appropriations.

HB 1020 by Representatives Johnson, Fey, Caldier, Cody, Appleton, Barkis and Haler

AN ACT Relating to allowing beer and/or wine specialty shop licensees to sell products made by distillers that produce sixty thousand gallons or less of spirits per year; reenacting and amending RCW 66.24.371; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1021 by Representatives MacEwen, Hargrove, Stokesbary, Haler, Young, Pike, Shea and Chandler

AN ACT Relating to funding education first; amending RCW 28A.150.380 and 43.88.030; adding a new section to chapter 44.04 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1022 by Representatives MacEwen, Pettigrew and Haler

AN ACT Relating to alien victims of certain qualifying criminal activity; and adding a new chapter to Title 7 RCW.

Referred to Committee on Public Safety.

HB 1023 by Representatives MacEwen, Stanford, Muri, Young, Kilduff and Shea

AN ACT Relating to military student participation in varsity extracurricular activities; and amending RCW 28A.225.280.

Referred to Committee on Education.

HB 1024 by Representatives MacEwen, Muri and Haler

AN ACT Relating to authorizing cities and counties to facilitate the maintenance and repair of private roadways impacting the public interest; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 1025 by Representatives Taylor, Manweller, Shea, McCaslin, Stokesbary, Smith, Holy, Condotta, Rodne, Short, Buys, Pike, Young, Hargrove, Hayes, Van Werven and Haler

AN ACT Relating to establishing priorities for enactment of appropriations and tax legislation; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Appropriations.

HB 1026 by Representatives Appleton, Tharinger, Robinson, Stanford, Lytton, Ormsby, Jinkins, Wylie, Goodman, Sells, Farrell, Doglio, Riccelli, Fey, Pollet, Fitzgibbon, Dolan, Chapman and Frame

AN ACT Relating to requiring the submission of a waiver to the federal government to create the Washington health security trust; adding a new chapter to Title 43 RCW; creating new sections; repealing RCW 82.04.260 and 48.14.0201; providing contingent effective dates; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1027 by Representatives Barkis, Vick, Stanford, Kirby and Ryu

AN ACT Relating to surplus line broker licensing; and amending RCW 48.15.070 and 48.15.073.

Referred to Committee on Business & Financial Services.

HB 1028 by Representatives Pollet, Farrell and Appleton

AN ACT Relating to reducing air pollution associated with asphalt production in urban areas; amending RCW 70.94.370; adding a new section to chapter 70.94 RCW; adding a new section to chapter 46.61 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment.

HB 1029 by Representatives Harmsworth, Young, Hargrove, Rodne, Orcutt, Muri, Santos and Pike

AN ACT Relating to the election and authority of regional transit authority board members; amending RCW 81.112.010 and 81.112.030; adding a new section to chapter 81.112 RCW; creating a new section; repealing RCW 81.112.040; and providing an effective date.

Referred to Committee on Transportation.

HB 1030 by Representatives Harmsworth, Young, Griffey, Rodne, Shea, Hargrove, Orcutt, Hayes, Stokesbary, Stanford, Buys, Schmick, Muri, Haler, Pike and Pollet

AN ACT Relating to replacing the Interstate 405 express toll lanes with a general purpose lane and a high occupancy vehicle lane; reenacting and amending RCW 47.56.810 and 43.84.092; adding a new section to chapter 47.01 RCW; creating new sections; repealing

RCW 47.56.880, 47.56.886, and 47.56.884; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1031 by Representatives Lytton, Morris, Tarleton, Fitzgibbon, Springer, Gregerson and Hudgins

AN ACT Relating to the use of unmanned aerial systems near certain protected marine species; and amending RCW 77.15.740.

Referred to Committee on Technology & Economic Development.

HB 1032 by Representatives Ryu, Orcutt, Kirby, Vick, Santos, Nealey, Appleton, Manweller, Sawyer, Muri, Blake, Goodman, Stonier, Ortiz-Self, Springer, Hargrove, Peterson, Tarleton, Pettigrew, Stokesbary, Farrell, Clibborn, Stanford, Lytton, Pollet, Kagi, Fitzgibbon, Barkis, Van Werven, Frame, Dolan, Buys, Gregerson, Haler, Young, Dent, Kilduff, Shea and Macri

AN ACT Relating to the excise taxation of martial arts; amending RCW 82.04.050; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1033 by Representatives Manweller, Hargrove, Haler, Buys and Muri

AN ACT Relating to expanding access to the state need grant by modifying awards for students attending private four-year institutions of higher education; amending RCW 28B.92.050 and 28B.92.065; and creating a new section.

Referred to Committee on Higher Education.

HB 1034 by Representative Manweller

AN ACT Relating to legal actions against the state by state officials; amending RCW 43.10.040 and 43.12.075; and adding a new section to chapter 43.01 RCW.

Referred to Committee on Judiciary.

HB 1035 by Representatives Manweller and Short

AN ACT Relating to ensuring the accuracy of prevailing wage survey data provided by interested parties; and amending RCW 39.12.026.

Referred to Committee on Labor & Workplace Standards.

HB 1036 by Representatives Harmsworth, Kirby, Short and Muri

AN ACT Relating to business practices of registered tow truck operators by authorizing electronic records creation and storage; and amending RCW 46.55.150 and 46.55.160.

Referred to Committee on Transportation.

HB 1037 by Representatives Stanford, Vick and Short

AN ACT Relating to notice sent by and certain release of information affecting registered tow truck operators; and amending RCW 46.55.110 and 46.52.130.

Referred to Committee on Transportation.

HB 1038 by Representatives Condotta, Stanford, Johnson, Vick, Haler and Sawyer

AN ACT Relating to increasing the number of tasting rooms allowed under a domestic winery license; amending RCW 66.24.170; and creating a new section.

Referred to Committee on Appropriations.

HB 1039 by Representatives Wylie, Condotta, Johnson, Haler and Fey

AN ACT Relating to allowing sales of growers of wine; and amending RCW 66.28.360.

Referred to Committee on Commerce & Gaming.

HB 1040 by Representatives Wylie, Condotta, Johnson and Haler

AN ACT Relating to providing small winery tax relief; and reenacting and amending RCW 66.24.210.

Referred to Committee on Finance.

HB 1041 by Representatives Clibborn, Kilduff, Ormsby, Gregerson, Santos and Fey

AN ACT Relating to facilitating compliance with the federal REAL ID act by modifying driver's license and identocard design and fees; amending RCW 46.20.202; adding a new section to chapter 46.20 RCW; and repealing RCW 43.41.390 and 46.20.191.

Referred to Committee on Transportation.

HB 1042 by Representatives Springer, Harris, Jinkins, Fitzgibbon, Tharinger and Sawyer

AN ACT Relating to eliminating the office of the insurance commissioner's school district or educational service district annual report; amending RCW 28A.400.275; and repealing RCW 48.02.210 and 48.62.181.

Referred to Committee on Ways & Means.

HB 1043 by Representatives Robinson, Harris, Clibborn, Riccelli, Cody, Jinkins, Tharinger, Appleton and Sawyer

AN ACT Relating to nonpublic personal health information; and adding a new section to chapter 48.02 RCW.

Referred to Committee on Health Care & Wellness.

HB 1044 by Representatives MacEwen and Barkis

AN ACT Relating to homeownership projects through the housing trust fund; and amending RCW 43.185.050.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1045 by Representatives Kirby and Vick

AN ACT Relating to licensing and enforcement provisions applicable to money transmitters and currency exchanges under the uniform money services act; amending RCW 19.230.010, 19.230.020, 19.230.030, 19.230.040, 19.230.050, 19.230.070, 19.230.100, 19.230.110, 19.230.130, 19.230.140, 19.230.150, 19.230.152, 19.230.180, 19.230.200, 19.230.210, 19.230.250, 19.230.290, 19.230.320, and 19.230.330; adding new sections to chapter 19.230 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

HB 1046 by Representative MacEwen

AN ACT Relating to certificates of academic and individual achievement; amending RCW 28A.155.045, 28A.230.090, 28A.230.122, 28A.230.125, 28A.655.070, 28A.180.100, 28A.195.010, 28A.305.130, and 28A.600.310; adding a new section to chapter 28A.655 RCW; and repealing RCW 28A.600.405, 28A.655.061, 28A.655.063, 28A.655.065, 28A.655.066, and 28A.655.068.

Referred to Committee on Appropriations.

HB 1047 by Representatives Peterson, Appleton, Stanford, Robinson, Lytton, Ormsby, Senn, Jinkins, Bergquist, Frame, Gregerson, Doglio, Fey, Tharinger, Ryu, Kilduff, Macri, Hudgins, Farrell, Sawyer and Cody

AN ACT Relating to protecting the public's health by creating a system for safe and secure collection and disposal of unwanted medications; amending RCW 69.41.030; reenacting and amending RCW 42.56.270; adding a new section to chapter 69.50 RCW; adding a new section to chapter 70.95 RCW; adding a new

chapter to Title 69 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Appropriations.

HB 1048 by Representatives Morris, Fitzgibbon, Fey, Hudgins and Tarleton

AN ACT Relating to promoting a sustainable, local renewable energy industry through modifying renewable energy system tax incentives and providing guidance for renewable energy system component recycling; amending RCW 82.16.120, 82.16.130, 82.08.962, 82.08.963, 82.12.962, and 82.12.963; adding new sections to chapter 82.16 RCW; adding a new chapter to Title 70 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Finance.

HB 1049 by Representative Morris

AN ACT Relating to unmanned aircraft; adding a new section to chapter 47.68 RCW; adding a new section to chapter 4.24 RCW; and prescribing penalties.

Referred to Committee on Technology & Economic Development.

HB 1050 by Representative DeBolt

AN ACT Relating to financing of Chehalis basin flood damage reduction and habitat restoration projects; reenacting and amending RCW 43.84.092; and adding new sections to chapter 43.99G RCW.

Referred to Committee on Capital Budget.

HB 1051 by Representative DeBolt

AN ACT Relating to financing essential public infrastructure; amending RCW 43.155.020, 43.155.030, 43.155.040, 43.155.060, 43.155.065, 43.155.068, 43.155.070, 43.155.075, and 43.155.120; reenacting and amending RCW 43.155.050; adding new sections to chapter 43.155 RCW; creating a new section; making an appropriation; and providing a contingent effective date.

Referred to Committee on Capital Budget.

HB 1052 by Representatives Sawyer, Appleton, Bergquist and Macri

AN ACT Relating to repealing the requirement that credentialing authorities suspend a person's occupational credential for nonpayment or default of certain student loans; amending RCW 67.08.100; creating a new section; and repealing RCW 2.48.165, 18.04.420, 18.08.470, 18.11.270, 18.16.230, 18.20.200, 18.27.360, 18.39.465, 18.43.160, 18.44.460, 18.46.055, 18.76.100, 18.85.341, 18.96.190, 18.104.115,

18.106.290, 18.130.125, 18.140.200, 18.145.125, 18.160.085, 18.165.280, 18.170.163, 18.180.050, 18.185.055, and 28A.410.105.

Referred to Committee on Business & Financial Services.

HB 1053 by Representatives Reeves, Vick, Kirby, Ormsby, Gregerson and Tarleton

AN ACT Relating to the Washington state credit union act; amending RCW 31.12.055, 31.12.065, 31.12.195, 31.12.246, 31.12.267, 31.12.326, 31.12.335, 31.12.386, 31.12.404, and 31.12.413; reenacting and amending RCW 31.12.005; and reenacting RCW 31.12.436.

Referred to Committee on Financial Institutions & Insurance.

HB 1054 by Representatives Harris, Cody, Orwall, DeBolt, Johnson, McBride, Clibborn, Short, Pettigrew, Robinson, Fey, Kilduff, Riccelli, Ryu, Nealey, Goodman, Tharinger, Stanford, Frame, Stokesbary, Pollet, Jinkins, Haler, Kagi, Hargrove, Fitzgibbon, Appleton, Chapman, Senn, Bergquist, Gregerson, Young, Farrell and Slatter

AN ACT Relating to protecting youth from tobacco products and vapor products by increasing the minimum legal age of sale of tobacco and vapor products; amending RCW 26.28.080, 70.155.005, 70.155.010, 70.345.010, 70.155.020, 70.345.070, 70.345.100, 70.155.030, 70.345.160, 70.155.110, and 70.155.120; and providing an effective date.

Referred to Committee on Finance.

HB 1055 by Representatives Kilduff, Muri, Haler, Shea, Appleton, Klippert, Lovick, Stokesbary, Stanford, Jinkins, Reeves, MacEwen, Koster, Hayes, Barkis, Kloba, Frame, Ormsby, Bergquist, Goodman, Gregerson, Young, Kirby, Fey, Slatter, Sawyer and Tarleton

AN ACT Relating to pro bono legal services for military service members, veterans, and their families; and adding new sections to chapter 43.10 RCW.

Referred to Committee on Appropriations.

HB 1056 by Representatives Kilduff, Muri, Appleton, Shea, Lovick, MacEwen, Stanford, Reeves, Fitzgibbon, Frame, Ormsby, Jinkins, Bergquist, Goodman, Gregerson, Kirby, Fey, Slatter and Sawyer

AN ACT Relating to consumer protections for military service members on active duty; amending RCW 38.42.010, 38.42.130, and 38.42.140; and adding a new section to chapter 38.42 RCW.

Referred to Committee on Law & Justice.

HB 1057 by Representatives Orwall, Shea, Pollet, Van Werven, Hargrove, Fitzgibbon, Nealey, Kilduff, Ormsby, Jinkins, Goodman, Gregerson, Stambaugh, Hudgins and Tarleton

AN ACT Relating to providing information to students about education loans; adding a new section to chapter 28B.10 RCW; and creating new sections.

Referred to Committee on Appropriations.

HB 1058 by Representative MacEwen

AN ACT Relating to court-ordered restitution; and amending RCW 9.94A.750 and 9.94A.753.

Referred to Committee on Law & Justice.

HB 1059 by Representatives Lytton, Sullivan, Kagi, Fitzgibbon, Dolan, Kilduff, Frame, Pollet, Senn, Ormsby, Jinkins, Bergquist, Farrell, Blake, Hudgins, Tarleton and Cody

AN ACT Relating to delaying implementation of revisions to the school levy lid; amending RCW 84.52.0531; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010 c 237 ss 9, 8, and 10, and 2016 c 202 s 56 (uncodified); reenacting and amending RCW 84.52.0531; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Appropriations.

HB 1060 by Representatives Blake, J. Walsh, Appleton and Chapman

AN ACT Relating to the administration of marijuana to students for medical purposes; amending RCW 69.51A.060; adding a new section to chapter 28A.210 RCW; and adding a new section to chapter 69.51A RCW.

Referred to Committee on Appropriations.

HB 1061 by Representatives Stanford, Vick, Springer, Jinkins and Kirby

AN ACT Relating to collection agency transaction fees for processing electronic payments; and amending RCW 19.16.100 and 19.16.250.

Referred to Committee on Business & Financial Services.

HB 1062 by Representatives Lovick, Harmsworth, Sells, Hayes, Robinson, Haler, Chandler, Dent, Kagi, Smith, Ryu, Ortiz-Self, Peterson and Stanford

AN ACT Relating to calculating the benchmark rate for certain community residential services; and adding a new section to chapter 71A.12 RCW.

Referred to Committee on Appropriations.

HB 1063 by Representatives Morris, Lytton, Fitzgibbon, Appleton and Sawyer

AN ACT Relating to allowing federally recognized tribes with lands held in trust in a county that is west of the Cascade mountain range that borders Puget Sound with a population of at least one hundred eighteen thousand, but less than two hundred fifty thousand, persons to enter into agreements regarding fuel taxes; amending RCW 82.38.310; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1064 by Representatives Morris, Smith, Doglio and Hudgins

AN ACT Relating to removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act; and amending RCW 19.122.130, 19.122.140, and 19.122.150.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1065 by Representatives Kirby and Gregerson

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

Referred to Committee on Commerce & Gaming.

HB 1066 by Representatives Kirby and Vick

AN ACT Relating to authorizing funeral planning and funeral services as noninsurance benefits under group life and disability insurance policies; and amending RCW 48.24.280 and 48.21.380.

Referred to Committee on Business & Financial Services.

HB 1067 by Representatives Ormsby and Jinkins

AN ACT Relating to fiscal matters; amending RCW 28B.15.067, 36.70A.725, 38.52.540, 41.26.450, 43.08.190, 43.09.475, 43.43.839, 43.101.200, 43.320.110, 70.105D.070, 70.119A.120, 71.24.580, 77.12.203, 79.64.040, 79.64.110, 79.105.150, 82.19.040, 82.19.040, and 86.26.007; amending 2013 2nd sp.s. c 15 s 8 (uncodified); amending 2015 c 15 s 8 and 9 (uncodified); reenacting and amending RCW 43.155.050; creating new sections; making appropriations; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1068 by Representatives Ormsby and Jinkins

AN ACT Relating to fiscal matters; amending 2016 1st sp.s. c 36 ss 112, 113, 114, 117, 118, 120, 121, 124, 125, 127, 128, 130, 131, 132, 134, 135, 136, 137, 139, 141, 143, 147, 148, 149, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 218, 219, 220, 221, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 511, 512, 513, 516, 517, 602, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 615, 617, 701, 706, 801, and 804 (uncodified); amending 2015 3rd sp.s. c 4 ss 108, 125, 506, 703, and 710 (uncodified); adding new sections to 2015 3rd sp.s. c 4 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1069 by Representatives Jinkins, Appleton, Kirby, Fey and Cody

AN ACT Relating to procedures for enforcing outpatient civil commitment orders; amending RCW 71.05.590, 71.05.590, and 71.05.590; providing effective dates; and providing expiration dates.

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

HB 1070 by Representatives Jinkins, Appleton, Robinson, Kirby, Doglio and Fey

AN ACT Relating to filing fee surcharges for funding dispute resolution centers; and amending RCW 7.75.035.

Referred to Committee on Appropriations.

HB 1071 by Representatives Kirby and Vick

AN ACT Relating to repealing an expiration date for legislation enacted in 2015 regarding pawnbroker fees and interest rates; and repealing 2015 c 294 s 2 (uncodified).

Referred to Committee on Financial Institutions & Insurance.

HB 1072 by Representatives Koster, Young and Shea

AN ACT Relating to restoring the balance of powers between the branches of government as established by the people in the state Constitution; adding a new chapter to Title 44 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HJM 4000 by Representatives Shea, Taylor and McCaslin

Petitioning for the creation of a new state in eastern Washington.

Referred to Committee on State Government, Elections & Information Technology.

HJM 4001 by Representatives Sawyer and Manweller

Concerning the coordination of legislation and regulations to increase the portability of occupational credentials between Washington, Oregon, and California.

Referred to Committee on Business & Financial Services.

HJR 4200 by Representatives DeBolt and Haler

Amending the Constitution to allow the state to guarantee debt issued on behalf of a political subdivision for essential public infrastructure.

Referred to Committee on Capital Budget.

HCR 4400 by Representatives Cody, Kagi, Johnson, Appleton, Frame, Ormsby, Jinkins, Short, Young, DeBolt, Hudgins and Tarleton

Naming the building at 1063 Capitol Way "The Helen Sommers Building."

Referred to Committee on State Government.

HCR 4401 by Representatives Sullivan, Kretz and Sawyer

Calling a Joint Session of the Legislature.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4401 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

**HOUSE CONCURRENT RESOLUTION NO. 4401,
by Representatives Sullivan, Kretz and Sawyer**

Calling a Joint Session of the Legislature.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

Representative Sullivan spoke in favor of the passage of the concurrent resolution.

The Speaker stated the question before the House to be the adoption of House Concurrent Resolution No. 4401.

HOUSE CONCURRENT RESOLUTION NO. 4401 was adopted.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4401 was immediately transmitted to the Senate.

MOTION

On motion of Representative Sullivan, the remaining bills, memorials, and resolutions listed on the day's introduction sheet were considered first reading under the fourth order of business and were referred to the committees so designated.

On motion of Representative Sullivan, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENTS

The Speaker announced the following committee appointments:

FORMAT CHANGED TO ACCOMMODATE TEXT

Appleton, Sherry	Local Government, Chair; Public Safety; State Government
Barkis, Andrew	**Community Development, Housing & Tribal Affairs; Business & Financial Services; Commerce & Gaming
Bergquist, Steve	Appropriations; Business & Financial Services; Education; Rules
Blake, Brian	Agriculture & Natural Resources, Chair; Business & Financial Services; Commerce & Gaming
Buys, Vincent	*Agriculture & Natural Resources; Appropriations
Caldier, Michelle	Appropriations; Education; Health Care & Wellness
Chandler, Bruce	*Appropriations; Agriculture & Natural Resources
Chapman, Mike	Agriculture & Natural Resources, Vice Chair; Public Safety; Transportation
Chopp, Frank	Rules, Chair
Clibborn, Judy	Transportation, Chair; Health Care & Wellness
Cody, Eileen	Health Care & Wellness, Chair; Appropriations
Condotta, Cary	*Commerce & Gaming; Appropriations; Finance
DeBolt, Richard	*Capital Budget; **Technology & Economic Development; Health Care & Wellness
Dent, Tom	*Early Learning & Human Services; **Agriculture & Natural Resources
Doglio, Beth	Capital Budget, Vice Chair; Labor & Workplace Standards; Technology & Economic Development
Dolan, Laurie	Education, Vice Chair; Finance; State Government
Dye, Mary	Capital Budget; Environment
Farrell, Jessyn	Transportation, Vice Chair; Commerce & Gaming; Rules
Fey, Jake	Transportation, Vice Chair; Environment; Technology & Economic Development
Fitzgibbon, Joe	Environment, Chair; Agriculture & Natural Resources; Appropriations
Frame, Noel	Finance, Vice Chair; Early Learning & Human Services; Labor & Workplace Standards
Goodman, Roger	Public Safety, Chair; Early Learning & Human Services; Judiciary
Graves, Paul	**Health Care & Wellness; Judiciary
Gregerson, Mia	Labor & Workplace Standards, Vice Chair; Local Government; Transportation
Griffey, Dan	**Local Government; Early Learning & Human Services; Public Safety
Haler, Larry	Appropriations; Higher Education; Judiciary
Hansen, Drew	Higher Education, Chair; Appropriations; Judiciary
Hargrove, Mark	**Transportation; Education; Rules
Harmsworth, Mark	**Transportation; Rules; Technology & Economic Development
Harris, Paul	*Education; Appropriations; Health Care & Wellness
Hayes, Dave	**Public Safety; Transportation
Holy, Jeff	*Higher Education; Public Safety; Rules
Hudgins, Zack	State Government, Chair; Appropriations; Technology & Economic Development

Irwin, Morgan	State Government; Transportation
Jenkin, Bill	Business & Financial Services; Commerce & Gaming; Community Development, Housing & Tribal Affairs
Jinkins, Laurie	Judiciary, Chair; Appropriations; Health Care & Wellness
Johnson, Norm	Capital Budget; Education; Rules
Kagi, Ruth	Early Learning & Human Services, Chair; Appropriations; Environment
Kilduff, Christine	Judiciary, Vice Chair; Early Learning & Human Services; Education
Kirby, Steve	Business & Financial Services, Chair; Commerce & Gaming; Judiciary
Klippert, Brad	*Public Safety; Early Learning & Human Services; Judiciary
Kloba, Shelley	Commerce & Gaming, Vice Chair; Technology & Economic Development, Vice Chair; Technology & Economic Development; Transportation
Koster, John	*State Government; Capital Budget; Rules
Kraft, Vicki	Capital Budget; Rules; State Government
Kretz, Joel	**Rules; Agriculture & Natural Resources
Kristiansen, Dan	*Rules
Lovick, John	Early Learning & Human Services; Education; Rules; Transportation
Lytton, Kristine	Finance, Chair; Agriculture & Natural Resources; Appropriations
MacEwen, Drew	**Appropriations; Capital Budget
Macri, Nicole	Community Development, Housing & Tribal Affairs, Vice Chair; Health Care & Wellness, Vice Chair; Capital Budget
Manweller, Matt	*Labor & Workplace Standards; Appropriations; Technology & Economic Development
McBride, Joan	Local Government, Vice Chair; Environment; Rules; Transportation
McCabe, Gina	*Community Development, Housing & Tribal Affairs; **Labor & Workplace Standards; Business & Financial Services
McCaslin, Bob	Early Learning & Human Services; Education
McDonald, Joyce	**Early Learning & Human Services; Rules; Technology & Economic Development
Morris, Jeff	Technology & Economic Development, Chair; Capital Budget; Transportation
Muri, Dick	**Education; **Judiciary; Early Learning & Human Services
Nealey, Terry	*Finance; Appropriations
Orcutt, Ed	*Transportation; **Finance; Agriculture & Natural Resources
Ormsby, Timm	Appropriations, Chair
Ortiz-Self, Lillian	Early Learning & Human Services; Education; Transportation
Orwall, Tina	Higher Education; Judiciary; Public Safety; Rules
Pellicciotti, Mike	Public Safety, Vice Chair; State Government; Transportation
Peterson, Strom	Capital Budget, Vice Chair; Environment, Vice Chair; Local Government
Pettigrew, Eric	Agriculture & Natural Resources; Appropriations; Public Safety; Rules
Pike, Liz	Labor & Workplace Standards; Transportation

Pollet, Gerry	Higher Education, Vice Chair; Appropriations; Finance
Reeves, Kristine	Business & Financial Services, Vice Chair; Capital Budget; Community Development, Housing & Tribal Affairs
Riccelli, Marcus	Capital Budget; Health Care & Wellness; Rules; Transportation
Robinson, June	Appropriations, Vice Chair; Agriculture & Natural Resources; Health Care & Wellness
Rodne, Jay	*Judiciary; Health Care & Wellness; Transportation
Ryu, Cindy	Community Development, Housing & Tribal Affairs, Chair; Capital Budget; Commerce & Gaming
Santos, Sharon Tomiko	Education, Chair; Business & Financial Services; Technology & Economic Development
Sawyer, David	Commerce & Gaming, Chair; Appropriations; Community Development, Housing & Tribal Affairs
Schmick, Joe	*Health Care & Wellness; Agriculture & Natural Resources; Appropriations
Sells, Mike	Labor & Workplace Standards, Chair; Capital Budget; Higher Education
Senn, Tana	Early Learning & Human Services, Vice Chair; Appropriations; Education
Shea, Matt	*Environment; *Environment; Judiciary; Transportation
Short, Shelly	**Environment; Health Care & Wellness; Rules
Slatter, Vandana	
Smith, Norma	*Technology & Economic Development; **Capital Budget
Springer, Larry	Appropriations; Education; Finance; Rules
Stambaugh, Melanie	Higher Education; Transportation
Stanford, Derek	Agriculture & Natural Resources; Appropriations; Business & Financial Services; Rules
Steele, Mike	Capital Budget; Education; Technology & Economic Development
Stokesbary, Drew	**Appropriations; Education; Finance
Stonier, Monica Jurado	Education, Vice Chair; Capital Budget; Health Care & Wellness; Rules
Sullivan, Pat	Appropriations; Rules
Tarleton, Gael	Technology & Economic Development, Vice Chair; Higher Education; Rules; Transportation
Taylor, David	*Local Government; Appropriations; Environment
Tharinger, Steve	Capital Budget, Chair; Appropriations; Health Care & Wellness
Van Werven, Luanne	**Higher Education; Public Safety; Transportation
Vick, Brandon	*Business & Financial Services; **Commerce & Gaming; Appropriations
Volz, Mike	**State Government; Appropriations; Education
Walsh, Jim	**Business & Financial Services; Capital Budget; Local Government
Wilcox, J.T.	Appropriations; Finance; Rules
Wylie, Sharon	Transportation, Vice Chair; Finance; Rules; Technology & Economic Development
Young, Jesse	Commerce & Gaming; Technology & Economic Development; Transportation

The Sergeant at Arms announced that the House delegation to the Governor had returned. The delegation was escorted to the rostrum and Representatives McBride and Steele reported to the body.

On motion of Representative Sullivan, the House adjourned until 9:55 a.m., January 10, 2017, the 2nd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SECOND DAY

House Chamber, Olympia, Tuesday, January 10, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1073 by Representatives Kirby and Vick

AN ACT Relating to commercial transportation services freight deliverers; and amending RCW 48.177.005.

Referred to Committee on Business & Financial Services.

HB 1074 by Representatives Lytton, Tarleton, Ormsby, Farrell and Gregerson

AN ACT Relating to creating the community wildfire protection assessment; reenacting and amending RCW 76.04.005; adding a new section to chapter 76.04 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1075 by Representative Tharinger

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 70.340.130, 28B.20.725, 28B.30.750, 28B.35.370, 28B.50.360, and 70.105D.070; amending 2015 3rd sp.s. c 3 ss 1002, 1026, 1028, 3198, 3200, 3202, and 7038 (uncodified); reenacting and amending RCW 43.160.080; adding new sections to 2015 3rd sp.s. c 3 (uncodified); creating new sections; repealing 2016 sp.s. c 35 s 2011 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1076 by Representatives Graves, Bergquist, Griffey, Hargrove and Van Werven

AN ACT Relating to the donation of home-prepared foods to charitable organizations; and amending RCW 69.80.060.

Referred to Committee on Health Care & Wellness.

HB 1077 by Representatives Fitzgibbon, Pollet and McBride

AN ACT Relating to establishing rules for motorized suction dredge mining in rivers and streams equal to other hydraulic projects by modifying a hydraulic project approval exemption; amending RCW 77.55.091; reenacting and amending RCW 77.55.011; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1078 by Representatives Pellicciotti, Klippert, Orwall, Hayes, Goodman, Stokesbary, Chapman, McCabe, Kilduff, Hudgins, Jinkins, Koster, Ortiz-Self, Bergquist, Stanford, Griffey, Hargrove, Smith, Tarleton, Harmsworth, Dolan, Ormsby, Muri, Van Werven, Kraft, Fey, Slatter, McBride, Gregerson and Macri

AN ACT Relating to human trafficking, prostitution, and commercial sexual abuse of a minor; amending RCW 9A.04.080, 9.68A.100, 9.68A.101, and 9A.88.060; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1079 by Representatives Orwall, Klippert, Goodman, Stokesbary, Kilduff, Chapman, McCabe, Hudgins, Jinkins, Ortiz-Self, Bergquist, Stanford, Griffey, Hargrove, Smith, Tarleton, Harmsworth, Ormsby, Muri, Van Werven, Kraft, Fey, Slatter, Sawyer, McBride and Gregerson

AN ACT Relating to no-contact orders for human trafficking and promoting prostitution-related offenses; reenacting and amending RCW 26.50.110; adding new sections to chapter 9A.40 RCW; adding new sections to chapter 9A.88 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HJM 4002 by Representatives Riccelli, Clibborn, Johnson, Ormsby, Jinkins, Fitzgibbon, Haler, Reeves, Kilduff, Manweller, Ortiz-Self, Tarleton, Hudgins, Stanford, Chapman, Dolan, Jenkin, Fey and Farrell

Requesting that state route number 395 be named the Thomas S. "Tom" Foley Memorial Highway.

Referred to Committee on Transportation.

SCR 8400 by Senators Schoesler and Nelson

Establishing cutoff dates for the consideration of legislation during the 2017 regular session of the sixty-fifth legislature.

There being no objection, the bills, memorial and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE CONCURRENT RESOLUTION NO. 8400 which was read the first time, and

under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House adjourned until 11:00 a.m., January 11, 2017, the 3rd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRD DAY

House Chamber, Olympia, Wednesday, January 11, 2017

The House was called to order at 11:00 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1080 by Representatives Tharinger and DeBolt

AN ACT Relating to state general obligation bonds and related accounts; amending RCW 43.99G.150, 43.99G.170, and 43.99G.180; adding a new section to chapter 43.99H RCW; adding a new section to chapter 28B.14H RCW; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1081 by Representatives Kirby and Vick

AN ACT Relating to authorizing funeral planning and funeral services as noninsurance benefits under group life and disability insurance policies; and amending RCW 48.24.280 and 48.21.380.

Referred to Committee on Financial Institutions & Insurance.

HB 1082 by Representatives Manweller, Condotta and Buys

AN ACT Relating to prohibiting regulation of the amount of rent for commercial properties; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

HB 1083 by Representatives Manweller and Condotta

AN ACT Relating to creating an exemption from the intents and affidavits requirements when paying prevailing wages; and amending RCW 39.12.040.

Referred to Committee on Labor & Workplace Standards.

HB 1084 by Representatives Shea, McCaslin, Buys and Van Werven

AN ACT Relating to identifying certain water rights held by municipal water suppliers as water rights available for municipal water supply purposes; amending RCW 90.03.560; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1085 by Representatives Blake, Vick, J. Walsh, Chapman, Buys and McBride

AN ACT Relating to regulation of the minimum dimensions of habitable spaces in single-family residential buildings; amending RCW 19.27.060, 35.63.080, 35A.63.100, 36.43.010, and 36.70.750; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1086 by Representatives Blake, J. Walsh, Springer, Wilcox and Hargrove

AN ACT Relating to promoting the completion of environmental impact statements within two years; adding a new section to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environment.

HB 1087 by Representatives Appleton and Macri

AN ACT Relating to reducing the penalty for possession of controlled substances; amending RCW 69.50.4013, 9.94A.518, 69.50.315, 69.50.505, and 13.40.0357; repealing RCW 69.50.4014; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1088 by Representatives Appleton, Ormsby and Jinkins

AN ACT Relating to allowing for more than one vacation of a misdemeanor and gross misdemeanor conviction; and reenacting and amending RCW 9.96.060.

Referred to Committee on Public Safety.

HB 1089 by Representatives Appleton and Fitzgibbon

AN ACT Relating to amending the schedule for updates to the comprehensive plan of Kitsap county that are

required under the growth management act to match the update schedules of other central Puget Sound counties; and amending RCW 36.70A.130.

Referred to Committee on Local Government.

HB 1090 by Representatives Appleton, Stanford, Goodman, Frame, Buys, Gregerson and Peterson

AN ACT Relating to breed-based dog regulations; adding a new section to chapter 16.08 RCW; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

HB 1091 by Representatives Appleton, Ormsby, Stanford, McDonald, Dolan, Doglio, Gregerson, Kilduff, Santos, Tarleton, Pollet and Peterson

AN ACT Relating to solemnizing marriages; and amending RCW 26.04.050.

Referred to Committee on Law & Justice.

HB 1092 by Representative Appleton

AN ACT Relating to authorizing home production of recreational marijuana; and amending RCW 69.50.4013.

Referred to Committee on Commerce & Gaming.

HB 1093 by Representatives Appleton, Ormsby, Jinkins, Stanford, Dolan, Santos, Pollet and Peterson

AN ACT Relating to legal financial obligations; and amending RCW 9.94A.760, 9.94B.040, and 9.94A.6333.

Referred to Committee on Judiciary.

HB 1094 by Representatives Sawyer, Kirby, Stonier, Condotta, Appleton, Farrell, Frame, Macri and Kloba

AN ACT Relating to medical marijuana qualifying patients and their employers; and amending RCW 69.51A.060.

Referred to Committee on Labor & Workplace Standards.

HB 1095 by Representatives Appleton, Pollet and Peterson

AN ACT Relating to protecting children and animals from poisoning by antifreeze products; and amending RCW 19.94.544.

Referred to Committee on Commerce, Labor & Sports.

HB 1096 by Representatives Appleton, Chapman and Dolan

AN ACT Relating to removing the limit on the total number of marijuana retail outlets that may be licensed; amending RCW 69.50.354, 69.50.345, 69.50.342, and 69.50.375; and adding a new section to chapter 69.51A RCW.

Referred to Committee on Commerce & Gaming.

HB 1097 by Representatives Sawyer, Hansen, Fitzgibbon, Stanford, Jinkins, Frame, Gregerson, Santos, Tarleton and Pollet

AN ACT Relating to tribal consultation regarding hunting rights and activities; and amending RCW 43.376.050 and 77.04.055.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1098 by Representatives Sawyer, Kirby and Condotta

AN ACT Relating to establishing a process for qualifying patients age eighteen and over and designated providers to purchase their lawful marijuana plants and seeds from marijuana retailers with a medical marijuana endorsement; amending RCW 69.50.375, 69.50.325, 69.50.331, 69.50.342, 69.50.345, 69.50.348, 69.50.351, 69.50.354, 69.50.357, 43.06.490, 69.50.366, 69.50.369, 69.50.378, 69.50.380, 69.50.382, 69.50.385, 69.51A.030, 69.51A.040, 69.51A.045, 69.51A.060, 69.51A.210, 69.51A.220, 69.51A.230, 69.51A.250, and 69.51A.290; reenacting and amending RCW 69.50.101 and 69.50.360; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Gaming.

HB 1099 by Representatives Sawyer, Condotta and Kirby

AN ACT Relating to local governments' unofficial moratoria on state-licensed marijuana retail outlets; amending RCW 66.08.190, 66.24.065, and 69.50.540; and creating a new section.

Referred to Committee on Appropriations.

HB 1100 by Representatives Taylor, Blake, Shea, Harmsworth, Condotta, Short, Volz, Van Werven, Irwin, Hargrove and Buys

AN ACT Relating to concealed pistol license renewal notices; amending RCW 9.41.070; and adding a new section to chapter 43.79 RCW.

Referred to Committee on Appropriations.

HB 1101 by Representatives Taylor, McCaslin, J. Walsh, Shea, Griffey and Buys

AN ACT Relating to simplifying the population growth criteria for planning required by the growth management act; amending RCW 36.70A.040,

36.70A.060, 36.70A.070, 36.70A.130, 36.70A.280, 36.70A.280, 36.70A.310, 36.70A.480, and 36.70A.735; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1102 by Representatives Taylor, Goodman, Shea, McCaslin, Young, J. Walsh, Condotta, Smith and Buys

AN ACT Relating to technology-enhanced government surveillance; adding new sections to chapter 9.73 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1103 by Representatives Taylor, Shea, McCaslin, Volz, Condotta, Short and Buys

AN ACT Relating to the transfer of federal land to the state; amending RCW 28A.515.300; adding a new chapter to Title 79 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1104 by Representatives Taylor, Shea, Short, McCaslin, Condotta, Pike, Holy and Buys

AN ACT Relating to unlawful entry onto private property; adding a new section to chapter 9A.52 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1105 by Representatives Stanford, Orcutt, Clibborn, Stambaugh, Hayes, Stonier, Koster, Holy, Ryu, Ormsby, Fey, Wylie, Dolan, Sells, Muri, Haler, Goodman, Doglio, Hudgins, Gregerson, Barkis, Kilduff, Santos, Tarleton, Pollet, Farrell and Riccelli

AN ACT Relating to passenger-carrying vehicles for railroad employees; amending RCW 81.61.010 and 81.61.040; and adding new sections to chapter 81.61 RCW.

Referred to Committee on Transportation.

HB 1106 by Representatives Tarleton, Gregerson and Pollet

AN ACT Relating to regulating water pollution discharges from motorized mineral prospecting activities; adding a new section to chapter 90.48 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1107 by Representatives Haler, Wylie, Riccelli, Shea, Stanford, Robinson, Fey, Tarleton and Pollet

AN ACT Relating to eliminating the term "branch" as an identifying factor for extensions of the public institutions of higher education; and amending RCW 28B.12.030, 28B.15.0139, 28B.45.010, 28B.45.012, 28B.45.014, 28B.45.020, 28B.45.0201, 28B.45.030, 28B.45.040, 28B.45.080, 28B.50.820, 34.05.514, 44.28.816, 43.41.393, 43.88D.010, and 84.14.010.

Referred to Committee on Higher Education.

HB 1108 by Representative Klippert

AN ACT Relating to controlled substances trafficking investigations pursuant to the privacy act; amending RCW 9.73.240; adding new sections to chapter 9.73 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1109 by Representatives Orwall, McCabe, Griffey, Hayes, McBride, Frame, Goodman, Klippert, Stanford, Stambaugh, Jinkins, Fey, Harmsworth, Dolan, Sells, Muri, Gregerson, McDonald, Wylie, Kilduff, Kloba, Tarleton, Pollet, Farrell, Kagi, Riccelli, Senn, Peterson, Bergquist and Doglio

AN ACT Relating to supporting victims of sexual assault; amending RCW 82.32.145 and 43.330.470; amending 2015 c 247 s 2 (uncodified); reenacting and amending RCW 43.84.092; adding a new section to chapter 43.10 RCW; adding a new section to chapter 70.125 RCW; adding new sections to chapter 43.101 RCW; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; providing an effective date; and providing expiration dates.

Referred to Committee on Appropriations.

HB 1110 by Representatives Appleton, Stanford, Doglio and Pollet

AN ACT Relating to the protection of horses and other equines from slaughter for human consumption; amending RCW 16.52.180 and 16.68.010; adding a new section to chapter 16.52 RCW; creating new sections; repealing RCW 16.68.140; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1111 by Representatives Orwall, Klippert, Goodman, Hayes, Stanford, Jinkins, Fey, Muri, Gregerson and Kilduff

AN ACT Relating to DNA biological samples; amending RCW 43.43.754 and 9A.44.132; and creating new sections.

Referred to Committee on Appropriations.

HB 1112 by Representatives Orwall, Goodman, Ryu, Frame, Stanford, Ormsby, Jinkins, Hudgins, Macri, Tarleton, Pollet, Farrell, Kagi and Bergquist

AN ACT Relating to vacating convictions arising from offenses committed as a result of being a victim of trafficking, promoting prostitution, or promoting commercial sexual abuse of a minor; amending RCW 9.96.070; and reenacting and amending RCW 9.96.060.

Referred to Committee on Public Safety.

HB 1113 by Representatives Hayes, Senn, Nealey, Appleton, Shea, Goodman, McCaslin, Wylie, Stokesbary, Peterson, Wilcox, Springer, Griffey, Ryu, Hargrove, Robinson, Vick, Ortiz-Self, Fey, Tharinger, Buys, Orwall, Harmsworth, Pike, Farrell, McBride, Stambaugh, Clibborn, Gregerson, Holy, Kloba, Stanford, Muri, Sells, McDonald and Bergquist

AN ACT Relating to gradually increasing the local government share of excess liquor revenues until the percentage-based method for distributions is restored; amending RCW 66.08.190, 66.08.190, and 66.08.210; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Appropriations.

HB 1114 by Representatives Fey and Tarleton

AN ACT Relating to exempting certain leasehold interests in performing arts facilities or arenas from the leasehold excise tax; and reenacting and amending RCW 82.29A.130.

Referred to Committee on Finance.

HB 1115 by Representatives Bergquist, Muri, Ortiz-Self, Harris, Stanford, Stambaugh, Gregerson and Kilduff

AN ACT Relating to paraeducators; amending RCW 28A.630.400, 28A.150.203, 28A.410.062, and 28B.50.891; adding a new section to chapter 28A.410 RCW; and creating new sections.

Referred to Committee on Appropriations.

HB 1116 by Representatives Robinson, Doglio, Senn, Reeves, Gregerson, Frame, Lytton, Kagi, Stonier, Tarleton, Jinkins, Ortiz-Self, Ormsby, Macri, Riccelli, Tharinger, Appleton, Stanford, Peterson, McBride, Kloba, Kirby, Dolan, Hudgins, Wylie, Slatter, Santos, Pollet, Farrell, Bergquist, Goodman and Sells

AN ACT Relating to implementing family and medical leave insurance; amending RCW 49.86.005, 49.86.010,

49.86.020, 49.86.030, 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090, 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.160, 49.86.170, 49.86.180, and 49.86.210; reenacting and amending RCW 43.79A.040, 50.29.021, and 34.05.328; adding new sections to chapter 49.86 RCW; creating a new section; repealing RCW 49.86.100; and prescribing penalties.

Referred to Committee on Appropriations.

HB 1117 by Representatives Cody, Caldier, Jinkins, Harris, McBride, Kilduff and Tharinger

AN ACT Relating to health care services balance billing; amending RCW 48.43.005, 48.43.093, and 48.43.515; adding new sections to chapter 48.43 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1118 by Representatives Peterson, Appleton, McBride, Pike, Stanford, Jinkins, Fey and Gregerson

AN ACT Relating to immunity from civil liability for damage or injury that results from the entry of a vehicle to render assistance; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1119 by Representatives Peterson, Condotta and Sawyer

AN ACT Relating to equalizing differences in the distillery and winery industries by authorizing certain sales of spirits carrying a private label exclusive to a restaurant or private club that is a licensed spirits retailer; and amending RCW 66.28.310, 66.24.145, and 66.24.630.

Referred to Committee on Commerce & Gaming.

HB 1120 by Representatives Smith, Morris, Short, Hayes, Stanford, Koster, Van Werven, McDonald, MacEwen, Muri, Haler, Ryu, Condotta and Buys

AN ACT Relating to enhancing the economic development and viability of small businesses; and amending RCW 19.85.025, 19.85.030, and 43.42.010.

Referred to Committee on Appropriations.

HB 1121 by Representatives Muri, Fitzgibbon, Short, Peterson, Fey, Smith, Kagi, Barkis, McBride, Farrell, Wilcox, Jinkins, Haler, Stanford, Gregerson, Kilduff, Tarleton, Tharinger and Pollet

AN ACT Relating to the frequency of Puget Sound action agenda implementation strategy and science work plan updates; and amending RCW 90.71.010, 90.71.280, 90.71.290, and 90.71.310.

Referred to Committee on Environment.

HB 1122 by Representatives Kagi, Jinkins, Cody, Robinson, Gregerson, Ryu, Ortiz-Self, Fitzgibbon, Farrell, Tharinger, Doglio, Dolan, Frame, Tarleton, Appleton, Springer, Lytton, Chapman, Stanford, Peterson, Ormsby, McBride, Fey, Kloba, Senn, Sells, Kilduff, Santos, Riccelli, Bergquist and Goodman

AN ACT Relating to protecting public safety through responsible storage of firearms; adding new sections to chapter 9.41 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1123 by Representatives Condotta, Ryu, Barkis, Kirby, Wilcox, Tarleton, McBride, Smith, Muri, Frame, Tharinger, Morris and J. Walsh

AN ACT Relating to tourism marketing; reenacting and amending RCW 43.79A.040; adding a new section to chapter 82.08 RCW; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1124 by Representatives Condotta, Sawyer and Vick

AN ACT Relating to marijuana-infused edible product packaging and labeling requirements; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Commerce & Gaming.

HB 1125 by Representatives Condotta, Sawyer and Vick

AN ACT Relating to limiting the total number of retail marijuana licenses that may be held by a retailer and co-owners; and amending RCW 69.50.325.

Referred to Committee on Commerce, Labor & Sports.

HB 1126 by Representatives Condotta, Sawyer and Vick

AN ACT Relating to establishing a deadline for the use and implementation of a marijuana retail license by a licensee; and amending RCW 69.50.325.

Referred to Committee on Commerce & Gaming.

HB 1127 by Representatives Condotta, Sawyer and Vick

AN ACT Relating to the licensing of marijuana-related businesses involving a partnership, employee cooperative, association, nonprofit corporation, corporation, or limited liability company; and amending RCW 69.50.331.

Referred to Committee on Commerce & Gaming.

HJR 4201 by Representatives Taylor, Shea, Appleton, Goodman, McCaslin, J. Walsh, Harmsworth, Condotta, Gregerson, Young, Stanford, Haler, Buys and Pollet

Amending the state Constitution to ensure that electronic communications and data are secure from unreasonable searches and seizures.

Referred to Committee on Judiciary.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Education was relieved of HOUSE BILL NO. 1060, and the bill was referred to the Committee on Health Care & Wellness.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

HOUSE CONCURRENT RESOLUTION NO. 4401

The Sergeant at Arms of the House announced the arrival of the Senate at the Chamber doors. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Brad Owen, President Pro Tempore Tim Sheldon, Senator John McCoy and Senator Lynda Wilson to the rostrum. The Senators were invited to seats within the Chamber.

Pursuant to House Concurrent Resolution 4401, the Speaker called the Joint Session to order. The Clerk called the roll of the House members. The Clerk called the roll of the Senate members. The Speaker declared a quorum of the Legislature was present.

Mr. Speaker: "The first purpose of this Joint Session is to comply with the constitutional requirement of canvassing the vote for and against referenda and initiatives, and for the constitutional elective officers."

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SECRETARY OF STATE

December 7, 2016

The Honorable Frank Chopp
Speaker of the House of Representatives
P.O. Box 40600
Olympia, WA 98504-0600

Dear Speaker Chopp:

The returns of the November 8, 2016 General Election have been certified. My office certifies the results for statewide measures, federal offices, statewide offices and any legislative or judicial office that crosses county lines. Legislative and judicial offices located entirely within one county were certified by the county canvassing board of that county on November 29, 2016.

Enclosed, please find copies of the measures and races certified by my office, as well as a list of all new representatives.

Please feel free to contact my office if you have any questions.

Sincerely,

Kim Wyman
Secretary of State

FORMAT CHANGED TO FIT CONTENT

Canvass of the Returns of the General Election Held on November 8, 2016

I, Kim Wyman, Secretary of State of the State of Washington, do hereby certify that according to the provisions of RCW 29A.60.240, I have canvassed the returns of the 3,363,440 votes cast for candidates in the November 8, 2016 General Election by the registered voters of the state for all federal and statewide offices, and those legislative and judicial offices whose jurisdiction encompasses more than one county, as received from the County Auditors, and that the votes cast for these measures and these candidates for office are as follows:

Initiative Measure No. 1433

Initiative Measure No. 1433 concerns labor standards. This measure would increase the state minimum wage to \$11.00 in 2017, \$11.50 in 2018, \$12.00 in 2019, and \$13.50 in 2020, require employers to provide paid sick leave, and adopt related laws.

Yes	1,848,583
No	1,370,907

Initiative Measure No. 1464

Initiative Measure No. 1464 concerns campaign finance laws and lobbyists. This measure would create a campaign-finance system; allow residents to direct state funds to candidates; repeal the non-resident sales-tax exemption; restrict lobbying employment by certain former public employees; and add enforcement requirements.

Yes	1,415,798
No	1,642,784

Initiative Measure No. 1491

Initiative Measure No. 1491 concerns court-issued extreme risk protection orders temporarily preventing access to firearms. This measure would allow police, family, or household members to obtain court orders temporarily preventing firearms access by persons exhibiting mental illness, violent or other behavior indicating they may harm themselves or others.

Yes	2,234,799
No	985,658

Initiative Measure No. 1501

Initiative Measure No. 1501 concerns seniors and vulnerable individuals. This measure would increase the penalties for criminal identity theft and civil consumer fraud targeted at seniors or vulnerable individuals; and exempt certain information of vulnerable individuals and in-home caregivers from public disclosure.

Yes	2,247,906
No	934,365

Initiative Measure No. 732

Initiative Measure No. 732 concerns taxes. This measure would impose a carbon emission tax on certain fossil fuels and fossil-fuel-generated electricity, reduce the sales tax by one percentage point and increase a low-income exemption, and reduce certain manufacturing taxes.

Yes	1,265,123
No	1,839,414

Initiative Measure No. 735

Initiative Measure No. 735 concerns a proposed amendment to the federal constitution. This measure would urge the Washington state congressional delegation to propose a federal constitutional amendment that constitutional rights belong only to individuals, not corporations, and constitutionally-protected free speech excludes the spending of money.

Yes	1,923,489
No	1,138,453

Advisory Vote No. 14

House Bill 2768

The legislature extended, without a vote of the people, the insurance premium tax to some insurance for stand-alone family dental plans, costing an indeterminate amount in the first ten years, for government spending.

Repealed	2,038,321
Maintained	909,701

Advisory Vote No. 15

Second Engrossed Substitute House Bill 2778

The legislature imposed, without a vote of the people, certain limitations on the retail sales and use tax exemptions for clean alternative-fuel vehicles, costing \$2,000,000 in the first ten years, for government spending.

Repealed	1,754,489
Maintained	1,174,345

Senate Joint Resolution No. 8210

The legislature has proposed a constitutional amendment on the deadline for completing state legislative and congressional redistricting. This amendment would require the state redistricting commission to complete redistricting for state legislative and congressional districts by November 15 of each year ending in a one, 46 days earlier than currently required.

Approved 2,246,030

Rejected 658,927

United States President/Vice President		
Ballot Name	Party Preference	Votes
Hillary Clinton / Tim Kaine	Democratic Party Nominees	1,742,718
Donald J. Trump / Michael R. Pence	Republican Party Nominees	1,221,747
Alyson Kennedy / Osborne Hart	Socialist Workers Party Nominees	4,307
Gloria Estela La Riva / Eugene Puryear	Socialism & Liberation Party Nominees	3,523
Jill Stein / Ajamu Baraka	Green Party Nominees	58,417
Darrell L. Castle / Scott N. Bradley	Constitution Party Nominees	17,623
Gary Johnson / Bill Weld	Libertarian Party Nominees	160,879
Write-ins		107,805
United States Senator		
Ballot Name	Party Preference	Votes
Patty Murray	(Prefers Democratic Party)	1,913,979
Chris Vance	(Prefers Republican Party)	1,329,338
Congressional District 1 U.S. Representative		
Ballot Name	Party Preference	Votes
Suzan DelBene	(Prefers Democratic Party)	193,619
Robert J. Sutherland	(Prefers Republican Party)	155,779
Congressional District 2 U.S. Representative		
Ballot Name	Party Preference	Votes
Rick Larsen	(Prefers Democratic Party)	208,314
Marc Hennemann	(Prefers Republican Party)	117,094
Congressional District 3 U.S. Representative		
Ballot Name	Party Preference	Votes
Jaime Herrera Beutler	(Prefers Republican Party)	193,457
Jim Moeller	(Prefers Democratic Party)	119,820
Congressional District 4 U.S. Representative		
Ballot Name	Party Preference	Votes
Dan Newhouse	(Prefers Republican Party)	132,517
Clint Didier	(Prefers Republican Party)	97,402
Congressional District 5 U.S. Representative		
Ballot Name	Party Preference	Votes
Cathy McMorris Rodgers	(Prefers Republican Party)	192,959
Joe Pakootas	(Prefers Democratic Party)	130,575
Congressional District 6 U.S. Representative		
Ballot Name	Party Preference	Votes
Derek Kilmer	(Prefers Democratic Party)	201,718
Todd A. Bloom	(Prefers Republican Party)	126,116
Congressional District 7 U.S. Representative		
Ballot Name	Party Preference	Votes
Pramila Jayapal	(Prefers Democratic Party)	212,010
Brady Piñero Walkinshaw	(Prefers Democratic Party)	166,744
Congressional District 8 U.S. Representative		
Ballot Name	Party Preference	Votes
Dave Reichert	(Prefers Republican Party)	193,145

Tony Ventrella	(Prefers Democratic Party)	127,720
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Congressional District 9 U.S. Representative

Ballot Name	Party Preference	Votes
Adam Smith	(Prefers Democratic Party)	205,165
Doug Basler	(Prefers Republican Party)	76,317

Congressional District 10 U.S. Representative

Ballot Name	Party Preference	Votes
Denny Heck	(Prefers Democratic Party)	170,460
Jim Postma	(Prefers Republican Party)	120,104

Washington State Governor

Ballot Name	Party Preference	Votes
Jay Inslee	(Prefers Democratic Party)	1,760,520
Bill Bryant	(Prefers Republican Party)	1,476,346
Write-ins		8,416

Washington State Lt. Governor

Ballot Name	Party Preference	Votes
Cyrus Habib	(Prefers Democratic Party)	1,698,297
Marty McClendon	(Prefers Republican Party)	1,424,277

Washington State Secretary of State

Ballot Name	Party Preference	Votes
Kim Wyman	(Prefers Republican Party)	1,713,004
Tina Podlodowski	(Prefers Democratic Party)	1,416,299

Washington State Treasurer

Ballot Name	Party Preference	Votes
Duane Davidson	(Prefers Republican Party)	1,576,580
Michael Waite	(Prefers Republican Party)	1,134,843

Washington State Auditor

Ballot Name	Party Preference	Votes
Mark Miloscia	(Prefers Republican Party)	1,455,771
Pat (Patrice) McCarthy	(Prefers Democratic Party)	1,597,011

Washington State Attorney General

Ballot Name	Party Preference	Votes
Bob Ferguson	(Prefers Democratic Party)	2,000,804
Joshua B. Trumbull	(Prefers Libertarian Party)	979,105

Washington State Commissioner of Public Lands

Ballot Name	Party Preference	Votes
Steve McLaughlin	(Prefers Republican Party)	1,436,817
Hilary Franz	(Prefers Democratic Party)	1,630,369

Washington State Superintendent of Public Instruction

Ballot Name	Party Preference	Votes
Erin Jones	Nonpartisan	1,309,896
Chris Reykdal	Nonpartisan	1,337,547

Washington State Insurance Commissioner

Ballot Name	Party Preference	Votes
Mike Kreidler	(Prefers Democratic Party)	1,763,134
Richard Schrock	(Prefers Republican Party)	1,258,827

Legislative District 1 State Senator

Ballot Name	Party Preference	Votes
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Mindie Wirth	(Prefers Republican Party)	30,850
Guy Palumbo	(Prefers Democratic Party)	40,758

Legislative District 1 State Representative Position 1

Ballot Name	Party Preference	Votes
Derek Stanford	(Prefers Democratic Party)	43,207
Neil Thannisch	(Prefers Republican Party)	27,661

Legislative District 1 State Representative Position 2

Ballot Name	Party Preference	Votes
Jim Langston	(Prefers Republican Party)	31,739
Shelley Kloba	(Prefers Democratic Party)	39,076

Legislative District 2 State Senator

Ballot Name	Party Preference	Votes
Randi Becker	(Prefers Republican Party)	36,739
Marilyn Rasmussen	(Prefers Democratic Party)	23,149

Legislative District 2 State Representative Position 1

Ballot Name	Party Preference	Votes
Andrew Barkis	(Prefers Republican Party)	34,167
Amy Pivetta Hoffman	(Prefers Independent Dem. Party)	24,544

Legislative District 2 State Representative Position 2

Ballot Name	Party Preference	Votes
JT Wilcox	(Prefers Republican Party)	39,033
Derek Maynes	(Prefers Democratic Party)	20,413

Legislative District 7 State Representative Position 1

Ballot Name	Party Preference	Votes
Shelly Short	(Prefers Republican Party)	56,589

Legislative District 7 State Representative Position 2

Ballot Name	Party Preference	Votes
Joel Kretz	(Prefers Republican Party)	49,635
Mike Foster	(Prefers Libertarian Party)	14,946

Legislative District 9 State Senator

Ballot Name	Party Preference	Votes
Mark G. Schoesler	(Prefers G.O.P Party)	41,951

Legislative District 9 State Representative Position 1

Ballot Name	Party Preference	Votes
Mary Dye	(Prefers Republican Party)	35,640
Jennifer Goulet	(Prefers Democratic Party)	17,944

Legislative District 9 State Representative Position 2

Ballot Name	Party Preference	Votes
Joe Schmick	(Prefers Republican Party)	42,695

Legislative District 10 State Senator

Ballot Name	Party Preference	Votes
Barbara Bailey	(Prefers Republican Party)	42,309
Angie Homola	(Prefers Democratic Party)	32,309

Legislative District 10 State Representative Position 1

Ballot Name	Party Preference	Votes
Norma Smith	(Prefers Republican Party)	48,178
Michael Scott	(Prefers Libertarian Party)	18,778

Legislative District 10 State Representative Position 2

Ballot Name	Party Preference	Votes
Dave Hayes	(Prefers Republican Party)	42,962
Doris Brevoort	(Prefers Democratic Party)	29,756

Legislative District 12 State Senator

Ballot Name	Party Preference	Votes
Brad Hawkins	(Prefers Republican Party)	30,882
Jon Wyss	(Prefers Republican Party)	24,258

Legislative District 12 State Representative Position 1

Ballot Name	Party Preference	Votes
Cary Condotta	(Prefers Republican Party)	36,748
Dan Maher	(Prefers Democratic Party)	21,653

Legislative District 12 State Representative Position 2

Ballot Name	Party Preference	Votes
Mike Steele	(Prefers Republican Party)	30,397
Jerry Paine	(Prefers Republican Party)	20,112

Legislative District 13 State Representative Position 1

Ballot Name	Party Preference	Votes
Tom Dent	(Prefers Republican Party)	41,673

Legislative District 13 State Representative Position 2

Ballot Name	Party Preference	Votes
Matt Manweller	(Prefers Republican Party)	35,071
Jordan Webb	(Prefers Democratic Party)	14,507

Legislative District 14 State Senator

Ballot Name	Party Preference	Votes
Curtis King	(Prefers Republican Party)	31,156
Amanda Richards	(Prefers Independent GOP Party)	19,900

Legislative District 14 State Representative Position 1

Ballot Name	Party Preference	Votes
Norm Johnson	(Prefers Republican Party)	35,787
Susan Soto Palmer	(Prefers Democratic Party)	18,393

Legislative District 14 State Representative Position 2

Ballot Name	Party Preference	Votes
Gina McCabe	(Prefers Republican Party)	36,848
John (Eric) Adams	(Prefers Democratic Party)	16,914

Legislative District 16 State Senator

Ballot Name	Party Preference	Votes
Maureen Walsh	(Prefers Republican Party)	40,354

Legislative District 16 State Representative Position 1

Ballot Name	Party Preference	Votes
Rebecca Francik	(Prefers Democratic Party)	18,252
William 'Bill' Jenkin	(Prefers Republican Party)	29,812

Legislative District 16 State Representative Position 2

Ballot Name	Party Preference	Votes
Terry R. Nealey	(Prefers Republican Party)	32,860
Gary Downing	(Prefers Democratic Party)	15,507

Legislative District 19 State Senator

Ballot Name	Party Preference	Votes
Dean Takko	(Prefers Democratic Party)	30,850
Sue Kuehl Pederson	(Prefers Independent GOP Party)	25,064

Legislative District 19 State Representative Position 1

Ballot Name	Party Preference	Votes
Jim Walsh	(Prefers Republican Party)	28,693
Teresa Purcell	(Prefers Democratic Party)	28,134

Legislative District 19 State Representative Position 2

Ballot Name	Party Preference	Votes
Brian E. Blake	(Prefers Democratic Party)	33,629
Jimi O'Hagan	(Prefers Republican Party)	22,504

Legislative District 20 State Senator

Ballot Name	Party Preference	Votes
John Braun	(Prefers Republican Party)	49,936

Legislative District 20 State Representative Position 1

Ballot Name	Party Preference	Votes
Richard DeBolt	(Prefers GOP Party)	47,206

Legislative District 20 State Representative Position 2

Ballot Name	Party Preference	Votes
Ed Orcutt	(Prefers Republican Party)	49,195

Legislative District 24 State Senator

Ballot Name	Party Preference	Votes
Kevin Van De Wege	(Prefers Democratic Party)	40,808
Danille Turissini	(Prefers Independent GOP Party)	31,342

Legislative District 24 State Representative Position 1

Ballot Name	Party Preference	Votes
Mike Chapman	(Prefers Democratic Party)	43,847
George Vrable	(Prefers Republican Party)	28,150

Legislative District 24 State Representative Position 2

Ballot Name	Party Preference	Votes
Steve Tharinger	(Prefers Democratic Party)	40,704
John D. Alger	(Prefers GOP/Independent Party)	30,895

Legislative District 26 State Representative Position 1

Ballot Name	Party Preference	Votes
Jesse L. Young	(Prefers Republican Party)	39,857
Larry Seaquist	(Prefers Indep't Democrat Party)	30,224

Legislative District 26 State Representative Position 2

Ballot Name	Party Preference	Votes
Michelle Caldier	(Prefers Republican Party)	40,755
Randy Spitzer	(Prefers Independent Dem. Party)	28,387

Legislative District 30 State Representative Position 1

Ballot Name	Party Preference	Votes
Mike Pellicciotti	(Prefers Democratic Party)	26,820
Linda Kochmar	(Prefers Republican Party)	22,465

Legislative District 30 State Representative Position 2

Ballot Name	Party Preference	Votes
Kristine Reeves	(Prefers Democratic Party)	25,206
Teri Hickel	(Prefers Republican Party)	24,124

Legislative District 31 State Representative Position 1

Ballot Name	Party Preference	Votes
Drew Stokesbary	(Prefers Republican Party)	42,776
John Frostad	(Prefers Libertarian Party)	16,976

Legislative District 31 State Representative Position 2		
Ballot Name	Party Preference	Votes
Phil Fortunato	(Prefers Republican Party)	36,000
Lane Walthers	(Prefers Independent Dem. Party)	26,364
Legislative District 32 State Representative Position 1		
Ballot Name	Party Preference	Votes
Cindy Ryu	(Prefers Democratic Party)	50,061
Alvin Rutledge	(Prefers Republican Party)	15,950
Legislative District 32 State Representative Position 2		
Ballot Name	Party Preference	Votes
Ruth Kagi	(Prefers Democratic Party)	47,908
David D. Schirle	(Prefers Republican Party)	18,115
Legislative District 35 State Representative Position 1		
Ballot Name	Party Preference	Votes
Dan Griffey	(Prefers Republican Party)	36,235
Irene Bowling	(Prefers Independent Dem. Party)	29,658
Legislative District 35 State Representative Position 2		
Ballot Name	Party Preference	Votes
Drew C. MacEwen	(Prefers Republican Party)	35,384
Craig Patti	(Prefers Independent Dem. Party)	29,888
Legislative District 39 State Senator		
Ballot Name	Party Preference	Votes
Kirk Pearson	(Prefers Republican Party)	50,942
Legislative District 39 State Representative Position 1		
Ballot Name	Party Preference	Votes
Dan Kristiansen	(Prefers Republican Party)	37,503
Linda M. Wright	(Prefers Democrat Party)	23,306
Legislative District 39 State Representative Position 2		
Ballot Name	Party Preference	Votes
John Koster	(Prefers Republican Party)	37,250
Ronda Metcalf	(Prefers Democratic Party)	23,854
Legislative District 40 State Senator		
Ballot Name	Party Preference	Votes
Kevin Ranker	(Prefers Democratic Party)	47,108
Daniel R. Miller	(Prefers Republican Party)	23,081
Legislative District 40 State Representative Position 1		
Ballot Name	Party Preference	Votes
Kristine Lytton	(Prefers Democratic Party)	53,429
Legislative District 40 State Representative Position 2		
Ballot Name	Party Preference	Votes
Jeff Morris	(Prefers Democratic Party)	52,376
Supreme Court Justice Position 1		
Ballot Name	Party Preference	Votes
Mary Yu	Nonpartisan	1,577,495
David DeWolf	Nonpartisan	1,174,263
Supreme Court Justice Position 5		
Ballot Name	Party Preference	Votes
Barbara Madsen	Nonpartisan	1,679,786
Greg Zempel	Nonpartisan	1,031,698

Supreme Court Justice Position 6

Ballot Name	Party Preference	Votes
Charles (Charlie) Wiggins	Nonpartisan	1,535,554
Dave Larson	Nonpartisan	1,135,285

Court of Appeals, Division 2, District 3 Judge Position 2

Ballot Name	Party Preference	Votes
Jill M. Johanson	Nonpartisan	211,205

Court of Appeals, Division 3, District 2 Judge Position 1

Ballot Name	Party Preference	Votes
George Fearing	Nonpartisan	86,411
Patrick McBurney	Nonpartisan	74,813

Court of Appeals, Division 3, District 3 Judge Position 1

Ballot Name	Party Preference	Votes
Rebecca Pennell	Nonpartisan	106,059

Asotin, Columbia, Garfield Superior Court Judge Position 1

Ballot Name	Party Preference	Votes
Scott D. Gallina	Nonpartisan	10,406

Benton, Franklin Superior Court Judge Position 1

Ballot Name	Party Preference	Votes
Bruce A. Spanner	Nonpartisan	75,587

Benton, Franklin Superior Court Judge Position 2

Ballot Name	Party Preference	Votes
Joe Burrowes	Nonpartisan	48,499
Sam Swanberg	Nonpartisan	43,603

Benton, Franklin Superior Court Judge Position 3

Ballot Name	Party Preference	Votes
Alexander Carl Ekstrom	Nonpartisan	49,528
Alicia Marie Berry	Nonpartisan	41,433

Benton, Franklin Superior Court Judge Position 4

Ballot Name	Party Preference	Votes
Cameron Mitchell	Nonpartisan	78,206

Benton, Franklin Superior Court Judge Position 5

Ballot Name	Party Preference	Votes
Vic L. VanderSchoor	Nonpartisan	75,928

Benton, Franklin Superior Court Judge Position 6

Ballot Name	Party Preference	Votes
Carrie Runge	Nonpartisan	75,210

Benton, Franklin Superior Court Judge Position 7

Ballot Name	Party Preference	Votes
Jackie Shea Brown	Nonpartisan	75,697

Ferry, Pend Oreille, Stevens Superior Court Judge Position 1

Ballot Name	Party Preference	Votes
Patrick A. Monasmith	Nonpartisan	21,247
C. Olivia Irwin	Nonpartisan	7,477

Ferry, Pend Oreille, Stevens Superior Court Judge Position 2

Ballot Name	Party Preference	Votes
Jessica (Taylor) Reeves	Nonpartisan	17,459
Terry L. Williams	Nonpartisan	11,324

Klickitat, Skamania Superior Court Judge Position 1

Ballot Name	Party Preference	Votes
Randall Krog	Nonpartisan	10,035

Pacific, Wahkiakum Superior Court Judge Position 1

Ballot Name	Party Preference	Votes
Douglas E. Goelz	Nonpartisan	5,743
Michael S. Turner	Nonpartisan	5,666

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the State of Washington on this 7th day of December 2016, at Olympia, the State Capital.

Kim Wyman
Secretary of State

The Speaker: “In view of the election results previously read, certified to by the Secretary of State, the Joint Session now declares the following qualified citizens to be the duly elected constitutional officers of the State of Washington.

Jay Inslee, Governor
 Cyrus Habib, Lieutenant Governor
 Kim Wyman, Secretary of State
 Duane Davidson, State Treasurer
 Pat McCarthy, State Auditor
 Bob Ferguson, Attorney General
 Chris Reykdal, Superintendent of Public Instruction
 Mike Kreidler, Insurance Commissioner
 Hilary Franz, Commissioner of Public Lands.”

The Speaker of the House and the President of the Senate have signed the Certificates of Election for the duly elected constitutional officers.

SPEAKER’S REMARKS

Mr. Speaker: “Brad Owen got his start right here when he was elected to the State House of Representatives in 1976. He moved over to the Senate in 1983 and in 1996 the people of our state elected him Lieutenant Governor. 1976 to 2016 is a long time to serve our state. That’s forty years Brad, including twenty of holding the gavel in the Senate keeping Senators on task at hand. A life of service like that isn’t easy. The hours are long and the personalities can be challenging, should we say. So as you retire from public life, I want to thank you Brad, not just for the things you’ve accomplished for the people of this state, but particularly for the young people around out state. We thank you for dedicating your career to this noble endeavor we call democracy. And thank you for your kindness, your wisdom, and particularly your friendship.”

On behalf of the people of the State of Washington and the Legislature, the Speaker presented the President with a commissioned gift of glass art created by Ms. Kim Merriman in gratitude for and recognition of his public service.

The Speaker, having discharged the constitutional requirement imposed upon the Speaker of the House called upon President of the Senate, Lt. Governor Brad Owen, to preside over the Joint Session.

REMARKS BY THE PRESIDENT

President Owen: “Thank you Mr. Speaker. Thank you very much for your kind remarks but most importantly for your kindness to me over the years that I served here and being willing to work with me on many different things. I appreciate it very much. I appreciate all of you who are serving this great state of ours. It is an incredible privilege and I am just going to remind you of something and particularly the new members that I always like to say that if I ever start to feel like this is just a job, your office is just an office, that you come into this magnificent chamber, when nobody else is here, and you sit and you just look around. And it will exemplify the magnitude of the job that

you have to do here and how important it is to the people of this great state of ours and it is an incredible privilege. So thank you for your service as well.”

President Owen: “The purpose of this joint session is to administer the oaths of office to statewide elected officials and to receive the inaugural address from His Excellency, Governor Jay Inslee.”

The President appointed a committee of honor to escort the Chief Justice and the Justices of the Supreme Court to the House Chamber: Representatives Reeves and Graves; Senators Wellman and Zeiger.

The President appointed a committee of honor to escort the statewide elected officials to the House Chamber: Representatives Kloba and Jenkin; Senators Saldaña and Hawkins.

The President appointed a committee of honor to advise His Excellency, Governor Jay Inslee, that the joint session had assembled and to escort him to the House Chamber:

Representatives Chapman and Kraft; Senators Billig and Rossi.

The Sergeant at Arms of the House announced the arrival of the Chief Justice and the Justices of the State Supreme Court at the Chamber doors. The committee of honor escorted the Chief Justice and the Justices of the Supreme Court to seats on the floor of the House Chamber and they were introduced: Chief Justice Mary Fairhurst, Justice Charles Johnson, Justice Barbara Madsen, Justice Susan Owens, Justice Debra Stephens, Justice Charlie Wiggins, Justice Steven Gonzalez, Justice Sheryl Gordon McCloud and Justice Mary Yu.

The Sergeant at Arms of the House announced the arrival of the statewide elected officials at the Chamber doors. The committee of honor escorted the statewide elected officials to the floor of the House Chamber and they were introduced: Lieutenant Governor-elect Cyrus Habib, Secretary of State Kim Wyman, State Treasurer-elect Duane Davidson, State Auditor-elect Pat McCarthy, State Attorney General Bob Ferguson, Superintendent-elect of Public Instruction Chris Reykdal, Insurance Commissioner Mike Kreidler, Commissioner-elect of Public Lands Hilary Franz.

INTRODUCTION OF SPECIAL GUESTS

The President introduced special guests present in the Chamber: Judge Susan Amini, mother of Lieutenant Governorelect Cyrus Habib, Ambassador Gary Locke, King County Executive Dow Constantine, Snohomish County Executive Dave Somers, Seattle Mayor Ed Murray, Everett Mayor Ray Stephanson, Vice President Tyson Johnston of the Quinault Indian Nation, Chair Virginia Cross of the Muckleshoot Indian Tribe, Sergeant at Arms Asa Washines of the Confederated Tribes and Bands of the Yakama Nation and Chair William Iyall of the Cowlitz Indian Tribe.

The President welcomed the following members and representatives of the State of Washington Consular Association who were present in the rear of the Chamber: Consul General of the Republic of Korea Duk-ho Moon; Consul General of Canada James Hill; Deputy Consul General – People’s Republic of China Takeshi Murazawa; Consul of the United Kingdom Robin Twyman; Diplomatic Attache – Consulate of Mexico Luis Mingo; Representative of the Russian Federation Roman Smovkiy; Honorary Consulate of Cyprus Vassos M. Demetriou; Honorary Consulate of France Jack A. Cowan; Honorary Consul of Jamaica Enid L. Dwyer; Consul General of Peru Miguel Velasquez; Honorary Consulate of Cambodia Daravuth Huoth; Honorary Consul of Lithuania Victor Lapatinskas; Honorary Consulate of Switzerland Philippe Goetschel; Honorary Consul of Sweden Lars Jonsson; Honorary Consulate of Norway Kim Nesselquist; Honorary Consul of New Zealand Rachel Jacobsen; Honorary Consulate of Brazil Pedro Augusto Leite Costa; Honorary Consul of the Republic of Poland Teresa Indelak Davis; Honorary Consulate of Austria Eva Kammel; Honorary Consul of Hungary Katalin Pearman; and Taipei Economic and Cultural Office in Seattle Director General Vincent C. H. Yao.

The Sergeant at Arms of the House announced the arrival of His Excellency, Governor Jay Inslee at the Chamber doors. The committee of honor escorted Governor Inslee to the rostrum and he was introduced.

The flags were escorted to the rostrum by the Washington State Patrol Color Guard, commanded by Sergeant Jason Greer and comprised of Trooper Shaneka Phillips, Trooper Kelli Howes, Trooper Brandon Tobol, Trooper James Maguire, Trooper Travis Joyce, Trooper William Rutherford, Sergeant Greg Tri and Sergeant Ethan Wynecoop. Ms. Judy Collins performed the National Anthem.

The President led the Chamber in the Pledge of Allegiance.

The prayer was offered by Reverend Leslie Braxton, New Beginnings Christian Fellowship, Kent.

Reverend Braxton: “Let us pray. God of our weary years and God of our silent tears Thou who has brought us thus far along the way Thou who has by Thy might led us into the light God keep us forever in the path we pray Eternal God. We pray Your presence here in this place and in this space pray upon this governor as he begins a new term and upon these legislators as they move into a new session, upon these judges as they rule and discern and make judgement upon lives and make decisions that affect lives. We pray dear Lord that they be the fingers on Your hand as You advance the well-being of the citizens of this state and the inhabitants therein, build our bridges and roads, educate our children, take care of our elderly, to protect our rights under the law, to protect our opportunities, to oversee our treatments by the law. We pray dear Lord, that You would not allow to settle in this

place the hyper-partisanship and extremism that wants to take this state, this nation, backwards to former days that were less inclusive, less just, less diverse, less fair. Your cause is always a forward looking, forward moving, forward running, even forward falling advance. You have sounded out a trumpet that shall never sound retreat, You have sifted out the hearts of men and women beneath Your judgement seat and oh be swift our souls to answer You in jubilant our feet for Your truth marches on, never back. We pray dear Lord, that they would march on protecting our water, our air, our fish, our streams, our rights, our dignity. We pray that they would stand and conduct themselves with a deportment that defies the incivility, the vulgarness, the divisiveness, the insult that has settled into higher places threatening to trickle down and poison the political culture even here. May the people who inhabit these places and spaces stand as a light in the darkness. Let them heed the words of the prayer of St. Francis Assisi, ‘Make them instruments of thy peace. Where there is hatred let them sow love, where there is insult pardon, where there is despair hope, where there is sadness joy, darkness light. Divine Master let them not seek so much to be understood as to understand, to be comforted as to comfort, to be loved as to love for it is when we give that we receive, when we pardon then we ourselves are pardoned and when we die we are born into eternal life. ‘What does the Lord require of us?’ said the prophet ‘but to do justice, to love mercy, to walk humbly before our God.’ Let this be our call individually and collectively. Let us not rest until all have a place to rest. Let us not stop fighting until the fighting is stopped. Let us not stop living until we have put death at hand and at bay. By whatever name and every name we know You, we give thanks and we give You praise. Amen.”

HONORING OUTGOING STATE ELECTED OFFICIALS

Mr. President: “Randy Dorn has served as Superintendent of Public Instruction for two terms. He is a lifelong resident of Washington state. Randy Dorn has been an elementary and middle school teacher, a principal, a legislator for nine years, he was executive director of Public School Employees of Washington. Will Superintendent Dorn please rise and be recognized by the Legislature?”

Mr. President: “Peter Goldmark is the thirteenth Commissioner of Public Lands where he served two terms. In addition to his tenure as Commissioner of Public Lands, Commissioner Goldmark has served as Washington State Director of Agriculture with extensive service over the years on various governor’s councils on agriculture and the environment. He has also served as a member of the Okanogan School Board and the Washington State University Board of Regents. Will Commissioner Goldmark please stand and be recognized by the Legislature?”

Mr. President: “For the past four years Troy Kelley has served as Washington’s tenth State Auditor. Over the years he has served in various public service roles including the

federal prosecutor's office in the Western district of New York, as an attorney for the Securities and Exchange Commission, an Army Judge Advocate General for more than twenty years, he has previously taught at the Army JAG school and currently serves as a Lieutenant Colonel in the National Guard. Mr. Kelley also served three terms in the House of Representatives. Will Auditor Kelley please rise? Is he here? He's not here."

Mr. President: "Jim McIntire was elected as Washington's twenty-second State Treasurer in 2008 where he has also served two terms. He began his political career working in the United States Senate for Hubert Humphrey and served as a policy advisor to Congressional committee chairman and Washington state governors. In addition, Jim McIntire served five terms in the House of Representatives, providing leadership on several financial committees. He was also president of National Association of State Treasurers in 2016 bringing the association's annual conference to Washington state. Will Treasurer McIntire please rise and be recognized by the Legislature?"

On behalf of the people of the State of Washington and the Legislature, the outgoing statewide elected officials were bestowed with a commissioned gift of glass art created by Ms. Kim Merriman in gratitude for and recognition of their public service.

OATHS OF OFFICE

The President called upon each elected and re-elected state elected official to proceed to the rostrum to receive their oath of office.

Justice Sheryl Gordon McCloud administered the Oath of Office to Hilary Franz, Commissioner of Public Lands.

Justice Charles Wiggins administered the Oath of Office to Chris Reykdal, Superintendent of Public Instruction.

Justice Barbara Madsen administered the Oath of Office to Bob Ferguson, Attorney General.

Justice James Johnson administered the Oath of Office to Pat McCarthy, State Auditor.

Justice Susan Owens administered the Oath of Office to Duane Davidson, State Treasurer.

Justice Mary Yu administered the Oath of Office to Kim Wyman, Secretary of State.

Justice Steven Gonzalez administered the Oath of Office to Cyrus Habib, Lieutenant Governor.

President Brad Owen called upon President of the Senate, Lieutenant Governor Habib to preside.

REMARKS BY THE PRESIDENT

President Habib: "The President is overwhelmed. I would like to take just one moment to honor my predecessor in this office one more time. It has been a tremendous privilege for me to learn from Brad Owen in the Washington State Senate. For twenty years, Lieutenant Governor Owen presided over the Senate with dignity and decorum, with grace, with nonpartisanship at the core of his rulings and his manner. As a partner and deputy to not one, not two, but three governors of the State of Washington, Lt. Gov Owen was there to respond in some of our darkest hours, most recently the tragic mudslide at Oso when he was acting Governor. And finally as the chair of the Legislative committee on Economic Development and International Relations and active member of the Consular Association, Lt. Gov. Owen made sure that our state will strengthen its ties and friendships with peoples all around the world and that we will continue to be the most successful exporting state of any in this union. So for all of that pleases join me in thanking one more time a man who will always be Lieutenant Governor Emeritus of this state, Brad Owen.

I know who you are here to listen to so I will vacate the podium in just a moment but I did want to say a word of thanks to several individuals. I wanted to thank my mom, Judge Susan Amini, who is here and my father whom we lost to cancer this past year but I know is smiling down on us now today, for raising me to believe that truly anything is possible in this great country. I want to thank Senator Schoesler and Senator Nelson and the members of the Washington State Senate for allowing me to be your presiding officer. As I have said, this will be much like when somebody hosts Jeopardy after Alex Trebek, everything will feel different, it won't be quite the same. Brad Owen has twenty years of doing this but I am one hundred percent committed to being a fast learner and to presiding in a fair, effective and transparent manner over the state Senate.

And finally I want to thank Governor Inslee for his offer of partnership and collaboration. It will be an honor to work alongside him and to serve in his stead from time to time. One final note, I want to acknowledge one who is not with us today, a colleague of mine in the state senate, whom we also lost to cancer, in fact within weeks of my father's passing. Senator Andy Hill was chief budget writer in the Senate, an effective and collaborative member of this body and his absence will be felt by all of us and is an inspiration to me and others to put partisanship aside and try to do always what best for the people of the State of Washington. So if you would just join me in a moment of silence or prayer for Senator Andy Hill and his family."

The Joint Session observed a moment of silence in honor and memory of Senator Andy Hill, 45th Legislative district, who passed away October 31, 2016.

Chief Justice Mary Fairhurst administered the Oath of Office to Jay Inslee, Governor.

GOVERNOR'S INAUGURAL ADDRESS

Governor Inslee: "Thank you, Reverend Braxton, for your inspiring words. Thank you to my friend, Judy, for

that beautiful rendition of our national anthem. And of course, I'd like to thank all our families, particularly, my wife, Trudi, and my entire family for their love and support.

Before I begin, I'd like to recognize two members of our legislative family whose absence is keenly felt today. Senator Andy Hill and House Page Supervisor Gina Grant Bull were dedicated Washingtonians. They will be greatly missed by their families, colleagues and friends. Please join me as we pay our respects with a moment of silence. Thank you."

The Joint Session observed a moment of silence in honor and memory of Senator Andy Hill, 45th Legislative district, who passed away October 31, 2016.

"Mr. President, Mr. Speaker, Madam Chief Justice, distinguished justices of the court, members of the Legislature, tribal leaders, state and local government officials, members of the Consular Corps, and most importantly, my fellow Washingtonians. As leaders of our state, we are entrusted with the unique opportunity to work together for a strong and secure future for Washington. And there's nothing more essential to that future than acting to fulfill our top priority, fully funding education this year.

I want to talk today about that challenge which I think about as not just a big challenge but as a historic opportunity. I want to talk about why we should be confident that we can do this. And I want to talk about the common values that will drive us as we confront uncommon times. We're no strangers to working through hard challenges. We've done some hard things together in the past four years. We worked together to give all our aspiring young Washingtonians access to college, regardless of where they may have been born. We worked together to pass a historic transportation package that builds, repairs and improves infrastructure in every corner of our state. We worked together to make historic investments in early learning. We know there is no better time to set our children up to succeed than when they are most eager to learn. And we worked together to give hundreds of thousands of Washingtonians health care. We know a healthier Washington is a more prosperous Washington.

These things didn't happen by accident. They happened because we made them happen. We all demonstrated a strong commitment to our principles and a recognition that compromise is necessary for our mutual success. The work we do is important in promoting the attributes that make our state exceptional, a growing economy, smart workers, innovative entrepreneurs, safe communities and beautiful outdoor spaces. I believe these successes should give us even more confidence, even more commitment and even more willingness to work together. These bipartisan successes reflect our values as Washingtonians. And now it's time to go even further to secure the prosperous future we want for our kids and for our state.

I know there are many issues in front of us this session, not just funding for kindergarten-through-12th grade education. We need to transform our mental health system to one that is patient-centered, community-based and prevention-focused so we can provide people with the right

treatment at the right time in the right setting. We need to continue expanding access to early learning so more kids can get the strongest possible start in school. We need to restructure our social services to more effectively ensure the well-being of Washington's children and families. We need to prevent harm, not just react to it. We need to invest in more affordable housing and support services for the chronically homeless. This includes looking at root causes such as opioid addiction and mental illness. We need to maintain the lower tuition rate we passed for students at our public colleges and universities, expand financial aid for those who need it most and ensure we provide career-connected education opportunities for those who choose another path. And we need to continue important conversations on issues like the use of deadly force, paid family leave, gun safety, how we serve our veterans, capital punishment, how we promote prosperity for all workers in a changing economy and vital water infrastructure needs on both sides of the Cascades.

Every one of these things is important. But as we enter this new session, I want to say this: None of these issues is more important than fully funding the K-12 education our kids deserve. One hundred and twenty-eight years ago, the signers of our state constitution declared that making "ample provision for the education of all children" was not merely among our responsibilities. It was "the paramount duty of the state." At a time when Washington's towns and cities were just specks on a map, our state's founders chose education as our paramount duty. Not roads or railroads. Not jails. They chose schools. So should we. We should choose to build on the enduring foundation of Washington — the intellectual light of our children. Our founders understood this, and so do we. As elected officials, we all took an oath to uphold that constitution. Yet we haven't always fully lived up to the words on that parchment or the values they represent. It has now been 40 years, 40 years, since the court ordered the state to define and fund basic education in accordance with our constitution. It has now been five years since our Supreme Court ruled that the state must do more to live up to the paramount duty our founders described. The journey to fully fund education in our state has been a lot like climbing a mountain. And we've been climbing together for a long, long time. And now we're almost there.

We've added more than \$4.6 billion for our schools. We've tackled issues like all-day kindergarten, smaller class sizes in early grades and funding for student transportation and supplies. And now we're at the final steps. We know what needs to get done and we know 2017 is the year to do it. I don't say this thinking it will be easy. I say this knowing that Washingtonians can do hard things.

We've climbed high enough to see the summit. We're almost there. And we have a Washingtonian here today who can inspire us — the first American to summit Mount Everest, in 1963. This is a guy who knows how to finish the climb, who really inspires me — Jim Whittaker. Thank you, Jim, for being here today. Let's give him a round of applause. Jim knows the incredible reward that comes from pushing forward. We will not arrive on the summit by chance. This is something we must make happen. Mountain climbers will tell you that every ascent has a crux move, the moment at which they face the hardest, most

difficult pitch. For us, this is that moment. There are multiple routes we could take. I have proposed one that gets us there this year, a route based on what I've seen work as I've visited schools around the state.

In Spokane, I visited Lincoln Heights Elementary, where I met with a crop of new teachers. They impressed upon me the importance of the district's support for new teachers. One of the things they highlighted was mentoring through the Beginning Educator Support Team. It's a program that works so I put it in my budget.

In Kent, I visited Phoenix Academy. I met with a group of students and parents to learn about the continuum of services provided there to ensure every student has what is needed — whether it's food for lunch or a tutor for math. Together, school counselors, psychologists, nurses and family engagement counselors break down barriers to learning and set up strategies for success.

I've seen this same strategy work in multiple schools. Schools that hire these people are schools that are helping kids succeed. That's why I include funding for these services in my budget.

At the Yakima Valley Technical Skills Center, students told me how their career-connected training helped them see the relevance of their education and offered them a vision for their future they never saw in a traditional classroom. Put these students to work while they are in high school and watch graduation rates climb.

We are going to stop telling our kids that a four-year degree is the only path to success. It's time we recognize the dreams of those who want to build beautiful boats as a welder, or assemble aircraft as a machinist, or help cure diseases as a global health specialist. And that's why I propose more funding for these and other career-connected opportunities from elementary school through high school graduation. It works. And I have heard loud and clear from across the state, from parents and students and educators, that we simply need more resources in our K-12 system if we want all our children to graduate with a meaningful education. I've also heard loud and clear that we cannot finance our schools by slashing the services upon which students and their families depend. We are a better state than that and there are better ways to finance our schools.

So here's what I propose: We aren't raising anyone's property taxes. In fact, my budget starts by lowering property taxes for three out of four Washington households and businesses. Let me repeat that: 75 percent of households and businesses will see a property tax cut. In addition, we reduce B&O taxes for 38,000 more small businesses. In exchange, my budget asks a small percentage of the wealthiest Washingtonians to pay a little more on the gains from their investments. It taxes carbon pollution that harms our kids and imperils the planet. And it asks service providers, such as lawyers and accountants, to pay B&O taxes more comparable to those paid by goods-based businesses.

If we do it this way, we'll accomplish two things: First, we will finally have the resources we need to fulfill our constitutional obligation to fully fund K-12 education. Second, working families will pay less in property taxes. I just don't think raising property or sales taxes is the best approach to this challenge. Imagine what fully funding education will mean. Imagine schools that can recruit and

keep great teachers, with competitive salaries. Imagine closing the opportunity gap in our state by making sure at-risk kids have extra teaching and mentoring time. Imagine more students graduating because we have psychologists, nurses and counselors who can help them cross the finish line. Imagine mentoring programs that help teachers starting out in their careers. Today, nearly half our teachers leave the profession within just five years. We can change that, and when we do, it will make an incredible difference for our kids. Finally, imagine students learning skills that employers tell us they need right now. We want everyone in this state to have the chance to go to college. But for young people who want to join the workforce straight out of high school, there will be a path to a good job.

But we can't make this progress for just some of our children. We must make progress for all our children. It is long past time to do what we know is right. I'm looking forward to working with the state superintendent's office and appreciate Superintendent Reykdal's support for this approach. And I'm looking forward to working with all of you. There are many routes to the summit. My plan isn't the only way. I've been meeting with legislators this week and want to hear the ideas you have for getting this done. It's important to act this year. Kids are only 5 years old once in their lives. If we don't do this for them now, they don't get a redo. I

I recognize the Legislature has some hard lifting to do. Nobody should minimize what we're doing here. It's been 40 years. If it were easy, someone else would have already done this. But you know what? It won't be any easier next year, or the year after that. Just as we set high expectations for our students, we should set high expectations for ourselves. And know that we are capable of meeting them. And let me say one more thing about the mountain we're climbing together. After 40 years, it's going to feel great. It feels great when you finish a big job.

I can tell you from my personal experience that people are ready for us to solve this. When I released my budget last month, I expected criticism because what I proposed includes a lot of hard decisions. And I heard that criticism, some of it from some of you. But I was encouraged to see a recognition that despite the tough choices my plan requires, people were glad to see a plan that truly finishes the job. And that's why each of us is here today. Like our founders in 1889, we are setting a vision of opportunity for generations to come. We're here because we believe that when we live up to our expectations when we adhere to our values there is no better place on Earth than Washington state. And that's why I want to close with a few comments about our state's values. Because for all the good we've done in our state, developments taking place in our country have left many of our friends and neighbors scared for what the future might bring. And that is why today, I say this: No matter what happens in that Washington, here in this Washington, we will not forget who we are. We will not turn our back on the progress we have made. Our commitment to equal rights and human dignity will not be diminished.

Washington will remain a place where no one can be discriminated against because of the color of their skin, their country of origin, how they worship or who they love. Washington will remain a place where women have access

to the full range of health care and family planning services they need, a place where we continue to fight for equal pay and equal opportunity. Washington will stand up proudly for dreamers and for those who come here in search of safety and refuge. We will stand strong against anyone who would rob hardworking young Washingtonians of the promise of a college degree or a chance at a decent job. Washington's businesses and government will remain leaders and innovators in combating the devastating threats from carbon pollution, the scourge of climate change and ocean acidification. We will fight and keep fighting to protect the 750,000 Washingtonians who finally have health insurance, thanks to the Affordable Care Act and Medicaid expansion. And here, we may vigorously debate about the way forward on funding education. But when it comes to our kids, let's start this session with a shared commitment to all and excuses to none. A recognition that the best thing we can do in service to our children and our state this year is to fully fund the education system they deserve.

So let's go get this job done. Thank you."

The President thanked Governor Inslee for his remarks and called upon the committee of honor to escort Governor Inslee from the House Chamber and the Governor retired from the Chamber.

The President called upon the committee of honor to escort the statewide elected officials from the House Chamber and they retired from the Chamber.

The President called upon the committee of honor to escort the Chief Justice and the Justices of the Supreme Court from the House Chamber and they retired from the Chamber.

On motion of Representative Sullivan, the Joint Session was dissolved. The Speaker (Representative Orwall presiding) assumed the chair.

The Speaker (Representative Orwall presiding) called upon the Sergeant at Arms of the House and the Sergeant at Arms of the Senate to escort President of the Senate Cyrus Habib, Former President of the Senate Brad Owen, President Pro Tempore Tim Sheldon, Senator John McCoy, Senator Lynda Wilson and the members of the Senate from the House Chamber and the Senate retired from the Chamber.

On motion of Representative Sullivan, the House adjourned until 10:00 a.m., January 12, 2017, the 4th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FOURTH DAY

House Chamber, Olympia, Thursday, January 12, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Tarleton presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Anisha Greene and Adam Creveling-Hughes. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Tom Dent.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1128 by Representatives Shea, Jinkins, Holy, Sawyer, Kilduff, Nealey, Hansen, McCaslin, Fitzgibbon, Ormsby and Haler

AN ACT Relating to civil arbitration; amending RCW 7.06.010, 7.06.020, 7.06.040, 7.06.050, and 36.18.016; adding new sections to chapter 7.06 RCW; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

HB 1129 by Representatives Haler and Pollet

AN ACT Relating to providing associate degree education to enhance education opportunities and public safety; amending RCW 72.09.460 and 72.09.465; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1130 by Representatives Haler, Pollet and Ryu

AN ACT Relating to making the customized training program permanent; and repealing RCW 28B.67.902.

Referred to Committee on Higher Education.

HB 1131 by Representatives Kilduff, Rodne, Goodman, Muri, Jinkins and Santos

AN ACT Relating to actions for damage to real property resulting from construction, alteration, or repair on adjacent property; adding a new section to chapter 4.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1132 by Representatives Buys and Blake

AN ACT Relating to dispute resolution between seed buyers and dealers; amending RCW 15.49.071 and 15.49.091; and repealing RCW 15.49.081, 15.49.101, and 15.49.111.

Referred to Committee on Agriculture & Natural Resources.

HB 1133 by Representatives Griffey and Appleton

AN ACT Relating to limiting the uses of the fire protection contractor license fund; and amending RCW 18.160.050.

Referred to Committee on Local Government.

HB 1134 by Representatives Peterson, McBride, Gregerson, Ortiz-Self, Ryu, Bergquist, Fey, Pollet, Tarleton, Doglio, Santos, Frame, Farrell and Macri

AN ACT Relating to assault weapons and large capacity magazines; amending RCW 9.41.010; and adding a new section to chapter 9.41 RCW.

Referred to Committee on Judiciary.

HB 1135 by Representatives Dye, Blake, Manweller, McBride, Schmick, Shea, Jenkin, Fey, McCaslin, Short, Haler, Nealey, Farrell, Muri, Ormsby, Tarleton, Young and Buys

AN ACT Relating to limiting oil spill contingency planning requirements to those railroads that haul oils used as fuel; amending RCW 90.56.210; and reenacting and amending RCW 90.56.010.

Referred to Committee on Environment.

HB 1136 by Representatives Dye, Blake, Haler, Shea, Taylor, Farrell, Dent, Nealey, Manweller, Short, Muri, Schmick, Ormsby, Fey, Young and Buys

AN ACT Relating to exempting short-line railroads that haul nonfuel oils from oil spill contingency planning requirements; and amending RCW 90.56.210.

Referred to Committee on Environment.

HB 1137 by Representatives Kirby, Vick, Blake and J. Walsh

AN ACT Relating to defining independent contractor relationships in the context of real estate licensing; and amending RCW 18.85.011.

Referred to Committee on Business & Financial Services.

HB 1138 by Representative Klippert

AN ACT Relating to expanding collection of offender DNA samples; amending RCW 43.43.753, 43.43.754, 46.63.110, and 43.43.690; adding a new section to chapter 43.43 RCW; adding a new section to chapter 70.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1139 by Representatives Kilduff, Rodne, Jinkins and Muri

AN ACT Relating to the methods of services provided by the office of public guardianship; and amending RCW 2.72.005, 2.72.010, 2.72.020, 2.72.030, and 11.28.120.

Referred to Committee on Judiciary.

HB 1140 by Representatives Jinkins, Rodne and Ormsby

AN ACT Relating to judicial stabilization trust account surcharges; amending RCW 3.62.060, 36.18.018, and 36.18.020; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1141 by Representatives Manweller and Pettigrew

AN ACT Relating to a restricted driver's license for persons who fail to comply with a child support order; and amending RCW 74.20A.320 and 46.20.291.

Referred to Committee on Judiciary.

HB 1142 by Representatives Manweller and Haler

AN ACT Relating to enhancing the ability of a coroner to perform his or her duties; adding a new section to chapter 36.24 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1143 by Representatives Manweller and Pike

AN ACT Relating to fairness and equity in local employment laws and contracts related to work hours and scheduling; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW;

adding a new section to chapter 36.01 RCW; adding a new section to chapter 53.08 RCW; and adding a new chapter to Title 49 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1144 by Representatives Fitzgibbon, Ryu, Peterson, Stanford, Jinkins, Goodman, Ormsby, Fey, Pollet, Tarleton, Doglio, Farrell and Macri

AN ACT Relating to amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science; and amending RCW 70.235.020.

Referred to Committee on Environment.

HB 1145 by Representatives Springer, Rodne, Goodman, Nealey and Muri

AN ACT Relating to unpaid accounts; amending RCW 4.16.040 and 19.52.010; and creating a new section.

Referred to Committee on Judiciary.

HB 1146 by Representatives Clibborn, Fey, Farrell and Wylie

AN ACT Relating to transportation funding and appropriations; amending 2016 c 14 ss 102, 103, 104, 201-223, 301-311, 401-404, 406-408, and 601 (uncodified); adding a new section to 2016 c 14 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

HB 1147 by Representatives Clibborn, Fey, Farrell and Wylie

AN ACT Relating to transportation funding and appropriations; amending RCW 47.56.403, 43.19.642, 46.68.325, 47.56.876, 46.68.030, 46.68.060, 46.68.280, and 46.68.290; creating new sections; making appropriations and authorizing expenditures for capital improvements; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1148 by Representatives J. Walsh, Chapman, Vick, Blake, Orcutt and Muri

AN ACT Relating to extending the expiration date for reporting requirements on timber purchases; amending RCW 84.33.088; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1149 by Representatives Chapman, Clibborn, Orcutt and Fey

AN ACT Relating to exemptions from certain maximum vehicle length limitations; and amending RCW 46.44.034.

Referred to Committee on Transportation.

HB 1150 by Representatives DeBolt and Blake

AN ACT Relating to clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016; amending RCW 43.21A.731; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1151 by Representatives Wylie, Vick and Blake

AN ACT Relating to residency requirements for licensed marijuana businesses; and amending RCW 69.50.331.

Referred to Committee on Commerce & Gaming.

HB 1152 by Representatives Blake and Vick

AN ACT Relating to licensing agreements and consulting contracts for licensed marijuana businesses; reenacting and amending RCW 42.56.270; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Commerce & Gaming.

HB 1153 by Representatives Goodman, Klippert, Pellicciotti, Hayes, Orwall, Griffey, Chapman, Holy, Kilduff, Stanford, Fey, Halder, Doglio and Frame

AN ACT Relating to crimes against vulnerable persons; amending RCW 9A.42.020, 9A.42.030, 9A.42.035, 9A.56.010, 9A.04.080, 9A.56.030, 9A.56.040, and 74.34.020; reenacting and amending RCW 9.94A.411 and 9.94A.515; adding a new section to chapter 9A.56 RCW; and adding a new section to chapter 74.34 RCW.

Referred to Committee on Public Safety.

HB 1154 by Representatives Tarleton, Smith and Santos

AN ACT Relating to ensuring the competitiveness of Washington state's fishing and seafood processing industries by supporting the recapitalization of fishing fleets through certain tax preferences; amending RCW 82.04.440; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1155 by Representatives Griffey, Orwall, Klippert, McCabe, Kraft, Caldier, Muri, Bergquist, Stanford, Fitzgibbon, McDonald, Doglio and Macri

AN ACT Relating to making felony sex offenses a crime that may be prosecuted at any time after its commission; and amending RCW 9A.04.080.

Referred to Committee on Public Safety.

HB 1156 by Representatives MacEwen, Shea and Buys

AN ACT Relating to modifying the population criteria for allowing wheeled all-terrain vehicles on county roadways; and amending RCW 46.09.455.

Referred to Committee on Transportation.

HB 1157 by Representatives MacEwen, Stanford and Halder

AN ACT Relating to modifying the operation of motorcycles on roadways laned for traffic; amending RCW 46.61.608; creating new sections; and prescribing penalties.

Referred to Committee on Transportation.

HB 1158 by Representatives Santos, Jinkins, Stanford, Pollet, Tarleton and Doglio

AN ACT Relating to restoring the fair treatment of underserved groups in public employment, education, and contracting; amending RCW 28B.20.744, 39.10.430, 39.10.450, and 49.04.100; and repealing RCW 49.60.400 and 49.60.401.

Referred to Committee on Capital Budget.

HB 1159 by Representatives Pellicciotti, Halder, Sells, Pollet, Hudgins and Kilduff

AN ACT Relating to employment after public service in state government; amending RCW 42.52.080 and 42.52.900; adding a new section to chapter 42.52 RCW; creating new sections; and providing an effective date.

Referred to Committee on State Government.

HB 1160 by Representatives Springer, Kilduff and Pollet

AN ACT Relating to recommendations of the sunshine committee; amending RCW 42.56.250; reenacting and amending RCW 42.56.230 and 42.56.270; adding a new section to chapter 42.56 RCW; and repealing RCW 39.26.030.

Referred to Committee on State Government.

HB 1161 by Representatives Appleton, Griffey, Gregerson and Hayes

AN ACT Relating to modernizing existing statutes regarding county auditors by removing obsolete or redundant references and duties that pertain to meeting notices, document filing requirements, and inventory; amending RCW 36.32.210, 36.72.075, 52.26.070, 68.50.040, and 70.94.120; and repealing RCW 36.32.310.

Referred to Committee on Local Government.

HB 1162 by Representatives Kilduff, Muri, Rodne, Jinkins, Orwall and McDonald

AN ACT Relating to requirements for providing notice regarding court review of initial detention decisions under the involuntary treatment act; amending RCW 71.05.203 and 71.05.203; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1163 by Representatives Goodman, Hayes, Orwall, Appleton, Klippert, Pellicciotti, Pettigrew, Chapman, Kilduff, Bergquist, Stanford and Kloba

AN ACT Relating to domestic violence; amending RCW 9A.36.041, 9.94A.525, 43.43.754, and 43.43.830; reenacting and amending RCW 9.94A.411; adding a new section to chapter 7.36 RCW; creating new sections; prescribing penalties; and providing expiration dates.

Referred to Committee on Public Safety.

HB 1164 by Representatives Wylie, Caldier, Orwall, Stonier, Vick, Harris, Kraft, Pike and Pollet

AN ACT Relating to public awareness of tax exemptions for over-the-counter drugs dispensed to patients pursuant to a prescription; adding a new section to chapter 18.64 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1165 by Representatives Sawyer, Young, Condotta, Vick, Blake and Kirby

AN ACT Relating to theater licenses; and amending RCW 66.24.655.

Referred to Committee on Commerce & Gaming.

HB 1166 by Representatives Griffey and Springer

AN ACT Relating to fire protection district tax levies; and amending RCW 52.16.160.

Referred to Committee on Local Government.

HB 1167 by Representatives Griffey and Springer

AN ACT Relating to fire commissioner compensation; and amending RCW 52.14.010.

Referred to Committee on Local Government.

HB 1168 by Representatives Gregerson, Haler, Pollet, Appleton, Stanford, Orwall, Sells, Tarleton, Chapman, Goodman, Fitzgibbon, Peterson, Lytton, Doglio, Frame, Farrell, Riccelli, Lovick, Pettigrew, Sawyer, Springer, Ortiz-Self, Bergquist, Ormsby, Fey, Hudgins, Santos and Macri

AN ACT Relating to supporting student success at community and technical colleges by increasing full-time faculty; adding a new section to chapter 28B.52 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1169 by Representatives Orwall, Pollet, Appleton, Goodman, Tarleton, Bergquist, Stanford, Fitzgibbon, Doglio and Wylie

AN ACT Relating to student opportunity, assistance, and relief for student loans; amending RCW 67.08.100, 4.56.110, 6.01.060, 6.15.010, 6.27.100, 6.27.105, 6.27.140, 6.27.140, and 6.27.150; adding a new chapter to Title 28B RCW; creating new sections; repealing RCW 2.48.165, 18.04.420, 18.08.470, 18.11.270, 18.16.230, 18.20.200, 18.27.360, 18.39.465, 18.43.160, 18.46.055, 18.76.100, 18.85.341, 18.96.190, 18.104.115, 18.106.290, 18.130.125, 18.140.200, 18.145.125, 18.160.085, 18.165.280, 18.170.163, 18.180.050, 18.185.055, and 28A.410.105; providing an effective date; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1170 by Representatives Orwall, Goodman, Kilduff, Rodne, Muri, Jinkins, Fey, Pollet and Santos

AN ACT Relating to maintaining and facilitating court-based and school-based efforts to promote attendance and reduce truancy; amending RCW 28A.225.020, 28A.225.026, and 28A.225.090; and repealing RCW 28A.225.115.

Referred to Committee on Judiciary.

HB 1171 by Representatives Orwall, Fitzgibbon, Gregerson, Tarleton, Pollet and Santos

AN ACT Relating to directing the completion of a study of certain environmental impacts, including ultrafine particulate emissions, associated with aircraft traffic in areas impacted by airport operations; adding a new section to chapter 70.94 RCW; and providing an expiration date.

Referred to Committee on Environment.

HB 1172 by Representatives Orwall, Blake, Fitzgibbon, Pollet and Doglio

AN ACT Relating to encouraging low-water landscaping practices as a drought alleviation tool; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 39.35D RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1173 by Representatives Muri, Kilduff, Stanford, Sells, McDonald, Reeves and Lovick

AN ACT Relating to military service credit for members of the Washington state patrol retirement system; and reenacting and amending RCW 43.43.260.

Referred to Committee on Appropriations.

HB 1174 by Representatives Muri, J. Walsh and Shea

AN ACT Relating to an elective firearms safety and hunter education course for high school students; amending RCW 77.32.155; and adding a new section to chapter 28A.230 RCW.

Referred to Committee on Education.

HB 1175 by Representatives Muri and Ryu

AN ACT Relating to increasing the rate of sales and use tax that may be imposed by certain transportation benefit districts; amending RCW 82.14.0455; and providing an effective date.

Referred to Committee on Finance.

HB 1176 by Representative Muri

AN ACT Relating to the alcoholic beverage mead; and amending RCW 66.24.215 and 66.28.360.

Referred to Committee on Commerce & Gaming.

HB 1177 by Representatives Muri, Kilduff, Ryu, Smith, Shea, Bergquist, Stanford, Sells, Kretz, McDonald, Reeves, Irwin and Tarleton

AN ACT Relating to supporting access to state recreation lands by disabled veterans; and amending RCW 79A.80.080 and 79A.05.065.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1178 by Representatives Shea, Young, Taylor, McCaslin, Koster, Kraft and Buys

AN ACT Relating to protecting the rights of religious freedom and conscience of individuals in their beliefs and practices from government discrimination; and adding a new chapter to Title 49 RCW.

Referred to Committee on Judiciary.

HB 1179 by Representatives Pollet, Haler, Appleton, Gregerson, Orwall, Stanford, Sells, Tarleton, Chapman, Goodman, Fitzgibbon, Peterson, Lytton, Doglio, Kagi, Frame, Farrell, Riccelli, Lovick, Pettigrew, Sawyer, Springer, Bergquist, Ormsby, Hudgins, Santos and Macri

AN ACT Relating to part-time academic employees at community colleges; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1180 by Representatives Blake, Buys, Kirby, Reeves, Stanford, Chapman, Muri, Kilduff, McDonald, Ormsby, Tarleton and Doglio

AN ACT Relating to enhancing recreational opportunities for veterans with disabilities; and amending RCW 79A.80.020, 79A.80.080, and 77.32.480.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1181 by Representatives Blake, J. Walsh, Kirby, Buys, Vick, Koster, Taylor, Shea, Schmick, MacEwen, Haler, Dent, Harmsworth, Griffey, Kraft and Young

AN ACT Relating to prohibiting the creation and maintenance of a database concerning pistol sales or transfers; and amending RCW 9.41.129, 9.41.090, and 9.41.110.

Referred to Committee on Judiciary.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8400, by Senators Schoesler and Nelson

Establishing cutoff dates for the consideration of legislation during the 2017 regular session of the sixty-fifth legislature.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

Representatives Sullivan and Wilcox spoke in favor of the passage of the resolution.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8400.

SENATE CONCURRENT RESOLUTION NO. 8400 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4602, by Representative Sullivan

WHEREAS, The House of Representatives adopted temporary rules for the Sixty-fifth Legislature (2017-2018) under House Resolution No. 2017-4601;

NOW, THEREFORE, BE IT RESOLVED, That Rule 23 as set forth in House Resolution No. 2017-4601 is amended to read as follows:

TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES SIXTY-FIFTH LEGISLATURE 2017-2018

HOUSE RULE NO.

- Rule 1** Definitions
- Rule 2** Chief Clerk to Call to Order
- Rule 3** Election of Officers
- Rule 4** Powers and Duties of the Speaker
- Rule 5** Chief Clerk
- Rule 6** Duties of Employees
- Rule 7** Admission to the House
- Rule 8** Absentees and Courtesy
- Rule 9** Bills, Memorials and Resolutions - Introductions
- Rule 10** Reading of Bills
- Rule 11** Amendments
- Rule 12** Final Passage
- Rule 13** Hour of Meeting, Roll Call and Quorum
- Rule 14** Daily Calendar and Order of Business
- Rule 15** Motions
- Rule 16** Members Right to Debate
- Rule 17** Rules of Debate
- Rule 18** Ending of Debate - Previous Question
- Rule 19** Voting
- Rule 20** Reconsideration
- Rule 21** Call of the House

- Rule 22** Appeal from Decision of Chair
- Rule 23** Standing Committees
- Rule 24** Duties of Committees
- Rule 25** Standing Committees - Expenses - Subpoena Power
- Rule 26** Vetoed Bills
- Rule 27** Suspension of Compensation
- Rule 28** Smoking
- Rule 29** Liquor
- Rule 30** Parliamentary Rules
- Rule 31** Standing Rules Amendment
- Rule 32** Rules to Apply for Assembly
- Rule 33** Legislative Mailings

Definitions

Rule 1. "Absent" means an unexcused failure to attend.

"Term" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the house in accordance with Article II § 12 of the state Constitution.

"Committee" means any standing, conference, joint, or select committee as so designated by rule or resolution.

"Fiscal committee" means the appropriations, capital budget, finance, and transportation committees.

"Bill" means bill, joint memorial, joint resolution, or concurrent resolution unless the context indicates otherwise.

Chief Clerk to Call to Order

Rule 2. It shall be the duty of the chief clerk of the previous term to call the house to order and to conduct the proceedings until a speaker is chosen.

Election of Officers

Rule 3. The house shall elect the following officers at the commencement of each term: Its presiding officer, who shall be styled speaker of the house; a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker; a deputy speaker pro tempore, who shall serve in absence or in case of the inability of the speaker and speaker pro tempore; and a chief clerk of the house. Such officers shall hold office during all sessions until the convening of the succeeding term: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their votes shall be entered on the journal. If any office is declared vacant, the house shall fill such vacant office as hereinafter provided.

In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their votes shall be entered on the journal. (Art. II § 27)

Powers and Duties of the Speaker

Rule 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house to order precisely at the hour appointed for meeting and if a quorum be present, shall cause the journal of the preceding day to be read and shall proceed with the order of business.

(B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same and may order the sergeant at arms to remove any person creating any disturbance within the house chamber or legislative area.

(C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) The speaker shall sign all bills in open session. (Art. II § 32)

(E) The speaker shall sign all writs, warrants, and subpoenas issued by order of the house, all of which shall be attested to by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall neither extend beyond adjournment nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) The speaker, in open session, shall appoint committee chairs as selected by the majority party caucus, and shall appoint members to committees in the same ratio as the membership of the respective parties of the house, unless otherwise provided by law or house rules.

(H) The speaker shall serve as chair of the rules committee.

(I) The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties.

(J) The speaker pro tempore shall exercise the duties, powers, and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act until the speaker's successor shall be elected.

Chief Clerk

Rule 5. The chief clerk shall perform the usual duties pertaining to the office, and shall hold office until a successor has been elected.

The chief clerk shall employ, subject to the approval of the speaker, all other house employees; the hours of duty and assignments of all house employees shall be under the chief clerk's directions and instructions, and they may be dismissed by the chief clerk with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and appropriately transmit the same. In the event of the chief clerk's death, illness, removal, or inability to act, the speaker may appoint an acting chief clerk who shall exercise the duties and powers of the chief clerk until the chief clerk's successor shall be elected.

Duties of Employees

Rule 6. Employees of the house shall perform such duties as are assigned to them by the chief clerk. Under no circumstances shall the compensation of any employee be increased for past services. No house employee shall seek to influence the passage or rejection of proposed legislation.

Admission to the House

Rule 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) The sergeant at arms shall admit only the following individuals to the wings and adjacent areas of the house chamber for the period of time beginning one-half hour prior to convening and ending one-half hour following the adjournment of the house's daily session:

The governor or designees, or both;
Members of the senate;
State elected officials;
Officers and authorized employees of the legislature;
Former members of the house who are not advocating any pending or proposed legislation;
Representatives of the press;
Other persons with the consent of the speaker.

(B) Only members of the house, pages, sergeants at arms, and clerks are permitted on the floor while the house is in session.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited when the house or committee is in session unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

Absentees and Courtesy

Rule 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session, only the speaker shall recognize visitors and former members.

Bills, Memorials and Resolutions - Introductions

Rule 9. Any member desiring to introduce a bill shall file the same with the chief clerk. Bills filed by 10:00 a.m. shall be introduced at the next daily session, in the order filed: PROVIDED, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal. (Art. II § 36)

Any returning member or member-elect may prefile a bill with the chief clerk commencing the first Monday in December preceding any regular session or twenty (20) days before any special session. Prefiled bills shall be introduced on the first legislative day.

All bills shall be endorsed with a statement of the title and the name of the member or members introducing the same. The chief clerk shall attach to all bills a substantial cover bearing the title and sponsors and shall number each bill in the order filed. All bills shall be printed unless otherwise ordered by the house.

Any bill introduced at any session during the term shall be eligible for action at all subsequent sessions during the term.

No house bill may be introduced that is identical to any other pending house bill.

Reading of Bills

Rule 10. Every bill shall be read on three separate days: PROVIDED, That this rule may be temporarily suspended at any time by a two-thirds (2/3) vote of the members present; and that on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended by a majority vote.

A bill may be returned to second reading for the purpose of amendment by a suspension of the rules: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended and a bill returned to second reading for the purpose of amendment by a majority vote.

(A) FIRST READING. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the bill shall be referred to an appropriate committee.

Upon being reported out of committee, all bills shall be referred to the rules committee, unless otherwise ordered by the house.

The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) SECOND READING. Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No amendment shall be considered by the house until it has been sent to the chief clerk's desk in writing, distributed to the desk of each member, and read by the clerk. All amendments adopted during second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments.

When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) SUBSTITUTE BILLS. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute the first time and have the same printed. A motion for the substitution shall not be in order until the second reading of the original bill.

(D) THIRD READING. Only the last line of bills shall be read on third reading unless a majority of the members present demand a reading in full. No amendments to a bill shall be received on third reading but it may be referred or recommitted for the purpose of amendment.

(E) SUSPENSION CALENDAR. Bills may be placed on the second reading suspension calendar by the rules committee if at least two minority party members of the rules committee join in such motion. Bills on the second reading suspension calendar shall not be subject to amendment or substitution except as recommended in the committee report. When a bill is before the house on the suspension calendar, the question shall be to adopt the committee recommendations and advance the bill to third reading. If the question fails to receive a two-thirds vote of the members present, the bill shall be referred to the rules committee for second reading.

(F) HOUSE RESOLUTIONS. House resolutions shall be filed with the chief clerk who shall transmit them

to the rules committee. If a rules committee meeting is not scheduled to occur prior to a time necessitated by the purpose of a house resolution, the majority leader and minority leader by agreement may waive transmission to the rules committee to permit consideration of the resolution by the house. The rules committee may adopt house resolutions by a sixty percent majority vote of its entire membership or may, by a majority vote of its members, place them on the motions calendar for consideration by the house. House resolutions are not subject to debate, except for resolutions necessary for the operation of the house, and resolutions commemorating Children's Day, Day of Remembrance, Martin Luther King Jr. Day, National Guard Day, and President's Day.

(G) CONCURRENT RESOLUTIONS. Reading of concurrent resolutions may be advanced by majority vote.

Amendments

Rule 11. The right of any member to offer amendments to proposed legislation shall not be limited except as provided in Rule 10(E) and as follows:

(A) AMENDMENTS TO BE OFFERED IN PROPER FORM. The chief clerk shall establish the proper form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) COMMITTEE AMENDMENTS. When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house before any amendments that may be offered from the floor.

(C) SENATE AMENDMENTS TO HOUSE BILLS. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to the appropriate committee and shall take the same course as for original bills unless a motion not to concur is adopted prior to the bill being referred to committee.

(D) AMENDMENTS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) SCOPE AND OBJECT NOT TO BE CHANGED. No amendment to any bill shall be allowed which shall change the scope and object of the bill. This objection may be raised at any time an amendment is under consideration. The speaker may allow the person raising the objection and the mover of the amendment to provide

brief arguments as to the merits of the objection. (Art. II § 38)

(F) NO AMENDMENT BY REFERENCE. No act shall ever be revised or amended without being set forth at full length. (Art. II § 37)

(G) TITLE AMENDMENTS. The subject matter portion of a bill title shall not be amended in committee or on second reading. Changes to that part of the title after the subject matter statement shall either be presented with the text amendment or be incorporated by the chief clerk in the engrossing process.

Final Passage

Rule 12. Rules relating to bills on final passage are as follows:

(A) BUDGET BILLS. No final passage vote may be taken on an operating budget, transportation budget, or capital budget bill until twenty-four (24) hours after the bill is placed on the third reading calendar. The twenty-four (24) hour requirement does not apply to conference reports, which are governed by Joint Rule 20, or to bills placed on the third reading calendar by a two-thirds (2/3) vote of the members present.

(B) RECOMMITMENT BEFORE FINAL PASSAGE. A bill may be recommitted at any time before its final passage.

(C) FINAL PASSAGE. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor. (Art. II § 22)

(D) BILLS PASSED - CERTIFICATION. When a bill passes, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

Hour of Meeting, Roll Call and Quorum

Rule 13. (A) HOUR OF MEETING. The speaker shall call the house to order each day of sitting at 10:00 A.M., unless the house shall have adjourned to some other hour.

(B) ROLL CALL AND QUORUM. Before proceeding with business, the roll of the members shall be called and the names of those absent or excused shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore,

shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 21(B). For the purpose of determining if a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8)

(C) The house shall adjourn not later than 10:00 P.M. of each working day. This rule may be suspended by a majority vote.

Daily Calendar and Order of Business

Rule 14. The rules relating to the daily calendar and order of business are as follows:

(A) DAILY CALENDAR. Business of the house shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer, and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor, and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions, and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials, and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

(B) UNFINISHED BUSINESS. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

(C) EXCEPTIONS. Exceptions to the order of business are as follows:

(1) The order of business may be changed by a majority vote of those present.

(2) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(3) House resolutions and messages from the senate, governor, or other state officials may be read at any time.

Motions

Rule 15. Rules relating to motions are as follows:

(A) MOTIONS TO BE ENTERTAINED OR DEBATED. No motion shall be entertained or debated

until announced by the speaker and every motion shall be deemed to have been seconded. A motion shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated and by the consent of the house may be withdrawn before amendment or action.

(B) MOTIONS IN ORDER DURING DEBATE.

When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

(1) Privileged motions:

Adjourn

Adjourn to a time certain

Recess to a time certain

Reconsider

Demand for division

Question of privilege

Orders of the day

(2) Subsidiary motions:

First rank: Question of consideration

Second rank: To lay on the table

rank:

Third rank: For the previous question

Fourth rank: To postpone to a day

rank:

To commit or recommit

To postpone indefinitely

Fifth rank: To amend

(3) Incidental motions:

Points of order and appeal

Method of consideration

Suspension of the rules

Reading papers

Withdraw a motion

Division of a question

(C) THE EFFECT OF POSTPONEMENT - MOTIONS TO POSTPONE OR COMMIT. Once decided, no motion to postpone to a day certain, to commit, or to postpone indefinitely shall again be allowed on the same day and at the same stage of the proceedings. When a question has been postponed indefinitely, it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) MOTIONS DECIDED WITHOUT DEBATE.

A motion to adjourn, to recess, to lay on the table and to call for the previous question shall be decided without debate.

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22.

Motions to adopt house resolutions shall be decided without debate, except as provided in Rule 10(F).

A motion for suspension of the rules shall not be debatable except that the mover of the motion may briefly explain the purpose of the motion and one member may briefly state the opposition to the motion.

(E) MOTION TO ADJOURN. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move for adjournment when another member has the floor.

Members Right to Debate

Rule 16. The methods by which a member may exercise his or her right to debate are as follows:

(A) RECOGNITION OF MEMBER. When any member desires to speak in debate or deliver any matter to the house, the member shall rise and respectfully address the speaker and pause until recognized.

(B) ORDER OF SPEAKING. When two or more members arise at once, the speaker shall name the one who is to speak.

(C) LIMITATION OF DEBATE. No member shall speak longer than ten (10) minutes without consent of the house: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day any bill must be reported from the house as established by concurrent resolution, no member shall speak more than three (3) minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chair of the committee or the mover of the question may close debate if it is consistent with Rule 18 (Previous Question).

Rules of Debate

Rule 17. The rules for debate in the house are as follows:

(A) QUESTION OF PRIVILEGE. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) WITHDRAWAL OF MOTION, BILL, ETC. After a motion is stated by the speaker or a bill, memorial, resolution, petition, or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may

be withdrawn by consent of the house at any time before decision or amendment.

(C) READING OF A PAPER. When the reading of any paper is called for and is objected to by any member, it shall be determined by a vote of the house.

(D) DISTRIBUTION OF MATERIALS. Any materials of any nature distributed to the members' desks on the floor shall be subject to approval by the speaker and shall bear the name of at least one member granting permission for the distribution. This shall not apply to materials normally distributed by the chief clerk.

(E) ORDER OF QUESTIONS. All questions, whether in committee or in the house, shall be propounded in the order in which they are named except that in filling blanks, the largest sum and the longest time shall be put first.

(F) DIVISION OF POINTS OF DEBATE. Any member may call for a division of a question which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

(G) DECORUM OF MEMBERS. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(H) REMARKS CONFINED. A member shall confine all remarks to the question under debate and avoid personalities. No member shall impugn the motive of any member's vote or argument.

(I) EXCEPTION TO WORDS SPOKEN IN DEBATE. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(J) TRANSGRESSION OF RULES - APPEAL. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall prevail.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

Ending of Debate - Previous Question

Rule 18. The previous question may be ordered by a two-thirds (2/3) vote of the members present on all recognized motions or amendments which are debatable.

The previous question is not debatable and cannot be amended.

The previous question shall be put in this form: "Representative _____ demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative it shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED HOWEVER, That when a bill is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the bill or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

Voting

Rule 19. (A) PUTTING OF QUESTION. The speaker shall put the question in the following form: "The question before the house is (state the question). As many as are in favor say 'Aye'; and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) ALL MEMBERS TO VOTE. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

Upon a division and count of the house on the question, only members at their desks within the bar of the house shall be counted.

(C) CHANGE OF VOTE. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When an oral roll call is taken, no member shall be allowed to vote or change a vote after the result has been announced.

(D) PRIVATE INTEREST. No member shall vote on any question which affects that member privately and particularly. A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (Art. II § 30)

(E) INTERRUPTION OF ROLL CALL. Once begun, the roll call may not be interrupted. No member or other person shall visit or remain at the clerk's desk while the yeas and nays are being called.

(F) YEAS AND NAYS - RECORDED VOTES. Upon the final passage of any bill, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth (1/6) of the members present. (Art. II § 21)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question, it shall be entered upon the journal of the house. A recorded vote may be compelled by one-sixth (1/6) of the members present. A request for a recorded vote must be made before the vote is commenced.

(G) TIE VOTE, QUESTION LOSES. In case of an equal division, the question shall be lost.

(H) DIVISION. If the speaker is in doubt, or if division is called for by any member, the house shall divide.

(I) STATEMENT FOR JOURNAL. A member whose recorded vote does not accurately reflect his or her intent may submit a written statement for the journal clarifying their intent to vote aye or nay. The statement must be submitted to the chief clerk on the same day the vote is taken. A member who is excused for one or more days of recorded votes may submit a written statement for the journal explaining the reason for his or her absence. The statement may not exceed fifty words and must be submitted to the chief clerk on the same day the member returns.

Reconsideration

Rule 20. Notice of a motion for reconsideration on the final passage of bills shall be made on the day the vote to be reconsidered was taken and before the house has voted to transmit the bill to the senate.

Reconsideration of the votes on the final passage of bills must be taken on the next working day after such vote was taken: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, then reconsideration of votes on the final passage of bills must be taken on the same day as the original vote was taken.

A motion to reconsider an amendment may be made at any time the bill remains on second reading.

Any member who voted on the prevailing side may move for reconsideration or give notice thereof.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

Call of the House

Rule 21. One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) DOORS TO BE CLOSED. When call of the house has been ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) SERGEANT AT ARMS TO BRING IN THE ABSENTEES. The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are excused and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) HOUSE UNDER CALL. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to excuse absentees, or a motion to dispense with the call of the house. The motion to proceed with business under the call of the house and the motion to excuse absent members

shall not be adopted unless a majority of the members elected vote in favor thereof. The motion to dispense with the call of the house may be adopted by a majority of the members present.

Appeal from Decision of Chair

Rule 22. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal, the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

Standing Committees

Rule 23. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Agriculture & Natural Resources	13
2. Appropriations.....	33
3. Business & Financial Services	11
4. Capital Budget.....	19
5. Commerce & Gaming	11
6. Community Development, Housing & Tribal Affairs	7
7. Early Learning & Human Services.....	13
8. Education.....	19
9. Environment.....	9
10. Finance	11
11. Health Care & Wellness	(15) 17
12. Higher Education.....	9
13. Judiciary	13
14. Labor & Workplace Standards	7
15. Local Government.....	7
16. Public Safety	11
17. Rules.....	25
18. State Government.....	(9) 7
19. Technology & Economic Development (15)	17
20. Transportation	25

Committee members shall be selected by each party's caucus. Membership on appropriations subcommittees is restricted to the membership of the appropriations committee. The majority party caucus shall select all committee chairs.

Duties of Committees

Rule 24. House committees shall operate as follows:

(A) NOTICE OF COMMITTEE MEETING. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of

the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject.

(B) COMMITTEE QUORUM. A majority of any committee shall constitute a quorum for the transaction of business.

(C) SESSION MEETINGS. No committee shall sit while the house is in session without special leave of the speaker.

(D) DUTIES OF STANDING COMMITTEES.

(1) Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial, or resolution may be reported out: PROVIDED, That by motion under the eighth order of business, a majority of the members elected to the house may relieve a committee of a bill and place it on the second reading calendar.

Majority recommendations of a committee can only be "do pass," "do pass as amended," or that "the substitute bill be substituted therefor and that the substitute bill do pass."

(3) Members of the committee not concurring in the majority report may prepare a written minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a bill out of committee shall be taken by the yeas and nays, and the names of the members voting for and against, as well as the names of members absent, shall be recorded on the committee report. Any member may call for a recorded vote, which shall include the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct appropriation shall be referred to the appropriate fiscal committee before their final passage.

(7) No standing committee shall vote by secret written ballot on any issue.

(8) During its consideration of or vote on any bill, resolution, or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

(9) A standing committee to which a bill was originally referred shall, prior to voting the bill out of committee, consider whether the bill authorizes rule-making powers or requires the exercise of rule-making powers and, if so, consider:

(a) The nature of the new rule-making powers; and

(b) To which agencies the new rule-making powers would be delegated and which agencies, if any, may have related rule-making powers.

(10) Standing committee subcommittees established in Rule 23 have the same powers and duties as standing committees.

(11) Insofar as practicable, testimony in public hearings should be balanced between those in support of and in opposition to proposed legislation, with consideration given to providing an opportunity for members of the public to testify within available time.

Standing Committees - Expenses - Subpoena Power

Rule 25. Regardless of whether the legislature is in session, members of the house may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses, and payments in lieu of subsistence and lodging for conducting official business of the house.

The standing committees of the house may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. Before a standing committee of the house may issue any process, the committee chairperson shall submit for approval of the executive rules committee a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by the executive rules committee. The process shall be limited to the named individuals.

Vetoed Bills

Rule 26. Veto messages of the governor shall be read in the house and entered upon the journal. It shall then be in order to proceed to reconsider the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house. Action by the house upon all

vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house, which have not been passed notwithstanding the veto of the governor, shall remain in the custody of the officers of the house until the close of the term, after which they shall be filed with the secretary of state.

Suspension of Compensation

Rule 27. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, office space facilities, and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since sentencing shall be forthwith paid, and the member shall thereafter have the rights and privileges of other members.

Smoking

Rule 28. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives or within House facilities.

"No smoking" signs shall be posted so as to give notice of this rule.

Liquor

Rule 29. The House of Representatives shall strictly adhere to the liquor laws of the state of Washington, including provisions relating to banquet and special occasion permits. The proper permits must always be obtained before consumption of liquor in any house facility.

Parliamentary Rules

Rule 30. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all

cases in which they are not inconsistent with the standing rules and orders of the house.

Standing Rules Amendment

Rule 31. Any standing rule may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted at least one day in advance in writing to the members together with notice of the consideration thereof. Any standing rule may be suspended temporarily by a two-thirds (2/3) vote of the members present except as provided in Rule 10.

Rules to Apply for Assembly

Rule 32. The permanent house rules adopted at the beginning of the term are to govern all acts of the house during the course of the term unless amended or repealed.

Legislative Publications

Rule 33. The House of Representatives directs the house executive rules committee to adopt procedures and guidelines to ensure that all legislative publications at public expense are for legitimate legislative purposes.

Representative Sullivan moved adoption of HOUSE RESOLUTION NO. 4602

Representatives Sullivan and Wilcox spoke in favor of the adoption of the resolution.

There being no objection, HOUSE RESOLUTION NO. 4602 was adopted.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on State Government, Elections & Information Technology was relieved of HOUSE BILL NO. 1120, and the bill was referred to the Committee on Technology & Economic Development.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENTS

The Speaker (Representative Orwall presiding) announced the following committee appointments:

Representative Laurie Dolan was appointed Vice Chair of the Committee on State Government.

Representative Noel Frame was appointed to the Committee on Judiciary.

Representative Vandana Slatter was appointed to the Committee on Education, the Committee on Health Care & Wellness, and the Committee on Technology & Economic Development.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

There being no objection, the House adjourned until 9:55 a.m., January 13, 2017, the 5th Day of the Regular Session.

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTH DAY

House Chamber, Olympia, Friday, January 13, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Blake presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1182 by Representatives Stokesbary, Ryu, Stambaugh, Pettigrew, Cody, Harris, Sells and Kilduff

AN ACT Relating to civil service qualifications; amending RCW 41.08.070, 41.12.070, 41.14.100, 43.101.080, and 43.101.095; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1183 by Representatives McBride, Chapman, Haler, Ryu, Robinson, McDonald, Stambaugh, Frame, Senn, Riccelli, Dolan and Hudgins

AN ACT Relating to authorizing specified local governments, including federally recognized Indian tribes, to designate a portion of their territory as a creative district subject to certification by the Washington state arts commission; adding new sections to chapter 43.46 RCW; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1184 by Representatives Orwall, Griffey, Klippert, McCabe, Senn, Gregerson, Pellicciotti, Jinkins, Irwin, Wylie, Kilduff, McBride, Bergquist, Fey, Smith, Stanford and Hudgins

AN ACT Relating to patronizing a prostitute; amending RCW 9A.88.110; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1185 by Representatives Haler, Kirby and Stanford

AN ACT Relating to business practices that involve offering free or reduced-priced goods or services to the public not contingent on the purchase, continuation, or termination of insurance or the receipt of a quote for insurance, relative to the insurance code's prohibition

on offering rebates or inducements to purchase insurance; and amending RCW 48.30.140 and 48.30.150.

Referred to Committee on Business & Financial Services.

HB 1186 by Representatives Santos, Goodman, Jinkins, Kilduff and Senn

AN ACT Relating to the provision of and reimbursement for certain court interpreter services; and amending RCW 2.43.030, 2.43.040, and 2.42.120.

Referred to Committee on Judiciary.

HB 1187 by Representatives Gregerson, Griffey, Ryu, Pike and Springer

AN ACT Relating to water-sewer districts; amending RCW 57.08.016 and 70.95A.020; adding a new section to chapter 57.20 RCW; and adding a new section to chapter 57.08 RCW.

Referred to Committee on Local Government.

HB 1188 by Representatives Bergquist, Harmsworth, Fey, Hayes, Jinkins and Hudgins

AN ACT Relating to the use of child passenger restraint systems; amending RCW 46.61.687; and providing an effective date.

Referred to Committee on Transportation.

HB 1189 by Representatives Short, Cody, Schmick and Kloba

AN ACT Relating to clarifying existing exemptions from the massage therapy law; and amending RCW 18.108.050.

Referred to Committee on Health Care & Wellness.

HB 1190 by Representatives Taylor, Shea, Volz, McCaslin, J. Walsh, Buys, Condotta, Wilcox, Kristiansen, Pike, Young, Kraft, Short and Koster

AN ACT Relating to prohibiting a government database of law abiding owners of legal firearms; and amending RCW 9.41.129.

Referred to Committee on Judiciary.

HB 1191 by Representatives Taylor, Orcutt, McCaslin, Shea and Rodne

AN ACT Relating to eliminating the fee on the retail sale of vehicle tires; amending RCW 70.95.555, 82.08.036, and 82.12.038; creating new sections; repealing RCW 70.95.510, 70.95.515, 70.95.521, 70.95.530, 70.95.532, and 70.95.535; providing effective dates; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1192 by Representatives Taylor, Dent, Manweller and Shea

AN ACT Relating to prohibiting the department of fish and wildlife from requiring public access as a condition of receiving compensation under chapter 77.36 RCW; and amending RCW 77.36.110.

Referred to Committee on Agriculture & Natural Resources.

HB 1193 by Representatives Taylor, Shea, McCaslin, Young and J. Walsh

AN ACT Relating to the Fourth Amendment protection act; adding a new chapter to Title 42 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1194 by Representatives Hayes, Pettigrew, Smith, Springer, Kretz, Schmick, Santos, Short, Haler, Lovick, Riccelli, Blake, Senn, Jinkins, Gregerson, Muri, Frame, Wylie, Kilduff, McBride, Bergquist, Fey, Stambaugh, Ormsby, Farrell and Pollet

AN ACT Relating to creating a legislative page scholarship program; adding new sections to chapter 44.04 RCW; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government.

HB 1195 by Representatives Kilduff, Rodne, Goodman, Hayes and Muri

AN ACT Relating to surrender of person under surety's bond; and amending RCW 10.19.160.

Referred to Committee on Public Safety.

HB 1196 by Representatives Goodman, Rodne, Jinkins, Kilduff, McBride and Barkis

AN ACT Relating to modifying the process for prevailing parties to recover judgments in small claims court; amending RCW 12.40.020, 12.40.030, 12.40.040, 12.40.050, 12.40.105, 12.40.120, and

43.79.505; adding a new section to chapter 12.40 RCW; and repealing RCW 12.40.110.

Referred to Committee on Judiciary.

HB 1197 by Representatives Tarleton, McDonald, Frame, Kilduff and Bergquist

AN ACT Relating to respite services for caregivers of people with mental illness; adding a new section to chapter 71.05 RCW; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1198 by Representatives Harris, Cody and Riccelli

AN ACT Relating to substance abuse monitoring for podiatric physicians and surgeons; and adding a new section to chapter 18.22 RCW.

Referred to Committee on Health Care & Wellness.

HB 1199 by Representatives Irwin, Jinkins, Goodman, Rodne, Hayes, Muri, Frame, Stokesbary and Stambaugh

AN ACT Relating to allowing youth courts to have jurisdiction over transit infractions; and amending RCW 3.72.010.

Referred to Committee on Judiciary.

HB 1200 by Representatives McCabe, Goodman, Klippert, Orwall, Hayes, Johnson, Griffey, Caldier, Dye, Sells, McDonald, Kilduff and Smith

AN ACT Relating to the crime of voyeurism; amending RCW 9A.44.115; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1201 by Representatives Stonier, Orcutt, Harris, Wylie, J. Walsh, Riccelli, Tharinger and Ormsby

AN ACT Relating to the taxing authority of public facilities districts; and amending RCW 82.14.390 and 82.14.485.

Referred to Committee on Finance.

HB 1202 by Representatives Young, McCaslin, Taylor and Shea

AN ACT Relating to prohibiting the use of international law to infringe on property rights; adding new sections to chapter 42.04 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 90.58 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1203 by Representatives Young, J. Walsh, McCaslin, Taylor, Shea, Irwin, Koster and Santos

AN ACT Relating to exempting school districts from the state portion of sales and use taxes on school construction; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1204 by Representatives Young, McCaslin, Shea, Taylor and J. Walsh

AN ACT Relating to requiring the display of the national league of families' POW/MIA flag on certain days; and amending RCW 1.20.017.

Referred to Committee on State Government.

HB 1205 by Representatives Young, Shea, Taylor, McCaslin and Santos

AN ACT Relating to providing a right of first repurchase for surplus transportation property; and amending RCW 47.12.063.

Referred to Committee on Transportation.

HB 1206 by Representatives Young, J. Walsh, Taylor, McCaslin, Shea and Muri

AN ACT Relating to repealing the state estate tax; creating a new section; repealing RCW 83.100.040; and providing an effective date.

Referred to Committee on Finance.

HB 1207 by Representatives Young, Taylor, Shea, J. Walsh, McCaslin, Kraft and Short

AN ACT Relating to reporting agreements between state agencies and the federal government; adding a new section to chapter 43.88 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1208 by Representatives Johnson, Dolan, Stokesbary and Stonier

AN ACT Relating to charter school students participating in interschool athletics and extracurricular activities; and amending RCW 28A.710.300.

Referred to Committee on Education.

HB 1209 by Representatives Bergquist, Vick, Kirby, J. Walsh and Blake

AN ACT Relating to municipal access to local financial services; amending RCW 39.58.010, 39.58.060, and 39.58.108; and repealing RCW 39.58.240.

Referred to Committee on Business & Financial Services.

HB 1210 by Representatives Farrell, Fitzgibbon, Frame, McBride, Macri, Doglio, Ormsby, Hudgins and Pollet

AN ACT Relating to strengthening funding for oil spill programs in Washington by increasing revenue to the oil spill prevention account; amending RCW 82.23B.020 and 90.56.510; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1211 by Representatives Jinkins, DeBolt, Tharinger, Harris and Wylie

AN ACT Relating to prescription drug insurance continuity of care; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

HB 1212 by Representative Blake

AN ACT Relating to the possession and transfer of marijuana, marijuana plants, useable marijuana, marijuana-infused products, and marijuana concentrates; amending RCW 69.50.4013 and 69.50.4014; reenacting and amending RCW 69.50.101; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1213 by Representatives Farrell, Pollet, Peterson, Gregerson, Wylie, McBride, Doglio and Hudgins

AN ACT Relating to promoting the use of greywater in urban buildings; amending RCW 90.46.140; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1214 by Representatives Hargrove, Pettigrew, Sells, Haler and Muri

AN ACT Relating to increasing the number of state need grant recipients by awarding the community and technical college rate in certain financial aid programs for a student's first two years of postsecondary credit; amending RCW 28B.92.020, 28B.92.060, and 28B.118.010; and creating a new section.

Referred to Committee on Higher Education.

HB 1215 by Representatives Hargrove, Pettigrew, Kretz, Smith and Stambaugh

AN ACT Relating to innovation schools; amending RCW 28A.657.050 and 28A.657.050; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 28A.165 RCW; adding a new section to chapter 28A.170 RCW; adding a new section to chapter 28A.175 RCW; adding a new section to chapter 28A.180 RCW; adding a new section to chapter 28A.185 RCW; adding a new section to chapter 28A.190 RCW; adding a new section to chapter 28A.193 RCW; adding a new section to chapter 28A.194 RCW; adding a new section to chapter 28A.215 RCW; adding a new section to chapter 28A.220 RCW; adding a new section to chapter 28A.225 RCW; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.235 RCW; adding a new section to chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.305 RCW; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.325 RCW; adding a new section to chapter 28A.335 RCW; adding a new section to chapter 28A.340 RCW; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28A.400 RCW; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.605 RCW; adding a new section to chapter 28A.620 RCW; adding a new section to chapter 28A.623 RCW; adding a new section to chapter 28A.625 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.635 RCW; adding a new section to chapter 28A.650 RCW; adding a new section to chapter 28A.655 RCW; adding a new section to chapter 28A.700 RCW; adding a new chapter to Title 28A RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Education.

HB 1216 by Representatives Klippert and Hayes

AN ACT Relating to unlawful entry on certain properties; adding new sections to chapter 9A.52 RCW; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1217 by Representatives Klippert, Hargrove, Shea, Haler, Taylor, Holy, Young, McCaslin, Rodne, Smith, Van Werven, Dent, Hayes and Short

AN ACT Relating to restricting the government from burdening a person's fundamental right to free exercise of religion and freedom of conscience; amending RCW 49.60.030; and adding new sections to chapter 49.60 RCW.

Referred to Committee on Judiciary.

HB 1218 by Representatives Fey, McCaslin and Goodman

AN ACT Relating to the termination of towing fees; and amending RCW 46.55.063.

Referred to Committee on Transportation.

HB 1219 by Representatives Orcutt, Fey and Goodman

AN ACT Relating to deficiency claims after auction of a private property vehicle impound; and amending RCW 46.55.140.

Referred to Committee on Transportation.

HB 1220 by Representative Klippert

AN ACT Relating to flying flags on Washington state institutions of higher education campuses; and amending RCW 28B.10.030.

Referred to Committee on Higher Education.

HB 1221 by Representatives Rodne, Goodman, Klippert, Kilduff, Jinkins, Barkis, Muri and Hudgins

AN ACT Relating to the solemnization of marriages by commissioners of courts of limited jurisdiction; and amending RCW 26.04.050.

Referred to Committee on Judiciary.

HB 1222 by Representatives Pike, Tarleton, Orcutt, Shea, Rodne, Gregerson and McBride

AN ACT Relating to the creation of a bistate bridge project legislative work group; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

HB 1223 by Representatives Pike, Goodman, Caldier, Griffey, Fitzgibbon, Riccelli, Tarleton, Chapman, Gregerson and Kilduff

AN ACT Relating to extending the term of validity for a driver's instruction permit; amending RCW 46.20.055 and 46.20.075; and providing an effective date.

Referred to Committee on Transportation.

HB 1224 by Representatives Pike, Manweller, Shea, Taylor, Kraft, Vick, Griffey, Harris and Hargrove

AN ACT Relating to granting local governments the authority to make challenges related to growth management planning subject to direct review in superior court; amending RCW 36.70A.295; creating new sections; and providing an expiration date.

Referred to Committee on Environment.

HB 1225 by Representatives Pike, Fitzgibbon, Manweller, Blake, Wylie, Peterson and McDonald

AN ACT Relating to planning for the availability of mineral resources for future generations under the growth management act; and amending RCW 36.70A.020, 36.70A.060, and 36.70A.131.

Referred to Committee on Environment.

HB 1226 by Representatives Pike, Peterson, Manweller, Goodman, Vick, Griffey, Muri and Pollet

AN ACT Relating to improving the convenience of electronic waste collection; amending RCW 70.95N.090, 70.95N.280, and 70.95N.310; and creating a new section.

Referred to Committee on Environment.

HB 1227 by Representatives Pike, Goodman, Manweller, Springer, Vick, Griffey and Harris

AN ACT Relating to correctional industries' insurance costs; amending RCW 72.09.100 and 51.12.045; and adding a new section to chapter 72.09 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1228 by Representatives Pike, Manweller, Kraft, Vick, Taylor, Shea and Harris

AN ACT Relating to limiting industrial insurance benefits for injuries or diseases caused by use of intoxicating liquor or drugs; adding a new section to chapter 51.32 RCW; and creating new sections.

Referred to Committee on Labor & Workplace Standards.

HB 1229 by Representatives Pike, Pollet, Pettigrew, Shea, Taylor, Vick, Springer, Goodman, Harris, Kraft and Young

AN ACT Relating to ensuring that fishing opportunities in Washington are consistent with the economic contributions provided by the fishing user groups; amending RCW 77.04.012, 77.04.055, and 77.12.047; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1230 by Representatives Pike, Wylie, Caldier, Manweller, Stonier, Griffey, Springer, Shea, Goodman, Taylor, Kraft, Vick, Fitzgibbon, Harris, Dent, Muri, Kilduff, McBride, Young, Smith, Stambaugh, Appleton, Dolan, Ormsby, Stanford, Pellicciotti and Doglio

AN ACT Relating to modifying qualifications for disabled veterans to receive fee exempt license plates; and amending RCW 46.18.235.

Referred to Committee on Transportation.

HB 1231 by Representatives Lytton, Nealey, Springer, Wilcox, Tharinger, Holy, Blake, Muri, Kirby, Haler, Goodman, Shea, Wylie, Rodne, Riccelli, Dent and Morris

AN ACT Relating to removing the expiration date of the business and occupation tax deduction for cooperative finance organizations; amending RCW 82.04.43394; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1232 by Representatives Clibborn, Macri, Rodne, Caldier, Jinkins and Goodman

AN ACT Relating to strengthening the timing and content of disclosures by continuing care retirement communities; and amending RCW 18.390.030, 18.390.060, and 18.390.070.

Referred to Committee on Health Care & Wellness.

HB 1233 by Representatives Morris, Tarleton and Hudgins

AN ACT Relating to enabling electric utilities to prepare for the distributed energy future; adding a new section to chapter 19.280 RCW; adding new sections to chapter 80.28 RCW; adding a new section to chapter 80.60 RCW; adding a new chapter to Title 80 RCW; adding a new chapter to Title 19 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Technology & Economic Development.

HB 1234 by Representatives Robinson, Lytton, Senn, Frame, Doglio, Tarleton, Hansen, Jinkins, Cody, Ortiz-Self, Riccelli, Stambaugh, Macri, Pollet, Tharinger, Clibborn, Stonier, Caldier, Sells, Gregerson, Wylie, Kilduff, McBride, Goodman, Bergquist, Ormsby, Stanford, Slatter and Kloba

AN ACT Relating to private health plan coverage of contraceptives; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1235 by Representatives Riccelli, Harris, Stonier, Bergquist, Calder, Robinson, Nealey, Stokesbary, Jinkins, McBride, Goodman, Ryu, Frame, Gregerson, Dolan and Ormsby

AN ACT Relating to assessing physical education practices in public schools; and adding a new section to chapter 28A.230 RCW.

Referred to Committee on Education.

HB 1236 by Representatives Klippert, Griffey and Harris

AN ACT Relating to encouraging courts to require that children subject to truancy petitions complete and submit assignments; and amending RCW 28A.225.090.

Referred to Committee on Judiciary.

HB 1237 by Representatives Sells, Haler, Pollet, Appleton, Bergquist, Cody, Farrell, Riccelli, Lovick, Johnson, Ormsby, Springer, Gregerson, Ryu, Wylie, Sawyer, Santos, Senn, Goodman, Fey and Stanford

AN ACT Relating to modifying collective bargaining law to authorize providing additional compensation to academic employees at community and technical colleges; and amending RCW 28B.52.035 and 28B.50.140.

Referred to Committee on Labor & Workplace Standards.

HB 1238 by Representatives Pollet, Haler, Tarleton, Sells, Holy, Orwall, Bergquist, Frame, Fitzgibbon, Ormsby, Stanford and Farrell

AN ACT Relating to creating new full-time tenure track positions at the state's four-year public institutions of higher education; adding a new section to chapter 28B.10 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1239 by Representative Sullivan

AN ACT Relating to requests for medical records to support an application for social security benefits; amending RCW 70.02.030, 70.02.045, and 70.02.080; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

HB 1240 by Representatives Koster, Taylor, Shea, McDonald, Hayes, Rodne, Irwin, Manweller, Short, Young, Pike and Kraft

AN ACT Relating to revising the responsibilities of the joint administrative rules review committee to increase

legislative oversight of agency rule making; and amending RCW 34.05.630, 34.05.640, and 34.05.650.

Referred to Committee on State Government.

HB 1241 by Representatives Koster, Shea, Taylor, Hayes, Rodne, Manweller, Short and Pike

AN ACT Relating to increasing legislative oversight of agency rule making; amending RCW 34.05.310, 34.05.313, 34.05.320, 34.05.322, 34.05.335, 34.05.360, 43.17.060, 43.21C.110, 18.04.055, 34.12.030, 28B.95.030, 15.49.310, 15.24.070, 27.34.220, 27.53.140, 43.117.050, 16.67.090, 72.40.022, 72.40.0191, 34.05.385, 41.16.040, 43.97.015, 43.330.040, 43.160.050, 43.21F.045, 43.155.040, 43.12.045, 89.08.040, 43.105.057, 72.01.090, 36.78.050, 43.101.080, 43.215.070, 43.21A.080, 70.95N.230, 43.21I.030, 39.110.045, 50.12.040, 50.12.010, 80.50.040, 43.19.011, 43.21B.090, 90.58.175, 42.52.360, 43.06A.030, 43.320.040, 31.04.165, 31.45.200, 21.20.450, 77.04.055, 43.103.090, 76.09.040, 47.06A.020, 15.28.100, 9.46.070, 41.05.160, 70.37.050, 43.70.040, 43.115.040, 84.26.120, 27.34.070, 43.180.040, 49.60.120, 9.95.150, 51.52.020, 48.02.060, 43.33A.110, 49.17.040, 51.04.020, 68.05.100, 67.08.017, 43.350.040, 66.08.0501, 67.70.040, 38.52.050, 43.30.215, 43.200.070, 78.52.050, 79A.05.030, 79A.05.070, 88.16.035, 70.148.040, 41.60.020, 28A.410.210, 42.17A.110, 41.05.055, 41.58.050, 41.56.090, 28A.150.290, 90.71.230, 77.85.120, 41.50.050, 82.32.300, 82.01.060, 84.08.070, 29A.04.611, 74.18.060, 74.08.090, 71A.12.030, 39.58.040, 43.340.030, 43.59.070, 47.01.071, 47.26.160, 47.01.101, 80.01.040, 43.60A.070, 41.24.290, and 28C.10.040; reenacting and amending RCW 34.05.328, 36.70A.270, 39.94.040, and 41.06.133; adding new sections to chapter 34.05 RCW; and declaring an emergency.

Referred to Committee on State Government.

HJM 4003 by Representatives Farrell, Pollet, Tarleton, Ryu, Riccelli, Doglio, Gregerson, Ormsby, Wylie, Senn, Springer, Pettigrew, Stonier, Peterson, Stanford, Fey, Appleton, Sawyer, Fitzgibbon, Sells, Frame, McBride, Bergquist and Macri

Asking congress to call a limited convention, authorized under Article V of the United States Constitution, for the purpose of proposing a free and fair elections amendment to that Constitution.

Referred to Committee on State Government.

There being no objection, the bills and memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10 a.m., January 16, 2017, the 8th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTH DAY

House Chamber, Olympia, Monday, January 16, 2017

Hunter G. Goodman, Secretary

January 13, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sarah Juchems and Dylan Thresher. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Bishop Charlotte Petty, Risen Faith Fellowship, Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

January 9, 2017

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8400,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

January 9, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 4401,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

January 13, 2017

MR. SPEAKER:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8400,

and the same is herewith transmitted.

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4401,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced Anson Dawkins of Tacoma to the Chamber to perform "His Eye is on the Sparrow."

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced 10th Grader Rebecca Guya, 11th Grader Isaac Sotelo, and 10th Grader Ashlin Dalton from the Institute for Community Leadership, who came here to present readings on the life and legacy of Dr. Martin Luther King, Jr. and asked the members to please welcome them to the Chamber.

The Speaker (Representative Orwall presiding) further recognized members of the Institute for Community Leadership seated in the north gallery and asked the members to acknowledge them.

RESOLUTIONS

HOUSE RESOLUTION NO. 2017-4604, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, and Young

WHEREAS, Today, January 16, 2017, the people of the state of Washington and the nation come together to celebrate and honor the life and legacy of Reverend Dr. Martin Luther King Jr.; and

WHEREAS, Dr. King was born on January 15, 1929, in Atlanta, Georgia, and was a precocious student, entering college at the age of 15; and

WHEREAS, Dr. King was married to Coretta Scott on June 18, 1953, in Marion, Alabama; and

WHEREAS, Despite Dr. King's assassination on April 4, 1968, in Memphis, Tennessee, Dr. King's legacy of nonviolence and teaching of compassion and equality lived on through his followers and his wife, Coretta Scott King; and

WHEREAS, Dr. King vehemently defended the idea of equality in America and sought to protest through nonviolent means, even when the odds were against him, as evidenced in his march through Selma, Alabama, which came to be after two failed attempts ended in obstruction; and

WHEREAS, Dr. Martin Luther King Jr. was jailed several times throughout his struggle to bring all people the opportunity to live free from racial, ethnic, and religious discrimination and violence; and

WHEREAS, Dr. King endorsed the truth that America had the capacity to change by declaring, "I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal!"; and

WHEREAS, Dr. King's belief in equality and opportunity for all was not confined to the termination of racial injustice, but also extended to the necessity of economic justice for all, so that no man or woman would live in the bondage of poverty; and

WHEREAS, Dr. King propelled the truths of injustice and brought to light racial discrimination and segregation, making a public conversation about it that helped to bring an end to unjust laws; and

WHEREAS, The Civil Rights Act of 1964 and the Voting Rights Act of 1965 became law thanks to the blood, sweat, and tears shed by Dr. King and his supporters from every neighborhood and community in the United States; and

WHEREAS, We remember Dr. King's unwavering commitment to the idea of opportunity for all in the face of opposition, cruelty, mistreatment, and tyranny by those in power; and

WHEREAS, Dr. King received the Nobel Peace Prize in 1964, the youngest man to ever be chosen for this honor; and

WHEREAS, Dr. King's life, work, and legacy will be continually celebrated through aHOUSE permanent federal holiday honoring his birth established by the Congress of the United States; and

WHEREAS, Long after his assassination, Dr. King's legacy has encouraged Americans to honor him still, posthumously bestowing upon him the Presidential Medal of

Freedom in 1977 and the Congressional Gold Medal in 2004; and

WHEREAS, We continue to look toward Dr. King's experiences and teachings as we look to achieve full racial, social, and economic justice for all Washingtonians;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, on behalf of the people of the state of Washington, recognize and honor the life and work of the Reverend Dr. Martin Luther King Jr. and his commitment to a free and just world; and

BE IT FURTHER RESOLVED, That the House of Representatives call on the people of the state of Washington to join us in reflecting on Dr. King's life and lasting contributions to racial and social tolerance, and seek to fulfill his dream of equality and opportunity for all people.

Representative Lovick moved adoption of HOUSE RESOLUTION 4604.

Representatives Lovick, Harmsworth, Stonier, Stokesbary, Reeves and Smith spoke in favor of the adoption of the resolution.

There being no objection, HOUSE RESOLUTION NO. 4604 was adopted.

**HOUSE RESOLUTION NO. 2017-4603, by
Representatives Griffey and MacEwen**

WHEREAS, The Miss and Mr. Mason Area Pageant has been serving Mason County for four years; and

WHEREAS, The pageant royalty, who range in age from newborn to young adult, compete in this "natural pageant" for the privilege of doing a year's worth of community service; and

WHEREAS, Pageant participants have made a lasting impact in Mason County by raising money and walking in the Relay for Life, collecting food for Saint's Pantry, collecting coats for a domestic violence shelter, making Capes of Courage for foster children, and much more; and

WHEREAS, Royalty and ambassadors of the Miss and Mr. Mason Area Pageant have spent hours writing Christmas cards to veterans in hospitals and nursing homes for the Christmas Cards for Heroes campaign sponsored by the Red Cross and for the United Service Organizations; and

WHEREAS, Pageant royalty gather backpacks for school food programs that support children who do not have enough food for the weekends; and

WHEREAS, The commitment to and support for community displayed by the pageant royalty has inspired their families and other community members to participate in community service activities throughout the county; and

WHEREAS, The service of pageant royalty and ambassadors has made Mason County a wonderful place to live, work, and raise a family; and

WHEREAS, Through the leadership of their director, Carey Sanchez, the 2016 Miss and Mr. Mason Area Pageant Royalty has touched the lives of many Mason County community members in need; and

WHEREAS, The pageant will continue to be a symbol of hope and community togetherness by its resilient staff and volunteers who make the pageant possible each year;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives express its gratitude and appreciation to the devoted members of the Miss and Mr. Mason Area Pageant and their dedicated families; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the value and dedication of a strong community awareness to the vitality and well-being of this great state; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives, Carey Sanchez, to the 2016 Miss and Mr. Mason Area Pageant Royalty and the 2015 Miss and Mr. Mason Area Pageant Royalty Ambassadors.

There being no objection, HOUSE RESOLUTION NO. 4603 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced visitors of Representatives Griffey and MacEwen who were recognized by HOUSE RESOLUTION No. 4603 to the Chamber and asked the members to acknowledge them.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1242 by Representatives Vick, Riccelli, Graves, Harris, Stonier, Cody, Ormsby and Buys

AN ACT Relating to patients' access to investigational medical products; amending RCW 69.04.570; reenacting and amending RCW 69.50.101; and adding a new chapter to Title 69 RCW.

Referred to Committee on Health Care & Wellness.

HB 1243 by Representatives Klippert, Taylor, Shea, Van Werven, Rodne, Haler, McCaslin, Kraft, Hargrove, Holy, Koster, MacEwen, Muri and Young

AN ACT Relating to prohibiting the sale, donation, or use of aborted fetal body parts; amending RCW 70.58.150, 68.64.150, 68.04.020, and 68.50.110; adding new sections to chapter 9.02 RCW; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1244 by Representatives Taylor, Goodman, Pike and Shea

AN ACT Relating to preventing purveyors of public water systems from intentional fluoridation in excess of concentrations that are currently recommended by the department of health; and adding a new section to chapter 70.119A RCW.

Referred to Committee on Health Care & Wellness.

HB 1245 by Representatives Taylor, Condotta, Short, Shea, Buys, Kretz and Haler

AN ACT Relating to providing a tax incentive for the labeling of products; adding a new chapter to Title 82 RCW; and providing a contingent expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1246 by Representatives McCabe, Orwall, Johnson, Kirby, McBride, Dye, Kilduff, Gregerson, Wylie, Haler, Appleton, Senn and Muri

AN ACT Relating to school bus safety; amending RCW 28A.160.205, 46.37.510, and 46.63.180; reenacting and amending RCW 43.84.092; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.68 RCW; and providing an effective date.

Referred to Committee on Education.

HB 1247 by Representatives McCabe, Kilduff, Muri, Caldier, Wylie, Dent, Tarleton, Haler, Stanford, Appleton, McBride and Young

AN ACT Relating to eligibility for lifetime veteran's disability passes; amending RCW 79A.05.065; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1248 by Representatives Griffey, Appleton, Goodman, Klippert, Holy and Hayes

AN ACT Relating to correcting a conflict between state and federal law regarding class I correctional industries work programs; and amending RCW 72.09.111.

Referred to Committee on Public Safety.

HB 1249 by Representatives Griffey, Klippert, Dent, J. Walsh, MacEwen, McCaslin, Kraft, Hargrove, Van Werven, Haler, Holy, Koster, Shea, Condotta, Muri, Young and Buys

AN ACT Relating to recognizing hydroelectricity as an eligible renewable resource in the energy independence act; and amending RCW 19.285.020 and 19.285.030.

Referred to Committee on Technology & Economic Development.

HB 1250 by Representatives Griffey, Orwall, Dent, MacEwen, Hayes, Holy, McCaslin and Doglio

AN ACT Relating to authorizing retail marijuana outlets to give a free lockable drug box to adults age twenty-one years and over and to qualifying patients age eighteen years and over subject to restrictions; amending RCW 69.50.357; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1251 by Representatives Frame, Rodne, Goodman, Stokesbary, Jinkins, Haler, Kagi, Muri, Reeves, Tarleton, Kilduff, Appleton, Ormsby, Senn, Blake, McBride, Fey, Doglio, Ryu, Pollet, Dolan, Gregerson and Bergquist

AN ACT Relating to the appointment of counsel for youth in dependency court proceedings; and amending RCW 13.34.090, 13.34.092, 13.34.100, and 13.34.105.

Referred to Committee on Judiciary.

HB 1252 by Representatives Haler, Fitzgibbon, Klippert, Nealey, Tarleton and Jinkins

AN ACT Relating to transferring authority for low-level radioactive waste management from the department of ecology to the department of health; amending RCW 43.200.020, 43.200.030, 43.200.070, 43.200.080, 43.200.180, 43.200.190, 43.200.200, 43.200.220, 43.200.230, 43.200.900, 70.98.085, and 70.98.098; reenacting and amending RCW 43.200.015; adding new sections to chapter 43.200 RCW; and repealing RCW 43.200.907.

Referred to Committee on State Government.

HB 1253 by Representatives Young, Ortiz-Self, Stambaugh, Bergquist, Kilduff, McCaslin, Van Werven, Lovick, Tarleton, Hargrove, Goodman, Ormsby, Doglio, Santos, Muri and Farrell

AN ACT Relating to making higher education more affordable by providing incentives for the use of open source instructional materials; adding new sections to chapter 28B.10 RCW; adding a new section to chapter 82.04 RCW; and creating new sections.

Referred to Committee on Finance.

HB 1254 by Representatives Young, Santos, McCaslin, Ortiz-Self, Stambaugh, Bergquist, Lovick, Tarleton, Stanford and Ormsby

AN ACT Relating to an educational grant program to promote confidence, public speaking, and leadership skills in students; adding a new section to chapter

28A.300 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1255 by Representatives Young and Muri

AN ACT Relating to directing the department of transportation to identify opportunities and, if appropriate, submit an invitation for bids or request for proposals to contract with concessionaires to operate on and collect tolls for the Tacoma Narrows bridge; amending RCW 47.56.030, 47.56.077, and 47.56.165; reenacting and amending RCW 47.56.010; adding a new section to chapter 47.56 RCW; creating new sections; and providing a contingent expiration date.

Referred to Committee on Transportation.

HB 1256 by Representatives Young, Bergquist, Taylor, Lovick, Shea, Ortiz-Self, Harmsworth, Stambaugh, Farrell, Riccelli, Muri, Tarleton, Sells, Haler, Condotta, Ormsby, Gregerson and Fey

AN ACT Relating to reforming the school assessment system to focus on teaching and learning; amending RCW 28A.155.170, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.320.195, 28A.320.208, 28A.415.360, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070, 28A.700.080, and 28B.15.520; creating a new section; and repealing RCW 28A.155.045, 28A.600.405, 28A.655.065, 28A.655.066, and 28A.655.071.

Referred to Committee on Education.

HB 1257 by Representatives Kretz, Blake, Taylor, Fitzgibbon and Buys

AN ACT Relating to the release of wild beavers; and amending RCW 77.32.585.

Referred to Committee on Agriculture & Natural Resources.

HB 1258 by Representatives McCabe, Orwall, Johnson, Cody, Dent, Kirby, Griffey, Van Werven, Calder, Dye, Gregerson, Wylie, Jinkins, Haler, McBride and Muri

AN ACT Relating to persons with a disability present at the scene of an accident; adding a new section to chapter 43.70 RCW; adding a new section to chapter 38.52 RCW; and creating a new section.

Referred to Committee on Public Safety.

HB 1259 by Representatives Klippert, Goodman, Rodne and Hayes

AN ACT Relating to standards for detention of persons with mental disorders or chemical dependency; amending RCW 70.96B.045, 71.05.050, 71.05.050, 71.05.153, 71.05.153, and 71.05.153; providing effective dates; and providing expiration dates.

Referred to Committee on Public Safety.

HB 1260 by Representatives Fitzgibbon, Frame, Macri, Tarleton, Pollet, Sawyer, Farrell, Kagi, Cody, Appleton, Ormsby, Senn and McBride

AN ACT Relating to misdemeanor marijuana offense convictions; and reenacting and amending RCW 9.96.060.

Referred to Committee on Public Safety.

HB 1261 by Representatives Jenkin, Sawyer, Ryu, Harris, Condotta, Kloba, Kagi and McBride

AN ACT Relating to the sale of tobacco products in open, unsecured displays; and amending RCW 70.345.080.

Referred to Committee on Commerce & Gaming.

HB 1262 by Representatives McBride, Dye, Peterson, McCabe, Riccelli, Gregerson, Fey, Dolan, Muri and Lovick

AN ACT Relating to accessible parking spaces for people with disabilities; adding a new section to chapter 19.27 RCW; and providing an effective date.

Referred to Committee on Local Government.

HB 1263 by Representatives McBride, Riccelli, Peterson and Dolan

AN ACT Relating to powered automatic doors in buildings accessible to the public; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1264 by Representatives McBride, Harris, Blake, Appleton, Goodman, Kloba, Tarleton, Jinkins, Kilduff, Fey, Doglio, Ryu, Pollet and Dolan

AN ACT Relating to medical assistance coverage for hearing devices for adults; and amending RCW 74.09.520.

Referred to Committee on Health Care & Wellness.

HB 1265 by Representatives Stambaugh, Van Werven, Hayes, Caldier, Short, Dye, Harmsworth, Pike, Kagi, Jinkins, Goodman, Doglio, Pollet, Muri, Farrell, Lovick and Buys

AN ACT Relating to providing tax relief to females by exempting feminine hygiene products from retail sales and use tax; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1266 by Representatives Peterson, Young and Fitzgibbon

AN ACT Relating to petroleum storage tank systems; and amending RCW 70.149.010, 70.149.020, 70.149.030, and 70.149.040.

Referred to Committee on Environment.

HB 1267 by Representatives DeBolt, Hudgins, Dolan, Fitzgibbon and Haler

AN ACT Relating to creating the wastewater treatment plant operator certification account; adding a new section to chapter 70.95B RCW; and repealing RCW 70.95B.150.

Referred to Committee on Appropriations.

HB 1268 by Representatives Harmsworth, Shea, Griffey, Hargrove, Rodne, MacEwen, Orcutt, Muri, Haler, Irwin, Koster and Buys

AN ACT Relating to exempting the construction of certain pedestrian infrastructure from the requirements of the state environmental policy act; and amending RCW 43.21C.480.

Referred to Committee on Environment.

HB 1269 by Representatives Harmsworth, Orcutt, Rodne, Muri, Haler, Stanford, Young and Lovick

AN ACT Relating to access to express toll lanes on Interstate 405 for certain persons undergoing medical treatment; and adding a new section to chapter 47.56 RCW.

Referred to Committee on Transportation.

HB 1270 by Representatives Harmsworth, Blake, Rodne, Muri, Stokesbary, MacEwen, Hayes, Haler and Buys

AN ACT Relating to improving public safety by encouraging the voluntary purchase and voluntary use of firearm safety products; amending RCW 82.08.832 and 82.12.832; and creating a new section.

Referred to Committee on Judiciary.

HB 1271 by Representatives Harmsworth, Muri, Bergquist, Stokesbary, MacEwen, Van Werven, Condotta, Doglio and Buys

AN ACT Relating to creating a more equitable penalty for failure to comply with discover pass requirements by setting the penalty at a level equal to the sales price for a discover pass; and amending RCW 79A.80.080.

Referred to Committee on Environment.

HB 1272 by Representatives Harmsworth, Orcutt, Bergquist, Rodne, Muri, Stokesbary, MacEwen, Condotta and Young

AN ACT Relating to creating a motor vehicle registration hiatus for certain motor vehicles that are not operated on public roads; amending RCW 46.16A.020, 46.16A.180, and 46.16A.320; reenacting and amending RCW 46.16A.030; adding a new section to chapter 46.16A RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1273 by Representatives Ryu, Farrell, Fey and Ortiz-Self

AN ACT Relating to the alignment of state statutes with federal standards for the issuance of nondomiciled commercial drivers' licenses and nondomiciled commercial learners' permits; amending RCW 46.25.010, 46.25.070, and 46.25.---; adding a new section to chapter 46.25 RCW; and providing effective dates.

Referred to Committee on Transportation.

HB 1274 by Representatives Sawyer, Vick, Condotta, Kloba and Ryu

AN ACT Relating to the bona fide charitable or nonprofit organization member requirement; and amending RCW 9.46.0209.

Referred to Committee on Commerce & Gaming.

HB 1275 by Representatives Blake, Wilcox, Chapman, MacEwen, J. Walsh, Orcutt, Buys, Pettigrew, Fitzgibbon, Haler, Condotta and Muri

AN ACT Relating to including fish passage barrier removal projects that comply with the forest practices rules in the streamlined permit process provided in RCW 77.55.181; and amending RCW 77.55.181.

Referred to Committee on Agriculture & Natural Resources.

HB 1276 by Representatives Rodne and Haler

AN ACT Relating to a three-part aim solution that improves health and health care in a manner that lowers

overall health care costs in a normally distributed population; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health Care & Wellness.

HB 1277 by Representatives Shea, Goodman, Griffey, Tarleton, Muri and Young

AN ACT Relating to immunity from liability for professional or trade associations providing emergency response volunteers; and amending RCW 38.52.180.

Referred to Committee on Judiciary.

HB 1278 by Representatives Macri, DeBolt, Cody, Rodne, Wylie, Jinkins, Harris, Short and Farrell

AN ACT Relating to enactment of the physical therapy licensure compact; amending RCW 18.74.050, 18.74.090, 18.74.150, and 43.70.320; adding new sections to chapter 18.74 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1279 by Representative Pettigrew

AN ACT Relating to school safety drills; and amending RCW 28A.320.125.

Referred to Committee on Education.

HB 1280 by Representatives Kagi and Fey

AN ACT Relating to including referred and diverted youth in establishing community juvenile accountability program guidelines; and amending RCW 13.40.510.

Referred to Committee on Early Learning & Human Services.

HB 1281 by Representatives Fitzgibbon and Stokesbary

AN ACT Relating to modifying the appointment process for trustees of rural county library districts in counties with one million or more residents; amending RCW 27.12.190; and adding a new section to chapter 27.12 RCW.

Referred to Committee on Local Government.

HB 1282 by Representatives Tarleton, Manweller, Ortiz-Self, Young, Gregerson, Haler, Hayes, Van Werven, McBride, Fey, Santos, Muri, Bergquist and Frame

AN ACT Relating to career and technical education funding; amending RCW 28A.150.260; reenacting and amending RCW 28A.150.260; creating a new section;

providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1283 by Representatives Chapman, Orcutt, Nealey and Lytton

AN ACT Relating to eliminating the collection of anticipated taxes and assessments; amending RCW 84.56.345 and 84.40.042; and repealing RCW 58.08.040.

Referred to Committee on Finance.

HB 1284 by Representatives Lovick, Hayes, Orwall, Goodman, Springer, Sells, Blake, Ryu, Santos, Farrell, Reeves, Koster, Muri, Griffey, Tarleton, Appleton, Gregerson and Fey

AN ACT Relating to creating a statewide school emergency panic button program; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Education.

HB 1285 by Representatives Graves, Jinkins, Goodman, Rodne, Shea, Muri, Haler, Kilduff, Klippert, Orwall and Kirby

AN ACT Relating to oath requirements for interpreters in legal proceedings; and amending RCW 2.42.050 and 2.43.050.

Referred to Committee on Judiciary.

HB 1286 by Representatives Fey, Johnson, Clibborn, Young, Griffey, Stanford, Jinkins and Dent

AN ACT Relating to vehicle service fees; and amending RCW 46.17.040.

Referred to Committee on Transportation.

HB 1287 by Representatives Chandler and Manweller

AN ACT Relating to collective bargaining; amending RCW 42.30.140, 41.80.005, 41.80.010, 41.56.028, 41.56.029, 41.56.510, 74.39A.240, and 74.39A.300; adding a new section to chapter 42.30 RCW; adding a new section to chapter 41.56 RCW; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 47.64 RCW; adding a new section to chapter 49.39 RCW; adding a new section to chapter 74.39A RCW; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

HB 1288 by Representatives Chandler, Manweller, MacEwen and Stokesbary

AN ACT Relating to additional contribution rates for contributions made after the date the service is rendered for individual employers of the Washington state retirement systems; amending RCW 41.45.010, 41.45.050, and 41.45.060; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1289 by Representatives Riccelli, DeBolt, Tharinger, Doglio, Pike, McBride, Sells, Van Werven, Ryu, Macri, MacEwen, Stonier and Ormsby

AN ACT Relating to plaques for certain state-funded capital budget projects; amending RCW 27.34.330; adding a new section to chapter 43.46 RCW; and adding a new section to chapter 43.63A RCW.

Referred to Committee on Capital Budget.

HB 1290 by Representatives Kilduff, Rodne, Haler, Hayes, Lytton, Gregerson, Ormsby, Senn and Bergquist

AN ACT Relating to removing references to faith-based exemptions regarding criminal mistreatment of children and vulnerable adults; and amending RCW 9A.42.005 and 26.44.020.

Referred to Committee on Judiciary.

HB 1291 by Representatives Santos, Jinkins, Fey, Robinson, Fitzgibbon, Stanford, Ormsby and Riccelli

AN ACT Relating to health care for Pacific Islanders residing in Washington under a compact of free association; adding a new chapter to Title 43 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1292 by Representatives Stokesbary, Goodman, Hayes, Kilduff, Rodne and Irwin

AN ACT Relating to theft of rental property; amending RCW 9A.56.096; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1293 by Representatives Ortiz-Self, Caldier, Stonier, Doglio, Orwall, Senn, Tarleton, McBride, Gregerson, Kagi, Jinkins, Santos, Pollet, Bergquist, Kilduff, Young and Frame

AN ACT Relating to eliminating the parent or guardian approval requirement for the college bound scholarship pledge; and amending RCW 28B.118.010 and 28B.118.040.

Referred to Committee on Higher Education.

HB 1294 by Representatives Ortiz-Self, Kilduff, Lovick, Stonier, Orwall, Senn, McBride, Tarleton, Gregerson, Doglio, Santos, Bergquist, Farrell and Frame

AN ACT Relating to an ethnic studies curriculum for public school students; adding a new section to chapter 28A.300 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 1295 by Representatives Ortiz-Self, Stonier, Orwall, McBride, Gregerson, Doglio, Santos and Bergquist

AN ACT Relating to improving language access for public school students and families; adding new sections to chapter 28A.630 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 41.05 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1296 by Representatives Nealey, Springer, Harris, Vick, MacEwen, Stokesbary, Orcutt, Steele, Haler and Condotta

AN ACT Relating to consolidating and simplifying the annual report and annual survey used for economic development tax incentives; amending RCW 82.32.534, 82.32.590, 82.32.600, 82.32.605, 82.32.607, 82.32.710, 82.32.808, 82.04.240, 82.04.2404, 82.04.2909, 82.04.426, 82.04.4277, 82.04.4461, 82.04.4463, 82.04.448, 82.04.4481, 82.04.4483, 82.04.449, 82.08.805, 82.08.965, 82.08.9651, 82.08.970, 82.08.980, 82.08.986, 82.12.022, 82.12.025651, 82.12.805, 82.12.965, 82.12.9651, 82.12.970, 82.12.980, 82.16.0421, 82.29A.137, 82.60.070, 82.63.020, 82.63.045, 82.74.040, 82.74.050, 82.75.040, 82.75.070, 82.82.020, 82.82.040, 84.36.645, and 84.36.655; reenacting and amending RCW 82.04.260 and 82.32.790; adding a new section to chapter 50.13 RCW; repealing RCW 82.32.585; providing an effective date; and providing a contingent effective date.

Referred to Committee on Finance.

HB 1297 by Representatives Tarleton, Vick, Barkis, Sawyer, Ryu and Pettigrew

AN ACT Relating to distillery promotional items and spirit sample sales; and amending RCW 66.24.140 and 66.28.310.

Referred to Committee on Commerce & Gaming.

HB 1298 by Representatives Ortiz-Self, Manweller, Haler, Sells, Kilduff, Frame, Gregerson, Kagi, Tarleton, Jinkins, Stanford, Appleton, Ormsby, Senn, McBride, Santos, Lovick, Bergquist, Farrell and Young

AN ACT Relating to prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

HB 1299 by Representatives Blake, Manweller, Pettigrew, Dent, Robinson, Chapman, Buys, Kretz, Haler and Irwin

AN ACT Relating to including certain cattle feedlots within the statutory exemption for odor or fugitive dust caused by agricultural activity; and amending RCW 70.94.640.

Referred to Committee on Environment.

HB 1300 by Representatives Riccelli, Gregerson, Peterson, Tharinger, Macri, Ryu, Fitzgibbon, Jinkins, Goodman, Stanford, Ormsby, Santos, Bergquist and Farrell

AN ACT Relating to simplifying and enforcing employee status under employment laws to ensure fairness to employers and employees and address the underground economy; amending RCW 39.12.010, 39.12.050, 49.46.010, 50.04.100, 50.04.298, 50.12.070, 50.12.072, 50.24.070, 51.08.070, and 51.08.180; reenacting and amending RCW 49.48.082; adding a new section to chapter 39.12 RCW; adding new sections to chapter 49.52 RCW; adding a new section to chapter 49.48 RCW; adding a new section to chapter 49.46 RCW; adding new sections to chapter 50.04 RCW; adding a new section to chapter 51.12 RCW; adding a new chapter to Title 49 RCW; creating new sections; repealing RCW 39.12.100, 50.04.140, 50.04.145, 51.08.181, and 51.08.195; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

HB 1301 by Representatives Ryu, McBride, Macri, Peterson, Gregerson, Goodman, Stonier, Senn, Frame, Tarleton, Jinkins, Stanford, Ormsby, Santos, Pollet and Farrell

AN ACT Relating to the employment antiretaliation act; amending RCW 49.46.010, 49.46.100, and 39.12.010; reenacting and amending RCW 49.48.082; adding new sections to chapter 49.46 RCW; adding a new section to chapter 49.12 RCW; adding new sections to chapter 49.48 RCW; adding new sections to

chapter 39.12 RCW; adding new sections to chapter 49.52 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

HB 1302 by Representatives Frame, Gregerson, Peterson, Macri, Ryu, Jinkins, Goodman, Stanford, Ormsby, Santos and Farrell

AN ACT Relating to damages for wage violations; amending RCW 49.52.070; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

HB 1303 by Representatives Stambaugh, Bergquist, Stokesbary, Stonier, Muri, Young and Senn

AN ACT Relating to educational interpreters; amending RCW 28A.410.271; creating a new section; and declaring an emergency.

Referred to Committee on Education.

HB 1304 by Representatives Kilduff, Muri, Gregerson, Kagi, Jinkins, Santos, Young and Stambaugh

AN ACT Relating to individuals receiving both employment and community access services; and amending RCW 71A.12.290.

Referred to Committee on Early Learning & Human Services.

HB 1305 by Representatives Barkis, Kirby, Klippert, Stambaugh and Haler

AN ACT Relating to unlawful entry on certain properties; adding new sections to chapter 9A.52 RCW; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1258 which was referred to the Committee on Judiciary.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 12, 2017

HB 1059 Prime Sponsor, Representative Lytton: Delaying implementation of revisions to the school levy lid. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Haler; Manweller; Schmick; Taylor and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Caldier; Harris; Nealey; Vick and Volz.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Technology & Economic Development was relieved of HOUSE BILL NO. 1158, and the bill was referred to the Committee on Capital Budget.

There being no objection, the House adjourned until 9:55 a.m., January 17, 2017, the 9th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

NINTH DAY

House Chamber, Olympia, Tuesday, January 17, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1306 by Representatives Shea, Taylor, Koster, Caldier, Buys, Volz, Young, Harris, Muri, McCaslin, Kirby, Stambaugh, Holy, Ormsby, Condotta, Van Werven and J. Walsh

AN ACT Relating to authorizing the termination of all legal responsibilities of a nonparent if genetic testing shows by clear and convincing evidence that a man is not the genetic father of a child; amending RCW 26.26.310, 26.26.320, 26.26.335, 26.26.530, 26.26.535, 26.26.600, and 26.26.405; adding new sections to chapter 26.26 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1307 by Representatives Shea, Schmick, Kretz, Short, Taylor and Condotta

AN ACT Relating to authorizing local authorities to establish dual speed limits; and amending RCW 46.61.415.

Referred to Committee on Transportation.

HB 1308 by Representatives Shea, Taylor, McCaslin, Rodne and Young

AN ACT Relating to making human decapitation an aggravating circumstance for purposes of aggravated first degree murder; amending RCW 10.95.020; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1309 by Representatives Steele, Chapman, Kretz and Condotta

AN ACT Relating to removal of land from the current use property tax classification due to certain natural disasters; amending RCW 84.33.145; and reenacting and amending RCW 84.34.108.

Referred to Committee on Finance.

HB 1310 by Representatives Manweller, Bergquist, Hayes, Riccelli, Klippert, Smith, Muri and Jinkins

AN ACT Relating to creating a program to provide students and the community with the means to report anonymously concerning unsafe or violent activities, or the threat of these activities; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.320 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Education.

HB 1311 by Representatives Tarleton, Haler, Gregerson, Stokesbary, McBride, Pettigrew, Fitzgibbon, Wilcox, Appleton and Fey

AN ACT Relating to creating a business and occupation tax deduction for certain amounts received by zoological facilities; adding a new section to chapter 82.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1312 by Representatives Stokesbary, Stambaugh, Cody and Stanford

AN ACT Relating to requiring the department of social and health services to collect and publicly report information on the safe surrender of newborn children; amending RCW 13.34.360; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1313 by Representatives Pettigrew, Santos, Tarleton, Fey, Stanford, Slatter and Bergquist

AN ACT Relating to improving and expanding applied learning opportunities in public schools; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Education.

HB 1314 by Representatives Caldier, Jinkins, DeBolt, Cody, Rodne, Griffey, Harris, Haler and Appleton

AN ACT Relating to health care authority auditing practices; reenacting and amending RCW 74.09.215; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1315 by Representatives Calder, Wylie, Dent, Blake, Griffey, Buys and Muri

AN ACT Relating to creating a preferred alternative for the placement, sale, and public notice of impounded livestock; and amending RCW 16.24.110, 16.24.120, 16.24.130, and 16.24.150.

Referred to Committee on Agriculture & Natural Resources.

HB 1316 by Representatives Calder, Cody, Jinkins, Wylie, Bergquist, Harris, Clibborn, Rodne, Griffey and Appleton

AN ACT Relating to fair dental insurance practices; amending RCW 48.43.005 and 48.43.740; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1317 by Representatives McBride, Nealey, Ormsby, Muri, Goodman, Stanford, Tarleton, Senn, Appleton, Kilduff and Jinkins

AN ACT Relating to the public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers; and amending RCW 42.56.250.

Referred to Committee on State Government.

HB 1318 by Representatives Ryu and Kirby

AN ACT Relating to credit unions' capital; amending RCW 31.12.402; and reenacting and amending RCW 31.12.005.

Referred to Committee on Business & Financial Services.

HB 1319 by Representatives McCaslin, Bergquist, Holy, Ryu, Stokesbary, Orwall, Volz, Haler, Stambaugh, Griffey, Chandler, Blake, Dent, McDonald, Dolan, Shea, Koster, Short, Pettigrew, Fey, Santos, Smith, Hargrove, Sells, Pollet, Muri and Young

AN ACT Relating to the frequency of evaluations for certain educators; and amending RCW 28A.405.100.

Referred to Committee on Education.

HB 1320 by Representatives Reeves, McDonald, Dolan, Stambaugh, Kilduff, Ryu, Klippert, Tarleton, Appleton, Sawyer, Jinkins, Bergquist, Pellicciotti, McBride and Riccelli

AN ACT Relating to certain gold star license plate qualified applicants and recipients; and amending RCW 46.18.245.

Referred to Committee on Transportation.

HB 1321 by Representatives Jenkin, Appleton, Nealey and Gregerson

AN ACT Relating to authorizing certain public facilities districts to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval; and amending RCW 35.57.020.

Referred to Committee on Local Government.

HB 1322 by Representatives Kilduff, Harris, Kagi, Senn, Cody, Short, McDonald, Calder, Dent, Tharinger, Dye, Robinson, Lovick, Appleton, Goodman, Fey, Hudgins, Sawyer, Muri, Jinkins, McBride and Doglio

AN ACT Relating to reducing training requirements for developmental disability respite providers working three hundred hours or less in any calendar year; and amending RCW 74.39A.076.

Referred to Committee on Health Care & Wellness.

HB 1323 by Representatives Wylie, Harris, Nealey, McBride, Stanford and Muri

AN ACT Relating to loss prevention reviews by state agencies; and amending RCW 43.19.003, 43.19.782, and 43.19.783.

Referred to Committee on State Government.

HB 1324 by Representatives Tharinger, DeBolt and Smith

AN ACT Relating to financing local infrastructure; amending RCW 39.36.060; and adding new sections to chapter 43.180 RCW.

Referred to Committee on Local Government.

HB 1325 by Representatives Tharinger, Tarleton and Jinkins

AN ACT Relating to the evaluation and prioritization of capital budget projects at the public two-year and four-year institutions of higher education; and amending RCW 43.88D.010 and 28B.77.070.

Referred to Committee on Capital Budget.

HB 1326 by Representatives Kirby and Shea

AN ACT Relating to examinations under oath when a person claims a loss under an insurance contract; and amending RCW 48.18.460.

Referred to Committee on Business & Financial Services.

HB 1327 by Representatives Shea, Taylor and Young

AN ACT Relating to presidential electors; amending RCW 29A.56.310, 29A.56.320, and 29A.56.340; repealing RCW 29A.56.300; and repealing 2009 c 264 s 1 (uncodified).

Referred to Committee on State Government.

HB 1328 by Representatives Shea, Taylor, Holy, Short, Pike, Hargrove and Koster

AN ACT Relating to directing the department of ecology to consider alternatives to rule making; and reenacting and amending RCW 34.05.328.

Referred to Committee on State Government.

HB 1329 by Representatives McCabe, Sells and Young

AN ACT Relating to monetary penalties imposed for infractions relating to mobile and manufactured home installation; amending RCW 43.22A.190; and prescribing penalties.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1330 by Representatives Manweller, Tarleton, Fey and Young

AN ACT Relating to extending the business and occupation tax exemption for amounts received as credits against contracts with or funds provided by the Bonneville power administration and used for low-income ratepayer assistance; amending RCW 82.04.310; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1331 by Representatives Kilduff, Muri and Appleton

AN ACT Relating to ferry district authority; and amending RCW 36.54.120.

Referred to Committee on Transportation.

HB 1332 by Representatives Fey, Stambaugh and Jinkins

AN ACT Relating to dangerous objects on county roads and bridges; and adding a new section to chapter 36.85 RCW.

Referred to Committee on Transportation.

HB 1333 by Representatives Stambaugh, Springer, Harris, Tarleton, Haler, Muri, Jinkins and Bergquist

AN ACT Relating to a systemwide credit policy regarding AP exams; and adding a new section to chapter 28B.77 RCW.

Referred to Committee on Higher Education.

HB 1334 by Representatives Tarleton, Fitzgibbon, Fey, Pollet, Hudgins and Doglio

AN ACT Relating to the energy independence act; amending RCW 19.285.030, 19.285.040, 19.285.060, 19.285.070, and 19.285.080; adding new sections to chapter 19.285 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Technology & Economic Development.

HB 1335 by Representatives Tarleton, Fitzgibbon, Frame, Fey, Stanford, Pollet, Hudgins, Young, Bergquist, Macri and Santos

AN ACT Relating to the electrification of transportation infrastructure; amending RCW 35.92.355; adding a new section to chapter 35.92 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1336 by Representatives Kirby, Sells and Appleton

AN ACT Relating to the social security offset to disability compensation; amending RCW 51.32.225; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HJM 4004 by Representatives Shea, Rodne, Young, Koster, Hayes, Klippert, Haler, Irwin, Manweller, Van Werven, Harmsworth, Holy, Volz, McDonald, Schmick, MacEwen, McCaslin, Buys and Condotta

Condemning the boycott, divestment, and sanctions movement.

Referred to Committee on Judiciary.

HJM 4005 by Representatives Shea, McCaslin, Taylor, Buys and Young

Urging members of the United States congress to propose the parental rights amendment to the states for ratification.

Referred to Committee on Judiciary.

There being no objection, the bills and memorials listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1329, which was referred to Labor & Workplace Standards.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 11, 2017

HB 1027 Prime Sponsor, Representative Barkis:
Addressing surplus line broker licensing.
Reported by Committee on Business &
Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

January 11, 2017

HB 1045 Prime Sponsor, Representative Kirby:
Addressing licensing and enforcement
provisions applicable to money
transmitters and currency exchanges under
the uniform money services act. Reported
by Committee on Business & Financial
Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

January 11, 2017

HB 1053 Prime Sponsor, Representative Reeves:
Addressing the Washington state credit
union act. Reported by Committee on
Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Higher Education was relieved of HOUSE BILL NO. 1253, and the bill was referred to the Committee on Finance.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

SENATE CONCURRENT RESOLUTION NO. 8400

The Speaker called upon Representative Orwall to preside.

There being no objection, the House adjourned until 10 a.m., January 18, 2017, the 10th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

TENTH DAY

House Chamber, Olympia, Wednesday, January 18, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick Presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chloe Anderson and Caden Eagle. The Speaker (Representative Lovick Presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Ed Orcutt.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) introduced Representative Ken Ivory from the Utah Legislature to the Chamber and asked the members to acknowledge him.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1337 by Representatives Riccelli, Harris, Cody, Jinkins, Tharinger, Robinson, Goodman, Ormsby and Ortiz-Self

AN ACT Relating to the interstate medical licensure compact; amending RCW 43.70.250; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1338 by Representatives Cody, Schmick, Jinkins, Johnson, Robinson and Riccelli

AN ACT Relating to the Washington state health insurance pool; and amending RCW 48.41.100 and 48.41.160.

Referred to Committee on Health Care & Wellness.

HB 1339 by Representatives Cody, Harris, Jinkins, Johnson, Kagi, Lovick, Ormsby and Slatter

AN ACT Relating to restrictions on prescriptions for opioid drugs; and adding a new section to chapter 69.41 RCW.

Referred to Committee on Health Care & Wellness.

HB 1340 by Representatives Cody, Harris, Jinkins, Johnson, Robinson and Tharinger

AN ACT Relating to modernizing substance use disorder professional practice; amending RCW 18.205.010, 18.205.020, 18.205.030, 18.205.040, 18.205.080, 18.205.090, 18.205.095, 10.77.079, 13.40.042, 18.130.040, 43.70.442, 70.96B.010, 70.96B.090, 70.97.010, 70.97.010, 70.97.030, 71.34.720, and 71.34.760; reenacting and amending RCW 13.40.020, 71.05.020, 71.34.020, and 71.34.720; providing effective dates; and providing expiration dates.

Referred to Committee on Health Care & Wellness.

HB 1341 by Representatives Bergquist, McCaslin, Stonier, Muri and Pollet

AN ACT Relating to professional certification for teachers and school administrators; amending RCW 28A.410.210, 28A.410.220, 28A.410.250, and 28A.410.270; adding new sections to chapter 28A.410 RCW; and repealing RCW 28A.410.2212.

Referred to Committee on Education.

HB 1342 by Representatives Bergquist, Koster, Gregerson and Pollet

AN ACT Relating to allowing voted ballots to be returned electronically; amending RCW 29A.40.091 and 29A.04.255; and reenacting and amending RCW 29A.40.110.

Referred to Committee on State Government.

HB 1343 by Representatives Wylie, Nealey, Appleton, Haler, Smith, Stambaugh, Sullivan, Young, Caldier, Gregerson, Hayes, Manweller, Vick, Tharinger, Klippert, Doglio, Dolan, Orwall, Dent, Stokesbary, Johnson, Stonier, Pike, Chapman, Steele and Hargrove

AN ACT Relating to modifying the Washington main street program by increasing the total amount of tax credits allowed under the program and making administrative changes to the program; amending RCW 82.73.020 and 82.73.030; adding a new section to chapter 82.73 RCW; creating a new section; and providing a contingent expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1344 by Representatives Dolan, Nealey, Doglio, Springer, Frame, Riccelli, Appleton, Ryu, Ormsby and Goodman

AN ACT Relating to extending the period for which a bond levy may be increased; amending RCW 84.55.050; and creating a new section.

Referred to Committee on Finance.

HB 1345 by Representatives Fey, Johnson, Clibborn, Hayes and Ortiz-Self

AN ACT Relating to modifying certain vehicle filing fees; and amending RCW 46.17.005.

Referred to Committee on Transportation.

HB 1346 by Representatives Springer, Muri, Dolan, Harris, Appleton, Tarleton, Cody, Santos and Ortiz-Self

AN ACT Relating to clarifying the authority of a nurse working in a school setting; adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Education.

HB 1347 by Representatives Riccelli, Holy and Ormsby

AN ACT Relating to the creation of a countywide port district within a county containing no port districts; adding a new section to chapter 53.04 RCW; and providing an expiration date.

Referred to Committee on Local Government.

HB 1348 by Representatives Taylor, Shea, Buys, Short and Koster

AN ACT Relating to the priority in the state water code assigned to various beneficial uses; amending RCW 90.03.345, 90.22.030, and 90.54.020; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1349 by Representatives Taylor, Shea, Buys, Chandler, Short, Haler and Koster

AN ACT Relating to declaring any minimal cumulative impacts of permit-exempt groundwater wells on water levels to be overwhelmingly offset by state investments in fish habitat improvement projects; and adding new sections to chapter 90.44 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1350 by Representatives Taylor, Shea, Griffey, Buys, Short and Haler

AN ACT Relating to local jurisdictions electing to participate in local operated growth management planning; amending RCW 36.70A.020, 36.70A.030, 36.70A.040, 36.70A.060, 36.70A.070, 36.70A.085, 36.70A.110, 36.70A.115, 36.70A.120, 36.70A.130, 36.70A.131, 36.70A.140, 36.70A.150, 36.70A.160, 36.70A.170, 36.70A.171, 36.70A.172, 36.70A.200, 36.70A.210, 36.70A.280, 36.70A.280, 36.70A.3201, 36.70A.350, 36.70A.360, 36.70A.362, 36.70A.365, 36.70A.367, 36.70A.370, 36.70A.410, 36.70A.520, 36.70A.530, 36.70C.020, 43.155.020, 43.155.070, and 43.155.140; reenacting and amending RCW 43.21B.005; adding a new section to chapter 36.70A RCW; creating new sections; repealing RCW 36.70A.045, 36.70A.050, 36.70A.106, 36.70A.175, 36.70A.180, 36.70A.190, 36.70A.250, 36.70A.252, 36.70A.260, 36.70A.270, 36.70A.290, 36.70A.295, 36.70A.300, 36.70A.302, 36.70A.305, 36.70A.310, 36.70A.320, 36.70A.330, 36.70A.335, 36.70A.340, 36.70A.345, 36.70A.380, 36.70A.385, and 36.70A.903; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Environment.

HB 1351 by Representatives Sawyer, Vick, Springer, Barkis, Blake, Fitzgibbon and Haler

AN ACT Relating to authorizing, under one license, the sale of spirits, beer, and wine at retail for off-premises consumption; amending RCW 66.24.360, 66.24.630, and 66.24.363; reenacting and amending RCW 66.24.371; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Gaming.

HB 1352 by Representatives Barkis, Chapman, J. Walsh, Shea, Koster, Wilcox, McCabe, Harmsworth, Cody, Tarleton, Kretz, Schmick, Short, Vick, Harris, Manweller, Smith, Stokesbary, MacEwen, Nealey, Condotta, Orcutt, Lytton, Springer, Kirby, Blake, Caldier, Jinkins, Taylor, Pike, Hayes, Muri, Holy, Haler, Steele, Kilduff and Tharinger

AN ACT Relating to the licensing and regulatory requirements of small business owners; creating new sections; and providing an expiration date.

Referred to Committee on State Government.

HB 1353 by Representatives Dent, Blake, Buys and Hayes

AN ACT Relating to commissioning an elk management pilot project that focuses initially on the Colockum elk herd; adding a new section to chapter 77.36 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1354 by Representatives Cody, Short, Clibborn, DeBolt, Tharinger, Caldier, Rodne, Riccelli, Harris, Appleton, Muri, Kagi, Ormsby, Stanford and Ortiz-Self

AN ACT Relating to department of social and health services responses to reports of abandonment, abuse, financial exploitation, or neglect in certain long-term care settings; and amending RCW 74.34.063.

Referred to Committee on Health Care & Wellness.

HB 1355 by Representatives Jenkins and Rodne

AN ACT Relating to the authority of the public safety review panel; amending RCW 10.77.020, 10.77.110, 10.77.120, 10.77.140, 10.77.145, 10.77.150, 10.77.155, 10.77.160, 10.77.163, 10.77.180, 10.77.190, 10.77.195, 10.77.200, 10.77.230, and 10.77.270; and creating new sections.

Referred to Committee on Judiciary.

HB 1356 by Representative Haler

AN ACT Relating to physician limited licenses; and amending RCW 18.71.095.

Referred to Committee on Health Care & Wellness.

HB 1357 by Representatives Sawyer, Appleton, Ormsby and Santos

AN ACT Relating to tribal-state relations; amending RCW 44.80.020; reenacting and amending RCW 43.88.230 and 44.04.260; and adding a new chapter to Title 44 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1358 by Representatives Griffey and Cody

AN ACT Relating to reimbursement for services provided pursuant to community assistance referral and education services programs; amending RCW 35.21.930; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1359 by Representatives Jenkins, Harris, Macri, Kilduff, Riccelli, Cody, Slatter, Appleton, Kloba, Frame and Doglio

AN ACT Relating to notice of charity care availability at time of billing and collection; amending RCW 70.170.060; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1360 by Representatives Wylie, Smith, Kirby, Short, Nealey, Kretz, Young, Shea, Hayes, Muri and Holy

AN ACT Relating to allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act; and amending RCW 19.285.030 and 19.285.040.

Referred to Committee on Technology & Economic Development.

HB 1361 by Representative Manweller

AN ACT Relating to eliminating various occupational licensure and certification requirements through creation of a state review web site; amending RCW 18.11.050, 18.11.070, 18.11.085, 18.11.095, 18.11.160, 18.11.200, 18.11.220, 18.11.240, 18.16.020, 18.16.050, 18.16.060, 18.16.130, 18.16.170, 18.16.175, 18.16.190, 18.16.200, 18.16.290, 18.96.010, 18.96.020, 18.96.030, 18.240.005, 18.240.010, 18.240.020, 67.08.100, 77.65.010, 77.65.480, 77.65.490, 18.92.060, and 77.65.440; reenacting and amending RCW 77.65.370; adding a new section to chapter 67.08 RCW; adding a new chapter to Title 18 RCW; repealing RCW 18.11.060, 18.11.121, 18.11.130, 18.11.140, 18.11.170, 18.11.180, 18.11.190, 18.11.205, 18.11.210, 18.11.270, 18.11.280, 18.96.040, 18.96.060, 18.96.070, 18.96.080, 18.96.090, 18.96.100, 18.96.110, 18.96.120, 18.96.140, 18.96.150, 18.96.180, 18.96.190, 18.96.200, 18.96.210, 18.96.230, 18.240.030, 18.240.050, 18.240.060, 18.240.070, 18.240.080, 18.240.090, and 77.65.560; and providing an effective date.

Referred to Committee on Business & Financial Services.

HB 1362 by Representatives Manweller, Hargrove, Haler, Van Werven, Holy, Shea and Stambaugh

AN ACT Relating to creating an academic bill of rights; adding a new chapter to Title 28B RCW; creating a new section; and prescribing penalties.

Referred to Committee on Higher Education.

HB 1363 by Representatives Sells, Haler, Pollet, Stambaugh, Senn, Condotta, Kilduff, Dolan, Bergquist, Stonier, Lovick, Gregerson and Ortiz-Self

AN ACT Relating to updating workforce investment act references and making no substantive changes; amending RCW 28B.50.281, 28C.18.010, 28C.18.060, 28C.18.150, 28C.18.164, 50.20.250, 50.22.150,

50.62.030, and 74.15.020; and reenacting and amending RCW 28C.04.410 and 50.22.155.

Referred to Committee on Higher Education.

HB 1364 by Representatives Cody, Macri, Clibborn, Pettigrew, Farrell, Stonier, Jinkins, Kagi, Fitzgibbon, Gregerson, Tharinger, Robinson, Appleton and Kloba

AN ACT Relating to increasing access to oral health care; amending RCW 18.32.030, 18.32.0351, 18.130.040, 18.260.010, 18.260.040, 18.260.070, 18.260.080, and 69.41.030; reenacting and amending RCW 18.120.020 and 69.41.010; adding a new section to chapter 43.70 RCW; adding a new chapter to Title 18 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1365 by Representatives Ortiz-Self, Pettigrew, Hargrove, Ryu, Lovick and Ormsby

AN ACT Relating to increasing family engagement in the child welfare process through increasing the use of meeting facilitators; amending RCW 74.13.020; adding a new section to chapter 74.13 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1366 by Representatives Ortiz-Self, Hargrove, Caldier, Tarleton, Pettigrew, Gregerson, Kilduff, Senn, Ryu, Appleton, Goodman, Lovick, Ormsby and Frame

AN ACT Relating to promoting child welfare family reunification; amending RCW 13.34.025; adding a new section to chapter 13.34 RCW; and adding a new section to chapter 74.13 RCW.

Referred to Committee on Early Learning & Human Services.

HB 1367 by Representatives MacEwen, Haler and Muri

AN ACT Relating to facilitating the maintenance and repair of private roadways impacting the public interest; adding a new chapter to Title 35 RCW; adding a new chapter to Title 35A RCW; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 1368 by Representatives Johnson, Springer, Stambaugh, Robinson, Appleton, Jinkins, McCabe, Ortiz-Self, Haler and Riccelli

AN ACT Relating to transparency in underwriting and rating personal insurance; amending RCW 48.18.2901, 48.18.292, 48.18.545, and 48.19.035; adding a new section to chapter 48.18 RCW; and providing an effective date.

Referred to Committee on Business & Financial Services.

HB 1369 by Representatives Hayes, Muri, Kilduff, Appleton and Lovick

AN ACT Relating to defining veteran for the purpose of receiving certain benefits; and amending RCW 41.04.007.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1370 by Representatives Kilduff, Muri, Sawyer, Kirby, Holy and Appleton

AN ACT Relating to community safety at eastern and western state hospitals; adding new sections to chapter 72.23 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1371 by Representatives Farrell, Lovick, Haler, Harris, Clibborn, Orwall, Kagi, Robinson, Appleton, Ryu, Goodman, Tarleton, Gregerson, Sells, Ormsby and Cody

AN ACT Relating to updating the distracted driving infraction; adding a new section to chapter 46.61 RCW; repealing RCW 46.61.667 and 46.61.668; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 1372 by Representatives Farrell, Pollet, Peterson, Doglio, Appleton, Frame, Stanford, Cody, Gregerson, Macri, Pettigrew, Goodman, Tarleton, Ormsby and Ortiz-Self

AN ACT Relating to updating the framework for reducing greenhouse gas emissions in Washington based upon best available climate science; and amending RCW 70.235.005, 70.235.010, 70.235.020, and 70.235.050.

Referred to Committee on Environment.

HB 1373 by Representatives Bergquist, Barkis, Blake, Vick and Kirby

AN ACT Relating to the means of communication between a buyer or lessee and an auto dealer during the "bushing" period; and amending RCW 46.70.180.

Referred to Committee on Business & Financial Services.

HB 1374 by Representatives Dolan, Harris, Doglio, Caldier, Sullivan, Kilduff, Ortiz-Self, Robinson, Bergquist, Santos and Pollet

AN ACT Relating to educational staff associate positions; and amending RCW 28A.150.410.

Referred to Committee on Appropriations.

HB 1375 by Representatives Van Werven, Tarleton, Orwall, Griffey, Haler, Holy, McCabe, Young, Dent, Riccelli, Bergquist, Buys, Kraft, Kagi, Ryu, Muri, Goodman, Lovick, Frame and Hargrove

AN ACT Relating to providing students with the costs of required course materials; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1376 by Representatives Peterson, Goodman, Tarleton, Gregerson, Ormsby, Bergquist and Stanford

AN ACT Relating to paint stewardship; amending RCW 43.21B.110 and 43.21B.110; reenacting and amending RCW 42.56.270; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1377 by Representatives Ortiz-Self, Stonier, Santos, Lovick, Gregerson, Peterson, Ryu, Appleton, Fitzgibbon, Goodman, Bergquist and Doglio

AN ACT Relating to improving students' mental health by enhancing nonacademic professional services; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.410 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Education.

HB 1378 by Representatives Graves, Jinkins and Rodne

AN ACT Relating to disqualification of judges; and amending RCW 4.12.040 and 4.12.050.

Referred to Committee on Judiciary.

HB 1379 by Representatives Orwall, Stambaugh, Blake, Holy, Pollet, Tarleton, Haler, Sells, Goodman, Lovick, Frame, Kilduff, Doglio and Stanford

AN ACT Relating to implementing a comprehensive approach to suicide prevention and behavioral health in higher education; adding new sections to chapter 43.70 RCW; adding new sections to chapter 28B.77 RCW; creating a new section; repealing 2015 c 67 s 3

(uncodified); providing an expiration date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1380 by Representatives Shea, Blake, Taylor, J. Walsh, Condotta, Hayes, Haler and Koster

AN ACT Relating to criminal and public safety background checks for gun sales and transfers; repealing RCW 9.41.092, 9.41.113, 9.41.115, 9.41.137, and 82.08.833; repealing 2015 c ss 2, 5, 6, 7, and 11; and repealing 2015 c 1 s 1 (uncodified).

Referred to Committee on Judiciary.

HB 1381 by Representatives Shea, Blake, J. Walsh, Taylor, McCaslin, Koster, Volz, Holy, Irwin, Condotta, Hayes and Haler

AN ACT Relating to improving reciprocity for concealed pistol licenses; and amending RCW 9.41.073.

Referred to Committee on Judiciary.

HB 1382 by Representatives Shea, Taylor, Manweller, Short, Buys, Kretz, Chandler, Young, Hayes, Holy and Haler

AN ACT Relating to establishing a rebuttable presumption that permit-exempt groundwater withdrawals do not impair instream flows or base flows; amending RCW 58.17.110, 19.27.097, 35.63.090, 35A.63.061, and 36.70.330; and adding a new section to chapter 90.44 RCW.

Referred to Committee on Environment.

HB 1383 by Representative Muri

AN ACT Relating to the number of adult family homes permitted in residential neighborhoods; and amending RCW 70.128.007 and 70.128.040.

Referred to Committee on Health Care & Wellness.

HB 1384 by Representatives Goodman, Stambaugh, Kilduff, Griffey, Jinkins, Lytton, Senn, Stanford, Kagi, Appleton, Tarleton, Ormsby and Doglio

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

Referred to Committee on Judiciary.

HB 1385 by Representatives Stambaugh, Tarleton, Van Werven and Orwall

AN ACT Relating to regulation of programs of yoga practice or instruction as private vocational schools; and amending RCW 28C.10.030.

Referred to Committee on Higher Education.

HB 1386 by Representatives Stambaugh, Manweller, Pettigrew, Rodne, Springer and Orwall

AN ACT Relating to the employee status of language translators and interpreters; amending RCW 51.12.020; and adding a new section to chapter 50.04 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1387 by Representatives Jinkins, Peterson, Doglio, Farrell, Robinson, Lytton, Senn, Pollet, Tharinger, Chapman, Kagi, Pettigrew, Cody, Fitzgibbon, Appleton, Gregerson, Ormsby, Frame, Bergquist and Stanford

AN ACT Relating to enhanced background checks and licensure for assault weapons and large capacity magazines; amending RCW 9.41.010, 9.41.090, 9.41.094, 9.41.097, 9.41.0975, 9.41.110, 9.41.124, and 9.41.129; adding new sections to chapter 9.41 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1388 by Representatives Cody, Rodne, Harris, Macri and Frame

AN ACT Relating to changing the designation of the state behavioral health authority from the department of social and health services to the health care authority and transferring the related powers, functions, and duties to the health care authority and the department of health; amending RCW 43.20A.025, 43.20A.025, 43.20A.065, 43.20A.433, 43.20A.890, 43.20A.892, 43.20A.893, 43.20A.894, 43.20A.896, 43.20A.897, 74.04.015, 71.05.026, 71.05.026, 71.05.027, 71.05.040, 71.05.100, 71.05.203, 71.05.203, 71.05.214, 71.05.214, 71.05.215, 71.05.240, 71.05.285, 71.05.320, 71.05.320, 71.05.325, 71.05.325, 71.05.330, 71.05.335, 71.05.340, 71.05.340, 71.05.350, 71.05.380, 71.05.435, 71.05.435, 71.05.510, 71.05.520, 71.05.525, 71.05.560, 71.05.560, 71.05.590, 71.05.590, 71.05.590, 71.05.620, 71.05.620, 71.05.720, 71.05.732, 71.05.740, 71.05.745, 71.05.745, 71.05.750, 71.05.750, 71.05.755, 71.05.760, 71.05.801, 71.05.940, 71.24.015, 71.24.030, 71.24.035, 71.24.037, 71.24.045, 71.24.045, 71.24.061, 71.24.100, 71.24.155, 71.24.160, 71.24.215, 71.24.220, 71.24.240, 71.24.300, 71.24.310, 71.24.320, 71.24.330, 71.24.330, 71.24.340, 71.24.350, 71.24.360, 71.24.370, 71.24.380, 71.24.385, 71.24.400, 71.24.405, 71.24.415, 71.24.420, 71.24.430, 71.24.455, 71.24.460, 71.24.470, 71.24.480, 71.24.490, 71.24.500, 71.24.515, 71.24.520, 71.24.525, 71.24.530, 71.24.535, 71.24.540, 71.24.545, 71.24.555, 71.24.565, 71.24.580, 71.24.590, 71.24.595, 71.24.605, 71.24.610, 71.24.615, 71.24.620, 71.24.625, 71.24.630, 71.24.640, 71.24.645, 71.24.650, 71.24.805, 71.24.810, 71.24.850, 71.24.860, 71.24.902, 71.34.010, 71.34.300, 71.34.365,

71.34.375, 71.34.375, 71.34.380, 71.34.385, 71.34.385, 71.34.390, 71.34.395, 71.34.400, 71.34.400, 71.34.405, 71.34.420, 71.34.420, 71.34.600, 71.34.600, 71.34.610, 71.34.630, 71.34.630, 71.34.640, 71.34.720, 71.34.720, 71.34.760, 71.34.760, 71.34.780, 71.34.780, 71.34.780, 71.34.790, 71.36.025, 71.36.040, 71.36.060, 70.96A.011, 70.96A.020, 70.96A.095, 70.96A.097, 70.96A.110, 70.96A.120, 70.96A.140, 70.96A.148, 70.96A.160, 70.96A.180, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.260, 70.96A.265, 70.96A.915, 70.96B.010, 70.96B.020, 70.96B.030, 70.96B.045, 70.96B.050, 70.96B.070, 70.96B.090, 70.96B.140, 41.05.015, 41.05.021, 41.05A.005, 74.09.050, 74.09.055, 74.09.080, 74.09.120, 74.09.160, 74.09.210, 74.09.220, 74.09.230, 74.09.240, 74.09.260, 74.09.280, 74.09.290, 74.09.315, 74.09.325, 74.09.522, 74.09.530, 74.09.540, 74.09.730, 74.09.780, 74.09A.030, 74.64.010, 74.66.010, 70.02.010, 70.02.230, 70.02.240, 70.02.250, 70.02.260, 70.02.340, 70.02.350, 43.70.080, 43.59.030, 48.21.180, 48.44.240, 48.46.350, 69.50.540, 2.30.020, 2.30.030, 9.41.300, 9.94A.703, 10.05.040, 10.05.050, 18.205.080, 18.88A.020, 46.61.5056, 72.09.350, 72.09.370, 72.09.370, 72.09.380, 72.09.381, 72.09.585, and 74.34.020; reenacting and amending RCW 71.05.020, 71.05.020, 71.05.215, 71.05.240, 71.05.320, 71.05.425, 71.05.445, 71.24.025, 71.24.025, 71.24.600, 71.34.020, 71.34.020, 71.34.720, 71.36.010, 70.02.010, 70.02.230, 42.56.270, and 46.61.5055; adding new sections to chapter 41.05 RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 71.34 RCW; adding new sections to chapter 71.24 RCW; adding new sections to chapter 74.09 RCW; creating new sections; recodifying RCW 43.20A.025, 43.20A.065, 43.20A.433, 43.20A.890, 43.20A.892, 43.20A.893, 43.20A.894, 43.20A.896, and 43.20A.897; decodifying RCW 71.24.065; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1389 by Representatives Harris, Cody, Manweller, Jinkins, Robinson and Gregerson

AN ACT Relating to dental practice and solicitation by corporations; and amending RCW 18.32.675.

Referred to Committee on Health Care & Wellness.

HB 1390 by Representatives Gregerson, Shea, Orwall, McBride, Ryu, Taylor, Jinkins, Goodman, Appleton, Frame, McCaslin, Holy, Stambaugh and Haler

AN ACT Relating to disclosures regarding incentivized evidence and testimony; and adding new sections to chapter 10.58 RCW.

Referred to Committee on Judiciary.

HB 1391 by Representatives DeBolt and Orcutt

AN ACT Relating to a property tax exemption for land owned by a nonprofit organization and designated as a master planned location for major industrial activity; adding a new section to chapter 84.36 RCW; and creating new sections.

Referred to Committee on Finance.

HCR 4402 by Representatives Sells, Haler, Pollet, Senn, Condotta, Stambaugh, Kilduff, Dolan, Bergquist, Stonier, Muri, Tarleton, Gregerson, Ormsby and Ortiz-Self

Approving the 2016 state comprehensive plan for workforce training and education.

Referred to Committee on Higher Education.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENT

The Speaker (Representative Lovick presiding) announced the following committee appointment:

Representative Drew MacEwen was appointed to the Committee on Health Care & Wellness.

There being no objection, the House adjourned until 10 a.m., January 19, 2017, the 11th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

ELEVENTH DAY

House Chamber, Olympia, Thursday, January 19, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the Washington State Fraternal Order of Police Honor Guard. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Chaplain Chad Peterschick of the Washington State Fraternal Order of Police.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1392 by Representatives Blake, Dent, Ryu, Peterson, Sullivan, Lovick, Springer, Stambaugh, Goodman, Bergquist, Fitzgibbon, Gregerson, Hudgins, Sells, Sawyer, Appleton, Chapman, Pollet, Ortiz-Self and Kloba

AN ACT Relating to authorization for projects and appropriating funds recommended by the public works board; creating a new section; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1393 by Representatives J. Walsh, Blake, Orcutt, Chapman, Vick and Muri

AN ACT Relating to eliminating the reduction in state basic education funding that occurs in counties with federal forestlands; amending RCW 28A.150.250 and 28A.520.020; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

HB 1394 by Representatives Chandler, Blake, Dent, Lytton and Dye

AN ACT Relating to WAC 173-563-020(4) and 173-531A-060 regarding the processing of applications for Columbia river water right permits to clarify legislative intent to ensure that the rules can be implemented as written; and amending RCW 90.90.020.

Referred to Committee on Agriculture & Natural Resources.

HB 1395 by Representatives Peterson and Koster

AN ACT Relating to job order contracts and procedure; amending RCW 39.10.420; and reenacting and amending RCW 43.131.408.

Referred to Committee on Capital Budget.

HB 1396 by Representatives Graves, Jinkins, Goodman, Rodne, Muri, Haler, Orwall, Kilduff and Kirby

AN ACT Relating to court clerks; and amending RCW 2.32.050, 26.09.231, and 36.23.110.

Referred to Committee on Judiciary.

HB 1397 by Representatives Dolan, Van Werven, Appleton, Pollet and Kilduff

AN ACT Relating to exempting property owned or used by community and technical colleges from property tax; amending RCW 84.36.050; and creating a new section.

Referred to Committee on Finance.

HB 1398 by Representatives McCabe, Lovick, Haler, Klippert, Rodne, Hayes, Irwin, Johnson, Griffey, Holy, Caldier and Muri

AN ACT Relating to making crimes and threats against persons because of their occupation as a law enforcement officer a hate crime; amending RCW 9A.36.078, 9A.36.080, 9A.46.060, 9A.36.031, and 36.28A.030; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1399 by Representatives Dent, Blake, Irwin, Shea, Dye, Pettigrew, Buys, Koster and Schmick

AN ACT Relating to compensation for property damage caused by wild deer or elk; amending RCW 77.36.070, 77.36.080, 77.36.100, and 77.36.130; reenacting and amending RCW 77.36.010; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1400 by Representatives Dent, Gregerson, Hargrove, McBride, Klippert, Tarleton, Dye, Blake, Peterson, Sells, Griffey, Holy, Harris, McCabe, Buys, Koster, Haler, Wilcox, Graves, Jenkin, Van Werven, Stokesbary, Pike, Condotta, Rodne, MacEwen, Irwin, Steele, Nealey, Volz, McDonald, McCaslin, Chandler, Stambaugh, Barkis, Kraft, Manweller, Muri, J. Walsh, Pettigrew, Bergquist and Kagi

AN ACT Relating to creating Washington state aviation special license plates; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1401 by Representatives Ortiz-Self, Stonier, Ryu, Peterson, Santos, Jinkins, Appleton and Bergquist

AN ACT Relating to court removal of child welfare guardians ad litem; amending RCW 13.34.100; and creating a new section.

Referred to Committee on Judiciary.

HB 1402 by Representatives Jinkins, Griffey, Rodne, Goodman, Muri, Kilduff, Orwall, Haler, Kirby, Hansen, Frame, Johnson, Appleton, Ortiz-Self and Cody

AN ACT Relating to the rights and obligations associated with incapacitated persons and other vulnerable adults; amending RCW 74.34.020 and 11.92.043; adding a new section to chapter 11.92 RCW; and adding a new section to chapter 2.72 RCW.

Referred to Committee on Judiciary.

HB 1403 by Representatives Short, Springer, Kretz, Wilcox, Blake, Schmick, Muri, Lytton and Morris

AN ACT Relating to encouraging job creation and retention in rural economies through the transparent and accountable provision of targeted tax relief for silicon smelters; amending RCW 82.12.022; adding a new section to chapter 82.16 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.32 RCW; creating a new section; providing an expiration date; and providing a contingent expiration date.

Referred to Committee on Technology & Economic Development.

HB 1404 by Representatives Tarleton, Wilcox, Sells, Chandler, Haler, Stambaugh, Van Werven, Santos and Stanford

AN ACT Relating to conducting a workforce study of employment opportunities in the agriculture, environment, and natural resources economic sectors intended to provide educators with the information needed for informing students about employment opportunities in the studied fields; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1405 by Representatives Harmsworth, Bergquist, Orcutt, Rodne, Muri, Chandler, Stokesbary, Pollet, Stanford, Kilduff and Springer

AN ACT Relating to establishing a statute of limitation for toll collections; amending RCW 47.46.105; adding a new section to chapter 47.29 RCW; adding a new section to chapter 47.56 RCW; adding a new section to chapter 53.34 RCW; and creating new sections.

Referred to Committee on Judiciary.

HB 1406 by Representatives Barkis, Blake, Chandler, Fitzgibbon and Wilcox

AN ACT Relating to adjusting the surface mining funding structure; and amending RCW 78.44.085.

Referred to Committee on Agriculture & Natural Resources.

HB 1407 by Representatives Blake, Buys, Dent, Orcutt and Fitzgibbon

AN ACT Relating to expiration dates affecting the department of natural resources' contract harvesting program; amending 2013 c 255 s 1 and 2009 c 418 s 7 (uncodified); repealing 2010 c 126 s 12; and repealing 2013 c 255 ss 2 and 3 and 2010 c 126 ss 15 and 16 (uncodified).

Referred to Committee on Agriculture & Natural Resources.

HB 1408 by Representatives Manweller and Gregerson

AN ACT Relating to class B elevator work permits; amending RCW 70.87.100; and reenacting and amending RCW 70.87.010.

Referred to Committee on Labor & Workplace Standards.

HB 1409 by Representatives Orcutt and Clibborn

AN ACT Relating to the weight limitation for certain vessels exempt from the pilotage act; and amending RCW 88.16.070.

Referred to Committee on Transportation.

HB 1410 by Representatives Doglio, Dolan, Fey, Farrell, Jinkins, Fitzgibbon, Pollet and Springer

AN ACT Relating to authorizing certain public transportation benefit areas to impose a sales and use tax increase approved by voters; amending RCW 82.14.045; and providing an effective date.

Referred to Committee on Finance.

HB 1411 by Representatives Cody, DeBolt, Riccelli, Caldier, Jinkins and Appleton

AN ACT Relating to dental licensure through completion of a residency program; and reenacting and amending RCW 18.32.040.

Referred to Committee on Health Care & Wellness.

HB 1412 by Representatives Sells, Stambaugh, McCaslin, Koster, Blake, Muri, Kirby, Ortiz-Self, Hayes, Springer, McBride, Gregerson, Lovick, Haler, Harmsworth, Van Werven, Bergquist, Dent, Peterson, Klippert, Dye, Goodman, Holy, Kagi, Volz, Hargrove, Pollet, Pettigrew, Appleton, Slatter, Kloba and Dolan

AN ACT Relating to creating a pilot project to provide middle and junior high school students strategic and intentional academic support beyond the traditional school day to promote accountability and responsibility and to ensure high school readiness; adding new sections to chapter 43.330 RCW; creating new sections; making appropriations; and providing an expiration date.

Referred to Committee on Education.

HB 1413 by Representatives Cody, Schmick, Macri, Harris, Jinkins, Appleton and Springer

AN ACT Relating to specifying to whom information and records related to mental health services may be disclosed for the purposes of care coordination and treatment; amending RCW 70.02.230; reenacting and amending RCW 70.02.230; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1414 by Representatives Stonier, Sawyer, Smith, Ryu, Hayes, Cody, Stambaugh, Appleton, Stokesbary, Fitzgibbon, Peterson, Wilcox, Barkis, Gregerson, Macri, Jinkins, Chapman, Pollet, Ortiz-Self, Robinson, Frame, Kagi, Dolan and Doglio

AN ACT Relating to dental health services in tribal settings; amending RCW 18.29.180, 18.32.030, and 18.260.110; adding a new section to chapter 18.350 RCW; adding a new section to chapter 74.09 RCW; and adding a new chapter to Title 70 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1415 by Representatives Taylor, Harris, Manweller, McCaslin and Shea

AN ACT Relating to statewide high school student assessments; amending RCW 28A.655.070, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.195.010, and 28A.600.310; adding new sections to chapter 28A.655 RCW; creating a new section; and repealing RCW 28A.600.405, 28A.655.061, 28A.655.063, 28A.655.065, 28A.655.066, and 28A.655.068.

Referred to Committee on Education.

HB 1416 by Representative Klippert

AN ACT Relating to increasing the penalty for use of marijuana in public places; amending RCW 69.50.445 and 69.51A.060; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1417 by Representatives Hudgins and Smith

AN ACT Relating to the harmonization of the open public meetings act with the public records act in relation to information technology security matters; and amending RCW 42.30.110.

Referred to Committee on State Government.

HB 1418 by Representatives Hudgins, Smith, Ortiz-Self, Morris and Stanford

AN ACT Relating to establishing a blue ribbon panel to address cybersecurity for different levels of government in order to protect the public good; creating a new section; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1419 by Representatives Hudgins, Morris and Stanford

AN ACT Relating to the proclamation of a state of emergency in the event of a substantial cybersecurity incident; and amending RCW 43.06.010.

Referred to Committee on Public Safety.

HB 1420 by Representatives Hudgins, MacEwen and Bergquist

AN ACT Relating to theatrical wrestling; amending RCW 67.08.100 and 67.08.160; reenacting and amending RCW 67.08.002; adding a new section to chapter 67.08 RCW; and creating a new section.

Referred to Committee on Business & Financial Services.

HB 1421 by Representatives Smith, Hudgins and Stanford

AN ACT Relating to the removal of payment credentials and other sensitive data from state data networks; and adding a new section to chapter 43.105 RCW.

Referred to Committee on State Government.

HB 1422 by Representatives Blake, J. Walsh, Steele, Fey, Nealey, Tharinger, Chapman, Jinkins and Springer

AN ACT Relating to creating the Washington rural jobs act; adding a new chapter to Title 82 RCW; and providing a contingent expiration date.

Referred to Committee on Technology & Economic Development.

HB 1423 by Representatives Shea, Goodman, McCaslin, Taylor and Volz

AN ACT Relating to the excise taxation of personal and alcohol monitoring devices and services; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1424 by Representatives Shea, McCaslin and Taylor

AN ACT Relating to ensuring a parent or guardian has the authority to admit and keep a minor child into a treatment facility for chemical dependency treatment for fourteen days; and amending RCW 13.40.042, 70.96A.095, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, and 70.96A.255.

Referred to Committee on Early Learning & Human Services.

HB 1425 by Representatives Kilduff, Haler, Lovick, Muri, Senn, Holy, Frame, Caldier, Ortiz-Self, Goodman, Orwall, Kagi, Stonier, Santos, Springer, Jinkins, Ryu, Appleton, Fey, Bergquist, Slatter and Doglio

AN ACT Relating to creating the Washington next generation educational savings account pilot program; adding new sections to chapter 28B.95 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1426 by Representatives Robinson, Harris, Cody, Caldier, Rodne, Slatter, Jinkins, Peterson, Kilduff and Kagi

AN ACT Relating to persons and entities to whom the department of health may provide prescription monitoring program data; and amending RCW 70.225.040.

Referred to Committee on Health Care & Wellness.

HB 1427 by Representatives Cody, Jinkins, Peterson and Pollet

AN ACT Relating to opioid treatment programs; and amending RCW 71.24.560, 71.24.585, 71.24.590, and 71.24.595.

Referred to Committee on Health Care & Wellness.

HB 1428 by Representatives Blake, Fitzgibbon, Lytton, Morris and Tharinger

AN ACT Relating to construction projects in state waters; amending RCW 77.55.141, 77.55.181, 77.55.231, and 77.55.291; adding new sections to chapter 77.55 RCW; repealing RCW 77.55.321; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1429 by Representatives Chandler, Tarleton, Lytton, Morris, Appleton and Fitzgibbon

AN ACT Relating to aquatic invasive species management; amending RCW 43.43.400, 77.120.110, 82.16.020, 77.120.070, 77.135.160, 77.120.010, 77.135.110, and 77.135.120; reenacting and amending RCW 88.02.640, 88.02.640, 77.15.160, and 77.135.010; adding new sections to chapter 77.135 RCW; adding new sections to chapter 77.120 RCW; creating a new section; repealing RCW 77.12.879; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1430 by Representatives Manweller, Condotta and Pike

AN ACT Relating to review and adoption of electrical rules; and amending RCW 19.28.031.

Referred to Committee on Labor & Workplace Standards.

HB 1431 by Representatives Slatter, Cody and Jinkins

AN ACT Relating to increasing the number of members on the board of osteopathic medicine and surgery; and amending RCW 18.57.003.

Referred to Committee on Health Care & Wellness.

HB 1432 by Representatives Robinson, Harris, Jinkins, Pollet, Kilduff, Slatter and Cody

AN ACT Relating to foundational public health services; amending RCW 43.70.512, 43.70.514, and 43.70.516; adding a new section to chapter 43.70 RCW; and repealing RCW 43.70.520.

Referred to Committee on Health Care & Wellness.

HB 1433 by Representatives Stambaugh, Orwall, Haler, Tarleton, Jinkins, Pollet, Stonier, Ryu, Hargrove, Santos and Doglio

AN ACT Relating to decoupling services and activities fees from tuition; and reenacting and amending RCW 28B.15.069.

Referred to Committee on Higher Education.

HB 1434 by Representatives Robinson, Ormsby, Jinkins, Appleton, Senn, Kilduff, Stanford, Slatter, Kagi and Pollet

AN ACT Relating to adding the use of shared leave for employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive, or foster child; amending RCW 41.04.650, 41.04.655, 41.04.660, and 41.04.665; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 1435 by Representatives Buys, Pike and Springer

AN ACT Relating to adoption of the International Plumbing Code as an alternative recognized building code; amending RCW 19.27.031 and 19.27.170; and creating a new section.

Referred to Committee on Local Government.

HB 1436 by Representatives Buys, Blake, Taylor, Springer, Short and Pike

AN ACT Relating to the state building code council; amending RCW 19.27.035, 19.27.060, 19.27.070, 19.27.074, 19.27.095, and 19.27A.020; reenacting and amending RCW 34.05.328; adding a new section to chapter 19.27 RCW; creating a new section; and providing an expiration date.

Referred to Committee on State Government.

HB 1437 by Representatives Pollet, Stambaugh, Orwall, Tarleton, Macri, Bergquist, Stanford and Dolan

AN ACT Relating to adding a faculty member to the board of regents at the research universities; and amending RCW 28B.20.100 and 28B.30.100.

Referred to Committee on Higher Education.

HB 1438 by Representatives Ormsby, Jinkins and Appleton

AN ACT Relating to suspending four-year balanced budget requirements in order to fulfill the state's education funding obligations; and amending RCW 43.88.055.

Referred to Committee on Appropriations.

HB 1439 by Representatives Pollet, Haler, Tarleton, Fey, Sells, Orwall, Ryu, Stanford and Dolan

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

Referred to Committee on Higher Education.

HB 1440 by Representatives Stonier, Stambaugh, Hudgins, Johnson, Ortiz-Self, Stokesbary, Sells, Jinkins, Ryu, Appleton, Pollet, Senn, Peterson, Kilduff, Bergquist, Stanford, Frame, Slatter and Dolan

AN ACT Relating to establishing a student loan bill of rights; amending RCW 43.320.110, 31.04.027, 31.04.035, 31.04.093, 31.04.102, 31.04.145, 31.04.165, 31.04.277, and 31.04.310; reenacting and amending RCW 31.04.015; adding new sections to chapter 28B.77 RCW; adding new sections to chapter 31.04 RCW; creating new sections; and providing an effective date.

Referred to Committee on Higher Education.

HB 1441 by Representative Haler

AN ACT Relating to prohibiting purchases of land within urban growth areas by state agencies; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Capital Budget.

HB 1442 by Representative Haler

AN ACT Relating to providing an exemption from the false academic credential law for doctorate degrees awarded by a religious institution; and amending RCW 9A.60.070.

Referred to Committee on Higher Education.

HJM 4006 by Representatives Young, Blake, Jenkin, Kraft, J. Walsh, Rodne, Vick, Griffey, Dent, Harris, Haler, Manweller, Graves, Stokesbary, Chandler and Pike

Applying for a convention to propose amendments to the United States Constitution relating to fiscal restraints on the federal government, the power and jurisdiction of the federal government, and terms of office for federal officials and for members of Congress.

Referred to Committee on State Government.

HJM 4007 by Representatives Muri, Ryu, Appleton, Sells, Kilduff, Lovick and Barkis

Requesting that the Interstate 5 bridges over the Nisqually River be named for and recognize the veterans of the Iraq and Afghanistan conflicts.

Referred to Committee on Transportation.

HJR 4202 by Representatives Hudgins and Stanford

Amending the state Constitution to permit appropriations from the budget stabilization account in certain cases where there has been a breach of information technology systems.

Referred to Committee on Appropriations.

There being no objection, the bills, memorials and resolution listed on the day's introduction sheet under the

fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Higher Education was relieved of HOUSE BILL NO. 1325, and the bill was referred to the Committee on Capital Budget.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENT

The Speaker (Representative Lovick presiding) announced the following committee appointment:

Representative Terry Nealey was appointed to the Committee on Technology & Economic Development.

There being no objection, the House adjourned until 9:55 a.m., January 20, 2017, the 12th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

TWELFTH DAY

House Chamber, Olympia, Friday, January 20, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Chapman presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1443 by Representatives Caldier, Young, Kilduff and Muri

AN ACT Relating to mandating the use of unstaffed toll booths that accept credit card payment on the Tacoma Narrows bridge; and adding a new section to chapter 47.56 RCW.

Referred to Committee on Transportation.

HB 1444 by Representatives Caldier, Santos, Kilduff, Muri, Senn, Appleton, Fey, Pollet and Slatter

AN ACT Relating to facilitating on-time grade level progression and graduation for certain students; and amending RCW 28A.320.192.

Referred to Committee on Education.

HB 1445 by Representatives Ortiz-Self, Stambaugh, Santos, Orwall, Harris, Caldier, Springer, Appleton, Lytton, Condotta, Fey, Pollet, Goodman, Slatter, Bergquist, Macri, Doglio and Kagi

AN ACT Relating to dual language in early learning and K-12 education; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; adding new sections to chapter 43.215 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 1446 by Representatives Blake, Condotta, Orcutt and Muri

AN ACT Relating to registration enforcement for off-road vehicles and snowmobiles; adding a new section to chapter 46.09 RCW; adding a new section to chapter 46.10 RCW; adding a new section to chapter 46.93

RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 1447 by Representatives Kraft, Muri, Stambaugh, Griffey, Stokesbary, Manweller, Van Werven, Graves, McDonald and Hayes

AN ACT Relating to equal pay; amending RCW 49.12.175; adding a new section to chapter 49.12 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 1448 by Representatives Caldier, Graves, Stambaugh, Griffey, Kraft, Stokesbary, Muri, Manweller, Van Werven, McDonald and Hayes

AN ACT Relating to providing reasonable accommodations in the workplace for pregnant women; and adding a new section to chapter 43.10 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1449 by Representatives Manweller and Dent

AN ACT Relating to water recreation facilities; and amending RCW 70.90.120 and 70.90.250.

Referred to Committee on Health Care & Wellness.

HB 1450 by Representatives Nealey, Kirby and Vick

AN ACT Relating to creating and establishing the rights and duties for title insurance rating and advisory organizations; amending RCW 48.29.010, 48.29.147, and 48.29.017; adding new sections to chapter 48.29 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

HB 1451 by Representatives Orwall, Johnson, Pollet, Ortiz-Self, Senn, Pettigrew, Reeves, Gregerson, Stonier, Ryu, Peterson, Appleton, Tarleton, Farrell, Fey, Ormsby, Goodman, Slatter, Pellicciotti, Hudgins, Doglio, Kagi and Santos

AN ACT Relating to improving language access for public school students and families with limited

English proficiency; adding new sections to chapter 28A.630 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 41.05 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1452 by Representatives Holy, Tarleton, Van Werven, Springer, Stambaugh, Haler, Pollet and Slatter

AN ACT Relating to the opportunity scholarship program; and amending RCW 28B.145.005, 28B.145.010, 28B.145.020, 28B.145.030, 28B.145.040, and 28B.145.090.

Referred to Committee on Higher Education.

HB 1453 by Representatives Blake, Lytton, Chandler, Kretz, Hayes, Haler, Tarleton, Stanford and Santos

AN ACT Relating to agriculture science education in public schools; adding new sections to chapter 28A.188 RCW; and creating a new section.

Referred to Committee on Education.

HB 1454 by Representatives Holy, Riccelli, Pollet, Manweller, Griffey, Dent, Van Werven, Shea, Appleton, McCabe, Blake, Schmick, Haler, Stokesbary, Tharinger, Hargrove, Ormsby and Stanford

AN ACT Relating to prohibiting the use of eminent domain for economic development; and adding a new chapter to Title 8 RCW.

Referred to Committee on Judiciary.

HB 1455 by Representatives Holy, Manweller, Shea, Vick, Condotta, Griffey, Dent, McCabe and Haler

AN ACT Relating to limiting the enforcement of policies of the department of ecology; amending RCW 43.21A.080; providing an effective date; and declaring an emergency.

Referred to Committee on Environment.

HB 1456 by Representatives Kloba, Springer, McBride, Goodman, Stanford, Slatter, Appleton, Ryu and Doglio

AN ACT Relating to metropolitan park districts; and amending RCW 35.61.020, 35.61.100, 35.61.120, 35.61.210, and 35.61.290.

Referred to Committee on Local Government.

HB 1457 by Representatives Irwin, Pettigrew, Harmsworth, Springer, Taylor, Shea, Stokesbary, Stonier, Young, Schmick, Volz, Hayes, Griffey, Riccelli, Goodman and Van Werven

AN ACT Relating to creating a sales tax holiday for back-to-school clothing and supplies; amending RCW 82.12.040; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Finance.

HB 1458 by Representatives Fitzgibbon, Fey, Farrell and Doglio

AN ACT Relating to electric energy performance baselines; and amending RCW 19.285.030 and 19.285.080.

Referred to Committee on Technology & Economic Development.

HB 1459 by Representatives Buys, Taylor, Van Werven, Short, Dent, Hayes and Haler

AN ACT Relating to considering the full hydrologic cycle in the review and approval process of new water uses; amending RCW 90.44.055 and 36.70A.070; and adding a new section to chapter 90.03 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1460 by Representatives Buys, Taylor, Van Werven, Dent, Hayes and Condotta

AN ACT Relating to redesigning the transfer of water rights, including the statutory process of relinquishment; amending RCW 90.14.130, 90.42.040, 90.14.160, 90.14.170, 90.14.180, 90.03.360, 90.03.380, 90.03.380, 90.03.615, and 90.03.635; adding a new section to chapter 90.14 RCW; adding a new section to chapter 90.03 RCW; adding a new section to chapter 42.56 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1461 by Representatives Sawyer, Condotta, Kloba, Chapman and Appleton

AN ACT Relating to creating a voluntary marijuana production standard and certification program; adding a new chapter to Title 15 RCW; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1462 by Representatives Kloba, Condotta, Sawyer, Appleton and Ormsby

AN ACT Relating to adding authority to the department of agriculture to regulate sanitary processing of marijuana-infused edibles; amending RCW 69.07.010, 69.07.020, and 19.02.110; adding a new section to chapter 69.07 RCW; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Gaming.

HB 1463 by Representatives Kirby, Harris, Riccelli, Chandler, Stonier, Cody and Rodne

AN ACT Relating to contracts between insurance carriers and vision care providers; adding a new section to chapter 48.39 RCW; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1464 by Representatives Blake, Orcutt, Chapman and Tarleton

AN ACT Relating to the development of cooperative agreements to expand recreational access on privately owned lands; and amending RCW 4.24.210.

Referred to Committee on Judiciary.

HB 1465 by Representatives Short, Lytton, Kretz, Koster, Schmick and Fitzgibbon

AN ACT Relating to exempting from public disclosure certain information regarding reports on wolf depredations; and amending RCW 42.56.430 and 77.12.885.

Referred to Committee on State Government.

HB 1466 by Representatives Blake, J. Walsh, Morris, Dent and Manweller

AN ACT Relating to extending the expiration date of the public utility tax exemption for certain electrolytic processing businesses; amending RCW 82.16.0421; creating a new section; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1467 by Representatives Stokesbary, Peterson, Griffey, Robinson, Muri, McBride, Rodne, Fitzgibbon and Tharinger

AN ACT Relating to removing disincentives to the voluntary formation of regional fire protection service authorities by establishing parity, equalizing certain provisions with existing laws governing fire protection districts, and clarifying the formation process; amending RCW 52.26.220, 52.26.230, 84.55.092, 52.18.050, 52.18.010, 52.26.180, 52.26.030, 52.26.230, 84.52.043, 84.52.043, 84.52.125, and 84.55.092;

reenacting and amending RCW 52.26.020, 84.52.010, and 84.52.010; creating a new section; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Local Government.

HB 1468 by Representatives Manweller, Fitzgibbon, Griffey, Hudgins, Jinkins, Haler, Riccelli, Kilduff, Pollet and Doglio

AN ACT Relating to extending the time period for voter registration to no later than eleven days before the day of a primary, special election, or general election; amending RCW 29A.08.140, 29A.08.125, 29A.08.410, and 29A.08.620; adding a new section to chapter 29A.08 RCW; repealing RCW 29A.08.420; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on State Government.

HB 1469 by Representatives Hudgins, Manweller, Haler, Griffey, Van Werven and Doglio

AN ACT Relating to the presidential primary; amending RCW 29A.56.010, 29A.56.020, 29A.56.030, 29A.56.040, 29A.56.050, 29A.60.190, 29A.08.161, and 29A.04.206; and adding a new section to chapter 29A.56 RCW.

Referred to Committee on State Government.

HB 1470 by Representatives Hudgins, Koster, Haler, Griffey, Manweller and Doglio

AN ACT Relating to declaration of candidacy; and amending RCW 29A.24.070 and 29A.24.091.

Referred to Committee on State Government.

HB 1471 by Representatives Bergquist, Stambaugh, Pettigrew, Haler, Kagi, Fitzgibbon, Griffey, Jinkins, Appleton, Tarleton, Muri, Pollet, Hudgins and Doglio

AN ACT Relating to collecting voter registration sign up information for persons seventeen years of age during the period one year prior to attaining eighteen years of age including the designation of voter registration locations and voter sign up locations; amending RCW 28A.230.150, 29A.08.110, 29A.08.125, 29A.08.210, 29A.08.615, 29A.08.710, 29A.08.720, 29A.08.760, 29A.84.140, 46.20.155, and 42.56.250; adding new sections to chapter 29A.08 RCW; creating a new section; prescribing penalties; and providing a contingent effective date.

Referred to Committee on State Government.

HB 1472 by Representatives Hudgins, Koster, Haler, Griffey, Manweller, Muri and Ormsby

AN ACT Relating to criminalizing damaging, destroying, tampering, or removing ballot return boxes or contents; amending RCW 9A.48.070, 9A.48.080, and 29A.84.540; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1473 by Representatives Dent, Cody, Harris, Rodne, Macri, Calder, Stonier, Vick and Jinkins

AN ACT Relating to consumer protection in eye care; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health Care & Wellness.

HB 1474 by Representatives Farrell, Riccelli, Cody, Bergquist, Appleton, Tarleton, Fitzgibbon, Frame, Jinkins, Robinson, Senn, Kilduff, Ormsby, Pollet, Goodman, Slatter, Blake, Peterson, Hudgins, Macri, Orwall, Doglio and Stanford

AN ACT Relating to promoting healthy outcomes for pregnant women and infants; amending RCW 49.60.230 and 74.09.480; adding a new section to chapter 74.09 RCW; adding a new section to chapter 49.60 RCW; adding a new section to chapter 43.70 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1475 by Representatives Irwin, Goodman, Hayes, Ryu, Kilduff, Holy, Klippert, Kirby and Lovick

AN ACT Relating to clarifying the limited authority of gambling commission officers; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Judiciary.

HB 1476 by Representatives Peterson, Buys, Van Werven and Short

AN ACT Relating to ensuring the ongoing viability of safe, reliable, on-site sewage systems in marine counties by identifying best management practices with accountability in on-site program management plans without creating or newly authorizing a fee or other program funding source; amending RCW 70.118A.030, 70.118A.070, 70.118A.020, 70.118A.080, 70.118A.050, and 70.118A.060; and creating new sections.

Referred to Committee on Environment.

HB 1477 by Representatives Kilduff, Muri, Lytton, Stambaugh, Orwall, McDonald, Robinson, Lovick, Goodman, Sells, Appleton and Fey

AN ACT Relating to disclosure of health-related information with persons with a close relationship with

a patient; amending RCW 70.02.010, 70.02.050, and 70.02.230; reenacting and amending RCW 70.02.010 and 70.02.230; adding a new section to chapter 70.02 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1478 by Representatives Blake, Klippert, Goodman, Johnson, Griffey, J. Walsh, Fitzgibbon, Sells and McCabe

AN ACT Relating to the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements; and amending RCW 7.84.100.

Referred to Committee on Appropriations.

HB 1479 by Representatives Hudgins, Graves, Tarleton and Stanford

AN ACT Relating to encryption of data on state information technology systems; and adding a new section to chapter 43.105 RCW.

Referred to Committee on State Government.

HB 1480 by Representatives Hayes, Riccelli, Irwin, Lovick, Holy and Santos

AN ACT Relating to requiring additional criteria to be met for the department of licensing to suspend a driver's license; amending RCW 46.20.289, 46.20.291, 46.20.342, and 46.63.110; and providing an effective date.

Referred to Committee on Transportation.

HB 1481 by Representatives Hayes and Bergquist

AN ACT Relating to creating uniformity in driver training education provided by school districts and commercial driver training schools; amending RCW 28A.220.010, 28A.220.020, 28A.220.030, 46.20.055, 46.20.100, 46.82.320, 46.82.330, and 46.82.400; adding new sections to chapter 28A.220 RCW; adding a new section to chapter 46.82 RCW; creating new sections; repealing RCW 28A.220.050, 28A.220.060, 28A.220.080, and 28A.220.085; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 1482 by Representatives Sawyer, Kagi, Stambaugh, Calder, Robinson, Springer, Hargrove, Tarleton, Ormsby, Doglio and Stanford

AN ACT Relating to establishing the legislative-executive WorkFirst poverty reduction oversight task force; amending RCW 74.08A.260; adding new

sections to chapter 74.08A RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1483 by Representatives Senn, Hayes, Lovick, Klippert, Chapman, Jinkins, Robinson, Doglio, Appleton, Kilduff, Ormsby and Santos

AN ACT Relating to the disposition of forfeited firearms by the Washington state patrol; amending RCW 9.41.098 and 9.41.098; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1484 by Representatives Dolan, Johnson, Stonier, McCaslin, Bergquist, McBride, Pollet, Doglio, Slatter, Gregerson, Jinkins, Ryu, Santos, Cody, Peterson, Sells, Chapman, Senn, Macri, Sawyer, Orwall, Appleton, Haler, Tarleton, Muri, Condotta, Frame, Riccelli, Lovick, Ormsby, Stanford and Kagi

AN ACT Relating to providing an enhanced retirement benefit for public employees' and teachers' retirement system plans 1; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1485 by Representatives Blake, MacEwen, Kirby, Haler, Taylor, Shea, McCaslin, Hargrove, DeBolt and Condotta

AN ACT Relating to the use of motorcycle helmets; and amending RCW 46.37.530.

Referred to Committee on Transportation.

HB 1486 by Representatives Gregerson, Ryu, Peterson, Orwall, Sells, Stonier, Dolan, Frame, Chapman, Goodman, Macri, Cody, Appleton, Tarleton, Ormsby, Bergquist, Hudgins, Doglio and Stanford

AN ACT Relating to establishing wage liens; and adding a new chapter to Title 60 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1487 by Representatives Condotta and Sawyer

AN ACT Relating to authorizing marijuana retailers to sell marijuana merchandise; amending RCW 69.50.357, 69.50.342, and 69.50.345; and reenacting and amending RCW 69.50.101.

Referred to Committee on Commerce & Gaming.

HB 1488 by Representatives Hansen, Haler, Stokesbary, Ortiz-Self, Gregerson, Tarleton, Slatter and Hudgins

AN ACT Relating to expanding higher education opportunities for certain students; and amending RCW 28B.118.010 and 28B.145.030.

Referred to Committee on Higher Education.

HB 1489 by Representatives Kretz, Blake and Short

AN ACT Relating to private wildland fire suppression contractors; amending RCW 76.04.181 and 43.30.111; amending 2015 c 182 s 2 (uncodified); providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1490 by Representatives Fey, Rodne, Clibborn, Hargrove, Riccelli, Van Werven, McBride and Irwin

AN ACT Relating to eliminating the requirement that a city or town provide preservation rating information on a certain percentage of its arterial network; and repealing RCW 46.68.113.

Referred to Committee on Transportation.

HB 1491 by Representatives Orwall, Hargrove, Sullivan, Gregerson, Slatter and Kagi

AN ACT Relating to pediatric transitional care centers; amending RCW 42.56.360 and 42.56.360; adding a new chapter to Title 18 RCW; providing an effective date; providing an expiration date; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1492 by Representatives Tharinger, Harris, Cody, Macri and Appleton

AN ACT Relating to equalizing civil monetary penalties for assisted living facilities with other long-term care providers; and amending RCW 18.20.190 and 18.20.430.

Referred to Committee on Health Care & Wellness.

HB 1493 by Representatives Morris, Harmsworth, Smith, Tarleton and Stanford

AN ACT Relating to biometric identifiers; adding a new chapter to Title 19 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1494 by Representative Morris

AN ACT Relating to private road maintenance agreements; adding a new chapter to Title 64 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 1495 by Representatives Fey, Muri, Sawyer, Sells, Jinkins and Doglio

AN ACT Relating to incentivizing the development of commercial office space in cities with a population of greater than fifty thousand and located in a county with a population of less than one million five hundred thousand; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 35 RCW; adding a new chapter to Title 84 RCW; and creating new sections.

Referred to Committee on Local Government.

HB 1496 by Representatives Tarleton, Nealey, Springer, Young, Hayes, Manweller, Griffey and Smith

AN ACT Relating to the taxation and permitting of vessels in Washington; amending RCW 82.08.700 and 82.12.700; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1497 by Representatives J. Walsh, Blake, Orcutt, Griffey, Young, Haler and Muri

AN ACT Relating to providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants to convert to natural gas-fired plants or biomass energy facilities; amending RCW 82.14.050 and 82.14.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.32 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Technology & Economic Development.

HB 1498 by Representatives Riccelli, Farrell, Tarleton, Frame, Macri, Doglio, Stanford and Ormsby

AN ACT Relating to high hazard flammable train speed limits in certain urban areas; amending RCW 81.48.030; and creating a new section.

Referred to Committee on Transportation.

HB 1499 by Representatives Pollet, Ryu, Sells, Lovick, Bergquist and Stanford

AN ACT Relating to creating protections and fairness for students in the student loan disbursement process; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.77 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1500 by Representatives Pollet, Farrell, Appleton, Tarleton, Ryu, Wylie, Santos, Macri, Doglio, Jinkins, Orwall, Tharinger, Stonier, Kagi, Fitzgibbon, Kloba, Stanford, Bergquist, McBride, Ortiz-Self, Goodman, Dolan, Cody, Pettigrew, Riccelli, Sells, Hudgins, Kirby, Lovick, Frame, Peterson, Ormsby and Pellicciotti

AN ACT Relating to increasing tax exemption transparency and accountability; amending RCW 43.06.400, 43.88.030, 43.136.035, 43.136.045, 43.136.055, and 43.136.065; adding new sections to chapter 43.88 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HJM 4008 by Representative Morris

Requesting that the Bonneville Power Administration consider a rate design for the eastern intertie that eliminates or reduces the transmission rate associated with that part of the eastern intertie known as the Montana intertie.

Referred to Committee on Technology & Economic Development.

There being no objection, the bills and memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 18, 2017

HB 1018 Prime Sponsor, Representative Dent: Modifying the maximum amount for grants provided to airports and air navigation facilities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Van Werven and Young.

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTEENTH DAY

House Chamber, Olympia, Monday, January 23, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Trinity Pierce and Dylan Sutton. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Greg Asimakoupoulos, Chaplain of Covenant Shores Retirement Community, Mercer Island, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4605, by Representatives Peterson, Stonier, Appleton, Lytton, Sells, Pollet, Frame, Jinkins, Riccelli, Ryu, Senn, and Kagi

WHEREAS, Agriculture is a vital industry in Washington state, accounting for 13 percent of the economy; and

WHEREAS, Washington state is home to more than 37,000 farms, of which over 80 percent are individual and family owned; and

WHEREAS, Washington state's agriculture industry employs over 160,000 people; and

WHEREAS, All children deserve access to nutritious, high-quality food; and

WHEREAS, Children need to eat a variety of fruits and vegetables every day to get essential vitamins and minerals; and

WHEREAS, In Washington state, 1 in 5 children lives in a household that struggles with hunger and 14 percent of families are food insecure, without reliable access to affordable, nutritious food; and

WHEREAS, Washington students' ability and readiness to learn is a critical factor in acquiring the knowledge and skills to be successful in the workforce; and

WHEREAS, Washington state's future economic welfare rests with the students of today; and

WHEREAS, Community connections between schools and farmers would provide nutritious, locally grown food for children and economic opportunities for Washington farmers;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the importance of combating childhood hunger; and

BE IT FURTHER RESOLVED, That the House of Representatives acknowledge the economic and educational benefits of connecting schools and local farmers; and

BE IT FURTHER RESOLVED, That the House of Representatives commend advocacy groups and local farm to community coalitions across the state for their efforts to end hunger in Washington.

There being no objection, HOUSE RESOLUTION NO. 4605 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1501 by Representatives Hansen and Hayes

AN ACT Relating to protecting law enforcement and the public from persons who illegally attempt to obtain firearms; amending RCW 43.10.232; adding a new section to chapter 9.41 RCW; adding new sections to chapter 43.43 RCW; adding a new section to chapter 36.28A RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1502 by Representatives Chapman, Orcutt, Lovick, Rodne and Clibborn

AN ACT Relating to the authorization of and deposit of moneys from department of transportation advertising activities; adding a new section to chapter 47.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1503 by Representatives Short, Taylor, Van Werven and Buys

AN ACT Relating to preventing unfunded mandates involving on-site sewage systems from affecting local governments and property owners; adding a new section to chapter 36.70A RCW; adding a new section to chapter 70.118A RCW; and adding a new section to chapter 70.05 RCW.

Referred to Committee on Environment.

HB 1504 by Representatives Pike, Blake, Wylie, Peterson, Harris, Vick, Manweller, Tarleton, Orcutt, Farrell, Haler, Dent, Fey, Sells, Kraft, Johnson, MacEwen, Chandler, Stambaugh, Van Werven and Dye

AN ACT Relating to rail dependent uses for purposes of the growth management act and related development regulations; amending RCW 36.70A.030, 36.70A.060, 36.70A.070, and 36.70A.108; and creating a new section.

Referred to Committee on Environment.

HB 1505 by Representative Peterson

AN ACT Relating to establishing the naloxone access grant program; reenacting and amending RCW 43.84.092; adding new sections to chapter 69.50 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1506 by Representatives Senn, Pellicciotti, Slatter, Macri, Peterson, Chapman, Ortiz-Self, Bergquist, Sawyer, Frame, Gregerson, Farrell, Kilduff, Kagi, Dolan, Clibborn, Pollet, McBride and Stanford

AN ACT Relating to workplace practices to achieve gender pay equity; amending RCW 49.12.175; adding a new chapter to Title 49 RCW; recodifying RCW 49.12.175; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

HB 1507 by Representatives Holy and Hudgins

AN ACT Relating to enhancing election reconciliation reports; and amending RCW 29A.60.235.

Referred to Committee on State Government.

HB 1508 by Representatives Stonier, Dolan, Ortiz-Self, Riccelli, Orwall, Peterson, Sawyer, Doglio, Gregerson, Slatter, Frame, Macri, Bergquist, Senn, Ryu, Kloba, Stanford, Sells, Farrell, Lovick, McBride, Pollet, Hudgins and Jinkins

AN ACT Relating to promoting student health and readiness through meal and nutrition programs; amending RCW 28A.150.205, 28A.235.150, and 28A.235.160; adding new sections to chapter 28A.235

RCW; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 1509 by Representatives Stonier, Harris, Dolan, Caldier, Ormsby, Volz, Stanford, McCaslin, Riccelli, Holy, Pollet, Taylor, Doglio, Shea, Sawyer, Peterson and Gregerson

AN ACT Relating to credit requirements for high school graduation; and amending RCW 28A.150.220 and 28A.230.090.

Referred to Committee on Education.

HB 1510 by Representatives Tarleton, McDonald and Ryu

AN ACT Relating to port district worker development and occupational training programs; and amending RCW 53.08.245.

Referred to Committee on Technology & Economic Development.

HB 1511 by Representatives Lytton and Sullivan

AN ACT Relating to the learning assistance program; amending RCW 28A.150.260, 28A.165.005, 28A.165.015, and 28A.165.055; reenacting and amending RCW 28A.150.260; adding new sections to chapter 28A.165 RCW; and providing effective dates.

Referred to Committee on Education.

HB 1512 by Representatives Bergquist, Stambaugh, McBride, Gregerson, Slatter, Frame, Macri, Peterson and Hudgins

AN ACT Relating to expanding college bound scholarship eligibility; and amending RCW 28B.118.010, 28B.118.040, and 28B.118.090.

Referred to Committee on Higher Education.

HB 1513 by Representatives Bergquist, Stambaugh, Frame, Hudgins, Sawyer, Slatter, Macri, Gregerson, Peterson and McBride

AN ACT Relating to collecting youth voter registration sign up information; amending RCW 46.20.155, 29A.08.330, 29A.08.210, 28A.230.150, 29A.08.710, and 29A.08.810; reenacting and amending RCW 42.56.230; adding a new section to chapter 29A.08 RCW; creating a new section; and providing an effective date.

Referred to Committee on State Government.

HB 1514 by Representatives Robinson, McBride, Pellicciotti, Orwall, Macri, Ormsby and Gregerson

AN ACT Relating to minimum terms for closure or conversion notices for mobile home parks and manufactured housing communities; amending RCW 59.20.060, 59.20.080, 59.21.030, and 59.20.073; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1515 by Representatives Graves and Riccelli

AN ACT Relating to signed written authorizations for special parking privileges; and amending RCW 46.19.010.

Referred to Committee on Transportation.

HB 1516 by Representative MacEwen

AN ACT Relating to creating a data storage system for holding and making public records available to the public; and adding a new section to chapter 43.105 RCW.

Referred to Committee on State Government.

HB 1517 by Representative MacEwen

AN ACT Relating to funding school construction for common schools with lottery revenues; amending RCW 67.70.230, 67.70.044, 28B.76.526, 67.70.240, 67.70.340, and 67.70.040; adding a new chapter to Title 43 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1518 by Representatives Senn, Stambaugh, Lovick, Stonier, Harris, Slatter, Kilduff, Nealey, Caldwell, Clibborn and Ortiz-Self

AN ACT Relating to improving student achievement by promoting social emotional learning throughout the calendar year; adding a new section to chapter 43.215 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.215 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 1519 by Representatives Blake and J. Walsh

AN ACT Relating to allowing incremental electricity produced as a result of certain capital investment projects to qualify as an eligible renewable resource under the energy independence act; and amending RCW 19.285.030 and 19.285.080.

Referred to Committee on Technology & Economic Development.

HB 1520 by Representatives Tharinger, Short, Cody and Schmick

AN ACT Relating to allowing alternative payment methodologies for critical access hospitals participating in the Washington rural health access preservation pilot; and amending RCW 74.09.5225.

Referred to Committee on Health Care & Wellness.

HB 1521 by Representatives Dolan, Doglio and Ormsby

AN ACT Relating to removing the requirement that an employee must work at least six months before taking vacation leave; amending RCW 43.01.040 and 43.01.044; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 1522 by Representatives Robinson, Harris, Jinkins and Riccelli

AN ACT Relating to the community health worker task force; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health Care & Wellness.

HB 1523 by Representatives Robinson, Johnson, Cody and Harris

AN ACT Relating to requiring health plans to cover, with no cost sharing, all preventive services required to be covered under federal law as of December 31, 2016; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

HB 1524 by Representatives Kloba, Klippert, Goodman, Holy, Macri and Peterson

AN ACT Relating to increasing success in therapeutic courts; amending RCW 71.24.580; and creating a new section.

Referred to Committee on Judiciary.

HB 1525 by Representatives Griffey, MacEwen, Taylor, Klippert, Dent, McCaslin and Shea

AN ACT Relating to the economic development element of the growth management act; amending RCW 36.70A.070; adding a new section to chapter 36.70A RCW; and creating new sections.

Referred to Committee on Environment.

HB 1526 by Representatives Griffey, Kilduff, MacEwen, Muri, Dent and Hayes

AN ACT Relating to exempting multipurpose senior citizen centers from property taxation; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Finance.

HB 1527 by Representatives Riccelli, Orcutt, Holy, Wilcox, Vick, Volz, Buys, McBride, Robinson, Stonier, Short, McCaslin, Ortiz-Self, Nealey, Morris, Rodne, Stambaugh, Tarleton, Wylie, Ryu, Pollet, Springer, Macri and Chapman

AN ACT Relating to modifying Washington state's motion picture and film industries tax credit; amending RCW 82.04.4489 and 43.365.010; adding a new section to chapter 82.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Finance.

HB 1528 by Representatives Hayes, Hansen, Smith, Griffey, Young and Morris

AN ACT Relating to ferry advisory committees; amending RCW 47.60.286, 47.60.290, 47.60.300, 47.60.310, and 47.60.330; and providing an effective date.

Referred to Committee on Transportation.

HB 1529 by Representatives Ryu, Santos, Jinkins, Kirby, Pollet, Senn and Dolan

AN ACT Relating to recommendations from the joint legislative task force on the use of deadly force in community policing; amending RCW 9A.16.040 and 43.101.410; adding new sections to chapter 36.28A RCW; adding new sections to chapter 43.10 RCW; adding new sections to chapter 43.101 RCW; and creating new sections.

Referred to Committee on Public Safety.

HB 1530 by Representatives Gregerson and Morris

AN ACT Relating to grandfathering the accrual of vacation leave above the statutory maximum for certain employees of the Washington state ferries; amending RCW 43.01.040; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

HB 1531 by Representatives Chapman, DeBolt, Blake, Koster, Orcutt, Tharinger, Kraft, Pettigrew, Smith and Dolan

AN ACT Relating to the forestry riparian easement program; and amending RCW 76.13.120.

Referred to Committee on Agriculture & Natural Resources.

HB 1532 by Representatives Lytton and Hayes

AN ACT Relating to the exemption of property taxes for nonprofit homeownership development; amending RCW 84.36.049; amending 2016 c 217 s 1 (uncodified); creating a new section; and providing an expiration date.

Referred to Committee on Finance.

HB 1533 by Representatives Dolan, Senn, Doglio, Gregerson, Peterson, Bergquist, Goodman, Kloba, Macri and Sawyer

AN ACT Relating to wage and salary information; adding a new section to chapter 49.12 RCW; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

HB 1534 by Representatives Ryu, Johnson, Reeves and Klippert

AN ACT Relating to clarifying the powers, duties, and functions of the department of veterans affairs; amending RCW 43.60A.020, 43.60A.100, 43.60A.151, 43.60A.154, 43.60A.155, 43.60A.190, 72.36.115, and 73.08.005; reenacting and amending RCW 43.60A.150; and decodifying RCW 43.60A.901, 43.60A.902, and 43.60A.905.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1535 by Representatives Riccelli and Ormsby

AN ACT Relating to county commissioner elections; amending RCW 36.32.030, 36.32.050, 29A.76.010, and 36.32.0556; adding new sections to chapter 36.32 RCW; and creating a new section.

Referred to Committee on State Government.

HB 1536 by Representatives McBride, Springer, Macri, Robinson and Frame

AN ACT Relating to local option tools to promote, preserve, and incentivize affordable housing; amending RCW 82.02.020, 82.46.010, 82.46.035, and 82.14.530; adding a new section to chapter 82.46 RCW; adding a new chapter to Title 84 RCW; adding a new chapter to Title 82 RCW; adding a new chapter to Title 35 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1537 by Representatives Haler, Springer, Tarleton, Nealey, Goodman and Sawyer

AN ACT Relating to disclosure in initiatives, referenda, and recall petitions; amending RCW 29A.56.160, 29A.72.110, 29A.72.120, 29A.72.130, and 29A.72.170; adding a new section to chapter 29A.72 RCW; adding a new section to chapter 29A.84 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on State Government.

HB 1538 by Representatives Stambaugh, Doglio, Vick, Hayes, Sells and Pike

AN ACT Relating to requiring prime contractors to bond the subcontractor's portion of retainage upon request; and amending RCW 60.28.011.

Referred to Committee on Capital Budget.

HB 1539 by Representatives McCabe, Orwall, Griffey, Caldier, Senn, Dent, Gregerson and Smith

AN ACT Relating to a curriculum for the prevention of sexual abuse of students; adding a new section to chapter 28A.230 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 1540 by Representative Santos

AN ACT Relating to providing public notices of public health, safety, and welfare in a language other than English; amending RCW 38.52.070; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on Public Safety.

HB 1541 by Representatives Robinson, Johnson, Harris, McBride, Doglio, Wylie, Peterson, Cody, Stonier, Frame, Sawyer, Macri, Sells, Orwall, Jinkins, Senn, Tharinger, Stanford, Riccelli, Fitzgibbon, Ormsby, Gregerson, Hudgins, Ortiz-Self, Ryu, Farrell, Tarleton, Pollet, Clibborn, Fey, Kilduff and Reeves

AN ACT Relating to prescription drug cost transparency; adding a new chapter to Title 43 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1542 by Representatives Doglio, Santos, Hudgins, Riccelli, Peterson, Stonier and Dolan

AN ACT Relating to dropout prevention through engaging youth in farming; adding a new section to

chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1543 by Representatives Doglio, Jinkins, Goodman, Senn, Robinson, Stonier, Kagi, Cody, Macri, Bergquist, Slatter, McBride, Peterson, Hudgins, Stanford and Frame

AN ACT Relating to parental rights and responsibilities of sexual assault perpetrators and survivors; amending RCW 26.09.191 and 26.33.170; reenacting and amending RCW 26.26.011; and adding new sections to chapter 26.26 RCW.

Referred to Committee on Judiciary.

HB 1544 by Representatives Doglio, Pike, Blake, McBride, Hudgins and Tharinger

AN ACT Relating to small farms under the current use property tax program for farm and agricultural lands; amending RCW 84.34.020; creating new sections; and providing an expiration date.

Referred to Committee on Finance.

HB 1545 by Representative Schmick

AN ACT Relating to the exclusion of residential housing payments from certain state-funded health programs; and amending RCW 74.09.520 and 71.24.385.

Referred to Committee on Health Care & Wellness.

HB 1546 by Representatives Schmick and Cody

AN ACT Relating to the addition of services for long-term placement of mental health patients in community hospitals that voluntarily contract and are certified by the department of social and health services; amending RCW 71.24.310 and 71.24.380; and adding new sections to chapter 71.24 RCW.

Referred to Committee on Health Care & Wellness.

HB 1547 by Representatives Schmick and Cody

AN ACT Relating to exempting certain hospitals from certificate of need requirements for the addition of psychiatric beds until June 2019; amending RCW 70.38.111 and 70.38.260; providing an expiration date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1548 by Representatives Schmick and Cody

AN ACT Relating to curricula for persons in long-term care facilities with behavioral health needs; amending

RCW 74.42.360; and adding a new section to chapter 74.39A RCW.

Referred to Committee on Health Care & Wellness.

HB 1549 by Representative Lytton

AN ACT Relating to investing in education and other vital public services by narrowing or eliminating tax preferences, making administrative revenue changes, and redirecting existing revenue sources; amending RCW 82.12.0263, 82.08.0273, 82.08.0293, 82.12.0293, 82.45.010, 82.45.080, 82.08.010, 19.02.075, 19.02.210, 82.32.050, 82.32.060, 82.32.145, 82.04.066, 82.04.067, 82.04.220, 82.45.060, 82.16.020, 82.18.040, and 43.155.060; adding new sections to chapter 82.12 RCW; adding new sections to chapter 82.08 RCW; creating new sections; repealing RCW 82.04.424; prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Finance.

HB 1550 by Representative Lytton

AN ACT Relating to investing in education by modifying the business and occupation tax and providing small business tax relief; amending RCW 82.32.045, 82.04.4451, and 82.04.29002; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1551 by Representatives Riccelli, Smith, Johnson, Gregerson, Stonier, Peterson, Doglio, Pettigrew, Reeves, Sells, Ryu, Macri, Farrell, Clibborn, Tarleton, Santos, Lovick, Senn, Slatter, McBride, Orwall, Pollet, Dolan, Hudgins and Stanford

AN ACT Relating to equipment assistance grants to enhance student nutrition in public schools; adding a new section to chapter 28A.235 RCW; and creating new sections.

Referred to Committee on Capital Budget.

HB 1552 by Representatives Tarleton, Sells, McBride, Farrell, Slatter, Hudgins, Gregerson, Santos, Peterson, Orwall, Riccelli, Pollet and Dolan

AN ACT Relating to fostering economic growth in Washington by supporting the in-state production, processing, and distribution of food supply; creating new sections; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1553 by Representative Haler

AN ACT Relating to including displaying or wearing motorcycle-related or motorcycle club-related paraphernalia as a factor in profiling discrimination; and amending RCW 49.60.030.

Referred to Committee on Judiciary.

HB 1554 by Representatives Haler, Shea, Klippert, Van Werven, Muri, J. Walsh, Stambaugh and Young

AN ACT Relating to parenting plans; and amending RCW 26.09.187, 26.09.197, 26.09.260, and 2.56.180.

Referred to Committee on Judiciary.

HB 1555 by Representative Lytton

AN ACT Relating to establishing a carbon pollution tax and investment program to reduce greenhouse gas emissions, facilitate the transition to a clean energy economy, and invest in K-12 education and other vital public services; amending RCW 82.32.045 and 82.04.4451; adding a new chapter to Title 82 RCW; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1556 by Representative Blake

AN ACT Relating to creating Imagine special license plates; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1557 by Representatives Jinkins, Fey, Sawyer, Kirby, Stambaugh, Muri and Kilduff

AN ACT Relating to creating the safe streets pilot project; adding a new section to chapter 43.330 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1558 by Representatives Kilduff, MacEwen, Sawyer, Hayes, Harris, Griffey, Ormsby, Riccelli, Bergquist, Dolan, Doglio, Lovick, Ryu, Goodman, Peterson and Fitzgibbon

AN ACT Relating to membership in the Washington public safety employees' retirement system for employees who provide nursing care to, or ensure the custody and safety of, offender, probationary, and patient populations in institutions and centers; amending RCW 41.37.010; and adding a new section to chapter 41.37 RCW.

Referred to Committee on Appropriations.

HB 1559 by Representatives Goodman, Hayes, Bergquist, Dolan, Doglio, Griffey, Ryu and Lovick

AN ACT Relating to granting binding interest arbitration rights to certain uniformed personnel; amending RCW 41.80.005 and 41.80.010; adding new sections to chapter 41.80 RCW; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

HB 1560 by Representatives Stanford, Chandler, Ormsby, Harris, Bergquist, Fey, Stonier, Peterson and Doglio

AN ACT Relating to plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system; amending RCW 41.32.835, 41.35.610, and 41.40.785; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1561 by Representatives Frame, Pollet, Doglio, Kloba, Bergquist, Kilduff, Stanford, Dolan, Peterson, Stonier, Senn, Slatter, Fey, Lovick, Macri, Tarleton, Tharinger and Sawyer

AN ACT Relating to open educational resources; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HB 1562 by Representatives Gregerson, Stonier, Orwall, Senn, Slatter, Peterson, Lovick, Farrell, Santos, Ryu, McBride, Ortiz-Self, Hudgins, Pollet, Riccelli, Macri, Pike and Stanford

AN ACT Relating to continuing the work of the Washington food policy forum; creating new sections; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1563 by Representatives Ortiz-Self, Farrell, Van Werven, Stambaugh, Riccelli and Gregerson

AN ACT Relating to requiring school districts to adopt policies regarding the mandatory posting of the child abuse and neglect hotline; and amending RCW 28A.320.127.

Referred to Committee on Education.

HB 1564 by Representatives Ortiz-Self, Robinson, Stonier, Riccelli, Ryu, Fitzgibbon, Macri, Sells, Cody and Pettigrew

AN ACT Relating to protecting community members from pesticides; amending RCW 70.104.020, 70.104.030, 17.21.100, and 49.70.119; adding new sections to chapter 70.104 RCW; adding a new section to chapter 49.70 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1565 by Representatives Macri, Riccelli, Cody and Ortiz-Self

AN ACT Relating to health coverage for young adults; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1566 by Representatives Pellicciotti, McDonald, Stambaugh, Gregerson, Ortiz-Self, Peterson, Riccelli, Stanford, Stonier, Kilduff, Holy and Ormsby

AN ACT Relating to the definition of work activity for the purposes of the WorkFirst program; amending RCW 74.08A.250; and adding a new section to chapter 74.08A RCW.

Referred to Committee on Early Learning & Human Services.

HB 1567 by Representatives Koster, Dolan and Griffey

AN ACT Relating to modification of precinct and district boundary lines; amending RCW 44.05.100 and 29A.16.050; and reenacting and amending RCW 29A.16.040.

Referred to Committee on State Government.

HB 1568 by Representatives Pettigrew, Macri and Harris

AN ACT Relating to creating Fred Hutch special license plates; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1569 by Representatives Macri, Pettigrew, Jinkins, Tarleton, Bergquist, Tharinger, Peterson, Cody, Senn, Hudgins, Stonier, Pollet, Stanford, Dolan, Kagi, Reeves, Ryu, Springer, Gregerson, Fey, Fitzgibbon and Slatter

AN ACT Relating to requiring the department of social and health services to request all necessary exemptions and waivers from the federal government to allow students to use electronic benefit transfer cards at institutions of higher education; creating new sections; and providing a contingent expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1570 by Representatives Macri, Robinson, McBride, Kagi, Sawyer, Tharinger, Doglio, Pollet, Ortiz-Self, Chapman, Cody, Jinkins, Bergquist, Hudgins, Peterson, Senn, Stonier, Riccelli, Frame, Gregerson, Dolan, Tarleton, Ormsby, Ryu, Fey, Fitzgibbon, Goodman, Slatter and Pettigrew

AN ACT Relating to expanding access to homeless housing and assistance; amending RCW 36.22.179, 43.185C.030, 43.185C.040, 43.185C.060, 43.185C.061, 43.185C.160, and 43.185C.240; adding a new section to chapter 43.185C RCW; and creating new sections.

Referred to Committee on Community Development, Housing & Tribal Affairs.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 18, 2017
HB 1052 Prime Sponsor, Representative Sawyer: Repealing the requirement that credentialing authorities suspend a person's occupational credential for nonpayment or default of certain student loans. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; McCabe and Santos.

Referred to Committee on Rules for second reading.

January 19, 2017
HB 1099 Prime Sponsor, Representative Sawyer: Addressing local governments' unofficial moratoria on state-licensed marijuana retail outlets. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Barkis; Blake; Farrell; Kirby; Ryu and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Vick, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

January 19, 2017
HB 1125 Prime Sponsor, Representative Condotta: Limiting the total number of retail marijuana licenses that may be held by a retailer and co-owners. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) announced for the member's information that there was a packet located on each desk holding information on House Floor protocol and the rules of decorum.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1059, by Representatives Lytton, Sullivan, Kagi, Fitzgibbon, Dolan, Kilduff, Frame, Pollet, Senn, Ormsby, Jinkins, Bergquist, Farrell, Blake, Hudgins, Tarleton and Cody

Delaying implementation of revisions to the school levy lid.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1059 was substituted for House Bill No. 1059 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1059 was read the second time.

Representative Young moved the adoption of amendment (001):

On page 9, after line 22, insert the following:

"NEW SECTION. **Sec. 4.** (1) By September 1, 2017, school districts must report to the office of the superintendent of public instruction their estimated change in their respective local maintenance and operation levy collections

and related local effort assistance revenue for school year 2018-19 as compared to school year 2017-18 and their financial plan for addressing the impact of the anticipated reduction in revenue. The financial plan must include, at a minimum, any planned changes in staffing levels, program changes including program elimination, and any changes in compensation. Additionally, the report must include the same information regarding federal revenue if the school district is estimating a reduction in federal revenue in school year 2018-19 as compared to school year 2017-18.

(2) By October 1, 2017, the office of the superintendent of public instruction shall report the school district financial plans to address the anticipated reduction in available revenue for calendar year 2019 to the fiscal committees of the legislature."

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

Representative Young spoke in favor of the adoption of the amendment.

Representative Ormsby spoke against the adoption of the amendment.

Amendment (001) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton, Sullivan, Dolan and Santos spoke in favor of the passage of the bill.

Representatives Chandler, Volz, Pike, MacEwen, DeBolt and Orcutt spoke against the passage of the bill.

MOTION

On motion of Representative Hayes, Representative McDonald was excused

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1059.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1059, and the bill passed the House by the following vote: Yeas, 62; Nays, 35; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Hargrove, Harris, Hayes, Holy, Irwin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, McCabe, McCaslin, Orcutt, Pike, Schmick, Shea, Short, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz and Wilcox.

Excused: Representative McDonald.

SUBSTITUTE HOUSE BILL NO. 1059, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Health Care & Wellness was relieved of HOUSE BILL NO. 1491, and the bill was referred to the Committee on Early Learning & Human Services.

There being no objection, the House adjourned until 9:55 a.m., January 24, 2017, the 16th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTEENTH DAY

House Chamber, Olympia, Tuesday, January 24, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1571 by Representatives Reeves, Muri, Ryu, Kilduff, Sawyer, Steele, Macri, Orwall, Tharinger, Chapman, Stanford, Doglio, Fey, Hudgins, Stonier, Frame, Kloba, Springer, J. Walsh, McBride, Ortiz-Self, Riccelli and Slatter

AN ACT Relating to creating a community care and supportive services program for veterans; adding new sections to chapter 43.60A RCW; creating a new section; and providing an expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1572 by Representatives Dolan, Doglio, McCaslin, Muri, Volz, Pettigrew, Riccelli, Lovick, Van Werven, Ormsby and Stanford

AN ACT Relating to authorizing nationally recognized college assessments for high school assessment purposes; amending RCW 28A.305.130, 28A.655.061, and 28A.655.070; and creating a new section.

Referred to Committee on Education.

HB 1573 by Representatives Harris, Lytton, Kirby, Cody, Dent, DeBolt, McCaslin, Riccelli, Short, Jinkins, Stanford and Muri

AN ACT Relating to sunscreen in schools; adding a new section to chapter 28A.210 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Education.

HB 1574 by Representatives Rodne and Kilduff

AN ACT Relating to construction contracts; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1575 by Representatives Pettigrew, Manweller and Springer

AN ACT Relating to an exemption from unemployment compensation for certain providers of commercial transportation services; and amending RCW 50.04.100.

Referred to Committee on Labor & Workplace Standards.

HB 1576 by Representative Schmick

AN ACT Relating to legislative oversight over the activities of the office of the insurance commissioner; amending RCW 48.02.170; and adding a new chapter to Title 48 RCW.

Referred to Committee on Health Care & Wellness.

HB 1577 by Representatives Fey, Jinkins, Kirby, Stambaugh, Springer, Orcutt, Sawyer, Muri, Barkis, Wilcox, McDonald, Stokesbary, Caldier, Irwin, Young and Condotta

AN ACT Relating to extending the sales and use tax deferral for historic automobile museums; amending RCW 82.32.580; and creating a new section.

Referred to Committee on Finance.

HB 1578 by Representatives Dent, Ortiz-Self, McBride, Lovick, Dye, Harris and Griffey

AN ACT Relating to irrigation district authority; and amending RCW 87.03.015, 87.03.0155, and 87.03.115.

Referred to Committee on Local Government.

HB 1579 by Representatives Kilduff, Fey and Ortiz-Self

AN ACT Relating to including school district information on disclosure statements by sellers of real property; and amending RCW 64.06.020.

Referred to Committee on Business & Financial Services.

HB 1580 by Representative Young

AN ACT Relating to establishing community service standards for individuals receiving unemployment benefits; amending RCW 50.20.010; adding a new

section to chapter 50.20 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 1581 by Representatives Young and Schmick

AN ACT Relating to requiring that drivers pay only one toll on the Tacoma Narrows bridge for multiple crossings in one calendar day; and amending RCW 47.46.105 and 47.46.110.

Referred to Committee on Transportation.

HB 1582 by Representative Young

AN ACT Relating to providing for a sufficient minimum balance to cover Tacoma Narrows bridge operating expenses; amending RCW 47.56.165; and adding a new section to chapter 47.56 RCW.

Referred to Committee on Transportation.

HB 1583 by Representative Young

AN ACT Relating to improving constituent access and representative engagement; adding a new section to chapter 44.04 RCW; and creating new sections.

Referred to Committee on State Government.

HB 1584 by Representatives Young, Shea, Taylor and Condotta

AN ACT Relating to the sale of software used in the unauthorized interference of ticket sales over the internet; and amending RCW 19.345.020.

Referred to Committee on Technology & Economic Development.

HB 1585 by Representatives Young and Muri

AN ACT Relating to dedicating revenue from civil penalties associated with tolls for crossing the Tacoma Narrows bridge to repaying debt issued to construct the bridge; amending RCW 46.63.160, 47.46.100, 47.46.110, 47.46.130, and 47.56.165; and repealing RCW 47.46.140.

Referred to Committee on Transportation.

HB 1586 by Representatives Macri and Cody

AN ACT Relating to dental professions; amending RCW 18.32.0351 and 18.260.090; and reenacting and amending RCW 18.32.040.

Referred to Committee on Health Care & Wellness.

HB 1587 by Representatives Shea, Taylor, McCaslin, Young, Griffey, Condotta and Buys

AN ACT Relating to improving public information concerning agency rule-making activities; amending RCW 34.05.320; and adding a new section to chapter 1.08 RCW.

Referred to Committee on State Government.

HB 1588 by Representatives Shea, Short, Kretz, McCaslin, Taylor, Griffey, Condotta and Buys

AN ACT Relating to ensuring that development regulations do not impede the protection of structures from wildfires; amending RCW 90.58.030 and 90.58.100; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Environment.

HB 1589 by Representatives Shea, McCaslin, Taylor and Buys

AN ACT Relating to specifying that certain types of changes to the allowable uses of a right-of-way are not subject to the requirements of the state environmental policy act; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Environment.

HB 1590 by Representatives Blake, Buys, Springer, Pettigrew, Dent, Lytton, Stanford, Chandler, Fitzgibbon, Schmick, Smith, Tarleton and Muri

AN ACT Relating to protection of composting from nuisance lawsuits; and amending RCW 7.48.310; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1591 by Representatives Klippert and Hayes

AN ACT Relating to increasing the punishment for vehicular assault; amending RCW 46.61.522 and 9.94A.533; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1592 by Representatives Klippert and Hayes

AN ACT Relating to dealer deliveries to active duty law enforcement officers; amending RCW 9.41.090; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1593 by Representatives Vick and Kirby

AN ACT Relating to simplifying small securities offerings; amending RCW 21.20.880; and repealing RCW 21.20.883 and 21.20.886.

Referred to Committee on Business & Financial Services.

HJM 4009 by Representatives Shea, Senn, Taylor, Farrell, Harmsworth, Goodman, McCaslin, Pollet, Volz, Macri, Springer, McBride, Rodne, Kagi, Slatter, Clibborn, Graves, Haler, Hargrove, Van Werven, Chapman, Hayes, Tarleton, MacEwen, Stokesbary, Condotta, Koster, Buys, Muri, Schmick, Griffey and Appleton

Condemning the boycott, divestment, and sanctions movement.

Referred to Committee on Judiciary.

There being no objection, the bills and memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 19, 2017
HB 1001 Prime Sponsor, Representative Morris: Concerning utility easements on state-owned aquatic lands. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter and Steele.

Referred to Committee on Appropriations.

January 19, 2017
HB 1038 Prime Sponsor, Representative Condotta: Increasing the number of tasting rooms allowed under a domestic winery license. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Kirby; Ryu and Young.

Referred to Committee on Appropriations.

January 19, 2017

HB 1055 Prime Sponsor, Representative Kilduff: Concerning pro bono legal services for military service members, veterans, and their families. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

January 19, 2017
HB 1056 Prime Sponsor, Representative Kilduff: Concerning consumer protections for military service members on active duty. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

January 19, 2017
HB 1064 Prime Sponsor, Representative Morris: Removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter and Steele.

Referred to Committee on Rules for second reading.

January 19, 2017
HB 1069 Prime Sponsor, Representative Jinkins: Concerning procedures for enforcing outpatient civil commitment orders. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

January 19, 2017

HB 1078 Prime Sponsor, Representative Pellicciotti:
Concerning human trafficking,
prostitution, and commercial sexual abuse
of a minor. Reported by Committee on
Public Safety

MAJORITY recommendation: Do pass. Signed by
Representatives Goodman, Chair; Pellicciotti, Vice
Chair; Klippert, Ranking Minority Member; Hayes,
Assistant Ranking Minority Member; Chapman;
Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

January 19, 2017

HB 1079 Prime Sponsor, Representative Orwall:
Creating a criminal no-contact order for
human trafficking and promoting
prostitution-related offenses. Reported by
Committee on Public Safety

MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass.
Signed by Representatives Goodman, Chair; Pellicciotti,
Vice Chair; Klippert, Ranking Minority Member;
Hayes, Assistant Ranking Minority Member; Chapman;
Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

January 19, 2017

HB 1109 Prime Sponsor, Representative Orwall:
Supporting victims of sexual assault.
Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by
Representatives Goodman, Chair; Pellicciotti, Vice
Chair; Klippert, Ranking Minority Member; Hayes,
Assistant Ranking Minority Member; Chapman;
Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

January 19, 2017

HB 1153 Prime Sponsor, Representative Goodman:
Concerning crimes against vulnerable
persons. Reported by Committee on Public
Safety

MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass.
Signed by Representatives Goodman, Chair; Pellicciotti,
Vice Chair; Klippert, Ranking Minority Member;
Hayes, Assistant Ranking Minority Member; Chapman;
Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

January 19, 2017

HB 1155 Prime Sponsor, Representative Griffey:
Making felony sex offenses a crime that
may be prosecuted at any time after its
commission. Reported by Committee on
Public Safety

MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass.
Signed by Representatives Goodman, Chair; Pellicciotti,
Vice Chair; Klippert, Ranking Minority Member;
Hayes, Assistant Ranking Minority Member; Chapman;
Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

January 19, 2017

HB 1163 Prime Sponsor, Representative Goodman:
Concerning domestic violence. Reported
by Committee on Public Safety

MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass.
Signed by Representatives Goodman, Chair; Pellicciotti,
Vice Chair; Klippert, Ranking Minority Member;
Hayes, Assistant Ranking Minority Member; Chapman;
Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

January 19, 2017

HB 1184 Prime Sponsor, Representative Orwall:
Modifying patronizing a prostitute
provisions. Reported by Committee on
Public Safety

MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass.
Signed by Representatives Goodman, Chair; Pellicciotti,
Vice Chair; Klippert, Ranking Minority Member;
Hayes, Assistant Ranking Minority Member; Chapman;
Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's
committee reports under the fifth order of business were
referred to the committees so designated.

There being no objection, the House adjourned until 10
a.m., January 25, 2017, the 17th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SEVENTEENTH DAY

House Chamber, Olympia, Wednesday, January 25, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Elias and Hannah Hadjes. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Tito Lyro, Bible Presbyterian Church, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1594 by Representatives McBride, Nealey, Springer, Clibborn, Hayes, Gregerson, Peterson, Koster, Griffey, Klippert, Kilduff, Muri, Senn, Goodman, Haler, Robinson, Sells, Steele, Fitzgibbon, Fey, Kraft, Bergquist, Smith, Tharinger, Stanford, Kloba, Jinkins, Hargrove, Slatter and Kagi

AN ACT Relating to improving public records administration; amending RCW 42.56.152, 42.56.520, 42.56.570, 40.14.024, and 36.22.175; adding a new section to chapter 40.14 RCW; creating new sections; making an appropriation; and providing expiration dates.

Referred to Committee on Appropriations.

HB 1595 by Representatives Nealey, McBride, Senn, Springer, Koster, Klippert, Dye, Schmick, J. Walsh, Haler, Manweller, Harris, Dent, Peterson, Bergquist, Gregerson, Clibborn, Fey, Fitzgibbon, Dolan, Wilcox, Lytton, Griffey, Hayes, Muri, Goodman, Robinson, Sells, Steele, Kraft, Smith, Tharinger, Stanford, Kloba, Jinkins, Hargrove, Slatter and Kagi

AN ACT Relating to costs associated with responding to public records requests; and amending RCW 42.56.070, 42.56.080, and 42.56.120.

Referred to Committee on State Government.

HB 1596 by Representatives Doglio, Fitzgibbon, McBride, Stanford, Peterson, Farrell, Kagi, Senn, Ryu,

Sullivan, Gregerson, Hudgins, Pollet, Jinkins and Tarleton

AN ACT Relating to requiring manufacturers of electronics to report the presence of high priority chemicals under the children's safe products act; and amending RCW 70.240.040.

Referred to Committee on Environment.

HB 1597 by Representatives Blake, Kretz and Doglio

AN ACT Relating to increasing revenue to the state wildlife account by increasing commercial fishing license fees and streamlining wholesale fish dealing, buying, and selling requirements; amending RCW 77.12.170, 77.12.177, 77.15.096, 77.15.110, 77.15.170, 77.15.500, 77.15.565, 77.15.568, 77.15.620, 77.15.630, 77.15.640, 77.65.010, 77.65.020, 77.65.090, 77.65.110, 77.65.120, 77.65.150, 77.65.160, 77.65.170, 77.65.190, 77.65.200, 77.65.240, 77.65.280, 77.65.310, 77.65.320, 77.65.330, 77.65.340, 77.65.350, 77.65.390, 77.65.440, 77.65.480, 77.65.490, 77.65.500, 77.65.510, 77.65.580, 77.65.590, 77.70.150, 77.70.190, 77.70.220, 77.70.280, 77.70.290, 77.70.300, 77.70.340, 77.70.430, 77.70.490, 82.27.020, 82.27.070, 69.07.100, and 36.71.090; reenacting and amending RCW 77.08.010, 77.65.210, 77.65.220, and 77.65.370; adding a new section to chapter 77.65 RCW; creating a new section; repealing RCW 77.65.290, 77.65.300, 77.65.360, 77.65.515, 77.65.520, and 77.65.900; and providing an effective date.

Referred to Committee on Appropriations.

HB 1598 by Representatives Sullivan, DeBolt, Kilduff, Caldier, Muri and Young

AN ACT Relating to patient safeguards in agreements between dentists and third parties that provide support services to dentists; amending RCW 18.32.020, 18.32.655, and 18.32.091; adding a new section to chapter 18.32 RCW; and creating new sections.

Referred to Committee on Health Care & Wellness.

HB 1599 by Representatives Farrell, Vick, Sawyer and Fey

AN ACT Relating to authorizing licensed spirits and wine distributors to sell spirits and wine products to their employees in certain circumstances; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Commerce & Gaming.

HB 1600 by Representatives Santos, Pettigrew, Harris, Young, Stonier, Pike, Appleton, Johnson, Fey, Bergquist, Hudgins, Kraft, Slatter and Tarleton

AN ACT Relating to increasing the career and college readiness of public school students; adding a new section to chapter 28A.630 RCW; adding new sections to chapter 28C.18 RCW; and providing expiration dates.

Referred to Committee on Appropriations.

HB 1601 by Representatives Santos, Fey, Pollet and Slatter

AN ACT Relating to the beginning educator support team program; amending RCW 28A.415.265; and creating a new section.

Referred to Committee on Appropriations.

HB 1602 by Representatives Young, J. Walsh, McCaslin, Shea, Taylor, Harmsworth, Buys, Orcutt, Holy, Dent, Klippert, Manweller, Vick, Harris, Johnson, Hargrove, Van Werven, Kraft, McCabe, Stambaugh, Calder, Koster, Condotta, Rodne, Irwin, Chandler, Volz, Short, Haler, Barkis, Steele, Kristiansen, Hayes, Wilcox, Muri, Schmick, Dye, Pike, McDonald, Griffey, Smith, MacEwen, DeBolt, Jenkin, Nealey, Kretz, Stokesbary and Graves

AN ACT Relating to protecting the first amendment rights of school sports coaches and others; adding a new section to chapter 49.60 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1603 by Representatives Kilduff, Sawyer, Goodman, McBride and Frame

AN ACT Relating to updating the child support economic table based on recommendations of the child support work group; amending RCW 26.19.020; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1604 by Representatives Pettigrew, Hayes, Klippert, Griffey, Appleton, Haler and McBride

AN ACT Relating to expanding the permitted uses of surplus funds from boater education card fees to certain boating safety programs and activities; and amending RCW 79A.60.630, 79A.60.650, and 79A.60.640.

Referred to Committee on Appropriations.

HB 1605 by Representatives Pettigrew, Hayes and Klippert

AN ACT Relating to vessel impoundment; and adding a new section to chapter 79A.60 RCW.

Referred to Committee on Public Safety.

HB 1606 by Representatives Pike, Tarleton, Orcutt, Stambaugh, Harmsworth, Gregerson and Hargrove

AN ACT Relating to requiring transportation benefit districts to hold public hearings prior to imposing fees or charges by a vote of the governing board; and amending RCW 36.73.065.

Referred to Committee on Transportation.

HB 1607 by Representatives Pike, Shea, Koster, Vick, Taylor, Rodne, Short, Buys, Nealey, Condotta, Schmick and Manweller

AN ACT Relating to requiring periodic certification elections for labor unions representing public employees; and amending RCW 41.56.060, 41.56.070, 41.80.070, 41.80.080, 28B.52.030, 41.76.020, 41.59.070, and 47.64.135.

Referred to Committee on Labor & Workplace Standards.

HB 1608 by Representatives Pike, Manweller, Calder, Appleton, Stanford, McBride, Wylie, Chapman, Griffey, Blake, Tarleton, Harris, Condotta, Santos and Haler

AN ACT Relating to restoring resources to the capital budget beginning with the 2017-2019 biennium; amending RCW 82.45.060, 82.16.020, and 82.18.040; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1609 by Representatives Pike, Blake, Harris, Taylor, Griffey, J. Walsh, Young and Kraft

AN ACT Relating to encouraging sustainable agricultural production and rural development through flexibility in lot sizes; amending RCW 36.70A.030; and creating a new section.

Referred to Committee on Environment.

HB 1610 by Representatives Manweller, McCabe, Condotta and Pike

AN ACT Relating to definition of employment for purposes of the state unemployment tax; adding a new section to chapter 50.04 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 1611 by Representatives Farrell, Fitzgibbon, Fey, Peterson, Slatter, Tharinger, Pollet, Stonier, Senn, Appleton, Chapman, Goodman, Robinson, Pettigrew, Bergquist, Hudgins, McBride, Cody, Macri, Doglio, Stanford, Jinkins, Tarleton and Kagi

AN ACT Relating to oil transportation safety; amending RCW 88.40.025, 88.40.030, 88.40.040, 88.16.190, 90.56.370, 82.23B.020, 82.23B.030, 90.56.200, 90.56.240, 90.56.510, 90.56.565, 90.56.210, 90.56.220, 90.56.230, and 80.50.060; reenacting and amending RCW 88.40.011, 88.40.020, 82.23B.010, and 80.50.020; adding a new section to chapter 90.56 RCW; creating new sections; repealing RCW 82.23B.040; prescribing penalties; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Finance.

HB 1612 by Representatives Orwall, Harris, Jinkins, Goodman, Haler, Robinson, Fey, Kilduff and McBride

AN ACT Relating to a public health educational platform for suicide prevention and strategies to reduce access to lethal means; amending RCW 43.70.445 and 43.70.442; adding a new section to chapter 43.70 RCW; creating a new section; making an appropriation; and providing an effective date.

Referred to Committee on Appropriations.

HB 1613 by Representatives Dent, Pettigrew, Chandler, Griffey, Ortiz-Self, Kagi, Johnson and Fey

AN ACT Relating to making expenditures from the budget stabilization account for 2015 wildfires; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1614 by Representatives Goodman, Klippert, Orwall, Hayes, Pellicciotti, Holy, Griffey, Pettigrew, Muri and Haler

AN ACT Relating to impaired driving; amending RCW 46.20.385, 46.20.720, 46.61.504, 46.61.506, 46.61.517, and 46.64.025; and reenacting and amending RCW 9.96.060 and 10.31.100.

Referred to Committee on Transportation.

HB 1615 by Representatives Kloba, Clibborn, Rodne, Doglio, Stanford and Jinkins

AN ACT Relating to relocation assistance for persons displaced by agency property acquisitions; and amending RCW 8.26.035, 8.26.045, and 8.26.055.

Referred to Committee on Transportation.

HB 1616 by Representatives McBride, Johnson, Stanford, Pollet and Jinkins

AN ACT Relating to affordable housing loan programs; and amending RCW 43.185A.110.

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

HB 1617 by Representatives Ortiz-Self, Farrell and Riccelli

AN ACT Relating to child welfare volunteer guardian ad litem program requirements; amending RCW 13.34.102; and reenacting and amending RCW 13.34.030.

Referred to Committee on Early Learning & Human Services.

HB 1618 by Representatives Ortiz-Self, Harris, Santos, Johnson, Bergquist and Kagi

AN ACT Relating to family and community engagement coordinators; amending RCW 28A.150.260 and 28A.165.035; adding a new section to chapter 28A.150 RCW; creating a new section; and providing an effective date.

Referred to Committee on Education.

HB 1619 by Representatives Farrell and Pollet

AN ACT Relating to health care cost transparency; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1620 by Representatives Lovick, McDonald, Johnson, Hayes, Stonier, Griffey, McBride, Harris, Springer, Stambaugh, Gregerson, Appleton, Muri and Haler

AN ACT Relating to expanding the authority of local governments to require criminal history background checks; and amending RCW 35.21.920, 35A.21.370, 36.01.300, and 35.61.130.

Referred to Committee on Local Government.

HB 1621 by Representatives Senn, Pettigrew, Stonier, Clibborn, Lytton, Farrell, Hudgins, Bergquist, Riccelli, Ortiz-Self, Fey, Doglio, Slatter and Kagi

AN ACT Relating to providing funding allocations to promote children's health and social-emotional learning; amending RCW 28A.150.260; reenacting and amending RCW 28A.150.260; adding a new section to chapter 28A.150 RCW; creating a new section;

providing effective dates; and providing a contingent expiration date.

Referred to Committee on Appropriations.

HB 1622 by Representatives Senn, Springer, Tharinger, Ormsby and Fey

AN ACT Relating to the state building code council; amending RCW 19.27.015, 19.27.035, 19.27.070, 19.27.074, 19.27.085, 19.27.095, and 19.27A.020; reenacting and amending RCW 34.05.328; adding a new section to chapter 19.27 RCW; creating a new section; and providing an expiration date.

Referred to Committee on State Government.

HB 1623 by Representatives Senn, Springer, Tarleton and Slatter

AN ACT Relating to secondhand dealers utilizing automated kiosks to purchase secondhand electronic devices; amending RCW 19.60.020 and 19.60.055; reenacting and amending RCW 19.60.010; and adding a new section to chapter 19.60 RCW.

Referred to Committee on Commerce, Labor & Sports.

HB 1624 by Representatives Senn, Dent, Kagi, Lytton, Farrell, Pettigrew, Hudgins, Goodman, Frame and Slatter

AN ACT Relating to working connections child care eligibility for vulnerable children; amending RCW 43.215.135; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

HB 1625 by Representative Klippert

AN ACT Relating to smoking marijuana in the presence of children; amending RCW 69.50.445 and 69.51A.060; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1626 by Representatives Blake and J. Walsh

AN ACT Relating to changing the date in which community impact statements are provided to the department of corrections; and amending RCW 72.09.285.

Referred to Committee on Public Safety.

HB 1627 by Representatives Ryu and McBride

AN ACT Relating to nonprofit corporation facilities financing; and amending RCW 43.180.300.

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

HB 1628 by Representatives Kagi, Dent, Senn, Appleton, Johnson, McDonald, Goodman, Fey, Kilduff, Frame, Clibborn, Tharinger, Stanford, Pollet, Jinkins and Slatter

AN ACT Relating to the educational success of youth in foster care; and amending RCW 28A.320.192.

Referred to Committee on Education.

HB 1629 by Representatives Sells and Manweller

AN ACT Relating to extending the redetermination timeline regarding appeals to the department of labor and industries; reenacting and amending RCW 49.17.140; and providing an effective date.

Referred to Committee on Commerce, Labor & Sports.

HB 1630 by Representatives Slatter, McDonald, Senn, Dent, Kilduff, McBride, Frame, Jinkins, Kloba, Santos, Appleton, Muri, Fey, Doglio, Stanford and Kagi

AN ACT Relating to allowing minors to consent to share their personally identifying information in the Washington homeless client management information system; and amending RCW 43.185C.180.

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

HB 1631 by Representatives Hayes, Bergquist, Harmsworth, Irwin, Haler, Van Werven, Hargrove, Shea, Rodne, Harris, Orcutt, Goodman, Young, Pike and Fitzgibbon

AN ACT Relating to imposing an additional penalty for distracted driving; adding a new section to chapter 46.61 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

HB 1632 by Representatives Hargrove, Rodne, Griffey, Irwin, Stokesbary, Sullivan and Young

AN ACT Relating to state board of health rules regarding on-site sewage systems; and amending RCW 43.20.050.

Referred to Committee on Environment.

HB 1633 by Representatives Riccelli, Kirby, Macri, Frame, Goodman, Kagi, Peterson, Jinkins, Ormsby, Kloba, Senn, Stonier, Stanford, Appleton, Robinson, McBride, Doglio, Pollet and Santos

AN ACT Relating to ensuring housing options; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Judiciary.

HB 1634 by Representatives Pettigrew and Fitzgibbon

AN ACT Relating to continuity of transit operation reporting by public transportation systems; and adding a new section to chapter 35.58 RCW.

Referred to Committee on Transportation.

HB 1635 by Representatives Barkis, Stanford and Harmsworth

AN ACT Relating to the disposition of tenant property placed upon the nearest public property; and amending RCW 59.18.312.

Referred to Committee on Judiciary.

HB 1636 by Representatives Jinkins, Johnson, Tharinger, Harris, Appleton and Fey

AN ACT Relating to establishing a program to fund long-term services and supports; adding a new chapter to Title 50 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1637 by Representatives Pettigrew, Harris, Stonier, Johnson, Cody, DeBolt, Jinkins, Caldier, Riccelli, Appleton, Senn, Kilduff, McBride and Kagi

AN ACT Relating to ensuring access to primary care services for medicaid beneficiaries by applying the medicare payment rate floor to primary care services furnished under medicaid by providers of primary care services; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1638 by Representatives Ortiz-Self, Frame, Kagi and Goodman

AN ACT Relating to the provision of trauma-informed child care; reenacting and amending RCW 43.215.010; adding new sections to chapter 43.215 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1639 by Representatives Ortiz-Self, Dent, Frame, Kagi, Goodman, Fey and Doglio

AN ACT Relating to creating a specialized child care pilot program for vulnerable children; adding a new section to chapter 43.215 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Appropriations.

HB 1640 by Representatives Graves, Jinkins and Tharinger

AN ACT Relating to allowing notaries and proof of identity for advance directives; and amending RCW 70.122.030.

Referred to Committee on Law & Justice.

HB 1641 by Representatives McBride, Caldier, Graves, Jinkins, Fey, Clibborn and Stanford

AN ACT Relating to informed consent for nonemergency, outpatient, primary health care services for unaccompanied homeless youth under the federal McKinney-Vento homeless assistance act; amending RCW 7.70.065; and repealing RCW 28A.320.147.

Referred to Committee on Judiciary.

HB 1642 by Representatives Irwin, Pellicciotti, Hayes, Orwall, Rodne, McCabe, Holy and Muri

AN ACT Relating to the crime of attempting to elude a pursuing police vehicle; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Appropriations.

HB 1643 by Representatives Ortiz-Self, Senn, Lovick, Appleton, Goodman, Bergquist, Hudgins, McBride, Frame, Doglio, Stanford, Pollet, Slatter and Tarleton

AN ACT Relating to creating a loan forgiveness program for teachers in high-need schools; and creating a new section.

Referred to Committee on Education.

HB 1644 by Representatives Ortiz-Self, Senn, Lovick, Fey, Bergquist and Pollet

AN ACT Relating to providing responsive, needs-based training opportunities for addressing the teacher shortage through improved teacher recruitment, teacher selection, and teacher onboarding and induction; adding a new section to chapter 28A.410 RCW; and creating a new section.

Referred to Committee on Education.

HB 1645 by Representatives Ortiz-Self, Senn, Lovick, Bergquist, Doglio, Pollet and Peterson

AN ACT Relating to addressing the educator shortage and diversifying the educator workforce by supporting future educators from local communities; and creating a new section.

Referred to Committee on Education.

HB 1646 by Representatives Fitzgibbon, Appleton, Fey, Goodman, McBride, Cody, Macri, Doglio, Pollet and Jinkins

AN ACT Relating to promoting an equitable clean energy economy by creating a carbon tax that allows investment in clean energy, clean air, healthy forests, and Washington's communities; amending RCW 70.235.020; adding a new chapter to Title 70 RCW; adding a new chapter to Title 82 RCW; and creating new sections.

Referred to Committee on Environment.

HB 1647 by Representatives Springer, Pettigrew, Tarleton, Fitzgibbon, Robinson, Tharinger, McBride and Doglio

AN ACT Relating to increasing revenue to the state wildlife account by adjusting recreational fishing and hunting fees; amending RCW 77.12.184, 77.32.010, 77.32.050, 77.32.070, 77.32.256, 77.32.350, 77.32.370, 77.32.430, 77.32.440, 77.32.450, 77.32.460, 77.32.470, 77.32.480, 77.32.520, 77.32.575, and 77.32.580; reenacting and amending RCW 77.08.010; adding a new section to chapter 77.12 RCW; adding new sections to chapter 77.32 RCW; repealing 2009 c 420 s 7, 2011 c 339 s 40, and 2016 c 223 ss 7-9 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1648 by Representatives Stonier, Frame, Peterson, Harris, Vick, Wylie and Pike

AN ACT Relating to county treasurer administrative efficiencies; amending RCW 84.56.020, 84.56.050, and 82.45.090; and repealing 2014 c 13 s 3 (uncodified).

Referred to Committee on Local Government.

HB 1649 by Representatives Shea, Taylor, McCaslin, Koster, Short, Buys, Hargrove, Holy and Young

AN ACT Relating to declaring that the right to life, as recognized in the Declaration of Independence and guaranteed by the Constitutions of the United States and Washington state, is vested in each human being beginning at the moment at which an individual comes into being; and adding a new chapter to Title 1 RCW.

Referred to Committee on Health Care & Wellness.

HB 1650 by Representatives Shea, Taylor, McCaslin, Hargrove and Young

AN ACT Relating to reducing motorcycle rider liability for actions required of helmet manufacturers; amending RCW 46.37.530; and creating a new section.

Referred to Committee on Transportation.

HB 1651 by Representatives Pollet, Doglio, Kilduff, Gregerson, Peterson, Frame, Bergquist, Orwall, Goodman, Fey, Haler and Stanford

AN ACT Relating to supporting students' success by increasing retention and graduation rates with evidence-based programs; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.50 RCW; adding new sections to chapter 28B.77 RCW; adding a new section to chapter 28B.20 RCW; creating a new section; and making an appropriation.

Referred to Committee on Higher Education.

HB 1652 by Representatives Pollet, Tharinger and Santos

AN ACT Relating to the University of Washington's alternative process for awarding contracts; amending RCW 28B.20.744; and repealing RCW 43.131.413 and 43.131.414.

Referred to Committee on Capital Budget.

HB 1653 by Representatives Pollet and Stanford

AN ACT Relating to protecting the public health of food consumers; amending RCW 19.86.023; adding a new chapter to Title 70 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1622, which was referred to the Committee on Local Government and HOUSE BILL NO. 1637, which was referred to the Committee on Appropriations.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4610, by Representative Sullivan

~~((WHEREAS, The House of Representatives adopted temporary rules for the Sixty-fifth Legislature (2017-2018) under House Resolution No. 2017-4601;~~

~~NOW, THEREFORE,))~~ BE IT RESOLVED, That ~~((Rule 23 as set forth in House Resolution No. 2017-4601 is amended to read))~~ the permanent House Rules for the Sixty-Fifth Legislature be adopted as follows:

(~~TEMPORARY~~) PERMANENT RULES OF THE
HOUSE OF REPRESENTATIVES
SIXTY-FIFTH LEGISLATURE 2017-2018

HOUSE**RULE NO.**

- Rule 1** Definitions
Rule 2 Chief Clerk to Call to Order
Rule 3 Election of Officers
Rule 4 Powers and Duties of the Speaker
Rule 5 Chief Clerk
Rule 6 Duties of Employees
Rule 7 Admission to the House
Rule 8 Absentees and Courtesy
Rule 9 Bills, Memorials and Resolutions -
 Introductions
Rule 10 Reading of Bills
Rule 11 Amendments
Rule 12 Final Passage
Rule 13 Hour of Meeting, Roll Call and
 Quorum
Rule 14 Daily Calendar and Order of
 Business
Rule 15 Motions
Rule 16 Members Right to Debate
Rule 17 Rules of Debate
Rule 18 Ending of Debate - Previous
 Question
Rule 19 Voting
Rule 20 Reconsideration
Rule 21 Call of the House
Rule 22 Appeal from Decision of Chair
Rule 23 Standing Committees
Rule 24 Duties of Committees
Rule 25 Standing Committees - Expenses -
 Subpoena Power
Rule 26 Vetoed Bills
Rule 27 Suspension of Compensation
Rule 28 Smoking
Rule 29 Liquor
Rule 30 Parliamentary Rules
Rule 31 Standing Rules Amendment
Rule 32 Rules to Apply for Assembly
Rule 33 Legislative Mailings

Definitions

Rule 1. "Absent" means an unexcused failure to attend.

"Term" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the house in accordance with Article II § 12 of the state Constitution.

"Committee" means any standing, conference, joint, or select committee as so designated by rule or resolution.

"Fiscal committee" means the appropriations, capital budget, finance, and transportation committees.

"Bill" means bill, joint memorial, joint resolution, or concurrent resolution unless the context indicates otherwise.

Chief Clerk to Call to Order

Rule 2. It shall be the duty of the chief clerk of the previous term to call the house to order and to conduct the proceedings until a speaker is chosen.

Election of Officers

Rule 3. The house shall elect the following officers at the commencement of each term: Its presiding officer, who shall be styled speaker of the house; a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker; a deputy speaker pro tempore, who shall serve in absence or in case of the inability of the speaker and speaker pro tempore; and a chief clerk of the house. Such officers shall hold office during all sessions until the convening of the succeeding term: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their votes shall be entered on the journal. If any office is declared vacant, the house shall fill such vacant office as hereinafter provided. In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their votes shall be entered on the journal. (Art. II § 27)

Powers and Duties of the Speaker

Rule 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house to order precisely at the hour appointed for meeting and if a quorum be present, shall cause the journal of the preceding day to be read and shall proceed with the order of business.

(B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same and may order the sergeant at arms to remove any person creating any disturbance within the house chamber or legislative area.

(C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) The speaker shall sign all bills in open session. (Art. II § 32)

(E) The speaker shall sign all writs, warrants, and subpoenas issued by order of the house, all of which shall be attested to by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall neither extend beyond adjournment nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) The speaker, in open session, shall appoint committee chairs as selected by the majority party caucus, and shall appoint members to committees in the same ratio as the membership of the respective parties of the house, unless otherwise provided by law or house rules.

(H) The speaker shall serve as chair of the rules committee.

(I) The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties.

(J) The speaker pro tempore shall exercise the duties, powers, and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act until the speaker's successor shall be elected.

Chief Clerk

Rule 5. The chief clerk shall perform the usual duties pertaining to the office, and shall hold office until a successor has been elected.

The chief clerk shall employ, subject to the approval of the speaker, all other house employees; the hours of duty and assignments of all house employees shall be under the chief clerk's directions and instructions, and they may be dismissed by the chief clerk with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and appropriately transmit the same. In the event of the chief clerk's death, illness, removal, or inability to act, the speaker may appoint an acting chief clerk who shall exercise the duties and powers of the chief clerk until the chief clerk's successor shall be elected.

Duties of Employees

Rule 6. Employees of the house shall perform such duties as are assigned to them by the chief clerk. Under no circumstances shall the compensation of any employee be increased for past services. No house employee shall seek to influence the passage or rejection of proposed legislation.

Admission to the House

Rule 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) The sergeant at arms shall admit only the following individuals to the wings and adjacent areas of the house chamber for the period of time beginning one-half hour prior to convening and ending one-half hour following the adjournment of the house's daily session:

- The governor or designees, or both;
- Members of the senate;
- State elected officials;
- Officers and authorized employees of the legislature;
- Former members of the house who are not advocating any pending or proposed legislation;
- Representatives of the press;
- Other persons with the consent of the speaker.

(B) Only members of the house, pages, sergeants at arms, and clerks are permitted on the floor while the house is in session.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited when the house or committee is in session unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

Absentees and Courtesy

Rule 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session, only the speaker shall recognize visitors and former members.

Bills, Memorials and Resolutions - Introductions

Rule 9. Any member desiring to introduce a bill shall file the same with the chief clerk. Bills filed by 10:00 a.m. shall be introduced at the next daily session, in the order filed: PROVIDED, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal. (Art. II § 36)

Any returning member or member-elect may prefile a bill with the chief clerk commencing the first Monday in December preceding any regular session or

twenty (20) days before any special session. Prefiled bills shall be introduced on the first legislative day.

All bills shall be endorsed with a statement of the title and the name of the member or members introducing the same. The chief clerk shall attach to all bills a substantial cover bearing the title and sponsors and shall number each bill in the order filed. All bills shall be printed unless otherwise ordered by the house.

Any bill introduced at any session during the term shall be eligible for action at all subsequent sessions during the term.

No house bill may be introduced that is identical to any other pending house bill.

Reading of Bills

Rule 10. Every bill shall be read on three separate days: PROVIDED, That this rule may be temporarily suspended at any time by a two-thirds (2/3) vote of the members present; and that on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended by a majority vote.

A bill may be returned to second reading for the purpose of amendment by a suspension of the rules: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended and a bill returned to second reading for the purpose of amendment by a majority vote.

(A) FIRST READING. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the bill shall be referred to an appropriate committee.

Upon being reported out of committee, all bills shall be referred to the rules committee, unless otherwise ordered by the house.

The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) SECOND READING. Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No amendment shall be considered by the house until it has been sent to the chief

clerk's desk in writing, distributed to the desk of each member, and read by the clerk. All amendments adopted during second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments.

When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) SUBSTITUTE BILLS. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute the first time and have the same printed. A motion for the substitution shall not be in order until the second reading of the original bill.

(D) THIRD READING. Only the last line of bills shall be read on third reading unless a majority of the members present demand a reading in full. No amendments to a bill shall be received on third reading but it may be referred or recommitted for the purpose of amendment.

(E) SUSPENSION CALENDAR. Bills may be placed on the second reading suspension calendar by the rules committee if at least two minority party members of the rules committee join in such motion. Bills on the second reading suspension calendar shall not be subject to amendment or substitution except as recommended in the committee report. When a bill is before the house on the suspension calendar, the question shall be to adopt the committee recommendations and advance the bill to third reading. If the question fails to receive a two-thirds vote of the members present, the bill shall be referred to the rules committee for second reading.

(F) HOUSE RESOLUTIONS. House resolutions shall be filed with the chief clerk who shall transmit them to the rules committee. If a rules committee meeting is not scheduled to occur prior to a time necessitated by the purpose of a house resolution, the majority leader and minority leader by agreement may waive transmission to the rules committee to permit consideration of the resolution by the house. The rules committee may adopt house resolutions by a sixty percent majority vote of its entire membership or may, by a majority vote of its members, place them on the motions calendar for consideration by the house. House resolutions are not subject to debate, except for resolutions necessary for the operation of the house, and resolutions commemorating Children's Day, Day of Remembrance, Martin Luther King Jr. Day, National Guard Day, and President's Day.

(G) CONCURRENT RESOLUTIONS. Reading of concurrent resolutions may be advanced by majority vote.

Amendments

Rule 11. The right of any member to offer amendments to proposed legislation shall not be limited except as provided in Rule 10(E) and as follows:

(A) AMENDMENTS TO BE OFFERED IN PROPER FORM. The chief clerk shall establish the proper form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) COMMITTEE AMENDMENTS. When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house before any amendments that may be offered from the floor.

(C) SENATE AMENDMENTS TO HOUSE BILLS. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to the appropriate committee and shall take the same course as for original bills unless a motion not to concur is adopted prior to the bill being referred to committee.

(D) AMENDMENTS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) SCOPE AND OBJECT NOT TO BE CHANGED. No amendment to any bill shall be allowed which shall change the scope and object of the bill. This objection may be raised at any time an amendment is under consideration. The speaker may allow the person raising the objection and the mover of the amendment to provide brief arguments as to the merits of the objection. (Art. II § 38)

(F) NO AMENDMENT BY REFERENCE. No act shall ever be revised or amended without being set forth at full length. (Art. II § 37)

(G) TITLE AMENDMENTS. The subject matter portion of a bill title shall not be amended in committee or on second reading. Changes to that part of the title after the subject matter statement shall either be presented with the text amendment or be incorporated by the chief clerk in the engrossing process.

Final Passage

Rule 12. Rules relating to bills on final passage are as follows:

(A) BUDGET BILLS. No final passage vote may be taken on an operating budget, transportation budget, or capital budget bill until twenty-four (24) hours after the bill

is placed on the third reading calendar. The twenty-four (24) hour requirement does not apply to conference reports, which are governed by Joint Rule 20, or to bills placed on the third reading calendar by a two-thirds (2/3) vote of the members present.

(B) RECOMMITMENT BEFORE FINAL PASSAGE. A bill may be recommitted at any time before its final passage.

(C) FINAL PASSAGE. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor. (Art. II § 22)

(D) BILLS PASSED - CERTIFICATION. When a bill passes, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

Hour of Meeting, Roll Call and Quorum

Rule 13. (A) HOUR OF MEETING. The speaker shall call the house to order each day of sitting at 10:00 A.M., unless the house shall have adjourned to some other hour.

(B) ROLL CALL AND QUORUM. Before proceeding with business, the roll of the members shall be called and the names of those absent or excused shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 21(B). For the purpose of determining if a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8)

(C) The house shall adjourn not later than 10:00 P.M. of each working day. This rule may be suspended by a majority vote.

Daily Calendar and Order of Business

Rule 14. The rules relating to the daily calendar and order of business are as follows:

(A) DAILY CALENDAR. Business of the house shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer, and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor, and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions, and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials, and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

(B) UNFINISHED BUSINESS. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

(C) EXCEPTIONS. Exceptions to the order of business are as follows:

(1) The order of business may be changed by a majority vote of those present.

(2) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(3) House resolutions and messages from the senate, governor, or other state officials may be read at any time.

Motions

Rule 15. Rules relating to motions are as follows:

(A) MOTIONS TO BE ENTERTAINED OR DEBATED. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. A motion shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated and by the consent of the house may be withdrawn before amendment or action.

(B) MOTIONS IN ORDER DURING DEBATE. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

- (1) Privileged motions:
 - Adjourn
 - Adjourn to a time certain
 - Recess to a time certain
 - Reconsider
 - Demand for division
 - Question of privilege

Orders of the day

(2) Subsidiary motions:

First rank: Question of consideration

Second rank: To lay on the table

Third rank: For the previous question

Fourth rank: To postpone to a day

certain
To commit or recommit
To postpone indefinitely

Fifth rank: To amend

(3) Incidental motions:

Points of order and appeal

Method of consideration

Suspension of the rules

Reading papers

Withdraw a motion

Division of a question

(C) THE EFFECT OF POSTPONEMENT - MOTIONS TO POSTPONE OR COMMIT. Once decided, no motion to postpone to a day certain, to commit, or to postpone indefinitely shall again be allowed on the same day and at the same stage of the proceedings. When a question has been postponed indefinitely, it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) MOTIONS DECIDED WITHOUT DEBATE. A motion to adjourn, to recess, to lay on the table and to call for the previous question shall be decided without debate.

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22.

Motions to adopt house resolutions shall be decided without debate, except as provided in Rule 10(F).

A motion for suspension of the rules shall not be debatable except that the mover of the motion may briefly explain the purpose of the motion and one member may briefly state the opposition to the motion.

(E) MOTION TO ADJOURN. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move for adjournment when another member has the floor.

Members Right to Debate

Rule 16. The methods by which a member may exercise his or her right to debate are as follows:

(A) RECOGNITION OF MEMBER. When any member desires to speak in debate or deliver any matter to the house, the member shall rise and respectfully address the speaker and pause until recognized.

(B) ORDER OF SPEAKING. When two or more members arise at once, the speaker shall name the one who is to speak.

(C) LIMITATION OF DEBATE. No member shall speak longer than ten (10) minutes without consent of the house: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day any bill must be reported from the house as established by concurrent resolution, no member shall speak more than three (3) minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chair of the committee or the mover of the question may close debate if it is consistent with Rule 18 (Previous Question).

Rules of Debate

Rule 17. The rules for debate in the house are as follows:

(A) QUESTION OF PRIVILEGE. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) WITHDRAWAL OF MOTION, BILL, ETC. After a motion is stated by the speaker or a bill, memorial, resolution, petition, or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

(C) READING OF A PAPER. When the reading of any paper is called for and is objected to by any member, it shall be determined by a vote of the house.

(D) DISTRIBUTION OF MATERIALS. Any materials of any nature distributed to the members' desks on the floor shall be subject to approval by the speaker and shall bear the name of at least one member granting permission for the distribution. This shall not apply to materials normally distributed by the chief clerk.

(E) ORDER OF QUESTIONS. All questions, whether in committee or in the house, shall be propounded in the order in which they are named except that in filling blanks, the largest sum and the longest time shall be put first.

(F) DIVISION OF POINTS OF DEBATE. Any member may call for a division of a question which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

(G) DECORUM OF MEMBERS. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(H) REMARKS CONFINED. A member shall confine all remarks to the question under debate and avoid personalities. No member shall impugn the motive of any member's vote or argument.

(I) EXCEPTION TO WORDS SPOKEN IN DEBATE. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(J) TRANSGRESSION OF RULES - APPEAL. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall prevail.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

Ending of Debate - Previous Question

Rule 18. The previous question may be ordered by a two-thirds (2/3) vote of the members present on all recognized motions or amendments which are debatable.

The previous question is not debatable and cannot be amended.

The previous question shall be put in this form: "Representative _____ demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if

the motion had never been made; if decided in the affirmative it shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED HOWEVER, That when a bill is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the bill or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

Voting

Rule 19. (A) PUTTING OF QUESTION. The speaker shall put the question in the following form: "The question before the house is (state the question). As many as are in favor say 'Aye'; and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) ALL MEMBERS TO VOTE. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

Upon a division and count of the house on the question, only members at their desks within the bar of the house shall be counted.

(C) CHANGE OF VOTE. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When an oral roll call is taken, no member shall be allowed to vote or change a vote after the result has been announced.

(D) PRIVATE INTEREST. No member shall vote on any question which affects that member privately and particularly. A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (Art. II § 30)

(E) INTERRUPTION OF ROLL CALL. Once begun, the roll call may not be interrupted. No member or other person shall visit or remain at the clerk's desk while the yeas and nays are being called.

(F) YEAS AND NAYS - RECORDED VOTES.

Upon the final passage of any bill, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth (1/6) of the members present. (Art. II § 21)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question, it shall be entered upon the journal of the house. A recorded vote may be compelled by one-sixth (1/6) of the members present. A request for a recorded vote must be made before the vote is commenced.

(G) TIE VOTE, QUESTION LOSES. In case of an equal division, the question shall be lost.

(H) DIVISION. If the speaker is in doubt, or if division is called for by any member, the house shall divide.

(I) STATEMENT FOR JOURNAL. A member whose recorded vote does not accurately reflect his or her intent may submit a written statement for the journal clarifying their intent to vote aye or nay. The statement must be submitted to the chief clerk on the same day the vote is taken. A member who is excused for one or more days of recorded votes may submit a written statement for the journal explaining the reason for his or her absence. The statement may not exceed fifty words and must be submitted to the chief clerk on the same day the member returns.

Reconsideration

Rule 20. Notice of a motion for reconsideration on the final passage of bills shall be made on the day the vote to be reconsidered was taken and before the house has voted to transmit the bill to the senate.

Reconsideration of the votes on the final passage of bills must be taken on the next working day after such vote was taken: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, then reconsideration of votes on the final passage of bills must be taken on the same day as the original vote was taken.

A motion to reconsider an amendment may be made at any time the bill remains on second reading.

Any member who voted on the prevailing side may move for reconsideration or give notice thereof.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

Call of the House

Rule 21. One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) **DOORS TO BE CLOSED.** When call of the house has been ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) **SERGEANT AT ARMS TO BRING IN THE ABSENTEES.** The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are excused and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) **HOUSE UNDER CALL.** While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to excuse absentees, or a motion to dispense with the call of the house. The motion to proceed with business under the call of the house and the motion to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof. The motion to dispense with the call of the house may be adopted by a majority of the members present.

Appeal from Decision of Chair

Rule 22. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal, the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

Standing Committees

Rule 23. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Agriculture & Natural Resources.....	13
2. Appropriations	33
3. Business & Financial Services.....	11
4. Capital Budget	19
5. Commerce & Gaming.....	11
6. Community Development, Housing & Tribal Affairs	7
7. Early Learning & Human Services	13
8. Education.....	19
9. Environment	9
10. Finance	11
11. Health Care & Wellness	17
12. Higher Education.....	9
13. Judiciary	13
14. Labor & Workplace Standards.....	7
15. Local Government	7
16. Public Safety.....	11
17. Rules.....	25
18. State Government, Elections & Information Technology.....	7
19. Technology & Economic Development.....	17
20. Transportation.....	25

Committee members shall be selected by each party's caucus. (~~Membership on appropriations subcommittees is restricted to the membership of the appropriations committee.~~) The majority party caucus shall select all committee chairs.

Duties of Committees

Rule 24. House committees shall operate as follows:

(A) **NOTICE OF COMMITTEE MEETING.** The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject.

(B) **COMMITTEE QUORUM.** A majority of any committee shall constitute a quorum for the transaction of business.

(C) **SESSION MEETINGS.** No committee shall sit while the house is in session without special leave of the speaker.

(D) **DUTIES OF STANDING COMMITTEES.**

(1) Only such bills as are included on the written notice of a committee meeting may be considered at that

meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial, or resolution may be reported out: PROVIDED, That by motion under the eighth order of business, a majority of the members elected to the house may relieve a committee of a bill and place it on the second reading calendar.

Majority recommendations of a committee can only be "do pass," "do pass as amended," or that "the substitute bill be substituted therefor and that the substitute bill do pass."

(3) Members of the committee not concurring in the majority report may prepare a written minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a bill out of committee shall be taken by the yeas and nays, and the names of the members voting for and against, as well as the names of members absent, shall be recorded on the committee report. Any member may call for a recorded vote, which shall include the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct appropriation shall be referred to the appropriate fiscal committee before their final passage.

(7) No standing committee shall vote by secret written ballot on any issue.

(8) During its consideration of or vote on any bill, resolution, or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

(9) A standing committee to which a bill was originally referred shall, prior to voting the bill out of committee, consider whether the bill authorizes rule-making powers or requires the exercise of rule-making powers and, if so, consider:

- (a) The nature of the new rule-making powers; and
- (b) To which agencies the new rule-making powers would be delegated and which agencies, if any, may have related rule-making powers.

(10) Standing committee subcommittees established in Rule 23 have the same powers and duties as standing committees.

(11) Insofar as practicable, testimony in public hearings should be balanced between those in support of and in opposition to proposed legislation, with consideration given to providing an opportunity for members of the public to testify within available time.

Standing Committees - Expenses - Subpoena Power

Rule 25. Regardless of whether the legislature is in session, members of the house may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses, and payments in lieu of subsistence and lodging for conducting official business of the house.

The standing committees of the house may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. Before a standing committee of the house may issue any process, the committee chairperson shall submit for approval of the executive rules committee a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by the executive rules committee. The process shall be limited to the named individuals.

Vetoed Bills

Rule 26. Veto messages of the governor shall be read in the house and entered upon the journal. It shall then be in order to proceed to reconsider the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house. Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house, which have not been passed notwithstanding the veto of the governor, shall remain in the custody of the officers of the house until the close of the term, after which they shall be filed with the secretary of state.

Suspension of Compensation

Rule 27. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, office space facilities, and assistance. Any member convicted of a

felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since sentencing shall be forthwith paid, and the member shall thereafter have the rights and privileges of other members.

Smoking

Rule 28. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives or within House facilities.

"No smoking" signs shall be posted so as to give notice of this rule.

Liquor

Rule 29. The House of Representatives shall strictly adhere to the liquor laws of the state of Washington, including provisions relating to banquet and special occasion permits. The proper permits must always be obtained before consumption of liquor in any house facility.

Parliamentary Rules

Rule 30. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

Standing Rules Amendment

Rule 31. Any standing rule may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted at least one day in advance in writing to the members together with notice of the consideration thereof. Any standing rule may be suspended temporarily by a two-thirds (2/3) vote of the members present except as provided in Rule 10.

Rules to Apply for Assembly

Rule 32. The permanent house rules adopted at the beginning of the term are to govern all acts of the house during the course of the term unless amended or repealed.

Legislative Publications

Rule 33. The House of Representatives directs the house executive rules committee to adopt procedures and guidelines to ensure that all legislative publications at public expense are for legitimate legislative purposes.

Representative Sullivan moved the adoption of HOUSE RESOLUTION 4610.

Representative Shea moved the adoption of amendment (003):

After the first sentence of Rule 12, insert the following:

"(A) FUND EDUCATION FIRST. Education funding for the fiscal biennium, appropriations for the purposes of basic education, as defined by the legislature, and other K-12 education purposes must be enacted into law before it is in order for the house to take a final passage vote on omnibus operating or transportation appropriations legislation."

Reletter the remaining subsections alphabetically.

Representatives Shea, MacEwen, Kraft and Young spoke in favor of the adoption of the amendment.

Representatives Sullivan, Ormsby and Ortiz-Self spoke against the adoption of the amendment.

The Speaker (Representative Lovick presiding) stated the question before the House to be the adoption of amendment (003).

ROLL CALL

The Clerk called the roll on the adoption of amendment (003) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 50; Absent, 0; Excused, 0.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Short, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn,

Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Representative Sullivan moved the adoption of amendment (002):

On page 18, line 37, strike "13" and insert "~~(13)~~ 15"

On page 19, line 17, strike "7" and insert "~~(7)~~ 9"

Representatives Sullivan and Wilcox spoke in favor of the adoption of the amendment.

Amendment (002) was adopted.

The resolution was ordered engrossed.

Representatives Sullivan and Wilcox spoke in favor of the passage of the resolution.

There being no objection, ENGROSSED HOUSE RESOLUTION NO. 4610 was adopted.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on State Government, Elections & Information Technology was relieved of HOUSE BILL NO. 1436, and the bill was referred to the Committee on Local Government.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENTS

The Speaker (Representative Lovick presiding) announced the following committee appointments:

Representative Mia Gregerson was appointed to the Committee on State Government, Elections & Information Technology.

Representative Larry Springer was appointed to the Committee on Agriculture & Natural Resources.

Representative Jim Walsh was appointed to the Committee on Agriculture & Natural Resources.

There being no objection, the House adjourned until 10:00 a.m., January 26, 2017, the 18th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTEENTH DAY

House Chamber, Olympia, Thursday, January 26, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Isaiah Donahue and Craydi Moen. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Susie Beil, Summit Avenue Presbyterian Church, Bremerton, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

**HOUSE RESOLUTION NO. 2017-4609, by
Representatives MacEwen and Griffey**

WHEREAS, The USS Olympia is a vital component of a national defense structure; and

WHEREAS, The United States Navy submarine USS Olympia is paying a goodwill visit to the Puget Sound area, and representatives of its crew are calling on the vessel's namesake city for the first time since 1998; and

WHEREAS, The USS Olympia, based at Pearl Harbor under the command of Benjamin J. Selph, is a Los Angeles-class submarine launched in 1983 and commissioned in 1984, one of a new generation of nuclear-powered attack submarines that boasted the most advanced technology of their time; and

WHEREAS, The Los Angeles-class submarine fleet has been updated and refitted, and remains a bulwark of our national defense, and 36 of the original 62 submarines remain in service, making it the single largest class of operating submarines in the world; and

WHEREAS, Each Los Angeles-class submarine is staffed by a crew of approximately 120, carries approximately 25 torpedoes, is capable of firing Tomahawk-class missiles, and can travel over 20 knots an hour, or 23 mph, surfaced or underwater, though top speed is classified; and

WHEREAS, The USS Olympia is named after the city of Olympia, just as other Los Angeles-class submarines are named after other American cities; and

WHEREAS, The USS Olympia is a storied name in the annals of Naval history and the submarine is the second vessel to bear the name, the first being the historic cruiser USS Olympia, the flagship of Commodore George Dewey

at the Battle of Manila Bay in 1898, aboard which Dewey uttered the immortal words "fire when ready" before attacking the Spanish fleet, and today is the last surviving vessel of the famed 'Great White Fleet,' now serving as a museum ship docked in Philadelphia; and

WHEREAS, The submarine USS Olympia has long been a point of pride for Olympia and all of Thurston County, and the visits of its crew to the city are fondly remembered by community leaders; and

WHEREAS, The submarine USS Olympia's lengthy record of service includes a historic 1998 transit of the Suez Canal, making it the first Pacific-based submarine to travel the length of the canal in more than 35 years; and

WHEREAS, The Navy's presence in the state of Washington includes Naval Base Kitsap, Naval Station Whidbey Island, Naval Station Everett, Naval Magazine Indian Island, and more than 100 supported Navy commands and units including the USS Olympia; and

WHEREAS, The United States Navy in the state of Washington employs more than 20,000 active duty personnel, 5,000 reservists, 15,000 contractors, and 17,000 Navy civilian personnel, and there are more than 42,000 members of Navy families in the state and more than 55,000 retirees; and

WHEREAS, The Navy is one of the state's largest employers, infusing more than 5 billion dollars each year into the state's economy;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the important contributions of the submarine USS Olympia on its crew's visit to its namesake city; that the House of Representatives' respect for the USS Olympia and its crew be extended to all who serve in the nation's armed forces; and that the crew of the USS Olympia be welcomed to Washington's capital; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Commanding Officer of the USS Olympia, the Secretary of the United States Navy, and the President of the United States.

There being no objection, HOUSE RESOLUTION NO. 4609 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1654 by Representatives McCaslin, Bergquist and Ortiz-Self

AN ACT Relating to changing explicit alternative routes to teacher certification program requirements to expectations for program outcomes; amending RCW 28A.660.020 and 28A.660.035; and repealing RCW 28A.660.040.

Referred to Committee on Education.

HB 1655 by Representatives Lovick, Holy, Griffey, Hayes, Sells, Doglio, Stokesbary, Frame, Irwin, Fitzgibbon and Pike

AN ACT Relating to providing industrial insurance coverage for stress-caused mental disorders and disabilities of members of the law enforcement officers' and firefighters' retirement system; and amending RCW 51.08.142 and 51.32.185.

Referred to Committee on Labor & Workplace Standards.

HB 1656 by Representatives Dent, Gregerson, Hargrove, Tarleton, Klippert and Clibborn

AN ACT Relating to a community aviation revitalization loan program; reenacting and amending RCW 42.56.270; adding new sections to chapter 47.68 RCW; and creating new sections.

Referred to Committee on Transportation.

HB 1657 by Representatives Shea, Buys and Holy

AN ACT Relating to proceedings of the joint administrative rules review committee; and amending RCW 34.05.655 and 34.05.640.

Referred to Committee on State Government, Elections & Information Technology.

HB 1658 by Representatives Manweller, Shea, McCaslin, Holy and Hargrove

AN ACT Relating to limiting the enforcement of administrative rules and policies; adding a new section to chapter 34.05 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on State Government, Elections & Information Technology.

HB 1659 by Representatives Manweller, Holy, Hayes, Buys, McCaslin and Hargrove

AN ACT Relating to judicial interpretation of law and other writings without deference to agency interpretation; and amending RCW 34.05.570.

Referred to Committee on Judiciary.

HB 1660 by Representative McDonald

AN ACT Relating to creating a demonstration project for preserving public infrastructure and agricultural lands in floodplains; adding a new section to chapter 43.23 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1661 by Representatives Kagi, Sullivan, Dent, Senn, Muri, Kilduff, Klippert, Frame, Goodman, Ortiz-Self, Wilcox and Lovick

AN ACT Relating to creating the department of children, youth, and families; amending RCW 43.215.030, 43.17.010, 43.17.020, 43.215.020, 43.215.065, 43.215.070, 43.215.200, 43.215.216, 43.215.217, 43.215.218, 43.215.405, 43.215.420, 43.215.495, 43.215.545, 43.215.550, 28A.150.315, 28A.155.065, 28A.210.070, 28A.215.020, 28A.320.191, 28A.400.303, 28A.410.010, 43.41.400, 43.43.837, 43.43.838, 43.88.096, 4.24.595, 13.34.090, 13.34.096, 13.34.110, 13.34.136, 13.34.141, 13.34.180, 13.34.820, 13.38.040, 13.50.100, 13.50.140, 13.60.010, 13.60.040, 13.64.030, 13.64.050, 26.33.020, 26.33.345, 26.44.020, 26.44.030, 26.44.040, 26.44.050, 26.44.063, 26.44.105, 26.44.140, 43.20A.360, 74.04.800, 26.34.030, 26.34.040, 70.02.220, 26.10.135, 26.50.150, 26.50.160, 74.09.510, 74.13.020, 74.13.025, 74.13.031, 74.13.039, 74.13.060, 74.13.062, 74.13.070, 74.13.077, 74.13.1051, 74.13.107, 74.13.335, 74.13.500, 74.13.510, 74.13.515, 74.15.020, 74.15.030, 74.15.060, 74.15.070, 74.15.080, 74.15.120, 74.15.130, 74.15.134, 74.15.140, 74.15.200, 74.15.210, 74.15.230, 74.15.250, 74.15.280, 74.15.311, 74.15.901, 13.32A.030, 13.32A.178, 74.13A.075, 74.13A.005, 74.13A.010, 74.13A.015, 74.13A.025, 74.13A.030, 74.13A.040, 74.13A.045, 74.13A.047, 74.13A.050, 74.13A.055, 74.13A.060, 74.13A.065, 74.13A.070, 74.13A.080, 74.13A.085, 74.13B.005, 74.13B.010, 74.14B.010, 74.14B.050, 74.14B.070, 74.14B.080, 74.14C.005, 74.14C.010, 74.14C.070, 74.14C.090, 13.04.011, 13.04.116, 13.04.145, 13.40.030, 13.40.040, 13.40.045, 13.40.185, 13.40.205, 13.40.210, 13.40.215, 13.40.217, 13.40.220, 13.40.285, 13.40.300, 13.40.310, 13.40.320, 13.40.460, 13.40.462, 13.40.464, 13.40.466, 13.40.468, 13.40.510, 13.40.520, 13.40.540, 13.40.560, 13.40.570, 74.14A.030, 74.14A.040, 72.01.045, 72.01.050, 13.16.100, 72.09.337, 72.05.010, 72.05.020, 72.05.130, 72.05.150, 72.05.154, 72.05.400, 72.05.405, 72.05.415, 72.05.420, 72.05.430, 72.05.435, 72.05.440, 72.05.451, 72.19.010, 72.19.020, 72.19.030, 72.19.040, 72.19.050, 72.19.060, 72.72.030, 72.72.040, 13.06.020, 13.06.030, 13.06.040, 13.06.050, 28A.190.010, 28A.190.020, 28A.190.040, 28A.190.050, 28A.190.060, 71.34.795, 72.01.010, 72.01.210, 72.01.410, 9.96A.060, 9.97.020, 41.06.475, 41.56.030, 41.56.510, 43.20A.090, 70.02.200, 70.02.230, 74.04.060, and 74.34.063; reenacting and amending RCW 42.17A.705, 43.215.010, 43.215.215, 42.56.230, 43.43.832,

13.34.030, 13.36.020, 13.50.010, 74.15.100, 13.36.020, 74.13A.020, 13.04.030, 13.40.020, and 13.40.280; adding a new section to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; creating new sections; recodifying RCW 43.215.010, 43.215.020, 43.215.030, 43.215.050, 43.215.060, 43.215.065, 43.215.070, 43.215.080, 43.215.090, 43.215.099, 43.215.100, 43.215.1001, 43.215.101, 43.215.102, 43.215.103, 43.215.105, 43.215.110, 43.215.120, 43.215.130, 43.215.135, 43.215.1351, 43.215.1352, 43.215.136, 43.215.137, 43.215.140, 43.215.145, 43.215.146, 43.215.147, 43.215.195, 43.215.200, 43.215.201, 43.215.205, 43.215.210, 43.215.215, 43.215.216, 43.215.217, 43.215.218, 43.215.220, 43.215.230, 43.215.240, 43.215.250, 43.215.255, 43.215.260, 43.215.270, 43.215.280, 43.215.290, 43.215.300, 43.215.305, 43.215.307, 43.215.308, 43.215.310, 43.215.320, 43.215.330, 43.215.335, 43.215.340, 43.215.350, 43.215.355, 43.215.360, 43.215.370, 43.215.371, 43.215.400, 43.215.405, 43.215.410, 43.215.415, 43.215.420, 43.215.425, 43.215.430, 43.215.435, 43.215.440, 43.215.445, 43.215.450, 43.215.455, 43.215.456, 43.215.457, 43.215.460, 43.215.470, 43.215.472, 43.215.474, 43.215.476, 43.215.490, 43.215.492, 43.215.495, 43.215.500, 43.215.502, 43.215.505, 43.215.510, 43.215.520, 43.215.525, 43.215.530, 43.215.532, 43.215.535, 43.215.540, 43.215.545, 43.215.550, 43.215.555, 43.215.560, 43.215.562, 43.215.564, 43.215.900, 43.215.901, 43.215.903, 43.215.905, 43.215.908, and 43.215.909; decodifying RCW 13.40.800, 43.215.005, 43.215.125, 43.215.907, 72.05.300, and 74.14B.900; repealing RCW 43.20A.780, 43.20A.850, and 43.215.040; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Early Learning & Human Services.

HB 1662 by Representative MacEwen

AN ACT Relating to modifying tax exemptions for ride-sharing vehicles to include certain electric vehicles; amending RCW 46.74.010, 82.08.0287, 82.12.0282, and 82.44.015; and providing an effective date.

Referred to Committee on Transportation.

HB 1663 by Representatives Peterson and Fitzgibbon

AN ACT Relating to imposing a surtax on the possession of hazardous substances; amending RCW 82.21.030; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1664 by Representatives Caldier, McCaslin and Klippert

AN ACT Relating to waiving the evidence-based assessment of teaching effectiveness for certain preservice candidates; and amending RCW 28A.410.280.

Referred to Committee on Education.

HB 1665 by Representative Santos

AN ACT Relating to providing transparency on the effect of tax expenditures on the state's budget; amending RCW 43.06.400, 43.88.030, and 82.33.060; reenacting and amending RCW 82.33.020; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1666 by Representative Santos

AN ACT Relating to requiring legislative approval of tax preferences as part of the two-year budget process; adding a new section to chapter 82.32 RCW; repealing RCW 48.32.130, 82.04.062, 82.04.110, 82.04.120, 82.04.240, 82.04.2403, 82.04.2404, 82.04.250, 82.04.255, 82.04.260, 82.04.263, 82.04.272, 82.04.280, 82.04.290, 82.04.2905, 82.04.2906, 82.04.2907, 82.04.2908, 82.04.2909, 82.04.294, 82.04.298, 82.04.310, 82.04.311, 82.04.315, 82.04.317, 82.04.422, 82.04.320, 82.04.322, 82.04.323, 82.04.324, 82.04.326, 82.04.327, 82.04.330, 82.04.100, 82.04.331, 82.04.332, 82.04.333, 82.04.334, 82.04.335, 82.04.337, 82.04.338, 82.04.339, 82.04.3395, 82.04.340, 82.04.350, 82.04.355, 82.04.360, 82.04.363, 82.04.3651, 82.04.367, 82.04.368, 82.04.370, 82.04.380, 82.04.385, 82.04.390, 82.04.392, 82.04.399, 82.04.405, 82.04.408, 82.04.410, 82.04.415, 82.04.416, 82.04.418, 82.04.419, 82.04.4201, 82.04.421, 82.04.424, 82.04.425, 82.04.4251, 82.04.426, 82.04.4261, 82.04.4262, 82.04.4263, 82.04.4264, 82.04.4265, 82.04.4266, 82.04.4267, 82.04.4268, 82.04.4269, 82.34.060, 82.04.4271, 82.04.4272, 82.04.4274, 82.04.4275, 82.04.4277, 82.04.4281, 82.04.4282, 82.04.4283, 82.04.4284, 82.04.4285, 82.04.4286, 82.04.4287, 82.04.4289, 82.04.4291, 82.04.4292, 82.04.4293, 82.04.4294, 82.04.4295, 82.04.4296, 82.04.4297, 82.04.4298, 82.04.4311, 82.04.432, 82.04.4322, 82.04.4324, 82.04.4326, 82.04.4327, 82.04.433, 82.04.4331, 82.04.4332, 82.04.4337, 82.04.4339, 82.04.43391, 82.04.43392, 82.04.43393, 82.04.43394, 82.04.434, 82.04.440, 82.04.4451, 82.04.44525, 82.04.4461, 82.04.4463, 82.04.447, 82.04.448, 82.04.4481, 82.04.4482, 82.04.4483, 82.04.4486, 82.04.4489, 82.04.449, 82.04.540, 82.04.600, 82.04.601, 82.04.610, 82.04.615, 82.04.620, 82.04.625, 82.04.627, 82.04.635, 82.04.640, 82.04.645, 82.04.650, 82.04.655, 82.04.750, 82.32.045, 82.32.055, 82.62.030, 82.62.045, 82.70.020, 82.73.030, 82.12.022, 82.12.024, 82.24.260, 82.24.290, 82.24.295, 82.26.040, 82.26.110, 82.27.010, 82.27.020, 82.27.030, 82.27.040, 83.100.020, 83.100.046, 83.100.047, 83.100.048, 35.58.560, 82.42.020, 82.42.030, 82.42.230, 82.38.080, 82.38.180, 82.21.040, 82.21.050, 35.21.755, 48.14.020,

48.14.0201, 48.14.021, 48.14.022, 48.32.145,
 48.32A.125, 48.36A.240, 82.29A.020, 82.29A.120,
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 82.12.0264, 82.12.0265, 82.12.0266, 82.12.0272,
 82.12.0284, 82.12.035, 82.12.225, 82.12.800,
 82.12.801, 82.12.802, 82.12.860, 82.14.410, 82.14.430,
 82.14.450, 82.32.065, 82.32.580, 82.32.760, 82.34.050,
 82.60.040, 82.60.049, 82.63.010, 82.66.040, 82.75.010,
 82.75.030, 82.82.020, 82.82.030, 82.64.030, 82.64.040,
 82.18.050, 84.33.075, 84.33.0775, 84.33.0776,
 84.33.086, 84.33.170, 82.44.010, 82.48.100, 82.44.015,
 82.50.520, 82.49.020, and 88.02.570; and providing a
 contingent expiration date.

Referred to Committee on Finance.

HB 1667 by Representatives Appleton, Ryu, Blake, Van Werven, Peterson, Chapman, Tharinger and Ortiz-Self

AN ACT Relating to marijuana tax reform; adding new sections to chapter 69.50 RCW; repealing RCW 82.08.9998 and 82.12.9998; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1668 by Representative Haler

AN ACT Relating to enhancing penalties for crimes committed against law enforcement officers; amending RCW 9A.36.011, 9A.36.021, 9A.36.031, and 9.94A.510; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9A.32 RCW; adding a new section to chapter 9A.40 RCW; adding a new section to chapter 9A.44 RCW; adding a new section to chapter 9.94A RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1669 by Representatives Farrell, Chandler, Blake, Haler, Stonier, Johnson, Chapman, McCaslin, Jinkins, Stambaugh, Sells, Wilcox, Stanford, Barkis, Ryu, Macri, Koster, Goodman, Rodne, Doglio, Holy, Muri, Young, Vick, Fey, Stokesbary, Irwin, Senn, Harmsworth, J. Walsh, Santos, Sawyer, Hudgins, Ormsby, MacEwen, Harris, McBride, Riccelli, Fitzgibbon and Wylie

AN ACT Relating to establishing minimum crew size on certain trains; adding new sections to chapter 81.40 RCW; creating a new section; repealing RCW 81.40.010 and 81.40.035; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

HB 1670 by Representatives Gregerson, J. Walsh, Ryu, Haler, Rodne, Barkis, Sells, Chapman, Koster,

Goodman, McCaslin, Holy, Fey, Muri, Dolan, Senn, Vick, Santos, Stokesbary, Macri, Sawyer, Hudgins, Ormsby, MacEwen, Harris, McBride, Riccelli, Fitzgibbon, Wylie and Blake

AN ACT Relating to hours of service for certain railroad employees; adding a new chapter to Title 81 RCW; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

HB 1671 by Representatives Cody, Harris and Tharinger

AN ACT Relating to assistance with activities of daily living; and amending RCW 18.20.310.

Referred to Committee on Health Care & Wellness.

HB 1672 by Representatives Frame, Sells, Gregerson, Doglio, Stambaugh, Ormsby, Manweller, Dent, Stonier, Steele and J. Walsh

AN ACT Relating to the time period for workers to recover wages under prevailing wage laws; and amending RCW 39.12.015.

Referred to Committee on Labor & Workplace Standards.

HB 1673 by Representatives Doglio, Sells, Gregerson, Ormsby, Macri, Goodman, Frame, Stonier, McBride, Cody and Senn

AN ACT Relating to adding training on public works and prevailing wage requirements to responsible bidder criteria; and amending RCW 39.04.350.

Referred to Committee on Labor & Workplace Standards.

HB 1674 by Representatives Ormsby, Sells, Gregerson, Doglio, Frame, Macri, Goodman, Stonier, McBride, Peterson and Cody

AN ACT Relating to establishing the prevailing rate of wage based on collective bargaining agreements or other methods if collective bargaining agreements are not available; and amending RCW 39.12.015.

Referred to Committee on Labor & Workplace Standards.

HB 1675 by Representatives Sells, Gregerson, Doglio, Frame, Ormsby, Macri, Goodman, Stonier, McBride, Peterson and Cody

AN ACT Relating to improving compliance with prevailing wage procedures; and amending RCW 39.12.050.

Referred to Committee on Labor & Workplace Standards.

HB 1676 by Representatives Sullivan, Hansen, Goodman, Rodne and Shea

AN ACT Relating to crimes involving a dog guide or service animal; amending RCW 9.91.170; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1677 by Representatives Peterson, Pike, Senn, McBride, DeBolt, Macri, Stonier and Riccelli

AN ACT Relating to local government infrastructure funding; amending RCW 43.155.010, 43.155.020, 43.155.030, 43.155.040, 43.155.060, 43.155.065, 43.155.068, 43.155.070, and 43.155.075; reenacting and amending RCW 43.155.050; creating a new section; and providing an expiration date.

Referred to Committee on Capital Budget.

HB 1678 by Representative Pettigrew

AN ACT Relating to allowing multiple terms of community custody to be served concurrently; amending RCW 9.94A.589 and 9.94B.050; adding a new section to chapter 9.94B RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1679 by Representatives Goodman, Klippert, Pettigrew, Chapman and Hayes

AN ACT Relating to issuing a two-year idencard for offenders released from prison facilities; amending RCW 46.20.117 and 46.20.117; adding a new section to chapter 72.09 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1680 by Representatives Goodman, Klippert and Pettigrew

AN ACT Relating to sentencing elements worksheet; amending RCW 9.94A.480 and 9.94A.585; adding a new section to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Public Safety.

HB 1681 by Representatives Appleton, Kirby and Griffey

AN ACT Relating to encouraging the annexation of unincorporated urban growth areas; and amending

RCW 82.14.415, 35.13.182, 35.13.1821, and 35.13.470.

Referred to Committee on Environment.

HB 1682 by Representatives Fitzgibbon and Griffey

AN ACT Relating to actions by the boundary review board; and amending RCW 36.93.150, 36.93.170, and 36.93.180.

Referred to Committee on Local Government.

HB 1683 by Representatives Appleton and Griffey

AN ACT Relating to sewer service within urban growth areas; and amending RCW 36.70A.110.

Referred to Committee on Environment.

HB 1684 by Representatives Santos and Harris

AN ACT Relating to eliminating the innovation in supplemental contracts report to the legislature; and amending RCW 28A.400.200.

Referred to Committee on Education.

HB 1685 by Representatives Santos and Harris

AN ACT Relating to expanding postretirement options for educators, allowing retired teachers to be employed as mentors; amending RCW 41.32.068; and providing an expiration date.

Referred to Committee on Education.

HB 1686 by Representatives Santos and Harris

AN ACT Relating to aligning definitions relating to the transitional bilingual instruction program; and reenacting and amending RCW 28A.180.030.

Referred to Committee on Education.

HB 1687 by Representatives Santos and Harris

AN ACT Relating to eliminating the gangs in schools task force; and repealing RCW 28A.300.490.

Referred to Committee on Education.

HB 1688 by Representatives Santos and Harris

AN ACT Relating to the openly licensed courseware; and amending RCW 28A.300.803.

Referred to Committee on Education.

HB 1689 by Representatives Santos and Harris

AN ACT Relating to adjustments to the student transportation allocation system; and amending RCW 28A.160.150, 28A.160.191, and 28A.160.192.

Referred to Committee on Appropriations.

HB 1690 by Representatives Santos and Harris

AN ACT Relating to the transitional bilingual instruction program reporting date; and amending RCW 28A.180.020.

Referred to Committee on Education.

HB 1691 by Representatives Harris and Santos

AN ACT Relating to removing the expiration date for the teacher and principal evaluation program advisory committee; and amending RCW 28A.405.100.

Referred to Committee on Education.

HB 1692 by Representatives Buys, Sawyer, Chapman, Condotta, Stanford, Lytton, Vick, Blake and Fitzgibbon

AN ACT Relating to agriculture and farming; amending RCW 7.48.310, 7.48.305, and 82.04.213; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1693 by Representatives Griffey and Young

AN ACT Relating to making crimes and threats against persons because of their occupation as a firefighter or emergency responder a hate crime; amending RCW 9A.36.078, 9A.36.080, 9A.46.060, 9A.36.031, and 36.28A.030; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1694 by Representative MacEwen

AN ACT Relating to providing state funding assistance for public school construction; amending RCW 67.70.230, 67.70.044, 28B.76.526, 67.70.240, 67.70.340, 67.70.040, and 43.79.496; adding a new chapter to Title 43 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1695 by Representatives Stokesbary, Springer and Frame

AN ACT Relating to the excise taxation of crowdfunding donations; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12

RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1696 by Representatives Stokesbary and MacEwen

AN ACT Relating to presidential electors; and amending RCW 29A.56.310, 29A.56.320, and 29A.56.340.

Referred to Committee on State Government, Elections & Information Technology.

HB 1697 by Representatives Hudgins, Harmsworth and Manweller

AN ACT Relating to addressing the cybersecurity and information technology professional shortage by studying different incentive methods for attracting high-demand talent in information technology and cybersecurity to state agencies; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1698 by Representatives Kilduff, Muri, Farrell, Riccelli, Robinson, Jinkins and Senn

AN ACT Relating to enhancing public health and safety by implementing emergency preparedness guidance measures related to oil train accidents; adding a new section to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Public Safety.

HB 1699 by Representatives McBride, Peterson and Fitzgibbon

AN ACT Relating to authorizing a person to take a dog to any place of public resort, accommodation, assemblage, or amusement for the purpose of training the dog as a dog guide or service animal; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Judiciary.

HB 1700 by Representatives McBride, Jinkins, Peterson and Fitzgibbon

AN ACT Relating to cremation by biochemical hydrolysis; amending RCW 68.04.020, 68.04.080, 68.04.120, 68.04.170, 68.04.260, 68.04.270, 68.05.175, 68.05.195, 68.05.245, 68.05.390, 68.24.010, 68.24.150, 68.50.108, 68.50.110, 68.50.130, 68.50.140, 68.50.160, 68.50.185, 68.50.240, 68.50.270, 68.64.120, 70.95K.010, 70.95M.090, 73.08.070, 18.39.170, 18.39.217, and 18.39.410; and adding new sections to chapter 68.04 RCW.

Referred to Committee on Business & Financial Services.

HB 1701 by Representatives Lovick, Klippert, Goodman, Kilduff, Sells, Gregerson, Kagi and Senn

AN ACT Relating to lowering the allowed alcohol concentration; amending RCW 46.61.502, 38.38.760, 46.20.308, 46.20.308, 46.20.3101, 46.25.090, 46.61.504, 46.61.506, and 79A.60.040; reenacting and amending RCW 46.61.5055; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1702 by Representatives Dye, Tarleton, Nealey, Fey, Klippert and Young

AN ACT Relating to the authority of port districts to provide telecommunications services; amending RCW 53.08.370; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1703 by Representatives Pollet, Frame and Dolan

AN ACT Relating to comprehensive school safety planning for public and private K-12 schools; amending RCW 28A.320.125, 28A.320.080, 28A.195.010, and 28A.710.040; adding a new section to chapter 28A.525 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Education.

HB 1704 by Representative DeBolt

AN ACT Relating to access to doula services for incarcerated women; adding a new section to chapter 72.09 RCW; and adding a new section to chapter 70.48 RCW.

Referred to Committee on Health Care & Wellness.

HB 1705 by Representative Kirby

AN ACT Relating to flexibility schools and zones; and adding a new chapter to Title 28A RCW.

Referred to Committee on Education.

HB 1706 by Representatives Chandler and Santos

AN ACT Relating to requiring students to pass a civics test as a prerequisite to graduation from high school; and amending RCW 28A.230.170.

Referred to Committee on Education.

HB 1707 by Representatives Stanford and Ormsby

AN ACT Relating to defining salary for purposes of the Washington state patrol retirement system; and amending RCW 43.43.120.

Referred to Committee on Appropriations.

HB 1708 by Representatives Chandler, Ormsby and Stanford

AN ACT Relating to allowing new government employees the option of opting out of retirement system membership if the employee is age sixty or older when first hired, or when the employee's employer opts into retirement plan participation; amending RCW 41.40.023, 41.35.030, and 41.32.032; adding new sections to chapter 41.40 RCW; adding new sections to chapter 41.35 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.50 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1709 by Representatives Chandler, Ormsby and Stanford

AN ACT Relating to transferring public employees' retirement system service credit to the public safety employees' retirement system due to differing definitions of full-time; adding a new section to chapter 41.37 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1710 by Representatives Kretz and Blake

AN ACT Relating to limiting appeals related to the harvest of damaged forest products; amending RCW 79.15.220 and 76.09.205; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1711 by Representatives Kretz, Springer and Pettigrew

AN ACT Relating to prioritizing lands to receive forest health treatments; amending RCW 79.64.020; reenacting and amending RCW 79.64.100; and adding new sections to chapter 79.10 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1712 by Representatives Sawyer and Condotta

AN ACT Relating to establishing an endorsement to the marijuana retailer's license to authorize marijuana delivery services; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Commerce & Gaming.

HB 1713 by Representatives Senn, Dent and Kagi

AN ACT Relating to implementing recommendations from the children's mental health work group; amending RCW 74.09.495, 74.09.520, and 71.24.061; adding a new section to chapter 74.09 RCW; adding a new section to chapter 43.215 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28B.30 RCW; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 71.24 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1714 by Representatives Cody, Doglio, Ryu, Pollet, Peterson, McBride, Wylie, Stonier, Goodman, Sawyer, Bergquist, Gregerson, Sullivan, Lytton, Tharinger, Chapman, Lovick, Senn, Hansen, Sells, Frame, Fitzgibbon, Riccelli, Macri, Jinkins, Dolan, Stanford, Orwall, Ortiz-Self, Farrell, Slatter, Tarleton, Clibborn, Fey, Kilduff, Reeves, Pettigrew, Appleton, Robinson, Blake, Ormsby, Pellicciotti, Kloba and Hudgins

AN ACT Relating to nursing staffing practices at hospitals; amending RCW 70.41.420; adding new sections to chapter 70.41 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1715 by Representatives Riccelli, Gregerson, McBride, Stonier, Wylie, Pollet, Cody, Ryu, Goodman, Morris, Fitzgibbon, Sullivan, Lytton, Tharinger, Chapman, Peterson, Lovick, Senn, Hansen, Sells, Frame, Doglio, Bergquist, Sawyer, Macri, Jinkins, Dolan, Stanford, Orwall, Ortiz-Self, Farrell, Slatter, Tarleton, Springer, Fey, Kilduff, Reeves, Pettigrew, Appleton, Robinson, Blake, Kagi, Ormsby, Pellicciotti, Kloba and Hudgins

AN ACT Relating to meal and rest breaks and mandatory overtime for certain health care employees; amending RCW 49.28.130 and 49.28.140; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1716 by Representatives Hudgins and Manweller

AN ACT Relating to creating the construction registration inspection account as a dedicated account to fund contractor registration and compliance, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, elevators, lifting devices, and moving walks; amending RCW 70.87.210; adding a

new section to chapter 18.27 RCW; adding a new section to chapter 43.22 RCW; adding a new section to chapter 51.44 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

HB 1717 by Representatives Smith, Morris, Harmsworth, DeBolt and Hudgins

AN ACT Relating to state agency collection, use, and retention of biometric identifiers; and adding a new chapter to Title 40 RCW.

Referred to Committee on Technology & Economic Development.

HB 1718 by Representatives Jenkin, Kirby, Barkis, Vick, Stanford, Nealey, Springer and Fey

AN ACT Relating to creating a special permit for certain wine auctions; and reenacting and amending RCW 66.20.010.

Referred to Committee on Commerce & Gaming.

HB 1719 by Representatives Lovick, Dent, Kagi, Senn and Frame

AN ACT Relating to updating certain department of early learning advising and contracting mechanisms to reflect federal requirements, legislative mandates, and planned system improvements; and amending RCW 43.215.090 and 43.215.130.

Referred to Committee on Early Learning & Human Services.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 24, 2017
HB 1107 Prime Sponsor, Representative Halder: Eliminating the term "branch" as an identifying factor for extensions of the public institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Halder; Orwall; Sells and Stambaugh.

Referred to Committee on Rules for second reading.

January 23, 2017
HB 1116 Prime Sponsor, Representative Robinson: Implementing family and medical leave insurance. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

January 24, 2017
HB 1129 Prime Sponsor, Representative Halder: Providing associate degree education to enhance education opportunities and public safety. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Halder; Orwall; Sells and Stambaugh.

Referred to Committee on Appropriations.

January 24, 2017
HB 1137 Prime Sponsor, Representative Kirby: Defining independent contractor relationships in the context of real estate licensing. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

January 25, 2017
HB 1150 Prime Sponsor, Representative DeBolt: Clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson and Schmick.

Referred to Committee on Rules for second reading.

January 24, 2017

HJM 4001 Prime Sponsor, Representative Sawyer:
Concerning the coordination of legislation
and regulations to increase the portability
of occupational credentials between
Washington, Oregon, and California.
Reported by Committee on Business &
Financial Services

MAJORITY recommendation: Do pass. Signed by
Representatives Kirby, Chair; Reeves, Vice Chair; Vick,
Ranking Minority Member; Walsh, J., Assistant
Ranking Minority Member; Barkis; Bergquist; Blake;
Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

There being no objection, the bills and memorial listed
on the day's committee reports under the fifth order of
business were referred to the committees so designated.

There being no objection, the House advanced to the
eleventh order of business.

COMMITTEE APPOINTMENT

The Speaker (Representative Orwall presiding)
announced the following committee appointment:

Representative Liz Pike was appointed to the Committee
on Local Government, replacing Representative Jim Walsh.

There being no objection, the House adjourned until
9:55 a.m., January 27, 2017, the 19th Day of the Regular
Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

NINETEENTH DAY

House Chamber, Olympia, Friday, January 27, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1720 by Representative Shea

AN ACT Relating to rental agreement terms and content under the manufactured/mobile home landlord-tenant act; and amending RCW 59.20.090.

Referred to Committee on Judiciary.

HB 1721 by Representatives Cody, Haler, Muri, Goodman and Jinkins

AN ACT Relating to obtaining required clinical experience for licensed practical nurses who complete a nontraditional registered nurse program; and repealing RCW 18.79.380.

Referred to Committee on Health Care & Wellness.

HB 1722 by Representatives Kirby and Vick

AN ACT Relating to wholesale vehicle dealers; amending RCW 46.70.005, 46.70.011, 46.70.023, 46.70.027, and 46.70.070; creating a new section; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Business & Financial Services.

HB 1723 by Representatives Haler, Riccelli, Sells, Gregerson, Ormsby, Doglio and Pollet

AN ACT Relating to the presumption of occupational disease for certain employees at the United States department of energy Hanford site; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1724 by Representative Klippert

AN ACT Relating to the minimum wage; amending RCW 49.46.020; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

HB 1725 by Representatives Koster, Blake, Shea, Irwin, Taylor, Volz, Chapman and Buys

AN ACT Relating to establishing an exemption from background check requirements for firearms sales or transfers between concealed pistol license holders; and amending RCW 9.41.113.

Referred to Committee on Judiciary.

HB 1726 by Representatives Koster, Stanford, Dent, Irwin, McDonald, Hayes, Short and Pettigrew

AN ACT Relating to impacts from wildlife damage; adding a new section to chapter 77.36 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1727 by Representatives Dolan, Hudgins, Bergquist, Macri, Clibborn, Gregerson, Pettigrew, Riccelli, Orwall, Ryu, Kloba, Lovick, Fey, Lytton, Goodman, Doglio, Jinkins, Cody, Ortiz-Self, Stanford, Frame, Tharinger, Tarleton, Pollet and Slatter

AN ACT Relating to extending in-person voter registration; and amending RCW 29A.08.140.

Referred to Committee on State Government, Elections & Information Technology.

HB 1728 by Representatives Sawyer, Smith, Caldier, Jinkins, Fey, Kloba, Ortiz-Self, Stanford and Frame

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

Referred to Committee on Judiciary.

HB 1729 by Representatives Manweller, McCabe, Condotta and Pike

AN ACT Relating to improving workers' compensation system costs and administration and worker outcomes through modification of procedures for claims to self-insureds, clarification of recovery in third-party legal actions, clarification of occupational disease claims, and lowering age barriers for structured settlements; amending RCW 51.24.030, 51.24.050, 51.24.060, 51.08.140, 51.32.180, 51.28.055, 51.04.063, 51.14.130, and 51.12.010; adding a new section to chapter 51.52 RCW; and creating new sections.

Referred to Committee on Labor & Workplace Standards.

HB 1730 by Representatives Jinkins, Appleton, Fey, Frame, Tharinger, Tarleton and Pollet

AN ACT Relating to enacting an excise tax on capital gains to improve the fairness of Washington's tax system and provide funding for the education legacy trust account; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 82 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Finance.

HB 1731 by Representatives Jinkins, Rodne, Senn, Stokesbary and Tharinger

AN ACT Relating to background checks for firearms sales or transfers, but only with respect to clarifying that the term firearm does not include flare guns and construction tools, clarifying that the term transfer does not include transfers between an employer and employee for lawful purposes in the ordinary course of business, expanding the family member exemption to include loans and parents-in-law and siblings-in-law, providing an exemption for temporary transfers for the purpose of preventing suicide or self-inflicted great bodily harm, and providing an exemption for temporary transfers where the transferee and the firearm are in the presence of the transferor; and amending RCW 9.41.010 and 9.41.113.

Referred to Committee on Judiciary.

HB 1732 by Representatives Springer and Bergquist

AN ACT Relating to confidentiality of educator professional growth plans; and amending RCW 42.56.250.

Referred to Committee on Education.

HB 1733 by Representatives Springer and Muri

AN ACT Relating to technical college high school diploma programs; and amending RCW 28B.50.535.

Referred to Committee on Higher Education.

HB 1734 by Representatives Lovick, Hargrove, Stonier, Muri, Ortiz-Self and Pollet

AN ACT Relating to reimbursement for substitute teachers participating in activities of the Washington state professional educator standards board to carry out its powers and duties; and amending RCW 28A.300.035.

Referred to Committee on Education.

HB 1735 by Representatives Lovick, Senn, Kagi, Frame, Stokesbary, Jinkins, Goodman and Slatter

AN ACT Relating to the department of early learning's access to records and personal information for purposes of determining character and suitability of child care workers and individuals who have unsupervised access to children in child care settings; amending RCW 13.50.100, 26.44.100, 43.215.200, and 74.04.060; and reenacting and amending RCW 43.43.832 and 43.215.215.

Referred to Committee on Early Learning & Human Services.

HB 1736 by Representatives Dye, Goodman, Dent, Koster, Griffey, Blake, Springer, Orwall, Kretz, Tharinger and Tarleton

AN ACT Relating to the establishment of a premobilization assistance program to assist local fire suppression entities on the initial attack of a wildland fire; amending RCW 43.43.960; reenacting and amending RCW 43.43.960; adding new sections to chapter 43.43 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1737 by Representatives Volz, Lovick, Holy, Pollet, Kraft, Koster, McCaslin, Haler, Hudgins, Stambaugh, Reeves, Kilduff, Tarleton, Irwin, Steele, J. Walsh, Shea, Stanford, Jinkins, Muri and Slatter

AN ACT Relating to veterans' mental health services at institutions of higher education; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Appropriations.

HB 1738 by Representatives Doglio, Jenkin and Tarleton

AN ACT Relating to continuing to protect water quality by aligning state brake friction material restrictions with the requirements of a similar nationwide agreement; and amending RCW 70.285.030 and 70.285.050.

Referred to Committee on Environment.

HB 1739 by Representatives Gregerson, Goodman, Peterson, Orwall, Kilduff, Harris, Ryu, Ortiz-Self, Lovick, Sells, Stonier, Clibborn, Dolan, Sawyer, Stanford and Jinkins

AN ACT Relating to the crime victims' compensation program; amending RCW 7.68.020, 7.68.030, and 7.68.070; and reenacting and amending RCW 7.68.080.

Referred to Committee on Labor & Workplace Standards.

HB 1740 by Representatives McBride, Fey and Jinkins

AN ACT Relating to using the state environmental policy act to encourage development that is consistent with forward-looking growth plans; and amending RCW 43.21C.420 and 36.70A.490.

Referred to Committee on Environment.

HB 1741 by Representatives Slatter, Hargrove, Dolan, Stonier, Senn, Ortiz-Self, Jinkins, Tarleton, Pollet and Santos

AN ACT Relating to educator preparation data for use by the professional educator standards board; amending RCW 28B.77.100; and creating a new section.

Referred to Committee on Higher Education.

HB 1742 by Representatives Stambaugh, Fey, Orcutt, Riccelli, McDonald and Jinkins

AN ACT Relating to modifying the motor vehicle transporter's license to accommodate automotive repair facilities; amending RCW 46.76.040, 46.76.060, and 46.76.065; adding a new section to chapter 46.76 RCW; adding a new section to chapter 46.71 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1743 by Representatives Goodman, Stambaugh, Kagi, Klippert, Kilduff, Dent, Senn, Orwall, Appleton, Jinkins and Frame

AN ACT Relating to confinement in juvenile rehabilitation facilities for juveniles convicted in adult court; amending RCW 72.01.410; and creating new sections.

Referred to Committee on Early Learning & Human Services.

HB 1744 by Representatives McBride, Macri, Kirby, Kilduff, Fey, Ortiz-Self and Goodman

AN ACT Relating to the use of perfluorinated chemicals in food packaging; amending RCW 70.95G.010, 70.95G.030, and 70.95G.040; and adding a new section to chapter 70.95G RCW.

Referred to Committee on Environment.

HB 1745 by Representatives Taylor and Shea

AN ACT Relating to establishing categorical exemptions in the state environmental policy act for development proposals that are consistent with locally adopted land use and shoreline regulations; adding new sections to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environment.

HB 1746 by Representatives Taylor, Volz and Shea

AN ACT Relating to interest rate and penalty provisions in the current use program; amending RCW 84.34.070; reenacting and amending RCW 84.34.108; and creating a new section.

Referred to Committee on Finance.

HB 1747 by Representatives Taylor, McCaslin, Volz, Young and Shea

AN ACT Relating to the withdrawal of land from a designated classification; and amending RCW 84.34.070.

Referred to Committee on Finance.

HB 1748 by Representatives Chandler and Johnson

AN ACT Relating to modifying provisions within the growth management act to improve affordable housing opportunities in rural communities; and amending RCW 36.70A.030 and 36.70A.070.

Referred to Committee on Environment.

HB 1749 by Representatives Taylor and Shea

AN ACT Relating to repealing growth management planning requirements in chapter 36.70A RCW; creating new sections; and repealing RCW 36.70A.010, 36.70A.011, 36.70A.020, 36.70A.030, 36.70A.035, 36.70A.040, 36.70A.045, 36.70A.050, 36.70A.060, 36.70A.070, 36.70A.080, 36.70A.085, 36.70A.090, 36.70A.100, 36.70A.103, 36.70A.106, 36.70A.108, 36.70A.110, 36.70A.115, 36.70A.120, 36.70A.130, 36.70A.131, 36.70A.140, 36.70A.150, 36.70A.160, 36.70A.165, 36.70A.170, 36.70A.171, 36.70A.172, 36.70A.175, 36.70A.177, 36.70A.180, 36.70A.190, 36.70A.200, 36.70A.210, 36.70A.215, 36.70A.250, 36.70A.252, 36.70A.260, 36.70A.270, 36.70A.280, 36.70A.290, 36.70A.295, 36.70A.300, 36.70A.302, 36.70A.305, 36.70A.310, 36.70A.320, 36.70A.3201, 36.70A.330, 36.70A.335, 36.70A.340, 36.70A.345, 36.70A.350, 36.70A.360, 36.70A.362, 36.70A.365, 36.70A.367, 36.70A.368, 36.70A.370, 36.70A.380, 36.70A.385, 36.70A.390, 36.70A.400, 36.70A.410,

36.70A.420, 36.70A.430, 36.70A.450, 36.70A.460, 36.70A.470, 36.70A.480, 36.70A.481, 36.70A.490, 36.70A.500, 36.70A.510, 36.70A.520, 36.70A.530, 36.70A.540, 36.70A.550, 36.70A.570, 36.70A.695, 36.70A.700, 36.70A.702, 36.70A.703, 36.70A.705, 36.70A.710, 36.70A.715, 36.70A.720, 36.70A.725, 36.70A.730, 36.70A.735, 36.70A.740, 36.70A.745, 36.70A.750, 36.70A.755, 36.70A.760, 36.70A.800, 36.70A.900, 36.70A.901, 36.70A.902, 36.70A.903, and 36.70A.904.

Referred to Committee on Environment.

HB 1750 by Representatives Taylor, Volz and Shea

AN ACT Relating to tax exemptions for properties owned by nonprofit entities used for low-income housing; and amending RCW 84.36.560.

Referred to Committee on Finance.

HB 1751 by Representatives Farrell and Goodman

AN ACT Relating to allowing fire protection district annexations and mergers within a reasonable geographic proximity and eliminating cross-county restrictions for annexations to a fire protection district; and amending RCW 52.04.061, 52.04.071, 52.04.081, 52.04.091, 52.04.101, 52.04.111, 52.04.121, 52.04.131, 52.04.171, and 52.06.010.

Referred to Committee on Local Government.

HB 1752 by Representatives Santos, Johnson and Ortiz-Self

AN ACT Relating to supporting the development of affordable housing in urban areas; amending RCW 43.63A.510, 28A.335.120, 28A.335.130, 43.19.19201, 43.20A.035, 47.12.063, 47.12.064, 53.08.090, 53.08.091, 72.09.055, 79.11.005, 79A.05.170, 79A.05.175, and 81.112.080; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.34 RCW; adding new sections to chapter 43.185 RCW; adding a new section to chapter 28A.335 RCW; and repealing RCW 43.20A.037.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1753 by Representatives Cody and Jinkins

AN ACT Relating to integrating the treatment systems for mental health and substance use disorders; amending RCW 70.96A.140; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1754 by Representatives Klippert and Hayes

AN ACT Relating to sex offender treatment based on the offender's risk to reoffend; and amending RCW 72.09.335.

Referred to Committee on Public Safety.

HB 1755 by Representative Manweller

AN ACT Relating to notice to state fund employers for certain workers' compensation third-party settlements; and amending RCW 51.24.090.

Referred to Committee on Labor & Workplace Standards.

HB 1756 by Representatives Manweller and Tarleton

AN ACT Relating to career and technical education; amending RCW 28A.150.410, 28A.660.040, 28A.700.010, and 41.59.020; adding a new section to chapter 28A.250 RCW; and adding a new section to chapter 28B.102 RCW.

Referred to Committee on Education.

HB 1757 by Representatives Hayes and Pellicciotti

AN ACT Relating to transient accommodations contaminated by methamphetamine; and amending RCW 64.44.005, 64.44.010, and 64.44.060.

Referred to Committee on Environment.

HB 1758 by Representatives Senn, Ryu, Kraft, Springer, Kagi, Farrell, Pollet, Griffey, Caldier and Jinkins

AN ACT Relating to supporting the business of child care; adding new sections to chapter 43.215 RCW; adding a new section to chapter 28C.18 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1759 by Representatives Ortiz-Self, Orwall, Gregerson and Jinkins

AN ACT Relating to procedures for communicating with crime victims and survivors of crime victims; adding a new section to chapter 7.69 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1760 by Representatives Blake, Orcutt, Chapman and Buys

AN ACT Relating to off-site mitigation for projects permitted under chapter 77.55 RCW; and amending RCW 77.55.241, 77.55.231, and 77.55.251.

Referred to Committee on Agriculture & Natural Resources.

HB 1761 by Representatives Stokesbary, Griffey, Hayes, Klippert, Irwin, Graves, Hargrove and Rodne

AN ACT Relating to safe injection sites in Washington state; amending RCW 70.05.010, 70.05.060, 70.05.070, and 70.05.130; adding new sections to chapter 70.05 RCW; and providing for submission of this act to a vote of the people.

Referred to Committee on Health Care & Wellness.

HB 1762 by Representatives Kirby and Johnson

AN ACT Relating to the performance of personal services by members of the liquor industry to retailers; and amending RCW 66.28.310.

Referred to Committee on Commerce & Gaming.

HB 1763 by Representatives Robinson, Wylie, Jinkins, Ortiz-Self, Sells, Orcutt, Dolan, Pollet, Wilcox, Springer, Kretz, Kloba, Senn, Tharinger, Kilduff and Santos

AN ACT Relating to modifying the property tax exemption for property used to provide housing for eligible persons with developmental disabilities; amending RCW 84.36.042; and creating a new section.

Referred to Committee on Finance.

HB 1764 by Representatives Lytton, Koster, Springer, Nealey, Senn, Harris, Kloba, Frame, Tharinger, Tarleton and Slatter

AN ACT Relating to replacing the one percent property tax revenue limit with a limit tied to cost drivers; amending RCW 84.55.005; creating new sections; and repealing RCW 84.55.0101.

Referred to Committee on Finance.

HB 1765 by Representatives Irwin, Koster, Volz, Kraft, Stokesbary and Kloba

AN ACT Relating to donations to the prescription drug donation program; amending RCW 69.70.020; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1766 by Representatives Jinkins, Schmick, Cody, Ormsby and Tharinger

AN ACT Relating to the hospital safety net assessment; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.090, 74.60.100, 74.60.120, 74.60.130, 74.60.150, 74.60.160, 74.60.901, and 74.60.902; adding a new section to chapter 74.60 RCW;

providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1767 by Representatives Kraft, Johnson, Dolan, Griffey, Harris, Volz, McCaslin, Frame, Vick, Senn and J. Walsh

AN ACT Relating to notifying substitute teachers of complaints about the performance of their professional duties; and adding a new section to chapter 28A.405 RCW.

Referred to Committee on Education.

HB 1768 by Representatives Stambaugh, Holy, Bergquist and Haler

AN ACT Relating to the Washington open educational resources pilot grant program at the state universities, regional universities, and The Evergreen State College; creating new sections; and providing an expiration date.

Referred to Committee on Appropriations.

HB 1769 by Representatives Goodman, Hayes, Pellicciotti, Pettigrew, Orwall and Chapman

AN ACT Relating to supporting law enforcement's efforts to implement the recommendations of the joint legislative task force on the use of deadly force in community policing; amending RCW 43.101.427, 3.50.100, 3.62.040, 7.68.035, 10.82.070, 10.82.090, 10.105.010, 35.20.220, 36.18.020, 36.18.025, 41.26.800, 43.08.250, 43.17.150, 46.63.110, 46.64.055, and 77.12.201; reenacting and amending RCW 3.62.020, 36.18.012, and 43.84.092; adding new sections to chapter 36.28A RCW; adding a new section to chapter 43.10 RCW; adding a new section to chapter 70.48 RCW; adding new sections to chapter 43.101 RCW; adding a new section to chapter 43.330 RCW; and creating new sections.

Referred to Committee on Public Safety.

HB 1770 by Representatives Harmsworth, Orcutt, Hayes, Shea, Young, Kloba, Koster and Stanford

AN ACT Relating to transportation benefit district boundaries including whole parcels; and amending RCW 36.73.020.

Referred to Committee on Transportation.

HB 1771 by Representatives Jinkins, Harris, Cody and Tharinger

AN ACT Relating to doctors of medical science; adding new sections to chapter 18.71 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1772 by Representatives Appleton, Johnson, Tharinger, Jinkins, Harris, Goodman and Santos

AN ACT Relating to increasing the personal needs allowance for persons receiving state-financed care; adding a new section to chapter 74.09 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1739 which was referred to the Committee on Public Safety.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 25, 2017

HB 1081 Prime Sponsor, Representative Kirby: Authorizing funeral planning and funeral services as noninsurance benefits under group life and disability insurance policies. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

January 25, 2017

HB 1095 Prime Sponsor, Representative Appleton: Concerning antifreeze products. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

January 24, 2017

HB 1130 Prime Sponsor, Representative Halder: Making the customized training program permanent. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells and Stambaugh.

Referred to Committee on Rules for second reading.

January 25, 2017

HB 1148 Prime Sponsor, Representative Walsh, J.: Extending the expiration date for reporting requirements on timber purchases. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson and Schmick.

Referred to Committee on Rules for second reading.

January 25, 2017

HB 1189 Prime Sponsor, Representative Short: Concerning exemptions from the massage therapy law. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Short; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

January 25, 2017

HB 1198 Prime Sponsor, Representative Harris: Concerning substance abuse monitoring for podiatric physicians and surgeons. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Short; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

January 25, 2017

HB 1373 Prime Sponsor, Representative Bergquist: Concerning the means of communication between a buyer or lessee and an auto dealer during the "bushing" period. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., January 30, 2017, the 22nd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

TWENTY SECOND DAY

House Chamber, Olympia, Monday, January 30, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1773 by Representatives Pettigrew, Robinson and Blake

AN ACT Relating to device registration, civil penalties, and service agent registration for the weights and measures program; amending RCW 19.94.010, 19.94.160, 19.94.175, 19.94.175, 19.94.195, 19.94.205, 19.94.216, 19.94.258, 19.94.2582, 19.94.2584, 19.94.325, 19.94.340, 19.94.350, 19.94.410, 19.94.430, 19.94.490, 19.94.500, 19.94.510, 19.94.515, and 19.94.517; repealing RCW 19.94.165; prescribing penalties; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1774 by Representatives Griffey, MacEwen, Pike, Blake, J. Walsh, Dent and Holy

AN ACT Relating to new development outside of urban growth boundaries; amending RCW 36.70A.280 and 36.70A.280; adding a new section to chapter 36.70A RCW; adding a new section to chapter 36.70B RCW; adding a new section to chapter 36.70C RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1775 by Representatives Van Werven, Shea, McCabe, Hargrove, Short, Koster, Buys, McCaslin, Volz, Kraft, Barkis, Rodne, MacEwen, Klippert, McDonald, Young, Pike, Holy and Muri

AN ACT Relating to enacting the Washington pain capable unborn child protection act; amending RCW 9.02.170, 9.02.100, 9.02.110, and 9.02.900; adding new sections to chapter 9.02 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1776 by Representatives Van Werven, Shea, Young, Koster, Hargrove, Taylor, Smith and Rodne

AN ACT Relating to the use of potassium chloride or digoxin in medical procedures; and adding a new section to chapter 9.02 RCW.

Referred to Committee on Health Care & Wellness.

HB 1777 by Representatives Kagi, Johnson, Doglio, Dent, Ryu, MacEwen, Senn, Farrell, Nealey, Ortiz-Self, McBride, Macri, Fey, Slatter and Jinkins

AN ACT Relating to financing early learning facilities to support the needed expansion of early learning classrooms across Washington; adding new sections to chapter 43.31 RCW; and creating new sections.

Referred to Committee on Early Learning & Human Services.

HB 1778 by Representatives Stonier, Dolan, Orwall, Peterson, Sawyer, Doglio, Gregerson, Harris, Stanford, Chapman, Kloba, Riccelli, Kilduff, Robinson, Lytton, Fitzgibbon, Ortiz-Self, Kagi, Hudgins, Ryu, McBride, Farrell, Macri, Ormsby, Bergquist, Fey, Frame, Slatter, Jinkins, Santos and Pollet

AN ACT Relating to school district elections; amending RCW 28A.535.020, 28A.535.050, 84.52.056, 39.36.020, and 28A.530.020; and providing a contingent effective date.

Referred to Committee on Education.

HB 1779 by Representatives Muri, Gregerson, Orwall, Riccelli, Kilduff, Hudgins, Fitzgibbon, Appleton, McBride, Sells, Ormsby, Bergquist, Fey, Slatter, Jinkins and Santos

AN ACT Relating to approval of school district bonds and bond levies at general elections; amending RCW 28A.535.020, 28A.535.050, 84.52.056, 39.36.020, and 28A.530.020; and providing a contingent effective date.

Referred to Committee on Education.

HB 1780 by Representatives Kirby and Manweller

AN ACT Relating to employment laws regarding transportation contractors, including the definition of "truck"; and amending RCW 51.08.180.

Referred to Committee on Labor & Workplace Standards.

HB 1781 by Representatives Kloba, Lovick and Macri

AN ACT Relating to school composting and recycling; and adding a new section to chapter 28A.150 RCW.

Referred to Committee on Education.

HB 1782 by Representatives Stonier, Harris, Cody, Schmick and Caldier

AN ACT Relating to dental laboratories; adding new sections to chapter 18.32 RCW; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1783 by Representatives Holy, Goodman, Hansen, Hayes, Stokesbary, Senn, Orwall, Kagi, Appleton, Kilduff, Rodne, Jinkins, Taylor, Shea, Tharinger, Frame, Fitzgibbon, Bergquist, Fey, Macri, Ryu, Doglio, Pellicciotti, Peterson, Santos, Reeves, Kloba, Robinson, Stanford, Hudgins, McBride, Ormsby and Pollet

AN ACT Relating to legal financial obligations; amending RCW 10.82.090, 3.50.100, 3.62.040, 35.20.220, 10.01.160, 10.01.170, 10.01.180, 10.46.190, 10.64.015, 9.92.070, 10.73.160, 9.94A.6333, 9.94A.760, 9.94B.040, 3.62.085, 36.18.020, 43.43.7541, and 7.68.035; reenacting and amending RCW 3.62.020; adding a new section to chapter 2.56 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1784 by Representatives Smith, Kagi, Hayes, Lytton and Macri

AN ACT Relating to creation of a certified child safety policy; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Early Learning & Human Services.

HB 1785 by Representatives Hudgins, Dolan and Jinkins

AN ACT Relating to standardizing the administration of elections; amending RCW 29A.36.111, 29A.60.235, and 29A.12.060; adding a new section to chapter 29A.36 RCW; adding a new section to chapter 29A.40 RCW; adding a new section to chapter 29A.08 RCW; adding a new section to chapter 29A.12 RCW; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

HB 1786 by Representatives Appleton, Kraft, Doglio, Hudgins and Ormsby

AN ACT Relating to increasing membership of the state interoperability executive committee in order to foster interoperability; and amending RCW 43.105.331 and 43.105.020.

Referred to Committee on State Government, Elections & Information Technology.

HB 1787 by Representatives Hudgins, Koster, Appleton, Doglio, Kraft and Ormsby

AN ACT Relating to oversight of the state procurement and contracting for information technology goods and services; and amending RCW 39.26.005, 39.26.010, 39.26.050, 39.26.060, 39.26.080, 39.26.090, 39.26.110, 39.26.130, 39.26.140, and 39.26.180.

Referred to Committee on State Government, Elections & Information Technology.

HB 1788 by Representatives Hargrove, Muri, McCaslin and Volz

AN ACT Relating to no required psychotropic medication use for students; amending RCW 26.44.050; and adding a new section to chapter 28A.320 RCW.

Referred to Committee on Education.

HB 1789 by Representatives Jinkins, Pettigrew, Frame, Stambaugh, Ortiz-Self, Fitzgibbon, Macri, Ormsby and Gregerson

AN ACT Relating to rehabilitated offenders; amending RCW 9.95.425, 9.95.430, 9.95.435, 9.95.440, 9.94A.533, and 9.94A.6332; adding a new section to chapter 9.94A RCW; adding a new chapter to Title 9 RCW; and creating new sections.

Referred to Committee on Public Safety.

HB 1790 by Representatives Lovick, Dent, Kagi, Frame and Jinkins

AN ACT Relating to dependency petitions where the department of social and health services is the petitioner; and amending RCW 13.34.040.

Referred to Committee on Early Learning & Human Services.

HB 1791 by Representatives Senn, Dent, Kagi, Doglio, Stanford, McBride, Ormsby, Fey and Jinkins

AN ACT Relating to authorizing the department of social and health services to assess and offer services to child sex trafficking victims; and amending RCW 74.13.031.

Referred to Committee on Early Learning & Human Services.

HB 1792 by Representatives Kagi and Ormsby

AN ACT Relating to investigative costs for residential services and supports programs; adding new sections to chapter 71A.12 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Early Learning & Human Services.

HB 1793 by Representatives Senn, Taylor, Pettigrew, Rodne, Gregerson and Ormsby

AN ACT Relating to increasing academic rigor and streamlining assessment requirements for high school students; amending RCW 28A.230.090, 28A.305.130, 28A.655.068, 28A.655.070, 28A.320.195, and 28A.700.080; adding new sections to chapter 28A.655 RCW; adding a new section to chapter 28A.300 RCW; creating a new section; repealing RCW 28A.655.061, 28A.655.063, 28A.655.065, and 28A.655.066; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

HB 1794 by Representatives Klippert and Jinkins

AN ACT Relating to the death investigations account; and amending RCW 43.103.090.

Referred to Committee on Appropriations.

HB 1795 by Representatives Kloba, Farrell, Stambaugh, Stokesbary, Fitzgibbon, Doglio, Stanford and McBride

AN ACT Relating to the Cooper Jones bicyclist safety advisory council; adding a new section to chapter 43.59 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Transportation.

HB 1796 by Representatives Farrell, Kilduff, Doglio, Robinson, Stanford, Hudgins, McBride, Macri, Ormsby, Frame, Slatter, Jinkins and Pollet

AN ACT Relating to providing reasonable accommodations in the workplace for pregnant women; amending RCW 49.60.230; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1797 by Representatives McBride, Kloba, Springer, Robinson, Macri, Frame, Doglio, Chapman, Farrell, Sells, Fey, Senn, Jinkins, Gregerson and Pollet

AN ACT Relating to encouraging affordable housing development and preservation by providing cities limited sales tax remittance for qualifying investments, providing cities and counties authority to use real estate excise taxes to support affordable housing, and providing cities and counties with councilmanic authority to impose the affordable housing sales tax; amending RCW 82.46.010, 82.46.035, and 82.14.530; adding a new section to chapter 82.46 RCW; and adding a new chapter to Title 82 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1798 by Representatives McBride, Gregerson, Robinson, Appleton, Ormsby, Macri, McDonald, Orwall, Reeves, Kagi, Sells, Bergquist and Pollet

AN ACT Relating to the sale of manufactured/mobile home communities; amending RCW 59.20.030, 82.45.010, and 82.45.060; adding new sections to chapter 59.20 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1799 by Representatives Tharinger, Short, Lytton, MacEwen, Chapman, Orcutt, Buys, J. Walsh, Taylor, Shea, Blake, Smith and McCabe

AN ACT Relating to utilizing cooperative agreements with the federal government, such as good neighbor agreements with the United States forest service, to advance forest health in Washington; amending RCW 76.06.150 and 76.06.020; creating new sections; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1800 by Representatives Gregerson, Hudgins, Ortiz-Self, Peterson, Orwall, Springer, Lovick, Sells, Stonier, Clibborn, Dolan, McBride, Ryu, Goodman, Macri, Senn, Cody, Hansen, Bergquist, Slatter, Frame, Sawyer, Kloba, Stanford, Pollet, Doglio, Robinson, Wylie, Kagi, Jinkins, Sullivan, Appleton, Fitzgibbon, Ormsby, Reeves, Morris, Tharinger, Fey, Pellicciotti, Pettigrew, Haler, Kilduff and Farrell

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections, requiring redistricting and new elections in certain

circumstances, and establishing a cause of action to redress lack of voter opportunity; amending RCW 36.32.020, 53.12.010, 54.12.010, and 29A.76.010; adding a new section to chapter 28A.343 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 52.14 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 1801 by Representatives Hayes, Orwall, Smith and Gregerson

AN ACT Relating to city use of state-owned aquatic lands for a publicly owned marina; and amending RCW 79.105.620.

Referred to Committee on Environment.

HB 1802 by Representatives Reeves, Springer, Kilduff, Farrell, Appleton, Stonier, Stanford, Kloba, Frame, Ryu, Tharinger, Pellicciotti, Macri, Chapman, Fitzgibbon, Jinkins, Orwall, Doglio, Lovick, Riccelli, Peterson, Gregerson, Blake, Ortiz-Self, Ormsby, Bergquist, Fey and Pollet

AN ACT Relating to increasing the access of veterans, military service members, and military spouses to shared leave in state employment; and amending RCW 41.04.665 and 41.04.685.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1803 by Representative Kirby

AN ACT Relating to motorcycle helmet use; and amending RCW 46.37.530 and 46.30.020.

Referred to Committee on Transportation.

HB 1804 by Representatives Kirby and Ormsby

AN ACT Relating to financial responsibility insurance requirements with respect to motorcycles, motor-driven cycles, and mopeds; and amending RCW 46.30.020 and 46.37.530.

Referred to Committee on Business & Financial Services.

HB 1805 by Representatives Farrell, McBride, Peterson, Stanford, Goodman, Fitzgibbon, Bergquist, Macri, Doglio, Hudgins, Reeves, Ormsby, Frame, Jinkins and Pollet

AN ACT Relating to beginning to address the issue of contaminated drinking water stemming from the lead content in drinking water infrastructure, including pipes, connections, and fixtures; reenacting and

amending RCW 43.155.050; and adding a new section to chapter 70.119A RCW.

Referred to Committee on Environment.

HB 1806 by Representatives Pellicciotti, Lovick, Dolan, Goodman, Stanford, Riccelli, Ryu, Bergquist, Kilduff, Pollet, Sells, Orwall, Robinson, Stonier, Macri, Clibborn, Pettigrew, Chapman, Gregerson, McBride, Tharinger, Fitzgibbon, Wylie, Sawyer, Appleton, Doglio, Hudgins, Farrell, Ormsby, Senn, Fey, Frame and Jinkins

AN ACT Relating to increasing monetary penalties for crimes committed by corporations; amending RCW 10.01.100; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1807 by Representatives Pellicciotti, Hudgins, Riccelli, Orwall, Kirby, Macri, Pollet, Appleton, Wylie, Fitzgibbon, Sawyer, Frame, Lovick, Reeves, Slatter, Chapman, Ryu, Kagi, Doglio, Ortiz-Self, McBride, Farrell, Ormsby and Bergquist

AN ACT Relating to increasing transparency of contributions by creating the Washington state DISCLOSE act of 2017; amending RCW 42.17A.235 and 42.17A.240; reenacting and amending RCW 42.17A.005; adding new sections to chapter 42.17A RCW; and creating new sections.

Referred to Committee on State Government, Elections & Information Technology.

HB 1808 by Representatives Clibborn, McDonald, Kagi, Caldier, Senn, Graves, Lovick, Dent, McBride, Farrell, Wylie, Slatter, Macri, Doglio, Robinson, Ortiz-Self, Ormsby, Sells, Fey, Frame, Muri, Riccelli, Springer, Jinkins, Gregerson, Stanford and Pollet

AN ACT Relating to providing support for foster youth in obtaining drivers' licenses and automobile liability insurance; adding a new section to chapter 74.13 RCW; and making an appropriation.

Referred to Committee on Transportation.

HB 1809 by Representatives Fey, Orcutt and McBride

AN ACT Relating to tax credits for clean alternative fuel commercial vehicles; amending RCW 82.16.0496; reenacting and amending RCW 82.04.4496; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1810 by Representatives Cody, Graves and Macri

AN ACT Relating to obligations of mental health professionals; and adding a new section to chapter 7.70 RCW.

Referred to Committee on Judiciary.

HB 1811 by Representatives Jinkins, Caldier and Cody

AN ACT Relating to notice of material changes to the operations or governance structure of a health care provider or provider organization; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1812 by Representatives Dolan, Koster, Farrell, Robinson, Blake, Griffey, Muri, Doglio, Stanford, Frame, Sawyer, Lovick and Santos

AN ACT Relating to the state fungi; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

HB 1813 by Representatives Kloba and Harmsworth

AN ACT Relating to aligning existing definitions and practices to establish a uniform process for updating addresses of record and make conforming amendments to statutes administered by the department of licensing; amending RCW 46.04.199, 46.12.530, 46.16A.040, 46.16A.190, 46.17.230, 46.17.330, 46.20.205, 46.52.120, 46.68.035, and 88.02.375; and adding a new section to chapter 46.08 RCW.

Referred to Committee on Transportation.

HB 1814 by Representatives Goodman and Ortiz-Self

AN ACT Relating to notification requirements for the department of social and health services; and amending RCW 26.44.100, 43.20B.430, 43.20B.435, 43.20B.635, and 74.20A.320.

Referred to Committee on Early Learning & Human Services.

HB 1815 by Representatives Kilduff, Rodne, Senn, Muri, Lovick, Ortiz-Self, Orwall and Frame

AN ACT Relating to the rights of an alleged parent in dependency proceedings; amending RCW 13.04.011; and reenacting and amending RCW 13.34.030.

Referred to Committee on Early Learning & Human Services.

HB 1816 by Representatives Frame, Goodman, Lovick, Ortiz-Self, Kilduff, Muri, Doglio, Macri and Fey

AN ACT Relating to information sharing regarding implementation the homeless youth prevention and protection act of 2015; amending RCW 43.185C.010, 43.185C.250, 43.185C.260, 43.185C.285, 43.185C.295, 43.185C.315, and 43.185C.320; and reenacting and amending RCW 13.50.010.

Referred to Committee on Early Learning & Human Services.

HB 1817 by Representatives Stokesbary, Kraft and Irwin

AN ACT Relating to improving state budgeting through zero-based budget reviews; adding a new section to chapter 43.88 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1818 by Representatives Stokesbary and Irwin

AN ACT Relating to periodic review of state spending programs; and adding a new chapter to Title 43 RCW.

Referred to Committee on Appropriations.

HB 1819 by Representatives Dent, Senn, Kagi, Griffey, Johnson and McBride

AN ACT Relating to paperwork reduction in order to improve the availability of mental health services to protect children and families; adding a new section to chapter 71.24 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HJR 4203 by Representatives Stonier, Dolan, Sawyer, Peterson, Doglio, Gregerson, Frame, Senn, Stanford, Chapman, Riccelli, Kilduff, Robinson, Lytton, Fitzgibbon, Hudgins, Ryu, Farrell, Macri, Ormsby, Bergquist, Slatter, Jinkins, Santos and Pollet

Amending the Constitution to allow a simple majority of voters voting to authorize school district bonds.

Referred to Committee on Education.

HJR 4204 by Representatives Muri, Gregerson, Kilduff, Hudgins, McBride, Ormsby, Bergquist, Slatter, Jinkins and Santos

Amending the Constitution to provide for a simple majority of voters voting to authorize school district bonds at general elections.

Referred to Committee on Education.

HJR 4205 by Representative MacEwen

Ensuring the timely enactment of biennial operating appropriations legislation.

Referred to Committee on Appropriations.

There being no objection, the bills and resolutions listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 26, 2017

HB 1019 Prime Sponsor, Representative Dent:
Concerning state fire services mobilization.
Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

January 26, 2017

HB 1046 Prime Sponsor, Representative MacEwen:
Concerning certificates of academic and individual achievement. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove and Stokesbary.

Referred to Committee on Appropriations.

January 26, 2017

HB 1058 Prime Sponsor, Representative MacEwen:
Changing provisions relating to court-ordered restitution in certain criminal cases. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

January 26, 2017

HB 1070 Prime Sponsor, Representative Jinkins:
Concerning filing fee surcharges for funding dispute resolution centers.
Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Haler; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Graves and Shea.

Referred to Committee on Appropriations.

January 26, 2017

HB 1091 Prime Sponsor, Representative Appleton:
Authorizing tribal court judges to solemnize marriages. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

MINORITY recommendation: Without recommendation. Signed by Representative Haler.

Referred to Committee on Rules for second reading.

January 26, 2017

HB 1093 Prime Sponsor, Representative Appleton:
Clarifying legal financial obligation provisions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

MINORITY recommendation: Without recommendation. Signed by Representatives Rodne, Ranking Minority Member; Haler and Klippert.

Referred to Committee on Rules for second reading.

January 26, 2017

HB 1100 Prime Sponsor, Representative Taylor:
Concerning concealed pistol license

renewal notices. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

January 26, 2017

HB 1128 Prime Sponsor, Representative Shea: Concerning civil arbitration. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Frame; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

MINORITY recommendation: Without recommendation. Signed by Representatives Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member and Graves.

Referred to Committee on Appropriations.

January 26, 2017

HB 1139 Prime Sponsor, Representative Kilduff: Concerning the methods of services provided by the office of public guardianship. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Rules for second reading.

January 26, 2017

HB 1140 Prime Sponsor, Representative Jinkins: Extending surcharges on court filing fees for deposit in the judicial stabilization trust account to July 1, 2021. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Appropriations.

January 26, 2017

HB 1161 Prime Sponsor, Representative Appleton: Concerning county auditors. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

January 26, 2017

HB 1162 Prime Sponsor, Representative Kilduff: Concerning requirements for providing notice regarding court review of initial detention decisions under the involuntary treatment act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

January 26, 2017

HB 1166 Prime Sponsor, Representative Griffey: Concerning fire protection district tax levies. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Finance.

January 26, 2017

HB 1167 Prime Sponsor, Representative Griffey: Concerning fire commissioner compensation. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

HB 1186 January 26, 2017
 Prime Sponsor, Representative Santos:
 Concerning the provision of and
 reimbursement for certain court interpreter
 services. Reported by Committee on
 Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Frame; Goodman; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Graves and Shea.

MINORITY recommendation: Without recommendation. Signed by Representatives Haler and Klippert.

Referred to Committee on Appropriations.

HB 1187 January 26, 2017
 Prime Sponsor, Representative Gregerson:
 Concerning water-sewer districts.
 Reported by Committee on Local
 Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

HB 1195 January 26, 2017
 Prime Sponsor, Representative Kilduff:
 Concerning surrender of person under
 surety's bond. Reported by Committee on
 Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

HB 1196 January 26, 2017
 Prime Sponsor, Representative Goodman:
 Modifying the process for prevailing
 parties to recover judgments in small
 claims court. Reported by Committee on
 Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice

Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

HB 1199 January 26, 2017
 Prime Sponsor, Representative Irwin:
 Allowing youth courts to have jurisdiction
 over transit infractions. Reported by
 Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

HB 1212 January 26, 2017
 Prime Sponsor, Representative Blake:
 Concerning the possession and transfer of
 marijuana, marijuana plants, useable
 marijuana, marijuana-infused products,
 and marijuana concentrates. Reported by
 Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

HB 1221 January 26, 2017
 Prime Sponsor, Representative Rodne:
 Concerning the solemnization of marriages
 by commissioners of courts of limited
 jurisdiction. Reported by Committee on
 Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Rules for second reading.

HB 1248 January 26, 2017
 Prime Sponsor, Representative Griffey:
 Correcting a conflict between state and
 federal law regarding class I correctional

industries work programs. Reported by
Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

January 26, 2017

HB 1274 Prime Sponsor, Representative Sawyer:
Concerning the member requirement for
bona fide charitable or nonprofit
organizations. Reported by Committee on
Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

HB 1285

January 26, 2017
Prime Sponsor, Representative Graves:
Modifying oath requirements for
interpreters in legal proceedings. Reported
by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., January 31, 2017, the 23rd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

TWENTY THIRD DAY

House Chamber, Olympia, Tuesday, January 31, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1820 by Representatives Volz, Tharinger, Senn, McCaslin, Koster, Haler, Shea, Irwin and Holy

AN ACT Relating to the maintenance and operations of parks and recreational land acquired through the conservation futures program; and amending RCW 84.34.240.

Referred to Committee on Environment.

HB 1821 by Representatives Lovick, Irwin, Stanford, Pellicciotti and Goodman

AN ACT Relating to attempting to elude a police vehicle; amending RCW 46.61.024, 13.40.0357, 46.20.342, 46.63.020, and 46.65.020; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1822 by Representative Manweller

AN ACT Relating to the provision of receipts and invoices regarding additional charges to a tenant of a mobile home lot; and amending RCW 59.20.060.

Referred to Committee on Judiciary.

HB 1823 by Representatives Peterson, Springer and Gregerson

AN ACT Relating to business improvement districts; amending RCW 35.87A.010, 35.87A.020, 35.87A.030, 35.87A.050, 35.87A.060, 35.87A.070, 35.87A.075, 35.87A.080, 35.87A.090, 35.87A.100, 35.87A.110, 35.87A.140, 35.87A.160, 35.87A.170, 35.87A.180, 35.87A.190, 35.87A.200, and 35.87A.220; and repealing RCW 35.87A.040 and 35.87A.210.

Referred to Committee on Local Government.

HB 1824 by Representatives Peterson, Lovick, Kagi, Ortiz-Self and Tarleton

AN ACT Relating to electronic product recycling; amending RCW 70.95N.010, 70.95N.290, 70.95N.280, 70.95N.250, and 70.95N.060; and reenacting and amending RCW 70.95N.140.

Referred to Committee on Environment.

HB 1825 by Representatives Senn, Dent, Kilduff, Muri, Sawyer, Klippert and Ortiz-Self

AN ACT Relating to extending the timeline for completing a family assessment response, allowing the department of social and health services to complete a family assessment response upon the verbal agreement of a parent to participate, and defining disqualifying crimes; and amending RCW 26.44.030.

Referred to Committee on Early Learning & Human Services.

HB 1826 by Representatives Fitzgibbon and Orcutt

AN ACT Relating to exempting certain innovative activities relying on recycled carbon fiber materials from solid waste handling facility permit requirements; amending RCW 70.95.170; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environment.

HB 1827 by Representative Santos

AN ACT Relating to expanding the current and future educator workforce supply through evidence-based strategies to improve and incentivize the recruitment and retention of highly effective educators, especially in high-need subject, grade-level, and geographic areas, and to establish a cohesive continuum of high quality professional learning from preparation programs to job embedded induction, mentoring, collaboration, and other professional development opportunities.

Referred to Committee on Education.

HB 1828 by Representatives Irwin and Hudgins

AN ACT Relating to more efficient use of state facilities through aligning the functions of the department of enterprise services and the office of financial management, collecting additional space use

data, and making technical corrections; and amending RCW 43.82.010, 43.82.055, and 43.82.150.

Referred to Committee on State Government, Elections & Information Technology.

HB 1829 by Representatives Hudgins, Johnson, Goodman, Klippert, Smith, Dolan, Haler, Koster, Volz, Kraft and Irwin

AN ACT Relating to the exemption from public disclosure of information regarding public and private computer and telecommunications networks; and amending RCW 42.56.420.

Referred to Committee on State Government, Elections & Information Technology.

HB 1830 by Representatives Hudgins and Manweller

AN ACT Relating to the creation of the cybersecurity conditional loan program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1831 by Representatives Pettigrew, Macri, Santos, Ortiz-Self, Frame, Kagi and Fitzgibbon

AN ACT Relating to revising resource limitations for public assistance; and reenacting and amending RCW 74.04.005.

Referred to Committee on Early Learning & Human Services.

HB 1832 by Representatives Pellicciotti and Irwin

AN ACT Relating to the commercially sexually exploited children statewide coordinating committee; amending RCW 7.68.801; providing an expiration date; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1833 by Representatives Dolan, Doglio and Jinkins

AN ACT Relating to financial reporting by elected and appointed officials, candidates, and appointees; and amending RCW 42.17A.120, 42.17A.700, 42.17A.710, and 42.17A.755.

Referred to Committee on State Government, Elections & Information Technology.

HB 1834 by Representatives Dolan, Jinkins and Doglio

AN ACT Relating to campaign finance reporting; amending RCW 42.17A.235, 42.17A.255, 42.17A.265, and 42.17A.625; and repealing RCW 42.17A.250 and 42.17A.420.

Referred to Committee on State Government, Elections & Information Technology.

HB 1835 by Representatives Dolan, Jinkins and Doglio

AN ACT Relating to updating inflationary adjustments in campaign finance laws; amending RCW 42.17A.125 and 42.17A.475; and reenacting and amending RCW 42.17A.005.

Referred to Committee on State Government, Elections & Information Technology.

HB 1836 by Representatives Riccelli, Reeves, Tarleton and Farrell

AN ACT Relating to overtime compensation for individual providers of home care services; and amending RCW 74.39A.270.

Referred to Committee on Health Care & Wellness.

HB 1837 by Representative Schmick

AN ACT Relating to the operation of wheeled all-terrain vehicles in less populated counties; and amending RCW 46.09.455.

Referred to Committee on Transportation.

HB 1838 by Representative Schmick

AN ACT Relating to the crossing of certain public roadways by wheeled all-terrain vehicles; and amending RCW 46.09.455.

Referred to Committee on Transportation.

HB 1839 by Representatives Dent, Lovick, Griffey, Blake, Frame, Irwin, Goodman and Dye

AN ACT Relating to creating a sales tax exemption for equipment purchased by fire districts in rural counties; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing an effective date.

Referred to Committee on Finance.

HB 1840 by Representatives Pollet, Frame, Springer and Orwall

AN ACT Relating to establishing the Washington promise program, which provides for affordable access to community and technical colleges; amending RCW 43.88C.010; adding a new chapter to Title 28B RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1841 by Representatives Pollet and Orwall

AN ACT Relating to expanding state need grant eligibility; amending RCW 28B.92.060; and creating new sections.

Referred to Committee on Higher Education.

HB 1842 by Representative Pollet

AN ACT Relating to taking action to address lead in drinking water at facilities frequented by children; and adding a new chapter to Title 70 RCW.

Referred to Committee on Environment.

HB 1843 by Representatives Sullivan and Lytton

AN ACT Relating to fulfilling the state's paramount duty for all children through equitable and responsible investments in the state's basic education program and reductions to local effort contributions; amending RCW 28A.150.200, 28A.150.410, 28A.400.205, 28A.400.200, 28A.500.020, and 28A.150.260; reenacting and amending RCW 84.52.0531, 28A.500.030, and 28A.150.260; adding new sections to chapter 28A.150 RCW; adding a new section to chapter 28A.400 RCW; adding new sections to chapter 28A.415 RCW; creating new sections; recodifying RCW 28A.300.600, 28A.300.602, and 28A.300.604; repealing RCW 28A.400.201, 28A.415.020, 28A.415.023, 28A.415.024, and 28A.415.025; providing effective dates; and providing expiration dates.

Referred to Committee on Appropriations.

HB 1844 by Representatives Sells and Robinson

AN ACT Relating to attempting to elude a pursuing police vehicle; amending RCW 46.61.024; and prescribing penalties.

Referred to Committee on Public Safety.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

HB 1063 January 26, 2017
 Prime Sponsor, Representative Morris:
 Allowing federally recognized tribes with lands held in trust in a county that is west of the Cascade mountain range that borders Puget Sound with a population of at least one hundred eighteen thousand, but less than two hundred fifty thousand, persons to enter into agreements regarding fuel taxes.

Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; Reeves and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representative McCabe, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Barkis, Assistant Ranking Minority Member and Jenkin.

Referred to Committee on Transportation.

HB 1097 January 26, 2017
 Prime Sponsor, Representative Sawyer:
 Concerning tribal consultation regarding hunting rights and activities. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Reeves and Sawyer.

MINORITY recommendation: Without recommendation. Signed by Representative Jenkin.

Referred to Committee on Rules for second reading.

HB 1123 January 26, 2017
 Prime Sponsor, Representative Condotta:
 Concerning tourism marketing. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Appropriations.

HB 1183 January 26, 2017
 Prime Sponsor, Representative McBride:
 Authorizing specified local governments, including municipalities and federally recognized Indian tribes, that typically have limited access to economic development resources, to designate a portion of their territory as a creative district subject to certification by the Washington state arts commission. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Appropriations.

January 26, 2017

HB 1414 Prime Sponsor, Representative Stonier: Concerning dental health services in tribal settings. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

January 27, 2017

HCR 4400 Prime Sponsor, Representative Cody: Naming the building at 1063 Capitol Way "The Helen Sommers Building." Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

There being no objection, the bills and resolution listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1212, and the bill was referred to the Committee on Finance.

There being no objection, the Committee on Capital Budget was relieved of HOUSE BILL NO. 1441, and the bill was referred to the Committee on Environment.

There being no objection, the Committee on Health Care & Wellness was relieved of HOUSE BILL NO. 1640 and HOUSE BILL NO 1811, and the bills were referred to the Committee on Judiciary.

There being no objection, the Committee on Early Learning & Human Services was relieved of HOUSE BILL NO. 1792, and the bill was referred to the Committee on Appropriations.

There being no objection, the House adjourned until 10 a.m., February 1, 2017, the 24th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

TWENTY FOURTH DAY

House Chamber, Olympia, Wednesday, February 1, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ben Harper and Taija Pederson. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Richmond Johnson, Mt. Zion Missionary Baptist Church, Bremerton, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1845 by Representatives Vick, Kirby and Haler

AN ACT Relating to the delivery of insurance notices and documents by electronic means; and amending RCW 48.185.005.

Referred to Committee on Business & Financial Services.

HB 1846 by Representatives Griffey, Barkis, Stokesbary, Haler and Hargrove

AN ACT Relating to the development of new manufactured housing communities outside of urban growth areas under the growth management act; amending RCW 36.70A.350; and creating a new section.

Referred to Committee on Environment.

HB 1847 by Representatives Haler, Pollet, Holy and Farrell

AN ACT Relating to supporting higher education affordability; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Appropriations.

HB 1848 by Representative Koster

AN ACT Relating to initiating proactive steps to address elk hoof disease; amending RCW 77.12.047 and 77.12.240; adding new sections to chapter 77.12 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1849 by Representatives Sells, Doglio, Pollet, Ormsby, Tharinger and Farrell

AN ACT Relating to compliance with apprenticeship utilization requirements; amending RCW 39.04.310, 39.04.320, 39.04.350, and 39.12.055; and adding a new section to chapter 49.04 RCW.

Referred to Committee on Transportation.

HB 1850 by Representatives Stanford, Kirby and Ormsby

AN ACT Relating to the review of investment options to be included in the small business retirement marketplace; and amending RCW 43.330.735.

Referred to Committee on Business & Financial Services.

HB 1851 by Representatives Dolan, Harris, Hudgins, MacEwen, Kilduff, Haler, Robinson, Bergquist, Fitzgibbon, Doglio, Pollet, Ormsby and Stanford

AN ACT Relating to protecting taxpayers by providing for accountability and transparency in government contracting; amending RCW 39.26.180, 43.19.008, and 39.26.200; adding a new section to chapter 39.26 RCW; and creating new sections.

Referred to Committee on Transportation.

HB 1852 by Representatives Dolan, Lytton, McBride, Doglio and Ormsby

AN ACT Relating to the enforcement of parking rules and regulations and adjudication of parking infractions on the state capitol grounds; and amending RCW 46.08.160 and 43.01.225.

Referred to Committee on State Government, Elections & Information Technology.

HB 1853 by Representatives Doglio, Hudgins, Wilcox and Haler

AN ACT Relating to removing references to specific nonoperational historical facilities from state statute; and amending RCW 27.34.395 and 27.34.900.

Referred to Committee on State Government.

HB 1854 by Representatives Cody, Schmick and Tharinger

AN ACT Relating to the transition of medicaid enrollees to skilled nursing facility care; amending RCW 74.09.522; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1855 by Representatives Blake, Stambaugh and Gregerson

AN ACT Relating to vehicle identification of electrical contractors; and adding a new section to chapter 19.28 RCW.

Referred to Committee on Commerce, Labor & Sports.

HB 1856 by Representatives Fitzgibbon, Wilcox, Barkis and Haler

AN ACT Relating to creating a sales and use tax exemption for commercial car wash facilities; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating new sections.

Referred to Committee on Finance.

HB 1857 by Representatives Kloba, Sawyer, Appleton and Condotta

AN ACT Relating to marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, processor wholesale events, and jurisdictional requirements; amending RCW 69.50.325, 69.50.331, 69.50.372, and 66.08.100; and creating a new section.

Referred to Committee on Commerce, Labor & Sports.

HB 1858 by Representatives Sawyer, Appleton and Kloba

AN ACT Relating to increasing marijuana license fees and adding a temporary additional fee on marijuana licenses issued by the Washington state liquor and cannabis board; amending RCW 69.50.325 and 69.50.372; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 1859 by Representatives Pellicciotti, Griffey, Pettigrew, Chapman, Goodman and Ormsby

AN ACT Relating to providing an aggravating circumstance for assault against a utility worker; and amending RCW 9.94A.535.

Referred to Committee on Law & Justice.

HB 1860 by Representatives Fey, Jinkins and Sawyer

AN ACT Relating to population-based representation on the governing body of public transportation benefit areas; amending RCW 36.57A.050 and 36.57A.055; and providing an effective date.

Referred to Committee on Transportation.

HB 1861 by Representatives Pollet, Haler, Stanford, Tharinger and Santos

AN ACT Relating to the University of Washington's alternative process for awarding contracts; amending RCW 28B.20.744; repealing RCW 43.131.413 and 43.131.414; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1862 by Representatives Fitzgibbon and Rodne

AN ACT Relating to the final approval of subdivisions of land; and amending RCW 58.17.100, 58.17.170, and 58.17.190.

Referred to Committee on Local Government.

HB 1863 by Representatives Gregerson, Stokesbary, Appleton and Stambaugh

AN ACT Relating to the national fire incident reporting system; and amending RCW 43.44.060.

Referred to Committee on Appropriations.

HB 1864 by Representatives Springer and Stokesbary

AN ACT Relating to a leasehold excise tax credit for properties of market value in excess of ten million dollars and for certain major international airport leases; amending RCW 82.29A.120; creating a new section; and providing an expiration date.

Referred to Committee on Finance.

HB 1865 by Representatives Dye, Blake, Griffey, Chapman, Dent, Tarleton, Nealey, Tharinger and Ormsby

AN ACT Relating to the Columbia river recreational salmon and steelhead endorsement program; amending RCW 77.12.712, 77.12.714, 77.12.716, 77.12.718, and 77.32.580; repealing 2016 c 223 ss 7, 8, and 9, 2011 c 339 s 40, and 2009 c 420 s 7 (uncodified); providing expiration dates; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1866 by Representatives Pettigrew, Appleton, Hudgins, Kagi, Fitzgibbon, Robinson, Tharinger, Ormsby, McBride and Santos

AN ACT Relating to reviewing elderly incarcerated offenders for possible early release; amending RCW 9.95.422, 9.95.425, 9.95.430, 9.95.435, 9.95.440, 9.94A.533, and 9.94A.6332; adding a new section to chapter 9.94A RCW; and creating new sections.

Referred to Committee on Public Safety.

HB 1867 by Representatives Fey, Stambaugh, Senn, Kagi, Kilduff, Appleton, Graves, Hudgins, Orwall, Ryu, Sells, Stanford, Robinson, McDonald, Ortiz-Self, Doglio, Slatter, Tharinger and Ormsby

AN ACT Relating to improving transitions in extended foster care to increase housing stability for foster youth; amending RCW 74.13.031; creating new sections; and providing an expiration date.

Referred to Committee on Appropriations.

HB 1868 by Representatives Peterson, Doglio, Lytton, Farrell, Gregerson, Fitzgibbon, Stonier, Appleton, Stanford, Robinson, Ortiz-Self, Macri, Pollet, Tharinger and Ormsby

AN ACT Relating to investing in water infrastructure on tribal lands to protect the environment by imposing a tax on oil shipped into Washington via pipeline; amending RCW 82.23B.020 and 90.56.510; reenacting and amending RCW 82.23B.010; adding a new section to chapter 90.48 RCW; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1869 by Representatives Orwall, Gregerson, Ortiz-Self, Bergquist, Ryu, Stonier, Sawyer, Santos, Hudgins, Reeves, Goodman, Sells, Doglio, Macri, Pollet, McBride and Farrell

AN ACT Relating to interpreter services; amending RCW 39.26.100, 41.56.030, and 41.56.510; adding a new section to chapter 39.26 RCW; and creating new sections.

Referred to Committee on Labor & Workplace Standards.

HB 1870 by Representatives Harris, DeBolt, Tharinger, Riccelli, Kilduff, Ormsby and Caldier

AN ACT Relating to protecting consumers from charges for out-of-network health care services; amending RCW 48.43.093; adding a new section to chapter 48.43 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1871 by Representative Sells

AN ACT Relating to electrical and plumbing work performed by state employees; amending RCW 18.106.150 and 19.28.261; adding a new section to chapter 49.04 RCW; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

HB 1872 by Representatives Kretz, Blake, Short, Kraft, Haler and Shea

AN ACT Relating to providing for the partial delisting of the gray wolf by the fish and wildlife commission; amending RCW 77.12.020; adding a new section to chapter 77.12 RCW; and creating new sections.

Referred to Committee on Agriculture & Natural Resources.

HB 1873 by Representatives Hudgins, Fey, McBride and Peterson

AN ACT Relating to lead-based paint certification fees; and amending RCW 70.103.030.

Referred to Committee on Appropriations.

HB 1874 by Representatives Lovick, Klippert, Pellicciotti, Goodman, Kilduff, Ryu, Gregerson, Senn, Kagi, Haler, Stanford, Bergquist and Farrell

AN ACT Relating to blood and breath alcohol concentration of persons operating or in physical control of a vehicle, vessel, or aircraft; amending RCW 46.61.502, 38.38.760, 46.20.308, 46.20.308, 46.20.3101, 46.25.090, 46.61.504, 46.61.506, and 79A.60.040; reenacting and amending RCW 46.61.5055; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 1875 by Representatives Kagi, Dent, McDonald, Griffey, Senn, Ortiz-Self, Kilduff, Lovick, Fey, Johnson, Goodman, Stanford, Doglio, Macri and Tharinger

AN ACT Relating to establishing a pilot project to license outdoor early learning and child care programs; adding a new section to chapter 43.215 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1876 by Representatives Frame, McDonald, Goodman, Kagi, Fitzgibbon, Ryu, Ortiz-Self, Doglio, Macri and Ormsby

AN ACT Relating to the revision of exclusive adult jurisdiction; amending RCW 13.40.110; and reenacting and amending RCW 13.04.030.

Referred to Committee on Early Learning & Human Services.

HB 1877 by Representative Stanford

AN ACT Relating to the release of driving record abstract information affecting registered tow truck operators; and amending RCW 46.52.130.

Referred to Committee on Transportation.

HB 1878 by Representatives Stanford, Peterson, Pollet, Hudgins, Riccelli, Gregerson, Doglio and Ormsby

AN ACT Relating to allergen information in schools; and adding a new chapter to Title 28A RCW.

Referred to Committee on Education.

HB 1879 by Representatives Wylie, Doglio, Orwall, Lovick, Tarleton and Cody

AN ACT Relating to requiring the department of revenue to submit a sales and use tax products status report; and creating new sections.

Referred to Committee on Finance.

HB 1880 by Representatives Wylie, Lovick, Lytton, Kloba, Doglio, Pollet and Ormsby

AN ACT Relating to providing a sales and use tax exemption for feminine hygiene products for individuals receiving public assistance; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1881 by Representatives McCabe, Orwall, Johnson, Manweller, Vick, Griffey, Stambaugh, Dye, J. Walsh, Barkis, Springer and Haler

AN ACT Relating to the employer status of franchisors; amending RCW 49.12.005, 49.17.020, 49.46.010, 50.04.080, and 51.08.070; reenacting and amending RCW 49.60.040; adding a new section to chapter 49.52 RCW; and creating new sections.

Referred to Committee on Labor & Workplace Standards.

HB 1882 by Representatives Young, Morris and Smith

AN ACT Relating to excluding certain appliances from the definitions of electric plant and gas plant; and reenacting and amending RCW 80.04.010.

Referred to Committee on Technology & Economic Development.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 31, 2017

HB 1043 Prime Sponsor, Representative Robinson: Addressing nonpublic personal health information. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Schmick, Ranking Minority Member.

Referred to Committee on Rules for second reading.

January 31, 2017

HB 1232 Prime Sponsor, Representative Clibborn: Concerning the timing and content of disclosures by continuing care retirement communities. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Schmick, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt and Harris.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING**HOUSE BILL NO. 1018, by Representatives Dent, Gregerson, Hargrove, Tarleton, Pike and Klippert****Modifying the maximum amount for grants provided to airports and air navigation facilities.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent, Clibborn and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1018.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1018, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1018, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1053, by Representatives Reeves, Vick, Kirby, Ormsby, Gregerson and Tarleton**Addressing the Washington state credit union act.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reeves, Vick, Riccelli, Farrell, Klippert and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1053.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1053, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

HOUSE BILL NO. 1053, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Pettigrew congratulated Representative Reeves on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1064, by Representatives Morris, Smith, Doglio and Hudgins**Removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris, Smith and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1064.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1064, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1064, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1069, by Representatives Jinkins, Appleton, Kirby, Fey and Cody

Concerning procedures for enforcing outpatient civil commitment orders.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1069.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1069, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton,

Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1069, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1091, by Representatives Appleton, Ormsby, Stanford, McDonald, Dolan, Doglio, Gregerson, Kilduff, Santos, Tarleton, Pollet and Peterson

Authorizing tribal court judges to solemnize marriages.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1091.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1091, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, McCaslin, Shea and Taylor.

HOUSE BILL NO. 1091, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1107, by Representatives Haler, Wylie, Riccelli, Shea, Stanford, Robinson, Fey, Tarleton and Pollet

Eliminating the term "branch" as an identifying factor for extensions of the public institutions of higher education.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1107.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1107, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Dent, Irwin, Johnson and Taylor.

HOUSE BILL NO. 1107, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1125, by Representatives Condotta, Sawyer and Vick

Limiting the total number of retail marijuana licenses that may be held by a retailer and co-owners.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Condotta and Sawyer spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1125.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1125, and the bill passed the House by the following vote: Yeas, 69; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Buys, Chandler, DeBolt, Dent, Dye, Goodman, Haler, Hargrove, Hayes, Holy, Hudgins, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Manweller, McCaslin, McDonald, Nealey, Orcutt, Pike, Rodne, Shea, Smith and Volz.

HOUSE BILL NO. 1125, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1139, by Representatives Kilduff, Rodne, Jinkins and Muri

Concerning the methods of services provided by the office of public guardianship.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1139.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1139, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dye, Holy, Jenkin, McCaslin, Nealey, Orcutt, Schmick, Shea, Taylor, Volz and Young.

HOUSE BILL NO. 1139, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1150, by Representatives DeBolt and Blake

Clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives DeBolt and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1150.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1150, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

HOUSE BILL NO. 1150, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1162, by Representatives Kilduff, Muri, Rodne, Jinkins, Orwall and McDonald

Concerning requirements for providing notice regarding court review of initial detention decisions under the involuntary treatment act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff, Rodne, Harris and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1162.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1162, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1162, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Environment was relieved of HOUSE BILL NO. 1382, and the bill was referred to the Committee on Agriculture & Natural Resources.

There being no objection, the House adjourned until 10:00 a.m., February 2, 2017, the 25th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

TWENTY FIFTH DAY

House Chamber, Olympia, Thursday, February 2, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Hazzen Johnny and Ariana Henry. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Nathan French, The Rock of the Harbor Church, Gig Harbor, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

February 1, 2017

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8402,
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

February 1, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5011,
SUBSTITUTE SENATE BILL NO. 5079,
SENATE BILL NO. 5122,
SUBSTITUTE SENATE BILL NO. 5607,

and the same are herewith transmitted.

Pablo Campos, Deputy Secretary

MESSAGE FROM THE SECRETARY OF STATE

February 2, 2017

To the Honorable Bernard Dean
Chief Clerk of the House of Representatives
Legislative Building
Olympia, WA 98501

Dear Chief Clerk Dean:

I, Kim Wyman, Secretary of the State of Washington and custodian of the Seal of the State of Washington, do hereby certify that the attached is a true and correct copy of the certificate of appointment of Jacquelin Maycumber for the office of State Representative for the 7th Legislative District of the State of Washington, which seat was recently vacated by the resignation of Representative Shelly Short.

I further certify that Jacquelin Maycumber has been duly appointed to the office of State Representative from the 7th Legislative District of the State of Washington.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the State of Washington. Done at the Capitol in Olympia, Washington, this 2nd day of February, 2017.

Kim Wyman,
Secretary of State

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) asked the members to join him in welcoming Representative Maycumber.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1883 by Representatives Caldier, Koster and Haler

AN ACT Relating to eliminating the placement of foster youth in hotel rooms or department offices; amending RCW 74.13.031; adding a new section to chapter 74.13 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1884 by Representatives Ryu, Barkis, Goodman, Stokesbary and Pollet

AN ACT Relating to eligibility for relocation assistance for tenants of closed or converted mobile home parks; and amending RCW 59.21.021 and 59.21.005.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1885 by Representatives Springer, Dent, Blake, Manweller, Koster, Haler and Muri

AN ACT Relating to clarifying the roles of state and local governments in the regulation and mitigation of water resources; amending RCW 19.27.097, 58.17.110, 90.03.247, 90.54.040, and 90.54.120; adding a new section to chapter 36.70A RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1886 by Representatives Harris, Santos and Pollet

AN ACT Relating to the responsibilities of the office of the superintendent of public instruction and the state board of education; amending RCW 28A.305.130, 28A.657.030, 28A.657.050, 28A.657.050, 28A.657.060, 28A.657.090, 28A.657.100, 28A.657.105, 28A.657.080, 28A.150.550, 28A.657.110, 28A.230.093, 28A.655.061, 28A.655.065, 28A.700.070, 28A.150.220, 28A.150.230, 28A.225.010, 28A.150.250, 28A.230.010, 28B.50.250, 28B.50.535, 28B.50.536, 28A.195.010, 28A.195.030, 28A.195.050, 28A.195.060, 28A.310.020, 28A.630.083, 28A.655.180, 28A.655.180, 28A.300.545, 28A.300.020, 28A.305.021, 28A.525.025, and 28A.210.320; reenacting and amending RCW 28A.230.097; adding a new section to chapter 28A.657 RCW; adding a new section to chapter 28A.150 RCW; adding new sections to chapter 28A.230 RCW; adding new sections to chapter 28A.305 RCW; repealing RCW 28A.305.140, 28A.305.141, 28A.305.142, and 28A.305.190; providing an effective date; and providing expiration dates.

Referred to Committee on Education.

HB 1887 by Representatives Dolan and Doglio

AN ACT Relating to a tuition and fees exemption for children and surviving spouses of public employees of public agencies; and amending RCW 28B.15.380.

Referred to Committee on Higher Education.

HB 1888 by Representatives Doglio, Dolan and Pollet

AN ACT Relating to improving student success at community and technical colleges by considering benefits of full-time faculty and staff; amending RCW 28B.50.850; and adding new sections to chapter 28B.50 RCW.

Referred to Committee on Higher Education.

HB 1889 by Representatives Pettigrew, Appleton, Peterson, Stanford and Pollet

AN ACT Relating to creating an office of the corrections ombuds; adding a new chapter to Title 43 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1890 by Representatives Robinson, Cody, Ormsby, Fitzgibbon, Riccelli and Haler

AN ACT Relating to the plumbing industry; amending RCW 18.106.110 and 18.106.270; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

HB 1891 by Representatives Manweller, Taylor, Buys, Van Werven, Koster, Schmick and Condotta

AN ACT Relating to prohibiting contributions to gubernatorial candidates by entities that collectively bargain with the state; amending RCW 42.17A.405; and providing for submission of this act to a vote of the people.

Referred to Committee on State Government, Elections & Information Technology.

HB 1892 by Representative MacEwen

AN ACT Relating to simplifying the taxation of amenities owned by homeowners' associations; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1893 by Representatives Vick, Kirby, Dolan, Doglio, Haler and McDonald

AN ACT Relating to the use of credit cards for purchases of spirits and wine by a purchaser licensed to sell spirits and/or wine for consumption on the licensed premises; and amending RCW 66.28.270.

Referred to Committee on Commerce & Gaming.

HB 1894 by Representatives Sullivan, Wilcox, Slatter, Stokesbary, Buys, Tarleton, Senn, Haler, Goodman and Stanford

AN ACT Relating to reinstating tax preferences for certain high-technology research and development; amending RCW 82.63.010, 82.63.020, and 82.63.045; reenacting RCW 82.63.060 and 82.63.065; adding a new section to chapter 82.04 RCW; adding a new

section to chapter 82.63 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Technology & Economic Development.

HB 1895 by Representatives Sawyer, Condotta, Vick and Taylor

AN ACT Relating to prohibiting the use of public resources to assist the federal government in any activity that might impede or interfere with Washington state's regulation of marijuana and marijuana-related products as prescribed by the laws of the state of Washington; and adding a new section to chapter 41.04 RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 1896 by Representatives Dolan, Stonier, Lovick, Springer, Appleton, Bergquist, Manweller, Tarleton, Frame, Goodman and Ormsby

AN ACT Relating to the expansion of civics education in public schools; adding a new section to chapter 28A.415 RCW; creating a new section; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Education.

HB 1897 by Representatives Gregerson, Santos and Stanford

AN ACT Relating to ensuring fairness and compliance with public works and procurement practices; amending RCW 39.19.020, 39.19.060, 39.19.080, 39.19.090, 39.19.200, 39.19.250, and 39.04.155; adding a new section to chapter 39.19 RCW; prescribing penalties; and repealing RCW 39.19.100 and 39.19.110.

Referred to Committee on Technology & Economic Development.

HB 1898 by Representatives McCaslin, Orwall, Van Werven, Holy, Dolan, Kraft, Koster, Shea, Gregerson, Taylor, Bergquist, Volz, Buys, Hayes, Haler and Muri

AN ACT Relating to career and technical education programs in middle schools; adding a new section to chapter 28A.700 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1899 by Representatives Schmick, Cody, Appleton and Ormsby

AN ACT Relating to purchasing managed dental care for medicaid enrollees; adding a new section to chapter 74.09 RCW; and creating new sections.

Referred to Committee on Health Care & Wellness.

HB 1900 by Representatives Griffey, Blake, Kraft, McDonald, McCaslin, Muri, J. Walsh, Sells, MacEwen, Tharinger, Springer, Wilcox, Stambaugh, Shea, Orcutt, Hargrove, Stokesbary, Chapman, Young, Harmsworth, Hayes, Rodne, Pike, Van Werven, Buys and Koster

AN ACT Relating to providing funding for the hunter education training program operated by the department of fish and wildlife through the issuance of national rifle association special license plates; amending RCW 77.15.425; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.425; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1901 by Representatives Griffey, MacEwen, Dent and Doglio

AN ACT Relating to recognizing the month of September as the month of the kindergartener; and adding a new section to chapter 28A.230 RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 1902 by Representatives Kirby, Vick and Doglio

AN ACT Relating to tavern licenses; and amending RCW 66.24.330.

Referred to Committee on Commerce & Gaming.

HB 1903 by Representatives Koster, Chapman, Volz, Doglio, McDonald, Dolan and Muri

AN ACT Relating to state reimbursement of election costs; amending RCW 29A.04.410, 29A.04.420, 29A.04.216, 29A.04.430, and 29A.64.081; and providing an effective date.

Referred to Committee on State Government, Elections & Information Technology.

HB 1904 by Representative Smith

AN ACT Relating to the sale and taxation of Washingtonians' personal information and related data; amending RCW 82.04.050, 82.04.066, 82.04.192, 82.04.2907, 82.04.460, 82.04.462, 82.08.0291, and 82.32.087; adding a new section to chapter 82.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Technology & Economic Development.

HB 1905 by Representatives Orcutt and Clibborn

AN ACT Relating to the volume limitation for certain vessels exempt from the pilotage act; and amending RCW 88.16.070.

Referred to Committee on Transportation.

HB 1906 by Representatives Orcutt, Blake, McDonald, Pike and Doglio

AN ACT Relating to the expansion of counties qualifying for the farm internship program, including certain southwest Washington counties; amending RCW 49.12.470; amending 2014 c 131 s 5 (uncodified); and providing expiration dates.

Referred to Committee on Labor & Workplace Standards.

HB 1907 by Representatives Orcutt, Blake, DeBolt, McDonald and Van Werven

AN ACT Relating to abandoned cemeteries; amending RCW 68.60.010; and adding a new section to chapter 68.60 RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 1908 by Representatives Orcutt, Blake, Muri and Condotta

AN ACT Relating to restricting aggressive panhandling at public rest stops and rest areas; adding a new section to chapter 47.38 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1909 by Representatives Appleton, Taylor, Ryu, Harmsworth, Condotta, Buys, Goodman, Shea and Morris

AN ACT Relating to automated license plate recognition systems; adding a new chapter to Title 46 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1910 by Representatives Tarleton and Pollet

AN ACT Relating to defining economic impacts of certain sectors of Washington state; creating new sections; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1911 by Representatives Holy, Ormsby, Volz and Condotta

AN ACT Relating to authorizing the masking of odors by regulated marijuana facilities; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Commerce & Gaming.

HB 1912 by Representatives Ryu, Tarleton, Doglio and Slatter

AN ACT Relating to improving the community economic revitalization board program; amending RCW 43.160.900; and making an appropriation.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1913 by Representatives Dolan, Van Werven and Haler

AN ACT Relating to creating a leasehold excise tax exemption for certain leasehold interests in facilities owned or used by schools, colleges, or universities; reenacting and amending RCW 82.29A.130; and creating a new section.

Referred to Committee on Finance.

HB 1914 by Representatives Pellicciotti and Holy

AN ACT Relating to creating a pilot program for the supervision of motor vehicle-related felonies; adding a new section to chapter 9.94A RCW; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1915 by Representatives Griffey and Appleton

AN ACT Relating to hospital inspections by limiting the uses of the fire protection contractor license fund and directing the department of health to engage in rule making to appropriately fund the cost of hospital inspections from hospital license fees; and amending RCW 18.160.050 and 70.41.100.

Referred to Committee on Labor & Workplace Standards

HB 1916 by Representatives Schmick, Blake, Nealey, Jenkin, Dye, Buys and Haler

AN ACT Relating to creating a business and occupation tax exemption for certain sales of commercial fertilizer, agricultural crop protection products, and seed; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1917 by Representatives Appleton, Ryu and Pettigrew

AN ACT Relating to the imposition of port district facility entry fees for certain ground transportation service providers; adding a new section to chapter 53.08 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1918 by Representatives Stanford, Lytton, Blake, Fitzgibbon, Pettigrew, Robinson and Doglio

AN ACT Relating to addressing treatment of groundwater under state water codes to support rural development while protecting instream flows; amending RCW 19.27.097, 19.27.040, 58.17.110, 90.42.110, and 90.44.050; adding a new section to chapter 19.27 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 90.44 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1919 by Representatives Vick, Blake, Kirby, Jenkin, J. Walsh, Hayes, Pettigrew, Condotta, Buys, Young, Barkis, Harmsworth, Rodne, MacEwen and Goodman

AN ACT Relating to establishing special license endorsements for cigar lounges and retail tobacconist shops; amending RCW 70.160.060; and adding a new section to chapter 82.26 RCW.

Referred to Committee on Business & Financial Services.

HB 1920 by Representatives Condotta, Sawyer, Blake, Young and Appleton

AN ACT Relating to inspections of licensed marijuana processors' equipment and facilities; and amending RCW 69.50.450.

Referred to Committee on Commerce & Gaming.

HB 1921 by Representatives Morris, Smith and Vick

AN ACT Relating to telecommunications services; amending RCW 35.21.860, 35.99.020, 35.99.040, 35A.21.245, 80.36.630, 80.36.650, 80.36.660, 80.36.670, 80.36.680, and 80.36.690; adding new sections to chapter 35.99 RCW; adding a new section to chapter 80.36 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 54.04 RCW; and repealing RCW 35.21.455, 54.04.045, 80.36.620, and 80.36.700.

Referred to Committee on Technology & Economic Development.

HB 1922 by Representative Jinkins

AN ACT Relating to modifying the due date for applications by local governments for designation as a health sciences and services authority; and amending RCW 35.104.040.

Referred to Committee on Higher Education.

HB 1923 by Representatives Blake, J. Walsh and Kirby

AN ACT Relating to school construction assistance grants for small, rural school districts; and adding a new section to chapter 28A.525 RCW.

Referred to Committee on Capital Budget.

HB 1924 by Representatives Dent and Fitzgibbon

AN ACT Relating to small forest landowners; and amending RCW 19.30.010, 76.04.205, and 70.94.6534.

Referred to Committee on Agriculture & Natural Resources.

HB 1925 by Representatives Pollet, Tarleton, Kilduff, Orwall, Muri and Stanford

AN ACT Relating to taking action to address lead in drinking water in schools; and adding a new chapter to Title 70 RCW.

Referred to Committee on Environment.

HB 1926 by Representatives Pollet and Santos

AN ACT Relating to enacting an excise tax on capital gains to improve the fairness of Washington's tax system and provide funding for the education legacy trust account; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 82 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Finance.

HB 1927 by Representative Hudgins

AN ACT Relating to government efficiency by eliminating, revising or decodifying obsolete or inactive statutory provisions that concern the office of financial management; amending RCW 4.84.360, 38.40.030, 43.03.049, 43.08.015, and 43.320.090; decodifying RCW 43.41.901, 43.41.940, and 43.41.950; and repealing RCW 28B.15.101, 43.41.220, 43.41.230, 43.41.240, 43.41.250, and 43.41.905.

Referred to Committee on State Government, Elections & Information Technology.

HB 1928 by Representatives Koster, Buys and Shea

AN ACT Relating to the use of solid fuel burning devices; amending RCW 70.94.430 and 70.94.431; and prescribing penalties.

Referred to Committee on Environment.

HB 1929 by Representatives Hudgins, Harmsworth and Tarleton

AN ACT Relating to building a more robust state information technology security posture by leveraging assets at the military department and other agencies responsible for information technology systems and infrastructure; and amending RCW 43.105.215.

Referred to Committee on State Government, Elections & Information Technology.

SCR 8402 by Senators Schoesler, Nelson and Saldaña

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1915 which was referred to the Committee on Local Government.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8402 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 30, 2017

HB 1182 Prime Sponsor, Representative Stokesbary: Addressing civil service qualifications. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representative Pike.

Referred to Committee on Rules for second reading.

January 31, 2017

HB 1194 Prime Sponsor, Representative Hayes: Creating a legislative page scholarship program. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

January 31, 2017

HB 1239 Prime Sponsor, Representative Sullivan: Concerning requests for medical records to support an application for social security benefits. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

January 30, 2017

HB 1250 Prime Sponsor, Representative Griffey: Authorizing retail marijuana outlets to give a free lockable drug box to adults age twenty-one years and over and to qualifying patients age eighteen years and over subject to restrictions. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby and Ryu.

Referred to Committee on Rules for second reading.

January 31, 2017

HB 1257 Prime Sponsor, Representative Kretz: Concerning the release of wild beavers. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

January 30, 2017

HB 1298 Prime Sponsor, Representative Ortiz-Self: Prohibiting employers from asking about

arrests or convictions before an applicant is determined otherwise qualified for a position. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives McCabe, Assistant Ranking Minority Member and Pike.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller, Ranking Minority Member.

Referred to Committee on Appropriations.

January 31, 2017
HB 1301 Prime Sponsor, Representative Ryu: Concerning the employee antiretaliation act. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

January 31, 2017
HB 1302 Prime Sponsor, Representative Frame: Providing damages for wage violations. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

January 31, 2017
HB 1315 Prime Sponsor, Representative Caldier: Creating a preferred alternative for the placement, sale, and public notice of impounded livestock. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice

Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

MINORITY recommendation: Without recommendation. Signed by Representative Kretz.

Referred to Committee on Rules for second reading.

January 30, 2017
HB 1329 Prime Sponsor, Representative McCabe: Modifying monetary penalties imposed for infractions relating to mobile and manufactured home installation. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio; Frame and Pike.

Referred to Committee on Rules for second reading.

January 31, 2017
HB 1336 Prime Sponsor, Representative Kirby: Restricting the social security offset to disability compensation. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

January 31, 2017
HB 1486 Prime Sponsor, Representative Gregerson: Creating the Washington wage recovery act. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

January 30, 2017

HB 1506 Prime Sponsor, Representative Senn:
Addressing workplace practices to achieve
gender pay equity. Reported by Committee
on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by
Representatives Sells, Chair; Gregerson, Vice Chair;
Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by
Representatives Manweller, Ranking Minority Member
McCabe, Assistant Ranking Minority Member.

MINORITY recommendation: Without
recommendation. Signed by Representative Pike.

Referred to Committee on Appropriations.

January 30, 2017

HB 1533 Prime Sponsor, Representative Dolan:
Addressing wage and salary information.
Reported by Committee on Labor &
Workplace Standards

MAJORITY recommendation: Do pass. Signed by
Representatives Sells, Chair; Gregerson, Vice Chair;
Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by
Representatives Manweller, Ranking Minority Member;
McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's
committee reports under the fifth order of business were
referred to the committees so designated.

There being no objection, the House advanced to the
sixth order of business.

SECOND READING

**SENATE CONCURRENT RESOLUTION NO.
8402, by Senators Schoesler, Nelson and Saldaña**

**Honoring former members of the Senate and House
of Representatives of the State of Washington who have
passed from this life.**

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the
second reading considered the third and the concurrent
resolution was placed on final passage.

Representatives Tarleton and Wilcox spoke in favor of
the passage of the bill.

The Speaker (Representative Lovick presiding) stated
the question before the House to be the adoption of Senate
Concurrent Resolution No. 8402.

SENATE CONCURRENT RESOLUTION NO. 8402
was adopted.

**HOUSE BILL NO. 1027, by Representatives Barkis,
Vick, Stanford, Kirby and Ryu**

Addressing surplus line broker licensing.

The bill was read the second time.

There being no objection, Substitute House Bill No.
1027 was substituted for House Bill No. 1027 and the
substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1027 was read the
second time.

There being no objection, the rules were suspended, the
second reading considered the third and the bill was placed
on final passage.

Representatives Barkis, Kirby and Wilcox spoke in
favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated
the question before the House to be the final passage of
Substitute House Bill No. 1027.

ROLL CALL

The Clerk called the roll on the final passage of
Substitute House Bill No. 1027, and the bill passed the
House by the following vote: Yeas, 98; Nays, 0; Absent, 0;
Excused, 0.

Voting yea: Representatives Appleton, Barkis,
Bergquist, Blake, Buys, Caldier, Chandler, Chapman,
Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan,
Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves,
Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,
Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins,
Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster,
Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri,
Manweller, Maycumber, McBride, McCabe, McCaslin,
McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-
Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet,
Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer,
Schmick, Sells, Senn, Shea, Slatter, Smith, Springer,
Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan,
Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J.
Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1027, having
received the necessary constitutional majority, was declared
passed.

POINT OF PERSONAL PRIVILEGE

Representative Wilcox congratulated Representative
Barkis on the passage of his first bill through the House, and
asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1056, by Representatives Kilduff, Muri, Appleton, Shea, Lovick, MacEwen, Stanford, Reeves, Fitzgibbon, Frame, Ormsby, Jinkins, Bergquist, Goodman, Gregerson, Kirby, Fey, Slatter and Sawyer

Concerning consumer protections for military service members on active duty.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (004):

On page 3, line 16, after "exceeding" strike "fifty-five" and insert "~~((fifty five))~~" "five"

On page 3, line 18, after "exceeding" strike "one hundred ten" and insert "~~((one hundred ten))~~" "ten"

Representative Klippert and Klippert (again) spoke in favor of the adoption of the amendment.

Representative Kilduff spoke against the adoption of the amendment.

Amendment (004) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff, Rodne and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1056.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1056, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1056, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1167, by Representatives Griffey and Springer

Concerning fire commissioner compensation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1167.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1167, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1167, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1184, by Representatives Orwall, Griffey, Klippert, McCabe, Senn, Gregerson, Pellicciotti, Jinkins, Irwin, Wylie, Kilduff, McBride, Bergquist, Fey, Smith, Stanford and Hudgins

Modifying patronizing a prostitute provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1184 was substituted for House Bill No. 1184 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1184 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1184.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1184, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Halder, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1184, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1414, by Representatives Stonier, Sawyer, Smith, Ryu, Hayes, Cody, Stambaugh, Appleton, Stokesbary, Fitzgibbon, Peterson, Wilcox, Barkis, Gregerson, Macri, Jinkins, Chapman, Pollet, Ortiz-Self, Robinson, Frame, Kagi, Dolan and Doglio

Concerning dental health services in tribal settings.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1414 was substituted for House Bill No. 1414 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1414 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, McCabe, Santos and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1414.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1414, and the bill passed the House by the following vote: Yeas, 80; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Halder, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Dent, Dye, Hargrove, Johnson, Klippert, Koster, Manweller, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Volz and Young.

SUBSTITUTE HOUSE BILL NO. 1414, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1414.

Representative Dye, 9th Legislative District

There being no objection, the House adjourned until 9:55 a.m., February 2, 2017, the 26th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

TWENTY SIXTH DAY

House Chamber, Olympia, Friday, February 3, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1930 by Representatives Frame, Rodne and Jinkins

AN ACT Relating to child custody; amending RCW 26.10.030, 26.10.032, 26.10.100, 26.10.160, 26.10.190, 26.10.200, 26.09.260, and 26.09.270; and adding new sections to chapter 26.10 RCW.

Referred to Committee on Judiciary.

HB 1931 by Representatives Hayes, Macri, McDonald and Jinkins

AN ACT Relating to posting child abuse and neglect mandated reporter requirements; and amending RCW 26.44.030.

Referred to Committee on Early Learning & Human Services.

HB 1932 by Representatives Manweller, Dent, Steele, Condotta, Schmick, Dye and Hayes

AN ACT Relating to the eligibility of emergency medical technicians employed by public hospital districts for membership in the law enforcement officers' and firefighters' retirement system; amending RCW 41.26.030; and creating a new section.

Referred to Committee on Appropriations.

HB 1933 by Representatives J. Walsh, Blake, Irwin, Chapman, Vick, Wilcox and Hayes

AN ACT Relating to the transfer of firearms at nonprofit fund-raising activities; and amending RCW 9.41.113.

Referred to Committee on Judiciary.

HB 1934 by Representative Haler

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections, requiring redistricting and new elections in certain circumstances, and establishing a cause of action to redress lack of voter opportunity; amending RCW 36.32.020 and 29A.76.010; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 1935 by Representatives Orwall, Nealey, Cody, Gregerson, Pettigrew, Fitzgibbon, Peterson, Ormsby, Pollet, Hudgins, Farrell, Appleton, Harris, Kagi, Frame, Goodman, Jinkins and Stanford

AN ACT Relating to reducing criminal justice expenses by eliminating the death penalty and instead requiring life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder; amending RCW 10.95.030; and repealing RCW 10.95.040, 10.95.050, 10.95.060, 10.95.070, 10.95.080, 10.95.090, 10.95.100, 10.95.110, 10.95.120, 10.95.130, 10.95.140, 10.95.150, 10.95.160, 10.95.170, 10.95.180, 10.95.185, 10.95.190, and 10.95.200.

Referred to Committee on Judiciary.

HB 1936 by Representatives Hudgins, Johnson, Sawyer, Tarleton, Kilduff and Ormsby

AN ACT Relating to the inclusion of willful violations of chapters 49.46, 49.48, and 49.52 RCW to the state's responsible bidder criteria; amending RCW 39.04.350 and 39.26.160; and creating a new section.

Referred to Committee on Capital Budget.

HB 1937 by Representative Stokesbary

AN ACT Relating to buffer zones with respect to siting state-licensed marijuana businesses and entities near reservations of federally recognized tribes; and amending RCW 69.50.331.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1938 by Representatives Tharinger, J. Walsh, Blake, Chapman and Stanford

AN ACT Relating to ensuring economic development by authorizing public utility districts to provide retail telecommunications services; amending RCW 54.16.005 and 54.16.330; adding a new section to chapter 54.16 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1939 by Representatives Hudgins, Bergquist, Ortiz-Self, Peterson, Robinson, Jinkins, Gregerson, Stanford, Ormsby, Santos and Pollet

AN ACT Relating to recognizing the thirty-first day of March as Cesar Chavez day; and amending RCW 1.16.050.

Referred to Committee on State Government, Elections & Information Technology.

HB 1940 by Representatives Goodman, Orcutt, Springer, Klippert, Lovick, Orwall, Appleton, Hayes, Hargrove, Muri, Pollet and Ormsby

AN ACT Relating to proof of financial responsibility before the issuance of vehicle registrations; amending RCW 46.16A.130, 46.16A.110, 46.16A.040, and 46.30.040; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 1941 by Representatives Ryu, Blake, Sawyer, Peterson, Stanford, Pollet, Goodman, Senn, Bergquist, Kloba, Ortiz-Self, Stonier, Tarleton, Fitzgibbon, Jinkins, Gregerson and Ormsby

AN ACT Relating to disqualifying employers from tax credits and tax incentives when there have been certain violations of labor relations; and adding a new section to chapter 82.02 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1942 by Representatives Fey, Robinson, Tharinger, Blake, Peterson, Sawyer, Stanford, Pollet, Senn, Bergquist, Ortiz-Self, Stonier, Fitzgibbon, Jinkins and Ormsby

AN ACT Relating to the overpayment of benefits paid to an individual unemployed due to a lockout; amending RCW 50.20.190; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 1943 by Representatives Kagi and Graves

AN ACT Relating to child welfare court proceedings; amending RCW 13.34.065, 13.34.136, and 13.34.180; and reenacting and amending RCW 13.34.138 and 13.34.145.

Referred to Committee on Early Learning & Human Services.

HB 1944 by Representatives Condotta and Hayes

AN ACT Relating to exempting certain law enforcement officers from the hunter education training program; and amending RCW 77.32.155.

Referred to Committee on Agriculture & Natural Resources.

HB 1945 by Representatives Condotta and McDonald

AN ACT Relating to allowing prospective jurors who are elderly to choose to be excused from jury service or to remain a prospective juror; and amending RCW 2.36.100.

Referred to Committee on Judiciary.

HB 1946 by Representative Condotta

AN ACT Relating to exempting pipe tobacco from the prohibition on shipping or transporting tobacco products ordered or purchased by mail or through the internet; and amending RCW 70.155.010.

Referred to Committee on Commerce & Gaming.

HB 1947 by Representatives Koster and Shea

AN ACT Relating to employers making gifts based on marital status; and amending RCW 49.60.180.

Referred to Committee on Judiciary.

HB 1948 by Representatives Harmsworth, Hudgins, Van Werven, Pollet and Taylor

AN ACT Relating to open meetings of subgroups of a public agency governing body; and amending RCW 42.30.030.

Referred to Committee on State Government, Elections & Information Technology.

HB 1949 by Representatives Stambaugh, Tarleton, Kraft and Ormsby

AN ACT Relating to creating the skilled worker outreach, recruitment, and key training program; and adding a new chapter to Title 28C RCW.

Referred to Committee on Higher Education.

HB 1950 by Representatives Stambaugh, Blake, Kraft, McDonald and Pike

AN ACT Relating to written correspondence regarding ethics complaints; and amending RCW 42.52.410, 42.52.420, 42.52.425, and 42.52.450.

Referred to Committee on State Government, Elections & Information Technology.

HB 1951 by Representatives Manweller, Koster, Buys and Condotta

AN ACT Relating to requiring public employee collective bargaining sessions to be open meetings; amending RCW 42.30.140; adding a new section to chapter 42.30 RCW; adding a new section to chapter 41.56 RCW; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 47.64 RCW; and adding a new section to chapter 49.39 RCW.

Referred to Committee on Labor & Workplace Standards.

SB 5011 by Senators Pedersen, Padden, Frockt, Fain and Kuderer

AN ACT Relating to the business corporation act; amending RCW 23B.12.010, 23B.12.020, 23B.07.050, 23B.13.020, 23B.07.300, 23B.07.320, 23B.11.040, and 23B.19.020; reenacting and amending RCW 23B.01.400; adding a new section to chapter 23B.02 RCW; and adding a new chapter to Title 23B RCW.

Referred to Committee on Judiciary.

SSB 5079 by Senate Committee on Health Care (originally sponsored by Senators McCoy, Becker, Rivers, Cleveland, Keiser, Conway, Kuderer, Darneille, Saldaña, Wellman and Bailey)

AN ACT Relating to dental health services in tribal settings; amending RCW 18.29.180, 18.32.030, and 18.260.110; adding a new section to chapter 18.350 RCW; adding a new section to chapter 74.09 RCW; and adding a new chapter to Title 70 RCW.

SB 5122 by Senators Takko and Rivers

AN ACT Relating to fire commissioner compensation; and amending RCW 52.14.010.

Referred to Committee on Local Government.

SSB 5607 by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Rivers, Fain, Zeiger, Schoesler, Honeyford, Warnick,

King, Brown, Angel, Wilson, Sheldon, Becker and Miloscia)

AN ACT Relating to education; amending RCW 28A.150.390, 28A.510.250, 28A.150.392, 28A.710.280, 84.52.065, 84.52.043, 84.52.043, 84.48.080, 84.52.070, 84.55.070, 84.69.020, 84.36.381, 84.36.630, 84.52.053, 84.52.0531, 28A.150.410, 28A.400.200, 28A.405.415, 28A.400.350, 28A.150.550, 28A.320.330, 28A.505.140, 28A.505.040, 28A.505.050, 28A.505.060, 28A.505.100, 28A.150.203, 28A.410.025, 28A.657.020, 28A.630.400, 28A.150.203, 28A.410.062, 28B.50.891, 28A.150.250, 28A.150.280, 28A.150.290, 28A.150.310, 28A.150.315, 28A.150.350, 28A.150.360, 28A.150.400, 28A.160.130, 28A.160.170, 28A.165.055, 28A.185.010, 28A.185.020, 28A.340.040, 28A.232.020, 28A.400.220, 28A.400.240, 28A.400.250, 28A.625.110, 28A.625.150, 28A.710.220, 28A.710.240, 28A.715.040, 28A.405.140, and 28A.405.220; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010 c 237 ss 9, 8, and 10, and 2016 c 202 s 56 (uncodified); reenacting and amending RCW 84.48.110, 84.55.092, 84.52.0531, and 84.52.0531; adding new sections to chapter 28A.150 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; adding a new section to chapter 28A.500 RCW; adding new sections to chapter 28A.400 RCW; adding new sections to chapter 28A.405 RCW; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 43.09 RCW; adding new sections to chapter 28A.657 RCW; adding new sections to chapter 28A.655 RCW; adding new sections to chapter 28A.625 RCW; adding new sections to chapter 41.56 RCW; adding new sections to chapter 41.59 RCW; adding new sections to chapter 28A.410 RCW; adding new sections to chapter 28A.225 RCW; adding a new section to chapter 28A.155 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 28A.165 RCW; adding a new section to chapter 28A.170 RCW; adding a new section to chapter 28A.175 RCW; adding a new section to chapter 28A.180 RCW; adding a new section to chapter 28A.185 RCW; adding a new section to chapter 28A.188 RCW; adding a new section to chapter 28A.190 RCW; adding a new section to chapter 28A.193 RCW; adding a new section to chapter 28A.194 RCW; adding a new section to chapter 28A.205 RCW; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 28A.215 RCW; adding a new section to chapter 28A.220 RCW; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.232 RCW; adding a new section to chapter 28A.235 RCW; adding a new section to chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW; adding new sections to chapter 28A.300 RCW; adding new sections to chapter 28A.305 RCW; adding new sections to chapter 28A.310 RCW; adding a new section to chapter

28A.315 RCW; adding a new section to chapter
 28A.323 RCW; adding a new section to chapter
 28A.325 RCW; adding a new section to chapter
 28A.330 RCW; adding a new section to chapter
 28A.335 RCW; adding a new section to chapter
 28A.340 RCW; adding a new section to chapter
 28A.343 RCW; adding new sections to chapter
 28A.345 RCW; adding a new section to chapter
 28A.415 RCW; adding a new section to chapter
 28A.505 RCW; adding a new section to chapter
 28A.510 RCW; adding a new section to chapter
 28A.515 RCW; adding a new section to chapter
 28A.520 RCW; adding a new section to chapter
 28A.525 RCW; adding a new section to chapter
 28A.527 RCW; adding a new section to chapter
 28A.530 RCW; adding a new section to chapter
 28A.535 RCW; adding a new section to chapter
 28A.540 RCW; adding a new section to chapter
 28A.545 RCW; adding a new section to chapter
 28A.600 RCW; adding a new section to chapter
 28A.605 RCW; adding a new section to chapter
 28A.620 RCW; adding a new section to chapter
 28A.623 RCW; adding a new section to chapter
 28A.630 RCW; adding a new section to chapter
 28A.635 RCW; adding a new section to chapter
 28A.640 RCW; adding a new section to chapter
 28A.642 RCW; adding a new section to chapter
 28A.645 RCW; adding a new section to chapter
 28A.650 RCW; adding a new section to chapter
 28A.660 RCW; adding a new section to chapter
 28A.690 RCW; adding a new section to chapter
 28A.700 RCW; adding a new section to chapter
 28A.705 RCW; adding a new section to chapter
 28A.715 RCW; adding a new section to chapter 43.06B
 RCW; creating new sections; recodifying RCW
 28A.150.230, 28A.150.300, 28A.150.305,
 28A.150.240, and 28A.150.550; decodifying RCW
 28A.405.110; repealing RCW 28A.150.198,
 28A.150.261, 28A.160.150, 28A.160.160,
 28A.160.180, 28A.160.190, 28A.160.191,
 28A.160.192, 28A.160.205, 28A.180.080,
 28A.300.173, 28A.300.2851, 28A.400.201,
 28A.405.200, 28A.415.020, 28A.415.023,
 28A.415.024, 28A.415.025, 28A.150.260,
 28A.400.205, and 28A.400.206; repealing 2015 c 2 ss
 1, 4, and 5 and 2015 3rd sp.s. c 38 s 3 (uncodified);
 providing effective dates; providing a contingent
 effective date; providing expiration dates; and
 providing for submission of certain sections of this act
 to a vote of the people.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SUBSTITUTE SENATE BILL NO. 5079 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 2, 2017

HB 1086 Prime Sponsor, Representative Blake:
 Promoting the completion of
 environmental impact statements within
 two years. Reported by Committee on
 Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Dye; Fey; Kagi; McBride Shea, Member.

Referred to Committee on Rules for second reading.

February 2, 2017

HB 1112 Prime Sponsor, Representative Orwall:
 Vacating convictions arising from offenses
 committed as a result of being a victim of
 trafficking, promoting prostitution, or
 promoting commercial sexual abuse of a
 minor. Reported by Committee on Public
 Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member Hayes, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 1, 2017

HB 1120 Prime Sponsor, Representative Smith:
 Concerning the regulatory fairness act.
 Reported by Committee on Technology &
 Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

Referred to Committee on Appropriations.

February 1, 2017

HB 1132 Prime Sponsor, Representative Buys:
 Concerning dispute resolution between
 seed buyers and dealers. Reported by
 Committee on Agriculture & Natural
 Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 1, 2017

HB 1149 Prime Sponsor, Representative Chapman: Providing an exemption from certain maximum vehicle length limitations. Reported by Committee on Transportation

HB 1204

February 1, 2017

Prime Sponsor, Representative Young: Requiring the display of the national league of families' POW/MIA flag on certain days. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 1, 2017

HB 1154 Prime Sponsor, Representative Tarleton: Ensuring the competitiveness of Washington state's fishing and seafood processing industries by supporting the recapitalization of fishing fleets through certain tax preferences. Reported by Committee on Technology & Economic Development

HB 1209

February 1, 2017

Prime Sponsor, Representative Bergquist: Concerning municipal access to local financial services. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Bergquist; Blake; McCabe; Santos and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representatives Barkis and Jenkin.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

HB 1218

February 1, 2017

Prime Sponsor, Representative Fey: Modifying when towing fees terminate. Reported by Committee on Transportation

Referred to Committee on Finance.

February 1, 2017

HB 1159 Prime Sponsor, Representative Pellicciotti: Concerning employment after public service in state government. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Without recommendation. Signed by Representatives Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Irwin and Kraft.

HB 1417

February 1, 2017

Prime Sponsor, Representative Hudgins: Concerning the harmonization of the open public meetings act with the public records act in relation to information technology security matters. Reported by Committee

on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

HB 1472 February 2, 2017
Prime Sponsor, Representative Hudgins: Criminalizing damaging, destroying, tampering, or removing ballot return boxes or contents. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

HB 1487 February 2, 2017
Prime Sponsor, Representative Condotta: Authorizing marijuana retailers to sell marijuana merchandise. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

HB 1593 February 1, 2017
Prime Sponsor, Representative Vick: Simplifying small securities offerings. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENTS

The Speaker (Representative Sullivan presiding) announced the following committee appointments:

Representative Buys was appointed to the Committee on Environment, replacing Representative Shea.

Representative Taylor was appointed Ranking Minority Member of the Committee on Environment.

Representative Haler was appointed to the Committee on Rules.

Representative Maycumber was appointed Assistant Ranking Minority Member of the Committee on Environment and appointed to the Committee on Health Care & Wellness.

Representative Griffey replaced Representative Taylor as Ranking Minority Member of the Committee on Local Government.

Representative Pike was appointed Assistant Ranking Minority Member of the Committee on Local Government, replacing Representative Griffey.

There being no objection, the House adjourned until 9:55 a.m., February 6, 2017, the 29th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

TWENTY NINTH DAY

House Chamber, Olympia, Monday, February 6, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

Referred to Committee on Technology & Economic Development.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

HB 1955 by Representatives Bergquist, Pollet, Ortiz-Self, McBride, Stanford and Tarleton

There being no objection, the House advanced to the third order of business.

AN ACT Relating to increasing the dependability of the guaranteed education tuition program; amending RCW 28B.95.030; creating a new section; providing an effective date; and declaring an emergency.

MESSAGE FROM THE SENATE

Referred to Committee on Higher Education.

February 3, 2017

MR. SPEAKER:

HB 1956 by Representatives Stanford, Kloba, Fitzgibbon, Ortiz-Self, Peterson, McBride, Ormsby, Farrell, Slatter, Santos, Doglio, Pollet, Pettigrew, Jinkins and Tarleton

The President has signed:

AN ACT Relating to limiting disclosure of information about the religious affiliation of individuals; and adding a new section to chapter 49.60 RCW.

SENATE CONCURRENT RESOLUTION NO. 8402,

and the same is herewith transmitted.

Referred to Committee on Judiciary.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

HB 1957 by Representatives Dent, Appleton, Johnson, Kagi, Jenkin, Manweller, Senn, Chandler, Griffey and Klippert

INTRODUCTION & FIRST READING

AN ACT Relating to establishing community appeals boards that review licensing decisions of the department of early learning; amending RCW 43.215.305; and adding a new section to chapter 43.215 RCW.

HB 1952 by Representatives Blake, J. Walsh, Pellicciotti, Chapman, Stambaugh and Ormsby

AN ACT Relating to enforcement of the electrical laws; amending RCW 19.28.010; adding a new section to chapter 19.28 RCW; and prescribing penalties.

Referred to Committee on Early Learning & Human Services.

Referred to Committee on Labor & Workplace Standards.

HB 1953 by Representatives Dolan, Gregerson, Sells, Doglio, Ormsby and Kilduff

HB 1958 by Representatives Harmsworth, Young, Rodne and Stanford

AN ACT Relating to maximum penalties under the Washington industrial safety and health act; amending RCW 49.17.180; and providing an effective date.

AN ACT Relating to regional transit authority property taxes imposed on less than a whole parcel; amending RCW 81.104.175; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

Referred to Committee on Transportation.

HB 1954 by Representatives Morris, Harmsworth, DeBolt, Tarleton, Santos, Smith and Slatter

HB 1959 by Representatives Harmsworth, Pollet, Young and Van Werven

AN ACT Relating to utility relocation costs; and amending RCW 81.112.100.

AN ACT Relating to requiring a public hearing before a local government may remove a restrictive covenant from land owned by the local government; adding a

new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; and creating new sections.

Referred to Committee on Local Government.

HB 1960 by Representatives Chandler, Manweller, Wilcox and Stokesbary

AN ACT Relating to fiscal notes; amending RCW 43.88A.010; adding a new section to chapter 43.88A RCW; creating a new section; and providing expiration dates.

Referred to Committee on Appropriations.

HB 1961 by Representatives Graves, Springer and Taylor

AN ACT Relating to urban growth area amendments; and amending RCW 36.70A.110 and 36.70A.215.

Referred to Committee on Environment.

HB 1962 by Representatives Jinkins, Fey, Farrell, Sawyer, Fitzgibbon, Ortiz-Self and Pollet

AN ACT Relating to disciplinary procedures at private institutions of higher education; adding a new section to chapter 28B.85 RCW; and adding new sections to chapter 28B.77 RCW.

Referred to Committee on Higher Education.

HB 1963 by Representatives Doglio, Fey, Farrell, Fitzgibbon and Ryu

AN ACT Relating to electric utility meter-based performance programs; and amending RCW 19.285.030 and 19.285.080.

Referred to Committee on Technology & Economic Development.

HB 1964 by Representatives Doglio, Appleton and Tarleton

AN ACT Relating to clean energy financing; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 1965 by Representatives Lovick and Irwin

AN ACT Relating to standardizing the collection and distribution of criminal records; and amending RCW 9.41.070, 9.41.173, 9A.44.130, and 43.43.735.

Referred to Committee on Judiciary.

HB 1966 by Representatives Stanford, Vick, Kirby and Ormsby

AN ACT Relating to the minimum operating requirements and the review of plans necessary to be included in the small business retirement marketplace; and amending RCW 43.330.735 and 43.330.750.

Referred to Committee on Business & Financial Services.

HB 1967 by Representatives Stanford, Ormsby and Pollet

AN ACT Relating to noncompetition agreements; adding a new section to chapter 49.44 RCW; and creating new sections.

Referred to Committee on Labor & Workplace Standards.

HB 1968 by Representatives Jinkins, Schmick, Tharinger, Harris, Bergquist, Vick, Pettigrew and Holy

AN ACT Relating to limiting nursing home direct care payment adjustments to the lowest case mix weights in the reduced physical function groups and authorizing upward adjustments to case mix weights in the cognitive and behavior groups; and amending RCW 74.46.485.

Referred to Committee on Appropriations.

HB 1969 by Representative Klippert

AN ACT Relating to prohibiting mandatory child support for postsecondary education of adult children; amending RCW 26.09.170, 26.09.225, 26.19.035, and 26.19.075; adding a new section to chapter 26.09 RCW; creating a new section; and repealing RCW 26.19.090.

Referred to Committee on Judiciary.

HB 1970 by Representatives Klippert, Hayes, Muri and Stanford

AN ACT Relating to making a fourth driving under the influence offense a felony; amending RCW 46.61.502, 46.61.504, and 46.61.5054; reenacting and amending RCW 46.61.5055 and 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1971 by Representative Klippert

AN ACT Relating to prohibiting nonphysicians from performing abortions; amending RCW 9.02.110; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1972 by Representative Klippert

AN ACT Relating to the mental health evaluation and treatment of individuals who threaten to murder a

family member or other person who resides with the individual; reenacting and amending RCW 71.05.020 and 71.05.020; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1973 by Representative Klippert

AN ACT Relating to prohibiting the use of voluntary intoxication as a defense against a criminal charge; amending RCW 9A.16.090 and 9A.08.010; adding a new section to chapter 9A.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1974 by Representative Klippert

AN ACT Relating to the rights of crime victims, survivors of crime victims, and witnesses of crime; amending RCW 7.69.020, 7.69.030, and 7.69.050; and adding a new section to chapter 7.69 RCW.

Referred to Committee on Judiciary.

HB 1975 by Representatives Jinkins, Robinson, Doglio, Stonier, Cody, Pollet, Dolan, Riccelli, Macri, Peterson, Ormsby and Kagi

AN ACT Relating to a tax on sugar-sweetened beverages; adding a new chapter to Title 82 RCW; repealing RCW 82.64.010, 82.64.020, 82.64.025, 82.64.030, 82.64.040, 82.64.050, 82.64.901, and 82.64.902; and providing an effective date.

Referred to Committee on Finance.

HB 1976 by Representatives Pellicciotti, Hayes, Riccelli, Irwin, Ortiz-Self, Holy and Ormsby

AN ACT Relating to creating a pilot program for the supervision of offenders who commit motor vehicle-related and property offenses; adding a new section to chapter 9.94A RCW; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1977 by Representatives Kilduff, Orcutt, Lovick, Muri, Ormsby and Goodman

AN ACT Relating to attestation of financial responsibility at the time of vehicle registration; amending RCW 46.16A.050, 46.16A.110, 46.30.040, and 46.63.020; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 1978 by Representatives Kilduff, McCabe, Ryu, Muri, Orwall and Reeves

AN ACT Relating to requiring annual reporting on the implementation of laws to streamline licensing processes for military service members and their spouses; and amending RCW 73.04.150.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1979 by Representatives Ryu, Shea, Blake, Ormsby, Goodman and Santos

AN ACT Relating to funding industrial hemp research; creating a new section; and making an appropriation.

Referred to Committee on Appropriations.

HB 1980 by Representatives Blake, Chapman, Macri, Robinson, Van Werven, Morris, Smith, Haler, J. Walsh, Ryu, Johnson, Stanford, Sells, Ormsby, Frame, Kretz, Dye, Santos, Doglio, Pollet, Tarleton and Jinkins

AN ACT Relating to creating a low-income home rehabilitation revolving loan program; reenacting and amending RCW 43.79A.040; and adding new sections to chapter 43.330 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1981 by Representatives Farrell, Ormsby, Slatter, Pollet and Jinkins

AN ACT Relating to estimating the effective tax rate of proposed ballot measures and legislation; amending RCW 29A.32.070; adding a new section to chapter 29A.72 RCW; and adding a new section to chapter 43.88A RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 1982 by Representatives Sullivan, Stambaugh, Ormsby and Pollet

AN ACT Relating to school safety; and amending RCW 28A.320.125 and 36.28A.060.

Referred to Committee on Education.

HB 1983 by Representatives Dye, Riccelli and Dent

AN ACT Relating to reducing the population requirement in a consortium of counties in order to operate a juvenile correctional facility; and amending RCW 13.04.035.

Referred to Committee on Early Learning & Human Services.

HB 1984 by Representatives Hudgins and Volz

AN ACT Relating to the association of Washington generals; and amending RCW 43.15.030.

Referred to Committee on State Government, Elections & Information Technology.

HB 1985 by Representatives Ortiz-Self, Ryu, Gregerson, Santos, Slatter, Stanford, Fey, Doglio, Pollet, Jinkins, Tarleton and McBride

AN ACT Relating to establishing a statewide policy supporting Washington state's economy and immigrants' role in the workplace; adding new sections to chapter 43.17 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 43.10 RCW; creating new sections; repealing RCW 10.70.140 and 10.70.150; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1986 by Representative Klippert

AN ACT Relating to making crimes and threats against persons because of their occupation as an honorably discharged veteran or military status a hate crime; amending RCW 9A.36.078, 9A.36.080, 9A.46.060, 9A.36.031, and 36.28A.030; declaring an emergency; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1987 by Representatives McBride, Macri, Robinson, Stanford, Slatter, Senn, Santos, Chapman, Ortiz-Self and Jinkins

AN ACT Relating to allowing affordable housing development on religious organization property; and amending RCW 35.63.080, 35A.63.100, 36.43.010, and 36.70.750.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1988 by Representatives Ortiz-Self, Santos, McBride and Frame

AN ACT Relating to implementing a vulnerable youth guardianship program; and adding a new chapter to Title 13 RCW.

Referred to Committee on Judiciary.

HB 1989 by Representatives Pollet, Harmsworth, Stanford and Kilduff

AN ACT Relating to advisory groups and public meetings; adding a new section to chapter 42.30 RCW; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

HB 1990 by Representatives Volz, Shea, Taylor, Haler, Vick, Steele, McCaslin, Condotta and Holy

AN ACT Relating to providing that usury laws apply to interest, penalties, and costs imposed on certain delinquent property taxes; and repealing RCW 19.52.140.

Referred to Committee on Finance.

HB 1991 by Representatives Volz, Stonier, McCaslin, Taylor, Shea, Koster and Holy

AN ACT Relating to clarifying the county treasurer's administration of payments and costs related to delinquent properties; and amending RCW 84.56.020.

Referred to Committee on Local Government.

HB 1992 by Representatives Volz and Koster

AN ACT Relating to administrative costs of county treasurers; and adding a new section to chapter 36.29 RCW.

Referred to Committee on Local Government.

HB 1993 by Representatives Volz, Kraft, Koster, Holy, Senn and Shea

AN ACT Relating to authorizing county treasurers to contract with other county treasurers for services; and amending RCW 36.29.010.

Referred to Committee on Local Government.

HB 1994 by Representatives Stambaugh, Barkis, McDonald and Haler

AN ACT Relating to limiting actions of the legislative ethics board during preelection periods; and amending RCW 42.52.320.

Referred to Committee on State Government, Elections & Information Technology.

HB 1995 by Representatives Pettigrew, Macri and Santos

AN ACT Relating to the rehabilitation of historic buildings; adding new sections to chapter 43.330 RCW; adding a new section to 2017 c ... (HB 1075)(uncodified); creating a new section; making an appropriation; and providing an expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1996 by Representative Schmick

AN ACT Relating to maintaining the quarterly average census method for calculating state hospital reimbursements; and amending RCW 71.24.310.

Referred to Committee on Appropriations.

HB 1997 by Representatives Haler and Hayes

AN ACT Relating to a driver training instructor advisory committee; amending RCW 46.20.100; and adding a new section to chapter 46.82 RCW.

Referred to Committee on Transportation.

HB 1998 by Representatives Volz, Koster and McBride

AN ACT Relating to exempting from property taxation mobile homes, manufactured homes, and park model trailers that were manufactured prior to 1976; amending RCW 84.56.070; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

HB 1037 February 1, 2017
 Prime Sponsor, Representative Stanford:
 Concerning notice sent by and certain
 release of information affecting registered
 tow truck operators. Reported by
 Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

HB 1039 February 2, 2017
 Prime Sponsor, Representative Wylie:
 Allowing sales of growlers of wine.
 Reported by Committee on Commerce &
 Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Jenkin; Kirby and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Farrell and Ryu.

Referred to Committee on Rules for second reading.

HB 1065 February 2, 2017
 Prime Sponsor, Representative Kirby:
 Concerning penalties for marijuana
 offenses. Reported by Committee on
 Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

HB 1085 February 1, 2017
 Prime Sponsor, Representative Blake:
 Regulating the minimum dimensions of
 habitable spaces in single-family
 residential areas. Reported by Committee
 on Community Development, Housing &
 Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

HB 1111 February 2, 2017
 Prime Sponsor, Representative Orwall:
 Concerning DNA biological samples.
 Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

HB 1121 February 2, 2017
 Prime Sponsor, Representative Muri:
 Concerning the frequency of Puget Sound
 action agenda implementation strategy and
 science work plan updates. Reported by
 Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Fey; Kagi; McBride Shea, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and Dye.

Referred to Committee on Rules for second reading.

HB 1144

February 2, 2017
Prime Sponsor, Representative Fitzgibbon:
Amending state greenhouse gas emission
limits for consistency with the most recent
assessment of climate change science.
Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Dye Shea, Member.

Referred to Committee on Appropriations.

HB 1219

February 1, 2017
Prime Sponsor, Representative Orcutt:
Concerning deficiency claims after auction
of a private property vehicle impound.
Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

HB 1237

February 2, 2017
Prime Sponsor, Representative Sells:
Modifying collective bargaining law to
authorize providing additional
compensation to academic employees at
community and technical colleges.
Reported by Committee on Labor &
Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

HB 1258

February 2, 2017
Prime Sponsor, Representative McCabe:
Concerning persons with a disability
present at the scene of an accident.
Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert and Shea.

Referred to Committee on Appropriations.

HB 1263

February 2, 2017
Prime Sponsor, Representative McBride:
Concerning powered automatic doors in
buildings accessible to the public.
Reported by Committee on Local
Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

HB 1273

February 1, 2017
Prime Sponsor, Representative Ryu:
Concerning the alignment of state statutes
with federal standards for the issuance of
nondomiciled commercial drivers' licenses
and nondomiciled commercial learners'
permits. Reported by Committee on
Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Rodne; Shea and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Pike; Stambaugh; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 2, 2017

HB 1281 Prime Sponsor, Representative Fitzgibbon:
Modifying the appointment process for trustees of rural county library districts in counties with one million or more residents. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

February 2, 2017

HB 1300 Prime Sponsor, Representative Riccelli:
Simplifying and enforcing employee status under employment laws to ensure fairness to employers and employees and address the underground economy. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

February 2, 2017

HB 1324 Prime Sponsor, Representative Tharinger:
Concerning the financing of local infrastructure. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Griffey, Ranking Minority Member.

Referred to Committee on Capital Budget.

February 1, 2017

HB 1353 Prime Sponsor, Representative Dent:
Commissioning an elk management pilot project that focuses initially on the Colockum elk herd. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

February 2, 2017

HB 1355 Prime Sponsor, Representative Jinkins:
Concerning the authority of the public safety review panel. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Goodman; Graves and Shea.

MINORITY recommendation: Without recommendation. Signed by Representatives Haler and Klippert.

Referred to Committee on Appropriations.

February 2, 2017

HB 1378 Prime Sponsor, Representative Graves:
Concerning disqualification of judges. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

February 2, 2017

HB 1384 Prime Sponsor, Representative Goodman:
Concerning sexual assault protection orders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri,

Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Rules for second reading.

February 2, 2017

HB 1401 Prime Sponsor, Representative Ortiz-Self: Requiring the court to remove any person serving as a court-appointed special advocate or volunteer guardian ad litem if that person has made a materially false statement under oath. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

February 2, 2017

HB 1402 Prime Sponsor, Representative Jenkins: Concerning the rights and obligations associated with incapacitated persons and other vulnerable adults. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

February 2, 2017

HB 1419 Prime Sponsor, Representative Hudgins: Granting the governor authority to proclaim a state of emergency in the event of a substantial cybersecurity incident. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 3, 2017

HB 1421 Prime Sponsor, Representative Smith: Concerning the removal of payment credentials and other sensitive data from

state data networks. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Appropriations.

February 2, 2017

HB 1456 Prime Sponsor, Representative Kloba: Concerning metropolitan park districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Finance.

February 2, 2017

HB 1461 Prime Sponsor, Representative Sawyer: Creating a voluntary marijuana production standard and certification program. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Appropriations.

February 2, 2017

HB 1462 Prime Sponsor, Representative Kloba: Adding authority to the department of agriculture to regulate sanitary processing of marijuana-infused edibles. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Appropriations.

February 2, 2017

HB 1494 Prime Sponsor, Representative Morris:
Concerning private road maintenance
agreements. Reported by Committee on
Judiciary

MAJORITY recommendation: Do pass. Signed by
Representatives Jinkins, Chair; Kilduff, Vice Chair;
Frame; Goodman; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by
Representatives Graves and Shea.

MINORITY recommendation: Without
recommendation. Signed by Representatives Rodne,
Ranking Minority Member; Muri, Assistant Ranking
Minority Member; Haler and Klippert.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's
committee reports under the fifth order of business were
referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

SENATE CONCURRENT RESOLUTION NO. 8402

The Speaker called upon Representative Lovick to
preside.

There being no objection, the House adjourned until
9:55 a.m., February 7, 2017, the 30th Day of the Regular
Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRTIETH DAY

House Chamber, Olympia, Tuesday, February 7, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1999 by Representatives Gregerson, Stokesbary, Ryu, Hudgins, Cody, Pollet, Santos, Senn, Springer, Fitzgibbon, McBride, Stanford, Kagi and Slatter

AN ACT Relating to elections in port districts that are coextensive with a county having a population of over one-half million; and amending RCW 53.12.010.

Referred to Committee on State Government, Elections & Information Technology.

HB 2000 by Representative Peterson

AN ACT Relating to equalizing differences in the distillery and winery industries by authorizing certain private label spirits; and amending RCW 66.28.310, 66.24.140, 66.24.145, and 66.24.630.

Referred to Committee on Commerce & Gaming.

HB 2001 by Representative Nealey

AN ACT Relating to taxes on in-state broadcasters; amending RCW 82.04.280 and 82.04.280; reenacting and amending RCW 82.32.790; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Finance.

HB 2002 by Representative Nealey

AN ACT Relating to making a technical correction in Engrossed Substitute Senate Bill No. 6057 from 2015 to provide that the business and occupation tax rate for newspapers takes effect as of July 1, 2015; amending 2015 3rd sp.s. c 6 s 2301 (uncodified); and creating a new section.

Referred to Committee on Finance.

HB 2003 by Representatives Kloba, Kagi, Ortiz-Self, Tarleton, McBride, Ormsby and Fey

AN ACT Relating to special parking privileges for certain organizations that dispatch taxicab vehicles or vehicles for hire that transport persons with disabilities; amending RCW 46.19.020; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2004 by Representative Klippert

AN ACT Relating to the retirement age for state guard members; and amending RCW 38.16.015.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 2005 by Representatives Lytton, Nealey, Kagi and Ormsby

AN ACT Relating to improving the business climate in this state by simplifying the administration of municipal general business licenses; adding a new chapter to Title 35 RCW; and creating a new section.

Referred to Committee on Finance.

HB 2006 by Representatives Koster, Lytton, Springer, Volz, Senn, Tharinger, Fey, Stokesbary, Appleton, Nealey, Chapman and Ormsby

AN ACT Relating to providing cities and counties flexibility with existing resources; and amending RCW 82.14.310, 82.14.320, 82.14.330, and 82.14.460.

Referred to Committee on Appropriations.

HB 2007 by Representatives Kagi, Appleton, Hudgins, Jinkins, Johnson, Kilduff, Senn, Tarleton, Frame, Stonier, Stambaugh, Lytton, Macri, Robinson, Ormsby, Doglio, Slatter and Pollet

AN ACT Relating to commemorating the centennial of national women's suffrage; adding a new chapter to Title 27 RCW; and providing an expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 2008 by Representatives Kagi, Jinkins and Senn

AN ACT Relating to the budgeting process for core state services for children; amending RCW 43.88C.010; adding a new section to chapter 74.13 RCW; adding a new section to chapter 43.88 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2009 by Representatives Reeves, Stonier, Riccelli, Peterson, Doglio, Jinkins, Kilduff, Lovick, Tarleton, McBride, Ormsby, Stanford, Orwall, Muri, Slatter, Ryu and Fey

AN ACT Relating to providing higher education support for gold star families; and amending RCW 28B.15.621.

Referred to Committee on Higher Education.

HB 2010 by Representatives Maycumber, Dent, Blake, Kretz, Dye and Manweller

AN ACT Relating to the prevention of homelessness in wildfire areas; amending RCW 36.22.179 and 43.185C.060; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 2011 by Representatives Koster and Volz

AN ACT Relating to completing a study of the comparative constitutional and statutory obligations and revenue capacity of various local government entities; creating a new section; and making an appropriation.

Referred to Committee on Local Government.

HB 2012 by Representatives Koster and Volz

AN ACT Relating to state funding for indigent criminal defense services provided at the county and city level; amending RCW 82.14.310 and 82.14.320; creating a new section; repealing RCW 82.14.495 and 82.14.500; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2013 by Representatives Dent, McDonald, Senn, Klippert, Kagi, Griffey, Jinkins and Johnson

AN ACT Relating to mediation to address adverse licensing decisions by the department of early learning; and amending RCW 43.215.300 and 43.215.305.

Referred to Committee on Early Learning & Human Services.

HB 2014 by Representatives Macri, DeBolt, Pellicciotti, Kilduff, Robinson, Hudgins, Stonier, Sawyer,

Jinkins, Lovick, Ortiz-Self, Tarleton, Young, McBride, Ormsby, Stanford, Doglio, Slatter, Santos and Fey

AN ACT Relating to collecting data on hunger in Washington state; adding a new section to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 2015 by Representatives Pettigrew, Stokesbary, Nealey, Springer, Macri and Pollet

AN ACT Relating to modifying the lodging excise tax to remove the exemption for premises with fewer than sixty lodging units and to tax certain vacation rentals, short-term home-sharing arrangements, and other compensated use or occupancy of dwellings; amending RCW 36.100.040; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 2016 by Representatives DeBolt, Hayes, Stanford, Doglio and Muri

AN ACT Relating to access to midwifery and doula services for incarcerated women; adding a new section to chapter 72.09 RCW; and adding a new section to chapter 70.48 RCW.

Referred to Committee on Health Care & Wellness.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 3, 2017

HB 1054 Prime Sponsor, Representative Harris: Concerning the age of individuals at which sale or distribution of tobacco and vapor products may be made. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Clibborn; DeBolt; Harris; Jinkins; Maycumber; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier and MacEwen.

Referred to Committee on Finance.

February 3, 2017
HB 1060 Prime Sponsor, Representative Blake:
 Concerning the administration of
 marijuana to students for medical purposes.
 Reported by Committee on Health Care &
 Wellness

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Cody, Chair; Macri, Vice
 Chair; Schmick, Ranking Minority Member; Graves,
 Assistant Ranking Minority Member; Clibborn; Harris;
 Jinkins; Riccelli; Robinson; Slatter; Stonier and
 Tharinger.

MINORITY recommendation: Do not pass. Signed by
 Representatives Caldier and MacEwen.

MINORITY recommendation: Without
 recommendation. Signed by Representative
 Maycumber.

Referred to Committee on Appropriations.

February 3, 2017
HB 1076 Prime Sponsor, Representative Graves:
 Permitting the donation of home-prepared
 foods to charitable organizations. Reported
 by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Cody, Chair; Macri, Vice
 Chair; Schmick, Ranking Minority Member; Graves,
 Assistant Ranking Minority Member; Caldier; Clibborn;
 Harris; Jinkins; MacEwen; Maycumber; Riccelli;
 Robinson; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

February 3, 2017
HB 1160 Prime Sponsor, Representative Springer:
 Enacting recommendations of the sunshine
 committee. Reported by Committee on
 State Government, Elections &
 Information Technology

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Hudgins, Chair; Dolan, Vice
 Chair; Koster, Ranking Minority Member; Volz,
 Assistant Ranking Minority Member; Appleton;
 Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 3, 2017
HB 1175 Prime Sponsor, Representative Muri:
 Increasing the rate of sales and use tax that
 may be imposed by certain transportation

benefit districts. Reported by Committee
 on Finance

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Lytton, Chair; Frame, Vice
 Chair; Nealey, Ranking Minority Member; Condotta;
 Dolan; Springer; Stokesbary and Wilcox.

MINORITY recommendation: Do not pass. Signed by
 Representative Orcutt, Assistant Ranking Minority
 Member.

MINORITY recommendation: Without
 recommendation. Signed by Representative Pollet.

Referred to Committee on Transportation.

February 2, 2017
HB 1262 Prime Sponsor, Representative McBride:
 Concerning accessible parking spaces for
 people with disabilities. Reported by
 Committee on Local Government

MAJORITY recommendation: Do pass. Signed by
 Representatives Appleton, Chair; McBride, Vice Chair;
 Griffey, Ranking Minority Member; Pike, Assistant
 Ranking Minority Member and Peterson.

MINORITY recommendation: Do not pass. Signed by
 Representative Taylor.

Referred to Committee on Rules for second reading.

February 3, 2017
HB 1278 Prime Sponsor, Representative Macri:
 Enacting the physical therapy licensure
 compact. Reported by Committee on
 Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by
 Representatives Cody, Chair; Macri, Vice Chair;
 Graves, Assistant Ranking Minority Member; Caldier;
 Clibborn; Harris; Jinkins; MacEwen; Maycumber;
 Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by
 Representative Schmick, Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 3, 2017
HB 1283 Prime Sponsor, Representative Chapman:
 Eliminating the collection of anticipated
 taxes and assessments. Reported by
 Committee on Finance

MAJORITY recommendation: Do pass. Signed by
 Representatives Lytton, Chair; Frame, Vice Chair;
 Nealey, Ranking Minority Member; Orcutt, Assistant
 Ranking Minority Member; Condotta; Dolan; Pollet;
 Springer; Stokesbary and Wilcox.

Referred to Committee on Rules for second reading.

February 3, 2017

HB 1296 Prime Sponsor, Representative Nealey: Consolidating and simplifying the annual report and annual survey used for economic development tax incentives. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary and Wilcox.

Referred to Committee on Rules for second reading.

February 3, 2017

HB 1337 Prime Sponsor, Representative Riccelli: Creating the interstate medical licensure compact. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Schmick, Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 3, 2017

HB 1340 Prime Sponsor, Representative Cody: Modernizing substance use disorder professional practice. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Graves, Assistant Ranking Minority Member; Clibborn; Harris; Jinkins; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier and MacEwen.

MINORITY recommendation: Without recommendation. Signed by Representative Maycumber.

Referred to Committee on Rules for second reading.

February 3, 2017

HB 1344 Prime Sponsor, Representative Dolan: Extending the period for which a bond levy may be increased. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary and Wilcox.

Referred to Committee on Rules for second reading.

February 3, 2017

HB 1410 Prime Sponsor, Representative Doglio: Authorizing certain public transportation benefit areas to impose a sales and use tax increase approved by voters. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Dolan; Pollet; Springer; Stokesbary and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member Orcutt, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., February 8, 2017, the 31st Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRTY FIRST DAY

House Chamber, Olympia, Wednesday, February 8, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2017 by Representative Sells

AN ACT Relating to the lemon law's application to recreational vehicles; and amending RCW 19.118.021.

Referred to Committee on Business & Financial Services.

HB 2018 by Representative Blake

AN ACT Relating to livestock inspection; and amending RCW 16.57.220 and 16.65.090.

Referred to Committee on Agriculture & Natural Resources.

HB 2019 by Representatives Fey and Jinkins

AN ACT Relating to overwater residences within a historic district listed in the Washington heritage register; and amending RCW 90.58.270.

Referred to Committee on Environment.

HB 2020 by Representative Manweller

AN ACT Relating to limitations on liability for agritourism activities; adding new sections to chapter 4.24 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2021 by Representative Farrell

AN ACT Relating to authorizing the sale of marijuana plants and seeds to qualifying patients and designated providers; amending RCW 69.50.345, 69.50.342, 69.50.325, 69.50.366, 69.50.535, 69.51A.220, and 69.51A.250; and reenacting and amending RCW 69.50.101.

Referred to Committee on Commerce & Gaming.

HB 2022 by Representative Kilduff

AN ACT Relating to homeowners' association violations; and amending RCW 64.38.050.

Referred to Committee on Judiciary.

HB 2023 by Representative Fitzgibbon

AN ACT Relating to the effective date of certain actions taken under the growth management act; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Environment.

HB 2024 by Representative Klippert

AN ACT Relating to increasing the seriousness level of first degree rape; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2025 by Representatives Goodman, Klippert, Pettigrew, Hayes, Griffey and Chapman

AN ACT Relating to requiring the development and implementation of a comprehensive plan to improve offender programs; and adding new sections to chapter 72.09 RCW.

Referred to Committee on Public Safety.

HB 2026 by Representatives Pettigrew, Stokesbary, Tarleton, Doglio, Wilcox, Macri and Nealey

AN ACT Relating to providing a business and occupation tax credit for live arts performances; adding a new section to chapter 82.04 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Finance.

HB 2027 by Representative Kilduff

AN ACT Relating to the regulation of adult family homes; and amending RCW 70.128.090 and 70.128.130.

Referred to Committee on Health Care & Wellness.

HB 2028 by Representative Hudgins

AN ACT Relating to legislative technology; amending RCW 44.68.010, 44.68.020, 44.68.030, 44.68.035, 44.68.040, 44.68.050, 44.68.060, 44.68.065, 44.68.080, 44.68.085, 44.68.090, 44.68.100, and 44.68.105; and decodifying RCW 44.68.900.

Referred to Committee on State Government, Elections & Information Technology.

HB 2029 by Representatives Ortiz-Self, Ryu, Santos, Tarleton, Fey, Farrell, McBride, Wylie, Peterson, Kloba, Gregerson and Clibborn

AN ACT Relating to providing a referral resource for those seeking information and assistance for immigration and citizenship related matters; reenacting and amending RCW 42.56.230; adding a new section to chapter 49.60 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2030 by Representatives Ortiz-Self, Ryu, Santos, Fey, Gregerson, McBride, Wylie, Farrell, Peterson, Tarleton, Kloba and Clibborn

AN ACT Relating to discrimination based on citizenship or immigration status; amending RCW 49.60.010, 49.60.020, 49.60.030, 49.60.120, 49.60.130, 49.60.175, 49.60.176, 49.60.178, 49.60.180, 49.60.190, 49.60.200, 49.60.215, 49.60.222, 49.60.223, 49.60.224, and 49.60.225; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Judiciary.

HB 2031 by Representatives Appleton, Stokesbary, Kilduff and McDonald

AN ACT Relating to the funding of public defense services; amending RCW 10.101.050 and 10.101.060; creating a new section; repealing RCW 10.101.070 and 10.101.080; and providing a contingent effective date.

Referred to Committee on Appropriations.

HB 2032 by Representatives McBride and Jinkins

AN ACT Relating to creating a work group on service animal issues; creating a new section; and providing an expiration date.

Referred to Committee on Judiciary.

HB 2033 by Representative Ryu

AN ACT Relating to cannabis health and beauty aids; amending RCW 69.50.575, 69.50.325, and 69.50.580; and reenacting and amending RCW 69.50.101.

Referred to Committee on Commerce & Gaming.

HB 2034 by Representatives Lovick, Johnson and Tarleton

AN ACT Relating to requiring teacher preparation programs to integrate Native American curriculum developed by the office of the superintendent of public instruction into existing Pacific Northwest history and government requirements; amending RCW 28B.10.710; and creating a new section.

Referred to Committee on Education.

HB 2035 by Representatives Harmsworth and Hayes

AN ACT Relating to information on civil traffic infractions; and adding a new section to chapter 2.56 RCW.

Referred to Committee on Judiciary.

HB 2036 by Representative Orwall

AN ACT Relating to residential real property and the services and processes available when such property is abandoned or in foreclosure.

Referred to Committee on Judiciary.

HB 2037 by Representatives Frame, Haler, Ryu, Pollet, Stambaugh, Kagi, Kilduff, Tarleton and Fitzgibbon

AN ACT Relating to student services for students with disabilities; amending 2016 sp.s. c 22 s 2 (uncodified); creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

HB 2038 by Representatives Jenkin, Ryu, McBride, Condotta, Vick, Sawyer and Harris

AN ACT Relating to clarifying the applicability of RCW 70.345.080 to only vapor products; and amending RCW 70.345.080.

Referred to Committee on Commerce & Gaming.

HB 2039 by Representatives Springer, Haler, Jenkin, Johnson, Doglio, Dolan, Jinkins, Sawyer, Pettigrew, Robinson and Fitzgibbon

AN ACT Relating to funding the Washington information network 211 system; amending RCW 80.36.430; reenacting and amending RCW 43.79A.040; adding a new section to chapter 80.36 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2040 by Representatives Frame and Robinson

AN ACT Relating to increasing the notice of termination for tenancies under the residential landlord-tenant act; and amending RCW 59.18.200.

Referred to Committee on Judiciary.

HB 2041 by Representatives Koster and Volz

AN ACT Relating to making existing local government authority to seek voter approval to raise property tax revenue more useful; and amending RCW 84.52.135 and 84.55.050.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

HB 1152 February 6, 2017
Prime Sponsor, Representative Blake:
Concerning licensing agreements and consulting contracts for licensed marijuana businesses. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice

Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby and Ryu.

Referred to Committee on Rules for second reading.

HB 1420 February 7, 2017
Prime Sponsor, Representative Hudgins:
Concerning theatrical wrestling. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:00 a.m., February 9, 2017, the 32nd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRTY SECOND DAY

House Chamber, Olympia, Thursday, February 9, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Thomas Bergstrom and Emmy Rohrer. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Luke Hodges, North Star Church, Tumwater, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

February 8, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5030,
SUBSTITUTE SENATE BILL NO. 5031,
SENATE BILL NO. 5049,
SENATE BILL NO. 5059,
SUBSTITUTE SENATE BILL NO. 5083,
SENATE BILL NO. 5091,
SENATE BILL NO. 5261,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2042 by Representatives J. Walsh, Blake and Kretz

AN ACT Relating to restoring certain gubernatorial powers to waive statutory obligations or limitations in order to preserve and maintain life, health, property, or the public peace during a state of emergency; amending RCW 43.06.220; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

HB 2043 by Representatives Stonier, Wylie, Harris, Senn, Kloba, Lovick, Hudgins, Stanford, Kilduff, Ormsby and Santos

AN ACT Relating to breast cancer; and adding a new section to chapter 70.01 RCW.

Referred to Committee on Health Care & Wellness.

HB 2044 by Representatives McBride, Peterson, Robinson, Orwall, Chapman, Kloba, Santos and Pollet

AN ACT Relating to the hosting of the homeless by religious organizations; amending RCW 36.01.290, 35.21.915, and 35A.21.360; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 2045 by Representatives Sawyer, Ryu, Robinson, Stokesbary and Ormsby

AN ACT Relating to transfer of jurisdiction from a tribe in dependency cases involving Indian children; and amending RCW 13.38.080.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 2046 by Representatives Steele, Springer and Barkis

AN ACT Relating to creating a local infrastructure investment program to support the development of affordable housing, workforce housing, and revitalization efforts; and adding a new chapter to Title 39 RCW.

Referred to Committee on Finance.

HB 2047 by Representatives Steele, Chapman, Condotta and Johnson

AN ACT Relating to outdoor burning; and amending RCW 70.94.6514.

Referred to Committee on Environment.

HB 2048 by Representatives Steele, Springer and Condotta

AN ACT Relating to state-shared taxes for the purpose of designated disaster area financing; adding a new section to chapter 82.14 RCW; adding a new chapter to

Title 39 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 2049 by Representatives Blake, Dye, Steele, Springer, Buys and Condotta

AN ACT Relating to payment of production-based compensation wages for the employment and use of labor in agricultural activities and in the production, handling, and storage of farm products; adding a new section to chapter 49.46 RCW; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

HB 2050 by Representatives McCaslin, Bergquist, Volz and Gregerson

AN ACT Relating to additional classroom support for teachers in schools with demonstrated capital facility needs; and adding a new section to chapter 28A.320 RCW.

Referred to Committee on Appropriations.

HB 2051 by Representatives Buys and Van Werven

AN ACT Relating to increasing affordable housing opportunities in targeted areas; amending RCW 84.14.010, 84.14.040, and 84.14.060; and repealing RCW 84.14.005 and 84.14.007.

Referred to Committee on Finance.

HB 2052 by Representative Buys

AN ACT Relating to recertification of public bodies using alternative contracting methods; amending RCW 39.10.270; and reenacting and amending RCW 43.131.408.

Referred to Committee on State Government.

HB 2053 by Representatives Young, Shea, Taylor, Buys and Hargrove

AN ACT Relating to homeschooling foster youth; adding a new section to chapter 74.15 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 2054 by Representatives Young, Shea, Taylor, Buys and Hargrove

AN ACT Relating to homeschooling foster youth; adding a new section to chapter 74.15 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 2055 by Representatives Young and Shea

AN ACT Relating to the traffic lane merge zipper method; amending RCW 28A.220.050, 46.20.130, 46.82.420, and 46.82.430; and adding a new section to chapter 46.20 RCW.

Referred to Committee on Transportation.

HB 2056 by Representatives Peterson, Lovick, Dolan, Doglio, Farrell, Ortiz-Self, Frame, Sells, Stanford and Ormsby

AN ACT Relating to recognizing the final Saturday of September as public lands day; amending RCW 1.16.050; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

HB 2057 by Representative Orwall

AN ACT Relating to the services and processes available when residential real property is abandoned or in foreclosure; adding a new section to chapter 43.180 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2058 by Representative Harmsworth

AN ACT Relating to procedures for the redemption of certain vehicles that are towed from accident scenes by registered tow truck companies when the vehicle owner is admitted as a patient in a hospital due to the accident; amending RCW 46.55.120, 46.55.130, and 46.55.150; adding a new section to chapter 46.55 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 2059 by Representatives Frame, Ortiz-Self, Dolan, Doglio, Gregerson, Goodman, Orwall, Jinkins, Stonier, Sells, Appleton, Chapman, Stanford, Tharinger, Kloba, Ormsby, Santos and Pollet

AN ACT Relating to establishing the Washington investment trust; amending RCW 30A.04.020, 43.08.135, and 43.84.080; reenacting and amending RCW 42.56.270 and 42.56.400; adding a new section to chapter 39.58 RCW; adding a new section to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Business & Financial Services.

HB 2060 by Representative Taylor

AN ACT Relating to requiring counties, cities, and towns to permit the operation of state licensed marijuana retail businesses in order to receive marijuana-related tax distributions; amending RCW 69.50.540; and adding a new section to chapter 66.08 RCW.

Referred to Committee on Appropriations.

HB 2061 by Representatives Sells, Caldier and Ormsby

AN ACT Relating to excluding holidays and weekends from the time period required for youth shelters to notify parents; and amending RCW 13.32A.082.

Referred to Committee on Early Learning & Human Services.

HB 2062 by Representatives Riccelli, Orcutt, Fitzgibbon and Ormsby

AN ACT Relating to the motion picture competitiveness program; amending RCW 82.04.4489 and 43.365.010; adding a new section to chapter 82.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Finance.

HB 2063 by Representatives Shea, Taylor, Condotta, Buys and Schmick

AN ACT Relating to incentivizing the use of motorcycles to reduce greenhouse gases and wear on state roadways; amending RCW 46.17.365; and creating a new section.

Referred to Committee on Transportation.

HB 2064 by Representatives Shea, Blake, Taylor, Condotta, Buys, Kloba and Ormsby

AN ACT Relating to removing industrial hemp from the scope of the uniform controlled substances act; and reenacting and amending RCW 69.50.101.

Referred to Committee on Law & Justice.

HB 2065 by Representative Condotta

AN ACT Relating to regionalization of the minimum wage; and amending RCW 49.46.020.

Referred to Committee on Labor & Workplace Standards.

HB 2066 by Representative Kretz

AN ACT Relating to the creation of regional transportation planning organizations by large counties; and amending RCW 47.80.020.

Referred to Committee on Transportation.

SB 5030 by Senators Darneille, Fain, Hasegawa, Miloscia, Carlyle, Frockt, Chase, Saldaña, Mullet, Pedersen, Conway, Keiser and Kuderer

AN ACT Relating to human trafficking, prostitution, and commercial sexual abuse of a minor; amending RCW 9A.04.080, 9.68A.100, 9.68A.101, and 9A.88.060; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

SSB 5031 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Angel and Mullet)

AN ACT Relating to licensing and enforcement provisions applicable to money transmitters and currency exchanges under the uniform money services act; amending RCW 19.230.010, 19.230.020, 19.230.030, 19.230.040, 19.230.050, 19.230.070, 19.230.100, 19.230.110, 19.230.130, 19.230.140, 19.230.150, 19.230.152, 19.230.180, 19.230.190, 19.230.200, 19.230.210, 19.230.250, 19.230.290, 19.230.320, and 19.230.330; adding new sections to chapter 19.230 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

SB 5049 by Senator King

AN ACT Relating to relocation assistance following real property acquisition; and amending RCW 8.26.010.

Referred to Committee on Judiciary.

SB 5059 by Senators O'Ban, Fortunato, Rivers, Miloscia, Brown, Warnick, Honeyford and Padden

AN ACT Relating to motor vehicle property offenses; amending RCW 9.94A.525; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

SSB 5083 by Senate Committee on Law & Justice (originally sponsored by Senator Pearson)

AN ACT Relating to notice of relief from the duty to register; and amending RCW 9A.44.142 and 9A.44.143.

Referred to Committee on Public Safety.

SB 5091 by Senators Takko, Rivers and Wellman

AN ACT Relating to removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act; and amending RCW 19.122.130, 19.122.140, and 19.122.150.

Referred to Committee on Technology & Economic Development.

SB 5261 by Senator Warnick

AN ACT Relating to irrigation district authority; and amending RCW 87.03.015, 87.03.0155, and 87.03.115.

Referred to Committee on Local Government.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 7, 2017

HB 1010 Prime Sponsor, Representative Shea: Directing the department of ecology to submit an annual report to the legislature detailing the department's participation in interagency agreements. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

February 7, 2017

HB 1266 Prime Sponsor, Representative Peterson: Concerning petroleum storage tank systems. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Referred to Committee on Appropriations.

HB 1330

February 7, 2017

Prime Sponsor, Representative Manweller: Extending the business and occupation tax exemption for amounts received as credits against contracts with or funds provided by the Bonneville power administration and used for low-income ratepayer assistance. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter; Steele and Young.

Referred to Committee on Finance.

February 7, 2017

HB 1365 Prime Sponsor, Representative Ortiz-Self: Requiring the use of trained meeting facilitators in certain planning meetings involving children, parents, caregivers, and others. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Frame; Goodman; Kilduff; Lovick and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member and Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives Griffey; McCaslin and Muri.

Referred to Committee on Appropriations.

February 7, 2017

HB 1407 Prime Sponsor, Representative Blake: Concerning expiration dates affecting the department of natural resources' contract harvesting program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon; Kretz; Orcutt; Pettigrew; Robinson; Schmick; Stanford and Walsh, J..

Referred to Committee on Capital Budget.

February 7, 2017

HB 1434 Prime Sponsor, Representative Robinson:
Adding the use of shared leave for employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive, or foster child. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson; Kraft and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representative Koster, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Volz, Assistant Ranking Minority Member and Irwin.

Referred to Committee on Appropriations.

February 7, 2017

HB 1470 Prime Sponsor, Representative Hudgins:
Modifying declaration of candidacy provisions. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 7, 2017

HB 1718 Prime Sponsor, Representative Jenkin:
Creating a special permit for certain wine auctions. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby and Ryu.

Referred to Committee on Rules for second reading.

February 7, 2017

HJM 4008 Prime Sponsor, Representative Morris:
Requesting that the Bonneville Power Administration consider a rate design for the eastern intertie that eliminates or reduces the transmission rate associated with that part of the eastern intertie known as the Montana intertie. Reported by

Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; Santos and Slatter.

MINORITY recommendation: Do not pass. Signed by Representatives McDonald; Nealey and Steele.

MINORITY recommendation: Without recommendation. Signed by Representative Young.

Referred to Committee on Rules for second reading.

There being no objection, the bills and memorial listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1078, by Representatives Pellicciotti, Klippert, Orwall, Hayes, Goodman, Stokesbary, Chapman, McCabe, Kilduff, Hudgins, Jinkins, Koster, Ortiz-Self, Bergquist, Stanford, Griffey, Hargrove, Smith, Tarleton, Harmsworth, Dolan, Ormsby, Muri, Van Werven, Kraft, Fey, Slatter, McBride, Gregerson and Macri

Concerning human trafficking, prostitution, and commercial sexual abuse of a minor.

The bill was read the second time.

Representative Van Werven moved the adoption of amendment (006):

On page 2, at the beginning of line 37, strike "~~(e)~~" and insert "or"

On page 2, beginning on line 37, after "minor)" strike all material through "minor" on line 39

On page 3, line 1, after "(d)" insert "A violation of any offense listed in this subsection (d) may be prosecuted up to ten years after its commission or, if committed against a victim under the age of eighteen, up to the victim's thirtieth birthday, whichever is later:

(i) RCW 9.68A.100 (commercial sexual abuse of a minor);

(ii) RCW 9.68A.101 (promoting commercial sexual abuse of a minor); or

(iii) RCW 9.68A.102 (promoting travel for commercial sexual abuse of a minor).

(e) "

On page 3, at the beginning of line 13, strike "(e)" and insert "~~((e))~~ (f)"

On page 3, at the beginning of line 16, strike "(f)" and insert "~~((f))~~ (g)"

On page 3, at the beginning of line 18, strike "(g)" and insert "~~((g))~~ (h)"

On page 3, at the beginning of line 21, strike "(h)" and insert "~~((h))~~ (i)"

On page 3, at the beginning of line 28, strike "(i)" and insert "~~((i))~~ (j)"

On page 3, at the beginning of line 30, strike "(j)" and insert "~~((j))~~ (k)"

Representative Van Werven spoke in favor of the adoption of the amendment.

Amendment (006) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pellicciotti, Klippert and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1078.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1078, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1078, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Reeves congratulated Representative Pellicciotti on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1189, by Representatives Short, Cody, Schmick and Kloba

Concerning exemptions from the massage therapy law.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1189 was substituted for House Bill No. 1189 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1189 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Maycumber and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1189.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1189, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1189, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1195, by Representatives Kilduff, Rodne, Goodman, Hayes and Muri

Concerning surrender of person under surety's bond.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1195.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1195, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1195, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1198, by Representatives Harris, Cody and Riccelli

Concerning substance abuse monitoring for podiatric physicians and surgeons.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1198.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1198, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Hargrove, Maycumber, McCaslin, Pike, Shea and Taylor.

HOUSE BILL NO. 1198, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1199, by Representatives Irwin, Jinkins, Goodman, Rodne, Hayes, Muri, Frame, Stokesbary and Stambaugh

Allowing youth courts to have jurisdiction over transit infractions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1199 was substituted for House Bill No. 1199 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1199 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Irwin, Jinkins, McCaslin, Holy and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1199.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1199, and the bill passed the

House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1199, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Stokesbary congratulated Representative Irwin on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1221, by Representatives Rodne, Goodman, Klippert, Kilduff, Jinkins, Barkis, Muri and Hudgins

Concerning the solemnization of marriages by commissioners of courts of limited jurisdiction.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rodne and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1221.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1221, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride,

McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Maycumber, McCaslin, Shea and Taylor.

HOUSE BILL NO. 1221, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1285, by Representatives Graves, Jinkins, Goodman, Rodne, Shea, Muri, Haler, Kilduff, Klippert, Orwall and Kirby

Modifying oath requirements for interpreters in legal proceedings.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Graves, Shea, Graves (again), Jinkins, Wilcox, Rodne and Stokesbary spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1285.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1285, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1285, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Stokesbary congratulated Representative Graves on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1373, by Representatives Bergquist, Barkis, Blake, Vick and Kirby

Concerning the means of communication between a buyer or lessee and an auto dealer during the "bushing" period.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Barkis spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1373.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1373, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1373, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4400, by Representatives Cody, Kagi, Johnson, Appleton, Frame, Ormsby, Jenkins, Short, Young, DeBolt, Hudgins and Tarleton

Naming the building at 1063 Capitol Way "The Helen Sommers Building."

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

Representatives Cody, DeBolt, Kirby, McDonald, Tarleton and Johnson spoke in favor of the adoption of concurrent resolution.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4400.

HOUSE CONCURRENT RESOLUTION NO. 4400 was adopted.

HOUSE BILL NO. 1045, by Representatives Kirby and Vick

Addressing licensing and enforcement provisions applicable to money transmitters and currency exchanges under the uniform money services act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1045 was substituted for House Bill No. 1045 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1045 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1045.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1045, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, Maycumber, McCaslin, Morris, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 1045, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1257, by Representatives Kretz, Blake, Taylor, Fitzgibbon and Buys

Concerning the release of wild beavers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1257 was substituted for House Bill No. 1257 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1257 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz, Blake, DeBolt and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1257.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1257, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1257, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1278, by Representatives Macri, DeBolt, Cody, Rodne, Wylie, Jenkins, Harris, Short and Farrell

Enacting the physical therapy licensure compact.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri and Robinson spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1278.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1278, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Johnson, McCaslin, Schmick, Shea, Taylor and Young.

HOUSE BILL NO. 1278, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Cody congratulated Representative Macri on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1283, by Representatives Chapman, Orcutt, Nealey and Lytton

Eliminating the collection of anticipated taxes and assessments.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chapman, Volz and Tharinger spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1283.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1283, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1283, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Tharinger congratulated Representative Chapman on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SUBSTITUTE SENATE BILL NO. 5079, by Senate Committee on Health Care (originally sponsored by Senators McCoy, Becker, Rivers, Cleveland, Keiser, Conway, Kuderer, Darneille, Saldaña, Wellman and Bailey)

Concerning dental health services in tribal settings.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Sawyer, Appleton, Smith and Ryu spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5079.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5079, and the bill passed the House by the following vote: Yeas, 80; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Dent, Hargrove, Jenkin, Johnson, Klippert, Koster, Manweller, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Volz and Young.

SUBSTITUTE SENATE BILL NO. 5079, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., February 10, 2017, the 33rd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRTY THIRD DAY

House Chamber, Olympia, Friday, February 10, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2067 by Representatives Schmick, Cody, Jinkins and Ormsby

AN ACT Relating to the addition of services for long-term placement of mental health patients in community hospitals that voluntarily contract to provide the services; amending RCW 71.24.310 and 71.24.380; and adding new sections to chapter 71.24 RCW.

Referred to Committee on Health Care & Wellness.

HB 2068 by Representative MacEwen

AN ACT Relating to simplifying business and occupation tax administration; amending RCW 82.32.045; adding new sections to chapter 82.04 RCW; creating a new section; repealing RCW 82.04.4451; and providing an effective date.

Referred to Committee on Finance.

HB 2069 by Representatives Dent, Pettigrew and Manweller

AN ACT Relating to suspending certain rule-making activities of the department of early learning; amending RCW 43.215.020, 43.215.060, 43.215.070, 43.215.135, 43.215.255, 43.215.340, 43.215.425, 43.215.455, and 43.215.545; adding a new section to chapter 43.215 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Early Learning & Human Services.

HB 2070 by Representatives Macri, Fitzgibbon, Rodne and Tarleton

AN ACT Relating to providing a tax deferral for the expansion of certain existing public facilities district convention centers; amending RCW 36.100.090; and creating a new section.

Referred to Committee on Finance.

HB 2071 by Representatives Clibborn, Muri, McBride, Fey, Rodne, Wylie, Gregerson, Tarleton and Morris

AN ACT Relating to establishing state route number 167 as a permanent eligible toll facility; amending RCW 47.56.403; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2072 by Representatives Lovick, Caldier, Sawyer, McBride, Smith, Gregerson, Sells, Hayes and Stanford

AN ACT Relating to the child rescue fund; amending RCW 67.70.190; and creating a new section.

Referred to Committee on Appropriations.

HB 2073 by Representatives Dent and Buys

AN ACT Relating to the beef commission; amending RCW 16.67.035, 16.67.090, 16.67.091, and 16.67.110; and adding a new section to chapter 16.67 RCW.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

HB 2074 by Representatives Stanford, Stonier, Appleton, Lytton, Ormsby, Ryu, Peterson, Kagi, Orwall, Senn and Riccelli

AN ACT Relating to proceedings supplemental to execution of judgments; and amending RCW 6.32.010, 6.32.015, 6.32.140, and 6.32.020.

Referred to Committee on Judiciary.

HB 2075 by Representatives Pettigrew, Stanford and Tarleton

AN ACT Relating to increasing college and career readiness and graduation rates in public schools; and adding a new chapter to Title 28A RCW.

Referred to Committee on Appropriations.

HB 2076 by Representatives Condotta, Senn, Stokesbary, Tharinger, Koster, Volz, Chapman, Hayes, Wylie, McDonald and Young

AN ACT Relating to increasing marijuana revenue distributed to local jurisdictions; and amending RCW 69.50.540.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 7, 2017

HB 1089 Prime Sponsor, Representative Appleton:
Amending the schedule for updates to the comprehensive plan of Kitsap county.
Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys and Dye.

Referred to Committee on Rules for second reading.

February 8, 2017

HB 1234 Prime Sponsor, Representative Robinson:
Addressing private health plan coverage of contraceptives. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Schmick, Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 7, 2017

HB 1289 Prime Sponsor, Representative Riccelli:
Concerning plaques for certain state-funded capital budget projects. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking

Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Steele and Walsh, J..

MINORITY recommendation: Without recommendation. Signed by Representatives Koster and Kraft.

Referred to Committee on Rules for second reading.

February 8, 2017

HB 1291 Prime Sponsor, Representative Santos:
Concerning health care for Pacific Islanders residing in Washington under a compact of free association. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Clibborn; Jinkins; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; DeBolt; MacEwen; Maycumber and Rodne.

MINORITY recommendation: Without recommendation. Signed by Representative Harris.

Referred to Committee on Appropriations.

February 8, 2017

HB 1338 Prime Sponsor, Representative Cody:
Addressing the Washington state health insurance pool. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

February 7, 2017

HB 1366 Prime Sponsor, Representative Ortiz-Self:
Concerning family reunification in the child welfare process. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice

Chair; Frame; Goodman; Kilduff; Lovick and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member and Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives Griffey; McCaslin and Muri.

Referred to Committee on Appropriations.

February 7, 2017

HB 1395 Prime Sponsor, Representative Peterson: Allowing public transportation benefit area authorities to use job order contracts and procedure. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

February 7, 2017

HB 1406 Prime Sponsor, Representative Barkis: Adjusting the surface mining funding structure. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Fitzgibbon; Pettigrew; Robinson; Schmick; Stanford and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Kretz and Orcutt.

Referred to Committee on Appropriations.

February 7, 2017

HB 1482 Prime Sponsor, Representative Sawyer: Establishing the legislative-executive WorkFirst poverty reduction oversight task force. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Appropriations.

February 8, 2017

HB 1489 Prime Sponsor, Representative Kretz: Concerning private wildland fire suppression contractors. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

February 8, 2017

HB 1507 Prime Sponsor, Representative Holy: Enhancing election reconciliation reports. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 7, 2017

HB 1531 Prime Sponsor, Representative Chapman: Concerning the forest riparian easement program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon; Kretz; Orcutt; Pettigrew; Robinson; Schmick; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

February 7, 2017

HB 1551 Prime Sponsor, Representative Riccelli: Creating a competitive equipment assistance grant program to enhance student nutrition in public schools. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member;

Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Reported by Committee on Early Learning & Human Services

Referred to Committee on Rules for second reading.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

February 7, 2017
HB 1566 Prime Sponsor, Representative Pellicciotti: Concerning the definition of work activity for the purposes of the WorkFirst program. Reported by Committee on Early Learning & Human Services

Referred to Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Appropriations.

February 7, 2017
HB 1738 Prime Sponsor, Representative Doglio: Continuing to protect water quality by aligning state brake friction material restrictions with the requirements of a similar nationwide agreement. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Buys; Fey; Kagi and McBride.

February 7, 2017
HB 1571 Prime Sponsor, Representative Reeves: Creating a community care and supportive services program for veterans. Reported by Committee on Community Development, Housing & Tribal Affairs

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member and Dye.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Appropriations.

February 8, 2017
HB 2016 Prime Sponsor, Representative DeBolt: Concerning midwifery and doula services for incarcerated women. Reported by Committee on Health Care & Wellness

February 7, 2017
HB 1624 Prime Sponsor, Representative Senn: Concerning working connections child care eligibility for vulnerable children. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jenkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

Referred to Committee on Appropriations.

There being no objection, the House adjourned until 10:00 a.m., February 13, 2017, the 36th Day of the Regular Session.

February 7, 2017
HB 1713 Prime Sponsor, Representative Senn: Implementing recommendations from the children's mental health work group.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRTY SIXTH DAY

House Chamber, Olympia, Monday, February 13, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Evan Barkis and Lucille Benda. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Molly Fraser, Gig Harbor United Methodist Church, Gig Harbor, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

February 7, 2017

To the Honorable Frank Chopp, the House of Representatives of the State of Washington

In compliance with the provisions of Article III, Section 11, of the Constitution of the state of Washington, the Governor hereby submits his report of each case of reprieve, commutation or pardon that he has granted since the adjournment of the 2016 Regular and Special Sessions of the 64th Legislature, copies of which are attached.

Sincerely,

Nicholas W. Brown
General Counsel

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2077 by Representative Hudgins

AN ACT Relating to certification requirements for elections administrators; and amending RCW 29A.04.530.

Referred to Committee on State Government, Elections & Information Technology.

HB 2078 by Representative Hudgins

AN ACT Relating to county voting systems standards; amending RCW 29A.12.060; and adding a new section to chapter 29A.12 RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 2079 by Representative Hudgins

AN ACT Relating to uniform ballot design; amending RCW 29A.36.111; and adding a new section to chapter 29A.36 RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 2080 by Representatives Hudgins, Pollet and Macri

AN ACT Relating to equalizing access to permanent ballot drop boxes for every Washington citizen; adding a new section to chapter 29A.40 RCW; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

HB 2081 by Representatives Hudgins, Pollet, Santos and Macri

AN ACT Relating to equalizing access to permanent ballot drop boxes; and adding a new section to chapter 29A.40 RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 2082 by Representative Hudgins

AN ACT Relating to the timing of state elections; and amending RCW 29A.04.311, 29A.24.050, and 29A.56.020.

Referred to Committee on State Government, Elections & Information Technology.

HB 2083 by Representative Hudgins

AN ACT Relating to limiting the dates for holding special elections; and amending RCW 29A.04.321, 29A.04.330, and 29A.60.190.

Referred to Committee on State Government, Elections & Information Technology.

HB 2084 by Representatives Hudgins and Macri

AN ACT Relating to voter registration deadlines; and amending RCW 29A.08.140.

Referred to Committee on State Government, Elections & Information Technology.

HB 2085 by Representatives Hudgins and Macri

AN ACT Relating to voter registration deadlines; and amending RCW 29A.08.140.

Referred to Committee on State Government, Elections & Information Technology.

HB 2086 by Representatives Hudgins, Smith and Ormsby

AN ACT Relating to establishing a task force to address state interagency coordination in cybersecurity; creating a new section; and providing an expiration date.

Referred to Committee on State Government, Elections & Information Technology.

HB 2087 by Representatives Stambaugh, Riccelli, Orcutt, Hayes, Gregerson and Ormsby

AN ACT Relating to worker safety on roadways and roadsides; amending RCW 46.61.100, 46.61.212, 46.61.215, and 46.63.020; and prescribing penalties.

Referred to Committee on Commerce, Labor & Sports.

HB 2088 by Representatives Stanford, Pettigrew, Fitzgibbon, Hudgins and Macri

AN ACT Relating to prohibiting the participation of elephants in a traveling animal act; amending RCW 16.52.185; reenacting and amending RCW 16.52.011; adding a new section to chapter 16.52 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 2089 by Representatives Lytton and Nealey

AN ACT Relating to removing the expiration date from the sales and use tax exemptions for certain products that impart flavor to food; amending RCW 82.08.210 and 82.12.210; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 2090 by Representatives Shea, Taylor and McCaslin

AN ACT Relating to prohibiting the administration of a vaccine without reviewing the patient's full health

history and reviewing the package insert for the vaccine with the patient; and amending RCW 18.130.180.

Referred to Committee on Health Care & Wellness.

HB 2091 by Representatives Shea, McCaslin and Taylor

AN ACT Relating to the Washington State Bar Association; adding new sections to chapter 2.44 RCW; creating a new section; recodifying RCW 2.48.180, 2.48.190, and 2.48.200; and repealing RCW 2.48.010, 2.48.020, 2.48.021, 2.48.030, 2.48.035, 2.48.040, 2.48.050, 2.48.060, 2.48.070, 2.48.080, 2.48.090, 2.48.100, 2.48.110, 2.48.130, 2.48.140, 2.48.150, 2.48.160, 2.48.165, 2.48.166, 2.48.170, 2.48.210, 2.48.220, and 2.48.230.

Referred to Committee on Judiciary.

HB 2092 by Representatives Shea, McCaslin and Taylor

AN ACT Relating to regulating the content of the immunization exemption form by prohibiting the form from requiring detailed statements regarding objections to vaccination, prohibiting the form from requiring a declaration regarding potential risks, and requiring the form to indicate when a signator is exercising his or her freedom of religion; and amending RCW 28A.210.090.

Referred to Committee on Health Care & Wellness.

HB 2093 by Representative Santos

AN ACT Relating to local government responsibility and accountability in mitigating impacts of public facilities on certain surrounding neighborhoods with high poverty or concentrations of persons of color; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

HB 2094 by Representatives Wylie and Nealey

AN ACT Relating to the main street program; amending RCW 82.73.020 and 82.73.030; adding a new section to chapter 82.73 RCW; creating a new section; and providing a contingent expiration date.

Referred to Committee on Finance.

HB 2095 by Representatives Wylie, Stonier, Harris, Vick, Clibborn, Fey, McBride and Macri

AN ACT Relating to preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river; amending RCW 43.157.030; reenacting and amending RCW 43.157.010; adding a new section to chapter 43.157 RCW; adding a new section to chapter 47.01 RCW; creating a new section; and making an appropriation.

Referred to Committee on Transportation.

HB 2096 by Representative Klippert

AN ACT Relating to repealing all laws legalizing the use, possession, sale, or production of marijuana and marijuana-related products; amending RCW 70.345.010, 82.04.213, 82.04.4266, 82.08.010, 82.08.020, 82.08.02565, 82.12.02565, 82.29A.020, 82.29A.020, 69.50.401, and 69.50.4013; reenacting and amending RCW 69.50.101, 82.04.260, and 82.29A.020; reenacting RCW 69.50.412; repealing RCW 69.50.325, 69.50.328, 69.50.331, 69.50.334, 69.50.339, 69.50.342, 69.50.345, 69.50.348, 69.50.351, 69.50.354, 69.50.357, 69.50.360, 69.50.363, 69.50.366, 69.50.369, 69.50.372, 69.50.375, 69.50.378, 69.50.380, 69.50.382, 69.50.385, 69.50.390, 69.50.445, 69.50.450, 69.50.465, 69.50.515, 69.50.530, 69.50.535, 69.50.540, 69.50.545, 69.50.550, 69.50.555, 69.50.560, 69.50.565, 69.50.570, 69.50.575, 69.50.580, 69.50.585, 69.51A.005, 69.51A.010, 69.51A.030, 69.51A.040, 69.51A.043, 69.51A.045, 69.51A.050, 69.51A.055, 69.51A.060, 69.51A.100, 69.51A.110, 69.51A.120, 69.51A.130, 69.51A.210, 69.51A.220, 69.51A.230, 69.51A.240, 69.51A.250, 69.51A.260, 69.51A.270, 69.51A.280, 69.51A.290, 69.51A.300, 69.51A.900, 15.120.010, 42.56.620, 42.56.625, 42.56.630, 43.06.490, 82.04.756, 82.08.9997, 82.08.9998, 82.12.9997, 82.12.9998, and 84.34.410; repealing 2016 c 199 s 1, 2014 c 140 ss 1, 2, 8, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, and 35, 2015 2nd sp.s. c 4 s 1502, 2015 c 71 s 2, 2014 c 192 s 6, 2016 c 178 s 1, 2016 sp.s. c 9 s 3, 2015 c 70 ss 3 and 39, 2013 c 3 ss 2, 22, 23, 24, and 25; repealing 2013 c 3 s 1 and 2014 c 140 ss 40, 41, and 42 (uncodified); providing effective dates; and providing expiration dates.

Referred to Committee on Commerce & Gaming.

HB 2097 by Representatives Stanford, Fitzgibbon, Ortiz-Self, Senn, Pettigrew, Jinkins, Kagi, Lytton, Ormsby, Peterson, Pollet, Ryu, Farrell, Santos, Appleton and Macri

AN ACT Relating to limiting disclosure of information about the religious affiliation of individuals; adding a new section to chapter 49.60 RCW; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 42 RCW; and creating a new section.

Referred to Committee on Law & Justice.

HJM 4010 by Representatives Morris and Lytton

Requesting that the Blanchard State Forest be renamed the "Harriet A. Spanel-Blanchard State Forest."

Referred to Committee on Natural Resources & Parks.

HJR 4206 by Representatives Shea, McCaslin and Taylor

Requiring that all mandatory, regulatory, licensing, and disciplinary functions regarding the practice of law and administration of justice reside exclusively in the supreme court.

Referred to Committee on Judiciary.

There being no objection, the bills, memorial and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 9, 2017

HB 1022 Prime Sponsor, Representative MacEwen: Enhancing crime victim participation in the criminal justice system process. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 8, 2017

HB 1036 Prime Sponsor, Representative Harmsworth: Concerning business practices of registered tow truck operators by authorizing electronic records creation and storage. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 10, 2017

HB 1050 Prime Sponsor, Representative DeBolt: Concerning the financing of Chehalis basin flood damage reduction and habitat restoration projects. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1113 Prime Sponsor, Representative Hayes:
Concerning gradually increasing the local government share of excess liquor revenues until the percentage-based method for distributions is restored. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Lytton.

MINORITY recommendation: Without recommendation. Signed by Representative Cody.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1115 Prime Sponsor, Representative Bergquist:
Concerning paraeducators. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier and Stokesbary.

Referred to Committee on Appropriations.

February 9, 2017
HB 1126 Prime Sponsor, Representative Condotta:
Establishing a deadline for the use and implementation of a marijuana retail

license by a licensee. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1171 Prime Sponsor, Representative Orwall:
Directing the completion of a study of certain environmental impacts, including ultrafine particulate emissions, associated with aircraft traffic in areas impacted by airport operations. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys and Dye.

Referred to Committee on Appropriations.

February 8, 2017
HB 1188 Prime Sponsor, Representative Bergquist:
Concerning the use of child passenger restraint systems. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Harnsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Rodne and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Shea; Van Werven and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Pike and Stambaugh.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1200 Prime Sponsor, Representative McCabe:
Concerning the crime of voyeurism. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representative Klippert, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Appleton.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1235 Prime Sponsor, Representative Riccelli: Assessing physical education practices in public schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Lovick; Ortiz-Self; Senn; Slatter; Steele and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representatives Kilduff; McCaslin; Springer and Volz.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1251 Prime Sponsor, Representative Frame: Concerning the appointment of counsel for youth in dependency court proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert and Shea.

Referred to Committee on Appropriations.

February 9, 2017
HB 1267 Prime Sponsor, Representative DeBolt: Creating the wastewater treatment plant operator certification account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen,

Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1279 Prime Sponsor, Representative Pettigrew: Concerning school safety drills. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 8, 2017
HB 1293 Prime Sponsor, Representative Ortiz-Self: Concerning witnessing a student's college bound scholarship pledge when efforts to obtain a parent's or guardian's signature are unsuccessful. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1303 Prime Sponsor, Representative Stambaugh: Concerning educational interpreters. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1319 Prime Sponsor, Representative McCaslin: Concerning the frequency of evaluations

for certain educators. Reported by
Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1321 Prime Sponsor, Representative Jenkin:
Concerning certain public facilities
district's authorization to acquire,
construct, own, remodel, maintain, equip,
reequip, repair, finance, and operate one or
more recreational facilities other than a ski
area with voter approval. Reported by
Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Finance.

February 9, 2017
HB 1346 Prime Sponsor, Representative Springer:
Clarifying the authority of a nurse working
in a school setting. Reported by Committee
on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1351 Prime Sponsor, Representative Sawyer:
Authorizing, under one license, the sale of
spirits, beer, and wine at retail for off-
premises consumption. Reported by
Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Appropriations.

February 8, 2017
HB 1359 Prime Sponsor, Representative Jinkins:
Concerning notice of charity care
availability at time of billing and
collection. Reported by Committee on
Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

February 8, 2017
HB 1363 Prime Sponsor, Representative Sells:
Updating workforce investment act
references and making no substantive
changes. Reported by Committee on
Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

February 7, 2017
HB 1369 Prime Sponsor, Representative Hayes:
Defining veteran for the purpose of
receiving certain benefits. Reported by
Committee on Community Development,
Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1377 Prime Sponsor, Representative Ortiz-Self:
Improving students' mental health by
enhancing nonacademic professional
services. Reported by Committee on
Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer and Stokesbary.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove; Steele and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Harris, Ranking Minority Member.

Referred to Committee on Appropriations.

February 10, 2017

HB 1379 Prime Sponsor, Representative Orwall: Implementing a comprehensive approach to suicide prevention and behavioral health in higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 8, 2017

HB 1400 Prime Sponsor, Representative Dent: Creating Washington state aviation special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Stambaugh; Tarleton; Van Werven and Young.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Rules for second reading.

February 8, 2017

HB 1404 Prime Sponsor, Representative Tarleton: Conducting a workforce study of employment opportunities in the agriculture, environment, and natural resources economic sectors intended to provide educators with the information

needed for informing students about employment opportunities in the studied fields. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 9, 2017

HB 1405 Prime Sponsor, Representative Harmsworth: Establishing a statute of limitation for toll collections. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Transportation.

February 9, 2017

HB 1444 Prime Sponsor, Representative Caldier: Facilitating on-time grade level progression and graduation for certain students. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 9, 2017

HB 1445 Prime Sponsor, Representative Ortiz-Self: Concerning dual language in early learning and K-12 education. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Springer; Steele and Stokesbary.

MINORITY recommendation: Do not pass. Signed by Representative Hargrove.

MINORITY recommendation: Without recommendation. Signed by Representatives McCaslin and Volz.

Referred to Committee on Appropriations.

February 9, 2017
HB 1451 Prime Sponsor, Representative Orwall: Improving language access for public school students and families with limited English proficiency. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier and Hargrove.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Appropriations.

February 9, 2017
HB 1464 Prime Sponsor, Representative Blake: Concerning the development of cooperative agreements to expand recreational access on privately owned lands. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Haler and Shea.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1467 Prime Sponsor, Representative Stokesbary: Removing disincentives to the voluntary formation of regional fire protection service authorities by establishing parity, equalizing certain provisions with existing laws governing fire protection districts, and clarifying the formation process. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Finance.

February 9, 2017
HB 1475 Prime Sponsor, Representative Irwin: Clarifying the limited authority of gambling commission officers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

February 8, 2017
HB 1479 Prime Sponsor, Representative Hudgins: Concerning encryption of data on state information technology systems. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Appropriations.

February 9, 2017
HB 1483 Prime Sponsor, Representative Senn: Concerning the disposition of forfeited firearms by the Washington state patrol. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Frame; Goodman; Graves; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Haler and Shea.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1495 Prime Sponsor, Representative Fey: Incentivizing the development of

commercial office space in cities with a population of greater than fifty thousand and located in a county with a population of less than one million five hundred thousand. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Finance.

February 8, 2017

HB 1502 Prime Sponsor, Representative Chapman: Concerning the authorization of and deposit of moneys from department of transportation advertising activities. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 7, 2017

HB 1513 Prime Sponsor, Representative Bergquist: Concerning the collection of youth voter registration sign up information. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Irwin and Kraft.

Referred to Committee on Transportation.

February 8, 2017

HB 1521 Prime Sponsor, Representative Dolan: Removing the requirement that an employee must work at least six months before taking vacation leave. Reported by

Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Appropriations.

February 9, 2017

HB 1524 Prime Sponsor, Representative Kloba: Increasing success in therapeutic courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

February 7, 2017

HB 1534 Prime Sponsor, Representative Ryu: Clarifying the powers, duties, and functions of the department of veterans affairs. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

February 9, 2017

HB 1543 Prime Sponsor, Representative Doglio: Concerning parental rights and responsibilities of sexual assault perpetrators and survivors. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

February 8, 2017

HB 1556 Prime Sponsor, Representative Blake: Creating Imagine special license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Stambaugh; Tarleton and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Hayes; Rodne; Shea and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Harmsworth, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

February 9, 2017

HB 1557 Prime Sponsor, Representative Jinkins:
Creating the safe streets pilot project.
Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

February 8, 2017

HB 1561 Prime Sponsor, Representative Frame:
Concerning open educational resources.
Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Haler; Orwall; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Without recommendation. Signed by Representatives Holy, Ranking Minority Member Van Werven, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

February 8, 2017

HB 1568 Prime Sponsor, Representative Pettigrew:
Creating Fred Hutch special license plates.
Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant

Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Stambaugh; Tarleton; Van Werven and Young.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Rules for second reading.

February 9, 2017

HB 1578 Prime Sponsor, Representative Dent:
Concerning irrigation district authority.
Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Without recommendation. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

February 9, 2017

HB 1591 Prime Sponsor, Representative Klippert:
Increasing the punishment for vehicular assault. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 8, 2017

HB 1597 Prime Sponsor, Representative Blake:
Increasing revenue to the state wildlife account by increasing commercial fishing license fees and streamlining wholesale fish dealing, buying, and selling requirements. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Appropriations.

February 9, 2017
HB 1603 Prime Sponsor, Representative Kilduff:
 Updating the child support economic table
 based on recommendations of the child
 support work group. Reported by
 Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by
 Representatives Jinkins, Chair; Kilduff, Vice Chair;
 Rodne, Ranking Minority Member; Muri, Assistant
 Ranking Minority Member; Frame; Goodman; Graves;
 Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

February 8, 2017
HB 1606 Prime Sponsor, Representative Pike:
 Requiring transportation benefit districts to
 hold public hearings prior to imposing fees
 or charges by a vote of the governing board.
 Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by
 Representatives Clibborn, Chair; Farrell, Vice Chair;
 Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking
 Minority Member; Hargrove, Assistant Ranking
 Minority Member; Harmsworth, Assistant Ranking
 Minority Member; Chapman; Gregerson; Hayes; Irwin;
 Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike;
 Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van
 Werven and Young.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1614 Prime Sponsor, Representative Goodman:
 Concerning impaired driving. Reported by
 Committee on Public Safety

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Goodman, Chair; Pellicciotti,
 Vice Chair; Klippert, Ranking Minority Member;
 Hayes, Assistant Ranking Minority Member; Appleton;
 Chapman; Orwall; Pettigrew and Van Werven.

MINORITY recommendation: Without
 recommendation. Signed by Representatives Griffey
 and Holy.

Referred to Committee on Transportation.

February 9, 2017
HB 1615 Prime Sponsor, Representative Kloba:
 Concerning relocation assistance for
 persons displaced by agency property
 acquisitions. Reported by Committee on
 Judiciary

MAJORITY recommendation: Do pass. Signed by
 Representatives Jinkins, Chair; Kilduff, Vice Chair;
 Rodne, Ranking Minority Member; Muri, Assistant

Ranking Minority Member; Frame; Goodman; Graves;
 Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by
 Representatives Haler and Shea.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1616 Prime Sponsor, Representative McBride:
 Clarifying the type of land eligible for
 purchase under the affordable housing land
 acquisition revolving loan fund program.
 Reported by Committee on Community
 Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by
 Representatives Ryu, Chair; Macri, Vice Chair; Barkis,
 Assistant Ranking Minority Member; Reeves and
 Sawyer.

MINORITY recommendation: Do not pass. Signed by
 Representatives McCabe, Ranking Minority Member
 and Jenkin.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1620 Prime Sponsor, Representative Lovick:
 Concerning the authority of local
 governments to require criminal history
 background checks. Reported by
 Committee on Local Government

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Appleton, Chair; McBride,
 Vice Chair; Griffey, Ranking Minority Member;
 Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by
 Representatives Pike, Assistant Ranking Minority
 Member and Taylor.

Referred to Committee on Rules for second reading.

February 8, 2017
HB 1623 Prime Sponsor, Representative Senn:
 Concerning secondhand dealers utilizing
 automated kiosks to purchase secondhand
 electronic devices. Reported by
 Committee on Business & Financial
 Services

MAJORITY recommendation: Do pass. Signed by
 Representatives Kirby, Chair; Reeves, Vice Chair; Vick,
 Ranking Minority Member; Walsh, J., Assistant
 Ranking Minority Member; Barkis; Bergquist; Blake;
 Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

- HB 1627 February 9, 2017
Prime Sponsor, Representative Ryu:
Addressing nonprofit corporation facilities
financing by the Washington state housing
finance commission. Reported by
Committee on Community Development,
Housing & Tribal Affairs
- MAJORITY recommendation: Do pass. Signed by
Representatives Ryu, Chair; Macri, Vice Chair;
McCabe, Ranking Minority Member; Barkis, Assistant
Ranking Minority Member; Jenkin; Reeves and Sawyer.
- Referred to Committee on Rules for second reading.
- HB 1641 February 9, 2017
Prime Sponsor, Representative McBride:
Concerning informed consent for
nonemergency, outpatient, primary health
care services for unaccompanied homeless
youth under the federal McKinney-Vento
homeless assistance act. Reported by
Committee on Judiciary
- MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass.
Signed by Representatives Jenkins, Chair; Kilduff, Vice
Chair; Rodne, Ranking Minority Member; Muri,
Assistant Ranking Minority Member; Frame; Goodman;
Graves; Hansen; Kirby and Orwall.
- MINORITY recommendation: Do not pass. Signed by
Representatives Haler; Klippert and Shea.
- Referred to Committee on Rules for second reading.
- HB 1642 February 9, 2017
Prime Sponsor, Representative Irwin:
Changing the seriousness level for the
crime of attempting to elude a pursuing
police vehicle. Reported by Committee on
Public Safety
- MAJORITY recommendation: Do pass. Signed by
Representatives Goodman, Chair; Pellicciotti, Vice
Chair; Klippert, Ranking Minority Member; Hayes,
Assistant Ranking Minority Member; Chapman;
Griffey; Holy; Orwall; Pettigrew and Van Werven.
- MINORITY recommendation: Without
recommendation. Signed by Representative Appleton.
- Referred to Committee on Appropriations.
- HB 1648 February 9, 2017
Prime Sponsor, Representative Stonier:
Concerning county treasurer administrative
efficiencies. Reported by Committee on
Local Government
- MAJORITY recommendation: Do pass. Signed by
Representatives Appleton, Chair; McBride, Vice Chair;
- Griffey, Ranking Minority Member; Pike, Assistant
Ranking Minority Member; Gregerson and Peterson.
- MINORITY recommendation: Do not pass. Signed by
Representative Taylor.
- Referred to Committee on Rules for second reading.
- HB 1679 February 9, 2017
Prime Sponsor, Representative Goodman:
Issuing a two-year identicard for offenders
released from prison facilities. Reported
by Committee on Public Safety
- MAJORITY recommendation: Do pass. Signed by
Representatives Goodman, Chair; Pellicciotti, Vice
Chair; Klippert, Ranking Minority Member; Hayes,
Assistant Ranking Minority Member; Appleton;
Chapman; Griffey; Holy; Pettigrew and Van Werven.
- Referred to Committee on Appropriations.
- HB 1683 February 9, 2017
Prime Sponsor, Representative Appleton:
Addressing sewer service within urban
growth areas. Reported by Committee on
Environment
- MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass.
Signed by Representatives Fitzgibbon, Chair; Peterson,
Vice Chair; Taylor, Ranking Minority Member;
Maycumber, Assistant Ranking Minority Member;
Buys; Dye; Fey; Kagi and McBride.
- Referred to Committee on Rules for second reading.
- HB 1700 February 8, 2017
Prime Sponsor, Representative McBride:
Concerning cremation by biochemical
hydrolysis. Reported by Committee on
Business & Financial Services
- MAJORITY recommendation: Do pass. Signed by
Representatives Kirby, Chair; Reeves, Vice Chair; Vick,
Ranking Minority Member; Walsh, J., Assistant
Ranking Minority Member; Barkis; Bergquist; Blake;
Jenkin; McCabe; Santos and Stanford.
- Referred to Committee on Rules for second reading.
- HB 1733 February 10, 2017
Prime Sponsor, Representative Springer:
Concerning technical college diploma
programs. Reported by Committee on
Higher Education
- MAJORITY recommendation: Do pass. Signed by
Representatives Hansen, Chair; Pollet, Vice Chair;
Holy, Ranking Minority Member; Van Werven,
Assistant Ranking Minority Member; Haler; Orwall;
Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1739 Prime Sponsor, Representative Gregerson:
 Concerning the crime victims'
 compensation program. Reported by
 Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

February 10, 2017
HB 1741 Prime Sponsor, Representative Slatter:
 Concerning educator preparation data for
 use by the professional educator standards
 board. Reported by Committee on Higher
 Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 9, 2017
HB 1754 Prime Sponsor, Representative Klippert:
 Prioritizing sex offender treatment based
 on the offender's risk to reoffend. Reported
 by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1759 Prime Sponsor, Representative Ortiz-Self:
 Addressing procedures for communicating
 with crime victims and survivors of crime
 victims. Reported by Committee on Public
 Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 8, 2017
HB 1765 Prime Sponsor, Representative Irwin:
 Concerning donations to the prescription
 drug donation program. Reported by
 Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 8, 2017
HB 1777 Prime Sponsor, Representative Kagi:
 Concerning the financing of early learning
 facilities. Reported by Committee on Early
 Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Capital Budget.

February 8, 2017
HB 1819 Prime Sponsor, Representative Dent:
 Reducing certain documentation and
 paperwork requirements in order to
 improve children's mental health and
 safety. Reported by Committee on Early
 Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Appropriations.

February 8, 2017
HB 1829 Prime Sponsor, Representative Hudgins:
 Concerning the exemption from public
 disclosure of information regarding public
 and private computer and
 telecommunications networks. Reported
 by Committee on State Government,
 Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1844 Prime Sponsor, Representative Sells:
Concerning attempting to elude a pursuing
police vehicle. Reported by Committee on
Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Chapman; Griffey; Pettigrew and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representative Holy.

MINORITY recommendation: Without
recommendation. Signed by Representative Appleton.

Referred to Committee on Rules for second reading.

February 8, 2017
HB 1845 Prime Sponsor, Representative Vick:
Concerning the delivery of insurance
notices and documents by electronic
means. Reported by Committee on
Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1857 Prime Sponsor, Representative Kloba:
Addressing provisions concerning
marijuana with respect to research licenses,
local authority notifications, the retail
licensing application process, processor
wholesale events, and jurisdictional
requirements. Reported by Committee on
Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1874 Prime Sponsor, Representative Lovick:
Addressing the blood and breath alcohol
concentration of persons operating or in
physical control of a vehicle, vessel, or
aircraft. Reported by Committee on Public
Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Chapman; Orwall and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes, Assistant Ranking Minority Member; Griffey and Van Werven.

MINORITY recommendation: Without
recommendation. Signed by Representatives Appleton
and Holy.

Referred to Committee on Transportation.

February 9, 2017
HB 1902 Prime Sponsor, Representative Kirby:
Modifying tavern license provisions.
Reported by Committee on Commerce &
Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

February 8, 2017
HB 1907 Prime Sponsor, Representative Orcutt:
Concerning abandoned cemeteries.
Reported by Committee on State
Government, Elections & Information
Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 9, 2017
HB 1915 Prime Sponsor, Representative Griffey:
Addressing hospital inspections by limiting
the uses of the fire protection contractor
license fund and directing the department
of health to engage in rule making to
appropriately fund the cost of hospital
inspections from hospital license fees.

Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Appropriations.

February 8, 2017

HJM 4002 Prime Sponsor, Representative Riccelli: Requesting that state route number 395 be named the Thomas S. "Tom" Foley Memorial Highway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Stambaugh; Tarleton and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Shea and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Harmsworth, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 8, 2017

HJM 4007 Prime Sponsor, Representative Muri: Requesting that the Interstate 5 bridges over the Nisqually River be named for and recognize the veterans of the Iraq and Afghanistan conflicts. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 8, 2017

HCR 4402 Prime Sponsor, Representative Sells: Approving the 2016 state comprehensive plan for workforce training and education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

There being no objection, the bills, memorials and resolution listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1079, by Representatives Orwall, Klippert, Goodman, Stokesbary, Kilduff, Chapman, McCabe, Hudgins, Jinkins, Ortiz-Self, Bergquist, Stanford, Griffey, Hargrove, Smith, Tarleton, Harmsworth, Ormsby, Muri, Van Werven, Kraft, Fey, Slatter, Sawyer, McBride and Gregerson

Creating a criminal no-contact order for human trafficking and promoting prostitution-related offenses.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1079 was substituted for House Bill No. 1079 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1079 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall, Klippert and Kraft spoke in favor of the passage of the bill.

MOTION

On motion of Representative Riccelli, Speaker Chopp was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1079.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1079, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Young.

Excused: Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1079, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1121, by Representatives Muri, Fitzgibbon, Short, Peterson, Fey, Smith, Kagi, Barkis, McBride, Farrell, Wilcox, Jinkins, Haler, Stanford, Gregerson, Kilduff, Tarleton, Tharinger and Pollet

Concerning the frequency of Puget Sound action agenda implementation strategy and science work plan updates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1121 was substituted for House Bill No. 1121 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1121 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Muri and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1121.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1121, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wilcox and Wylie.

Voting nay: Representatives Buys, Condotta, Dent, Griffey, Hargrove, Harmsworth, Harris, Holy, Johnson, Klippert, Kraft, MacEwen, McCabe, Schmick, Stokesbary, Taylor, Van Werven, Vick, J. Walsh and Young.

Excused: Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1121, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1121 passed the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1121 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1121, on reconsideration, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wilcox and Wylie.

Voting nay: Representatives Buys, Condotta, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Holy, Jenkin, Johnson, Klippert, Kraft, MacEwen, McCabe, Schmick, Taylor, Van Werven, Vick, J. Walsh and Young.

Excused: Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1121, on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

MOTION

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1038, and the bill was referred to the Committee on Rules.

There being no objection, the House adjourned until 9:55 a.m., February 14, 2017, the 37th Day of the Regular Session.

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRTY SEVENTH DAY

House Chamber, Olympia, Tuesday, February 14, 2017

Referred to Committee on Health Care & Wellness.

HB 2102 by Representatives McCabe, Orwall, Hayes and McDonald

AN ACT Relating to clarifying that hospitals and emergency medical facilities providing sexual assault examinations may seek reimbursement from a sexual assault victim's health coverage as long as the victim does not receive a bill or incur any out-of-pocket expenses associated with such reimbursement; amending RCW 7.68.170; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 2103 by Representative Sawyer

AN ACT Relating to the gambling commission; amending RCW 9.46.100 and 9.46.210; and providing an effective date.

Referred to Committee on Appropriations.

HB 2104 by Representative Kirby

AN ACT Relating to protection product guarantee providers by clarifying that more than one reimbursement insurance policy, risk retention group, or both may be used to meet the requirements of RCW 48.110.055; and amending RCW 48.110.055.

Referred to Committee on Business & Financial Services.

HB 2105 by Representatives Stambaugh and Shea

AN ACT Relating to enhancing public engagement with the legislative and executive ethics boards; and amending RCW 42.52.320 and 42.52.360.

Referred to Committee on State Government, Elections & Information Technology.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 9, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2098 by Representatives Sawyer, Vick, Kirby and Condotta

AN ACT Relating to making financial services available to marijuana producers, processors, retailers, qualifying patients, health care professionals, and designated providers as authorized under chapters 69.50 and 69.51A RCW; and adding a new section to chapter 9.01 RCW.

Referred to Committee on Judiciary.

HB 2099 by Representative Blake

AN ACT Relating to streamlining distillery licensing and fees; amending RCW 66.04.010, 66.24.140, 66.24.145, 66.24.520, 66.24.630, 66.28.040, and 66.28.295; and providing an effective date.

Referred to Committee on Appropriations.

HB 2100 by Representative Goodman

AN ACT Relating to the statutory vested rights doctrine and establishing rules for determining what regulations control decisions on project permit applications; amending RCW 36.70B.020, 19.27.095, 58.17.170, 36.70B.170, 36.70A.302, 36.70A.280, and 36.70A.280; adding a new section to chapter 36.70B RCW; creating a new section; repealing RCW 58.17.033; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 2101 by Representatives McCabe, Orwall, Griffey, Hayes and McDonald

AN ACT Relating to increasing the availability of sexual assault nurse examiners; and creating a new section.

HB 1170 Prime Sponsor, Representative Orwall: Maintaining and facilitating court-based and school-based efforts to promote attendance and reduce truancy. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Haler and Shea.

Referred to Committee on Appropriations.

February 8, 2017

HB 1247 Prime Sponsor, Representative McCabe: Concerning eligibility for lifetime veteran's disability passes. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Appropriations.

February 9, 2017

HB 1343 Prime Sponsor, Representative Wylie: Modifying the Washington main street program by increasing the total amount of tax credits allowed under the program and making administrative changes to the program. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Finance.

February 9, 2017

HB 1347 Prime Sponsor, Representative Riccelli: Concerning the creation of a countywide port district within a county containing no port districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Griffey, Ranking Minority Member.

Referred to Committee on Finance.

February 9, 2017

HB 1508 Prime Sponsor, Representative Stonier: Promoting student health and readiness through meal and nutrition programs. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Springer; Steele and Stokesbary.

MINORITY recommendation: Do not pass. Signed by Representative Hargrove.

MINORITY recommendation: Without recommendation. Signed by Representatives McCaslin and Volz.

Referred to Committee on Appropriations.

February 9, 2017

HB 1634 Prime Sponsor, Representative Pettigrew: Requiring continuity of transit operation reporting by certain public transportation systems. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Reeves and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representative Jenkin.

Referred to Committee on Transportation.

February 10, 2017

HB 1719 Prime Sponsor, Representative Lovick: Updating certain department of early learning advising and contracting mechanisms to reflect federal requirements, legislative mandates, and planned system improvements. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Klippert; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Rules for second reading.

HB 1740 February 9, 2017
Prime Sponsor, Representative McBride:
Using the state environmental policy act to encourage development that is consistent with forward-looking growth plans. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys and Dye.

Referred to Committee on Appropriations.

HB 1802 February 9, 2017
Prime Sponsor, Representative Reeves:
Increasing the access of veterans, military service members, and military spouses to shared leave in state employment. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Appropriations.

HB 1858 February 9, 2017
Prime Sponsor, Representative Sawyer:
Increasing marijuana license fees and adding a temporary additional fee on marijuana licenses issued by the Washington state liquor and cannabis board. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Kirby and Ryu.

MINORITY recommendation: Without recommendation. Signed by Representatives Condotta, Ranking Minority Member; Jenkin and Young.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:00 a.m., February 15, 2017, the 38th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRTY EIGHTH DAY

House Chamber, Olympia, Wednesday, February 15, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the Nisei Veterans Color Guard. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Kerry Kaino, Japanese Presbyterian Church, Seattle, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4613, by Representatives Stonier, Santos, Appleton, Bergquist, Chapman, Dolan, Frame, Graves, Johnson, Kirby, Ortiz-Self, Orwall, Ryu, Sells, Senn, Slatter, Pettigrew, and Tharinger

WHEREAS, Seventy-five years ago, on February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which authorized the United States military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 12,000 Japanese-American residents of Washington State; and

WHEREAS, The first civilian evacuation order gave Japanese-Americans from Bainbridge Island less than one week to leave behind homes, personal belongings, farms, businesses, friends, and family; and report to hastily constructed detention centers like Camp Harmony on the grounds of the Washington State fair in Puyallup; and

WHEREAS, This drastic course of action allegedly aimed to prevent acts of espionage and sabotage by Japanese-Americans who were deemed untrustworthy and disloyal to the United States; and

WHEREAS, On March 23, 1943, the war department organized a segregated unit of Japanese-Americans, many of whom reported for military duty from the concentration camps surrounded by barbed wire in which they and their families were detained; and

WHEREAS, More than 12,000 volunteers responded to questions about their loyalty and patriotism by amassing a battle record unparalleled in United States military history with 7 Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, 1 Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 145 Soldier's Medals, 9,486 Purple

Hearts, 16 decorations from France and Italy, and, in 2010, the Congressional Gold Medal; and

WHEREAS, Equally loyal and patriotic Japanese-Americans fought to protect our constitutional rights and liberties through dissent, like University of Washington student Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and refusing to evacuate when ordered; and

WHEREAS, In 1982, the Congressional commission on wartime relocation and internment of civilians found "no military or security reason for the internment" of persons of Japanese ancestry, but determined the cause of the internment as "racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, Through this travesty of justice, Japanese-Americans suffered immense economic loss of property and assets, immeasurable physical and psychological harm, and were deprived of their constitutional liberties without due process of law; and

WHEREAS, In 1979, Washington State Congressman Mike Lowry introduced H.R. 5977 to provide reparations and an apology to the Japanese-American internees, thus initiating a ten-year legislative quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988; and

WHEREAS, Throughout Washington State, the few remaining survivors of the European and Asian Pacific battlefields of World War II and of American incarceration camps live their golden years in quiet contrast to their extraordinary acts of conscience and valor while all of America continues to benefit from their heroic patriotism;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives pause to acknowledge the seventy-fifth anniversary of the signing of Executive Order 9066; to recognize and remember Japanese-American veterans, internees, and civil rights activists from the State of Washington; and to honor the lessons and blessings of liberty and justice for all; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Nisei Veterans Committee, the Military Intelligence Service-Northwest Association, Densho, the Japanese-American Citizens League, the Japanese Cultural and Community Center of Washington State, and the Wing Luke Museum of the Asian Pacific American Experience.

Representative Stonier moved adoption of HOUSE RESOLUTION NO. 4613

Representatives Stonier, Graves, Hudgins, McDonald, Santos and Smith spoke in favor of the adoption of the resolution.

The Speaker (Representative Lovick presiding) stated the question before the House to be the adoption of House Resolution No. 4613.

HOUSE RESOLUTION NO. 4613 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) introduced World War II Veteran Hiro Nishimura to the Chamber and asked the members to acknowledge him.

The Speaker (Representative Lovick presiding) also introduced Representatives of the Japanese American Citizen's League from the Olympia, Seattle and Puyallup Chapters; the Nisei Veterans Committee Foundation; Keiro Northwest Commission on Asian Pacific American Affairs; and the Japanese Cultural and Community Center of Washington and asked the members to acknowledge them.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2106 by Representatives Koster, Hudgins, Taylor and Shea

AN ACT Relating to election year restrictions on state legislators; amending RCW 42.52.180 and 42.52.185; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

HB 2107 by Representatives Schmick, Cody and Ormsby

AN ACT Relating to the addition of services for long-term placement of mental health patients in community settings that voluntarily contract to provide the services; amending RCW 71.24.310 and 71.24.380; and adding new sections to chapter 71.24 RCW.

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

HB 2108 by Representatives Morris, Hudgins and Stanford

AN ACT Relating to conducting a comprehensive study of aerial imagery needs for state agencies and local governments intended to provide officials with the information needed for day-to-day business workflow and decision-making tasks; creating new sections; and providing an expiration date.

Referred to Committee on State Government, Elections & Information Technology.

HB 2109 by Representatives Farrell and Stanford

AN ACT Relating to portable, prorated, universal benefits for workers of the gig economy; and adding a new chapter to Title 49 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 2110 by Representative Calder

AN ACT Relating to school district employer-sponsored health benefit plans; amending RCW 28A.400.270, 28A.400.275, 28A.400.280, 41.56.500, and 41.59.105; and adding a new section to chapter 28A.400 RCW.

Referred to Committee on Education.

HB 2111 by Representatives Reeves, Ormsby, Fey, Kilduff, Fitzgibbon, Riccelli and Ryu

AN ACT Relating to the protection of military installations operated by the United States armed services from incompatible development; and amending RCW 36.70A.530.

Referred to Committee on Environment.

HB 2112 by Representative Griffey

AN ACT Relating to ensuring quality ambulance services for medicaid beneficiaries by applying the medicare payment rate for ambulance services furnished under medicaid by providers of ambulance services; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2113 by Representatives Young, Blake, Pettigrew, Farrell, Vick, Jenkin and Kilduff

AN ACT Relating to assisting persons with special transportation needs by providing tax incentives to businesses; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 2114 by Representatives Cody and Pollet

AN ACT Relating to protecting consumers from charges for out-of-network health services; amending RCW 48.43.005, 48.43.093, and 48.43.515; adding new sections to chapter 48.43 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Appropriations.

HB 2115 by Representatives Stanford, Ormsby and Tharinger

AN ACT Relating to exempting a portion of the valuation of residential property from property taxation; amending RCW 84.48.010; adding a new section to chapter 84.36 RCW; creating new sections; and providing a contingent effective date.

Referred to Committee on Finance.

HJM 4011 by Representatives Blake, Chapman, Lovick, J. Walsh, Kilduff, Tharinger and Muri

Requesting that the United States Coast Guard name a Coast Guard cutter in honor of Petty Officer Matthew E. Schlimme.

Referred to Committee on State Government.

HJR 4207 by Representatives Manweller, McDonald, Haler, Harris, Buys, Klippert, MacEwen, Chandler, Taylor, Caldier, Vick, Condotta, Schmick, J. Walsh, Hayes, Graves, Irwin, McCaslin, Van Werven, McCabe, Muri, Maycumber, Volz, Barkis, Wilcox, Kristiansen, Kretz, Shea, Griffey, Rodne, Harmsworth, Steele, Kraft, Jenkin, Holy, Dent, Hargrove, Pike, Stokesbary, Smith, Johnson and Young

Amending the Constitution to prohibit the taxation of individual income.

Referred to Committee on Finance.

HJR 4208 by Representatives Stanford, Fitzgibbon and Ormsby

Amending the Constitution to provide a homestead exemption from property taxes.

Referred to Committee on Finance.

There being no objection, the bills, memorial and resolutions listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 13, 2017
HB 1227 Prime Sponsor, Representative Pike: Concerning correctional industries' insurance costs. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio; Frame and Pike.

Referred to Committee on Appropriations.

February 14, 2017
HB 1238 Prime Sponsor, Representative Pollet: Creating new full-time tenure track positions at the state's four-year public institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Van Werven, Assistant Ranking Minority Member and Stambaugh.

Referred to Committee on Appropriations.

February 14, 2017
HB 1449 Prime Sponsor, Representative Manweller: Concerning water recreation facilities. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jenkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 10, 2017
HB 1491 Prime Sponsor, Representative Orwall: Concerning pediatric transitional care centers. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1499 Prime Sponsor, Representative Pollet: Creating protections and fairness for students in the student loan disbursement

process. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

February 14, 2017

HB 1520 Prime Sponsor, Representative Tharinger: Allowing alternative payment methodologies for critical access hospitals participating in the Washington rural health access preservation pilot. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

February 10, 2017

HB 1538 Prime Sponsor, Representative Stambaugh: Requiring prime contractors to bond the subcontractors portion of retainage upon request. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; Smith, Assistant Ranking Minority Member; Dye; Koster; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt, Ranking Minority Member; Johnson; Kraft and MacEwen.

Referred to Committee on Rules for second reading.

February 13, 2017

HB 1629 Prime Sponsor, Representative Sells: Extending the redetermination timeline regarding appeals to the department of labor and industries. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe,

Assistant Ranking Minority Member; Doglio; Frame and Pike.

Referred to Committee on Rules for second reading.

February 10, 2017

HB 1630 Prime Sponsor, Representative Slatter: Allowing minors to consent to share their personally identifying information in the Washington homeless client management information system. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 13, 2017

HB 1673 Prime Sponsor, Representative Doglio: Adding training on public works and prevailing wage requirements to responsible bidder criteria. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio; Frame and Pike.

Referred to Committee on Appropriations.

February 13, 2017

HB 1675 Prime Sponsor, Representative Sells: Improving compliance with prevailing wage procedures. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

February 10, 2017

HB 1694 Prime Sponsor, Representative MacEwen: Providing state funding assistance for public school construction. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Appropriations.

February 14, 2017

HB 1721 Prime Sponsor, Representative Cody: Concerning obtaining required clinical experience for licensed practical nurses who complete a nontraditional registered nurse program. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Caldier; Clibborn; DeBolt; Harris; Jinkins; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; MacEwen and Maycumber.

Referred to Committee on Rules for second reading.

February 10, 2017

HB 1743 Prime Sponsor, Representative Goodman: Addressing confinement in juvenile rehabilitation facilities for juveniles convicted in adult court. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Appropriations.

February 13, 2017

HB 1796 Prime Sponsor, Representative Farrell: Providing reasonable accommodations in the workplace for pregnant women. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

February 10, 2017

HB 1816 Prime Sponsor, Representative Frame: Concerning information sharing related to implementation of the homeless youth prevention and protection act of 2015. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 9, 2017

HB 1843 Prime Sponsor, Representative Sullivan: Fulfilling the state's paramount duty for all children through equitable and responsible investments in the state's basic education program and reductions to local effort contributions. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Chandler, Ranking Minority Member.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1843 which was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1130, by Representatives Haler, Pollet and Ryu

Making the customized training program permanent. Revised for 1st Substitute: Making the customized employment training program permanent.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1130 was substituted for House Bill No. 1130 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1130 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Hansen spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Chandler was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1130.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1130, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1130, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1160, by Representatives Springer, Kilduff and Pollet

Enacting recommendations of the sunshine committee.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1160 was substituted for House Bill No. 1160 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1160 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer, Koster and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1160.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1160, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1160, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1182, by Representatives Stokesbary, Ryu, Stambaugh, Pettigrew, Cody, Harris, Sells and Kilduff

Addressing civil service qualifications.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stokesbary and Lovick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1182.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1182, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Klippert, Maycumber, McCaslin, Shea, Taylor and J. Walsh.

Excused: Representative Chandler.

HOUSE BILL NO. 1182, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1262, by Representatives McBride, Dye, Peterson, McCabe, Riccelli, Gregerson, Fey, Dolan, Muri and Lovick

Concerning accessible parking spaces for people with disabilities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McBride and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1262.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1262, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

HOUSE BILL NO. 1262, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1329, by Representatives McCabe, Sells and Young

Modifying monetary penalties imposed for infractions relating to mobile and manufactured home installation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCabe and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1329.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1329, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford,

Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

HOUSE BILL NO. 1329, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1337, by Representatives Riccelli, Harris, Cody, Jinkins, Tharinger, Robinson, Goodman, Ormsby and Ortiz-Self

Creating the interstate medical licensure compact.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1337.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1337, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.

Excused: Representative Chandler.

HOUSE BILL NO. 1337, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10 a.m., February 16, 2017, the 39th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

THIRTY NINTH DAY

House Chamber, Olympia, Thursday, February 16, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Madaline Ware and Brandtley Melland. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Chad Stephens, Grace Bible Church, Port Orchard, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) introduced Students from Snoqualmie's Sister Cities in Chaclacayo, Peru and from Yang Yang, South Korea, as well as members of the Snoqualmie Sister Cities Association to the Chamber and asked the members to acknowledge them.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

February 15, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5069,
SENATE BILL NO. 5129,
SUBSTITUTE SENATE BILL NO. 5138,
SUBSTITUTE SENATE BILL NO. 5207,
SENATE BILL NO. 5230,
SENATE BILL NO. 5270,
ENGROSSED SENATE BILL NO. 5316,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 13, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5079,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2116 by Representatives Kraft, Pellicciotti, Hudgins, Irwin, Volz, Appleton, Dolan, Van Werven, Ormsby, Jenkin, Stambaugh, Wylie, Muri, Stanford, McDonald, Doglio, Koster, McCabe, Pollet and Pike

AN ACT Relating to the legislative advisory committee on aging; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 2117 by Representatives Gregerson, Graves, Johnson, Nealey, McBride, Caldier, Goodman, Springer, McCaslin, McCabe, Orwall, Frame, Muri, Farrell, Lytton, Ryu, Lovick, Macri, Senn, Kloba, Fey, Wylie, Peterson, Irwin, Doglio, Van Werven, Ormsby and Stanford

AN ACT Relating to granting relatives, including but not limited to grandparents, the right to seek visitation with a child through the courts; adding a new chapter to Title 26 RCW; and repealing RCW 26.09.240.

Referred to Committee on Judiciary.

HB 2118 by Representatives Stambaugh and Shea

AN ACT Relating to clarifying authority of ethics boards; and amending RCW 42.52.320 and 42.52.360.

Referred to Committee on State Government, Elections & Information Technology.

HB 2119 by Representatives Stambaugh, Van Werven and Shea

AN ACT Relating to establishing ethics boards decision-making timelines; and amending RCW 42.52.430 and 42.52.360.

Referred to Committee on State Government, Elections & Information Technology.

HB 2120 by Representatives Shea, Taylor, Santos, McCaslin, Ormsby, Young, Stanford, Pollet, Tarleton and Condotta

AN ACT Relating to creating the Washington state preservation of liberty act condemning the unlawful detention of United States citizens and lawful resident aliens under the national defense authorization act; adding a new section to chapter 42.20 RCW; adding a new section to chapter 38.40 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

HB 2121 by Representatives Pettigrew, Tarleton and Macri

AN ACT Relating to income eligibility for temporary assistance for needy families benefits for a child who lives with a nonparent caregiver; and repealing RCW 74.12.037.

Referred to Committee on Appropriations.

SSB 5069 by Senate Committee on Law & Justice (originally sponsored by Senators Walsh, Frockt, O'Ban, Zeiger, Chase, Hasegawa, Conway and Palumbo)

AN ACT Relating to providing associate degree education to enhance education opportunities and public safety; amending RCW 72.09.460 and 72.09.465; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Appropriations.

SB 5129 by Senators Hunt, Fain, Zeiger, Mullet and Palumbo

AN ACT Relating to charter school students participating in interschool athletics and extracurricular activities; and amending RCW 28A.710.300.

Referred to Committee on Education.

SSB 5138 by Senate Committee on Local Government (originally sponsored by Senators Palumbo, Kuderer, Fain, Billig and Rossi)

AN ACT Relating to metropolitan park districts; and amending RCW 35.61.020, 35.61.100, 35.61.120, 35.61.210, 35.61.290, 35.61.040, and 35.61.180.

Referred to Committee on Local Government.

SSB 5207 by Senate Committee on State Government (originally sponsored by Senators Kuderer, Miloscia, Frockt, Zeiger, Hobbs, Keiser, Chase and Hunt)

AN ACT Relating to the public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers; and amending RCW 42.56.250.

Referred to Committee on State Government, Elections & Information Technology.

SB 5230 by Senators Wilson, Palumbo, Braun, Mullet, Baumgartner, Takko, Brown, Keiser, King, Miloscia, Chase, Walsh, Warnick, Hobbs, Angel, Becker, Hasegawa, Hawkins, Padden, O'Ban, Sheldon and Bailey

AN ACT Relating to the licensing and regulatory requirements of small business owners; creating new sections; and providing an expiration date.

Referred to Committee on State Government, Elections & Information Technology.

SB 5270 by Senators Hawkins, Takko and Pearson

AN ACT Relating to expiration dates affecting the department of natural resources' contract harvesting program; amending 2013 c 255 s 1 and 2009 c 418 s 7 (uncodified); repealing 2010 c 126 s 12; and repealing 2013 c 255 ss 2 and 3 and 2010 c 126 ss 15 and 16 (uncodified).

Referred to Committee on Capital Budget.

SB 5316 by Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger and Wilson

AN ACT Relating to the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington; amending RCW 43.320.017, 70.95.532, 80.01.080, 48.18A.035, 48.25.140, 48.29.015, 21.20.880, 43.70.900, 29A.04.510, 35A.39.010, 44.05.080, 47.06.110, 82.42.090, and 82.80.070; adding a new section to chapter 42.30 RCW; recodifying RCW 42.32.030; decodifying RCW 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.016, 43.320.901, 15.15.900, 50.06.010, 50.13.010, 50.13.910, 50.38.900, 50.38.902, 50.60.902, 50.65.905, 50.70.902, 28A.315.075, 29A.04.903, 29A.04.905, 42.56.901, 42.56.902, 42.56.903, 71A.10.805, 10.77.900, 10.77.920, 10.77.930, 71.05.910, 71.05.920, 71.05.930, 71.24.900, 71.34.901, 5.45.920, 43.41.035, 43.41.940, 43.41.950, 43.41.981, and 43.88.910; and repealing RCW 66.08.230, 66.08.250, 66.12.020, 28A.305.900, 28A.305.901, 28A.630.005, 70.94.505, 70.95N.270, 70.104.070, 70.104.090, 80.36.901, 70.104.100, 21.20.886, 31.04.501, 48.102.190, 35.13A.0301, 70.22.005, 71A.20.190, 28B.65.010, 28B.65.020, 28B.65.030, 28B.65.040, 28B.65.050, 28B.65.060, 28B.65.070, 28B.65.080, 28B.65.110, 28B.65.900, 28B.65.905, 2.56.031, 10.77.810, 10.77.820, 71.24.055, 2.56.250, 9.04.040, 43.30.8351, 76.01.080, 76.01.090, 76.09.380, 77.12.605, 77.12.710, 79A.20.005, 79A.20.010, 79A.20.030, 79A.20.900, 43.31.088, 43.31.522, 43.31.524, 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.833,

43.31.834, 43.31.840, 43.31.850, 47.01.141, 47.60.645, 47.78.010, 82.44.180, 82.80.040, 82.80.050, 82.80.060, 82.14.046, and 82.50.510.

Referred to Committee on Judiciary.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 14, 2017

HB 1057 Prime Sponsor, Representative Orwall: Providing information to students about education loans. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 14, 2017

HB 1136 Prime Sponsor, Representative Dye: Exempting short-line railroads that haul nonfuel oils from oil spill contingency planning requirements. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

February 14, 2017

HB 1168 Prime Sponsor, Representative Gregerson: Supporting student success at community and technical colleges by increasing full-time faculty. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Stambaugh.

Referred to Committee on Appropriations.

February 14, 2017

HB 1169 Prime Sponsor, Representative Orwall: Enacting the student opportunity, assistance, and relief act. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 13, 2017

HB 1176 Prime Sponsor, Representative Muri: Concerning the alcoholic beverage mead. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby and Young.

MINORITY recommendation: Do not pass. Signed by Representative Ryu.

Referred to Committee on Rules for second reading.

February 14, 2017

HB 1225 Prime Sponsor, Representative Pike: Requiring planning for the availability of mineral resources for future generations under the growth management act. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 14, 2017

HB 1268 Prime Sponsor, Representative Harmsworth: Exempting the construction of certain pedestrian infrastructure from the requirements of the state environmental policy act. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

HB 1294 February 14, 2017
Prime Sponsor, Representative Ortiz-Self: Requiring development of a model ethnic studies curriculum. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Ranking Minority Member and Hargrove.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Rules for second reading.

HB 1375 February 14, 2017
Prime Sponsor, Representative Van Werven: Providing students at community and technical colleges with the costs of required course materials. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

HB 1376 February 14, 2017
Prime Sponsor, Representative Peterson: Concerning paint stewardship. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys and Dye.

Referred to Committee on Appropriations.

HB 1399 February 14, 2017
Prime Sponsor, Representative Dent: Concerning compensation for property damage caused by wild deer or elk. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Appropriations.

HB 1418 February 14, 2017
Prime Sponsor, Representative Hudgins: Establishing a blue ribbon panel on cybersecurity. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

Referred to Committee on Appropriations.

HB 1429 February 14, 2017
Prime Sponsor, Representative Chandler: Concerning aquatic invasive species management. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Appropriations.

HB 1432 February 14, 2017
Prime Sponsor, Representative Robinson: Concerning foundational public health services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Clibborn; Harris; Jinkins; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; MacEwen and Maycumber.

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt and Rodne.

Referred to Committee on Appropriations.

February 14, 2017
HB 1437 Prime Sponsor, Representative Pollet:
 Adding a faculty member to the board of regents at the research universities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1440 Prime Sponsor, Representative Stonier:
 Establishing a student loan bill of rights. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Van Werven, Assistant Ranking Minority Member; Orwall; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Without recommendation. Signed by Representative Holy, Ranking Minority Member.

Referred to Committee on Appropriations.

February 14, 2017
HB 1468 Prime Sponsor, Representative Manweller:
 Concerning voter registration. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1493 Prime Sponsor, Representative Morris:
 Concerning biometric identifiers.

Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Harmsworth; Hudgins; McDonald; Santos; Slatter; Steele; Wylie and Young.

MINORITY recommendation: Do not pass. Signed by Representative Manweller.

MINORITY recommendation: Without recommendation. Signed by Representatives Fey and Nealey.

Referred to Committee on Rules for second reading.

February 13, 2017
HB 1530 Prime Sponsor, Representative Gregerson:
 Grandfathering the accrual of vacation leave above the statutory maximum for certain employees of the Washington state ferries. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

February 13, 2017
HB 1558 Prime Sponsor, Representative Kilduff:
 Authorizing membership in the Washington public safety employees' retirement system for employees who provide nursing care to, or ensure the custody and safety of, offender, probationary, and patient populations in institutions and centers. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Manweller; Nealey; Taylor and Vick.

MINORITY recommendation: Without recommendation. Signed by Representative Schmick.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1559 Prime Sponsor, Representative Goodman: Granting binding interest arbitration rights to certain uniformed personnel. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representative Pike.

Referred to Committee on Appropriations.

February 14, 2017
HB 1601 Prime Sponsor, Representative Santos: Concerning the beginning educator support team program. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Appropriations.

February 14, 2017
HB 1618 Prime Sponsor, Representative Ortiz-Self: Concerning family and community engagement coordinators. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1654 Prime Sponsor, Representative McCaslin: Changing explicit alternative routes to teacher certification program requirements

to expectations for program outcomes. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1655 Prime Sponsor, Representative Lovick: Providing industrial insurance coverage for stress-caused mental disorders and disabilities of members of the law enforcement officers' and firefighters' retirement system. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio; Frame and Pike.

MINORITY recommendation: Do not pass. Signed by Representative Manweller, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative McCabe, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

February 13, 2017
HB 1669 Prime Sponsor, Representative Farrell: Establishing minimum crew size on certain trains. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

February 13, 2017
HB 1670 Prime Sponsor, Representative Gregerson: Concerning hours of service for certain railroad employees. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

February 13, 2017
HB 1672 Prime Sponsor, Representative Frame:
 Concerning the time period for workers to
 recover wages under prevailing wage laws.
 Reported by Committee on Labor &
 Workplace Standards

MAJORITY recommendation: Do pass. Signed by
 Representatives Sells, Chair; Gregerson, Vice Chair;
 Manweller, Ranking Minority Member; McCabe,
 Assistant Ranking Minority Member; Doglio; Frame
 and Pike.

Referred to Committee on Rules for second reading.

February 13, 2017
HB 1674 Prime Sponsor, Representative Ormsby:
 Establishing the prevailing rate of wage
 based on collective bargaining agreements
 or other methods if collective bargaining
 agreements are not available. Reported by
 Committee on Labor & Workplace
 Standards

MAJORITY recommendation: Do pass. Signed by
 Representatives Sells, Chair; Gregerson, Vice Chair;
 Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by
 Representatives Manweller, Ranking Minority Member;
 McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1686 Prime Sponsor, Representative Santos:
 Aligning definitions relating to the
 transitional bilingual instruction program.
 Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by
 Representatives Santos, Chair; Dolan, Vice Chair;
 Stonier, Vice Chair; Muri, Assistant Ranking Minority
 Member; Bergquist; Johnson; Kilduff; Lovick; Ortiz-
 Self; Senn; Slatter; Springer and Stokesbary.

MINORITY recommendation: Do not pass. Signed by
 Representatives Harris, Ranking Minority Member;
 Caldier; Hargrove; Steele and Volz.

MINORITY recommendation: Without
 recommendation. Signed by Representative McCaslin.

Referred to Committee on Appropriations.

February 14, 2017

HB 1717 Prime Sponsor, Representative Smith:
 Concerning state agency collection, use,
 and retention of biometric identifiers.
 Reported by Committee on Technology &
 Economic Development

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Kloba, Vice Chair; Tarleton,
 Vice Chair; Smith, Ranking Minority Member; Doglio;
 Fey; Harmsworth; Hudgins; Manweller; McDonald;
 Nealey; Santos; Slatter; Steele; Wylie and Young.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1722 Prime Sponsor, Representative Kirby:
 Eliminating wholesale vehicle dealer
 licensing. Reported by Committee on
 Business & Financial Services

MAJORITY recommendation: Do pass. Signed by
 Representatives Kirby, Chair; Reeves, Vice Chair; Vick,
 Ranking Minority Member; Barkis; Bergquist; Blake;
 Jenkin; McCabe; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by
 Representative Walsh, J., Assistant Ranking Minority
 Member.

Referred to Committee on Transportation.

February 14, 2017
HB 1727 Prime Sponsor, Representative Dolan:
 Extending in-person voter registration.
 Reported by Committee on State
 Government, Elections & Information
 Technology

MAJORITY recommendation: Do pass. Signed by
 Representatives Hudgins, Chair; Dolan, Vice Chair;
 Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by
 Representatives Koster, Ranking Minority Member;
 Volz, Assistant Ranking Minority Member; Irwin and
 Kraft.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1732 Prime Sponsor, Representative Springer:
 Concerning the confidentiality of educator
 professional growth plans. Reported by
 Committee on Education

MAJORITY recommendation: Do pass. Signed by
 Representatives Santos, Chair; Dolan, Vice Chair;
 Stonier, Vice Chair; Harris, Ranking Minority Member;
 Muri, Assistant Ranking Minority Member; Bergquist;
 Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin;

Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1734 Prime Sponsor, Representative Lovick:
 Authorizing reimbursement for substitute teachers participating in activities of the Washington state professional educator standards board to carry out its powers and duties. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1755 Prime Sponsor, Representative Manweller:
 Requiring notice to state fund employers for certain workers' compensation third-party settlements. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio; Frame and Pike.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1801 Prime Sponsor, Representative Hayes:
 Concerning city use of state-owned aquatic lands for a publicly owned marina. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Appropriations.

February 14, 2017
HB 1820 Prime Sponsor, Representative Volz:
 Concerning the maintenance and operations of parks and recreational land acquired through the conservation futures program. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Dye; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representative Buys.

Referred to Committee on Finance.

February 14, 2017
HB 1855 Prime Sponsor, Representative Blake:
 Concerning vehicle identification of electrical contractors. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member and Pike.

MINORITY recommendation: Without recommendation. Signed by Representative McCabe, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1906 Prime Sponsor, Representative Orcutt:
 Allowing the expansion of counties qualifying for the farm internship program, including certain southwest Washington counties. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio; Frame and Pike.

Referred to Committee on Rules for second reading.

February 13, 2017
HB 1920 Prime Sponsor, Representative Condotta:
 Concerning inspections of licensed marijuana processors' equipment and facilities. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Appropriations.

February 14, 2017
HB 2023 Prime Sponsor, Representative Fitzgibbon:
 Addressing the effective date of certain
 actions taken under the growth
 management act. Reported by Committee
 on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys and Dye.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 2038 Prime Sponsor, Representative Jenkin:
 Clarifying the applicability of RCW
 70.345.080 to only vapor products.
 Reported by Committee on Commerce &
 Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Jenkin; Kirby; Ryu and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Farrell.

Referred to Committee on Rules for second reading.

February 13, 2017
HRJ 4202 Prime Sponsor, Representative Hudgins:
 Amending the state Constitution to permit
 appropriations from the budget
 stabilization account in certain cases where
 there has been a breach of information
 technology systems. Reported by
 Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

There being no objection, the bills and resolution listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1071, by Representatives Kirby and Vick

Repealing an expiration date for legislation enacted in 2015 regarding pawnbroker fees and interest rates.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Stokesbary was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1071.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1071, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Stokesbary.

HOUSE BILL NO. 1071, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1209, by Representatives Bergquist, Vick, Kirby, J. Walsh and Blake

Concerning municipal access to local financial services. Revised for 1st Substitute: Addressing municipal access to local financial services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1209 was substituted for House Bill No. 1209 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1209 was read the second time.

Representative Jenkin moved the adoption of amendment (008):

On page 5, after line 14, insert the following:

"NEW SECTION. Sec. 3. (1) The joint legislative audit and review committee is directed to review the amount of business and occupation taxes collected by the state from financial institutions that accept public funds and to deliver a report on their findings to the legislature by December 31, 2020. The report must include:

(a) A list of all financial institutions, by county, that accept public deposits;

(b) The amount of public funds held by all public depositories; and

(c) The total business and occupation tax collected from financial institutions that accept public deposits for the years 2016, 2017, 2018, and 2019."

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

Representative Jenkin spoke in favor of the adoption of the amendment.

Representative Kirby spoke against the adoption of the amendment.

Amendment (008) was not adopted.

Representative Barkis moved the adoption of amendment (009):

On page 5, after line 14, insert the following:

"Sec. 3. RCW 39.58.108 and 2016 c 152 s 4 are each amended to read as follows:

(1) Any financial institution may become, and thereafter operate as, a public depository upon approval by the commission and segregation of collateral in the manner as set forth in this chapter, and subject to compliance with all rules and policies adopted by the commission. A public depository shall at all times pledge and segregate eligible collateral in an amount established by the commission by rule or noticed resolution.

(2) A credit union may only be approved by the commission as a public depository able to accept deposits greater than the maximum insured amount if that credit union, or credit union branch as defined in RCW 31.12.005(3), is located in a county with three or fewer financial institutions with a permanent physical location, not including credit unions.

(3) A credit union may become and thereafter operate as, a public depository solely for the purpose of receiving public deposits that may total no more than the maximum deposit insured by the national credit union share insurance fund. A credit union public depository approved under this subsection is subject to RCW 39.58.040 and 39.58.100 and is not a public depository for any other purpose under this chapter, including but not limited to inclusion in the single public depository pool under RCW 39.58.200. The maximum deposit applies to all funds attributable to any one depositor of public funds in any one credit union."

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

Representative Barkis spoke in favor of the adoption of the amendment.

Representative Kirby spoke against the adoption of the amendment.

Amendment (009) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist, Vick, Orcutt and Volz spoke in favor of the passage of the bill.

Representative Wilcox spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1209.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1209, and the bill passed the House by the following vote: Yeas, 73; Nays, 24; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Holy, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Kloba, Kretz, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Condotta, Dent, Haler, Hargrove, Harmsworth, Harris, Hayes, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kristiansen, Manweller, Muri, Nealey, Rodne, Schmick, Smith, Van Werven and Wilcox.

Excused: Representative Stokesbary.

SUBSTITUTE HOUSE BILL NO. 1209, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1615, by Representatives Kloba, Clibborn, Rodne, Doglio, Stanford and Jenkins

Concerning relocation assistance for persons displaced by agency property acquisitions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba, Rodne, Jenkins, Klippert, Riccelli and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1615.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1615, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dye, Kretz, Maycumber, Schmick, Shea and Taylor.

Excused: Representative Stokesbary.

HOUSE BILL NO. 1615, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Stanford congratulated Representative Kloba on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1718, by Representatives Jenkin, Kirby, Barkis, Vick, Stanford, Nealey, Springer, Fey and Condotta

Creating a special permit for certain wine auctions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jenkin, Sawyer, Orcutt, Nealey, Cody, DeBolt and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1718.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1718, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton,

Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Stokesbary.

HOUSE BILL NO. 1718, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Nealey congratulated Representative Jenkin on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1738, by Representatives Doglio, Jenkin and Tarleton

Continuing to protect water quality by aligning state brake friction material restrictions with the requirements of a similar nationwide agreement.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1738 was substituted for House Bill No. 1738 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1738 was read the second time.

Representative Taylor moved the adoption of amendment (012):

On page 2, line 4, after "weight." insert "This prohibition takes effect only if twenty-five other states have passed comparable laws or adopted comparable rules as identified in section 4 of this act."

On page 3, after line 9, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 70.285 RCW to read as follows:

(1) By December 1, 2024, the department shall identify other states that have passed comparable laws or adopted comparable rules that restrict manufacturers, wholesalers, retailers, or distributors from selling or offering for sale brake friction material containing more than 0.5 percent copper and its compounds by weight.

(2) By December 1, 2024, the department shall publish the information required in subsection (1) of this section in the Washington State Register and submit a report to the legislature consistent with RCW 43.01.036."

Correct the title.

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Fitzgibbon spoke against the adoption of the amendment.

Amendment (012) was not adopted.

Representative Taylor moved the adoption of amendment (011):

On page 3, after line 9, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 70.285 RCW to read as follows:

(1) By December 1, 2024, the department shall identify other states that have passed comparable laws or adopted comparable rules that restrict manufacturers, wholesalers, retailers, or distributors from selling or offering for sale brake friction material containing more than 0.5 percent copper and its compounds by weight.

(2) By December 1, 2024, the department shall publish the information required in subsection (1) of this section in the Washington State Register and submit a report to the legislature consistent with RCW 43.01.036."

Correct the title.

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Fitzgibbon spoke against the adoption of the amendment.

Amendment (011) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Doglio, Fitzgibbon and Riccelli spoke in favor of the passage of the bill.

Representatives Taylor and Klippert spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1738.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1738, and the bill passed the

House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Stokesbary.

SUBSTITUTE HOUSE BILL NO. 1738, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Tarleton congratulated Representative Doglio on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

There being no objection, the House adjourned until 9:55 a.m., February 17, 2017, the 40th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FORTIETH DAY

House Chamber, Olympia, Friday, February 17, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2122 by Representative Taylor

AN ACT Relating to ensuring local government leave program changes are coordinated with Washington state retirement systems plans; and adding a new section to chapter 41.50 RCW.

Referred to Committee on Appropriations.

HB 2123 by Representatives Manweller and Appleton

AN ACT Relating to creating alternative qualifications for electrical trainee certification; and amending RCW 19.28.191.

Referred to Committee on Labor & Workplace Standards.

HB 2124 by Representatives Sawyer, Condotta, Taylor, Vick, Shea, Fitzgibbon and Goodman

AN ACT Relating to prohibiting the use of public resources to assist the federal government in any activity that might impede or interfere with revenue to the operating budget pursuant to Washington state's regulation of marijuana and marijuana-related products as prescribed by the laws of the state of Washington; adding a new section to chapter 41.04 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Finance.

HB 2125 by Representatives Blake and Wilcox

AN ACT Relating to providing funding for a community-based approach to provide assistance with nonlethal management methods to reduce livestock depredations by wolves; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 16 RCW.

Referred to Committee on Appropriations.

HB 2126 by Representatives Blake and Wilcox

AN ACT Relating to creating a community-based approach to provide assistance with nonlethal management methods to reduce livestock depredations by wolves; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 16 RCW.

Referred to Committee on Appropriations.

HB 2127 by Representatives Haler, Cody, Harris, Schmick and Johnson

AN ACT Relating to establishing a medical student loan program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORT OF STANDING COMMITTEES

February 15, 2017

HB 1001 Prime Sponsor, Representative Morris: Concerning utility easements on state-owned aquatic lands. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1100 Prime Sponsor, Representative Taylor: Concerning concealed pistol license

renewal notices. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1213 Prime Sponsor, Representative Farrell: Promoting the use of greywater in urban buildings. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Appropriations.

February 14, 2017

HB 1252 Prime Sponsor, Representative Haler: Transferring authority for low-level radioactive waste management from the department of ecology to the department of health. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Capital Budget.

February 15, 2017

HB 1264 Prime Sponsor, Representative McBride: Specifying medical assistance coverage for hearing devices for adults. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Caldier; Clibborn; Harris; Jinkins; MacEwen;

Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member Graves, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

February 15, 2017

HB 1275 Prime Sponsor, Representative Blake: Including fish passage barrier removal projects that comply with the forest practices rules in the streamlined permit process provided in RCW 77.55.181. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

February 14, 2017

HB 1280 Prime Sponsor, Representative Kagi: Including referred and diverted youth in establishing community juvenile accountability program guidelines. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Lovick; McCaslin; Muri and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Referred to Committee on Appropriations.

February 14, 2017

HB 1323 Prime Sponsor, Representative Wylie: Concerning loss prevention reviews by state agencies. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1425 Prime Sponsor, Representative Kilduff:
 Creating the Washington next generation
 educational savings account pilot program.
 Reported by Committee on Higher
 Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 15, 2017
HB 1433 Prime Sponsor, Representative Stambaugh:
 Decoupling services and activities fees
 from tuition. Reported by Committee on
 Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 15, 2017
HB 1452 Prime Sponsor, Representative Holy:
 Concerning the opportunity scholarship
 program. Reported by Committee on
 Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 16, 2017
HB 1509 Prime Sponsor, Representative Stonier:
 Concerning credit requirements for high
 school graduation. Reported by Committee
 on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Caldier; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Steele and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Bergquist; Hargrove; Senn and Slatter.

MINORITY recommendation: Without recommendation. Signed by Representative Springer.

Referred to Committee on Appropriations.

February 15, 2017
HB 1512 Prime Sponsor, Representative Bergquist:
 Expanding college bound scholarship
 eligibility. Reported by Committee on
 Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Orwall; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member Van Werven, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Haler.

Referred to Committee on Appropriations.

February 14, 2017
HB 1535 Prime Sponsor, Representative Riccelli:
 Addressing county commissioner
 elections. Reported by Committee on State
 Government, Elections & Information
 Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Irwin and Kraft.

Referred to Committee on Rules for second reading.

February 13, 2017
HB 1560 Prime Sponsor, Representative Stanford:
 Addressing plan membership default
 provisions in the public employees'
 retirement system, the teachers' retirement
 system, and the school employees'
 retirement system. Reported by Committee
 on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer;

Senn; Springer; Stanford; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Harris; Nealey; Schmick; Taylor and Vick.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1567 Prime Sponsor, Representative Koster:
 Concerning modification of precinct and district boundary lines. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1590 Prime Sponsor, Representative Blake:
 Concerning the protection of composting from nuisance lawsuits. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Schmick; Springer; Stanford and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representative Robinson.

Referred to Committee on Rules for second reading.

February 14, 2017
HB 1594 Prime Sponsor, Representative McBride:
 Improving public records administration. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton and Gregerson.

MINORITY recommendation: Do not pass. Signed by Representative Pellicciotti.

MINORITY recommendation: Without recommendation. Signed by Representatives Irwin and Kraft.

Referred to Committee on Appropriations.

February 14, 2017
HB 1595 Prime Sponsor, Representative Nealey:
 Concerning costs associated with responding to public records requests. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Kraft and Pellicciotti.

MINORITY recommendation: Without recommendation. Signed by Representative Irwin.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1622 Prime Sponsor, Representative Senn:
 Concerning the state building code council. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Appropriations.

February 14, 2017
HB 1661 Prime Sponsor, Representative Kagi:
 Creating the department of children, youth, and families. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; Frame; Goodman; Kilduff; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives McDonald, Assistant Ranking Minority Member; Griffey and McCaslin.

Referred to Committee on Appropriations.

Government, Elections & Information Technology

HB 1715 February 14, 2017
 Prime Sponsor, Representative Riccelli:
 Addressing meal and rest breaks and mandatory overtime for certain health care employees. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Irwin and Kraft.

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Assistant Ranking Minority Member; Doglio and Frame.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member and Pike.

HB 1814 February 14, 2017
 Prime Sponsor, Representative Goodman:
 Concerning notification requirements for the department of social and health services. Reported by Committee on Early Learning & Human Services

Referred to Committee on Appropriations.

HB 1751 February 15, 2017
 Prime Sponsor, Representative Farrell:
 Allowing fire protection district annexations and mergers within a reasonable geographic proximity and eliminating cross-county restrictions for annexations to a fire protection district. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

HB 1823 February 15, 2017
 Prime Sponsor, Representative Peterson:
 Concerning business improvement districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

HB 1758 February 14, 2017
 Prime Sponsor, Representative Senn:
 Concerning the business of child care. Reported by Committee on Early Learning & Human Services

Referred to Committee on Rules for second reading.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

HB 1825 February 14, 2017
 Prime Sponsor, Representative Senn:
 Extending the timeline for completing a family assessment response, allowing the department of social and health services to complete a family assessment response upon the verbal agreement of a parent to participate, and defining disqualifying crimes. Reported by Committee on Early Learning & Human Services

Referred to Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant

HB 1800 February 14, 2017
 Prime Sponsor, Representative Gregerson:
 Enacting the Washington voting rights act. Reported by Committee on State

Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Appropriations.

HB 1828 February 14, 2017
Prime Sponsor, Representative Irwin: Concerning more efficient use of state facilities through aligning the functions of the department of enterprise services and the office of financial management, collecting additional space use data, and making technical corrections. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

HB 1862 February 15, 2017
Prime Sponsor, Representative Fitzgibbon: Addressing the final approval of subdivisions of land. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

HB 1863 February 15, 2017
Prime Sponsor, Representative Gregerson: Concerning the national fire incident reporting system. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Appropriations.

HB 1917 February 15, 2017
Prime Sponsor, Representative Appleton: Concerning the imposition of port district facility entry fees for certain ground

transportation service providers. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Transportation.

HB 1959 February 15, 2017
Prime Sponsor, Representative Harmsworth: Requiring a public hearing before a local government may remove a restrictive covenant from land owned by the local government. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

HB 1967 February 16, 2017
Prime Sponsor, Representative Stanford: Concerning noncompetition agreements. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

HB 1991 February 15, 2017
Prime Sponsor, Representative Volz: Clarifying the county treasurer's administration of payments and costs related to delinquent properties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

February 14, 2017

HB 2000 Prime Sponsor, Representative Peterson: Equalizing differences in the distillery and winery industries by authorizing certain private label spirits. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 2009 Prime Sponsor, Representative Reeves: Providing higher education support for gold star families. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

February 14, 2017

HB 2021 Prime Sponsor, Representative Farrell: Authorizing the sale of marijuana plants and seeds to qualifying patients and designated providers. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Finance.

February 15, 2017

HB 2037 Prime Sponsor, Representative Frame: Reauthorizing the work group concerned with removing obstacles for higher education students with disabilities. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee report under the fifth order of business were referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

SUBSTITUTE SENATE BILL NO. 5079

The Speaker called upon Representative Sullivan to preside.

FIRST SUPPLEMENTAL REPORT OF STANDING COMMITTEES

February 15, 2017

HB 1047 Prime Sponsor, Representative Peterson: Protecting the public's health by creating a system for safe and secure collection and disposal of unwanted medications. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Caldier; Clibborn; Jinkins; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Harris; MacEwen and Maycumber.

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt and Rodne.

Referred to Committee on Appropriations.

February 15, 2017

HB 1153 Prime Sponsor, Representative Goodman: Concerning crimes against vulnerable persons. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1270 Prime Sponsor, Representative Harmsworth: Improving public safety by encouraging the voluntary purchase and voluntary use of firearm safety products. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert and Shea.

Referred to Committee on Finance.

February 15, 2017

HB 1272 Prime Sponsor, Representative Harmsworth: Creating a motor vehicle registration hiatus for certain motor vehicles that are not operated on public roads. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1299 Prime Sponsor, Representative Blake: Including cattle feedlots implementing best management practices within the statutory exemption for odor or fugitive dust caused by agricultural activity. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1332 Prime Sponsor, Representative Fey: Concerning dangerous objects on county roads and bridges. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Stambaugh and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Hayes; Irwin; Pike; Shea; Van Werven and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Rodne.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1341 Prime Sponsor, Representative Bergquist: Concerning professional certification for teachers and school administrators. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele and Volz.

Referred to Committee on Appropriations.

February 16, 2017

HB 1476 Prime Sponsor, Representative Peterson: Ensuring the ongoing viability of safe, reliable, on-site sewage systems in marine counties by identifying best management practices with accountability in on-site program management plans without creating or newly authorizing a fee or other program funding source. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Buys; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member and Dye.

Referred to Committee on Rules for second reading.

HB 1503 February 16, 2017
 Prime Sponsor, Representative Short:
 Preventing unfunded mandates involving
 on-site sewage systems from affecting
 local governments and property owners.
 Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representative Fey.

Referred to Committee on Rules for second reading.

HB 1511 February 16, 2017
 Prime Sponsor, Representative Lytton:
 Concerning the learning assistance
 program. Reported by Committee on
 Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Bergquist; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Muri, Assistant Ranking Minority Member; Caldier; Hargrove; Steele and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Harris, Ranking Minority Member and McCaslin.

Referred to Committee on Appropriations.

HB 1515 February 15, 2017
 Prime Sponsor, Representative Graves:
 Clarifying the appropriate format for
 signed written authorizations for special
 parking privileges. Reported by
 Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1518 Prime Sponsor, Representative Senn:
 Improving student achievement by
 promoting social emotional learning
 throughout the calendar year. Reported by
 Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Ranking Minority Member; Hargrove; Steele and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Appropriations.

HB 1532 February 14, 2017
 Prime Sponsor, Representative Lytton:
 Concerning the exemption of property
 taxes for nonprofit homeownership
 development. Reported by Committee on
 Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Orcutt, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta.

Referred to Committee on Rules for second reading.

HB 1544 February 14, 2017
 Prime Sponsor, Representative Doglio:
 Concerning small farms under the current
 use property tax program for farm and
 agricultural lands. Reported by Committee
 on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Condotta.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1600 Prime Sponsor, Representative Santos:
 Increasing the career and college readiness
 of public school students. Reported by
 Committee on Education

MAJORITY recommendation: Do pass. Signed by
 Representatives Santos, Chair; Dolan, Vice Chair;
 Stonier, Vice Chair; Harris, Ranking Minority Member;
 Muri, Assistant Ranking Minority Member; Bergquist;
 Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin;
 Ortiz-Self; Senn; Slatter; Springer; Steele and Volz.

Referred to Committee on Appropriations.

February 16, 2017
HB 1611 Prime Sponsor, Representative Farrell:
 Concerning oil transportation safety.
 Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Fitzgibbon, Chair; Peterson,
 Vice Chair; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by
 Representatives Taylor, Ranking Minority Member;
 Maycumber, Assistant Ranking Minority Member; Buys
 and Dye.

Referred to Committee on Finance.

February 16, 2017
HB 1633 Prime Sponsor, Representative Riccelli:
 Concerning the preservation of housing
 options for tenants. Reported by
 Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by
 Representatives Jinkins, Chair; Kilduff, Vice Chair;
 Frame; Goodman; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by
 Representatives Rodne, Ranking Minority Member;
 Muri, Assistant Ranking Minority Member; Graves;
 Haler; Klippert and Shea.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1640 Prime Sponsor, Representative Graves:
 Allowing notaries and proof of identity for
 advance directives. Reported by
 Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by
 Representatives Jinkins, Chair; Kilduff, Vice Chair;
 Rodne, Ranking Minority Member; Muri, Assistant
 Ranking Minority Member; Frame; Goodman; Graves;
 Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1676 Prime Sponsor, Representative Sullivan:
 Concerning crimes involving a dog guide
 or service animal. Reported by Committee
 on Judiciary

MAJORITY recommendation: Do pass. Signed by
 Representatives Jinkins, Chair; Kilduff, Vice Chair;
 Rodne, Ranking Minority Member; Muri, Assistant
 Ranking Minority Member; Frame; Goodman; Graves;
 Haler; Hansen; Kirby; Orwall and Shea.

MINORITY recommendation: Do not pass. Signed by
 Representative Klippert.

Referred to Committee on Rules for second reading.

February 13, 2017
HB 1716 Prime Sponsor, Representative Hudgins:
 Creating the construction registration
 inspection account as a dedicated account
 to fund contractor registration and
 compliance, manufactured and mobile
 homes, recreational and commercial
 vehicles, factory built housing and
 commercial structures, elevators, lifting
 devices, and moving walks. Reported by
 Committee on Labor & Workplace
 Standards

MAJORITY recommendation: Do pass. Signed by
 Representatives Sells, Chair; Gregerson, Vice Chair;
 Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by
 Representatives Manweller, Ranking Minority Member;
 McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

February 16, 2017
HB 1723 Prime Sponsor, Representative Haler:
 Creating the presumption of occupational
 disease for certain employees at the United
 States department of energy Hanford site.
 Reported by Committee on Labor &
 Workplace Standards

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Sells, Chair; Gregerson, Vice
 Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by
 Representatives Manweller, Ranking Minority Member
 and Pike.

MINORITY recommendation: Without
 recommendation. Signed by Representative McCabe,
 Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1728 Prime Sponsor, Representative Sawyer:
Protecting minors from sexual exploitation.
Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1736 Prime Sponsor, Representative Dye:
Concerning the establishment of a
premobilization assistance program to
assist local fire suppression entities on the
initial attack of a wildland fire. Reported
by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

February 16, 2017

HB 1757 Prime Sponsor, Representative Hayes:
Addressing transient accommodations
contaminated by methamphetamine.
Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

February 14, 2017

HB 1763 Prime Sponsor, Representative Robinson:
Modifying the property tax exemption for
property used to provide housing for
eligible persons with developmental
disabilities. Reported by Committee on
Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice

Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Condotta.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1783 Prime Sponsor, Representative Holy:
Concerning legal financial obligations.
Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Orwall and Shea.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Referred to Committee on Appropriations.

February 15, 2017

HB 1804 Prime Sponsor, Representative Kirby:
Addressing financial responsibility
insurance requirements with respect to
motorcycles, motor-driven cycles, and
mopeds. Reported by Committee on
Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Blake; Jenkin and McCabe.

MINORITY recommendation: Do not pass. Signed by Representatives Reeves, Vice Chair and Bergquist.

MINORITY recommendation: Without recommendation. Signed by Representatives Santos and Stanford.

Referred to Committee on Transportation.

February 14, 2017

HB 1809 Prime Sponsor, Representative Fey:
Concerning tax credits for clean alternative
fuel commercial vehicles. Reported by
Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1812 Prime Sponsor, Representative Dolan:
 Designating the pine mushroom as the
 official state fungi. Reported by
 Committee on State Government, Elections
 & Information Technology

MAJORITY recommendation: Do pass. Signed by
 Representatives Hudgins, Chair; Dolan, Vice Chair;
 Koster, Ranking Minority Member; Volz, Assistant
 Ranking Minority Member; Appleton; Gregerson;
 Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1813 Prime Sponsor, Representative Kloba:
 Aligning existing definitions and practices
 to establish a uniform process for updating
 addresses of record and make conforming
 amendments to statutes administered by the
 department of licensing. Reported by
 Committee on Transportation

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Clibborn, Chair; Farrell, Vice
 Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt,
 Ranking Minority Member; Hargrove, Assistant
 Ranking Minority Member; Harmsworth, Assistant
 Ranking Minority Member; Chapman; Gregerson;
 Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-
 Self; Pellicciotti; Pike; Riccelli; Rodne; Shea;
 Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1824 Prime Sponsor, Representative Peterson:
 Concerning electronic product recycling.
 Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Fitzgibbon, Chair; Peterson,
 Vice Chair; Buys; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by
 Representatives Taylor, Ranking Minority Member;
 Maycumber, Assistant Ranking Minority Member and
 Dye.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1827 Prime Sponsor, Representative Santos:
 Relating to expanding the current and
 future educator workforce supply through
 evidence-based strategies to improve and
 incentivize the recruitment and retention of

highly effective educators, especially in
 high-need subject, grade-level, and
 geographic areas, and to establish a
 cohesive continuum of high quality
 professional learning from preparation
 programs to job embedded induction,
 mentoring, collaboration, and other
 professional development opportunities.
 Reported by Committee on Education

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Santos, Chair; Dolan, Vice
 Chair; Stonier, Vice Chair; Harris, Ranking Minority
 Member; Muri, Assistant Ranking Minority Member;
 Bergquist; Caldier; Johnson; Kilduff; Lovick; McCaslin;
 Ortiz-Self; Senn; Slatter; Springer; Steele and Volz.

MINORITY recommendation: Without
 recommendation. Signed by Representative Hargrove.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1832 Prime Sponsor, Representative Pellicciotti:
 Concerning the commercially sexually
 exploited children statewide coordinating
 committee. Reported by Committee on
 Public Safety

MAJORITY recommendation: Do pass. Signed by
 Representatives Goodman, Chair; Pellicciotti, Vice
 Chair; Klippert, Ranking Minority Member; Hayes,
 Assistant Ranking Minority Member; Appleton;
 Chapman; Griffey; Holy; Orwall; Pettigrew and Van
 Werven.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1840 Prime Sponsor, Representative Pollet:
 Establishing the Washington promise
 program. Reported by Committee on
 Higher Education

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Hansen, Chair; Pollet, Vice
 Chair; Orwall; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by
 Representatives Holy, Ranking Minority Member; Van
 Werven, Assistant Ranking Minority Member and
 Stambaugh.

MINORITY recommendation: Without
 recommendation. Signed by Representative Haler.

Referred to Committee on Appropriations.

February 15, 2017

HB 1853 Prime Sponsor, Representative Doglio: Removing references to specific nonoperational historical facilities from state statute. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1859 Prime Sponsor, Representative Pellicciotti: Providing an aggravating circumstance for assault against a utility worker. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1886 Prime Sponsor, Representative Harris: Concerning the responsibilities of the superintendent of public instruction and the state board of education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Ortiz-Self; Steele and Volz.

MINORITY recommendation: Do not pass. Signed by Representative Dolan, Vice Chair.

MINORITY recommendation: Without recommendation. Signed by Representatives Kilduff; Lovick; McCaslin; Senn; Slatter and Springer.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1889 Prime Sponsor, Representative Pettigrew: Creating an office of the corrections ombuds. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti,

Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Orwall and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Griffey; Holy and Van Werven.

Referred to Committee on Appropriations.

February 13, 2017

HB 1893 Prime Sponsor, Representative Vick: Concerning the use of credit cards for purchases of spirits and wine by a purchaser licensed to sell spirits and/or wine for consumption on the licensed premises. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1911 Prime Sponsor, Representative Holy: Authorizing the masking of odors by regulated marijuana facilities. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Appropriations.

February 14, 2017

HB 1919 Prime Sponsor, Representative Vick: Establishing special license endorsements for cigar lounges and retail tobacconist shops. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Blake; Jenkin and McCabe.

MINORITY recommendation: Do not pass. Signed by Representatives Bergquist and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Santos.

Referred to Committee on Health Care & Wellness.

February 16, 2017
HB 1952 Prime Sponsor, Representative Blake:
 Concerning enforcement of the electrical
 laws. Reported by Committee on Labor &
 Workplace Standards

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Sells, Chair; Gregerson, Vice
 Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by
 Representatives Manweller, Ranking Minority Member;
 McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1953 Prime Sponsor, Representative Dolan:
 Addressing maximum penalties under the
 Washington industrial safety and health
 act. Reported by Committee on Labor &
 Workplace Standards

MAJORITY recommendation: Do pass. Signed by
 Representatives Sells, Chair; Gregerson, Vice Chair;
 Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by
 Representatives Manweller, Ranking Minority Member;
 McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1966 Prime Sponsor, Representative Stanford:
 Addressing the minimum operating
 requirements and the review of plans
 necessary to be included in the small
 business retirement marketplace. Reported
 by Committee on Business & Financial
 Services

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Kirby, Chair; Reeves, Vice
 Chair; Vick, Ranking Minority Member; Walsh, J.,
 Assistant Ranking Minority Member; Barkis; Bergquist;
 Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1995 Prime Sponsor, Representative Pettigrew:
 Concerning the rehabilitation of historic
 buildings. Reported by Committee on
 Community Development, Housing &
 Tribal Affairs

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Ryu, Chair; Macri, Vice
 Chair; McCabe, Ranking Minority Member; Barkis,
 Assistant Ranking Minority Member; Jenkin; Reeves
 and Sawyer.

Referred to Committee on Capital Budget.

February 16, 2017
HB 2025 Prime Sponsor, Representative Goodman:
 Requiring the development and
 implementation of a comprehensive plan to
 improve offender programs. Reported by
 Committee on Public Safety

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Goodman, Chair; Pellicciotti,
 Vice Chair; Klippert, Ranking Minority Member;
 Hayes, Assistant Ranking Minority Member; Appleton;
 Chapman; Griffey; Holy; Orwall; Pettigrew and Van
 Werven.

Referred to Committee on Appropriations.

February 16, 2017
HB 2060 Prime Sponsor, Representative Taylor:
 Requiring counties, cities, and towns to
 permit the operation of state licensed
 marijuana retail businesses in order to
 receive marijuana-related tax distributions.
 Reported by Committee on Commerce &
 Gaming

MAJORITY recommendation: Do pass. Signed by
 Representatives Sawyer, Chair; Kloba, Vice Chair;
 Condotta, Ranking Minority Member; Vick, Assistant
 Ranking Minority Member; Barkis; Blake; Farrell;
 Jenkin; Kirby; Ryu and Young.

Referred to Committee on Appropriations.

February 16, 2017
HB 2064 Prime Sponsor, Representative Shea:
 Removing industrial hemp from the scope
 of the uniform controlled substances act.
 Reported by Committee on Commerce &
 Gaming

MAJORITY recommendation: Do pass. Signed by
 Representatives Sawyer, Chair; Kloba, Vice Chair;
 Condotta, Ranking Minority Member; Vick, Assistant
 Ranking Minority Member; Barkis; Blake; Farrell;
 Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 2097 Prime Sponsor, Representative Stanford:
 Limiting disclosure of information about

the religious affiliation of individuals.
Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 2099 Prime Sponsor, Representative Blake:
Streamlining distillery licensing and fees.
Reported by Committee on Commerce &
Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Vick, Assistant Ranking Minority Member; Blake; Farrell; Kirby; Ryu and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Barkis and Jenkin.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta, Ranking Minority Member.

Referred to Committee on Appropriations.

**SECOND SUPPLEMENTAL REPORT OF
STANDING COMMITTEES**

February 16, 2017

HB 1017 Prime Sponsor, Representative McCaslin:
Addressing the siting of schools and school
facilities. Reported by Committee on
Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Fey; Kagi and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys and Dye.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1042 Prime Sponsor, Representative Springer:
Eliminating the office of the insurance
commissioner's school district or
educational service district annual report.
Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair;

Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative MacEwen, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1122 Prime Sponsor, Representative Kagi:
Protecting public safety through
responsible storage of firearms. Reported
by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Frame; Goodman; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Graves; Haler; Klippert and Shea.

MINORITY recommendation: Without recommendation. Signed by Representative Muri, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1128 Prime Sponsor, Representative Shea:
Concerning civil arbitration. Reported by
Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Stokesbary, Assistant Ranking Minority Member and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives MacEwen, Assistant Ranking Minority Member and Vick.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1163 Prime Sponsor, Representative Goodman:
Concerning domestic violence. Reported
by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Caldier; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Stokesbary, Assistant Ranking Minority Member and Condotta.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1172 Prime Sponsor, Representative Orwall:
Encouraging low-water landscaping
practices as a drought alleviation tool.
Reported by Committee on Agriculture &
Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Dent, Assistant Ranking Minority Member; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Springer and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Chandler; Kretz; Schmick and Walsh, J..

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1248 Prime Sponsor, Representative Griffey:
Correcting a conflict between state and
federal law regarding class I correctional
industries work programs. Reported by
Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1305 Prime Sponsor, Representative Barkis:
Concerning unlawful entry on certain
properties. Reported by Committee on
Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1331 Prime Sponsor, Representative Kilduff:
Concerning ferry district authority.
Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Hargrove, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Rodne; Stambaugh; Tarleton and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Pike; Shea and Young.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1352 Prime Sponsor, Representative Barkis:
Concerning licensing and regulatory
requirements of small business owners.
Reported by Committee on State
Government, Elections & Information
Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1357 Prime Sponsor, Representative Sawyer:
Concerning tribal-state relations. Reported
by Committee on Community
Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Reeves and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Barkis, Assistant Ranking Minority Member and Jenkin.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1371 Prime Sponsor, Representative Farrell: Modifying the infraction of and penalties for distracted driving. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Hayes; Irwin; Pike; Rodne; Shea; Stambaugh and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Young.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1394 Prime Sponsor, Representative Chandler: Concerning WAC 173-563-020(4) and 173-531A-060 regarding the processing of applications for Columbia river water right permits to clarify legislative intent to ensure that the rules can be implemented as written. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Kretz; Orcutt; Schmick; Springer and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Fitzgibbon; Lytton; Pettigrew; Robinson and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Chapman, Vice Chair.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1428 Prime Sponsor, Representative Blake: Concerning construction projects in state waters. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Kretz; Lytton; Pettigrew; Robinson; Schmick; Springer and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Orcutt and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Fitzgibbon.

Referred to Committee on Appropriations.

February 15, 2017

HB 1446 Prime Sponsor, Representative Blake: Concerning registration enforcement for off-road vehicles and snowmobiles. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1450 Prime Sponsor, Representative Nealey: Creating and establishing the rights and duties for title insurance rating and advisory organizations. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe and Santos.

MINORITY recommendation: Without recommendation. Signed by Representative Stanford.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1459 Prime Sponsor, Representative Buys: Considering the full hydrologic cycle in the review and approval process of new water uses. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Kretz; Pettigrew; Schmick; Springer and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Fitzgibbon; Lytton; Robinson and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Chapman, Vice Chair.

Referred to Committee on Appropriations.

February 15, 2017

HB 1480 Prime Sponsor, Representative Hayes: Requiring additional criteria to be met for the department of licensing to suspend a driver's license. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member and Pike.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1501 Prime Sponsor, Representative Hansen: Protecting law enforcement and the public from persons who illegally attempt to obtain firearms. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

February 16, 2017

HB 1504 Prime Sponsor, Representative Pike: Concerning rail dependent uses for purposes of the growth management act and related development regulations. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1514 Prime Sponsor, Representative Robinson: Requiring a minimum of three years' notice on closures or conversions of mobile home parks and manufactured housing communities. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame; Goodman; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Graves; Haler; Klippert and Shea.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1516 Prime Sponsor, Representative MacEwen: Creating a data storage system for holding and making public records available to the public. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Appropriations.

February 16, 2017

HB 1540 Prime Sponsor, Representative Santos: Providing public notices of public health, safety, and welfare in a language other than English. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Appleton; Chapman; Orwall and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Holy and Van Werven.

Referred to Committee on Appropriations.

February 16, 2017

HB 1562 Prime Sponsor, Representative Gregerson: Continuing the work of the Washington food policy forum. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Dent, Assistant Ranking Minority Member; Fitzgibbon; Kretz; Lytton; Pettigrew; Robinson; Springer and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Chandler; Orcutt; Schmick and Walsh, J..

Referred to Committee on Appropriations.

February 16, 2017

HB 1570 Prime Sponsor, Representative Macri: Concerning access to homeless housing and assistance. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; Reeves and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member and Jenkin.

Referred to Committee on Appropriations.

February 16, 2017

HB 1605 Prime Sponsor, Representative Pettigrew: Concerning vessel impoundment. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1612 Prime Sponsor, Representative Orwall: Creating a suicide-safer homes project account to support prevention efforts and develop strategies for reducing access to lethal means. (REVISED FOR PASSED LEGISLATURE: Creating a suicide-safer homes task force and project to support prevention efforts and develop strategies for reducing access to lethal means.) Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Haler; Klippert and Shea.

Referred to Committee on Appropriations.

February 15, 2017

HB 1617 Prime Sponsor, Representative Ortiz-Self: Concerning child welfare volunteer guardian ad litem program requirements. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1626 Prime Sponsor, Representative Blake: Changing the date in which community impact statements are provided to the department of corrections. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1639 Prime Sponsor, Representative Ortiz-Self: Creating a specialized child care pilot

program for vulnerable children. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Appropriations.

February 16, 2017

HB 1680 Prime Sponsor, Representative Goodman: Concerning the sentencing elements worksheet. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1692 Prime Sponsor, Representative Buys: Concerning agriculture and farming. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Fitzgibbon; Kretz; Lytton; Pettigrew; Robinson; Springer; Stanford and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler; Orcutt and Schmick.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1698 Prime Sponsor, Representative Kilduff: Concerning enhancing public health and safety by implementing emergency preparedness guidance measures related to oil train accidents. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Appleton; Chapman; Orwall and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Holy and Van Werven.

Referred to Committee on Appropriations.

February 15, 2017

HB 1709 Prime Sponsor, Representative Chandler: Authorizing the transfer of public employees' retirement system service credit to the public safety employees' retirement system due to differing definitions of full-time. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1710 Prime Sponsor, Representative Kretz: Limiting appeals related to the harvest of damaged forest products. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Kretz; Orcutt; Pettigrew; Robinson; Schmick; Springer and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Fitzgibbon; Lytton and Stanford.

Referred to Committee on Capital Budget.

February 16, 2017

HB 1711 Prime Sponsor, Representative Kretz: Prioritizing lands to receive forest health treatments. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Appropriations.

February 16, 2017
HB 1712 Prime Sponsor, Representative Sawyer:
 Establishing an endorsement to the
 marijuana retailer's license to authorize
 marijuana delivery services. Reported by
 Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Sawyer, Chair; Kloba, Vice
 Chair; Condotta, Ranking Minority Member; Vick,
 Assistant Ranking Minority Member; Blake; Farrell;
 Kirby and Ryu.

MINORITY recommendation: Do not pass. Signed by
 Representatives Barkis and Jenkin.

MINORITY recommendation: Without
 recommendation. Signed by Representative Young.

Referred to Committee on Appropriations.

February 16, 2017
HB 1731 Prime Sponsor, Representative Jinkins:
 Concerning firearms sales and transfers.
 Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Jinkins, Chair; Kilduff, Vice
 Chair; Rodne, Ranking Minority Member; Muri,
 Assistant Ranking Minority Member; Frame; Goodman;
 Graves; Haler; Hansen; Kirby; Klippert; Orwall and
 Shea.

Referred to Committee on Rules for second reading.

February 15, 2017
HB 1752 Prime Sponsor, Representative Santos:
 Supporting the development of affordable
 housing in urban areas. Reported by
 Committee on Community Development,
 Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Ryu, Chair; Macri, Vice
 Chair; Reeves and Sawyer.

MINORITY recommendation: Do not pass. Signed by
 Representatives McCabe, Ranking Minority Member;
 Barkis, Assistant Ranking Minority Member and Jenkin.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1753 Prime Sponsor, Representative Cody:
 Concerning professionals qualified to
 examine individuals in the mental health
 and substance use disorder treatment
 systems. Reported by Committee on
 Judiciary

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Jinkins, Chair; Kilduff, Vice
 Chair; Rodne, Ranking Minority Member; Muri,
 Assistant Ranking Minority Member; Frame; Goodman;
 Graves; Haler; Hansen; Kirby; Klippert; Orwall and
 Shea.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1760 Prime Sponsor, Representative Blake:
 Concerning off-site mitigation for projects
 permitted under chapter 77.55 RCW.
 Reported by Committee on Agriculture &
 Natural Resources

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Blake, Chair; Chapman, Vice
 Chair; Buys, Ranking Minority Member; Dent,
 Assistant Ranking Minority Member; Chandler; Kretz;
 Orcutt; Pettigrew; Schmick; Springer and Walsh, J..

MINORITY recommendation: Do not pass. Signed by
 Representatives Fitzgibbon; Lytton; Robinson and
 Stanford.

Referred to Committee on Appropriations.

February 16, 2017
HB 1773 Prime Sponsor, Representative Pettigrew:
 Concerning device registration, civil
 penalties, and service agent registration for
 the weights and measures program.
 Reported by Committee on Agriculture &
 Natural Resources

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Blake, Chair; Chapman, Vice
 Chair; Buys, Ranking Minority Member; Dent,
 Assistant Ranking Minority Member; Fitzgibbon; Kretz;
 Lytton; Orcutt; Pettigrew; Robinson; Schmick;
 Springer; Stanford and Walsh, J..

MINORITY recommendation: Do not pass. Signed by
 Representative Chandler.

Referred to Committee on Appropriations.

February 15, 2017
HB 1786 Prime Sponsor, Representative Appleton:
 Increasing membership of the state
 interoperability executive committee in
 order to foster interoperability. Reported
 by Committee on State Government,
 Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by
 Representatives Hudgins, Chair; Dolan, Vice Chair;

Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1787 Prime Sponsor, Representative Hudgins: Providing oversight of the state procurement and contracting for information technology goods and services. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Appropriations.

February 16, 2017

HB 1789 Prime Sponsor, Representative Jinkins: Concerning rehabilitated offenders. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

February 15, 2017

HB 1790 Prime Sponsor, Representative Lovick: Concerning dependency petitions where the department of social and health services is the petitioner. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1794 Prime Sponsor, Representative Klippert: Concerning the death investigations account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair;

MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1795 Prime Sponsor, Representative Kloba: Creating the Cooper Jones bicyclist safety advisory council. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Chapman; Gregerson; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Stambaugh and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Pike; Rodne; Shea; Van Werven and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Harmsworth, Assistant Ranking Minority Member and Hayes.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1797 Prime Sponsor, Representative McBride: Concerning encouraging affordable housing development and preservation by providing cities limited sales tax remittance for qualifying investments, providing cities and counties authority to use real estate excise taxes to support affordable housing, and providing cities and counties with councilmanic authority to impose the affordable housing sales tax. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Finance.

February 16, 2017

HB 1806 Prime Sponsor, Representative Pellicciotti: Increasing monetary penalties for crimes committed by corporations. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Appleton; Chapman; Orwall and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Holy and Van Werven.

Referred to Committee on Rules for second reading.

February 14, 2017

HB 1807 Prime Sponsor, Representative Pellicciotti: Increasing transparency of contributions by creating the Washington state DISCLOSE act of 2017. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Irwin and Kraft.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1833 Prime Sponsor, Representative Dolan: Concerning financial reporting by elected and appointed officials, candidates, and appointees. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1834 Prime Sponsor, Representative Dolan: Concerning campaign finance reporting. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice

Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1835 Prime Sponsor, Representative Dolan: Updating inflationary amounts in campaign finance laws. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1867 Prime Sponsor, Representative Fey: Improving transitions in extended foster care to increase housing stability for foster youth. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Appropriations.

February 16, 2017

HB 1884 Prime Sponsor, Representative Ryu: Modifying who is eligible for relocation assistance for tenants of closed or converted mobile home parks. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Appropriations.

February 16, 2017

HB 1885 Prime Sponsor, Representative Springer: Clarifying the roles of state and local governments in the regulation and mitigation of water resources. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Dent, Assistant Ranking Minority Member; Lytton; Orcutt; Pettigrew; Robinson; Springer and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Schmick and Stanford.

Referred to Committee on Appropriations.

February 15, 2017

HB 1901 Prime Sponsor, Representative Griffey: Recognizing the month of September as the month of the kindergartener. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1912 Prime Sponsor, Representative Ryu: Improving the community economic revitalization board program. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Capital Budget.

February 16, 2017

HB 1916 Prime Sponsor, Representative Schmick: Creating a business and occupation tax exemption for certain sales of commercial fertilizer, agricultural crop protection products, and seed. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer and Walsh, J..

MINORITY recommendation: Without recommendation. Signed by Representative Stanford.

Referred to Committee on Finance.

February 16, 2017

HB 1918

Prime Sponsor, Representative Stanford: Addressing treatment of groundwater under state water codes to support rural development while protecting instream flows. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Fitzgibbon; Lytton; Pettigrew; Robinson; Springer and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Kretz; Orcutt; Schmick and Walsh, J..

Referred to Committee on Appropriations.

February 16, 2017

HB 1924 Prime Sponsor, Representative Dent: Concerning small forest landowners. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1927 Prime Sponsor, Representative Hudgins: Concerning government efficiency by eliminating, revising or decodifying obsolete or inactive statutory provisions that concern the office of financial management. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 15, 2017

HB 1929 Prime Sponsor, Representative Hudgins: Concerning independent security testing of state agencies' information technology systems and infrastructure by the military department. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Appropriations.

HB 1930

February 16, 2017
Prime Sponsor, Representative Frame:
Concerning child custody. Reported by
Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame; Goodman; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Graves; Haler; Klippert and Shea.

Referred to Committee on Rules for second reading.

HB 1939

February 15, 2017
Prime Sponsor, Representative Hudgins:
Recognizing the thirty-first day of March
as Cesar Chavez day. Reported by
Committee on State Government, Elections
& Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

HB 1944

February 16, 2017
Prime Sponsor, Representative Condotta:
Exempting certain law enforcement
officers from the hunter education training
program. Reported by Committee on
Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representative Lytton.

Referred to Committee on Rules for second reading.

February 16, 2017

HB 1965

Prime Sponsor, Representative Lovick:
Standardizing the collection and
distribution of criminal records. Reported
by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

HB 1976

February 16, 2017
Prime Sponsor, Representative Pellicciotti:
Creating a pilot program for the
supervision of offenders who commit
motor vehicle-related and property
offenses. Reported by Committee on
Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

HB 1978

February 16, 2017
Prime Sponsor, Representative Kilduff:
Requiring annual reporting on the
implementation of laws to streamline
licensing processes for military service
members and their spouses. Reported by
Committee on Community Development,
Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

HB 1980

February 16, 2017
Prime Sponsor, Representative Blake:
Creating a low-income home rehabilitation
revolving loan program. Reported by
Committee on Community Development,
Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Capital Budget.

February 16, 2017
HB 1987 Prime Sponsor, Representative McBride:
 Concerning allowing affordable housing
 development on religious organization
 property. Reported by Committee on
 Community Development, Housing &
 Tribal Affairs

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Ryu, Chair; Macri, Vice
 Chair; Reeves and Sawyer.

MINORITY recommendation: Do not pass. Signed by
 Representatives McCabe, Ranking Minority Member;
 Barkis, Assistant Ranking Minority Member and Jenkin.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 1988 Prime Sponsor, Representative Ortiz-Self:
 Implementing a vulnerable youth
 guardianship program. Reported by
 Committee on Judiciary

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Jenkins, Chair; Kilduff, Vice
 Chair; Rodne, Ranking Minority Member; Muri,
 Assistant Ranking Minority Member; Frame; Goodman;
 Graves; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by
 Representatives Haler; Klippert and Shea.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 2004 Prime Sponsor, Representative Klippert:
 Concerning the retirement age for state
 guard members. Reported by Committee
 on Community Development, Housing &
 Tribal Affairs

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Ryu, Chair; Macri, Vice
 Chair; McCabe, Ranking Minority Member; Barkis,
 Assistant Ranking Minority Member; Jenkin; Reeves
 and Sawyer.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 2007 Prime Sponsor, Representative Kagi:
 Making provisions to commemorate the
 centennial of national women's suffrage.
 Reported by Committee on Community
 Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by
 Representatives Ryu, Chair; Macri, Vice Chair;
 McCabe, Ranking Minority Member; Barkis, Assistant
 Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 2010 Prime Sponsor, Representative
 Maycumber: Addressing homelessness in
 wildfire areas. (REVISED FOR PASSED
 LEGISLATURE: Concerning the
 prevention of homelessness in wildfire
 areas.) Reported by Committee on
 Community Development, Housing &
 Tribal Affairs

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Ryu, Chair; McCabe,
 Ranking Minority Member; Barkis, Assistant Ranking
 Minority Member; Jenkin and Sawyer.

MINORITY recommendation: Do not pass. Signed by
 Representative Reeves.

MINORITY recommendation: Without
 recommendation. Signed by Representative Macri, Vice
 Chair.

Referred to Committee on Rules for second reading.

February 16, 2017
HB 2018 Prime Sponsor, Representative Blake:
 Concerning livestock inspection. Reported
 by Committee on Agriculture & Natural
 Resources

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Blake, Chair; Chapman, Vice
 Chair; Buys, Ranking Minority Member; Fitzgibbon;
 Lytton; Pettigrew; Robinson; Springer and Stanford.

MINORITY recommendation: Do not pass. Signed by
 Representatives Dent, Assistant Ranking Minority
 Member; Chandler; Kretz; Orcutt; Schmick and Walsh,
 J..

Referred to Committee on Rules for second reading.

February 15, 2017
HB 2028 Prime Sponsor, Representative Hudgins:
 Concerning legislative technology.
 Reported by Committee on State
 Government, Elections & Information
 Technology

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Hudgins, Chair; Dolan, Vice
 Chair; Koster, Ranking Minority Member; Volz,

Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

HB 2029 February 16, 2017
 Prime Sponsor, Representative Ortiz-Self: Providing a referral resource for those seeking information and assistance for immigration and citizenship related matters. Reported by Committee on Judiciary

HB 2046 February 16, 2017
 Prime Sponsor, Representative Steele: Creating a local infrastructure investment program to support the development of affordable housing, workforce housing, and revitalization efforts. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby and Orwall.

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Haler; Klippert and Shea.

Referred to Committee on Finance.

Referred to Committee on Rules for second reading.

HB 2044 February 16, 2017
 Prime Sponsor, Representative McBride: Concerning the hosting of the homeless by religious organizations. Reported by Committee on Community Development, Housing & Tribal Affairs

HB 2057 February 16, 2017
 Prime Sponsor, Representative Orwall: Concerning services and processes available when residential real property is abandoned or in foreclosure. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; Reeves and Sawyer.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Barkis, Assistant Ranking Minority Member and Jenkin.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Haler and Shea.

MINORITY recommendation: Without recommendation. Signed by Representative McCabe, Ranking Minority Member.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

HB 2045 February 16, 2017
 Prime Sponsor, Representative Sawyer: Concerning transfer of jurisdiction from a tribe in dependency cases involving Indian children. Reported by Committee on Community Development, Housing & Tribal Affairs

HB 2073 February 16, 2017
 Prime Sponsor, Representative Dent: Concerning the beef commission. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representative Kretz.

Referred to Committee on Rules for second reading.

HJM 4011 February 16, 2017
 Prime Sponsor, Representative Blake: Requesting that the United States Coast Guard name a Coast Guard cutter in honor of Petty Officer Matthew E. Schlimme.

Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

THIRD SUPPLEMENTAL REPORT OF STANDING COMMITTEES

February 17, 2017
HB 1304 Prime Sponsor, Representative Kilduff: Concerning individuals receiving both employment and community access services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Appropriations.

February 17, 2017
HB 1314 Prime Sponsor, Representative Caldier: Concerning health care authority auditing practices. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

February 17, 2017
HB 1316 Prime Sponsor, Representative Caldier: Addressing fair dental insurance practices. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017
HB 1317 Prime Sponsor, Representative McBride: Concerning the public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Appleton; Gergerson; Irwin and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representative Volz, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Kraft.

Referred to Committee on Rules for second reading.

February 17, 2017
HB 1322 Prime Sponsor, Representative Kilduff: Reducing training requirements for developmental disability respite providers working three hundred hours or less in any calendar year. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

February 17, 2017
HB 1333 Prime Sponsor, Representative Stambaugh: Requiring establishment of a systemwide credit policy regarding AP exams. (REVISED FOR ENGROSSED: Requiring establishment of an evidence-based credit policy regarding AP exams.) Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells and Stambaugh.

MINORITY recommendation: Do not pass. Signed by Representative Pollet, Vice Chair.

Graves, Assistant Ranking Minority Member; Caldier; Harris; MacEwen; Maycumber and Rodne.

MINORITY recommendation: Without recommendation. Signed by Representative Tarleton.

MINORITY recommendation: Without recommendation. Signed by Representative DeBolt.

Referred to Committee on Rules for second reading.

Referred to Committee on Appropriations.

February 17, 2017

HB 1339 Prime Sponsor, Representative Cody: Providing for restrictions on prescriptions for opioid drugs. Reported by Committee on Health Care & Wellness

February 17, 2017

HB 1388 Prime Sponsor, Representative Cody: Changing the designation of the state behavioral health authority from the department of social and health services to the health care authority and transferring the related powers, functions, and duties to the health care authority and the department of health. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Clibborn; DeBolt; Harris; Jinkins; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Graves, Assistant Ranking Minority Member; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Graves, Assistant Ranking Minority Member; Caldier; MacEwen and Maycumber.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier and Maycumber.

Referred to Committee on Rules for second reading.

Referred to Committee on Appropriations.

February 17, 2017

HB 1358 Prime Sponsor, Representative Griffey: Concerning reimbursement for services provided pursuant to community assistance referral and education services programs. Reported by Committee on Health Care & Wellness

February 17, 2017

HB 1389 Prime Sponsor, Representative Harris: Concerning dental practice and solicitation by corporations. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Clibborn; DeBolt; Jinkins; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Harris; MacEwen and Maycumber.

Referred to Committee on Appropriations.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1364 Prime Sponsor, Representative Cody: Establishing the practice of dental therapy. Reported by Committee on Health Care & Wellness

February 17, 2017

HB 1411 Prime Sponsor, Representative Cody: Concerning dental licensure through completion of a residency program. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Clibborn; Jinkins; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber;

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member;

Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017
HB 1413 Prime Sponsor, Representative Cody:
 Specifying to whom information and records related to mental health services may be disclosed for the purposes of care coordination and treatment. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017
HB 1426 Prime Sponsor, Representative Robinson:
 Concerning persons and entities to whom the department of health may provide prescription monitoring program data. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member and Maycumber.

Referred to Committee on Appropriations.

February 17, 2017
HB 1427 Prime Sponsor, Representative Cody:
 Concerning opioid treatment programs. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017
HB 1431 Prime Sponsor, Representative Slatter:
 Increasing the number of members on the board of osteopathic medicine and surgery. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017
HB 1439 Prime Sponsor, Representative Pollet:
 Regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business practices. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Orwall; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler and Stambaugh.

Referred to Committee on Appropriations.

February 17, 2017
HB 1465 Prime Sponsor, Representative Short:
 Exempting from public disclosure certain information regarding reports on wolf depredations. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

February 17, 2017
HB 1477 Prime Sponsor, Representative Kilduff:
 Concerning disclosure of health-related information with persons with a close

relationship with a patient. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Maycumber.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1488 Prime Sponsor, Representative Hansen: Expanding higher education opportunities for certain students. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Orwall; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Van Werven, Assistant Ranking Minority Member and Haler.

Referred to Committee on Appropriations.

February 17, 2017

HB 1492 Prime Sponsor, Representative Tharinger: Equalizing civil monetary penalties for assisted living facilities with other long-term care providers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Clibborn; DeBolt; Harris; Jinkins; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier and MacEwen.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1523 Prime Sponsor, Representative Robinson: Requiring health plans to cover, with no cost sharing, all preventive services required to be covered under federal law as of December 31, 2016. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Graves, Assistant Ranking Minority Member; Clibborn; Jinkins; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier; Harris; MacEwen; Maycumber and Rodne.

MINORITY recommendation: Without recommendation. Signed by Representative DeBolt.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1541 Prime Sponsor, Representative Robinson: Addressing prescription drug cost transparency. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Caldier; Clibborn; Jinkins; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Harris and MacEwen.

MINORITY recommendation: Without recommendation. Signed by Representative DeBolt.

Referred to Committee on Appropriations.

February 17, 2017

HB 1547 Prime Sponsor, Representative Schmick: Exempting certain hospitals from certificate of need requirements for the addition of psychiatric beds until June 2019. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1548 Prime Sponsor, Representative Schmick: Concerning curricula for persons in long-term care facilities with behavioral health

needs. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

February 17, 2017

HB 1586 Prime Sponsor, Representative Macri: Concerning dental professions. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1671 Prime Sponsor, Representative Cody: Concerning assistance with activities of daily living. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1714 Prime Sponsor, Representative Cody: Concerning nursing staffing practices at hospitals. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Clibborn; Jinkins; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member;

Graves, Assistant Ranking Minority Member; Caldier; Harris; MacEwen; Maycumber and Rodne.

MINORITY recommendation: Without recommendation. Signed by Representative DeBolt.

Referred to Committee on Appropriations.

February 17, 2017

HB 1782 Prime Sponsor, Representative Stonier: Concerning dental laboratories. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Schmick, Ranking Minority Member.

Referred to Committee on Appropriations.

February 17, 2017

HB 1784 Prime Sponsor, Representative Smith: Concerning creation of a certified child safety policy. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Appropriations.

February 17, 2017

HB 1815 Prime Sponsor, Representative Kilduff: Concerning the rights of an alleged parent in dependency proceedings. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1831 Prime Sponsor, Representative Pettigrew: Revising resource limitations for public

assistance. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Kilduff; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives Griffey and McCaslin.

Referred to Committee on Appropriations.

February 17, 2017

HB 1851 Prime Sponsor, Representative Dolan: Protecting taxpayers by providing for accountability and transparency in government contracting. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Irwin and Kraft.

Referred to Committee on Transportation.

February 17, 2017

HB 1854 Prime Sponsor, Representative Cody: Concerning the transition of medicaid enrollees to skilled nursing facility care. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1861 Prime Sponsor, Representative Pollet: Concerning the University of Washington's alternative process for awarding contracts. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Haler; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member Van Werven, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1931 Prime Sponsor, Representative Hayes: Concerning the posting of child abuse and neglect mandated reporter requirements. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 17, 2017

HB 1981 Prime Sponsor, Representative Farrell: Estimating the effective tax rate of proposed ballot measures and legislation. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Volz, Assistant Ranking Minority Member; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives Koster, Ranking Minority Member and Irwin.

MINORITY recommendation: Without recommendation. Signed by Representative Kraft.

Referred to Committee on Appropriations.

February 17, 2017

HB 1983 Prime Sponsor, Representative Dye: Reducing the population requirement in a consortium of counties in order to operate a juvenile correctional facility. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey;

Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

HB 1984 February 17, 2017
Prime Sponsor, Representative Hudgins:
Concerning the association of Washington
generals. Reported by Committee on State
Government, Elections & Information
Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

HB 1999 February 17, 2017
Prime Sponsor, Representative Gregerson:
Concerning elections in port districts that
are coextensive with a county having a
population of over one-half million.
Reported by Committee on State
Government, Elections & Information
Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin and Pellicciotti.

MINORITY recommendation: Without recommendation. Signed by Representatives Koster, Ranking Minority Member and Kraft.

Referred to Committee on Rules for second reading.

HB 2013 February 17, 2017
Prime Sponsor, Representative Dent:
Providing for the use of independent
mediators to address adverse child care
licensing decisions. Reported by
Committee on Early Learning & Human
Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin and Muri.

MINORITY recommendation: Do not pass. Signed by Representatives Senn, Vice Chair; Frame and Ortiz-Self.

Referred to Committee on Appropriations.

February 17, 2017

HB 2014 Prime Sponsor, Representative Macri:
Collecting data on hunger in Washington
state. Reported by Committee on Early
Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Kilduff; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Ranking Minority Member and Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives Griffey and McCaslin.

Referred to Committee on Appropriations.

HB 2106 February 17, 2017
Prime Sponsor, Representative Koster:
Concerning election year restrictions on
state legislators. Reported by Committee
on State Government, Elections &
Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

HB 2107 February 17, 2017
Prime Sponsor, Representative Schmick:
Concerning the addition of services for
long-term placement of mental health
patients in community settings that
voluntarily contract to provide the services.
Reported by Committee on Health Care &
Wellness

MAJORITY recommendation: Do pass as amended. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

HB 2114 February 17, 2017
Prime Sponsor, Representative Cody:
Protecting consumers from charges for out-
of-network health services. Reported by
Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

There being no objection, the bills and memorial listed on the day's first, second and third supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Health Care & Wellness was relieved of HOUSE BILL NO. 1836, and the bill was referred to the Committee on Appropriations.

There being no objection, the House adjourned until 10:00 a.m., February 20, 2017, the 43rd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FORTY THIRD DAY

House Chamber, Olympia, Monday, February 20, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the Washington Youth Academy Color Guard, commanded by Isaac Trujillo. The National Anthem was sung by Isabelle and Emmy Rohrer. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Steve Baber, St. Peter's United Methodist Church, Bellevue, Washington.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) introduced Isabelle and Emmy Rohrer to the Chamber to sing "This Land is Your Land", accompanied by Representative McCaslin, and "Let It Go."

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4617, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, and Young

WHEREAS, The people of the state of Washington celebrate children for the happiness they bring to our lives and the hopes and dreams they represent for our nation; and

WHEREAS, Children are the leaders of tomorrow; and it is our solemn obligation to instill in them the values, convictions, goodwill, and fortitude they need to continue the wonderful legacy of freedom, peace, and prosperity we have inherited from those who came before us; and

WHEREAS, There can be no better measure of our governance than the way we treat our children; and

WHEREAS, The children of the state of Washington should be cherished and are deserving of a nurturing and protective environment where they may flourish and realize their full potential; and

WHEREAS, The children of the state of Washington should always know that they are valued members of our society; and

WHEREAS, The children of the state of Washington should have access to quality education, wholesome recreation, and safe communities; and

WHEREAS, Children should be loved and treasured by their families, and all people of the state of Washington should help them by setting examples of what it means to be an ethical, hardworking, healthy, and productive community member; and

WHEREAS, The House of Representatives welcomes children into the House Chamber so they may witness the legislative process;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives encourage all residents of Washington to celebrate children on Children's Day and throughout the year by spending more quality time with children, and reminding children of their special place in our lives.

Representative Kloba moved adoption of HOUSE RESOLUTION NO. 4617

Representatives Kloba, Stambaugh, Frame and Irwin spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4617 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) welcomed the children to the Chamber and thanked them for being a part of the Children's Day celebration.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4618, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin,

Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, and Young

WHEREAS, Washington State is the only state named for a president, and along with the nation has set aside the third Monday of every February to celebrate Presidents' Day; and

WHEREAS, Presidents' Day remembers the birthdays of President Washington and President Lincoln, and also extends to embrace and commend other former occupants of the White House; and

WHEREAS, George Washington, the first president of the United States of America, leader of the Continental Army during the Revolutionary War, and signer of the Constitution of the United States of America is celebrated on Presidents' Day for his birthday on February 22nd; and

WHEREAS, Abraham Lincoln, the sixteenth president of the United States of America, leader of the Union in the Civil War, signer of the Emancipation Proclamation, and writer of the momentous Gettysburg Address is celebrated on Presidents' Day for his birthday on February 12th; and

WHEREAS, George Washington sought to forge a country that was welcoming to those escaping persecution; and

WHEREAS, Our presidents have demonstrated strong leadership qualities, determination to create an independent and united republic, a commitment to democratic ideals; and, to this day, our presidents remain among the finest examples of honor and dignity, not only for political leaders, but for people everywhere; and

WHEREAS, No Presidents' Day celebration would be complete without appropriate recognition for the invaluable service of the first ladies who have aided our presidents to serve in the past; each one exemplifying what it means to be an American, providing a voice for the people, and being a model of courage, grace, and excellence; and

WHEREAS, It is recognized that this exceptional nation is filled with proud, diverse Americans who honor these leaders; and

WHEREAS, The forbearers of this nation worked tirelessly to ensure that we would live in a free nation, away from the tyranny of evil, presented with the freedom of choice, and ruled by those elected; a government of the people, by the people, and for the people;

NOW, THEREFORE, BE IT RESOLVED, That on this twentieth day of February 2017, the House of Representatives honor these heroes and former presidents of

our great union, and reflect upon the solemn duty, responsibility, and honor of serving the public.

Representative Doglio moved adoption of HOUSE RESOLUTION NO. 4618

Representatives Doglio and Kraft spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4618 was adopted.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1273, by Representatives Ryu, Farrell, Fey and Ortiz-Self

Concerning the alignment of state statutes with federal standards for the issuance of nondomiciled commercial drivers' licenses and nondomiciled commercial learners' permits.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1273 was substituted for House Bill No. 1273 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1273 was read the second time.

With the consent of the house, amendment (010) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Orcutt spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Holy was excused.

Representative Van Werven spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1273.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1273, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Volz, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, Haler, Hargrove, Jenkin, Klippert, Koster, Kretz, Maycumber, McCaslin, McDonald, Stambaugh, Taylor, Van Werven, J. Walsh and Young.

Excused: Representative Holy.

SUBSTITUTE HOUSE BILL NO. 1273, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1353, by Representatives Dent, Blake, Buys and Hayes

Commissioning an elk management pilot project that focuses initially on the Colockum elk herd.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1353 was substituted for House Bill No. 1353 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1353 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1353.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1353, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson,

Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative DeBolt.

Excused: Representative Holy.

SUBSTITUTE HOUSE BILL NO. 1353, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1378, by Representatives Graves, Jinkins and Rodne

Concerning disqualification of judges.

The bill was read the second time.

Representative Graves moved the adoption of amendment (015):

(b) On page 3, beginning on line 9, strike all of subsection

Renumber the remaining subsections consecutively and correct any internal references accordingly

On page 3, line 22, after "RCW 4.12.040." insert the following:

"(2) Even though they may involve discretion, the following actions by a judge shall not cause the loss of the right to file a notice of disqualification against the judge: Arranging the calendar, setting a date for a hearing or trial, ruling on an agreed continuance, issuing an arrest warrant, presiding over criminal preliminary proceedings under CrR 3.2.1, arraiging the accused, fixing bail, and presiding over juvenile detention and release hearings under JuCR 7.3 and 7.4."

Renumber the remaining subsection consecutively and correct any internal references accordingly

Representatives Graves and Jinkins spoke in favor of the adoption of the amendment.

Amendment (015) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Graves and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1378.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1378, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Holy.

ENGROSSED HOUSE BILL NO. 1378, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1384, by Representatives Goodman, Stambaugh, Kilduff, Griffey, Jinkins, Lytton, Senn, Stanford, Kagi, Appleton, Tarleton, Ormsby and Doglio

Concerning sexual assault protection orders.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1384 was substituted for House Bill No. 1384 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1384 was read the second time.

With the consent of the house, amendment (017) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Rodne spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1384.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1384, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harmsworth, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, Griffey, Haler, Hargrove, Harris, Hayes, Jenkin, Johnson, Kraft, Kretz, MacEwen, Manweller, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Taylor and Vick.

Excused: Representative Holy.

SUBSTITUTE HOUSE BILL NO. 1384, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1593, by Representatives Vick and Kirby

Simplifying small securities offerings.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Vick and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1593.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1593, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye,

Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Halder, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives DeBolt and Orcutt.

Excused: Representative Holy.

HOUSE BILL NO. 1593, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1037, by Representatives Stanford, Vick and Short

Concerning notice sent by and certain release of information affecting registered tow truck operators. Revised for 1st Substitute: Concerning certain notice sent by registered tow truck operators.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1037 was substituted for House Bill No. 1037 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1037 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1037.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1037, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Halder, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald,

Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Holy.

SUBSTITUTE HOUSE BILL NO. 1037, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1126, by Representatives Condotta, Sawyer and Vick

Establishing a deadline for the use and implementation of a marijuana retail license by a licensee.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1126 was substituted for House Bill No. 1126 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1126 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Condotta and Sawyer spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1126.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1126, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCaslin, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, DeBolt, Dent, Dye, Haler, Hargrove, Klippert, Koster, Manweller, McCabe and McDonald.

Excused: Representative Holy.

SUBSTITUTE HOUSE BILL NO. 1126, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1188, by Representatives Bergquist, Harmsworth, Fey, Hayes, Jinkins and Hudgins

Concerning the use of child passenger restraint systems.

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (013):

On page 4, line 12, after "**Sec. 2.**" insert "A new section is added to chapter 43.59 RCW to read as follows:

(1) The Washington traffic safety commission shall produce and disseminate informational and educational materials explaining the proper use of child restraint systems in motor vehicles, the safety risks of not properly using child restraint systems in motor vehicles, where assistance on the proper installation and use of child restraint systems in motor vehicles can be obtained, and the legal penalties for not properly using child restraint systems in motor vehicles.

(2) As used in this section, "child restraint system" has the same meaning as defined in RCW 46.61.687(6).

NEW SECTION. **Sec. 3.**"

Correct the title.

Representatives Orcutt and Clibborn spoke in favor of the adoption of the amendment.

Amendment (013) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Orcutt spoke in favor of the passage of the bill.

Representative Hargrove spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1188.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1188, and the bill passed the House by the following vote: Yeas, 69; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Hansen, Harmsworth, Hayes, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Dye, Graves, Haler, Hargrove, Harris, Irwin, Jenkin, Klippert, Koster, Kretz, Manweller, Maycumber, McCabe, McCaslin, Nealey, Pike, Schmick, Shea, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Holy.

ENGROSSED HOUSE BILL NO. 1188, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., February 21, 2017, the 44th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FORTY FOURTH DAY

House Chamber, Olympia, Tuesday, February 21, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4619, by Representative Chandler

WHEREAS, The State of Washington has recognized the proud history of Filipino Americans since 2010; and

WHEREAS, The earliest documented proof of Filipino presence in the continental United States is October 18, 1587, when the first "Luzones Indios" set foot in Morro Bay, California; and

WHEREAS, The Filipino American National Historical Society recognizes that the first permanent Filipino settlement in the United States was established in 1763 in Saint Malo, Louisiana; and

WHEREAS, Washington State contributed to this history by recognizing the 1888 documents listing a "Manilla" as an employee of Port Blakely on Bainbridge Island, which was the largest lumber mill in the world at that time, this is the first known employee from the Philippines in the Pacific Northwest; and

WHEREAS, These events set in motion a focus on the story of our nation's past from a new perspective by concentrating on the economic, cultural, social, and other notable contributions that Filipino Americans have made in the development of the United States; and

WHEREAS, It is imperative for Filipino American youth to have positive role models who instill in them the importance of education, the richness of their ethnicity, and the value of their legacy; and

WHEREAS, Filipinos are one of the largest Asian/Pacific Islander communities in Washington State and are the third largest in the United States; and

WHEREAS, Several historic Filipino American communities are located in the State of Washington, including Wapato, Bainbridge Island, Seattle, Auburn, Bremerton, Tacoma, Pateros, and others; and

WHEREAS, Filipino Americans living in Washington who have made contributions to American culture and society include: Carlos Bulosan, Roy Baldoz, Harry Bucsit, Jose Calugas, Fred and Dorothy Cordova, Pio DeCano Sr., Trinidad Rojo, Box Santos, Delores Sibonga, Silvestre

Tangalan, Bernie Reyes Whitebear, Velma Veloria, Rey Pascua, and others; and

WHEREAS, Filipinos have served with distinction in all branches of the United States military, as exemplified by the 2017 United States Congressional Gold Medal, awarded for their valor and sacrifices during World War II; and

WHEREAS, In 1988, The Filipino American National Historical Society established October as Filipino American History Month;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives encourage all citizens to join in celebrating the culture and heritage of Filipino Americans in October, the Filipino American National Historical Society's designated Filipino American History Month, and the four hundred and thirtieth anniversary of the first documented presence of Filipinos in continental North America; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Rey Pascua, President of the Filipino-American Community of the Yakima Valley for further distribution to the Filipino American National Historical Society, to Asian and Pacific Islander organizations, to other historical societies and government entities, and to the Superintendent of Public Instruction.

There being no objection, HOUSE RESOLUTION NO. 4619 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2128 by Representatives Volz and Riccelli

AN ACT Relating to extending the expiration date on the health sciences and services authority sales and use tax authorization; amending RCW 82.14.480; and providing an expiration date.

Referred to Committee on Finance.

HB 2129 by Representatives Clibborn and Senn

AN ACT Relating to continuing to provide access to the current westbound Interstate 90 general purpose lanes from the Island Crest Way on-ramp; adding a new section to chapter 47.01 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1357, and the bill was referred to the Committee on Appropriations.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1861, and the bill was referred to the Committee on Capital Budget.

There being no objection, the House adjourned until 10:00 a.m., February 22, 2017, the 45th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FORTY FIFTH DAY

House Chamber, Olympia, Wednesday, February 22, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carson Bangart and Grace Zoppi. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Scott Postlewait, Advent Lutheran Church, Mill Creek, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

February 20, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5034,
SENATE BILL NO. 5162,
SENATE BILL NO. 5315,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2130 by Representatives Ormsby, Manweller, Sells, Buys, Tarleton, Riccelli, Young and Santos

AN ACT Relating to the cross-training of masonry trades for building construction; adding a new section to chapter 49.04 RCW; and creating a new section.

Referred to Committee on Higher Education.

SB 5034 by Senators Rivers, Takko and Dansel

AN ACT Relating to local government financial reports; and amending RCW 43.09.230.

Referred to Committee on Local Government.

SB 5162 by Senators McCoy, Sheldon, Rolfes, Takko and Chase

AN ACT Relating to creating the wastewater treatment plant operator certification account; adding a new section to chapter 70.95B RCW; and repealing RCW 70.95B.150.

Referred to Committee on Appropriations.

SB 5315 by Senators King, Baumgartner, Hawkins, Hobbs, Fortunato and Pearson

AN ACT Relating to home site leases on lands managed by the department of natural resources; amending RCW 79.17.200; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4616, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, and Young

WHEREAS, Gina Grant was born on July 17, 1959, in Walla Walla, Washington, to a multigenerational farm family; she later became a record-breaking track star, a flag swinger, and a student government leader before attending Washington State University where she met her beloved husband Ron Bull; and

WHEREAS, Gina and Ron raised three children and together realized her gift and passion for nurturing children, which led to a long career in education and with the Legislature; and

WHEREAS, She served as a Legislative Assistant in both the House and Senate, and cherished the years she worked near her father, Representative Bill Grant; and

WHEREAS, She served as Page Supervisor twice, a position she referred to as her "dream job" in which she helped high school students from every corner of Washington state as they worked in the state capitol and learned about our system of democracy during the legislative session; and

WHEREAS, She treasured her friendships, new and old, and was a strong leader with an intensely kind heart full of positive and gracious energy; and

WHEREAS, Gina's hearty laugh touched everyone she met as she traveled through Ireland, London, and Paris in 2008, fulfilling a lifelong dream; and

WHEREAS, On October 12, 2016, in Walla Walla, Gina Grant Bull passed away unexpectedly at the age of 57; and

WHEREAS, Gina is survived by her husband, Ron, three children and three young grandchildren: Lindsay Braun (Jeffrey), and grandchildren, Stella and Jasper; Molly Schotzko (Tim), and granddaughter Hudson Irene; and Grant Bull. Gina is also survived by her mother, Nancy Grant, and three siblings: Laura Grant (John Wong), Amy Hartford (Jerry), and Jonathan Grant (Fahima). She is also survived by a large and loving family of aunts, uncles, cousins, nieces, and nephews; and

WHEREAS, Gina also saw those who worked in the Legislature as family and treated them as she would her own; and all of the lawmakers, staff, and pages who knew her recognized her dedication to this institution and mourn her passing;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the life of Gina Grant Bull and her career of public service in our schools and in the state Legislature.

Representative Hayes moved adoption of HOUSE RESOLUTION NO. 4616

Representatives Hayes, Santos and Smith spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4616 was adopted.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1194, by Representatives Hayes, Pettigrew, Smith, Springer, Kretz, Schmick, Santos, Short, Haler, Lovick, Riccelli, Blake, Senn, Jinkins,

Gregerson, Muri, Frame, Wylie, Kilduff, McBride, Bergquist, Fey, Stambaugh, Ormsby, Farrell and Pollet

Creating a legislative page scholarship program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1194 was substituted for House Bill No. 1194 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1194 was read the second time.

Representative Sullivan moved the adoption of amendment (007):

On page 2, beginning on line 9, after "in" strike "the legislative page scholarship account" and insert "the Gina Grant Bull memorial legislative page scholarship account"

On page 2, at the beginning of line 17, strike "The legislative page scholarship account" and insert "The Gina Grant Bull memorial legislative page scholarship account"

On page 2, beginning on line 30, after "to" strike "the legislative page scholarship account" and insert "the Gina Grant Bull memorial legislative page scholarship account"

On page 2, beginning on line 33, after "for" strike "the legislative page scholarship account" and insert "the Gina Grant Bull memorial legislative page scholarship account"

Representatives Sullivan and Hayes spoke in favor of the adoption of the amendment.

Amendment (007) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes, Pettigrew and Stambaugh spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Rodne was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1194.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1194, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1194, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1843, by Representatives Sullivan, Lytton, Jinkins, Orwall, Appleton, Springer, Chapman, Tarleton, Tharinger, Goodman, Farrell, Macri, Ormsby, Fitzgibbon, Slatter, Hudgins, Doglio, Fey, Pollet, Ortiz-Self, Santos and McBride

Fulfilling the state's paramount duty for all children through equitable and responsible investments in the state's basic education program and reductions to local effort contributions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1843 was substituted for House Bill No. 1843 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1843 was read the second time.

With the consent of the House, amendment (025) was withdrawn.

Representative Wilcox moved the adoption of amendment (030):

On page 1, after line 12, insert the following:

"NEW SECTION. Sec. 1. If specific new revenues for purposes of fully funding this act, referencing this act by bill or chapter number and levied from new taxes, new tax increases, or new repeals or

modifications of tax preferences, are not enacted by June 30, 2017, this act is null and void."

Renumber remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Wilcox, Stokesbary, Volz and Taylor spoke in favor of the adoption of the amendment.

Representatives Sullivan, Lytton and Ormsby spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (030) and the amendment was not adopted by the following vote: Yeas, 46; Nays, 51; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Rodne.

Amendment (030) was not adopted.

Representative MacEwen moved the adoption of amendment (031):

On page 4, line 2, after **"ALLOCATIONS"** insert **"AND BENEFITS"**

On page 11, after line 20, insert the following:

"NEW SECTION. Sec. 107. (1) The legislature finds that:

(a) The 2012 legislature enacted Engrossed Substitute Senate Bill No. 5940, that among other things:

(i) Established a goal of creating greater affordability for full family coverage and greater equity between premium costs for full family coverage and

for employee only coverage for the same health benefit plan; and

(ii) Directed school districts to make progress toward employee contributions for full family coverage that are not more than three times the employee contributions for employees purchasing single coverage; and

(b) An analysis by the joint legislative audit and review committee found that:

(i) In the 2013-14 school year, only twenty-seven out of the two hundred ninety-five districts had full family premiums that were at or below three times the rate of single coverage;

(ii) On average full family premiums were eight and nine-tenths times more than single coverage; and

(iii) Many districts continue to use pooled savings to further reduce the cost for single coverage premiums.

(2) The issues identified by the joint legislative audit and review committee are particularly burdensome to classified school district employees, therefore, it is the intent of the legislature that classified school district employees be provided health benefits through the programs offered to state employees through the public employees' benefits board.

Sec. 108. RCW 28A.400.270 and 1990 1st ex.s. c 11 s 4 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 28A.400.275 and 28A.400.280.

(1) "School district employee benefit plan" means the overall plan used by the district for distributing fringe benefit subsidies to employees, including the method of determining employee coverage and the amount of employer contributions, as well as the characteristics of benefit providers and the specific benefits or coverage offered. It shall not include coverage offered to district employees for which there is no contribution from public funds.

(2) "Fringe benefit" does not include liability coverage, old-age survivors' insurance, workers' compensation, unemployment compensation, retirement benefits under the Washington state retirement system, or payment for unused

leave for illness or injury under RCW 28A.400.210.

(3) "Basic benefits" are determined through local bargaining until December 31, 2018, and are limited to medical, dental, vision, group term life, and group long-term disability insurance coverage. Beginning January 1, 2019, basic benefits are determined for classified school district employees by the public employees' benefits board and administered by the health care authority as described under RCW 28A.400.275.

(4) "Benefit providers" include insurers, third party claims administrators, direct providers of employee fringe benefits, health maintenance organizations, health care service contractors, and the Washington state health care authority or any plan offered by the authority.

(5) "Group term life insurance coverage" means term life insurance coverage provided for, at a minimum, all full-time employees in a bargaining unit or all full-time nonbargaining group employees.

(6) "Group long-term disability insurance coverage" means long-term disability insurance coverage provided for, at a minimum, all full-time employees in a bargaining unit or all full-time nonbargaining group employees.

Sec. 109. RCW 28A.400.275 and 2012 2nd sp.s. c 3 s 4 are each amended to read as follows:

(1) Any contract or agreement for employee benefits executed after April 13, 1990, between a school district and a benefit provider or employee bargaining unit is null and void unless it contains an agreement to abide by state laws relating to school district employee benefits. The term of the contract or agreement may not exceed one year. Beginning January 1, 2019, any contract for employee basic benefits between a school district and a bargaining unit of classified school employees is null and void unless basic benefits are provided through plans administered by the Washington state health care authority.

(2) School districts and their benefit providers shall annually submit, by a date determined by the office of the insurance commissioner, the following information and data for the prior calendar year to the office of the insurance commissioner:

(a) Progress by the district and its benefit providers toward greater affordability for full family coverage, health care cost savings, and significantly reduced administrative costs;

(b) Compliance with the requirement to provide a high deductible health plan option with a health savings account;

(c) An overall plan summary including the following:

(i) The financial plan structure and overall performance of each health plan including:

(A) Total premium expenses;

(B) Total claims expenses;

(C) Claims reserves; and

(D) Plan administration expenses, including compensation paid to brokers;

(ii) A description of the plan's use of innovative health plan features designed to reduce health benefit premium growth and reduce utilization of unnecessary health services including but not limited to the use of enrollee health assessments or health coach services, care management for high cost or high-risk enrollees, medical or health home payment mechanisms, and plan features designed to create incentives for improved personal health behaviors;

(iii) Data to provide an understanding of employee health benefit plan coverage and costs, including: The total number of employees and, for each employee, the employee's full-time equivalent status, types of coverage or benefits received including numbers of covered dependents, the number of eligible dependents, the amount of the district's contribution to premium, additional premium costs paid by the employee through payroll deductions, and the age and sex of the employee and each dependent;

(iv) Data necessary for school districts to more effectively and competitively manage and procure health insurance plans for employees. The data must include, but not be limited to, the following:

(A) A summary of the benefit packages offered to each group of district employees, including covered benefits, employee deductibles, coinsurance, and copayments, and the number of employees and their dependents in each benefit package;

(B) Aggregated employee and dependent demographic information, including age band and gender, by insurance tier and by benefit package;

(C) Total claim payments by benefit package, including premiums paid, inpatient facility claims paid, outpatient facility claims paid, physician claims paid, pharmacy claims paid, capitation amounts paid, and other claims paid;

(D) Total premiums paid by benefit package;

(E) A listing of large claims defined as annual amounts paid in excess of one hundred thousand dollars including the amount paid, the member enrollment status, and the primary diagnosis. School districts shall submit to the Washington state health care authority all information deemed necessary by the health care authority for the administration of the employee benefit plans provided to classified school districts employees, including all information requested between the effective date of this section and December 31, 2018, requested for preparing for the enrollment of classified school district employees in benefit plans administered by the Washington state health care authority.

(3) Annually, school districts and their benefit providers shall jointly report to the office of the insurance commissioner on their health insurance-related efforts and achievements to:

(a) Significantly reduce administrative costs for school districts;

(b) Improve customer service;

(c) Reduce differential plan premium rates between employee only and family health benefit premiums;

(d) Protect access to coverage for part-time K-12 employees.

(4) The information and data shall be submitted in a format and according to a schedule established by the office of the insurance commissioner under RCW 48.02.210 to enable the commissioner to meet the reporting obligations under that section.

(5) Any benefit provider offering a benefit plan by contract or agreement with a school district under subsection (1) of this section shall make available to the school district the benefit plan descriptions and, where available, the demographic information on plan subscribers that the district and benefit

provider are required to report to the office of the insurance commissioner under this section.

(6) This section shall not apply to benefit plans offered in the 1989-90 school year.

(7) Each school district shall:

(a) Carry out all actions required by the health care authority under chapter 41.05 RCW including, but not limited to, those necessary for the operation of benefit plans, education of employees, claims administration, and appeals process; and

(b) Report all data relating to employees eligible to participate in benefits or plans administered by the health care authority in a format designed and communicated by the health care authority.

Sec. 110. RCW 28A.400.350 and 2012 2nd sp.s. c 3 s 3 are each amended to read as follows:

(1) (a) The board of directors of any of the state's school districts or educational service districts may make available medical, dental, vision, liability, life, ((health, health care,)) accident, disability, and salary protection or insurance, direct agreements as defined in chapter 48.150 RCW, or any one of, or a combination of the types of employee benefits enumerated in this subsection, or any other type of insurance or protection, for the members of the boards of directors, the students, and employees of the school district or educational service district, and their dependents. Except as provided in (b) of this subsection, such coverage may be provided by contracts or agreements with private carriers, with the state health care authority after July 1, 1990, pursuant to the approval of the authority administrator, or through self-insurance or self-funding pursuant to chapter 48.62 RCW, or in any other manner authorized by law. Any direct agreement must comply with RCW 48.150.050.

(b) Beginning January 1, 2019, a school district or educational service district shall purchase basic benefits as defined in RCW 28A.400.270 for classified employees and dependents through the state health care authority.

(2) Whenever funds are available for these purposes the board of directors of the school district or educational service

district may contribute all or a part of the cost of such protection or insurance for the employees of their respective school districts or educational service districts and their dependents. The premiums on such liability insurance shall be borne by the school district or educational service district.

After October 1, 1990, school districts may not contribute to any employee protection or insurance other than liability insurance unless the district's employee benefit plan conforms to RCW 28A.400.275 and 28A.400.280.

(3) For school board members, educational service district board members, and students, the premiums due on such protection or insurance shall be borne by the assenting school board member, educational service district board member, or student. The school district or educational service district may contribute all or part of the costs, including the premiums, of life, health, health care, accident or disability insurance which shall be offered to all students participating in interschool activities on the behalf of or as representative of their school, school district, or educational service district. The school district board of directors and the educational service district board may require any student participating in extracurricular interschool activities to, as a condition of participation, document evidence of insurance or purchase insurance that will provide adequate coverage, as determined by the school district board of directors or the educational service district board, for medical expenses incurred as a result of injury sustained while participating in the extracurricular activity. In establishing such a requirement, the district shall adopt regulations for waiving or reducing the premiums of such coverage as may be offered through the school district or educational service district to students participating in extracurricular activities, for those students whose families, by reason of their low income, would have difficulty paying the entire amount of such insurance premiums. The district board shall adopt regulations for waiving or reducing the insurance coverage requirements for low-income students in order to assure such students are not prohibited from participating in extracurricular interschool activities.

(4) All contracts or agreements for insurance or protection written to take advantage of the provisions of this section shall provide that the beneficiaries of such contracts may utilize on an equal participation basis the services of those practitioners licensed pursuant to chapters 18.22, 18.25, 18.53, 18.57, and 18.71 RCW.

(5) School districts offering medical, vision, and dental benefits shall:

(a) Offer a high deductible health plan option with a health savings account that conforms to section 223, part VII of subchapter 1 of the internal revenue code of 1986. School districts shall comply with all applicable federal standards related to the establishment of health savings accounts;

(b) Make progress toward employee premiums that are established to ensure that full family coverage premiums are not more than three times the premiums for employees purchasing single coverage for the same coverage plan, unless a subsequent premium differential target is defined as a result of the review and subsequent actions described in RCW 41.05.655;

(c) Offer employees at least one health benefit plan that is not a high deductible health plan offered in conjunction with a health savings account in which the employee share of the premium cost for a full-time employee, regardless of whether the employee chooses employee-only coverage or coverage that includes dependents, does not exceed the share of premium cost paid by state employees during the state employee benefits year that started immediately prior to the school year.

(6) All contracts or agreements for employee benefits must be held to responsible contracting standards, meaning a fair, prudent, and accountable competitive procedure for procuring services that includes an open competitive process, except where an open process would compromise cost-effective purchasing, with documentation justifying the approach.

(7) School districts offering medical, vision, and dental benefits shall also make progress on promoting health care innovations and cost savings and significantly reduce administrative costs.

(8) All contracts or agreements for insurance or protection described in this section shall be in compliance with chapter 3, Laws of 2012 2nd sp. sess.

(9) Upon notification from the office of the insurance commissioner of a school district's substantial noncompliance with the data reporting requirements of RCW 28A.400.275, and the failure is due to the action or inaction of the school district, and if the noncompliance has occurred for two reporting periods, the superintendent is authorized and required to limit the school district's authority provided in subsection (1) of this section regarding employee health benefits to the provision of health benefit coverage provided by the state health care authority.

Sec. 111. RCW 41.05.050 and 2016 c 67 s 3 are each amended to read as follows:

(1) Every: (a) Department, division, or separate agency of state government; (b) county, municipal, school district, educational service district, or other political subdivisions; and (c) tribal governments as are covered by this chapter, shall provide contributions to insurance and health care plans for its employees and their dependents, the content of such plans to be determined by the authority. Contributions, paid by the county, the municipality, other political subdivision, or a tribal government for their employees, shall include an amount determined by the authority to pay such administrative expenses of the authority as are necessary to administer the plans for employees of those groups (~~(except as provided in subsection (4) of this section)~~).

(2) To account for increased cost of benefits for the state and for state employees, the authority may develop a rate surcharge applicable to participating counties, municipalities, other political subdivisions, and tribal governments.

(3) The contributions of any: (a) Department, division, or separate agency of the state government; (b) county, municipal, or other political subdivisions; and (c) any tribal government as are covered by this chapter, shall be set by the authority, subject to the approval of the governor for availability of funds as specifically appropriated by the legislature for that purpose. Insurance and health care contributions for ferry employees shall be governed by RCW 47.64.270.

(4) (a) Until December 31, 2018, the authority shall collect from each participating school district and educational service district an amount equal to the composite rate charged to state agencies, plus an amount equal to the employee premiums by plan and family size as would be charged to state employees, for groups of district employees enrolled in authority plans. The authority may collect these amounts in accordance with the district fiscal year, as described in RCW 28A.505.030. On or after January 1, 2019, the authority shall collect the composite rate for certificated employees enrolled in authority plans, and for classified employees shall collect the same amounts from districts and employees as are collected from state agencies.

(b) Until December 31, 2018, for all groups of district employees enrolling in authority plans for the first time after September 1, 2003, the authority shall collect from each participating school district an amount equal to the composite rate charged to state agencies, plus an amount equal to the employee premiums by plan and by family size as would be charged to state employees, only if the authority determines that this method of billing the districts will not result in a material difference between revenues from districts and expenditures made by the authority on behalf of districts and their employees. The authority may collect these amounts in accordance with the district fiscal year, as described in RCW 28A.505.030. On or after January 1, 2019, the authority shall collect the composite rate for certificated employees enrolled in authority plans, and for classified employees shall collect the same amounts from districts and employees as are collected from state agencies.

(c) Until December 31, 2018, if the authority determines at any time that the conditions in (b) of this subsection cannot be met, the authority shall offer enrollment to additional groups of district employees on a tiered rate structure until such time as the authority determines there would be no material difference between revenues and expenditures under a composite rate structure for all district employees enrolled in authority plans. On or after January 1, 2019, the authority shall collect for classified employees the same amounts from districts and employees as are collected from state agencies.

(d) The authority may charge districts a one-time set-up fee for employee groups enrolling in authority plans for the first time, however this fee may not be charged for the addition of classified employees to authority plans beginning January 1, 2019.

(e) For the purposes of this subsection:

(i) "District" means school district and educational service district; and

(ii) "Tiered rates" means the amounts the authority must pay to insuring entities by plan and by family size.

(f) Until December 31, 2018, notwithstanding this subsection and RCW 41.05.065(4), the authority may allow districts enrolled on a tiered rate structure prior to September 1, 2002, to continue participation based on the same rate structure and under the same conditions and eligibility criteria. On or after January 1, 2019, the authority shall may allow the tiered rate structure to continue for certificated employees enrolled prior to September 1, 2002, but for classified employees shall be participate under the same rate structure, conditions, and eligibility criteria as state employees.

(5) The authority shall transmit a recommendation for the amount of the employer contribution to the governor and the director of financial management for inclusion in the proposed budgets submitted to the legislature.

Sec. 112. RCW 41.05.075 and 2007 c 259 s 34 are each amended to read as follows:

(1) The (~~administrator~~) director shall provide benefit plans designed by the board through a contract or contracts with insuring entities, through self-funding, self-insurance, or other methods of providing insurance coverage authorized by RCW 41.05.140.

(2) The (~~administrator~~) director shall establish a contract bidding process that:

(a) Encourages competition among insuring entities;

(b) Maintains an equitable relationship between premiums charged for similar benefits and between risk pools including premiums charged for retired state and school district employees under the separate risk pools established by RCW 41.05.022 and 41.05.080 such that insuring

entities may not avoid risk when establishing the premium rates for retirees eligible for medicare;

(c) Is timely to the state budgetary process; and

(d) Sets conditions for awarding contracts to any insuring entity.

(3)(a) School districts directly providing medical and dental benefit plans and contracted insuring entities providing medical and dental benefit plans to school districts on December 31, 2017, shall provide the health care authority specified data by July 1, 2017, to support benefit plans procurement that includes all classified employees beginning January 1, 2019. At a minimum, the data on classified employees must cover the period January 1, 2014, through May 31, 2018, and include:

(i) A summary of the benefit packages offered to each group of classified district employees, including covered benefits, point-of-service cost-sharing, member count, and the group policy number;

(ii) Aggregated subscriber and member demographic information, including age band and gender, by insurance tier by month and by benefit packages;

(iii) Monthly total by benefit package, including premiums paid, inpatient facility claims paid, outpatient facility claims paid, physician claims paid, pharmacy claims paid, capitation amounts paid, and other claims paid;

(iv) A listing for calendar year 2017 of large claims defined as annual amounts paid in excess of one hundred thousand dollars including the amount paid, the member enrollment status, and the primary diagnosis; and

(v) A listing of calendar year 2017 allowed claims by provider entity.

(b) Any data that may be confidential and contain personal health information may be protected in accordance with a data-sharing agreement.

(4) The ~~((administrator))~~ director shall establish a requirement for review of utilization and financial data from participating insuring entities on a quarterly basis.

~~((4))~~ (5) The ~~((administrator))~~ director shall centralize the enrollment files for all employee and retired or disabled school employee health plans offered under chapter 41.05 RCW and

develop enrollment demographics on a plan-specific basis.

~~((5))~~ (6) All claims data shall be the property of the state. The ~~((administrator))~~ director may require of any insuring entity that submits a bid to contract for coverage all information deemed necessary including:

(a) Subscriber or member demographic and claims data necessary for risk assessment and adjustment calculations in order to fulfill the ~~((administrator's))~~ director's duties as set forth in this chapter; and

(b) Subscriber or member demographic and claims data necessary to implement performance measures or financial incentives related to performance under subsection ~~((7))~~ (8) of this section.

~~((6))~~ (7) All contracts with insuring entities for the provision of health care benefits shall provide that the beneficiaries of such benefit plans may use on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.32, 18.53, 18.57, 18.71, 18.74, 18.83, and 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners. However, nothing in this subsection may preclude the ~~((administrator))~~ director from establishing appropriate utilization controls approved pursuant to RCW 41.05.065(2) (a), (b), and (d).

~~((7))~~ (8) The ~~((administrator))~~ director shall, in collaboration with other state agencies that administer state purchased health care programs, private health care purchasers, health care facilities, providers, and carriers:

(a) Use evidence-based medicine principles to develop common performance measures and implement financial incentives in contracts with insuring entities, health care facilities, and providers that:

(i) Reward improvements in health outcomes for individuals with chronic diseases, increased utilization of appropriate preventive health services, and reductions in medical errors; and

(ii) Increase, through appropriate incentives to insuring entities, health care facilities, and providers, the adoption and use of information technology that contributes to improved health

outcomes, better coordination of care, and decreased medical errors;

(b) Through state health purchasing, reimbursement, or pilot strategies, promote and increase the adoption of health information technology systems, including electronic medical records, by hospitals as defined in RCW 70.41.020(~~(4)~~) (7), integrated delivery systems, and providers that:

- (i) Facilitate diagnosis or treatment;
- (ii) Reduce unnecessary duplication of medical tests;
- (iii) Promote efficient electronic physician order entry;
- (iv) Increase access to health information for consumers and their providers; and
- (v) Improve health outcomes;

(c) Coordinate a strategy for the adoption of health information technology systems using the final health information technology report and recommendations developed under chapter 261, Laws of 2005.

~~((4))~~ (9) The ~~(administrator)~~ director may permit the Washington state health insurance pool to contract to utilize any network maintained by the authority or any network under contract with the authority.

Sec. 113. RCW 28A.400.280 and 2012 2nd sp.s. c 3 s 2 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, school districts may provide employer fringe benefit contributions after October 1, 1990, only for basic benefits. However, school districts may continue payments under contracts with employees or benefit providers in effect on April 13, 1990, until the contract expires.

(2) School districts may provide employer contributions after October 1, 1990, for optional benefit plans, in addition to basic benefits, only for employees included in pooling arrangements under this subsection. Optional benefits may include direct agreements as defined in chapter 48.150 RCW, but may not include employee beneficiary accounts that can be liquidated by the employee on termination of employment. Optional benefit plans may be offered only if:

(a) The school district pools benefit allocations among employees using a

pooling arrangement that includes at least one employee bargaining unit and/or all nonbargaining group employees;

(b) Each full-time employee included in the pooling arrangement is offered basic benefits, including coverage for dependents;

(c) Each employee included in the pooling arrangement who elects medical benefit coverage pays a minimum premium charge subject to collective bargaining under chapter 41.59 or 41.56 RCW;

(d) The employee premiums are structured to ensure employees selecting richer benefit plans pay the higher premium;

(e) Each full-time employee included in the pooling arrangement, regardless of the number of dependents receiving basic coverage, receives the same additional employer contribution for other coverage or optional benefits; and

(f) For part-time employees (~~included in the pooling arrangement~~), participation in optional benefit plans shall be governed by the same eligibility criteria and/or proration of employer contributions used for allocations for basic benefits.

(3) Savings accruing to school districts due to limitations on benefit options under this section shall be pooled and made available by the districts to reduce out-of-pocket premium expenses for employees needing basic coverage for dependents. School districts are not intended to divert state basic benefit allocations for other purposes.

(4) Beginning September 1, 2018, school districts and educational service districts may provide optional vision, dental, group life, and group long-term disability coverage to classified employees in excess of what is provided through the health care authority, if that coverage is consistent with a collective bargaining agreement.

Sec. 114. RCW 41.56.500 and 2010 c 235 s 802 are each amended to read as follows:

(1) All collective bargaining agreements entered into between a school district employer and school district employees under this chapter after June 10, 2010, as well as bargaining agreements existing on June 10, 2010, but renewed or extended after June 10, 2010, shall be consistent with RCW 28A.657.050.

(2) All collective bargaining agreements entered into between a school district employer and school district employees under this chapter shall be consistent with RCW 28A.400.280 and 28A.400.350.

(3) Except as provided in RCW 28A.400.280(4), classified employee bargaining may not include the dollar amount to be contributed for school employee health benefits beginning January 1, 2019, on behalf of each employee for health care benefits.

(4) The governor shall submit a request for funds for the dollar amount to be expended for classified school employee health benefits that is the same as the amount bargained under RCW 41.80.020.

Sec. 115. RCW 41.59.105 and 2010 c 235 s 803 are each amended to read as follows:

(1) All collective bargaining agreements entered into between a school district employer and school district employees under this chapter after June 10, 2010, as well as bargaining agreements existing on June 10, 2010, but renewed or extended after June 10, 2010, shall be consistent with RCW 28A.657.050.

(2) All collective bargaining agreements entered into between a school district employer and school district employees under this chapter shall be consistent with RCW 28A.400.280 and 28A.400.350.

(3) Except as provided in RCW 28A.400.280(4), employee bargaining may not include the dollar amount to be contributed beginning January 1, 2019, on behalf of each employee for health care benefits.

(4) The governor shall submit a request for funds for the dollar amount to be expended for school employee health benefits that is the same as the amount bargained under RCW 41.80.020.

Sec. 116. RCW 41.05.065 and 2015 c 116 s 3 are each amended to read as follows:

(1) The board shall study all matters connected with the provision of health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any of, or a combination of, the enumerated types of insurance for employees and their dependents on the best basis possible with relation both to the welfare of the employees and to the state. However,

liability insurance shall not be made available to dependents.

(2) The board shall develop employee benefit plans that include comprehensive health care benefits for employees. In developing these plans, the board shall consider the following elements:

(a) Methods of maximizing cost containment while ensuring access to quality health care;

(b) Development of provider arrangements that encourage cost containment and ensure access to quality care, including but not limited to prepaid delivery systems and prospective payment methods;

(c) Wellness incentives that focus on proven strategies, such as smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education;

(d) Utilization review procedures including, but not limited to a cost-efficient method for prior authorization of services, hospital inpatient length of stay review, requirements for use of outpatient surgeries and second opinions for surgeries, review of invoices or claims submitted by service providers, and performance audit of providers;

(e) Effective coordination of benefits; and

(f) Minimum standards for insuring entities.

(3) To maintain the comprehensive nature of employee health care benefits, benefits provided to employees shall be substantially equivalent to the state employees' health ~~((benefits))~~ benefit plan in effect on January 1, 1993. Nothing in this subsection shall prohibit changes or increases in employee point-of-service payments or employee premium payments for benefits or the administration of a high deductible health plan in conjunction with a health savings account. The board may establish employee eligibility criteria which are not substantially equivalent to employee eligibility criteria in effect on January 1, 1993.

(4) Except if bargained for under chapter 41.80 RCW, the board shall design benefits and determine the terms and conditions of employee and retired employee participation and coverage, including establishment of eligibility

criteria subject to the requirements of this chapter. Employer groups obtaining benefits through contractual agreement with the authority for employees defined in RCW 41.05.011(6) (a) through (d) may contractually agree with the authority to benefits eligibility criteria which differs from that determined by the board. The eligibility criteria established by the board shall be no more restrictive than the following:

(a) Except as provided in (b) through (e) of this subsection, an employee is eligible for benefits from the date of employment if the employing agency anticipates he or she will work an average of at least eighty hours per month and for at least eight hours in each month for more than six consecutive months. An employee determined ineligible for benefits at the beginning of his or her employment shall become eligible in the following circumstances:

(i) An employee who works an average of at least eighty hours per month and for at least eight hours in each month and whose anticipated duration of employment is revised from less than or equal to six consecutive months to more than six consecutive months becomes eligible when the revision is made.

(ii) An employee who works an average of at least eighty hours per month over a period of six consecutive months and for at least eight hours in each of those six consecutive months becomes eligible at the first of the month following the six-month averaging period.

(b) A seasonal employee is eligible for benefits from the date of employment if the employing agency anticipates that he or she will work an average of at least eighty hours per month and for at least eight hours in each month of the season. A seasonal employee determined ineligible at the beginning of his or her employment who works an average of at least eighty hours per month over a period of six consecutive months and at least eight hours in each of those six consecutive months becomes eligible at the first of the month following the six-month averaging period. A benefits-eligible seasonal employee who works a season of less than nine months shall not be eligible for the employer contribution during the off season, but may continue enrollment in benefits during the off season by self-paying for the benefits. A benefits-eligible seasonal employee who works a season of nine months or more is

eligible for the employer contribution through the off season following each season worked.

(c) Faculty are eligible as follows:

(i) Faculty who the employing agency anticipates will work half-time or more for the entire instructional year or equivalent nine-month period are eligible for benefits from the date of employment. Eligibility shall continue until the beginning of the first full month of the next instructional year, unless the employment relationship is terminated, in which case eligibility shall cease the first month following the notice of termination or the effective date of the termination, whichever is later.

(ii) Faculty who the employing agency anticipates will not work for the entire instructional year or equivalent nine-month period are eligible for benefits at the beginning of the second consecutive quarter or semester of employment in which he or she is anticipated to work, or has actually worked, half-time or more. Such an employee shall continue to receive uninterrupted employer contributions for benefits if the employee works at least half-time in a quarter or semester. Faculty who the employing agency anticipates will not work for the entire instructional year or equivalent nine-month period, but who actually work half-time or more throughout the entire instructional year, are eligible for summer or off-quarter or off-semester coverage. Faculty who have met the criteria of this subsection (4)(c)(ii), who work at least two quarters or two semesters of the academic year with an average academic year workload of half-time or more for three quarters or two semesters of the academic year, and who have worked an average of half-time or more in each of the two preceding academic years shall continue to receive uninterrupted employer contributions for benefits if he or she works at least half-time in a quarter or semester or works two quarters or two semesters of the academic year with an average academic workload each academic year of half-time or more for three quarters or two semesters. Eligibility under this section ceases immediately if this criteria is not met.

(iii) Faculty may establish or maintain eligibility for benefits by working for more than one institution of higher education. When faculty work for more than one institution of higher education, those institutions shall prorate the employer

contribution costs, or if eligibility is reached through one institution, that institution will pay the full employer contribution. Faculty working for more than one institution must alert his or her employers to his or her potential eligibility in order to establish eligibility.

(iv) The employing agency must provide written notice to faculty who are potentially eligible for benefits under this subsection (4)(c) of their potential eligibility.

(v) To be eligible for maintenance of benefits through averaging under (c)(ii) of this subsection, faculty must provide written notification to his or her employing agency or agencies of his or her potential eligibility.

(vi) For the purposes of this subsection (4)(c):

(A) "Academic year" means summer, fall, winter, and spring quarters or summer, fall, and spring semesters;

(B) "Half-time" means one-half of the full-time academic workload as determined by each institution; except that for community and technical college faculty, half-time academic workload is calculated according to RCW 28B.50.489.

(d) A legislator is eligible for benefits on the date his or her term begins. All other elected and full-time appointed officials of the legislative and executive branches of state government are eligible for benefits on the date his or her term begins or they take the oath of office, whichever occurs first.

(e) A justice of the supreme court and judges of the court of appeals and the superior courts become eligible for benefits on the date he or she takes the oath of office.

(f) An employee of a school district or educational service district is eligible for benefits if they are expected to work at least six hundred thirty hours during a school year.

(g) Except as provided in (c)(i) and (ii) of this subsection, eligibility ceases for any employee the first of the month following termination of the employment relationship.

~~((g))~~ (h) In determining eligibility under this section, the employing agency may disregard training hours, standby hours, or temporary changes in work hours

as determined by the authority under this section.

~~((h))~~ (i) Insurance coverage for all eligible employees begins on the first day of the month following the date when eligibility for benefits is established. If the date eligibility is established is the first working day of a month, insurance coverage begins on that date.

~~((i))~~ (j) Eligibility for an employee whose work circumstances are described by more than one of the eligibility categories in (a) through (e) of this subsection shall be determined solely by the criteria of the category that most closely describes the employee's work circumstances.

~~((j))~~ (k) Except for an employee eligible for benefits under (b) or (c)(ii) of this subsection, an employee who has established eligibility for benefits under this section shall remain eligible for benefits each month in which he or she is in pay status for eight or more hours, if (i) he or she remains in a benefits-eligible position and (ii) leave from the benefits-eligible position is approved by the employing agency. A benefits-eligible seasonal employee is eligible for the employer contribution in any month of his or her season in which he or she is in pay status eight or more hours during that month. Eligibility ends if these conditions are not met, the employment relationship is terminated, or the employee voluntarily transfers to a noneligible position.

~~((k))~~ (l) For the purposes of this subsection, the board shall define "benefits-eligible position."

(5) The board may authorize premium contributions for an employee and the employee's dependents in a manner that encourages the use of cost-efficient managed health care systems.

(6)(a) For any open enrollment period following August 24, 2011, the board shall offer a health savings account option for employees that conforms to section 223, Part VII of subchapter B of chapter 1 of the internal revenue code of 1986. The board shall comply with all applicable federal standards related to the establishment of health savings accounts.

(b) By November 30, 2015, and each year thereafter, the authority shall submit a report to the relevant legislative policy and fiscal committees that includes the following:

(i) Public employees' benefits board health plan cost and service utilization trends for the previous three years, in total and for each health plan offered to employees;

(ii) For each health plan offered to employees, the number and percentage of employees and dependents enrolled in the plan, and the age and gender demographics of enrollees in each plan;

(iii) Any impact of enrollment in alternatives to the most comprehensive plan, including the high deductible health plan with a health savings account, upon the cost of health benefits for those employees who have chosen to remain enrolled in the most comprehensive plan.

(7) Notwithstanding any other provision of this chapter, for any open enrollment period following August 24, 2011, the board shall offer a high deductible health plan in conjunction with a health savings account developed under subsection (6) of this section.

(8) Employees shall choose participation in one of the health care benefit plans developed by the board and may be permitted to waive coverage under terms and conditions established by the board.

(9) The board shall review plans proposed by insuring entities that desire to offer property insurance and/or accident and casualty insurance to state employees through payroll deduction. The board may approve any such plan for payroll deduction by insuring entities holding a valid certificate of authority in the state of Washington and which the board determines to be in the best interests of employees and the state. The board shall adopt rules setting forth criteria by which it shall evaluate the plans.

(10) Before January 1, 1998, the public employees' benefits board shall make available one or more fully insured long-term care insurance plans that comply with the requirements of chapter 48.84 RCW. Such programs shall be made available to eligible employees, retired employees, and retired school employees as well as eligible dependents which, for the purpose of this section, includes the parents of the employee or retiree and the parents of the spouse of the employee or retiree. Employees of local governments, political subdivisions, and tribal governments not otherwise enrolled in the public employees' benefits board sponsored

medical programs may enroll under terms and conditions established by the administrator, if it does not jeopardize the financial viability of the public employees' benefits board's long-term care offering.

(a) Participation of eligible employees or retired employees and retired school employees in any long-term care insurance plan made available by the public employees' benefits board is voluntary and shall not be subject to binding arbitration under chapter 41.56 RCW. Participation is subject to reasonable underwriting guidelines and eligibility rules established by the public employees' benefits board and the health care authority.

(b) The employee, retired employee, and retired school employee are solely responsible for the payment of the premium rates developed by the health care authority. The health care authority is authorized to charge a reasonable administrative fee in addition to the premium charged by the long-term care insurer, which shall include the health care authority's cost of administration, marketing, and consumer education materials prepared by the health care authority and the office of the insurance commissioner.

(c) To the extent administratively possible, the state shall establish an automatic payroll or pension deduction system for the payment of the long-term care insurance premiums.

(d) The public employees' benefits board and the health care authority shall establish a technical advisory committee to provide advice in the development of the benefit design and establishment of underwriting guidelines and eligibility rules. The committee shall also advise the board and authority on effective and cost-effective ways to market and distribute the long-term care product. The technical advisory committee shall be comprised, at a minimum, of representatives of the office of the insurance commissioner, providers of long-term care services, licensed insurance agents with expertise in long-term care insurance, employees, retired employees, retired school employees, and other interested parties determined to be appropriate by the board.

(e) The health care authority shall offer employees, retired employees, and retired school employees the option of purchasing long-term care insurance

through licensed agents or brokers appointed by the long-term care insurer. The authority, in consultation with the public employees' benefits board, shall establish marketing procedures and may consider all premium components as a part of the contract negotiations with the long-term care insurer.

(f) In developing the long-term care insurance benefit designs, the public employees' benefits board shall include an alternative plan of care benefit, including adult day services, as approved by the office of the insurance commissioner.

(g) The health care authority, with the cooperation of the office of the insurance commissioner, shall develop a consumer education program for the eligible employees, retired employees, and retired school employees designed to provide education on the potential need for long-term care, methods of financing long-term care, and the availability of long-term care insurance products including the products offered by the board.

(11) The board may establish penalties to be imposed by the authority when the eligibility determinations of an employing agency fail to comply with the criteria under this chapter.

Sec. 117. RCW 41.80.020 and 2015 3rd sp.s. c 1 s 318 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, and other terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer is not required to bargain over matters pertaining to:

(a) Health care benefits or other employee insurance benefits, except as required in subsection (3) of this section;

(b) Any retirement system or retirement benefit; or

(c) Rules of the director of financial management, the director of enterprise services, or the Washington personnel resources board adopted under RCW 41.06.157.

(3) Matters subject to bargaining include the number of names to be certified for vacancies, promotional preferences, and the dollar amount

expended on behalf of each employee for health care benefits. However, except as provided otherwise in this subsection for institutions of higher education, negotiations regarding the number of names to be certified for vacancies, promotional preferences, and the dollar amount expended on behalf of each employee for health care benefits shall be conducted between the employer and one coalition of all the exclusive bargaining representatives subject to this chapter and bargaining units representing classified employees of school districts and educational service districts. The exclusive bargaining representatives for employees that are subject to chapter 47.64 RCW shall bargain the dollar amount expended on behalf of each employee for health care benefits with the employer as part of the coalition under this subsection. Any such provision agreed to by the employer and the coalition shall be included in all master collective bargaining agreements negotiated by the parties. For institutions of higher education, promotional preferences and the number of names to be certified for vacancies shall be bargained under the provisions of RCW 41.80.010(4). For agreements covering the 2013-2015 fiscal biennium, any agreement between the employer and the coalition regarding the dollar amount expended on behalf of each employee for health care benefits is a separate agreement and shall not be included in the master collective bargaining agreements negotiated by the parties.

(4) The employer and the exclusive bargaining representative shall not agree to any proposal that would prevent the implementation of approved affirmative action plans or that would be inconsistent with the comparable worth agreement that provided the basis for the salary changes implemented beginning with the 1983-1985 biennium to achieve comparable worth.

(5) The employer and the exclusive bargaining representative shall not bargain over matters pertaining to management rights established in RCW 41.80.040.

(6) Except as otherwise provided in this chapter, if a conflict exists between an executive order, administrative rule, or agency policy relating to wages, hours, and terms and conditions of employment and a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall

prevail. A provision of a collective bargaining agreement that conflicts with the terms of a statute is invalid and unenforceable.

(7) This section does not prohibit bargaining that affects contracts authorized by RCW 41.06.142."

Correct the title.

Representatives MacEwen, Hayes, Griffey, McCaslin and Orcutt spoke in favor of the adoption of the amendment.

Representatives Cody and Sullivan spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (031) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Rodne.

Amendment (031) was not adopted.

Representative Manweller moved the adoption of amendment (027):

On page 10, line 6, after "RCW 28A.405.380." strike "No" and insert "Pursuant to RCW 28A.150.--- (section 401 of this act), beginning September 1, 2019, districts may enter supplemental contracts under this section solely for enrichment, and no"

On page 10, line 8, after "of the" insert "state's statutory"

On page 10, line 9, after "section" strike "3" and insert "(3) 1"

On page 11, line 22, strike "MAINTENANCE AND OPERATION" and insert "ENRICHMENT"

On page 11, beginning on line 27, strike "maintenance and operation support" and insert "((maintenance and operation support)) enrichment funding"

On page 12, line 32, after "28A.500.010" insert ", except that if state matching funds are reduced as a result of an audit finding under section 406 of this act, the district's maximum levy is reduced by the full amount of state matching funds for which the district would otherwise have been eligible"

On page 15, after line 5, insert: "(10) The amount of the levy that a district certifies to the county treasurer must be reduced by any amount of levy revenues determined by an audit under section 406 of this act to have been spent in violation of section 401 of this act."

On page 16, line 10, strike "maintenance and operation" and insert "(maintenance and operation) enrichment"

On page 16, after line 35 insert: "(4) A school district's maximum amount of state matching funding under this section is reduced by any amount of state matching funding determined by an audit under section 406 of this act to have been spent in violation of section 401 of this act."

On page 34, after line 4, insert the following:

"PART IV

AUTHORIZING USE OF SCHOOL DISTRICT LOCAL REVENUES SOLELY FOR ENRICHMENT TO THE STATE'S STATUTORY PROGRAM OF BASIC EDUCATION

NEW SECTION. Sec. 401. A new section is added to chapter 28A.150 RCW to read as follows:

BASIC EDUCATION ACT AMENDED TO RESTRICT USE OF SCHOOL DISTRICT LOCAL REVENUES TO ENRICHMENT ONLY. (1) In RCW 28A.150.200 (as amended by section 101 of this act), the state declares that the state's statutory program of basic education established by chapter 28A RCW is deemed by the legislature to comply with the paramount duty of Article IX, section 1 of the state constitution. With the programmatic and funding elements added in this act to the state's statutory program of basic education, the legislature declares that state's program is fully funded, and that any enrichments funded locally are necessarily outside that program. To ensure appropriate implementation of the state's statutory

program of basic education, and to ensure that school district funding from both state and local sources complies with Article IX, section 1 of the state constitution, the legislature intends to enact an express statutory requirement that school district enrichment levies, local effort assistance, and other school district local revenues may be used only for enrichment to the state's statutory program of basic education.

(2) Beginning September 1, 2019, school districts may use local revenues only to enrich the state's statutory program of basic education by supplementing the minimum instructional offerings of RCW 28A.150.220 or 28A.150.260 or the staffing ratios of RCW 28A.150.260 (as amended by sections 301 and 302 of this act). For purposes of this section, "local revenues" means enrichment levies collected under RCW 84.52.053, local effort assistance funding received under chapter 28A.500 RCW, and other school district local revenues, including but not limited to grants, donations, and state and federal payments in lieu of taxes, except that "local revenues" does not include other federal revenues, or local revenues that operate as an offset to the district's basic education allocation under RCW 28A.150.250.

(3) For purposes of this section, permitted enrichment activities include, but are not limited to, extracurricular activities, extended school days, additional staff for class size reduction beyond class sizes allocated in the prototypical school model, and course offerings beyond the minimum instructional program established in the state's statutory program of basic education.

(4) Upon application by a school district, the superintendent of public instruction may authorize the district to use local revenues for other enrichment activities not specifically listed in this section, so long as the activity otherwise complies with this section. The authorization is valid for a period of up to four years. The superintendent must report annually to the appropriate committees of the legislature on authorizations granted pursuant to this subsection and associated educational outcomes.

(5) If an audit under section 406 of this act results in a finding that a school district has spent local revenues in violation of this section, then in the

following year the district is subject to the penalties established in this subsection. If the violation resulted from expenditure of enrichment levy revenues, then the amount of the enrichment levy that a district may certify for collection must be reduced by the amount of the audit finding. If the violation resulted from expenditure of local effort assistance funding, then the maximum amount of state matching funds the district may receive as local effort assistance is reduced by the amount of the audit finding. If the violation resulted from expenditure of other local revenues, then the district must pay the amount of the audit finding into the state general fund.

(6) The superintendent may adopt rules to implement this section.

NEW SECTION. Sec. 402. OSPI RECOMMENDATIONS AND LEGISLATIVE DEFINITIONS OF ADDITIONAL PERMITTED ENRICHMENTS.

(1) (a) The superintendent of public instruction must develop recommendations on expanding the list of specifically permitted activities in section 401(3) of this act to include additional discrete forms of local enrichment that otherwise comply with section 401 of this act. The recommendations must consider, but are not limited to, existing school district enrichment activities to the extent that those activities are consistent with those requirements.

(b) The superintendent must develop recommendations on a process that permits the superintendent, on application of a school district, to approve use of local revenues for enrichment activities that are not specifically listed in section 401 of this act but otherwise comply with the requirements of that section. The recommendations may be in the form of proposed rules.

(c) The superintendent must submit both sets of recommendations to the appropriate policy and fiscal committees of the legislature by December 1, 2017.

(2) In the 2018 legislative session, the legislature must review and consider the recommendations of the superintendent, and must enact legislation to expand the list of permitted enrichment activities in section 401(3) of this act by codifying additional, specific examples of enrichment activities that may be provided with local revenues under the terms of section 401 of this act.

Sec. 403. RCW 84.52.053 and 2012 c 186 s 18 are each amended to read as follows: M&O LEVIES RENAMED "ENRICHMENT LEVIES"; MAY BE USED FOR ENRICHMENT ONLY.

(1) The limitations imposed by RCW 84.52.050 through 84.52.056, and 84.52.043 shall not prevent the levy of taxes by school districts, when authorized so to do by the voters of such school district in the manner and for the purposes and number of years allowable under Article VII, section 2(a) and Article IX, section 1 of the Constitution of this state. Elections for such taxes shall be held in the year in which the levy is made or, in the case of propositions authorizing two-year through four-year levies for ((maintenance and operation support of)) enrichment funding for a school district, authorizing two-year levies for transportation vehicle funds established in RCW 28A.160.130, or authorizing two-year through six-year levies to support the construction, modernization, or remodeling of school facilities, which includes the purposes of RCW 28A.320.330(2) (f) and (g), in the year in which the first annual levy is made.

(2) (a) Once additional tax levies have been authorized for ((maintenance and operation support of)) enrichment funding for a school district for a two-year through four-year period as provided under subsection (1) of this section, no further additional tax levies for ((maintenance and operation support of)) enrichment funding for the district for that period may be authorized, except for additional levies to provide for subsequently enacted increases affecting the district's levy base or maximum levy percentage.

(b) Notwithstanding (a) of this subsection, any school district that is required to annex or receive territory pursuant to a dissolution of a financially insolvent school district pursuant to RCW 28A.315.225 may call either a replacement or supplemental levy election within the school district, including the territory annexed or transferred, as follows:

(i) An election for a proposition authorizing two-year through four-year levies for ((maintenance and operation support of)) enrichment funding for a school district may be called and held before the effective date of dissolution to replace existing ((maintenance and operation)) enrichment levies and to provide for increases due to the dissolution.

(ii) An election for a proposition authorizing additional tax levies may be called and held before the effective date of dissolution to provide for increases due to the dissolution.

(iii) In the event a replacement levy election under (b) (i) of this subsection is held but does not pass, the affected school district may subsequently hold a supplemental levy election pursuant to (b) (ii) of this subsection if the supplemental levy election is held before the effective date of dissolution. In the event a supplemental levy election is held under subsection (b) (ii) of this subsection but does not pass, the affected school district may subsequently hold a replacement levy election pursuant to (b) (i) of this subsection if the replacement levy election is held before the effective date of dissolution. Failure of a replacement levy or supplemental levy election does not affect any previously approved and existing ((maintenance and operation)) enrichment levy within the affected school district or districts.

(c) For the purpose of applying the limitation of this subsection (2), a two-year through six-year levy to support the construction, modernization, or remodeling of school facilities shall not be deemed to be a tax levy for ((maintenance and operation support of)) enrichment funding for a school district.

(3) A special election may be called and the time therefor fixed by the board of school directors, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "yes" and those opposed thereto to vote "no."

(4) Pursuant to RCW 28A.150.--- (section 401 of this act), beginning September 1, 2019, school districts may use enrichment levies solely to enrich the state's statutory program of basic education by supplementing the minimum instructional offerings of RCW 28A.150.220 or RCW 28A.160.260 or the staffing ratios of RCW 28A.150.260 (as amended by sections 301 and 302 of this act).

Sec. 404. RCW 28A.150.220 and 2014 c 217 s 201 are each amended to read as follows: SCHOOL DISTRICT AUTHORITY TO ENRICH PROGRAM OF EDUCATION IS SUBJECT TO NEW REQUIREMENTS.

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased beginning in the 2015-16 school year to at least one thousand eighty instructional hours for students enrolled in grades nine through twelve and at least one thousand instructional hours for students in grades one through eight, all of which may be calculated by a school district using a district-wide annual average of instructional hours over grades one through twelve; and

(b) For students enrolled in kindergarten, at least four hundred fifty instructional hours, which shall be increased to at least one thousand instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the essential academic learning requirements under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete twenty-four credits for high school graduation, beginning with the graduating class of 2019 or as otherwise provided in RCW 28A.230.090. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(e) Supplemental instruction and services for eligible and enrolled students and exited students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(f) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020; and

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

(4) Nothing contained in this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(5)(a) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of one hundred eighty school days per school year according to the implementation schedule under RCW 28A.150.315.

(b) Schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as required in the parent involvement component of the inventory.

(c) In the case of students who are graduating from high school, a school district may schedule the last five school days of the one hundred eighty day school year for noninstructional purposes including, but not limited to, the observance of graduation and early release from school upon the request of a student. All such students may be claimed as a full-time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260. Any hours scheduled by a

school district for noninstructional purposes during the last five school days for such students shall count toward the instructional hours requirement in subsection (2) (a) of this section.

(6) Subject to RCW 28A.150.--- (section 401 of this act), nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish.

Sec. 405. RCW 28A.500.010 and 1999 c 317 s 1 are each amended to read as follows: LOCAL EFFORT ASSISTANCE FUNDING MAY BE USED FOR ENRICHMENT ONLY.

Commencing with calendar year 2000, in addition to a school district's other general fund allocations, each eligible district shall be provided local effort assistance funds. The purpose of these funds is to mitigate the effect that above average property tax rates might have on the ability of a school district to raise local revenues to supplement the state's basic program of education. These funds serve to equalize the property tax rates that individual taxpayers would pay for such levies and to provide tax relief to taxpayers in high tax rate school districts. Such funds are not part of the district's basic education allocation, and pursuant to RCW 28A.150.--- (section 401 of this act), beginning September 1, 2019, local effort assistance funding may be used only to enrich the state's statutory program of basic education by supplementing the minimum instructional offerings of RCW 28A.150.220 or RCW 28A.15.260 or the staffing ratios of RCW 28A.150.260 (as amended by sections 301 and 302 of this act).

NEW SECTION. Sec. 406. A new section is added to chapter 43.09 RCW to read as follows:

AUDITOR REVIEWS USE OF LOCAL REVENUES FOR COMPLIANCE WITH ENRICHMENT REQUIREMENTS.

(1) Beginning with the 2019-20 school year, to ensure that school district local revenues are used solely for purposes of enriching the state's statutory program of basic education, the state auditor's regular financial audits of school districts must include a review of the expenditure of school district local revenues for compliance with RCW 28A.150.-- (section 401 of this act), including any supplemental contracts entered into under RCW 28A.400.200 as amended by section 104 of this act.

(2) If an audit results in findings that a school district has failed to comply with these requirements, then within ninety days of completing the audit the auditor must report the findings to the superintendent of public instruction, the office of financial management, and the appropriate policy and fiscal committees of the legislature."

Renumber remaining parts and sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Manweller and McDonald spoke in favor of the adoption of the amendment.

Representative Sullivan spoke against the adoption of the amendment.

Amendment (027) was not adopted.

Representative Stokesbary moved the adoption of amendment (029):

On page 13, line 24, after "2019," strike "twenty-seven" and insert "twenty-two"

On page 13, line 25, after "2020," strike "twenty-six" and insert "sixteen"

On page 13, line 26, after "thereafter," strike "twenty-four" and insert "ten"

On page 14, line 19, after "and" strike "twenty-four" and insert "ten"

On page 14, line 22, after "and" strike "twenty-four" and insert "ten"

On page 15, line 38, after "(i)" strike "Thirteen and one-half" and insert "Eleven"

On page 15, line 39, after "(iii)" strike "Thirteen" and insert "Eight"

On page 16, line 1, after "(iv)" strike "Twelve" and insert "Five"

Representatives Stokesbary, J. Walsh, Pike, DeBolt and Muri spoke in favor of the adoption of the amendment.

Representatives Lytton, Senn and Sullivan spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (029) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Rodne.

Amendment (029) was not adopted.

Representative Manweller moved the adoption of amendment (028):

On page 19, line 6, after "(b)" insert "(i)"

On page 19, after line 11, insert the following:

"(ii) Funding for average class sizes in this subsection (4)(b) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

(iii) Districts that demonstrate capital facility needs that prevent them from reducing actual class size in grades K-3 may use funding allocated pursuant to this subsection (4)(b) for school-based personnel who provide direct services to students. Districts that use this funding for purposes other than reducing actual class sizes must annually report the number and dollar value for each type of

personnel funded by school and grade level.

(iv) The office of the superintendent of public instruction shall develop rules to implement this subsection (4)(b)."

Representatives Manweller, Sullivan and Maycumber spoke in favor of the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (028) and the amendment was adopted by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

Amendment (028) was adopted.

Representative Hargrove moved the adoption of amendment (026):

On page 20, line 12 after "(5)" strike "(a)"

On page 20, at the beginning of line 33, strike all material through "1.0." on page 21, line 14

On page 21, line 33, after "(b)" strike "and (c)" and insert "((and (c))) , (c) and (d)"

On page 22, line 15, after "year," insert "through the 2019-20 school year,"

On page 22, line 29, after "(c)" insert "Beginning with the 2020-21 school year, the minimum allocation for maintenance, supplies, and operating costs must be increased to one-thousand four-hundred nine dollars, after which the allocations must be adjusted annually for inflation as specified in the omnibus appropriations act.

(d) "

On page 23, line 5, after "(9)" strike "In" and insert "(a) Until school year 2020-21, in"

On page 23, at the beginning of line 8, strike "(a)" and insert "((a)) (i)"

On page 23, at the beginning of line 10, strike "(b)" and insert "((b)) (ii)"

On page 23, at the beginning of line 12, strike "(c)" and insert "((c)) (iii)"

On page 23, after line 13, insert the following:

"(b) Beginning with the 2019-20 school year, in addition to the amounts provided in subsection (8) of this section for materials, supplies, and operating costs, the following minimum allocation must be provided for each full-time equivalent student enrolled in each of the following:

(i) Exploratory career and technical education courses for students in grades seven through twelve and preparatory career and technical education courses for students in grades nine through twelve offered in a high school at a rate equal to 2.459 times the general education amounts provided in subsection (8)(b) of this section that have been adjusted by inflation; and

(ii) Preparatory career and technical education courses for students in grades eleven and twelve offered through a skill center at a rate equal to 2.187 times the general education amounts provided in subsection (8)(b) of this section that have been adjusted by inflation.

(c) Beginning with the 2020-21 school year, in addition to the amounts provided in subsection (8) of this section for materials, supplies, and operating costs, the following minimum allocation must be provided for each full-time equivalent student enrolled in each of the following:

(i) Exploratory career and technical education courses for students in grades seven through twelve and preparatory career and technical education courses for students in grades nine through twelve offered in a high school at a rate equal to 2.459 times the general education amounts provided in subsection (8)(c) of this section that have been adjusted by inflation; and

(ii) Preparatory career and technical education courses for students in grades eleven and twelve offered through a skill center at a rate equal to 2.187 times the general education amounts provided in subsection (8)(c) of this section that have been adjusted by inflation."

On page 30, line 19, after "(b)" strike "and (c)" and insert "(and (c)) , (c) and (d)"

On page 31, line 1, after "year," insert "through the 2019-20 school year,"

On page 31, line 15, after "(c)" insert "Beginning with the 2020-21 school year, the minimum allocation for maintenance, supplies, and operating costs must be increased to one-thousand four-hundred nine dollars, after which the allocations must be adjusted annually for inflation as specified in the omnibus appropriations act.

(d) "

On page 31, line 29, after "(9)" strike "In" and insert "(a) Until school year 2020-21, in"

On page 31, at the beginning of line 32, strike "(a)" and insert "((a)) (i)"

On page 31, at the beginning of line 34, strike "(b)" and insert "((b)) (ii)"

On page 31, at the beginning of line 36, strike "(c)" and insert "((c)) (iii)"

On page 31, after line 37, insert the following:

"(b) Beginning with the 2019-20 school year, in addition to the amounts provided in subsection (8) of this section for materials, supplies, and operating costs, the following minimum allocation must be provided for each full-time equivalent student enrolled in each of the following:

(i) Exploratory career and technical education courses for students in grades seven through twelve and preparatory career and technical education courses for students in grades nine through twelve offered in a high school at a rate equal to 2.459 times the general education amounts provided in subsection (8)(b) of this section that have been adjusted by inflation; and

(ii) Preparatory career and technical education courses for students in grades eleven and twelve offered

through a skill center at a rate equal to 2.187 times the general education amounts provided in subsection (8)(b) of this section that have been adjusted by inflation.

(c) Beginning with the 2020-21 school year, in addition to the amounts provided in subsection (8) of this section for materials, supplies, and operating costs, the following minimum allocation must be provided for each full-time equivalent student enrolled in each of the following:

(i) Exploratory career and technical education courses for students in grades seven through twelve and preparatory career and technical education courses for students in grades nine through twelve offered in a high school at a rate equal to 2.459 times the general education amounts provided in subsection (8)(c) of this section that have been adjusted by inflation; and

(ii) Preparatory career and technical education courses for students in grades eleven and twelve offered through a skill center at a rate equal to 2.187 times the general education amounts provided in subsection (8)(c) of this section that have been adjusted by inflation."

Representatives Hargrove, Barkis, Orcutt, Pike and Irwin spoke in favor of the adoption of the amendment.

Representatives Ortiz-Self and Sullivan spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (026) and the amendment was not adopted by the following vote: Yeas, 46; Nays, 50; Absent, 1; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn,

Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Absent: Representative DeBolt.
Excused: Representative Rodne.

Amendment (026) was not adopted.

Representative Stambaugh moved the adoption of amendment (033):

On page 35, after line 32, insert the following:

"(4) (a) Using the data reported under subsection (2) of this section, the state board of education must establish annual performance metrics for each school district to determine whether the district is making meaningful and substantial progress toward meeting long-term performance goals.

(b) Beginning February 1, 2020, and each February 1 thereafter, the superintendent must determine whether each district is making meaningful and substantial progress according to the performance metrics.

(c) If the superintendent determines that a district has failed to make meaningful and substantial progress, then the superintendent must provide notice to the school district of this finding, and the district is subject to the required action plan provisions of RCW 28A.657.040 through 28A.657.100."

Representatives Stambaugh, Caldier and Manweller spoke in favor of the adoption of the amendment.

Representatives Santos and Farrell spoke against the adoption of the amendment.

Amendment (033) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Sullivan spoke in favor of the passage of the bill.

Representatives Harris and Smith spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1843.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1843, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba,

Lovick, Lytton, Macri, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1843, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2106, by Representatives Koster, Hudgins, Taylor and Shea

Concerning election year restrictions on state legislators.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2106 was substituted for House Bill No. 2106 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2106 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Koster, Hudgins and Manweller spoke in favor of the passage of the bill.

Representative Stambaugh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2106.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2106, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri,

Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Stambaugh.

Excused: Representative Rodne.

SUBSTITUTE HOUSE BILL NO. 2106, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 1843 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1843, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1843, on reconsideration, and the bill passed the House by the following vote: Yeas, 50; Nays, 47; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Rodne.

SUBSTITUTE HOUSE BILL NO. 1843, on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1530, and the bill was referred to the Committee on Transportation.

There being no objection, HOUSE BILL NO. 1419 was referred to the Committee on Rules.

There being no objection, the House adjourned until 9:55 a.m., February 23, 2017, the 46th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FORTY SIXTH DAY

House Chamber, Olympia, Thursday, February 23, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

February 22, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5272,
SUBSTITUTE SENATE BILL NO. 5790,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2131 by Representatives Hudgins, Morris, Clibborn and Tarleton

AN ACT Relating to the regulation of autonomous vehicles; and adding a new chapter to Title 46 RCW.

Referred to Committee on Transportation.

HB 2132 by Representatives Harmsworth and Muri

AN ACT Relating to the valuation of motor vehicles for purposes of certain motor vehicle excise taxes; amending RCW 81.104.160 and 82.44.035; and creating a new section.

Referred to Committee on Transportation.

SSB 5272 by Senate Committee on Law & Justice (originally sponsored by Senators Saldaña, Hasegawa, Ranker, Chase, Hunt, Darneille, Wellman, Keiser, Cleveland, Takko and Kuderer)

AN ACT Relating to vacating convictions arising from offenses committed as a result of being a victim of

trafficking, promoting prostitution, or promoting commercial sexual abuse of a minor; amending RCW 9.96.070; and reenacting and amending RCW 9.96.060.

Referred to Committee on Public Safety.

SSB 5790 by Senate Committee on Local Government (originally sponsored by Senators Short, Sheldon, Angel and Wilson)

AN ACT Relating to the economic development element of the growth management act; amending RCW 36.70A.070; adding a new section to chapter 36.70A RCW; and creating new sections.

Referred to Committee on Environment.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 20, 2017

HB 1105 Prime Sponsor, Representative Stanford: Concerning passenger-carrying vehicles for railroad employees. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Chapman; Gregerson; Hayes; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Stambaugh; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Pike; Shea; Van Werven and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Harmsworth, Assistant Ranking Minority Member and Irwin.

Passed to Committee on Rules for second reading.

February 21, 2017

HB 1320 Prime Sponsor, Representative Reeves: licensing. Reported by Committee on
Concerning certain gold star license plate Transportation
qualified applicants and recipients.
Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

HB 1481 Prime Sponsor, Representative Hayes: February 20, 2017
Creating uniformity in driver training
education provided by school districts and
commercial driver training schools.
Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Passed to Committee on Rules for second reading.

HB 1742 Prime Sponsor, Representative Stambaugh: February 20, 2017
Modifying the motor vehicle transporter's
license to accommodate automotive repair
facilities. Reported by Committee on
Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Passed to Committee on Rules for second reading.

HB 1656 Prime Sponsor, Representative Dent: February 20, 2017
Establishing a community aviation
revitalization loan program. Reported by
Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representative Kloba.

Passed to Committee on Rules for second reading.

HB 1860 Prime Sponsor, Representative Fey: February 21, 2017
Concerning population-based
representation on the governing body of
public transportation benefit areas.
Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Hayes; Irwin; Pike; Shea; Stambaugh; Van Werven and Young.

Passed to Committee on Rules for second reading.

HB 1722 Prime Sponsor, Representative Kirby: February 21, 2017
Eliminating wholesale vehicle dealer

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., February 24, 2017, the 47th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FORTY SEVENTH DAY

House Chamber, Olympia, Friday, February 24, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Reeves presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

February 23, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5037,
 SUBSTITUTE SENATE BILL NO. 5081,
 SENATE BILL NO. 5125,
 SUBSTITUTE SENATE BILL NO. 5152,
 SENATE BILL NO. 5177,
 SENATE BILL NO. 5268,
 SUBSTITUTE SENATE BILL NO. 5301,
 SENATE BILL NO. 5306,
 SUBSTITUTE SENATE BILL NO. 5374,
 SENATE BILL NO. 5436,
 SENATE BILL NO. 5442,
 SENATE BILL NO. 5488,
 SUBSTITUTE SENATE BILL NO. 5764,

and the same are herewith transmitted.

Pablo G. Campos, Deputy Secretary

February 23, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5106,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5552,

and the same are herewith transmitted.

Pablo G. Campos, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2133 by Representatives J. Walsh, Blake, Kraft, MacEwen, Griffey, Barkis, Stambaugh, Van Werven, Buys, Haler and Muri

AN ACT Relating to encouraging the economic vitality of rural food and forest product businesses; amending RCW 70.95.300, 36.70A.177, 70.146.070, and 43.160.060; adding a new section to chapter 15.04 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 2134 by Representatives Tarleton and Frame

AN ACT Relating to creating a limited purpose state public development advisory committee; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5037 by Senators Padden, Frockt, O'Ban, Darneille, Miloscia, Kuderer, Zeiger, Carlyle, Pearson, Conway, Rolfes, Palumbo, Angel and Wellman

AN ACT Relating to making a fourth driving under the influence offense a felony; amending RCW 46.61.502, 46.61.504, and 46.61.5054; reenacting and amending RCW 46.61.5055 and 9.94A.515; and prescribing penalties.

Referred to Committee on Appropriations.

SSB 5081 by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen and Miloscia)

AN ACT Relating to adoption of the revised uniform law on notarial acts; amending RCW 9.97.020, 18.235.010, 18.235.020, 19.34.340, 19.154.060, 43.24.150, 64.08.060, and 64.08.070; adding a new chapter to Title 42 RCW; repealing RCW 42.44.010, 42.44.020, 42.44.030, 42.44.050, 42.44.060, 42.44.070, 42.44.080, 42.44.090, 42.44.100, 42.44.110, 42.44.120, 42.44.130, 42.44.140, 42.44.150, 42.44.160, 42.44.170, 42.44.180, 42.44.190, 42.44.200, 42.44.210, 42.44.220, 42.44.221, 42.44.900, 42.44.901, and 42.44.903; and providing an effective date.

Referred to Committee on Judiciary.

ESSB 5106 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senator O'Ban)

AN ACT Relating to clarifying obligations under the involuntary treatment act; amending RCW 71.05.201, 71.05.203, 71.05.203, 71.05.590, 71.05.590, 71.05.590, 71.05.154, and 71.05.154; reenacting and amending RCW 71.05.201; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Appropriations.

SSB 5152 by Senate Committee on Health Care (originally sponsored by Senators Fain, Keiser, Rivers, Becker, Palumbo and Kuderer)

AN ACT Relating to pediatric transitional care services; amending RCW 71.12.455; adding new sections to chapter 71.12 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

SB 5177 by Senators Bailey, Keiser, Palumbo and Conway

AN ACT Relating to requiring long-term care workers to be trained to recognize hearing loss; and amending RCW 74.39A.074.

Referred to Committee on Health Care & Wellness.

SB 5268 by Senators Takko, Chase, Warnick, Schoesler, King, Sheldon, Saldaña, Cleveland, Pearson, Honeyford, Hawkins, Wilson, Becker and Hasegawa

AN ACT Relating to notice to the licensee before a concealed pistol license expires; and amending RCW 9.41.070.

Referred to Committee on Appropriations.

SSB 5301 by Senate Committee on State Government (originally sponsored by Senators Miloscia, Hunt, Hasegawa, Chase and Conway)

AN ACT Relating to the inclusion of willful violations of chapters 49.46, 49.48, and 49.52 RCW to the state's responsible bidder criteria; amending RCW 39.04.350 and 39.26.160; and creating a new section.

Referred to Committee on Capital Budget.

SB 5306 by Senators Rolfes and Takko

AN ACT Relating to secondary commercial fish receivers; and amending RCW 77.15.568.

Referred to Committee on Agriculture & Natural Resources.

SSB 5374 by Senate Committee on Law & Justice (originally sponsored by Senators Becker, Bailey, Rivers, Brown, Miloscia, O'Ban, Warnick, Angel, Honeyford, Padden and Braun)

AN ACT Relating to state employee whistleblower protection; and amending RCW 42.40.010 and 42.40.020.

Referred to Committee on State Government, Elections & Information Technology.

SB 5436 by Senators Becker, Cleveland, Frockt and Keiser

AN ACT Relating to expanding patient access to health services through telemedicine by further defining where a patient may receive the service; amending RCW 48.43.735, 41.05.700, and 74.09.325; and providing an effective date.

Referred to Committee on Health Care & Wellness.

SB 5442 by Senators Fortunato and Pedersen

AN ACT Relating to expanding the permitted uses of surplus funds from boater education card fees to certain boating safety programs and activities; and amending RCW 79A.60.630, 79A.60.650, and 79A.60.640.

Referred to Committee on Appropriations.

SB 5488 by Senators Zeiger, Rolfes, Chase and Saldaña

AN ACT Relating to the transitional bilingual instruction program reporting date; and amending RCW 28A.180.020.

Referred to Committee on Education.

ESSB 5552 by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen, Zeiger, Frockt, Takko, O'Ban, Fain and Hobbs)

AN ACT Relating to background checks for firearms sales or transfers, but only with respect to clarifying that the term firearm does not include flare guns and construction tools, clarifying that the term transfer does not include transfers between an entity and its employee or agents for lawful purposes in the ordinary course of business, defining licensed collector and curio or relic, expanding the family member exemption to include loans and parents-in-law and siblings-in-law, providing an exemption for temporary transfers for the purpose of preventing suicide or self-inflicted great bodily harm, providing an exemption for licensed collectors when the firearm is a curio or relic, and providing an exemption for temporary transfers where the transferee and the firearm are in the presence of the transferor; and amending RCW 9.41.010 and 9.41.113.

Referred to Committee on Judiciary.

SSB 5764 by Senate Committee on Higher Education (originally sponsored by Senators Wellman, Hasegawa and Rolfes)

AN ACT Relating to higher education records; reenacting and amending RCW 42.56.240; adding a new section to chapter 28B.112 RCW; and creating a new section.

Referred to Committee on Higher Education.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 21, 2017

HB 1041 Prime Sponsor, Representative Clibborn: Facilitating compliance with the federal REAL ID act by modifying driver's license and identicaid design and fees. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Hayes; Irwin; Pike; Shea; Stambaugh; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1166 Prime Sponsor, Representative Griffey: Concerning fire protection district tax levies. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Condotta.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1201 Prime Sponsor, Representative Stonier: Concerning the taxing authority of public

facilities districts. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Condotta.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1210 Prime Sponsor, Representative Farrell: Strengthening funding for oil spill programs in Washington by increasing revenue to the oil spill prevention account. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Dolan; Pollet; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Stokesbary and Wilcox.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 1321 Prime Sponsor, Representative Jenkin: Concerning certain public facilities district's authorization to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1391 Prime Sponsor, Representative DeBolt: Concerning a property tax exemption for land owned by a nonprofit organization and designated as a master planned location for major industrial activity. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1663 Prime Sponsor, Representative Peterson: Concerning imposing a surtax on the possession of hazardous substances. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Dolan; Pollet; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Stokesbary and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1808 Prime Sponsor, Representative Clibborn: Providing support for foster youth in obtaining drivers' licenses and automobile liability insurance. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1877 Prime Sponsor, Representative Stanford: Concerning the release of driving record abstract information affecting registered tow truck operators. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

February 21, 2017

HB 1905 Prime Sponsor, Representative Orcutt: Modifying the volume limitation for certain vessels exempt from the pilotage act. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1958 Prime Sponsor, Representative Harmsworth: Prohibiting the imposition of regional transit authority property taxes on less than a whole parcel. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 2001 Prime Sponsor, Representative Nealey: Concerning taxes on in-state broadcasters. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 2041 Prime Sponsor, Representative Koster: Making existing local government authority to seek voter approval to raise property tax revenue more useful. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Condotta.

MINORITY recommendation: Without recommendation. Signed by Representative Stokesbary.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 2087 Prime Sponsor, Representative Stambaugh: Concerning worker safety on roadways and roadsides. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 2095 Prime Sponsor, Representative Wylie: Concerning preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Hayes; Irwin; Pike; Shea; Stambaugh; Van Werven and Young.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports, under the fifth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES 1st SUPPLEMENTAL

February 21, 2017

HB 1046

Prime Sponsor, Representative MacEwen: Concerning certificates of academic and individual achievement. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Stokesbary, Assistant Ranking Minority Member; Buys; Lytton and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1047 Prime Sponsor, Representative Peterson: Protecting the public's health by creating a system for safe and secure collection and disposal of unwanted medications. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Manweller and Springer.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1055 Prime Sponsor, Representative Kilduff: Concerning pro bono legal services for military service members, veterans, and their families. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member;

Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

HB 1063

February 23, 2017
 Prime Sponsor, Representative Morris:
 Allowing federally recognized tribes with lands held in trust in a county that is west of the Cascade mountain range that borders Puget Sound with a population of at least one hundred eighteen thousand, but less than two hundred fifty thousand, persons to enter into agreements regarding fuel taxes.
 Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Hayes; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Irwin; Pike; Shea; Stambaugh; Van Werven and Young.

Referred to Committee on Rules for second reading.

HB 1070

February 21, 2017
 Prime Sponsor, Representative Jinkins:
 Concerning filing fee surcharges for funding dispute resolution centers.
 Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member and Manweller.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1109

Prime Sponsor, Representative Orwall:
 Supporting victims of sexual assault.
 Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

HB 1115

February 21, 2017
 Prime Sponsor, Representative Bergquist:
 Concerning paraeducators. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Taylor and Vick.

Referred to Committee on Rules for second reading.

HB 1116

February 22, 2017
 Prime Sponsor, Representative Robinson:
 Implementing family and medical leave insurance. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys;

Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1140 Prime Sponsor, Representative Jinkins:
 Extending surcharges on court filing fees
 for deposit in the judicial stabilization trust
 account to July 1, 2021. Reported by
 Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by
 Representatives Ormsby, Chair; Robinson, Vice Chair;
 MacEwen, Assistant Ranking Minority Member;
 Stokesbary, Assistant Ranking Minority Member;
 Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Harris;
 Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey;
 Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford;
 Sullivan; Tharinger; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by
 Representatives Chandler, Ranking Minority Member;
 Buys; Condotta; Haler; Schmick; Taylor and Volz.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1144 Prime Sponsor, Representative Fitzgibbon:
 Amending state greenhouse gas emission
 limits for consistency with the most recent
 assessment of climate change science.
 Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute
 bill be substituted therefor and the second substitute bill
 do pass and do not pass the substitute bill by Committee
 on Environment. Signed by Representatives Ormsby,
 Chair; Robinson, Vice Chair; Bergquist; Cody;
 Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton;
 Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford;
 Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by
 Representatives Chandler, Ranking Minority Member;
 MacEwen, Assistant Ranking Minority Member;
 Stokesbary, Assistant Ranking Minority Member; Buys;
 Caldier; Condotta; Haler; Harris; Nealey; Schmick;
 Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without
 recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1155 Prime Sponsor, Representative Griffey:
 Making felony sex offenses a crime that
 may be prosecuted at any time after its
 commission. Reported by Committee on
 Appropriations

MAJORITY recommendation: The substitute bill by
 Committee on Public Safety be substituted therefor and
 the substitute bill do pass. Signed by Representatives
 Ormsby, Chair; Robinson, Vice Chair; Chandler,
 Ranking Minority Member; MacEwen, Assistant
 Ranking Minority Member; Stokesbary, Assistant
 Ranking Minority Member; Bergquist; Buys; Caldier;
 Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris;
 Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew;
 Sawyer; Schmick; Senn; Springer; Sullivan; Tharinger;
 Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by
 Representatives Nealey; Pollet and Taylor.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1170 Prime Sponsor, Representative Orwall:
 Maintaining and facilitating court-based
 and school-based efforts to promote
 attendance and reduce truancy. Reported
 by Committee on Appropriations

MAJORITY recommendation: The second substitute
 bill be substituted therefor and the second substitute bill
 do pass and do not pass the substitute bill by Committee
 on Judiciary. Signed by Representatives Ormsby, Chair;
 Robinson, Vice Chair; Chandler, Ranking Minority
 Member; MacEwen, Assistant Ranking Minority
 Member; Stokesbary, Assistant Ranking Minority
 Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen;
 Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller;
 Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer;
 Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by
 Representatives Buys; Condotta; Haler; Schmick;
 Taylor; Vick and Volz.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1183 Prime Sponsor, Representative McBride:
 Authorizing specified local governments,
 including municipalities and federally
 recognized Indian tribes, that typically
 have limited access to economic
 development resources, to designate a
 portion of their territory as a creative
 district subject to certification by the
 Washington state arts commission.
 Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Ormsby, Chair; Robinson,
 Vice Chair; Bergquist; Caldier; Cody; Fitzgibbon;
 Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton;
 Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer;
 Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Nealey; Schmick; Taylor; Vick and Volz.

Referred to Committee on Rules for second reading.

HB 1186 February 22, 2017
 Prime Sponsor, Representative Santos:
 Concerning the provision of and reimbursement for certain court interpreter services. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Calder; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

HB 1196 February 22, 2017
 Prime Sponsor, Representative Goodman:
 Modifying the process for prevailing parties to recover judgments in small claims court. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Condotta and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Stokesbary, Assistant Ranking Minority Member and Manweller.

Referred to Committee on Rules for second reading.

HB 1205 February 23, 2017
 Prime Sponsor, Representative Young:
 Providing a right of first repurchase for surplus transportation property. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

HB 1237 February 22, 2017
 Prime Sponsor, Representative Sells:
 Modifying collective bargaining law to authorize providing additional compensation to academic employees at community and technical colleges. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Calder; Condotta; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

HB 1258 February 21, 2017
 Prime Sponsor, Representative McCabe:
 Concerning persons with a disability present at the scene of an accident. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1266 Prime Sponsor, Representative Peterson:
 Concerning petroleum storage tank
 systems. Reported by Committee on
 Appropriations

MAJORITY recommendation: The substitute bill by Committee on Environment be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1291 Prime Sponsor, Representative Santos:
 Concerning health care for Pacific
 Islanders residing in Washington under a
 compact of free association. Reported by
 Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Calder; Condotta; Haler; Harris; Manweller; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1298 Prime Sponsor, Representative Ortiz-Self:
 Prohibiting employers from asking about
 arrests or convictions before an applicant is
 determined otherwise qualified for a

position. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Calder; Condotta; Haler; Harris; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1325 Prime Sponsor, Representative Tharinger:
 Concerning the evaluation and
 prioritization of capital budget projects at
 the public two-year and four-year
 institutions of higher education. Reported
 by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1338 Prime Sponsor, Representative Cody:
 Addressing the Washington state health
 insurance pool. Reported by Committee on
 Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Taylor.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

HB 1343 February 9, 2017
 Prime Sponsor, Representative Wylie: Modifying the Washington main street program by increasing the total amount of tax credits allowed under the program and making administrative changes to the program. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

HB 1347 February 23, 2017
 Prime Sponsor, Representative Riccelli: Concerning the creation of a countywide port district within a county containing no port districts. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Condotta.

Referred to Committee on Rules for second reading.

HB 1351 February 22, 2017
 Prime Sponsor, Representative Sawyer: Authorizing, under one license, the sale of spirits, beer, and wine at retail for off-premises consumption. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Commerce & Gaming. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

HB 1359 February 21, 2017
 Prime Sponsor, Representative Jinkins: Concerning notice of charity care availability at time of billing and collection. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Haler; Harris; Schmick; Taylor; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Stokesbary, Assistant Ranking Minority Member; Manweller; Nealey and Vick.

Referred to Committee on Rules for second reading.

HB 1366 February 21, 2017
 Prime Sponsor, Representative Ortiz-Self: Concerning family reunification in the child welfare process. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member and Manweller.

Referred to Committee on Rules for second reading.

HB 1376 February 22, 2017
 Prime Sponsor, Representative Peterson: Concerning paint stewardship. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Environment be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1402 Prime Sponsor, Representative Jinkins: Concerning the rights and obligations associated with incapacitated persons and other vulnerable adults. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1406 Prime Sponsor, Representative Barkis: Adjusting the surface mining funding structure. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Harris and Taylor.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1407 Prime Sponsor, Representative Blake: Concerning expiration dates affecting the department of natural resources' contract harvesting program. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1410 Prime Sponsor, Representative Doglio: Authorizing certain public transportation benefit areas to impose a sales and use tax increase approved by voters. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Riccelli; Stambaugh; Tarleton; Young Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Hayes; Irwin; Pellicciotti; Pike; Shea and Van Werven.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 1421 Prime Sponsor, Representative Smith: Concerning the removal of payment credentials and other sensitive data from state data networks. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 1432 Prime Sponsor, Representative Robinson: Concerning foundational public health

services. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

HB 1434 February 21, 2017
 Prime Sponsor, Representative Robinson: Adding the use of shared leave for employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive, or foster child. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on State Government, Elections & Information Technology be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Stokesbary, Assistant Ranking Minority Member; Manweller and Nealey.

Referred to Committee on Rules for second reading.

HB 1452 February 23, 2017
 Prime Sponsor, Representative Holy: Concerning the opportunity scholarship program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority

Member; Bergquist; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Nealey; Schmick; Taylor and Vick.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1456 Prime Sponsor, Representative Kloba: Concerning metropolitan park districts. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta; Stokesbary and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1461 Prime Sponsor, Representative Sawyer: Creating a voluntary marijuana production standard and certification program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1462 Prime Sponsor, Representative Kloba: Adding authority to the department of agriculture to regulate sanitary processing of marijuana-infused edibles. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Gaming be substituted therefor and the substitute bill do pass. Signed by

Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1467 Prime Sponsor, Representative Stokesbary: Removing disincentives to the voluntary formation of regional fire protection service authorities by establishing parity, equalizing certain provisions with existing laws governing fire protection districts, and clarifying the formation process. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1482 Prime Sponsor, Representative Sawyer: Establishing the legislative-executive WorkFirst poverty reduction oversight task force. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Calder; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives MacEwen, Assistant Ranking Minority Member Stokesbary, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1490 Prime Sponsor, Representative Fey: Eliminating the requirement that a city or town provide preservation rating information on a certain percentage of its arterial network. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1495 Prime Sponsor, Representative Fey: Incentivizing the development of commercial office space in cities with a population of greater than fifty thousand and located in a county with a population of less than one million five hundred thousand. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1508 Prime Sponsor, Representative Stonier: Promoting student health and readiness through meal and nutrition programs. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Appropriations be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Calder; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Haler; Schmick; Taylor; Vick and Volz.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1512 Prime Sponsor, Representative Bergquist:
 Expanding college bound scholarship
 eligibility. Reported by Committee on
 Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1513 Prime Sponsor, Representative Bergquist:
 Concerning the collection of youth voter
 registration sign up information. Reported
 by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Stambaugh; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Hayes; Irwin; Shea; Van Werven and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Pike.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1520 Prime Sponsor, Representative Tharinger:
 Allowing alternative payment
 methodologies for critical access hospitals
 participating in the Washington rural health
 access preservation pilot. Reported by
 Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1521 Prime Sponsor, Representative Dolan:
 Removing the requirement that an
 employee must work at least six months
 before taking vacation leave. Reported by
 Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on State Government, Elections & Information Technology be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1524 Prime Sponsor, Representative Kloba:
 Increasing success in therapeutic courts.
 Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1526 Prime Sponsor, Representative Griffey: Exempting multipurpose senior citizen centers from property taxation. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1530 Prime Sponsor, Representative Gregerson: Grandfathering the accrual of vacation leave above the statutory maximum for certain employees of the Washington state ferries. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 1561 Prime Sponsor, Representative Frame: Concerning open educational resources. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1566 Prime Sponsor, Representative Pellicciotti: Concerning the definition of work activity for the purposes of the WorkFirst program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Harris; Taylor and Vick.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1571 Prime Sponsor, Representative Reeves: Creating a community care and supportive services program for veterans. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 1603 Prime Sponsor, Representative Kilduff: Updating the child support economic table based on recommendations of the child support work group. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Haler; Schmick and Taylor.

Referred to Committee on Rules for second reading.

HB 1604 February 21, 2017
 Prime Sponsor, Representative Pettigrew:
 Concerning expanding the permitted uses
 of surplus funds from boater education card
 fees to certain boating safety programs and
 activities. Reported by Committee on
 Appropriations

MAJORITY recommendation: Do pass. Signed by
 Representatives Ormsby, Chair; Robinson, Vice Chair;
 Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins;
 Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer;
 Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by
 Representatives Chandler, Ranking Minority Member;
 MacEwen, Assistant Ranking Minority Member;
 Stokesbary, Assistant Ranking Minority Member; Buys;
 Caldier; Condotta; Haler; Harris; Nealey; Schmick;
 Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without
 recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

HB 1612 February 22, 2017
 Prime Sponsor, Representative Orwall:
 Creating a suicide-safer homes project
 account to support prevention efforts and
 develop strategies for reducing access to
 lethal means. (REVISED FOR PASSED
 LEGISLATURE: Creating a suicide-safer
 homes task force and project to support
 prevention efforts and develop strategies
 for reducing access to lethal means.)
 Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute
 bill be substituted therefor and the second substitute bill
 do pass and do not pass the substitute bill by Committee
 on Judiciary. Signed by Representatives Ormsby, Chair;
 Robinson, Vice Chair; MacEwen, Assistant Ranking
 Minority Member; Stokesbary, Assistant Ranking
 Minority Member; Bergquist; Buys; Caldier; Cody;
 Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins;
 Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet;
 Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger;
 Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by
 Representatives Chandler, Ranking Minority Member;
 Condotta; Schmick and Taylor.

MINORITY recommendation: Without
 recommendation. Signed by Representative Vick.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1614 Prime Sponsor, Representative Goodman:
 Concerning impaired driving. Reported by
 Committee on Transportation

MAJORITY recommendation: The second substitute
 bill be substituted therefor and the second substitute bill
 do pass and do not pass the substitute bill by Committee
 on Public Safety. Signed by Representatives Clibborn,
 Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt,
 Ranking Minority Member; Hargrove, Assistant
 Ranking Minority Member; Harmsworth, Assistant
 Ranking Minority Member; Chapman; Gregerson;
 Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-
 Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh;
 Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

HB 1624 February 21, 2017
 Prime Sponsor, Representative Senn:
 Concerning working connections child care
 eligibility for vulnerable children.
 Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Ormsby, Chair; Robinson,
 Vice Chair; MacEwen, Assistant Ranking Minority
 Member; Stokesbary, Assistant Ranking Minority
 Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen;
 Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller;
 Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford;
 Sullivan; Tharinger and Volz.

MINORITY recommendation: Do not pass. Signed by
 Representatives Chandler, Ranking Minority Member;
 Buys; Condotta; Haler; Nealey; Schmick; Taylor; Vick
 and Wilcox.

Referred to Committee on Rules for second reading.

HB 1655 February 23, 2017
 Prime Sponsor, Representative Lovick:
 Providing industrial insurance coverage for
 stress-caused mental disorders and
 disabilities of members of the law
 enforcement officers' and firefighters'
 retirement system. Reported by Committee
 on Appropriations

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Ormsby, Chair; Robinson,
 Vice Chair; MacEwen, Assistant Ranking Minority
 Member; Stokesbary, Assistant Ranking Minority
 Member; Bergquist; Cody; Fitzgibbon; Hansen;
 Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet;
 Sawyer; Senn; Springer; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by
 Representatives Chandler, Ranking Minority Member;

Buys; Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

treatments. Reported by Committee on Appropriations

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1673 Prime Sponsor, Representative Doglio:
 Adding training on public works and prevailing wage requirements to responsible bidder criteria. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor & Workplace Standards be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Haler; Harris; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1707 Prime Sponsor, Representative Stanford:
 Defining salary for purposes of the Washington state patrol retirement system. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Caldier; Condotta; Harris; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives MacEwen, Assistant Ranking Minority Member and Nealey.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1711 Prime Sponsor, Representative Kretz:
 Prioritizing lands to receive forest health

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1713 Prime Sponsor, Representative Senn:
 Implementing recommendations from the children's mental health work group. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Harris; Manweller; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1716 Prime Sponsor, Representative Hudgins:
 Creating the construction registration inspection account as a dedicated account to fund contractor registration and compliance, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, elevators, lifting devices, and moving walks. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary,

Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 1741 Prime Sponsor, Representative Slatter: Concerning educator preparation data for use by the professional educator standards board. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Calder; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Haler; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative MacEwen, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1743 Prime Sponsor, Representative Goodman: Addressing confinement in juvenile rehabilitation facilities for juveniles convicted in adult court. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Calder; Condotta; Haler; Harris; Manweller; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1747 Prime Sponsor, Representative Taylor: Concerning the withdrawal of land from a designated classification. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1772 Prime Sponsor, Representative Appleton: Increasing the personal needs allowance for persons receiving state-financed care. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Condotta; Haler and Taylor.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1777 Prime Sponsor, Representative Kagi: Concerning the financing of early learning facilities. Reported by Committee on Capital Budget

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; Smith, Assistant Ranking Minority Member; Johnson; Kraft; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Dye and Koster.

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt, Ranking Minority Member and MacEwen.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1783 Prime Sponsor, Representative Holy:
 Concerning legal financial obligations.
 Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 1787 Prime Sponsor, Representative Hudgins:
 Providing oversight of the state
 procurement and contracting for
 information technology goods and
 services. Reported by Committee on
 Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1789 Prime Sponsor, Representative Jinkins:
 Concerning rehabilitated offenders.
 Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Haler; Harris; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1792 Prime Sponsor, Representative Kagi:
 Establishing a fee for certification for the
 residential services and supports program
 to cover investigative costs. Reported by
 Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 1796 Prime Sponsor, Representative Farrell:
 Providing reasonable accommodations in
 the workplace for pregnant women.
 Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

HB 1802 February 22, 2017
 Prime Sponsor, Representative Reeves:
 Increasing the access of veterans, military
 service members, and military spouses to
 shared leave in state employment.
 Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute
 bill be substituted therefor and the second substitute bill
 do pass and do not pass the substitute bill by Committee
 on Community Development, Housing & Tribal Affairs.
 Signed by Representatives Ormsby, Chair; Robinson,
 Vice Chair; Chandler, Ranking Minority Member;
 MacEwen, Assistant Ranking Minority Member;
 Stokesbary, Assistant Ranking Minority Member;
 Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon;
 Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton;
 Manweller; Nealey; Pettigrew; Pollet; Sawyer;
 Schmick; Senn; Springer; Stanford; Sullivan; Tharinger;
 Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by
 Representative Taylor.

Referred to Committee on Rules for second reading.

HB 1819 February 21, 2017
 Prime Sponsor, Representative Dent:
 Reducing certain documentation and
 paperwork requirements in order to
 improve children's mental health and
 safety. Reported by Committee on
 Appropriations

MAJORITY recommendation: The second substitute
 bill be substituted therefor and the second substitute bill
 do pass and do not pass the substitute bill by Committee
 on Early Learning & Human Services. Signed by
 Representatives Ormsby, Chair; Robinson, Vice Chair;
 Chandler, Ranking Minority Member; MacEwen,
 Assistant Ranking Minority Member; Stokesbary,
 Assistant Ranking Minority Member; Bergquist; Buys;
 Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen;
 Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller;
 Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn;
 Springer; Stanford; Sullivan; Taylor; Tharinger; Vick;
 Volz and Wilcox.

Referred to Committee on Rules for second reading.

HB 1820 February 23, 2017
 Prime Sponsor, Representative Volz:
 Concerning the maintenance and
 operations of parks and recreational land
 acquired through the conservation futures
 program. Reported by Committee on
 Finance

MAJORITY recommendation: The substitute bill by
 Committee on Environment be substituted therefor and
 the substitute bill do pass. Signed by Representatives

Lytton, Chair; Frame, Vice Chair; Nealey, Ranking
 Minority Member; Orcutt, Assistant Ranking Minority
 Member; Condotta; Dolan; Pollet; Springer; Stokesbary;
 Wilcox and Wylie.

Referred to Committee on Rules for second reading.

HB 1838 February 22, 2017
 Prime Sponsor, Representative Schmick:
 Concerning the crossing of certain public
 roadways by wheeled all-terrain vehicles.
 Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass.
 Signed by Representatives Clibborn, Chair; Orcutt,
 Ranking Minority Member; Hargrove, Assistant
 Ranking Minority Member; Harmsworth, Assistant
 Ranking Minority Member; Chapman; Gregerson;
 Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-
 Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Van
 Werven; Young Farrell, Member.

MINORITY recommendation: Do not pass. Signed by
 Representatives Wylie, Vice Chair and Tarleton.

MINORITY recommendation: Without
 recommendation. Signed by Representative Fey, Vice
 Chair.

Referred to Committee on Rules for second reading.

HB 1849 February 23, 2017
 Prime Sponsor, Representative Sells:
 Addressing compliance with
 apprenticeship utilization requirements.
 Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by
 Representatives Tharinger, Chair; Doglio, Vice Chair;
 Peterson, Vice Chair; Macri; Morris; Reeves; Riccelli;
 Ryu; Sells; Stonier and Walsh, J..

MINORITY recommendation: Do not pass. Signed by
 Representatives Dye; Johnson; Koster; MacEwen and
 Steele.

MINORITY recommendation: Without
 recommendation. Signed by Representatives DeBolt,
 Ranking Minority Member; Smith, Assistant Ranking
 Minority Member and Kraft.

Referred to Committee on Rules for second reading.

HB 1851 February 23, 2017
 Prime Sponsor, Representative Dolan:
 Protecting taxpayers by providing for
 accountability and transparency in
 government contracting. Reported by
 Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Hayes; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Irwin; Pike; Shea; Stambaugh; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 1858 Prime Sponsor, Representative Sawyer: Increasing marijuana license fees and adding a temporary additional fee on marijuana licenses issued by the Washington state liquor and cannabis board. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Condotta; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Haler; Harris; Manweller; Schmick; Taylor; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Vick.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 1863 Prime Sponsor, Representative Gregerson: Concerning the national fire incident reporting system. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 1867 Prime Sponsor, Representative Fey: Improving transitions in extended foster care to increase housing stability for foster youth. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Condotta; Haler; Manweller; Schmick and Taylor.

Referred to Committee on Rules for second reading.

February 21, 2017

HB 1873 Prime Sponsor, Representative Hudgins: Concerning lead-based paint certification fees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1909 Prime Sponsor, Representative Appleton: Authorizing the use of automated license plate recognition systems. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Riccelli; Shea; Tarleton; Young Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Hayes; Pike and Stambaugh.

MINORITY recommendation: Without recommendation. Signed by Representative Irwin.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1912 Prime Sponsor, Representative Ryu: Improving the community economic revitalization board program. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Dye; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Assistant Ranking Minority Member; Johnson and Koster.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1923 Prime Sponsor, Representative Blake: Concerning school construction assistance grants for small, rural school districts. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1929 Prime Sponsor, Representative Hudgins: Concerning independent security testing of state agencies' information technology systems and infrastructure by the military department. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on State Government, Elections & Information Technology. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority

Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1936 Prime Sponsor, Representative Hudgins: Including willful violations of certain state laws to the state's responsible bidder criteria. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Johnson; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Dye; Koster and MacEwen.

MINORITY recommendation: Without recommendation. Signed by Representative Kraft.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1980 Prime Sponsor, Representative Blake: Creating a low-income home rehabilitation revolving loan program. Reported by Committee on Capital Budget

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

February 23, 2017

HB 1995 Prime Sponsor, Representative Pettigrew: Concerning the rehabilitation of historic buildings. Reported by Committee on Capital Budget

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; Johnson; Macri; Morris; Reeves; Riccelli; Ryu; Sells and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Dye; Koster; MacEwen; Steele and Walsh, J..

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member and Kraft.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 2003 Prime Sponsor, Representative Kloba: Allowing special parking privileges for certain organizations that dispatch taxicab vehicles or vehicles for hire that transport persons with disabilities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 2005 Prime Sponsor, Representative Lytton: Improving the business climate in this state by simplifying the administration of municipal general business licenses. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 2006 Prime Sponsor, Representative Koster: Providing cities and counties flexibility with existing resources. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Buys; Condotta; Manweller; Taylor and Vick.

Referred to Committee on Rules for second reading.

February 21, 2017
HB 2008 Prime Sponsor, Representative Kagi: Addressing the budgeting process for core state services for children. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Haler; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member and Manweller.

Referred to Committee on Rules for second reading.

February 22, 2017
HB 2009 Prime Sponsor, Representative Reeves: Providing higher education support for gold star families. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

February 23, 2017
HB 2015 Prime Sponsor, Representative Pettigrew: Modifying the lodging excise tax to remove the exemption for premises with fewer than sixty lodging units and to tax certain vacation rentals, short-term home-sharing

arrangements, and other compensated use or occupancy of dwellings. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Wilcox.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 2021 Prime Sponsor, Representative Farrell: Authorizing the sale of marijuana plants and seeds to qualifying patients and designated providers. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Commerce & Gaming be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 2052 Prime Sponsor, Representative Buys: Concerning recertification of public bodies using alternative contracting methods. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

February 21, 2017

HB 2058 Prime Sponsor, Representative Harmsworth: Creating procedures for the redemption of certain vehicles that are towed from accident scenes by registered tow truck companies when the vehicle owner is admitted as a patient in a hospital due to the accident. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice

Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 22, 2017

HB 2066 Prime Sponsor, Representative Kretz: Authorizing the creation of regional transportation planning organizations by large counties. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

February 23, 2017

HB 2121 Prime Sponsor, Representative Pettigrew: Repealing income eligibility for temporary assistance for needy families benefits for a child who lives with a nonparent caregiver. (REVISED FOR ENGROSSED: Revising income eligibility for temporary assistance for needy families benefits for a child who lives with a nonparent caregiver.) Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Haler; Harris; Manweller; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives MacEwen, Assistant Ranking Minority Member and Nealey.

Referred to Committee on Rules for second reading.

February 23, 2017

HJM 4010 Prime Sponsor, Representative Morris: Requesting that the Blanchard State Forest

be renamed the "Harriet A. Spanel-Blanchard State Forest." Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele and Stonier.

MINORITY recommendation: Do not pass. Signed by Representative Walsh, J..

Referred to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES 2nd SUPPLEMENTAL

February 24, 2017

HB 1060 Prime Sponsor, Representative Blake: Concerning the administration of marijuana to students for medical purposes. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Calder and Nealey.

MINORITY recommendation: Without recommendation. Signed by Representative Bergquist.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1076 Prime Sponsor, Representative Graves: Permitting the donation of home-prepared foods to charitable organizations. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Kagi; Manweller; Nealey; Pettigrew; Pollet; Sawyer;

Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Hudgins; Jinkins and Lytton.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1120 Prime Sponsor, Representative Smith: Concerning the regulatory fairness act. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1129 Prime Sponsor, Representative Haler: Providing associate degree education to enhance education opportunities and public safety. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Calder; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Schmick and Taylor.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1168 Prime Sponsor, Representative Gregerson: Supporting student success at community and technical colleges by increasing full-time faculty. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill

do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1169 Prime Sponsor, Representative Orwall: Enacting the student opportunity, assistance, and relief act. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1280 Prime Sponsor, Representative Kagi: Including referred and diverted youth in establishing community juvenile accountability program guidelines. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Caldier; Condotta; Haler; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1314 Prime Sponsor, Representative Caldier: Concerning health care authority auditing practices. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1322 Prime Sponsor, Representative Kilduff: Reducing training requirements for developmental disability respite providers working three hundred hours or less in any calendar year. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1341 Prime Sponsor, Representative Bergquist: Concerning professional certification for teachers and school administrators. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking

Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1357 Prime Sponsor, Representative Sawyer:
Concerning tribal-state relations. Reported
by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1358 Prime Sponsor, Representative Griffey:
Concerning reimbursement for services
provided pursuant to community assistance
referral and education services programs.
Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Caldier; Condotta; Nealey; Taylor and Vick.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1375 Prime Sponsor, Representative Van
Werven: Providing students at community
and technical colleges with the costs of

required course materials. Reported by
Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Without
recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1388 Prime Sponsor, Representative Cody:
Changing the designation of the state
behavioral health authority from the
department of social and health services to
the health care authority and transferring
the related powers, functions, and duties to
the health care authority and the
department of health. Reported by
Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Caldier; Condotta; Schmick; Taylor and Volz.

MINORITY recommendation: Without
recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1420 Prime Sponsor, Representative Hudgins:
Concerning theatrical wrestling. Reported
by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Business & Financial Services be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member;

MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Taylor.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1426 Prime Sponsor, Representative Robinson: Concerning persons and entities to whom the department of health may provide prescription monitoring program data. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Vick.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Schmick; Taylor; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1433 Prime Sponsor, Representative Stambaugh: Decoupling services and activities fees from tuition. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Schmick and Taylor.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1439 Prime Sponsor, Representative Pollet: Regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business practices. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1440 Prime Sponsor, Representative Stonier: Establishing a student loan bill of rights. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1445 Prime Sponsor, Representative Ortiz-Self: Concerning dual language in early learning and K-12 education. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Condotta;

Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Haler; Manweller; Nealey; Schmick; Taylor; Vick and Volz.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1486 Prime Sponsor, Representative Gregerson: Creating the Washington wage recovery act. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor & Workplace Standards be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Calder; Condotta; Haler; Harris; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Manweller and Nealey.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1488 Prime Sponsor, Representative Hansen: Expanding higher education opportunities for certain students. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Calder; Condotta; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1501 Prime Sponsor, Representative Hansen: Protecting law enforcement and the public from persons who illegally attempt to obtain firearms. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Calder; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Schmick and Taylor.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1506 Prime Sponsor, Representative Senn: Addressing workplace practices to achieve gender pay equity. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Calder; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Condotta; Haler; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1540 Prime Sponsor, Representative Santos: Providing public notices of public health, safety, and welfare in a language other than English. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton;

Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

food policy forum. Reported by Committee on Appropriations

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

Referred to Committee on Rules for second reading.

February 24, 2017
HB 1541 Prime Sponsor, Representative Robinson: Addressing prescription drug cost transparency. Reported by Committee on Appropriations

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

February 24, 2017
HB 1570 Prime Sponsor, Representative Macri: Concerning access to homeless housing and assistance. Reported by Committee on Appropriations

Referred to Committee on Rules for second reading.

MAJORITY recommendation: The substitute bill by Committee on Community Development, Housing & Tribal Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

February 23, 2017
HB 1548 Prime Sponsor, Representative Schmick: Concerning curricula for persons in long-term care facilities with behavioral health needs. Reported by Committee on Appropriations

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 24, 2017
HB 1562 Prime Sponsor, Representative Gregerson: Continuing the work of the Washington

February 24, 2017
HB 1594 Prime Sponsor, Representative McBride: Improving public records administration. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Haler; Taylor; Vick and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1600 Prime Sponsor, Representative Santos: Increasing the career and college readiness of public school students. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1661 Prime Sponsor, Representative Kagi: Creating the department of children, youth, and families. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Vick.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick; Taylor; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1679 Prime Sponsor, Representative Goodman: Issuing a two-year identicard for offenders released from prison facilities. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet;

Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1714 Prime Sponsor, Representative Cody: Concerning nursing staffing practices at hospitals. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Caldier; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Haler and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1715 Prime Sponsor, Representative Riccelli: Addressing meal and rest breaks and mandatory overtime for certain health care employees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1739 Prime Sponsor, Representative Gregerson: Concerning the crime victims' compensation program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Schmick; Taylor and Vick.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1782 Prime Sponsor, Representative Stonier: Concerning dental laboratories. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1825 Prime Sponsor, Representative Senn: Extending the timeline for completing a family assessment response, allowing the department of social and health services to complete a family assessment response upon the verbal agreement of a parent to participate, and defining disqualifying crimes. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Haler;

Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1831 Prime Sponsor, Representative Pettigrew: Revising resource limitations for public assistance. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Calder; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Haler; Harris; Nealey; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1884 Prime Sponsor, Representative Ryu: Modifying who is eligible for relocation assistance for tenants of closed or converted mobile home parks. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Community Development, Housing & Tribal Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Calder; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 1968 Prime Sponsor, Representative Jinkins: Limiting nursing home direct care payment adjustments to the lowest case mix weights

in the reduced physical function groups and authorizing upward adjustments to case mix weights in the cognitive and behavior groups. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 2114 Prime Sponsor, Representative Cody: Protecting consumers from charges for out-of-network health services. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Manweller; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Stokesbary, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 24, 2017

HB 2126 Prime Sponsor, Representative Blake: Creating a community-based approach to provide assistance with nonlethal management methods to reduce livestock depredations by wolves. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member;

Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

The Speaker (Representative Reeves presiding) called upon Representative Sullivan to preside.

There being no objection, the bills listed on the day's first and second supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1377, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Capital Budget was relieved of HOUSE BILL NO. 1861, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the suspension calendar:

HOUSE BILL NO. 1100
HOUSE BILL NO. 1274
HOUSE BILL NO. 1346
HOUSE BILL NO. 1401
HOUSE BILL NO. 1411
HOUSE BILL NO. 1515
HOUSE BILL NO. 1618
HOUSE BILL NO. 1623
HOUSE BILL NO. 1626
HOUSE BILL NO. 1629
HOUSE BILL NO. 1640
HOUSE BILL NO. 1671
HOUSE BILL NO. 1672
HOUSE BILL NO. 1753
HOUSE BILL NO. 1813
HOUSE BILL NO. 1828
HOUSE BILL NO. 1853
HOUSE BILL NO. 1959
HOUSE BILL NO. 2087

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1017
HOUSE BILL NO. 1022
HOUSE BILL NO. 1038
HOUSE BILL NO. 1081

HOUSE BILL NO. 1095
HOUSE BILL NO. 1097
HOUSE BILL NO. 1128
HOUSE BILL NO. 1136
HOUSE BILL NO. 1153
HOUSE BILL NO. 1176
HOUSE BILL NO. 1200
HOUSE BILL NO. 1225
HOUSE BILL NO. 1232
HOUSE BILL NO. 1272
HOUSE BILL NO. 1289
HOUSE BILL NO. 1323
HOUSE BILL NO. 1344
HOUSE BILL NO. 1352
HOUSE BILL NO. 1371
HOUSE BILL NO. 1417
HOUSE BILL NO. 1431
HOUSE BILL NO. 1437
HOUSE BILL NO. 1449
HOUSE BILL NO. 1470
HOUSE BILL NO. 1494

HOUSE BILL NO. 1514
HOUSE BILL NO. 1523
HOUSE BILL NO. 1538
HOUSE BILL NO. 1547
HOUSE BILL NO. 1551
HOUSE BILL NO. 1560
HOUSE BILL NO. 1605
HOUSE BILL NO. 1627
HOUSE BILL NO. 1633
HOUSE BILL NO. 1692
HOUSE BILL NO. 1719
HOUSE BILL NO. 1731

There being no objection, the House adjourned until 9:00 a.m., February 27, 2017, the 50th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTIETH DAY

House Chamber, Olympia, Monday, February 27, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Malia Kaiser and Joseph Lowe. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Lawrence Willis, True Vine Holiness Missionary Baptist Church, Seattle, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2135 by Representatives Frame, Tarleton and Santos

AN ACT Relating to establishing a mitigation fund for businesses affected by significant pipeline accidents; amending RCW 81.88.050; reenacting and amending RCW 43.79A.040; adding a new section to chapter 43.31 RCW; and declaring an emergency.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the Committee on Technology & Economic Development.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1293, by Representatives Ortiz-Self, Caldier, Stonier, Doglio, Orwall, Senn, Tarleton, McBride, Gregerson, Kagi, Jinkins, Santos, Pollet, Bergquist, Kilduff, Young and Frame

Concerning witnessing a student's college bound scholarship pledge when efforts to obtain a parent's or guardian's signature are unsuccessful.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1293 was substituted for House Bill No. 1293 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1293 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Holy spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Hayes, Representatives Hargrove and Volz were excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1293.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1293, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Shea and Taylor.

Excused: Representatives Hargrove and Volz.

SUBSTITUTE HOUSE BILL NO. 1293, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1296, by Representatives Nealey, Springer, Harris, Vick, MacEwen, Stokesbary, Orcutt, Haler and Condotta

Consolidating and simplifying the annual report and annual survey used for economic development tax incentives.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1296 was substituted for House Bill No. 1296 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1296 was read the second time.

Representative Nealey moved the adoption of the striking amendment (020):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 82.32.534 and 2016 c 175 s 1 are each amended to read as follows:

(1) (a) (i) Beginning in calendar year 2018, every person claiming a tax preference that requires ((a)) an annual tax performance report under this section must file a complete annual report with the department. The report is due by May 31st of the year following any calendar year in which a person becomes eligible to claim the tax preference that requires a report under this section.

(ii) If the tax preference is a deferral of tax, the first annual tax performance report must be filed by May 31st of the calendar year following the calendar year in which the investment project is certified by the department as operationally complete, and an annual tax performance report must be filed by May 31st of each of the seven succeeding calendar years.

(iii) The department may extend the due date for timely filing of annual reports under this section as provided in RCW 82.32.590.

(b) The report must include information detailing employment ((7)) and wages ((7) and employer provided health and retirement benefits)) for employment positions in Washington for the year that the tax preference was claimed. However, persons engaged in manufacturing commercial airplanes or components of such airplanes may report employment, wage, and benefit information per job at the manufacturing site for the year that the tax preference was claimed. The report must not include names of employees. The report must also detail employment by the total number of

full-time, part-time, and temporary positions for the year that the tax preference was claimed. In lieu of reporting employment and wage data required under this subsection, taxpayers may instead opt to allow the employment security department to release the same employment and wage information from unemployment insurance records to the department and the joint legislative audit and review committee. This option is intended to reduce the reporting burden for taxpayers, and each taxpayer electing to use this option must affirm that election in accordance with procedures approved by the employment security department.

(c) Persons receiving the benefit of the tax preference provided by RCW 82.16.0421 or claiming any of the tax preferences provided by RCW 82.04.2909, 82.04.4481, 82.08.805, 82.12.805, or 82.12.022(5) must indicate on the annual report the quantity of product produced in this state during the time period covered by the report.

(d) If a person filing a report under this section did not file a report with the department in the previous calendar year, the report filed under this section must also include employment, wage, and benefit information for the calendar year immediately preceding the calendar year for which a tax preference was claimed.

(2) (a) As part of the annual report, the department and the joint legislative audit and review committee may request additional information necessary to measure the results of, or determine eligibility for, the tax preference.

(b) The report must include the amount of the tax preference claimed for the calendar year covered by the report. For a person that claimed an exemption provided in RCW 82.08.025651 or 82.12.025651, the report must include the amount of tax exempted under those sections in the prior calendar year for each general area or category of research and development for which exempt machinery and equipment and labor and services were acquired in the prior calendar year.

(3) Other than information requested under subsection (2) (a) of this section, the information contained in an annual report filed under this section is not subject to the confidentiality provisions of RCW 82.32.330 and may be disclosed to the public upon request.

(4) (a) Except as otherwise provided by law, if a person claims a tax

preference that requires an annual report under this section but fails to submit a complete report by the due date or any extension under RCW 82.32.590, the department must declare:

(i) Thirty-five percent of the amount of the tax preference claimed for the previous calendar year to be immediately due and payable; ~~((and))~~

(ii) An additional fifteen percent of the amount of the tax preference claimed for the previous calendar year to be immediately due and payable if the person has previously been assessed under this subsection (4) for failure to submit a report under this section for the same tax preference; and

(iii) If the tax preference is a deferral of tax, the amount immediately due under this subsection is twelve and one-half percent of the deferred tax. If the economic benefits of the deferral are passed to a lessee, the lessee is responsible for payment to the extent the lessee has received the economic benefit.

(b) The department may not assess interest or penalties on amounts due under this subsection.

(5) The department must use the information from this section to prepare summary descriptive statistics by category. No fewer than three taxpayers may be included in any category. The department must report these statistics to the legislature each year by December 31st.

(6) For the purposes of this section:

(a) "Person" has the meaning provided in RCW 82.04.030 and also includes the state and its departments and institutions.

(b) "Tax preference" has the meaning provided in RCW 43.136.021 and includes only the tax preferences requiring a ~~((survey))~~ report under this section.

NEW SECTION. Sec. 2. RCW 82.32.585 (Annual survey requirement for tax preferences) and 2016 c 175 s 2, 2014 c 97 s 103, 2011 c 23 s 6, & 2010 c 114 s 102 are each repealed.

Sec. 3. RCW 82.32.590 and 2011 c 174 s 306 are each amended to read as follows:

(1) If the department finds that the failure of a taxpayer to file an annual ~~((survey under RCW 82.32.585 or annual))~~ tax performance report under RCW

82.32.534 by the due date was the result of circumstances beyond the control of the taxpayer, the department must extend the time for filing the ~~((survey or))~~ tax performance report. The extension is for a period of thirty days from the date the department issues its written notification to the taxpayer that it qualifies for an extension under this section. The department may grant additional extensions as it deems proper.

(2) In making a determination whether the failure of a taxpayer to file an ~~((annual survey or))~~ annual tax performance report by the due date was the result of circumstances beyond the control of the taxpayer, the department must be guided by rules adopted by the department for the waiver or cancellation of penalties when the underpayment or untimely payment of any tax was due to circumstances beyond the control of the taxpayer.

(3) (a) Subject to the conditions in this subsection (3), a taxpayer who fails to file an annual tax performance report ~~((or annual survey))~~ required under subsection (1) of this section by the due date of the report ~~((or survey))~~ is entitled to an extension of the due date. A request for an extension under this subsection (3) must be made in writing to the department.

(b) To qualify for an extension under this subsection (3), a taxpayer must have filed all annual tax performance reports ~~((and surveys))~~, if any, due in prior years under subsection (1) of this section by their respective due dates, beginning with annual reports ~~((and surveys))~~ due in calendar year 2010.

(c) An extension under this subsection (3) is for ninety days from the original due date of the annual tax performance report ~~((or survey))~~.

(d) No taxpayer may be granted more than one ninety-day extension under this subsection (3).

Sec. 4. RCW 82.32.600 and 2010 c 114 s 136 are each amended to read as follows:

(1) Persons required to file annual ~~((surveys or annual reports under RCW 82.32.534 or 82.32.585))~~ tax performance reports under RCW 82.32.534 must electronically file with the department all ~~((surveys,))~~ reports, returns, and any other forms or information the department requires in an electronic format as provided or approved by the

department. As used in this section, "returns" has the same meaning as "return" in RCW 82.32.050.

(2) Any (~~survey~~) report, return, or any other form or information required to be filed in an electronic format under subsection (1) of this section is not filed until received by the department in an electronic format.

(3) The department may waive the electronic filing requirement in subsection (1) of this section for good cause shown.

Sec. 5. RCW 82.32.605 and 2013 2nd sp.s. c 13 s 1004 are each amended to read as follows:

(1) Every taxpayer claiming an exemption under RCW 82.08.956 or 82.12.956 must file with the department a complete annual (~~survey as required under RCW 82.32.595~~) tax performance report under RCW 82.32.534, except that the taxpayer must file a separate (~~survey~~) tax performance report for each facility owned or operated in the state of Washington.

(2) This section expires June 30, 2024.

Sec. 6. RCW 82.32.607 and 2013 2nd sp.s. c 13 s 1503 are each amended to read as follows:

Every taxpayer claiming an exemption under RCW 82.08.962 or 82.12.962 must file with the department a complete annual (~~survey as required under RCW 82.32.595~~) tax performance report under RCW 82.32.534, except that the taxpayer must file a separate (~~survey~~) tax performance report for each facility owned or operated in the state of Washington developed with machinery, equipment, services, or labor for which the exemption under RCW 43.136.058, 82.08.962, and 82.12.962 is claimed.

Sec. 7. RCW 82.32.710 and 2010 c 114 s 137 are each amended to read as follows:

(1) A client under the terms of a professional employer agreement is deemed to be the sole employer of a covered employee for purposes of eligibility for any tax credit, exemption, or other tax incentive, arising as the result of the employment of covered employees, provided in RCW 82.04.4333, 82.04.44525, 82.04.448,

82.04.4483, 82.08.965, 82.12.965, 82.16.0495, or 82.60.049 or chapter 82.62 or 82.70 RCW, or any other provision in this title. A client, and not the professional employer organization, is entitled to the benefit of any tax credit, exemption, or other tax incentive arising as the result of the employment of covered employees of that client.

(2) A client under the terms of a professional employer agreement is deemed to be the sole employer of a covered employee for purposes of tax performance reports (~~or surveys~~) that require the reporting of employment information relating to covered employees of the client, as provided in RCW 82.32.534 (~~or 82.32.595~~). A client, and not the professional employer organization, is required to complete any (~~survey or~~) tax performance report that requires the reporting of employment information relating to covered employees of that client.

(3) For the purposes of this section, "client," "covered employee," "professional employer agreement," and "professional employer organization" have the same meanings as in RCW 82.04.540.

Sec. 8. RCW 82.32.808 and 2013 2nd sp.s. c 13 s 1702 are each amended to read as follows:

(1) As provided in this section, every bill enacting a new tax preference must include a tax preference performance statement, unless the legislation enacting the new tax preference contains an explicit exemption from the requirements of this section.

(2) A tax preference performance statement must state the legislative purpose for the new tax preference. The tax preference performance statement must indicate one or more of the following general categories, by reference to the applicable category specified in this subsection, as the legislative purpose of the new tax preference:

(a) Tax preferences intended to induce certain designated behavior by taxpayers;

(b) Tax preferences intended to improve industry competitiveness;

(c) Tax preferences intended to create or retain jobs;

(d) Tax preferences intended to reduce structural inefficiencies in the tax structure;

(e) Tax preferences intended to provide tax relief for certain businesses or individuals; or

(f) A general purpose not identified in (a) through (e) of this subsection.

(3) In addition to identifying the general legislative purpose of the tax preference under subsection (2) of this section, the tax preference performance statement must provide additional detailed information regarding the legislative purpose of the new tax preference.

(4) A new tax preference performance statement must specify clear, relevant, and ascertainable metrics and data requirements that allow the joint legislative audit and review committee and the legislature to measure the effectiveness of the new tax preference in achieving the purpose designated under subsection (2) of this section.

(5) If the tax preference performance statement for a new tax preference indicates a legislative purpose described in subsection (2) (b) or (c) of this section, any taxpayer claiming the new tax preference must file an annual ~~((survey))~~ tax performance report in accordance with RCW ~~((82.32.585))~~ 82.32.534.

(6) (a) Taxpayers claiming a new tax preference must report the amount of the tax preference claimed by the taxpayer to the department as otherwise required by statute or determined by the department as part of the taxpayer's regular tax reporting responsibilities. For new tax preferences allowing certain types of gross income of the business to be excluded from business and occupation or public utility taxation, the tax return must explicitly report the amount of the exclusion, regardless of whether it is structured as an exemption or deduction, if the taxpayer is otherwise required to report taxes to the department on a monthly or quarterly basis. For a new sales and use tax exemption, the total ~~((sales or uses))~~ purchase price or value of the exempt product or service subject to the exemption claimed by the buyer must be reported on an addendum to the buyer's tax return if the buyer is otherwise required to report taxes to the department on a monthly or quarterly basis and the buyer is required to submit an exemption certificate, or similar document, to the seller.

(b) This subsection does not apply to:

(i) Property tax exemptions;

(ii) Tax preferences required by constitutional law;

(iii) Tax preferences for which the tax benefit to the taxpayer is less than one thousand dollars per calendar year; or

(iv) Taxpayers who are annual filers.

(c) The department may waive the filing requirements of this subsection for taxpayers who are not required to file electronically any return ~~((T))~~ or report ~~((T or survey))~~ under this chapter.

(7) (a) Except as otherwise provided in this subsection, the amount claimed by a taxpayer for any new tax preference is subject to public disclosure and is not considered confidential tax information under RCW 82.32.330, if the reporting periods subject to disclosure ended at least twenty-four months prior to the date of disclosure and the taxpayer is required to report the amount of the tax preference claimed by the taxpayer to the department under subsection (6) of this section.

(b) (i) The department may waive the public disclosure requirement under (a) of this subsection (7) for good cause. Good cause may be demonstrated by a reasonable showing of economic harm to a taxpayer if the information specified under this subsection is disclosed. The waiver under this subsection (7) (b) (i) only applies to the new tax preferences provided in chapter 13, Laws of 2013 2nd sp. sess.

(ii) The amount of the tax preference claimed by a taxpayer during a calendar year is confidential under RCW 82.32.330 and may not be disclosed under this subsection if the amount for the calendar year is less than ten thousand dollars.

(c) In lieu of the disclosure and waiver requirements under this subsection, the requirements under RCW ~~((82.32.585))~~ 82.32.534 apply to any tax preference that requires a ~~((survey))~~ tax performance report.

(8) If a new tax preference does not include the information required under subsections (2) through (4) of this section ~~((T))~~:

(a) RCW 82.32.808, this subsection, and subsections (6) and (7) of this section apply, except to the extent that the legislation enacting the new preference contains an explicit exemption from these requirements; and

(b) The joint legislative audit and review committee is not required to

perform a tax preference review under chapter 43.136 RCW, and it is legislatively presumed that it is the intent of the legislature to allow the new tax preference to expire upon its scheduled expiration date.

(9) For the purposes of this section, "tax preference" and "new tax preference" have the same meaning as provided in RCW 82.32.805.

Sec. 9. RCW 82.04.240 and 2010 c 114 s 104 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a manufacturer, except persons taxable as manufacturers under other provisions of this chapter; as to such persons the amount of the tax with respect to such business is equal to the value of the products, including byproducts, manufactured, multiplied by the rate of 0.484 percent.

(2)(a) Upon every person engaging within this state in the business of manufacturing semiconductor materials, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured, or, in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.275 percent. For the purposes of this subsection "semiconductor materials" means silicon crystals, silicon ingots, raw polished semiconductor wafers, compound semiconductors, integrated circuits, and microchips.

(b) A person reporting under the tax rate provided in this subsection (2) must file a complete annual tax performance report with the department under RCW 82.32.534.

(c) This subsection (2) expires twelve years after the effective date of this act.

(3) The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 10. RCW 82.04.2404 and 2010 c 114 s 105 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing or processing for hire

semiconductor materials, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured, or, in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.275 percent.

(2) For the purposes of this section "semiconductor materials" means silicon crystals, silicon ingots, raw polished semiconductor wafers, and compound semiconductor wafers.

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

(4) This section expires December 1, 2018.

Sec. 11. RCW 82.04.260 and 2015 3rd sp.s. c 6 s 602 and 2015 3rd sp.s. c 6 s 205 are each reenacted and amended to read as follows:

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

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

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

(c) (i) (~~Beginning July 1, 2025~~) Except as provided otherwise in (c) (iii) of this subsection, from July 1, 2025, until January 1, 2036, dairy products; or

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

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

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

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

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

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

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

(e) Until July 1, 2009, alcohol fuel, biodiesel fuel, or biodiesel feedstock, as those terms are defined in RCW 82.29A.135; as to such persons the amount of tax with respect to the business is equal to the value of alcohol fuel, biodiesel fuel, or biodiesel feedstock manufactured, multiplied by the rate of 0.138 percent; and

(f) Wood biomass fuel as defined in RCW 82.29A.135; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of 0.138 percent.

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

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

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

(5) Upon every person engaging within this state in the business of acting as a travel agent or tour operator; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

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

gross income derived from such activities multiplied by the rate of 0.275 percent.

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

(8) (a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 43.200 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities

both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

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

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

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

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

(ii) 0.2904 percent beginning July 1, 2007.

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

manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of 0.2904 percent.

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

(d) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection (11) must file a complete annual tax performance report with the department under RCW 82.32.534.

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

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

(12)(a) Until July 1, 2024, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(b) Until July 1, 2024, upon every person engaging within this state in the business of manufacturing or processing for hire: (i) Timber into timber products or wood products; or (ii) timber products into other timber products or wood products; as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross

income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(c) Until July 1, 2024, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; or (iii) wood products manufactured by that person from timber or timber products; as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber, timber products, or wood products multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(d) Until July 1, 2024, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection (12)(d), "selling standing timber" means the sale of timber apart from the land, where the buyer is required to sever the timber within thirty months from the date of the original contract, regardless of the method of payment for the timber and whether title to the timber transfers before, upon, or after severance.

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

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

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

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

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

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

(v) "Timber products" means:

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

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

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

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

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection (12) must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534.

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

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

(b) A person reporting under the tax rate provided in this subsection (14)

must file a complete annual tax performance report with the department under RCW 82.32.534.

Sec. 12. RCW 82.04.2909 and 2015 3rd sp.s. c 6 s 502 are each amended to read as follows:

(1) Upon every person who is an aluminum smelter engaging within this state in the business of manufacturing aluminum; as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of .2904 percent.

(2) Upon every person who is an aluminum smelter engaging within this state in the business of making sales at wholesale of aluminum manufactured by that person, as to such persons the amount of tax with respect to such business is equal to the gross proceeds of sales of the aluminum multiplied by the rate of .2904 percent.

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

(4) This section expires January 1, 2027.

Sec. 13. RCW 82.04.426 and 2010 c 114 s 110 are each amended to read as follows:

(1) The tax imposed by RCW 82.04.240(2) does not apply to any person in respect to the manufacturing of semiconductor microchips.

(2) For the purposes of this section:

(a) "Manufacturing semiconductor microchips" means taking raw polished semiconductor wafers and embedding integrated circuits on the wafers using processes such as masking, etching, and diffusion; and

(b) "Integrated circuit" means a set of microminiaturized, electronic circuits.

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

(4) This section expires nine years after the effective date of this act.

Sec. 14. RCW 82.04.4277 and 2016 sp.s. c 29 s 532 are each amended to read as follows:

(1) A health or social welfare organization may deduct from the measure of tax amounts received as compensation for providing mental health services or chemical dependency services under a government-funded program.

(2) A behavioral health organization may deduct from the measure of tax amounts received from the state of Washington for distribution to a health or social welfare organization that is eligible to deduct the distribution under subsection (1) of this section.

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

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

(a) "Chemical dependency" has the same meaning as provided in RCW 70.96A.020.

(b) "Health or social welfare organization" has the meaning provided in RCW 82.04.431.

(c) "Mental health services" and "behavioral health organization" have the meanings provided in RCW 71.24.025.

(5) This section expires January 1, 2020.

Sec. 15. RCW 82.04.4461 and 2013 3rd sp.s. c 2 s 9 are each amended to read as follows:

(1)(a)(i) In computing the tax imposed under this chapter, a credit is allowed for each person for qualified aerospace product development. For a person who is a manufacturer or processor for hire of commercial airplanes or components of such airplanes, credit may be earned for expenditures occurring after December 1, 2003. For all other persons, credit may be earned only for expenditures occurring after June 30, 2008.

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

(b) Before July 1, 2005, any credits earned under this section must be accrued and carried forward and may not be used until July 1, 2005. These carryover credits may be used at any time thereafter, and may be carried over until

used. Refunds may not be granted in the place of a credit.

(2) The credit is equal to the amount of qualified aerospace product development expenditures of a person, multiplied by the rate of 1.5 percent.

(3) Except as provided in subsection (1)(b) of this section the credit must be claimed against taxes due for the same calendar year in which the qualified aerospace product development expenditures are incurred. Credit earned on or after July 1, 2005, may not be carried over. The credit for each calendar year may not exceed the amount of tax otherwise due under this chapter for the calendar year. Refunds may not be granted in the place of a credit.

(4) Any person claiming the credit must file a form prescribed by the department that must include the amount of the credit claimed, an estimate of the anticipated aerospace product development expenditures during the calendar year for which the credit is claimed, an estimate of the taxable amount during the calendar year for which the credit is claimed, and such additional information as the department may prescribe.

(5) The definitions in this subsection apply throughout this section.

(a) "Aerospace product" has the meaning given in RCW 82.08.975.

(b) "Aerospace product development" means research, design, and engineering activities performed in relation to the development of an aerospace product or of a product line, model, or model derivative of an aerospace product, including prototype development, testing, and certification. The term includes the discovery of technological information, the translating of technological information into new or improved products, processes, techniques, formulas, or inventions, and the adaptation of existing products and models into new products or new models, or derivatives of products or models. The term does not include manufacturing activities or other production-oriented activities, however the term does include tool design and engineering design for the manufacturing process. The term does not include surveys and studies, social science and humanities research, market research or testing, quality control, sale promotion and service, computer software developed for internal use, and research in areas such as improved style, taste, and seasonal design.

(c) "Qualified aerospace product development" means aerospace product development performed within this state.

(d) "Qualified aerospace product development expenditures" means operating expenses, including wages, compensation of a proprietor or a partner in a partnership as determined by the department, benefits, supplies, and computer expenses, directly incurred in qualified aerospace product development by a person claiming the credit provided in this section. The term does not include amounts paid to a person or to the state and any of its departments and institutions, other than a public educational or research institution to conduct qualified aerospace product development. The term does not include capital costs and overhead, such as expenses for land, structures, or depreciable property.

(e) "Taxable amount" means the taxable amount subject to the tax imposed in this chapter required to be reported on the person's tax returns during the year in which the credit is claimed, less any taxable amount for which a credit is allowed under RCW 82.04.440.

(6) In addition to all other requirements under this title, a person claiming the credit under this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(7) Credit may not be claimed for expenditures for which a credit is claimed under RCW 82.04.4452.

(8) This section expires July 1, 2040.

Sec. 16. RCW 82.04.4463 and 2013 3rd sp.s. c 2 s 10 are each amended to read as follows:

(1) In computing the tax imposed under this chapter, a credit is allowed for property taxes and leasehold excise taxes paid during the calendar year.

(2) The credit is equal to:

(a)(i)(A) Property taxes paid on buildings, and land upon which the buildings are located, constructed after December 1, 2003, and used exclusively in manufacturing commercial airplanes or components of such airplanes; and

(B) Leasehold excise taxes paid with respect to buildings constructed after January 1, 2006, the land upon which the buildings are located, or both, if the buildings are used exclusively in manufacturing commercial airplanes or components of such airplanes; and

(C) Property taxes or leasehold excise taxes paid on, or with respect to, buildings constructed after June 30, 2008, the land upon which the buildings are located, or both, and used exclusively for aerospace product development, manufacturing tooling specifically designed for use in manufacturing commercial airplanes or their components, or in providing aerospace services, by persons not within the scope of (a)(i)(A) and (B) of this subsection (2) and are taxable under RCW 82.04.290(3), 82.04.260(11)(b), or 82.04.250(3); or

(ii) Property taxes attributable to an increase in assessed value due to the renovation or expansion, after: (A) December 1, 2003, of a building used exclusively in manufacturing commercial airplanes or components of such airplanes; and (B) June 30, 2008, of buildings used exclusively for aerospace product development, manufacturing tooling specifically designed for use in manufacturing commercial airplanes or their components, or in providing aerospace services, by persons not within the scope of (a)(ii)(A) of this subsection (2) and are taxable under RCW 82.04.290(3), 82.04.260(11)(b), or 82.04.250(3); and

(b) An amount equal to:

(i)(A) Property taxes paid, by persons taxable under RCW 82.04.260(11)(a), on machinery and equipment exempt under RCW 82.08.02565 or 82.12.02565 and acquired after December 1, 2003;

(B) Property taxes paid, by persons taxable under RCW 82.04.260(11)(b), on machinery and equipment exempt under RCW 82.08.02565 or 82.12.02565 and acquired after June 30, 2008; or

(C) Property taxes paid, by persons taxable under RCW 82.04.250(3) or 82.04.290(3), on computer hardware, computer peripherals, and software exempt under RCW 82.08.975 or 82.12.975 and acquired after June 30, 2008.

(ii) For purposes of determining the amount eligible for credit under (i)(A) and (B) of this subsection (2)(b), the amount of property taxes paid is multiplied by a fraction.

(A) The numerator of the fraction is the total taxable amount subject to the tax imposed under RCW 82.04.260(11)(a) or (b) on the applicable business activities of manufacturing commercial airplanes, components of such airplanes, or tooling specifically designed for use in the manufacturing of commercial

airplanes or components of such airplanes.

(B) The denominator of the fraction is the total taxable amount subject to the tax imposed under all manufacturing classifications in chapter 82.04 RCW.

(C) For purposes of both the numerator and denominator of the fraction, the total taxable amount refers to the total taxable amount required to be reported on the person's returns for the calendar year before the calendar year in which the credit under this section is earned. The department may provide for an alternative method for calculating the numerator in cases where the tax rate provided in RCW 82.04.260(11) for manufacturing was not in effect during the full calendar year before the calendar year in which the credit under this section is earned.

(D) No credit is available under (b)(i)(A) or (B) of this subsection (2) if either the numerator or the denominator of the fraction is zero. If the fraction is greater than or equal to nine-tenths, then the fraction is rounded to one.

(E) As used in (b)(ii)(C) of this subsection (2), "returns" means the tax returns for which the tax imposed under this chapter is reported to the department.

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

(a) "Aerospace product development" has the same meaning as provided in RCW 82.04.4461.

(b) "Aerospace services" has the same meaning given in RCW 82.08.975.

(c) "Commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(4) A credit earned during one calendar year may be carried over to be credited against taxes incurred in a subsequent calendar year, but may not be carried over a second year. No refunds may be granted for credits under this section.

(5) In addition to all other requirements under this title, a person claiming the credit under this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(6) This section expires July 1, 2040.

Sec. 17. RCW 82.04.448 and 2010 c 114 s 117 are each amended to read as follows:

(1) Subject to the limits and provisions of this section, a credit is authorized against the tax otherwise due under RCW 82.04.240(2) for persons engaged in the business of manufacturing semiconductor materials. For the purposes of this section "semiconductor materials" has the same meaning as provided in RCW 82.04.240(2).

(2)(a) The credit under this section equals three thousand dollars for each employment position used in manufacturing production that takes place in a new building exempt from sales and use tax under RCW 82.08.965 and 82.12.965. A credit is earned for the calendar year a person fills a position. Additionally a credit is earned for each year the position is maintained over the subsequent consecutive years, up to eight years. Those positions that are not filled for the entire year are eligible for fifty percent of the credit if filled less than six months, and the entire credit if filled more than six months.

(b) To qualify for the credit, the manufacturing activity of the person must be conducted at a new building that qualifies for the exemption from sales and use tax under RCW 82.08.965 and 82.12.965.

(c) In those situations where a production building in existence on the effective date of this section will be phased out of operation, during which time employment at the new building at the same site is increased, the person is eligible for credit for employment at the existing building and new building, with the limitation that the combined eligible employment not exceed full employment at the new building. "Full employment" has the same meaning as in RCW 82.08.965. The credit may not be earned until the commencement of commercial production, as that term is used in RCW 82.08.965.

(3) No application is necessary for the tax credit. The person is subject to all of the requirements of chapter 82.32 RCW. In no case may a credit earned during one calendar year be carried over to be credited against taxes incurred in a subsequent calendar year. No refunds may be granted for credits under this section.

(4) If at any time the department finds that a person is not eligible for tax credit under this section, the amount of taxes for which a credit has been claimed is immediately due. The

department must assess interest, but not penalties, on the taxes for which the person is not eligible. The interest must be assessed at the rate provided for delinquent excise taxes under chapter 82.32 RCW, is retroactive to the date the tax credit was taken, and accrues until the taxes for which a credit has been used are repaid.

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

(6) Credits may be claimed after twelve years after the effective date of this act, for those buildings at which commercial production began before twelve years after the effective date of this act, subject to all of the eligibility criteria and limitations of this section.

(7) This section expires twelve years after the effective date of this act.

Sec. 18. RCW 82.04.4481 and 2015 3rd sp.s. c 6 s 503 are each amended to read as follows:

(1) In computing the tax imposed under this chapter, a credit is allowed for all property taxes paid during the calendar year on property owned by a direct service industrial customer and reasonably necessary for the purposes of an aluminum smelter.

(2) A person claiming the credit under this section is subject to all the requirements of chapter 82.32 RCW. A credit earned during one calendar year may be carried over to be credited against taxes incurred in the subsequent calendar year, but may not be carried over a second year. Credits carried over must be applied to tax liability before new credits. No refunds may be granted for credits under this section.

(3) Credits may not be claimed under this section for property taxes levied for collection in 2027 and thereafter.

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

Sec. 19. RCW 82.04.4483 and 2010 c 114 s 119 are each amended to read as follows:

(1) Subject to the limits and provisions of this section, a credit is authorized against the tax otherwise due under this chapter for persons engaged in

a rural county in the business of manufacturing computer software or programming, as those terms are defined in this section.

(2) A person who partially or totally relocates a business from one rural county to another rural county is eligible for any new qualifying employment positions created as a result of the relocation but is not eligible to receive credit for the jobs moved from one county to the other.

(3)(a) To qualify for the credit, the qualifying activity of the person must be conducted in a rural county and the new qualified employment position must be located in the rural county.

(b) If an activity is conducted both from a rural county and outside of a rural county, the credit is available if at least ninety percent of the qualifying activity is conducted within a rural county. If the qualifying activity is a service taxable activity, the place where the work is performed is the place at which the activity is conducted.

(4)(a) The credit under this section (~~shall~~) equals one thousand dollars for each new qualified employment position created after January 1, 2004, in an eligible area. A credit is earned for the calendar year the person is hired to fill the position. Additionally a credit is earned for each year the position is maintained over the subsequent consecutive years, up to four years. The county must meet the definition of a rural county at the time the position is filled. If the county does not have a rural county status the following year or years, the position is still eligible for the remaining years if all other conditions are met.

(b) Participants who claimed credit under RCW 82.04.4456 for qualified employment positions created before December 31, 2003, are eligible to earn credit for each year the position is maintained over the subsequent consecutive years, for up to four years, which four years include any years claimed under RCW 82.04.4456. Those persons who did not receive a credit under RCW 82.04.4456 before December 31, 2003, are not eligible to earn credit for qualified employment positions created before December 31, 2003.

(c) Credit is authorized for new employees hired for new qualified employment positions created on or after January 1, 2004. New qualified employment positions filled by existing employees are eligible for the credit under this

section only if the position vacated by the existing employee is filled by a new hire. A business that is a sole proprietorship without any employees is equivalent to one employee position and this type of business is eligible to receive credit for one position.

(d) If a position is filled before July 1st, the position is eligible for the full yearly credit for that calendar year. If it is filled after June 30th, the position is eligible for half of the credit for that calendar year.

(5) No application is necessary for the tax credit. The person must keep records necessary for the department to verify eligibility under this section. This information includes information relating to description of qualifying activity conducted in the rural county and outside the rural county by the person as well as detailed records on positions and employees.

(6) If at any time the department finds that a person is not eligible for tax credit under this section, the amount of taxes for which a credit has been claimed is immediately due. The department must assess interest, but not penalties, on the taxes for which the person is not eligible. The interest must be assessed at the rate provided for delinquent excise taxes under chapter 82.32 RCW, applies retroactively to the date the tax credit was taken, and accrues until the taxes for which a credit has been used are repaid.

(7) The credit under this section may be used against any tax due under this chapter, but in no case may a credit earned during one calendar year be carried over to be credited against taxes incurred in a subsequent calendar year. A person is not eligible to receive a credit under this section if the person is receiving credit for the same position under chapter 82.62 RCW or RCW 82.04.44525 or is taking a credit under this chapter for information technology help desk services conducted from a rural county. No refunds may be granted for credits under this section.

(8) Transfer of ownership does not affect credit eligibility. However, the successive credits are available to the successor for remaining periods in the five years only if the eligibility conditions of this section are met.

(9) A person claiming a tax credit under this section must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534.

(10) As used in this section:

(a) "Computer software" has the meaning as defined in RCW 82.04.215 after June 30, 2004, and includes "software" as defined in RCW 82.04.215 before July 1, 2004.

(b) "Manufacturing" means the same as "to manufacture" under RCW 82.04.120. Manufacturing includes the activities of both manufacturers and processors for hire.

(c) "Programming" means the activities that involve the creation or modification of computer software, as that term is defined in this chapter, and that are taxable as a service under RCW 82.04.290(2) or as a retail sale under RCW 82.04.050.

(d) "Qualifying activity" means manufacturing of computer software or programming.

(e) "Qualified employment position" means a permanent full-time position doing programming of computer software or manufacturing of computer software. This excludes administrative, professional, service, executive, and other similar positions. If an employee is either voluntarily or involuntarily separated from employment, the employment position is considered filled on a full-time basis if the employer is either training or actively recruiting a replacement employee. Full-time means a position for at least thirty-five hours a week.

(f) "Rural county" means the same as in RCW 82.14.370.

(11) No credit may be taken or accrued under this section on or after January 1, 2011.

Sec. 20. RCW 82.04.449 and 2012 c 46 s 3 are each amended to read as follows:

(1) In computing the tax imposed under this chapter, a credit is allowed for participants in the Washington customized employment training program created in RCW 28B.67.020. The credit allowed under this section is equal to fifty percent of the value of a participant's payments to the employment training finance account created in RCW 28B.67.030. If a participant in the program does not meet the requirements of RCW 28B.67.020(2)(b)(ii), the participant must remit to the department the value of any credits taken plus interest. The credit earned by a participant in one calendar year may be carried over to be credited against taxes incurred in a subsequent calendar year.

No credit may be allowed for repayment of training allowances received from the Washington customized employment training program on or after July 1, 2021.

(2) A person claiming the credit provided in this section must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534.

Sec. 21. RCW 82.08.805 and 2015 3rd sp.s. c 6 s 504 are each amended to read as follows:

(1) A person who has paid tax under RCW 82.08.020 for personal property used at an aluminum smelter, tangible personal property that will be incorporated as an ingredient or component of buildings or other structures at an aluminum smelter, or for labor and services rendered with respect to such buildings, structures, or personal property, is eligible for an exemption from the state share of the tax in the form of a credit, as provided in this section. A person claiming an exemption must pay the tax and may then take a credit equal to the state share of retail sales tax paid under RCW 82.08.020. The person must submit information, in a form and manner prescribed by the department, specifying the amount of qualifying purchases or acquisitions for which the exemption is claimed and the amount of exempted tax.

(2) For the purposes of this section, "aluminum smelter" has the same meaning as provided in RCW 82.04.217.

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

(4) Credits may not be claimed under this section for taxable events occurring on or after January 1, 2027.

Sec. 22. RCW 82.08.965 and 2010 c 114 s 123 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to charges made for labor and services rendered in respect to the constructing of new buildings used for the manufacturing of semiconductor materials, to sales of tangible personal property that will be incorporated as an ingredient or component of such buildings during the course of the constructing, or to labor and services rendered in respect to installing, during the course of

constructing, building fixtures not otherwise eligible for the exemption under RCW 82.08.02565(2)(b). The exemption is available only when the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(2) To be eligible under this section the manufacturer or processor for hire must meet the following requirements for an eight-year period, such period beginning the day the new building commences commercial production, or a portion of tax otherwise due will be immediately due and payable pursuant to subsection (3) of this section:

(a) The manufacturer or processor for hire must maintain at least seventy-five percent of full employment at the new building for which the exemption under this section is claimed.

(b) Before commencing commercial production at a new facility the manufacturer or processor for hire must meet with the department to review projected employment levels in the new buildings. The department, using information provided by the taxpayer, must make a determination of the number of positions that would be filled at full employment. This number must be used throughout the eight-year period to determine whether any tax is to be repaid. This information is not subject to the confidentiality provisions of RCW 82.32.330 and may be disclosed to the public upon request.

(c) In those situations where a production building in existence on the effective date of this section will be phased out of operation during which time employment at the new building at the same site is increased, the manufacturer or processor for hire must maintain seventy-five percent of full employment at the manufacturing site overall.

(d) No application is necessary for the tax exemption. The person is subject to all the requirements of chapter 82.32 RCW. A person claiming the exemption under this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(3) If the employment requirement is not met for any one calendar year, one-eighth of the exempt sales and use taxes will be due and payable by April 1st of the following year. The department must assess interest to the date the tax was imposed, but not penalties, on the

taxes for which the person is not eligible.

(4) The exemption applies to new buildings, or parts of buildings, that are used exclusively in the manufacturing of semiconductor materials, including the storage of raw materials and finished product.

(5) For the purposes of this section:

(a) "Commencement of commercial production" is deemed to have occurred when the equipment and process qualifications in the new building are completed and production for sale has begun; and

(b) "Full employment" is the number of positions required for full capacity production at the new building, for positions such as line workers, engineers, and technicians.

(c) "Semiconductor materials" has the same meaning as provided in RCW 82.04.240(2).

(6) No exemption may be taken after twelve years after the effective date of this act, however all of the eligibility criteria and limitations are applicable to any exemptions claimed before that date.

(7) This section expires twelve years after the effective date of this act.

Sec. 23. RCW 82.08.9651 and 2014 c 97 s 405 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of gases and chemicals used by a manufacturer or processor for hire in the production of semiconductor materials. This exemption is limited to gases and chemicals used in the production process to grow the product, deposit or grow permanent or sacrificial layers on the product, to etch or remove material from the product, to anneal the product, to immerse the product, to clean the product, and other such uses whereby the gases and chemicals come into direct contact with the product during the production process, or uses of gases and chemicals to clean the chambers and other like equipment in which such processing takes place. For the purposes of this section, "semiconductor materials" has the meaning provided in RCW 82.04.2404 and 82.04.294(3).

(2) ~~((a) Except as provided under (b) of this subsection (2),)~~ A person claiming the exemption under this section

must file a complete annual ~~((survey with the department under RCW 82.32.585.~~

~~(b) A person claiming the exemption under this section and who is required to file a complete annual report with the department under RCW 82.32.534 as a result of claiming the tax preference provided by RCW 82.04.2404 is not also required to file a complete annual survey under RCW 82.32.585)) tax performance report with the department under RCW 82.32.534.~~

(3) No application is necessary for the tax exemption. The person is subject to all of the requirements of chapter 82.32 RCW.

(4) This section expires December 1, 2018.

Sec. 24. RCW 82.08.970 and 2010 c 114 s 125 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of gases and chemicals used by a manufacturer or processor for hire in the manufacturing of semiconductor materials. This exemption is limited to gases and chemicals used in the manufacturing process to grow the product, deposit or grow permanent or sacrificial layers on the product, to etch or remove material from the product, to anneal the product, to immerse the product, to clean the product, and other such uses whereby the gases and chemicals come into direct contact with the product during the manufacturing process, or uses of gases and chemicals to clean the chambers and other like equipment in which such processing takes place. For the purposes of this section, "semiconductor materials" has the same meaning as provided in RCW 82.04.240(2).

(2) A person claiming the exemption under this section must file a complete annual tax performance report with the department under RCW 82.32.534. No application is necessary for the tax exemption. The person is subject to all of the requirements of chapter 82.32 RCW.

(3) This section expires twelve years after the effective date of this act.

Sec. 25. RCW 82.08.980 and 2013 3rd sp.s. c 2 s 3 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to:

(a) Charges, for labor and services rendered in respect to the constructing of new buildings, made to (i) a manufacturer engaged in the manufacturing of commercial airplanes or the fuselages or wings of commercial airplanes or (ii) a port district, political subdivision, or municipal corporation, to be leased to a manufacturer engaged in the manufacturing of commercial airplanes or the fuselages or wings of commercial airplanes;

(b) Sales of tangible personal property that will be incorporated as an ingredient or component of such buildings during the course of the constructing; or

(c) Charges made for labor and services rendered in respect to installing, during the course of constructing such buildings, building fixtures not otherwise eligible for the exemption under RCW 82.08.02565(2) (b).

(2) The exemption is available only when the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(3) No application is necessary for the tax exemption in this section. However, in order to qualify under this section before starting construction, the port district, political subdivision, or municipal corporation must have entered into an agreement with the manufacturer to build such a facility. A person claiming the exemption under this section is subject to all the requirements of chapter 82.32 RCW. In addition, the person must file a complete annual tax performance report with the department under RCW 82.32.534.

(4) The exemption in this section applies to buildings or parts of buildings, including buildings or parts of buildings used for the storage of raw materials or finished product, that are used primarily in the manufacturing of any one or more of the following products:

(a) Commercial airplanes;

(b) Fuselages of commercial airplanes; or

(c) Wings of commercial airplanes.

(5) For the purposes of this section, "commercial airplane" has the meaning given in RCW 82.32.550.

(6) This section expires July 1, 2040.

Sec. 26. RCW 82.08.986 and 2015 3rd sp.s. c 6 s 302 are each amended to read as follows:

(1) An exemption from the tax imposed by RCW 82.08.020 is provided for sales to qualifying businesses and to qualifying tenants of eligible server equipment to be installed, without intervening use, in an eligible computer data center, and to charges made for labor and services rendered in respect to installing eligible server equipment. Until January 1, 2026, the exemption also applies to sales to qualifying businesses and to qualifying tenants of eligible power infrastructure, including labor and services rendered in respect to constructing, installing, repairing, altering, or improving eligible power infrastructure.

(2)(a) In order to claim the exemption under this section, a qualifying business or a qualifying tenant must submit an application to the department for an exemption certificate. The application must include the information necessary, as required by the department, to determine that a business or tenant qualifies for the exemption under this section. The department must issue exemption certificates to qualifying businesses and qualifying tenants. The department may assign a unique identification number to each exemption certificate issued under this section.

(b) A qualifying business or a qualifying tenant claiming the exemption under this section must present the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(c) With respect to computer data centers for which the commencement of construction occurs after July 1, 2015, but before July 1, 2019, the exemption provided in this section is limited to no more than eight computer data centers, with total eligible data centers provided under this section limited to twelve from July 1, 2015, through July 1, 2025. Tenants of qualified data centers do not constitute additional data centers under the limit. The exemption is available on a first-in-time basis based on the date the application required under this section is received by the department. Exemption certificates expire two years after the date of issuance, unless construction has been commenced.

(3) (a) Within six years of the date that the department issued an exemption certificate under this section to a qualifying business or a qualifying tenant with respect to an eligible computer data center, the qualifying business or qualifying tenant must establish that net employment at the eligible computer data center has increased by a minimum of:

(i) Thirty-five family wage employment positions; or

(ii) Three family wage employment positions for each twenty thousand square feet of space or less that is newly dedicated to housing working servers at the eligible computer data center. For qualifying tenants, the number of family wage employment positions that must be increased under this subsection (3) (a) (ii) is based only on the space occupied by the qualifying tenant in the eligible computer data center.

(b) In calculating the net increase in family wage employment positions:

(i) The owner of an eligible computer data center, in addition to its own net increase in family wage employment positions, may include:

(A) The net increase in family wage employment positions employed by qualifying tenants; and

(B) The net increase in family wage employment positions described in (c) (ii) (B) of this subsection (3).

(ii) (A) Qualifying tenants, in addition to their own net increase in family wage employment positions, may include:

(I) A portion of the net increase in family wage employment positions employed by the owner; and

(II) A portion of the net increase in family wage employment positions described in (c) (ii) (B) of this subsection (3).

(B) The portion of the net increase in family wage employment positions to be counted under this subsection (3) (b) (ii) by each qualifying tenant must be in proportion to the amount of space in the eligible computer data center occupied by the qualifying tenant compared to the total amount of space in the eligible computer data center occupied by all qualifying tenants.

(c) (i) For purposes of this subsection, family wage employment positions are new permanent employment positions requiring forty hours of weekly work, or their equivalent, on a full-time basis at the eligible computer data center and receiving a wage equivalent to

or greater than one hundred fifty percent of the per capita personal income of the county in which the qualified project is located. An employment position may not be counted as a family wage employment position unless the employment position is entitled to health insurance coverage provided by the employer of the employment position. For purposes of this subsection (3) (c), "new permanent employment position" means an employment position that did not exist or that had not previously been filled as of the date that the department issued an exemption certificate to the owner or qualifying tenant of an eligible computer data center, as the case may be.

(ii) (A) Family wage employment positions include positions filled by employees of the owner of the eligible computer data center and by employees of qualifying tenants.

(B) Family wage employment positions also include individuals performing work at an eligible computer data center as an independent contractor hired by the owner of the eligible computer data center or as an employee of an independent contractor hired by the owner of the eligible computer data center, if the work is necessary for the operation of the computer data center, such as security and building maintenance, and provided that all of the requirements in (c) (i) of this subsection (3) are met.

(d) All previously exempted sales and use taxes are immediately due and payable for a qualifying business or qualifying tenant that does not meet the requirements of this subsection.

(4) A qualifying business or a qualifying tenant claiming an exemption under this section or RCW 82.12.986 must complete an annual tax performance report with the department as required under RCW 82.32.534.

(5) (a) The exemption provided in this section does not apply to:

(i) Any person who has received the benefit of the deferral program under chapter 82.60 RCW on: (A) The construction, renovation, or expansion of a structure or structures used as a computer data center; or (B) machinery or equipment used in a computer data center; and

(ii) Any person affiliated with a person within the scope of (a) (i) of this subsection (5).

(b) If a person claims an exemption under this section and subsequently receives the benefit of the deferral

program under chapter 82.60 RCW on either the construction, renovation, or expansion of a structure or structures used as a computer data center or machinery or equipment used in a computer data center, the person must repay the amount of taxes exempted under this section. Interest as provided in chapter 82.32 RCW applies to amounts due under this section until paid in full.

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

(a) "Affiliated" means that one person has a direct or indirect ownership interest of at least twenty percent in another person.

(b) "Building" means a fully enclosed structure with a weather resistant exterior wall envelope or concrete or masonry walls designed in accordance with the requirements for structures under chapter 19.27 RCW. This definition of "building" only applies to computer data centers for which commencement of construction occurs on or after July 1, 2015.

(c) (i) "Computer data center" means a facility comprised of one or more buildings, which may be comprised of multiple businesses, constructed or refurbished specifically, and used primarily, to house working servers, where the facility has the following characteristics: (A) Uninterruptible power supplies, generator backup power, or both; (B) sophisticated fire suppression and prevention systems; and (C) enhanced physical security, such as: Restricted access to the facility to selected personnel; permanent security guards; video camera surveillance; an electronic system requiring passcodes, keycards, or biometric scans, such as hand scans and retinal or fingerprint recognition; or similar security features.

(ii) For a computer data center comprised of multiple buildings, each separate building constructed or refurbished specifically, and used primarily, to house working servers is considered a computer data center if it has all of the characteristics listed in (c) (i) (A) through (C) of this subsection (6).

(iii) A facility comprised of one building or more than one building must have a combined square footage of at least one hundred thousand square feet.

(d) "Electronic data storage and data management services" include, but

are not limited to: Providing data storage and backup services, providing computer processing power, hosting enterprise software applications, and hosting web sites. The term also includes providing services such as email, web browsing and searching, media applications, and other online services, regardless of whether a charge is made for such services.

(e) (i) "Eligible computer data center" means a computer data center:

(A) Located in a rural county as defined in RCW 82.14.370;

(B) Having at least twenty thousand square feet dedicated to housing working servers, where the server space has not previously been dedicated to housing working servers; and

(C) For which the commencement of construction occurs:

(I) After March 31, 2010, and before July 1, 2011;

(II) After March 31, 2012, and before July 1, 2015; or

(III) After June 30, 2015, and before July 1, 2025.

(ii) For purposes of this section, "commencement of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for construction of the computer data center. The construction of a computer data center includes the expansion, renovation, or other improvements made to existing facilities, including leased or rented space. "Commencement of construction" does not include soil testing, site clearing and grading, site preparation, or any other related activities that are initiated before the issuance of a building permit for the construction of the foundation of a computer data center.

(iii) With respect to facilities in existence on April 1, 2010, that are expanded, renovated, or otherwise improved after March 31, 2010, or facilities in existence on April 1, 2012, that are expanded, renovated, or otherwise improved after March 31, 2012, or facilities in existence on July 1, 2015, that are expanded, renovated, or otherwise improved after June 30, 2015, an eligible computer data center includes only the portion of the computer data center meeting the requirements in (e) (i) (B) of this subsection (6).

(f) "Eligible power infrastructure" means all fixtures and equipment owned by a qualifying business or qualifying tenant and necessary for the transformation, distribution, or

management of electricity that is required to operate eligible server equipment within an eligible computer data center. The term includes generators; wiring; cogeneration equipment; and associated fixtures and equipment, such as electrical switches, batteries, and distribution, testing, and monitoring equipment. The term does not include substations.

(g) "Eligible server equipment" means:

(i) For a qualifying business whose computer data center qualifies as an eligible computer data center under (e)(i)(C)(I) of this subsection (6), the original server equipment installed in an eligible computer data center on or after April 1, 2010, and before January 1, 2026, and replacement server equipment. For purposes of this subsection (6)(g)(i), "replacement server equipment" means server equipment that:

(A) Replaces existing server equipment, if the sale or use of the server equipment to be replaced qualified for an exemption under this section or RCW 82.12.986; and

(B) Is installed and put into regular use before April 1, 2018.

(ii) For a qualifying business whose computer data center qualifies as an eligible computer data center under (e)(i)(C)(II) of this subsection (6), "eligible server equipment" means the original server equipment installed in an eligible computer data center on or after April 1, 2012, and before January 1, 2026, and replacement server equipment. For purposes of this subsection (6)(g)(ii), "replacement server equipment" means server equipment that:

(A) Replaces existing server equipment, if the sale or use of the server equipment to be replaced qualified for an exemption under this section or RCW 82.12.986; and

(B) Is installed and put into regular use before April 1, 2024.

(iii)(A) For a qualifying business whose computer data center qualifies as an eligible computer data center under (e)(i)(C)(III) of this subsection (6), "eligible server equipment" means the original server equipment installed in a building within an eligible computer data center on or after July 1, 2015, and replacement server equipment. Server equipment installed in movable or fixed stand-alone, prefabricated, or modular units, including intermodal shipping containers, is not "directly installed in a building." For purposes of this

subsection (6)(g)(iii)(A), "replacement server equipment" means server equipment that replaces existing server equipment, if the sale or use of the server equipment to be replaced qualified for an exemption under this section or RCW 82.12.986; and

(B) Is installed and put into regular use no later than twelve years after the date of the certificate of occupancy.

(iv) For a qualifying tenant who leases space within an eligible computer data center, "eligible server equipment" means the original server equipment installed within the space it leases from an eligible computer data center on or after April 1, 2010, and before January 1, 2026, and replacement server equipment. For purposes of this subsection (6)(g)(iv), "replacement server equipment" means server equipment that:

(A) Replaces existing server equipment, if the sale or use of the server equipment to be replaced qualified for an exemption under this section or RCW 82.12.986;

(B) Is installed and put into regular use before April 1, 2024; and

(C) For tenants leasing space in an eligible computer data center built after July 1, 2015, is installed and put into regular use no later than twelve years after the date of the certificate of occupancy.

(h) "Qualifying business" means a business entity that exists for the primary purpose of engaging in commercial activity for profit and that is the owner of an eligible computer data center. The term does not include the state or federal government or any of their departments, agencies, and institutions; tribal governments; political subdivisions of this state; or any municipal, quasi-municipal, public, or other corporation created by the state or federal government, tribal government, municipality, or political subdivision of the state.

(i) "Qualifying tenant" means a business entity that exists for the primary purpose of engaging in commercial activity for profit and that leases space from a qualifying business within an eligible computer data center. The term does not include the state or federal government or any of their departments, agencies, and institutions; tribal governments; political subdivisions of this state; or any municipal, quasi-municipal, public, or other corporation

created by the state or federal government, tribal government, municipality, or political subdivision of the state. The term also does not include a lessee of space in an eligible computer data center under (e)(i)(C)(I) of this subsection (6), if the lessee and lessor are affiliated and:

(i) That space will be used by the lessee to house server equipment that replaces server equipment previously installed and operated in that eligible computer data center by the lessor or another person affiliated with the lessee; or

(ii) Prior to May 2, 2012, the primary use of the server equipment installed in that eligible computer data center was to provide electronic data storage and data management services for the business purposes of either the lessor, persons affiliated with the lessor, or both.

(j) "Server equipment" means the computer hardware located in an eligible computer data center and used exclusively to provide electronic data storage and data management services for internal use by the owner or lessee of the computer data center, for clients of the owner or lessee of the computer data center, or both. "Server equipment" also includes computer software necessary to operate the computer hardware. "Server equipment" does not include personal computers, the racks upon which the server equipment is installed, and computer peripherals such as keyboards, monitors, printers, and mice.

Sec. 27. RCW 82.12.022 and 2015 3rd sp.s. c 6 s 506 are each amended to read as follows:

(1) A use tax is levied on every person in this state for the privilege of using natural gas or manufactured gas, including compressed natural gas and liquefied natural gas, within this state as a consumer.

(2) The tax must be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate in effect for the public utility tax on gas distribution businesses under RCW 82.16.020. The "value of the article used" does not include any amounts that are paid for the hire or use of a gas distribution business as defined in RCW 82.16.010(2) in transporting the gas subject to tax under this subsection if those amounts are subject to tax under that chapter.

(3) The tax levied in this section does not apply to the use of natural or manufactured gas delivered to the consumer by other means than through a pipeline.

(4) The tax levied in this section does not apply to the use of natural or manufactured gas if the person who sold the gas to the consumer has paid a tax under RCW 82.16.020 with respect to the gas for which exemption is sought under this subsection.

(5)(a) The tax levied in this section does not apply to the use of natural or manufactured gas by an aluminum smelter as that term is defined in RCW 82.04.217 before January 1, 2027.

(b) A person claiming the exemption provided in this subsection (5) must file a complete annual tax performance report with the department under RCW 82.32.534.

(6) The tax imposed by this section does not apply to the use of natural gas, compressed natural gas, or liquefied natural gas, if the consumer uses the gas for transportation fuel as defined in RCW 82.16.310.

(7) There is a credit against the tax levied under this section in an amount equal to any tax paid by:

(a) The person who sold the gas to the consumer when that tax is a gross receipts tax similar to that imposed pursuant to RCW 82.16.020 by another state with respect to the gas for which a credit is sought under this subsection; or

(b) The person consuming the gas upon which a use tax similar to the tax imposed by this section was paid to another state with respect to the gas for which a credit is sought under this subsection.

(8) The use tax imposed in this section must be paid by the consumer to the department.

(9) There is imposed a reporting requirement on the person who delivered the gas to the consumer to make a quarterly report to the department. Such report must contain the volume of gas delivered, name of the consumer to whom delivered, and such other information as the department may require by rule.

(10) The department may adopt rules under chapter 34.05 RCW for the administration and enforcement of sections 1 through 6, chapter 384, Laws of 1989.

Sec. 28. RCW 82.12.025651 and 2011 c 23 s 5 are each amended to read as follows:

(1) The provisions of this chapter do not apply in respect to the use by a public research institution of machinery and equipment used primarily in a research and development operation, or to the use of labor and services rendered in respect to installing, repairing, cleaning, altering, or improving the machinery and equipment.

(2) The definitions in RCW 82.08.025651 apply to this section.

(3) A public research institution receiving the benefit of the exemption provided in this section must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534.

Sec. 29. RCW 82.12.805 and 2015 3rd sp.s. c 6 s 505 are each amended to read as follows:

(1) A person who is subject to tax under RCW 82.12.020 for personal property used at an aluminum smelter, or for tangible personal property that will be incorporated as an ingredient or component of buildings or other structures at an aluminum smelter, or for labor and services rendered with respect to such buildings, structures, or personal property, is eligible for an exemption from the state share of the tax in the form of a credit, as provided in this section. The amount of the credit equals the state share of use tax computed to be due under RCW 82.12.020. The person must submit information, in a form and manner prescribed by the department, specifying the amount of qualifying purchases or acquisitions for which the exemption is claimed and the amount of exempted tax.

(2) For the purposes of this section, "aluminum smelter" has the same meaning as provided in RCW 82.04.217.

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

(4) Credits may not be claimed under this section for taxable events occurring on or after January 1, 2027.

Sec. 30. RCW 82.12.965 and 2010 c 114 s 129 are each amended to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of

tangible personal property that will be incorporated as an ingredient or component of new buildings used for the manufacturing of semiconductor materials during the course of constructing such buildings or to labor and services rendered in respect to installing, during the course of constructing, building fixtures not otherwise eligible for the exemption under RCW 82.08.02565(2)(b).

(2) The eligibility requirements, conditions, and definitions in RCW 82.08.965 apply to this section, including the filing of a complete annual tax performance report with the department under RCW 82.32.534.

(3) No exemption may be taken twelve years after the effective date of this act, however all of the eligibility criteria and limitations are applicable to any exemptions claimed before that date.

(4) This section expires twelve years after the effective date of this act.

Sec. 31. RCW 82.12.9651 and 2014 c 97 s 406 are each amended to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of gases and chemicals used by a manufacturer or processor for hire in the production of semiconductor materials. This exemption is limited to gases and chemicals used in the production process to grow the product, deposit or grow permanent or sacrificial layers on the product, to etch or remove material from the product, to anneal the product, to immerse the product, to clean the product, and other such uses whereby the gases and chemicals come into direct contact with the product during the production process, or uses of gases and chemicals to clean the chambers and other like equipment in which such processing takes place. For purposes of this section, "semiconductor materials" has the meaning provided in RCW 82.04.2404 and 82.04.294(3).

~~(2) ((a) Except as provided under (b) of this subsection (2),) A person claiming the exemption under this section must file a complete annual ((survey) with the department under RCW 82.32.585.~~

~~(b) A person claiming the exemption under this section and who is required to file a complete annual report with the department under RCW 82.32.534 as a result of claiming the tax preference provided by RCW 82.04.2404 is not also~~

~~required to file a complete annual survey under RCW 82.32.534)) tax performance report with the department under RCW 82.32.534.~~

(3) No application is necessary for the tax exemption. The person is subject to all of the requirements of chapter 82.32 RCW.

(4) This section expires December 1, 2018.

Sec. 32. RCW 82.12.970 and 2010 c 114 s 131 are each amended to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of gases and chemicals used by a manufacturer or processor for hire in the manufacturing of semiconductor materials. This exemption is limited to gases and chemicals used in the manufacturing process to grow the product, deposit or grow permanent or sacrificial layers on the product, to etch or remove material from the product, to anneal the product, to immerse the product, to clean the product, and other such uses whereby the gases and chemicals come into direct contact with the product during the manufacturing process, or uses of gases and chemicals to clean the chambers and other like equipment in which such processing takes place. For purposes of this section, "semiconductor materials" has the same meaning as provided in RCW 82.04.240(2).

(2) A person claiming the exemption under this section must file a complete annual tax performance report with the department under RCW 82.32.534. No application is necessary for the tax exemption. The person is subject to all of the requirements of chapter 82.32 RCW.

(3) This section expires twelve years after the effective date of this act.

Sec. 33. RCW 82.12.980 and 2013 3rd sp.s. c 2 s 4 are each amended to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of:

(a) Tangible personal property that will be incorporated as an ingredient or component in constructing new buildings for (i) a manufacturer engaged in the manufacturing of commercial airplanes or the fuselages or wings of commercial airplanes or (ii) a port district, political subdivision, or municipal corporation, to be leased to a

manufacturer engaged in the manufacturing of commercial airplanes or the fuselages or wings of commercial airplanes; or

(b) Labor and services rendered in respect to installing, during the course of constructing such buildings, building fixtures not otherwise eligible for the exemption under RCW 82.08.02565(2) (b).

(2) The eligibility requirements, conditions, and definitions in RCW 82.08.980 apply to this section, including the filing of a complete annual tax performance report with the department under RCW 82.32.534.

(3) This section expires July 1, 2040.

Sec. 34. RCW 82.16.0421 and 2010 c 114 s 133 are each amended to read as follows:

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

(a) "Chlor-alkali electrolytic processing business" means a person who is engaged in a business that uses more than ten average megawatts of electricity per month in a chlor-alkali electrolytic process to split the electrochemical bonds of sodium chloride and water to make chlorine and sodium hydroxide. A "chlor-alkali electrolytic processing business" does not include direct service industrial customers or their subsidiaries that contract for the purchase of power from the Bonneville power administration as of June 10, 2004.

(b) "Sodium chlorate electrolytic processing business" means a person who is engaged in a business that uses more than ten average megawatts of electricity per month in a sodium chlorate electrolytic process to split the electrochemical bonds of sodium chloride and water to make sodium chlorate and hydrogen. A "sodium chlorate electrolytic processing business" does not include direct service industrial customers or their subsidiaries that contract for the purchase of power from the Bonneville power administration as of June 10, 2004.

(2) Effective July 1, 2004, the tax levied under this chapter does not apply to sales of electricity made by a light and power business to a chlor-alkali electrolytic processing business or a sodium chlorate electrolytic processing business for the electrolytic process if

the contract for sale of electricity to the business contains the following terms:

(a) The electricity to be used in the electrolytic process is separately metered from the electricity used for general operations of the business;

(b) The price charged for the electricity used in the electrolytic process will be reduced by an amount equal to the tax exemption available to the light and power business under this section; and

(c) Disallowance of all or part of the exemption under this section is a breach of contract and the damages to be paid by the chlor-alkali electrolytic processing business or the sodium chlorate electrolytic processing business are the amount of the tax exemption disallowed.

(3) The exemption provided for in this section does not apply to amounts received from the remarketing or resale of electricity originally obtained by contract for the electrolytic process.

(4) In order to claim an exemption under this section, the chlor-alkali electrolytic processing business or the sodium chlorate electrolytic processing business must provide the light and power business with an exemption certificate in a form and manner prescribed by the department.

(5) A person receiving the benefit of the exemption provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(6)(a) This section does not apply to sales of electricity made after December 31, 2018.

(b) This section expires June 30, 2019.

Sec. 35. RCW 82.29A.137 and 2013 3rd sp.s. c 2 s 13 are each amended to read as follows:

(1) All leasehold interests in port district facilities exempt from tax under RCW 82.08.980 or 82.12.980 and used by a manufacturer engaged in the manufacturing of superefficient airplanes, as defined in RCW 82.32.550, are exempt from tax under this chapter. A person claiming the credit under RCW 82.04.4463 is not eligible for the exemption under this section.

(2) In addition to all other requirements under this title, a person claiming the exemption under this section must file a complete annual tax

performance report with the department under RCW 82.32.534.

(3) This section expires July 1, 2040.

Sec. 36. RCW 82.60.070 and 2010 1st sp.s. c 16 s 9 are each amended to read as follows:

(1)(a) Each recipient of a deferral of taxes granted under this chapter must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534. If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.60.025, the lessee must file a complete annual ~~((survey))~~ tax performance report, and the applicant is not required to file a complete annual ~~((survey))~~ tax performance report.

(b) The department must use the information reported on the annual ~~((survey))~~ tax performance report required by this section to study the tax deferral program authorized under this chapter. The department must report to the legislature by December 1, ~~((2019))~~ 2018. The report must measure the effect of the program on job creation, the number of jobs created for residents of eligible areas, company growth, ~~((the introduction of new products, the diversification of the state's economy, growth in research and development investment, the movement of firms or the consolidation of firms' operations into the state,))~~ and such other factors as the department selects.

(2) Except as provided in RCW 82.60.063, if, on the basis of a ~~((survey under RCW 82.32.585))~~ tax performance report under RCW 82.32.534 or other information, the department finds that an investment project is not eligible for tax deferral under this chapter, the amount of deferred taxes outstanding for the project, according to the repayment schedule in RCW 82.60.060, is immediately due. For purposes of this subsection (2), the repayment schedule in RCW 82.60.060 is tolled during the period of time that a taxpayer is receiving relief from repayment of deferred taxes under RCW 82.60.063.

(3) A recipient who must repay deferred taxes under subsection (2) of this section because the department has found that an investment project is not eligible for tax deferral under this chapter is no longer required to file annual ~~((surveys under RCW 82.32.585))~~ tax performance reports under RCW

82.32.534 beginning on the date an investment project is used for nonqualifying purposes.

(4) Notwithstanding any other provision of this section or RCW ((82.32.585)) 82.32.534, deferred taxes on the following need not be repaid:

(a) Machinery and equipment, and sales of or charges made for labor and services, which at the time of purchase would have qualified for exemption under RCW 82.08.02565; and

(b) Machinery and equipment which at the time of first use would have qualified for exemption under RCW 82.12.02565.

Sec. 37. RCW 82.63.020 and 2010 c 114 s 140 are each amended to read as follows:

(1) Application for deferral of taxes under this chapter must be made before initiation of construction of, or acquisition of equipment or machinery for the investment project. In the case of an investment project involving multiple qualified buildings, applications must be made for, and before the initiation of construction of, each qualified building. The application must be made to the department in a form and manner prescribed by the department. The application must contain information regarding the location of the investment project, the applicant's average employment in the state for the prior year, estimated or actual new employment related to the project, estimated or actual wages of employees related to the project, estimated or actual costs, time schedules for completion and operation, and other information required by the department. The department must rule on the application within sixty days.

(2) Each recipient of a deferral of taxes under this chapter must file a complete annual ((survey)) tax performance report with the department under RCW ((82.32.585)) 82.32.534. If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.63.010(7), the lessee must file a complete annual ((survey)) tax performance report, and the applicant is not required to file the annual ((survey)) tax performance report.

(3) ((The department must use the information reported on the annual survey required by this section to study the tax deferral program authorized under this chapter. The department must report to the legislature by December 1, 2009, and

~~December 1, 2013. The reports must measure the effect of the program on job creation, the number of jobs created for Washington residents, company growth, the introduction of new products, the diversification of the state's economy, growth in research and development investment, the movement of firms or the consolidation of firms' operations into the state, and such other factors as the department selects.~~

(4)) A recipient who must repay deferred taxes under RCW 82.63.045 because the department has found that an investment project is used for purposes other than research and development performed within this state in the fields of advanced computing, advanced materials, biotechnology, electronic device technology, and environmental technology is no longer required to file annual ((surveys under RCW 82.32.585)) tax performance reports under RCW 82.32.534 beginning on the date an investment project is used for nonqualifying purposes.

Sec. 38. RCW 82.63.045 and 2010 c 114 s 141 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section and RCW ((82.32.585)) 82.32.534, taxes deferred under this chapter need not be repaid.

(2)(a) If, on the basis of the ((survey under RCW 82.32.585)) tax performance report under RCW 82.32.534 or other information, the department finds that an investment project is used for purposes other than qualified research and development or pilot scale manufacturing at any time during the calendar year in which the investment project is certified by the department as having been operationally completed, or at any time during any of the seven succeeding calendar years, a portion of deferred taxes is immediately due according to the following schedule:

Year in which use occurs	% of deferred taxes due
1	100%
2	87.5%
3	75%
4	62.5%
5	50%
6	37.5%
7	25%
8	12.5%

(b) If the economic benefits of the deferral are passed to a lessee as

provided in RCW 82.63.010(7), the lessee is responsible for payment to the extent the lessee has received the economic benefit.

(3)(a) Notwithstanding subsection (2) of this section, in the case of an investment project consisting of multiple qualified buildings, the lessee is solely liable for payment of any deferred tax determined by the department to be due and payable under this section beginning on the date the department certifies that the project is operationally complete.

(b) This subsection does not relieve the lessors of its obligation to the lessee under RCW 82.63.010(7) to pass the economic benefit of the deferral to the lessee.

(4) The department must assess interest at the rate provided for delinquent taxes, but not penalties, retroactively to the date of deferral. The debt for deferred taxes will not be extinguished by insolvency or other failure of the recipient. Transfer of ownership does not terminate the deferral. The deferral is transferred, subject to the successor meeting the eligibility requirements of this chapter, for the remaining periods of the deferral.

(5) Notwithstanding subsection (2) of this section or RCW ((~~82.32.585~~)) 82.32.534, deferred taxes on the following need not be repaid:

(a) Machinery and equipment, and sales of or charges made for labor and services, which at the time of purchase would have qualified for exemption under RCW 82.08.02565; and

(b) Machinery and equipment which at the time of first use would have qualified for exemption under RCW 82.12.02565.

Sec. 39. RCW 82.74.040 and 2010 c 114 s 142 are each amended to read as follows:

(1) Each recipient of a deferral of taxes granted under this chapter must file a complete annual ((~~survey~~)) tax performance report with the department under RCW ((~~82.32.585~~)) 82.32.534. If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.74.010(6), the lessee must file a complete annual ((~~survey~~)) tax performance report, and the applicant is not required to file the annual ((~~survey~~)) tax performance report.

(2) A recipient who must repay deferred taxes under RCW 82.74.050(2) because the department has found that an investment project is used for purposes other than fresh fruit and vegetable processing, dairy product manufacturing, seafood product manufacturing, cold storage warehousing, or research and development is no longer required to file annual ((~~surveys under RCW 82.32.585~~)) tax performance reports under RCW 82.32.534 beginning on the date an investment project is used for nonqualifying purposes.

Sec. 40. RCW 82.74.050 and 2010 c 114 s 143 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section and RCW ((~~82.32.585~~)) 82.32.534, taxes deferred under this chapter need not be repaid.

(2)(a) If, on the basis of the ((~~survey under RCW 82.32.585~~)) tax performance report under RCW 82.32.534 or other information, the department finds that an investment project is used for purposes other than fresh fruit and vegetable processing, dairy product manufacturing, seafood product manufacturing, cold storage warehousing, or research and development at any time during the calendar year in which the investment project is certified by the department as having been operationally completed, or at any time during any of the seven succeeding calendar years, a portion of deferred taxes is immediately due according to the following schedule:

Year in which nonqualifying use occurs	% of deferred taxes due
1	100%
2	87.5%
3	75%
4	62.5%
5	50%
6	37.5%
7	25%
8	12.5%

(b) If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.74.010(6), the lessee is responsible for payment to the extent the lessee has received the economic benefit.

(3) The department must assess interest, but not penalties, on the deferred taxes under subsection (2) of this section. The interest must be assessed at the rate provided for

delinquent taxes under chapter 82.32 RCW, retroactively to the date of deferral, and will accrue until the deferred taxes are repaid. The debt for deferred taxes will not be extinguished by insolvency or other failure of the recipient. Transfer of ownership does not terminate the deferral. The deferral is transferred, subject to the successor meeting the eligibility requirements of this chapter, for the remaining periods of the deferral.

(4) Notwithstanding subsection (2) of this section or RCW ((~~82.32.585~~)) 82.32.534, deferred taxes on the following need not be repaid:

(a) Machinery and equipment, and sales of or charges made for labor and services, which at the time of purchase would have qualified for exemption under RCW 82.08.02565; and

(b) Machinery and equipment which at the time of first use would have qualified for exemption under RCW 82.12.02565.

Sec. 41. RCW 82.75.040 and 2010 c 114 s 147 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section and RCW ((~~82.32.585~~)) 82.32.534, taxes deferred under this chapter need not be repaid.

(2)(a) If, on the basis of the ((~~survey under RCW 82.32.585~~)) tax performance report under RCW 82.32.534 or other information, the department finds that an investment project is used for purposes other than qualified biotechnology product manufacturing or medical device manufacturing activities at any time during the calendar year in which the eligible investment project is certified by the department as having been operationally completed, or at any time during any of the seven succeeding calendar years, a portion of deferred taxes is immediately due and payable according to the following schedule:

Year in which use occurs	% of deferred taxes due
1	100%
2	87.5%
3	75%
4	62.5%
5	50%
6	37.5%
7	25%
8	12.5%

(b) If the economic benefits of the deferral are passed to a lessee as

provided in RCW 82.75.010, the lessee is responsible for payment to the extent the lessee has received the economic benefit.

(3) For a violation of subsection (2)(a) of this section, the department must assess interest at the rate provided for delinquent taxes, but not penalties, retroactively to the date of deferral. The debt for deferred taxes will not be extinguished by insolvency or other failure of the recipient. Transfer of ownership does not terminate the deferral. The deferral is transferred, subject to the successor meeting the eligibility requirements of this chapter, for the remaining periods of the deferral.

(4) Notwithstanding subsection (2) of this section or RCW ((~~82.32.585~~)) 82.32.534, deferred taxes on the following need not be repaid:

(a) Machinery and equipment, and sales of or charges made for labor and services, which at the time of purchase would have qualified for exemption under RCW 82.08.02565; and

(b) Machinery and equipment which at the time of first use would have qualified for exemption under RCW 82.12.02565.

Sec. 42. RCW 82.75.070 and 2010 c 114 s 144 are each amended to read as follows:

(1) Each recipient of a deferral of taxes granted under this chapter must file a complete annual ((~~survey~~)) tax performance report with the department under RCW ((~~82.32.585~~)) 82.32.534. If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.75.010(5), the lessee must file a complete annual ((~~survey~~)) tax performance report, and the applicant is not required to file the annual ((~~survey~~)) tax performance report.

(2) A recipient who must repay deferred taxes under RCW 82.75.040(2) because the department has found that an investment project is used for purposes other than qualified biotechnology product manufacturing or medical device manufacturing activities is no longer required to file annual ((~~surveys under RCW 82.32.585~~)) tax performance reports under RCW 82.32.534 beginning on the date an investment project is used for nonqualifying purposes.

Sec. 43. RCW 82.82.020 and 2010 c 114 s 148 are each amended to read as follows:

(1) Application for deferral of taxes under this chapter can be made at any time prior to completion of construction of a qualified building or buildings, but tax liability incurred prior to the department's receipt of an application may not be deferred. The application must be made to the department in a form and manner prescribed by the department. The application must contain information regarding the location of the investment project, the applicant's average employment in the state for the prior year, estimated or actual new employment related to the project, estimated or actual wages of employees related to the project, estimated or actual costs, time schedules for completion and operation, and other information required by the department. The department must rule on the application within sixty days.

(2) Applications for deferral of taxes under this section may not be made after December 31, 2020.

(3) Each recipient of a deferral of taxes under this chapter must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534. If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.82.010(5), the lessee must file a complete annual ~~((survey))~~ tax performance report, and the applicant is not required to file the annual ~~((survey))~~ tax performance report.

(4) A recipient who must repay deferred taxes under RCW 82.82.040 because the department has found that an investment project is no longer an eligible investment project is no longer required to file annual ~~((surveys under RCW 82.32.585))~~ tax performance reports under RCW 82.32.534 beginning on the date an investment project is used for nonqualifying purposes.

Sec. 44. RCW 82.82.040 and 2010 c 114 s 149 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section and RCW ~~((82.32.585))~~ 82.32.534, taxes deferred under this chapter need not be repaid.

(2)(a) If, on the basis of the ~~((survey under RCW 82.32.585))~~ tax performance report under RCW 82.32.534 or other information, the department finds

that an investment project is no longer an "eligible investment project" under RCW 82.82.010 at any time during the calendar year in which the investment project is certified by the department as having been operationally completed, or at any time during any of the seven succeeding calendar years, a portion of deferred taxes are immediately due according to the following schedule:

Year in which use occurs	% of deferred taxes due
1	100%
2	87.5%
3	75%
4	62.5%
5	50%
6	37.5%
7	25%
8	12.5%

(b) If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.82.010(5), the lessee is responsible for payment to the extent the lessee has received the economic benefit.

(3) The department must assess interest at the rate provided for delinquent taxes under chapter 82.32 RCW, but not penalties, retroactively to the date of deferral. The debt for deferred taxes will not be extinguished by insolvency or other failure of the recipient. Transfer of ownership does not terminate the deferral. The deferral is transferred, subject to the successor meeting the eligibility requirements of this chapter, for the remaining periods of the deferral.

Sec. 45. RCW 84.36.645 and 2010 c 114 s 150 are each amended to read as follows:

(1) Machinery and equipment exempt under RCW 82.08.02565 or 82.12.02565 used in manufacturing semiconductor materials at a building exempt from sales and use tax and in compliance with the employment requirement under RCW 82.08.965 and 82.12.965 are exempt from property taxation. "Semiconductor materials" has the same meaning as provided in RCW 82.04.240(2).

(2) A person seeking this exemption must make application to the county assessor, on forms prescribed by the department.

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

(4) This section is effective for taxes levied for collection one year after the effective date of this act and thereafter.

(5) This section expires December 31st of the year occurring twelve years after the effective date of this act, for taxes levied for collection in the following year.

Sec. 46. RCW 84.36.655 and 2013 3rd sp.s. c 2 s 14 are each amended to read as follows:

(1) Effective January 1, 2005, all buildings, machinery, equipment, and other personal property of a lessee of a port district eligible under RCW 82.08.980 and 82.12.980, used exclusively in manufacturing superefficient airplanes, are exempt from property taxation. A person taking the credit under RCW 82.04.4463 is not eligible for the exemption under this section. For the purposes of this section, "superefficient airplane" and "component" have the meanings given in RCW 82.32.550.

(2) In addition to all other requirements under this title, a person claiming the exemption under this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(3) Claims for exemption authorized by this section must be filed with the county assessor on forms prescribed by the department and furnished by the assessor. The assessor must verify and approve claims as the assessor determines to be justified and in accordance with this section. No claims may be filed after December 31, 2039. The department may adopt rules, under the provisions of chapter 34.05 RCW, as necessary to properly administer this section.

(4) This section applies to taxes levied for collection in 2006 and thereafter.

(5) This section expires July 1, 2040.

Sec. 47. RCW 82.32.790 and 2010 c 114 s 201 and 2010 c 106 s 401 are each reenacted and amended to read as follows:

(1) (a) Sections 9, 13, 17, 22, 24, 30, 32, and 45, chapter . . ., Laws of 2017 (sections 9, 13, 17, 22, 24, 30, 32, and 45 of this act) section 206, chapter 106, Laws of 2010, sections 104, 110, 117, 123, 125, 129, 131, and 150, chapter 114, Laws of 2010, section 3, chapter

461, Laws of 2009, section 7, chapter 300, Laws of 2006, and section 4, chapter 149, Laws of 2003 are contingent upon the siting and commercial operation of a significant semiconductor microchip fabrication facility in the state of Washington.

(b) For the purposes of this section:

(i) "Commercial operation" means the same as "commencement of commercial production" as used in RCW 82.08.965.

(ii) "Semiconductor microchip fabrication" means "manufacturing semiconductor microchips" as defined in RCW 82.04.426.

(iii) "Significant" means the combined investment of new buildings and new machinery and equipment in the buildings, at the commencement of commercial production, will be at least one billion dollars.

(2) Chapter 149, Laws of 2003 takes effect the first day of the month in which a contract for the construction of a significant semiconductor fabrication facility is signed, as determined by the director of the department of revenue.

(3) (a) The department of revenue must provide notice of the effective date of sections 9, 13, 17, 22, 24, 30, 32, and 45, chapter . . ., Laws of 2017 (sections 9, 13, 17, 22, 24, 30, 32, and 45 of this act), section 206, chapter 106, Laws of 2010, sections 104, 110, 117, 123, 125, 129, 131, and 150, chapter 114, Laws of 2010 ([,]), section 3, chapter 461, Laws of 2009, section 7, chapter 300, Laws of 2006, and section 4, chapter 149, Laws of 2003 to affected taxpayers, the legislature, and others as deemed appropriate by the department.

(b) If, after making a determination that a contract has been signed and chapter 149, Laws of 2003 is effective, the department discovers that commencement of commercial production did not take place within three years of the date the contract was signed, the department must make a determination that chapter 149, Laws of 2003 is no longer effective, and all taxes that would have been otherwise due are deemed deferred taxes and are immediately assessed and payable from any person reporting tax under RCW 82.04.240(2) or claiming an exemption or credit under section 2 or 5 through 10, chapter 149, Laws of 2003. The department is not authorized to make a second determination regarding the effective date of chapter 149, Laws of 2003.

NEW SECTION. **Sec. 48.** This act takes effect January 1, 2018.
Correct the title.

Representative Nealey moved the adoption of amendment (035) to the striking amendment (020):

On page 8, beginning on line 12 of the amendment, after "section" strike all material through "(b) The" on line 17 and insert ", the"

Representatives Nealey and Lytton spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (035) to the striking amendment (020) was adopted.

Amendment (020) as amended was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nealey and Lytton spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1296.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1296, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove and Volz.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1296, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1239, by Representative Sullivan

Concerning requests for medical records to support an application for social security benefits.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1239 was substituted for House Bill No. 1239 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1239 was read the second time.

Representative Cody moved the adoption of amendment (021):

On page 4, line 20, after "The" strike "health care facility or health care provider" and insert "issuer"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (021) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Sullivan spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1239.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1239, and the bill passed the House by the following vote: Yeas, 90; Nays, 6; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Dent, Jenkin, Klippert, Schmick and Taylor.

Excused: Representatives Hargrove and Volz.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1239, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1250, by Representatives Griffey, Orwall, Dent, MacEwen, Hayes, Holy, McCaslin and Doglio

Authorizing retail marijuana outlets to give a free lockable drug box to adults age twenty-one years and over and to qualifying patients age eighteen years and over subject to restrictions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Griffey and Sawyer spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1250.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1250, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove and Volz.

HOUSE BILL NO. 1250, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1267, by Representatives DeBolt, Hudgins, Dolan, Fitzgibbon and Haler

Creating the wastewater treatment plant operator certification account.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative DeBolt spoke in favor of the passage of the bill.

Representative Stokesbary spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1267.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1267, and the bill passed the House by the following vote: Yeas, 77; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Dye, Graves, Griffey, Irwin, Johnson, Koster, Kristiansen, MacEwen, McCaslin, Rodne, Shea, Stokesbary, Taylor, Vick, J. Walsh and Wilcox.

Excused: Representatives Hargrove and Volz.

HOUSE BILL NO. 1267, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1319, by Representatives McCaslin, Bergquist, Holy, Ryu, Stokesbary, Orwall, Volz, Haler, Stambaugh, Griffey, Chandler, Blake, Dent, McDonald, Dolan, Shea, Koster, Short, Pettigrew, Fey, Santos, Smith, Hargrove, Sells, Pollet, Muri and Young

Concerning the frequency of evaluations for certain educators.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1319 was substituted for House Bill No. 1319 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1319 was read the second time.

With the consent of the house, amendment (019) was withdrawn.

Representative McCaslin moved the adoption of the striking amendment (022):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.405.100 and 2012 c 35 s 1 are each amended to read as follows:

(1) (a) Except as provided in subsection (2) of this section, the superintendent of public instruction shall establish and may amend from time to time minimum criteria for the evaluation of the professional performance capabilities and development of certificated classroom teachers and certificated support personnel. For classroom teachers the criteria shall be developed in the following categories: Instructional skill; classroom management, professional preparation and scholarship; effort toward improvement when needed; the handling of student discipline and attendant problems; and interest in teaching pupils and knowledge of subject matter.

(b) Every board of directors shall, in accordance with procedure provided in RCW 41.59.010 through 41.59.170, 41.59.910, and 41.59.920, establish evaluative criteria and procedures for all certificated classroom teachers and certificated support personnel. The evaluative criteria must contain as a minimum the criteria established by the superintendent of public instruction pursuant to this section and must be prepared within six months following adoption of the superintendent of public instruction's minimum criteria. The district must certify to the superintendent of public instruction that evaluative criteria have been so prepared by the district.

~~(2) (a) ((Pursuant to the implementation schedule established in subsection (7)(c) of this section,))~~ Every board of directors shall, in accordance with procedures provided in RCW 41.59.010 through 41.59.170, 41.59.910, and 41.59.920, establish ~~((revised))~~ evaluative criteria and a four-level rating system for all certificated classroom teachers.

(b) The minimum criteria shall include: (i) Centering instruction on high expectations for student achievement; (ii) demonstrating

effective teaching practices; (iii) recognizing individual student learning needs and developing strategies to address those needs; (iv) providing clear and intentional focus on subject matter content and curriculum; (v) fostering and managing a safe, positive learning environment; (vi) using multiple student data elements to modify instruction and improve student learning; (vii) communicating and collaborating with parents and the school community; and (viii) exhibiting collaborative and collegial practices focused on improving instructional practice and student learning. Student growth data must be a substantial factor in evaluating the ~~((summative))~~ performance of certificated classroom teachers for at least three of the evaluation criteria listed in this subsection.

(c) The four-level rating system used to evaluate the certificated classroom teacher must describe performance along a continuum that indicates the extent to which the criteria have been met or exceeded. The ~~((summative))~~ performance ratings shall be as follows: Level 1 - unsatisfactory; level 2 - basic; level 3 - proficient; and level 4 - distinguished. A classroom teacher shall receive one of the four ~~((summative))~~ performance ratings for each of the minimum criteria in (b) of this subsection and one of the four ~~((summative))~~ performance ratings for the evaluation as a whole, which shall be the comprehensive ~~((summative evaluation))~~ performance rating. ~~((By December 1, 2012,))~~ The superintendent of public instruction must adopt rules prescribing a common method for calculating the comprehensive ~~((summative evaluation))~~ performance rating for each of the preferred instructional frameworks, including for a focused performance evaluation under subsection (12) of this section, giving appropriate weight to the indicators evaluated under each criteria and maximizing rater agreement among the frameworks.

(d) ~~((By December 1, 2012,))~~ The superintendent of public instruction shall adopt rules that provide descriptors for each of the ~~((summative))~~ performance ratings ~~((, based on the development work of pilot school districts under subsection (7) of this section. Any subsequent changes to the descriptors by the superintendent may only be))~~ with updates to the rules made following consultation with ~~((a group~~

~~broadly reflective of the parties represented~~) the steering committee described in subsection (7) (a) (i) of this section.

(e) ~~((By September 1, 2012,))~~ The superintendent of public instruction shall identify up to three preferred instructional frameworks that support the ~~((revised))~~ four-level rating evaluation system. The instructional frameworks shall be research-based and establish definitions or rubrics for each of the four ~~((summative))~~ performance ratings for each evaluation criteria. Each school district must adopt one of the preferred instructional frameworks and post the selection on the district's web site. The superintendent of public instruction shall establish a process for approving minor modifications or adaptations to a preferred instructional framework that may be proposed by a school district.

(f) Student growth data that is relevant to the teacher and subject matter must be a factor in the evaluation process and must be based on multiple measures that can include classroom-based, school-based, district-based, and state-based tools. Student growth data elements may include the teacher's performance as a member of a grade-level, subject matter, or other instructional team within a school when the use of this data is relevant and appropriate. Student growth data elements may also include the teacher's performance as a member of the overall instructional team of a school when use of this data is relevant and appropriate. As used in this subsection, "student growth" means the change in student achievement between two points in time.

(g) Student input may also be included in the evaluation process.

(3) (a) Except as provided in subsection (11) of this section, it shall be the responsibility of a principal or his or her designee to evaluate all certificated personnel in his or her school. During each school year all classroom teachers and certificated support personnel shall be observed for the purposes of evaluation at least twice in the performance of their assigned duties. Total observation time for each employee for each school year shall be not less than sixty minutes. An employee in the third year of provisional status as defined in RCW 28A.405.220 shall be observed at least three times in the performance of his or her duties and the total observation time for the school

year shall not be less than ninety minutes. Following each observation, or series of observations, the principal or other evaluator shall promptly document the results of the observation in writing, and shall provide the employee with a copy ~~((thereof))~~ within three days after such report is prepared. New employees shall be observed at least once for a total observation time of thirty minutes during the first ninety calendar days of their employment period.

(b) As used in this subsection and subsection (4) of this section, "employees" means classroom teachers and certificated support personnel except where otherwise specified.

(4) (a) At any time after October 15th, an employee whose work is not judged satisfactory based on district evaluation criteria shall be notified in writing of the specific areas of deficiencies along with a reasonable program for improvement. For classroom teachers who ~~((have been transitioned to the revised evaluation system pursuant to the district implementation schedule adopted under subsection (7) (c) of this section))~~ are required to be on the four-level rating evaluation system, the following comprehensive ~~((summative evaluation))~~ performance ratings based on the evaluation criteria in subsection (2) (b) of this section mean a classroom teacher's work is not judged satisfactory:

(i) Level 1; or

(ii) Level 2 if the classroom teacher is a continuing contract employee under RCW 28A.405.210 with more than five years of teaching experience and if the level 2 comprehensive ~~((summative evaluation))~~ performance rating has been received for two consecutive years or for two years within a consecutive three-year time period.

(b) During the period of probation, the employee may not be transferred from the supervision of the original evaluator. Improvement of performance or probable cause for nonrenewal must occur and be documented by the original evaluator before any consideration of a request for transfer or reassignment as contemplated by either the individual or the school district. A probationary period of sixty school days shall be established. Days may be added if deemed necessary to complete a program for improvement and evaluate the probationer's performance, as long as the probationary period is concluded before May 15th of the same school year. The

probationary period may be extended into the following school year if the probationer has five or more years of teaching experience and has a comprehensive ~~((summative evaluation))~~ performance rating as of May 15th of less than level 2. The establishment of a probationary period does not adversely affect the contract status of an employee within the meaning of RCW 28A.405.300. The purpose of the probationary period is to give the employee opportunity to demonstrate improvements in his or her areas of deficiency. The establishment of the probationary period and the giving of the notice to the employee of deficiency shall be by the school district superintendent and need not be submitted to the board of directors for approval. During the probationary period the evaluator shall meet with the employee at least twice monthly to supervise and make a written evaluation of the progress, if any, made by the employee. The evaluator may authorize one additional certificated employee to evaluate the probationer and to aid the employee in improving his or her areas of deficiency. Should the evaluator not authorize such additional evaluator, the probationer may request that an additional certificated employee evaluator become part of the probationary process and this request must be implemented by including an additional experienced evaluator assigned by the educational service district in which the school district is located and selected from a list of evaluation specialists compiled by the educational service district. Such additional certificated employee shall be immune from any civil liability that might otherwise be incurred or imposed with regard to the good faith performance of such evaluation. If a procedural error occurs in the implementation of a program for improvement, the error does not invalidate the probationer's plan for improvement or evaluation activities unless the error materially affects the effectiveness of the plan or the ability to evaluate the probationer's performance. The probationer must be removed from probation if he or she has demonstrated improvement to the satisfaction of the evaluator in those areas specifically detailed in his or her initial notice of deficiency and subsequently detailed in his or her program for improvement. A classroom teacher who ~~((has been transitioned to the revised evaluation system pursuant to the district implementation schedule~~

~~adopted under subsection (7)(e) of this section)) is required to be on the four-level rating evaluation system must be removed from probation if he or she has demonstrated improvement that results in a new comprehensive ~~((summative evaluation))~~ performance rating of level 2 or above for a provisional employee or a continuing contract employee with five or fewer years of experience, or of level 3 or above for a continuing contract employee with more than five years of experience. Lack of necessary improvement during the established probationary period, as specifically documented in writing with notification to the probationer constitutes grounds for a finding of probable cause under RCW 28A.405.300 or 28A.405.210.~~

(c) When a continuing contract employee with five or more years of experience receives a comprehensive ~~((summative evaluation))~~ performance rating below level 2 for two consecutive years, the school district shall, within ten days of the completion of the second ~~((summative))~~ comprehensive ~~((comprehensive summative))~~ performance evaluation or May 15th, whichever occurs first, implement the employee notification of discharge as provided in RCW 28A.405.300.

(d) Immediately following the completion of a probationary period that does not produce performance changes detailed in the initial notice of deficiencies and program for improvement, the employee may be removed from his or her assignment and placed into an alternative assignment for the remainder of the school year. In the case of a classroom teacher who ~~((has been transitioned to the revised evaluation system pursuant to the district implementation schedule adopted under subsection (7)(e) of this section)) is required to be on the four-level rating evaluation system~~, the teacher may be removed from his or her assignment and placed into an alternative assignment for the remainder of the school year immediately following the completion of a probationary period that does not result in the required comprehensive ~~((summative evaluation))~~ performance ratings specified in (b) of this subsection. This reassignment may not displace another employee nor may it adversely affect the probationary employee's compensation or benefits for the remainder of the employee's contract year. If such reassignment is not possible, the district may, at its

option, place the employee on paid leave for the balance of the contract term.

(5) Every board of directors shall establish evaluative criteria and procedures for all superintendents, principals, and other administrators. It shall be the responsibility of the district superintendent or his or her designee to evaluate all administrators. Except as provided in subsection (6) of this section, such evaluation shall be based on the administrative position job description. Such criteria, when applicable, shall include at least the following categories: Knowledge of, experience in, and training in recognizing good professional performance, capabilities and development; school administration and management; school finance; professional preparation and scholarship; effort toward improvement when needed; interest in pupils, employees, patrons and subjects taught in school; leadership; and ability and performance of evaluation of school personnel.

(6) (a) ~~((Pursuant to the implementation schedule established by subsection (7) (b) of this section,))~~ Every board of directors shall establish ~~((revised))~~ evaluative criteria and a four-level rating system for principals.

(b) The minimum criteria shall include: (i) Creating a school culture that promotes the ongoing improvement of learning and teaching for students and staff; (ii) demonstrating commitment to closing the achievement gap; (iii) providing for school safety; (iv) leading the development, implementation, and evaluation of a data-driven plan for increasing student achievement, including the use of multiple student data elements; (v) assisting instructional staff with alignment of curriculum, instruction, and assessment with state and local district learning goals; (vi) monitoring, assisting, and evaluating effective instruction and assessment practices; (vii) managing both staff and fiscal resources to support student achievement and legal responsibilities; and (viii) partnering with the school community to promote student learning. Student growth data must be a substantial factor in evaluating the ~~((summative))~~ performance of the principal for at least three of the evaluation criteria listed in this subsection.

(c) The four-level rating system used to evaluate the principal must describe performance along a continuum

that indicates the extent to which the criteria have been met or exceeded. The ~~((summative))~~ performance ratings shall be as follows: Level 1 - unsatisfactory; level 2 - basic; level 3 - proficient; and level 4 - distinguished. A principal shall receive one of the four ~~((summative))~~ performance ratings for each of the minimum criteria in (b) of this subsection and one of the four ~~((summative))~~ performance ratings for the evaluation as a whole, which shall be the comprehensive ~~((summative evaluation))~~ performance rating.

(d) ~~((By December 1, 2012,))~~ The superintendent of public instruction shall adopt rules that provide descriptors for each of the ~~((summative))~~ performance ratings ~~((based on the development work of pilot school districts under subsection (7) of this section. Any subsequent changes to the descriptors by the superintendent may only be))~~ with updates to the rules made following consultation with ~~((a group broadly reflective of the parties represented))~~ the steering committee described in subsection (7) (a) (i) of this section.

(e) ~~((By September 1, 2012,))~~ The superintendent of public instruction shall identify up to three preferred leadership frameworks that support the ~~((revised))~~ four-level rating evaluation system. The leadership frameworks shall be research-based and establish definitions or rubrics for each of the four performance ratings for each evaluation criteria. Each school district shall adopt one of the preferred leadership frameworks and post the selection on the district's web site. The superintendent of public instruction shall establish a process for approving minor modifications or adaptations to a preferred leadership framework that may be proposed by a school district.

(f) Student growth data that is relevant to the principal must be a factor in the evaluation process and must be based on multiple measures that can include classroom-based, school-based, district-based, and state-based tools. As used in this subsection, "student growth" means the change in student achievement between two points in time.

(g) Input from building staff may also be included in the evaluation process.

(h) ~~((For principals who have been transitioned to the revised evaluation system pursuant to the district implementation schedule adopted under~~

~~subsection (7)(c) of this section,)) The following comprehensive ((summative evaluation)) performance ratings mean a principal's work is not judged satisfactory:~~

- ~~(i) Level 1; or~~
- ~~(ii) Level 2 if the principal has more than five years of experience in the principal role and if the level 2 comprehensive ((summative evaluation)) performance rating has been received for two consecutive years or for two years within a consecutive three-year time period.~~

~~(7)(a) ((The superintendent of public instruction, in collaboration with state associations representing teachers, principals, administrators, school board members, and parents, to be known as the steering committee, shall create models for implementing the evaluation system criteria, student growth tools, professional development programs, and evaluator training for certificated classroom teachers and principals. Human resources specialists, professional development experts, and assessment experts must also be consulted. Due to the diversity of teaching assignments and the many developmental levels of students, classroom teachers and principals must be prominently represented in this work. The models must be available for use in the 2011-12 school year.~~

~~(b) A new certificated classroom teacher evaluation system that implements the provisions of subsection (2) of this section and a new principal evaluation system that implements the provisions of subsection (6) of this section shall be phased in beginning with the 2010-11 school year by districts identified in (d) of this subsection and implemented in all school districts beginning with the 2013-14 school year.~~

~~(c) Each school district board of directors shall adopt a schedule for implementation of the revised evaluation systems that transitions a portion of classroom teachers and principals in the district to the revised evaluation systems each year beginning no later than the 2013-14 school year, until all classroom teachers and principals are being evaluated under the revised evaluation systems no later than the 2015-16 school year. A school district is not precluded from completing the transition of all classroom teachers and principals to the revised evaluation systems before the 2015-16 school year. The schedule adopted under this~~

~~subsection (7)(c) must provide that the following employees are transitioned to the revised evaluation systems beginning in the 2013-14 school year:~~

~~(i) Classroom teachers who are provisional employees under RCW 28A.405.220;~~

~~(ii) Classroom teachers who are on probation under subsection (4) of this section;~~

~~(iii) Principals in the first three consecutive school years of employment as a principal;~~

~~(iv) Principals whose work is not judged satisfactory in their most recent evaluation; and~~

~~(v) Principals previously employed as a principal by another school district in the state of Washington for three or more consecutive school years and in the first full year as a principal in the school district.~~

~~(d) A set of school districts shall be selected by the superintendent of public instruction to participate in a collaborative process resulting in the development and piloting of new certificated classroom teacher and principal evaluation systems during the 2010-11 and 2011-12 school years. These school districts must be selected based on: (i) The agreement of the local associations representing classroom teachers and principals to collaborate with the district in this developmental work and (ii) the agreement to participate in the full range of development and implementation activities, including: Development of rubrics for the evaluation criteria and ratings in subsections (2) and (6) of this section; identification of or development of appropriate multiple measures of student growth in subsections (2) and (6) of this section; development of appropriate evaluation system forms; participation in professional development for principals and classroom teachers regarding the content of the new evaluation system; participation in evaluator training; and participation in activities to evaluate the effectiveness of the new systems and support programs. The school districts must submit to the office of the superintendent of public instruction data that is used in evaluations and all district-collected student achievement, aptitude, and growth data regardless of whether the data is used in evaluations. If the data is not available electronically, the district may submit it in non-electronic form. The superintendent of public~~

~~instruction must analyze the districts' use of student data in evaluations, including examining the extent that student data is not used or is underutilized. The superintendent of public instruction must also consult with participating districts and stakeholders, recommend appropriate changes, and address statewide implementation issues. The superintendent of public instruction shall report evaluation system implementation status, evaluation data, and recommendations to appropriate committees of the legislature and governor by July 1, 2011, and at the conclusion of the development phase by July 1, 2012. In the July 1, 2011, report, the superintendent shall include recommendations for whether a single statewide evaluation model should be adopted, whether modified versions developed by school districts should be subject to state approval, and what the criteria would be for determining if a school district's evaluation model meets or exceeds a statewide model. The report shall also identify challenges posed by requiring a state approval process.~~

~~(c) (i) The steering committee in subsection (7) (a) of this section and the pilot school districts in subsection (7) (d) of this section shall continue to examine implementation issues and refine tools for the new certificated classroom teacher evaluation system in subsection (2) of this section and the new principal evaluation system in subsection (6) of this section during the 2013-14 through 2015-16 implementation phase.~~

~~(ii) Particular attention shall be given to the following issues:~~

~~(A) Developing a report for the legislature and governor, due by December 1, 2013, of best practices and recommendations regarding how teacher and principal evaluations and other appropriate elements shall inform school district human resource and personnel practices. The legislature and governor are provided the opportunity to review the report and recommendations during the 2014 legislative session;~~

~~(B) Taking the new teacher and principal evaluation systems to scale and the use of best practices for statewide implementation;~~

~~(C) Providing guidance regarding the use of student growth data to assure it is used responsibly and with integrity;~~

~~(D) Refining evaluation system management tools, professional~~

~~development programs, and evaluator training programs with an emphasis on developing rater reliability;~~

~~(E) Reviewing emerging research regarding teacher and principal evaluation systems and the development and implementation of evaluation systems in other states;~~

~~(F) Reviewing the impact that variable demographic characteristics of students and schools have on the objectivity, reliability, validity, and availability of student growth data; and~~

~~(G) Developing recommendations regarding how teacher evaluations could inform state policies regarding the criteria for a teacher to obtain continuing contract status under RCW 28A.405.210. In developing these recommendations the experiences of school districts and teachers during the evaluation transition phase must be considered. Recommendations must be reported by July 1, 2016, to the legislature and the governor.~~

~~(iii) To support the tasks in (c) (ii) of this subsection, the superintendent of public instruction may contract with an independent research organization with expertise in educator evaluations and knowledge of the revised evaluation systems being implemented under this section.~~

~~(iv)) (i) The following participants must be known as the steering committee: State associations representing teachers, principals, administrators, school board members, and parents. The committee shall cease to function July 1, 2022.~~

~~(ii) The superintendent of public instruction, in collaboration with the steering committee, shall periodically examine implementation issues and refine tools for the teacher and principal four-level rating evaluation systems.~~

~~(b) The superintendent of public instruction shall monitor the statewide implementation of ((revised)) teacher and principal four-level rating evaluation systems using data reported under RCW 28A.150.230 as well as periodic input from focus groups of administrators, principals, and teachers.~~

~~((v) The superintendent of public instruction shall submit reports detailing findings, emergent issues or trends, recommendations from the steering committee, and pilot school districts, and other recommendations, to enhance implementation and continuous improvement of the revised evaluation~~

~~systems to appropriate committees of the legislature and the governor beginning July 1, 2013, and each July 1st thereafter for each year of the school district implementation transition period concluding with a report on December 1, 2016.)~~

(8) (a) Beginning with the 2015-16 school year, evaluation results for certificated classroom teachers and principals must be used as one of multiple factors in making human resource and personnel decisions. Human resource decisions include, but are not limited to: Staff assignment, including the consideration of an agreement to an assignment by an appropriate teacher, principal, and superintendent; and reduction in force. Nothing in this section limits the ability to collectively bargain how the multiple factors shall be used in making human resource or personnel decisions, with the exception that evaluation results must be a factor.

(b) The office of the superintendent of public instruction must report to the legislature and the governor regarding the school district implementation of the provisions of (a) of this subsection by December 1, 2017.

(9) Each certificated classroom teacher and certificated support personnel shall have the opportunity for confidential conferences with his or her immediate supervisor on no less than two occasions in each school year. Such confidential conference shall have as its sole purpose the aiding of the administrator in his or her assessment of the employee's professional performance.

(10) The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated classroom teachers and certificated support personnel or administrators in accordance with this section, as now or hereafter amended, when it is his or her specific assigned or delegated responsibility to do so, shall be sufficient cause for the nonrenewal of any such evaluator's contract under RCW 28A.405.210, or the discharge of such evaluator under RCW 28A.405.300.

(11) After a certificated classroom teacher ~~((or))~~ who is not required to be on the four-level rating evaluation system or a certificated support personnel has four years of satisfactory evaluations under subsection (1) of this section, a school district may use a short form of evaluation, a locally

bargained evaluation emphasizing professional growth, an evaluation under subsection (1) or (2) of this section, or any combination thereof. The short form of evaluation shall include either a thirty minute observation during the school year with a written summary or a final annual written evaluation based on the criteria in subsection (1) or (2) of this section and based on at least two observation periods during the school year totaling at least sixty minutes without a written summary of such observations being prepared. A locally bargained short-form evaluation emphasizing professional growth must provide that the professional growth activity conducted by the certificated classroom teacher be specifically linked to one or more of the certificated classroom teacher evaluation criteria. However, the evaluation process set forth in subsection (1) or (2) of this section shall be followed at least once every three years unless this time is extended by a local school district under the bargaining process set forth in chapter 41.59 RCW. The employee or evaluator may require that the evaluation process set forth in subsection (1) or (2) of this section be conducted in any given school year. No evaluation other than the evaluation authorized under subsection (1) or (2) of this section may be used as a basis for determining that an employee's work is not satisfactory under subsection (1) or (2) of this section or as probable cause for the nonrenewal of an employee's contract under RCW 28A.405.210 unless an evaluation process developed under chapter 41.59 RCW determines otherwise. ~~((The provisions of this subsection apply to certificated classroom teachers only until the teacher has been transitioned to the revised evaluation system pursuant to the district implementation schedule adopted under subsection (7)(c) of this section.))~~

(12) ~~((All))~~ Certificated classroom teachers and principals who ~~((have been transitioned to the revised evaluation systems pursuant to the district implementation schedule adopted under subsection (7)(c) of this section))~~ are required to be on the four-level rating evaluation system must receive annual performance evaluations as provided in this subsection ~~((+))~~ (12).

(a) ~~((All classroom teachers and principals shall receive a comprehensive summative evaluation at least once every four years.))~~ A comprehensive

~~((summative))~~ performance evaluation assesses all eight evaluation criteria and all criteria contribute to the comprehensive ~~((summative evaluation))~~ performance rating. Classroom teachers and principals must receive a comprehensive performance evaluation according to the schedule specified in (b) of this subsection.

(b) (i) Except as otherwise provided in this subsection (12) (b), classroom teachers and principals must receive a comprehensive performance evaluation at least once every four years.

~~((b))~~ (ii) The following ~~((categories))~~ types of classroom teachers and principals ~~((shall))~~ must receive an annual comprehensive ~~((summative))~~ performance evaluation:

~~((i))~~ (A) A classroom teacher ~~((s))~~ who ~~((are))~~ is a provisional employee ~~((s))~~ under RCW 28A.405.220;

~~((ii))~~ (B) A principal ~~((s))~~ in the first three consecutive school years of employment as a principal;

~~((iii))~~ (C) A principal ~~((s))~~ previously employed as a principal by another school district in the state of Washington for three or more consecutive school years and in the first full year as a principal in the school district; and

~~((iv) Any))~~ (D) A classroom teacher or principal who received a comprehensive ~~((summative evaluation))~~ performance rating of level 1 or level 2 in the previous school year.

(iii) A classroom teacher who holds a valid Washington professional teaching certificate or a valid certification from the national board for professional teaching standards and a principal who holds a valid Washington professional administrator certificate, and who received a comprehensive performance rating of level 3 or above in his or her previous comprehensive performance evaluation must receive a comprehensive performance evaluation at least every six years.

(c) (i) In the years when a comprehensive ~~((summative))~~ performance evaluation is not required, classroom teachers and principals who received a comprehensive ~~((summative evaluation))~~ performance rating of level 3 or above in ~~((the previous school year))~~ their previous comprehensive performance evaluation are required to complete a focused performance evaluation. A focused performance evaluation includes an assessment of one of the eight criteria selected for a performance

rating plus professional growth activities specifically linked to the selected criteria.

(ii) The selected criteria must be approved by the teacher's or principal's evaluator and may have been identified in a previous comprehensive ~~((summative))~~ performance evaluation as benefiting from additional attention. A group of teachers may focus on the same evaluation criteria and share professional growth activities. A group of principals may focus on the same evaluation criteria and share professional growth activities.

(iii) The evaluator must assign a ~~((comprehensive summative evaluation))~~ performance rating for the focused performance evaluation using the methodology adopted by the superintendent of public instruction for the instructional or leadership framework being used.

(iv) A teacher or principal may be transferred from a focused performance evaluation to a comprehensive ~~((summative))~~ performance evaluation at the request of the teacher or principal, or at the direction of the teacher's or principal's evaluator.

(v) Due to the importance of instructional leadership and assuring rater agreement among evaluators, particularly those evaluating teacher performance, school districts are encouraged to conduct comprehensive ~~((summative))~~ performance evaluations of principals ~~((performance))~~ on an annual basis.

(vi) A classroom teacher or principal may apply the focused performance evaluation professional growth activities toward the professional growth plan for professional certificate renewal as required by the professional educator standards board.

(13) Each school district is encouraged to acknowledge and recognize classroom teachers and principals who have attained level 4 - distinguished performance ratings."

Correct the title.

Representatives McCaslin and Santos spoke in favor of the adoption of the striking amendment.

Amendment (022) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCaslin and Bergquist spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1319.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1319, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove and Volz.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1319, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1369, by Representatives Hayes, Muri, Kilduff, Appleton and Lovick

Defining veteran for the purpose of receiving certain benefits.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1369 was substituted for House Bill No. 1369 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1369 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes, Ryu and Muri spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1369.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1369, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove and Volz.

SUBSTITUTE HOUSE BILL NO. 1369, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1464, by Representatives Blake, Orcutt, Chapman and Tarleton

Concerning the development of cooperative agreements to expand recreational access on privately owned lands.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1464 was substituted for House Bill No. 1464 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1464 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1464.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1464, and the bill passed the House by the following vote: Yeas, 89; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Harris, Kraft, McCaslin, Sawyer, Shea, Taylor and Young.

Excused: Representatives Hargrove and Volz.

SUBSTITUTE HOUSE BILL NO. 1464, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1489, by Representatives Kretz, Blake and Short

Concerning private wildland fire suppression contractors.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1489 was substituted for House Bill No. 1489 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1489 was read the second time.

Representative Kretz moved the adoption of amendment (038):

On page 2, line 27, after "to" strike "~~(landowners)~~ small forest landowners as defined in RCW 76.09.450" and insert "landowners"

On page 2, line 30, after "private" strike "~~(landowners)~~ small forest landowners as defined in RCW 76.09.450" and insert "landowners"

Representatives Kretz and Blake spoke in favor of the adoption of the amendment.

Amendment (038) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1489.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1489, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove and Volz.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1502, by Representatives Chapman, Orcutt, Lovick, Rodne, Clibborn and Tharinger

Concerning the authorization of and deposit of moneys from department of transportation advertising activities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1502 was substituted for House Bill No. 1502 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1502 was read the second time.

With the consent of the House, amendment (014) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chapman and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1502.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1502, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives MacEwen and Taylor.

Excused: Representatives Hargrove and Volz.

SUBSTITUTE HOUSE BILL NO. 1502, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1543, by Representatives Doglio, Jinkins, Goodman, Senn, Robinson, Stonier, Kagi, Cody, Macri, Bergquist, Slatter, McBride, Peterson, Hudgins, Stanford, Frame and Appleton

Concerning parental rights and responsibilities of sexual assault perpetrators and survivors.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1543 was substituted for House Bill No. 1543 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1543 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Doglio and Graves spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1543.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1543, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representatives Hargrove and Volz.

SUBSTITUTE HOUSE BILL NO. 1543, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1733, by Representatives Springer and Muri

Concerning technical college diploma programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer, Holy and Muri spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1733.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1733, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves,

Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove and Volz.

HOUSE BILL NO. 1733, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1022, by Representatives MacEwen, Pettigrew and Haler

Enhancing crime victim participation in the criminal justice system process.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1022 was substituted for House Bill No. 1022 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1022 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives MacEwen and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1022.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1022, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Hargrove and Volz.

SUBSTITUTE HOUSE BILL NO. 1022, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1939, by Representatives Hudgins, Bergquist, Ortiz-Self, Peterson, Robinson, Jinkins, Gregerson, Stanford, Ormsby, Santos and Pollet

Recognizing the thirty-first day of March as Cesar Chavez day.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins spoke in favor of the passage of the bill.

Representative Koster spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1939.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1939, and the bill passed the House by the following vote: Yeas, 71; Nays, 25; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Haler, Harmsworth, Hayes, Holy, Jenkin, Klippert, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, Nealey, Orcutt, Rodne, Schmick, Shea, Smith, Taylor, Vick, J. Walsh and Young.

Excused: Representatives Hargrove and Volz.

HOUSE BILL NO. 1939, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1939.

Representative Johnson, 14th Legislative District

SECOND READING

HOUSE BILL NO. 1095, by Representatives Appleton, Pollet and Peterson

Concerning antifreeze products.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1095.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1095, and the bill passed the House by the following vote: Yeas, 79; Nays, 17; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Harmsworth, Holy, Klippert, Koster, Kretz, Kristiansen, Manweller, McCaslin, Shea, Taylor, J. Walsh and Young.

Excused: Representatives Hargrove and Volz.

HOUSE BILL NO. 1095, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1128, by Representatives Shea, Jinkins, Holy, Sawyer, Kilduff, Nealey, Hansen, McCaslin, Fitzgibbon, Ormsby and Haler

Concerning civil arbitration.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shea and Jinkins spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1128.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1128, and the bill passed the House by the following vote: Yeas, 71; Nays, 25; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Holy, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kretz, Lovick, Lytton, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Dent, Dye, Graves, Griffey, Harmsworth, Harris, Hayes, Irwin, Jenkin, Koster, Kraft, Kristiansen, MacEwen, Manweller, Muri, Rodne, Schmick, Smith, Stokesbary, Van Werven, Vick and Wilcox.

Excused: Representatives Hargrove and Volz.

HOUSE BILL NO. 1128, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1153, by Representatives Goodman, Klippert, Pellicciotti, Hayes, Orwall, Griffey, Chapman, Holy, Kilduff, Stanford, Fey, Haler, Doglio and Frame

Concerning crimes against vulnerable persons.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1153 was substituted for House Bill No. 1153 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1153 was read the second time.

Representative Goodman moved the adoption of amendment (044):

On page 37, beginning on line 36, after "law" strike all material through "adult," on line 37

Representatives Goodman and Klippert spoke in favor of the adoption of the amendment.

Amendment (044) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1153.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1153, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Graves, McCaslin, Shea and Taylor.

Excused: Representatives Hargrove and Volz.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1153, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1344, by Representatives Dolan, Nealey, Doglio, Springer, Frame, Riccelli, Appleton, Ryu, Ormsby and Goodman

Extending the period for which a bond levy may be increased.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1344 was substituted for House Bill No. 1344 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1344 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dolan, Orcutt and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1344.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1344, and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Koster, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Harmsworth, Harris, Hayes, Holy, Johnson, Klippert, Kraft, Kretz, Manweller, Maycumber, McCabe, Shea, Taylor, Van Werven, Vick, J. Walsh and Young.

Excused: Representatives Hargrove and Volz.

SUBSTITUTE HOUSE BILL NO. 1344, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Doglio congratulated Representative Dolan on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1352, by Representatives Barkis, Chapman, J. Walsh, Shea, Koster, Wilcox, McCabe, Harmsworth, Cody, Tarleton, Kretz, Schmick, Short, Vick, Harris, Manweller, Smith, Stokesbary, MacEwen, Nealey, Condotta, Orcutt, Lytton, Springer, Kirby, Blake, Caldier, Jinkins, Taylor, Pike, Hayes, Muri, Holy, Haler, Steele, Kilduff and Tharinger

Concerning licensing and regulatory requirements of small business owners.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Barkis and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1352.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1352, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove and Volz.

HOUSE BILL NO. 1352, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1431, by Representatives Slatter, Cody and Jinkins

Increasing the number of members on the board of osteopathic medicine and surgery.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1431 was substituted for House Bill No. 1431 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1431 was read the second time.

Representative DeBolt moved the adoption of amendment (041):

On page 2, line 18, after "RCW" strike "43.03.240" and insert "~~((43.03.240))~~ 43.03.265"

On page 2, line 19, after "43.03.060." insert "The board is a class five group for purposes of chapter 43.03 RCW."

On page 2, at the beginning of line 24, strike "The board is a class five group for purposes of chapter 43.03 RCW."

Representatives DeBolt and Cody spoke in favor of the adoption of the amendment.

Amendment (041) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Slatter, Schmick, Cody, Klippert, Jinkins and McCaslin spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1431.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1431, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove and Volz.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1431, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative McBride congratulated Representative Slatter on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1514, by Representatives Robinson, McBride, Pellicciotti, Orwall, Macri, Ormsby, Gregerson, Kloba, Pollet, Appleton, Bergquist, Tharinger, Clibborn, Farrell and Dolan

Requiring a minimum of three years' notice on closures or conversions of mobile home parks and manufactured housing communities. Revised for 1st Substitute: Requiring a minimum of eighteen months' notice on closures or conversions of mobile home parks and manufactured housing communities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1514 was substituted for House Bill No. 1514 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1514 was read the second time.

Representative Robinson moved the adoption of the striking amendment (045):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that:

(1) Manufactured/mobile homes provide a significant source of homeownership opportunities for Washington state residents. However, the increasing number of closures and conversions to other uses of manufactured housing communities and mobile home parks, combined with low vacancy rates in existing parks and communities and the extremely high cost of moving homes when these parks and communities close, make this type of affordable housing option increasingly insecure for the tenants who reside in these parks and communities.

(2) Many tenants who reside in these parks and communities are senior citizens or low-income households and are, therefore, the residents most in need of reasonable security or permanency in the siting of their home because of the adverse impacts on the health, safety, and welfare of tenants forced to move due to closure or conversion to another use of the manufactured housing community or mobile home park.

(3) Manufactured/mobile home tenants have a reasonable expectation of long-term security when they move their home into a community or park. Some tenants have been forced to relocate due to a closure or conversion soon after the tenant has moved into the community or park. The legislature finds that unless a park owner sells the park to resident homeowners or another entity with the purpose of preservation or justly compensates the homeowners for the loss of their homes, a minimum notification period of eighteen months before the closure or conversion of a community or park is a reasonable balancing of the rights and interests of both community and park owners and the manufactured/mobile home owners.

(4) Given the effort and expense involved in moving a manufactured/mobile home and the imbalance of economic power in this type of landlord-tenant relationship, it is the intent of the legislature to provide an opportunity for manufactured/mobile home tenants to remain in manufactured housing communities and mobile home parks for at least eighteen months.

Sec. 2. RCW 59.20.060 and 2012 c 213 s 1 are each amended to read as follows:

(1) Any manufactured/mobile home space tenancy regardless of the term, shall be based upon a written rental agreement, signed by the parties, which shall contain:

(a) The terms for the payment of rent, including time and place, and any additional charges to be paid by the tenant. Additional charges that occur less frequently than monthly shall be itemized in a billing to the tenant;

(b) Reasonable rules for guest parking which shall be clearly stated;

(c) The rules and regulations of the park;

(d) The name and address of the person who is the landlord, and if such person does not reside in the state there shall also be designated by name and address a person who resides in the county where the mobile home park is located who is authorized to act as agent for the purposes of service of notices and process. If no designation is made of a person to act as agent, then the person to whom rental payments are to be made shall be considered the agent;

(e) The name and address of any party who has a secured interest in the mobile home, manufactured home, or park model;

(f) A forwarding address of the tenant or the name and address of a person who would likely know the whereabouts of the tenant in the event of an emergency or an abandonment of the mobile home, manufactured home, or park model;

(g)(i) A covenant by the landlord that, except for acts or events beyond the control of the landlord, the mobile home park will not be converted to a land use that will prevent the space that is the subject of the lease from continuing to be used for its intended use for a period of three years after the beginning of the term of the rental agreement;

(ii) A rental agreement may, in the alternative, contain a statement that: "The park may be sold or otherwise transferred at any time with the result that subsequent owners may close the mobile home park or manufactured housing community, or that the landlord may close the park at any time after the required eighteen-month closure notice as provided in RCW 59.20.080." The covenant or statement required by this subsection must: (A) Appear in print that is in bold face and is larger than the other text of the rental agreement; (B) be set off by means of a box, blank space, or comparable visual device; and (C) be located directly above the tenant's signature on the rental agreement ~~((+))~~;

(h) A copy of a closure notice, as required in RCW 59.20.080, if such notice is in effect;

(i) The terms and conditions under which any deposit or portion thereof may be withheld by the landlord upon termination of the rental agreement if any moneys are paid to the landlord by the tenant as a deposit or as security for performance of the tenant's obligations in a rental agreement;

~~((+))~~ (j) A listing of the utilities, services, and facilities which will be available to the tenant during the tenancy and the nature of the fees, if any, to be charged;

~~((+))~~ (k) A written description, picture, plan, or map of the boundaries of a manufactured/mobile home space sufficient to inform the tenant of the exact location of the tenant's space in relation to other tenants' spaces;

~~((+))~~ (l) A written description, picture, plan, or map of the location of the tenant's responsibility for utility hook-ups, consistent with RCW 59.20.130(6);

~~((+))~~ (m) A statement of the current zoning of the land on which the mobile home park or manufactured housing community is located; and

~~((+))~~ (n) A statement of the expiration date of any conditional use, temporary use, or other land use permit subject to a fixed expiration date that is necessary for the continued use of the land as a mobile home park.

(2) Any rental agreement executed between the landlord and tenant shall not contain any provision:

(a) Which allows the landlord to charge a fee for guest parking unless a violation of the rules for guest parking occurs: PROVIDED, That a fee may be charged for guest parking which covers an extended period of time as defined in the rental agreement;

(b) Which authorizes the towing or impounding of a vehicle except upon notice to the owner thereof or the tenant whose guest is the owner of the vehicle;

(c) Which allows the landlord to alter the due date for rent payment or increase the rent: (i) During the term of the rental agreement if the term is less than one year, or (ii) more frequently than annually if the term is for one year or more: PROVIDED, That a rental agreement may include an escalation clause for a pro rata share of any increase in the mobile home park's or manufactured housing community's real property taxes or utility assessments or charges, over the base taxes or utility assessments or charges of the year in which the rental agreement took effect, if the clause also provides for a pro rata reduction in rent or other charges in the event of a reduction in real property taxes or utility assessments or charges, below the base year: PROVIDED FURTHER, That a rental agreement for a term exceeding one year may provide for annual increases in rent in specified amounts or by a formula specified in such agreement;

(d) By which the tenant agrees to waive or forego rights or remedies under this chapter;

(e) Allowing the landlord to charge an "entrance fee" or an "exit fee." However, an entrance fee may be charged as part of a continuing care contract as defined in RCW 70.38.025;

(f) Which allows the landlord to charge a fee for guests: PROVIDED, That a landlord may establish rules charging for guests who remain on the premises for more than fifteen days in any sixty-day period;

(g) By which the tenant agrees to waive or forego homestead rights provided by chapter 6.13 RCW. This subsection shall not prohibit such waiver after a default in rent so long as such waiver is in writing signed by the husband and wife or by an unmarried claimant and in consideration of the landlord's agreement not to terminate the tenancy for a period of time specified in the waiver if the landlord would be otherwise

entitled to terminate the tenancy under this chapter; or

(h) By which, at the time the rental agreement is entered into, the landlord and tenant agree to the selection of a particular arbitrator.

(3) Any provision prohibited under this section that is included in a rental agreement is unenforceable.

Sec. 3. RCW 59.20.080 and 2012 c 213 s 4 are each amended to read as follows:

(1) A landlord shall not terminate or fail to renew a tenancy of a tenant or the occupancy of an occupant, of whatever duration except for one or more of the following reasons:

(a) Substantial violation, or repeated or periodic violations, of an enforceable rule of the mobile home park as established by the landlord at the inception of the tenancy or as assumed subsequently with the consent of the tenant or for violation of the tenant's duties as provided in RCW 59.20.140. The tenant shall be given written notice to cease the rule violation immediately. The notice shall state that failure to cease the violation of the rule or any subsequent violation of that or any other rule shall result in termination of the tenancy, and that the tenant shall vacate the premises within fifteen days: PROVIDED, That for a periodic violation the notice shall also specify that repetition of the same violation shall result in termination: PROVIDED FURTHER, That in the case of a violation of a "material change" in park rules with respect to pets, tenants with minor children living with them, or recreational facilities, the tenant shall be given written notice under this chapter of a six month period in which to comply or vacate;

(b) Nonpayment of rent or other charges specified in the rental agreement, upon five days written notice to pay rent and/or other charges or to vacate;

(c) Conviction of the tenant of a crime, commission of which threatens the health, safety, or welfare of the other mobile home park or manufactured housing community tenants. The tenant shall be given written notice of a fifteen day period in which to vacate;

(d) Failure of the tenant to comply with local ordinances and state laws and

regulations relating to mobile homes, manufactured homes, or park models or mobile home, manufactured homes, or park model living within a reasonable time after the tenant's receipt of notice of such noncompliance from the appropriate governmental agency;

(e) Change of land use of the mobile home park or manufactured housing community including, but not limited to, conversion to a use other than for mobile homes, manufactured homes, or park models or conversion of the mobile home park or manufactured housing community to a mobile home park cooperative or mobile home park subdivision. The landlord shall give the tenants (~~twelve~~) eighteen months' notice, which may be referred to as a closure notice meeting the requirements of RCW 59.21.030, in advance of the effective date of such change. The eighteen-month closure notice requirement does not apply if:

(i) The mobile home park or manufactured housing community has been acquired for or is under imminent threat of condemnation;

(ii) The mobile home park or manufactured housing community is sold to an organization comprised of park or community tenants, to a nonprofit organization, to a local government, or to a housing authority for the purpose of preserving the park or community; or

(iii) The landlord compensates the tenants for the loss of their homes at their assessed value prior to a change of use or sale of the property;

(f) Engaging in "criminal activity." "Criminal activity" means a criminal act defined by statute or ordinance that threatens the health, safety, or welfare of the tenants. A park owner seeking to evict a tenant or occupant under this subsection need not produce evidence of a criminal conviction, even if the alleged misconduct constitutes a criminal offense. Notice from a law enforcement agency of criminal activity constitutes sufficient grounds, but not the only grounds, for an eviction under this subsection. Notification of the seizure of illegal drugs under RCW 59.20.155 is evidence of criminal activity and is grounds for an eviction under this subsection. The requirement that any tenant or occupant register as a sex offender under RCW 9A.44.130 is grounds for eviction of the sex offender under this subsection. If criminal

activity is alleged to be a basis of termination, the park owner may proceed directly to an unlawful detainer action;

(g) The tenant's application for tenancy contained a material misstatement that induced the park owner to approve the tenant as a resident of the park, and the park owner discovers and acts upon the misstatement within one year of the time the resident began paying rent;

(h) If the landlord serves a tenant three fifteen-day notices within a twelve-month period to comply or vacate for failure to comply with the material terms of the rental agreement or an enforceable park rule. The applicable twelve-month period shall commence on the date of the first violation;

(i) Failure of the tenant to comply with obligations imposed upon tenants by applicable provisions of municipal, county, and state codes, statutes, ordinances, and regulations, including this chapter. The landlord shall give the tenant written notice to comply immediately. The notice must state that failure to comply will result in termination of the tenancy and that the tenant shall vacate the premises within fifteen days;

(j) The tenant engages in disorderly or substantially annoying conduct upon the park premises that results in the destruction of the rights of others to the peaceful enjoyment and use of the premises. The landlord shall give the tenant written notice to comply immediately. The notice must state that failure to comply will result in termination of the tenancy and that the tenant shall vacate the premises within fifteen days;

(k) The tenant creates a nuisance that materially affects the health, safety, and welfare of other park residents. The landlord shall give the tenant written notice to cease the conduct that constitutes a nuisance immediately. The notice must describe the nuisance and state (i) what the tenant must do to cease the nuisance and (ii) that failure to cease the conduct will result in termination of the tenancy and that the tenant shall vacate the premises in five days;

(l) Any other substantial just cause that materially affects the health, safety, and welfare of other park residents. The landlord shall give the

tenant written notice to comply immediately. The notice must describe the harm caused by the tenant, describe what the tenant must do to comply and to discontinue the harm, and state that failure to comply will result in termination of the tenancy and that the tenant shall vacate the premises within fifteen days; or

(m) Failure to pay rent by the due date provided for in the rental agreement three or more times in a twelve-month period, commencing with the date of the first violation, after service of a five-day notice to comply or vacate.

(2) Within five days of a notice of eviction as required by subsection (1) (a) of this section, the landlord and tenant shall submit any dispute to mediation. The parties may agree in writing to mediation by an independent third party or through industry mediation procedures. If the parties cannot agree, then mediation shall be through industry mediation procedures. A duty is imposed upon both parties to participate in the mediation process in good faith for a period of ten days for an eviction under subsection (1) (a) of this section. It is a defense to an eviction under subsection (1) (a) of this section that a landlord did not participate in the mediation process in good faith.

(3) Chapters 59.12 and 59.18 RCW govern the eviction of recreational vehicles, as defined in RCW 59.20.030, from mobile home parks. This chapter governs the eviction of mobile homes, manufactured homes, park models, and recreational vehicles used as a primary residence from a mobile home park.

Sec. 4. RCW 59.21.030 and 2006 c 296 s 1 are each amended to read as follows:

(1) The closure notice required by RCW 59.20.080 before park closure or conversion of the park (~~(, whether twelve months or longer,)~~) shall be given to the director and all tenants in writing, and posted at all park entrances.

(2) The closure notice required under RCW 59.20.080 must be in substantially the following form:

"CLOSURE NOTICE TO TENANTS

NOTICE IS HEREBY GIVEN on the day of,, of a conversion of this mobile home park or manufactured housing community to a use other than for mobile homes, manufactured homes, or park

models, or of a conversion of the mobile home park or manufactured housing community to a mobile home park cooperative or a mobile home park subdivision. This change of use becomes effective on the day of,, which is the date eighteen months after the date this closure notice is given.

PARK OR COMMUNITY MANAGEMENT OR OWNERSHIP INFORMATION:

For information during the period preceding the effective change of use of this mobile home park or manufactured housing community on the day of,, contact:

- Name:
- Address:
- Telephone:

PURCHASER INFORMATION, if applicable:

Contact information for the purchaser of the mobile home park or manufactured housing community property consists of the following:

- Name:
- Address:
- Telephone:

PARK PURCHASE BY TENANT ORGANIZATIONS, if applicable:

The owner of this mobile home park or manufactured housing community is willing to entertain an offer of purchase by an organization or group consisting of park or community tenants or a not-for-profit agency designated by the tenants. Tenants should contact the park owner or park management with such an offer. For assistance in forming an organization to purchase the park or community and for possible financial resources to assist with such a purchase, contact the Office of Mobile/Manufactured Home Relocation Assistance within the Department of Commerce.

RELOCATION ASSISTANCE RESOURCES:

For information about the availability of relocation assistance, contact the Office of Mobile/Manufactured Home Relocation Assistance within the Department of Commerce."

(3) The closure notice required by RCW 59.20.080 must also meet the following requirements:

(a) A copy of the closure notice must be provided with all (~~month-to-month~~) rental agreements signed after the original park closure notice date as required under RCW 59.20.060;

(b) Notice to the director must include: (i) A good faith estimate of the timetable for removal of the mobile homes; (ii) the reason for closure; and (iii) a list of the names and mailing addresses of the current registered park tenants. Notice required under this subsection must be sent to the director within ten business days of the date notice was given to all tenants as required by RCW 59.20.080; and

(c) Notice must be recorded in the office of the county auditor for the county where the mobile home park is located.

~~((2))~~ (4) The department must mail every tenant an application and information on relocation assistance within ten business days of receipt of the notice required in subsection (1) of this section.

Sec. 5. RCW 59.20.073 and 2012 c 213 s 3 are each amended to read as follows:

(1) Any rental agreement shall be assignable by the tenant to any person to whom he or she sells or transfers title to the mobile home, manufactured home, or park model.

(2) A tenant who sells a mobile home, manufactured home, or park model within a park must provide the buyer with a copy of any closure notice provided by a landlord, as required under RCW 59.20.080, at least seven days in advance of the intended sale and transfer.

(3) A tenant who sells a mobile home, manufactured home, or park model within a park shall notify the landlord in writing of the date of the intended sale and transfer of the rental agreement at least fifteen days in advance of such intended transfer and shall notify the buyer in writing of the provisions of this section. The tenant shall verify in writing to the landlord payment of all taxes, rent, and reasonable expenses due on the mobile home, manufactured home, or park model and mobile home lot. The tenant shall notify the buyer of all taxes, rent, and reasonable expenses due on the manufactured/mobile home or park model and the mobile home lot.

~~((3))~~ (4) The landlord shall notify the selling tenant, in writing, of a refusal to permit transfer of the rental agreement at least seven days in advance of such intended transfer.

~~((4))~~ (5) The landlord may require the mobile home, manufactured home, or park model to meet applicable fire and safety standards if a state or local agency responsible for the enforcement of fire and safety standards has issued a notice of violation of those standards to the tenant and those violations remain uncorrected. Upon correction of the violation to the satisfaction of the state or local agency responsible for the enforcement of that notice of violation, the landlord's refusal to permit the transfer is deemed withdrawn.

~~((5))~~ (6) The landlord shall approve or disapprove of the assignment of a rental agreement on the same basis that the landlord approves or disapproves of any new tenant, and any disapproval shall be in writing. Consent to an assignment shall not be unreasonably withheld.

~~((6))~~ (7) Failure to notify the landlord in writing, as required under subsection ~~((2))~~ (3) of this section; or failure of the new tenant to make a good faith attempt to arrange an interview with the landlord to discuss assignment of the rental agreement; or failure of the current or new tenant to obtain written approval of the landlord for assignment of the rental agreement, shall be grounds for disapproval of such transfer.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Robinson and Ryu spoke in favor of the adoption of the striking amendment.

Amendment (045) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Robinson spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1514.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1514, and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, J. Walsh, Wilcox and Young.

Excused: Representatives Hargrove and Volz.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1514, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, HOUSE BILL NO 1753 was moved from the Second Reading Suspension Calendar to the Second Reading Calendar.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1100, by Representatives Taylor, Blake, Shea, Harmsworth, Condotta, Short, Volz, Van Werven, Irwin, Hargrove and Buys

Concerning concealed pistol license renewal notices.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1100 was substituted for House Bill No. 1100 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1100 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor and Jinkins spoke in favor of the passage of the bill.

MOTION

On motion of Representative Tarleton, Representative Tharinger was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1100.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1100, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

SUBSTITUTE HOUSE BILL NO. 1100, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1274, by Representatives Sawyer, Vick, Condotta, Kloba and Ryu

Concerning the member requirement for bona fide charitable or nonprofit organizations.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Condotta and Sawyer spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1274.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1274, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1274, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1346, by Representatives Springer, Muri, Dolan, Harris, Appleton, Tarleton, Cody, Santos and Ortiz-Self

Clarifying the authority of a nurse working in a school setting.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1346 was substituted for House Bill No. 1346 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1346 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Springer spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1346.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1346, and the bill passed the

House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Tharinger and Volz.

SUBSTITUTE HOUSE BILL NO. 1346, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1401, by Representatives Ortiz-Self, Stonier, Ryu, Peterson, Santos, Jinkins, Appleton and Bergquist

Requiring the court to remove any person serving as a court-appointed special advocate or volunteer guardian ad litem if that person has made a materially false statement under oath.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1401.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1401, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-

Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1401, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1411, by Representatives Cody, DeBolt, Riccelli, Caldier, Jinkins and Appleton

Concerning dental licensure through completion of a residency program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1411 was substituted for House Bill No. 1411 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1411 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1411.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1411, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

SUBSTITUTE HOUSE BILL NO. 1411, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1515, by Representatives Graves, Riccelli and Kraft

Clarifying the appropriate format for signed written authorizations for special parking privileges.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1515 was substituted for House Bill No. 1515 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1515 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Graves and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1515.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1515, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

SUBSTITUTE HOUSE BILL NO. 1515, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1618, by House Committee on Education (originally sponsored by Representatives Ortiz-Self, Harris, Santos, Johnson, Bergquist and Kagi)

Concerning family and community engagement coordinators.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1618 was substituted for Substitute House Bill No. 1618 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1618 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1618.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1618, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Tharinger and Volz.

SUBSTITUTE HOUSE BILL NO. 1618, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1623, by Representatives Senn, Springer, Tarleton and Slatter

Concerning secondhand dealers utilizing automated kiosks to purchase secondhand electronic devices.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1623.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1623, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1623, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1626, by Representatives Blake and Walsh

Changing the date in which community impact statements are provided to the department of corrections.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1626 was substituted for House Bill No. 1626 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1626 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1626.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1626, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

SUBSTITUTE HOUSE BILL NO. 1626, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1629, by Representatives Sells and Manweller

Extending the redetermination timeline regarding appeals to the department of labor and industries.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1629.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1629, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins,

Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1629, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1640, by Representatives Graves, Jinkins and Tharinger

Allowing notaries and proof of identity for advance directives.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Graves and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1640.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1640, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1640, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1671, by Representatives Cody, Harris and Tharinger

Concerning assistance with activities of daily living.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1671 was substituted for House Bill No. 1671 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1671 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1671.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1671, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

SUBSTITUTE HOUSE BILL NO. 1671, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1672, by Representatives Frame, Sells, Gregerson, Doglio, Stambaugh, Ormsby, Manweller, Dent, Stonier, Steele, J. Walsh, Goodman, Bergquist and Pollet

Concerning the time period for workers to recover wages under prevailing wage laws.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Frame and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1672.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1672, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1672, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1813, by Representatives Kloba and Harmsworth

Aligning existing definitions and practices to establish a uniform process for updating addresses of record and make conforming amendments to statutes administered by the department of licensing.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1813 was substituted for House Bill No. 1813 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1813 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba and Harmsworth spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1813.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1813, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

SUBSTITUTE HOUSE BILL NO. 1813, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1828, by Representatives Irwin, Hudgins and Stanford

Concerning more efficient use of state facilities through aligning the functions of the department of enterprise services and the office of financial management, collecting additional space use data, and making technical corrections.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Irwin spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1828.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1828, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan,

Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1828, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1853, by Representatives Doglio, Hudgins, Wilcox and Haler

Removing references to specific nonoperational historical facilities from state statute.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Doglio and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1853.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1853, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1853, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1959, by Representatives Harmsworth, Pollet, Young and Van Werven

Requiring a public hearing before a local government may remove a restrictive covenant from land owned by the local government.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harmsworth and Appleton spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1959.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1959, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 1959, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2087, by Representatives Stambaugh, Riccelli, Orcutt, Hayes, Gregerson and Ormsby

Concerning worker safety on roadways and roadsides.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stambaugh and Fey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2087.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2087, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Tharinger and Volz.

HOUSE BILL NO. 2087, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1149, by Representatives Chapman, Clibborn, Orcutt and Fey

Providing an exemption from certain maximum vehicle length limitations. Revised for 1st Substitute: Providing exemptions from certain maximum vehicle length limitations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1149 was substituted for House Bill No. 1149 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1149 was read the second time.

Representative Buys moved the adoption of amendment (018):

On page 2, line 7, after "forty" insert "~~six~~"

On page 2, line 7, after "to" strike "(1)" and insert "~~((1))~~"

On page 2, beginning on line 8, after "vehicle" strike all material through "(3)" on line 10 and insert "~~((2) auto stage, private carrier bus, school bus, or~~

~~motor home with an overall length not to exceed forty six feet, (3)) or"~~

On page 2, line 12, after "length" strike all material through "2005" on line 13 and insert "~~((or (4) an auto recycling carrier up to forty two feet in length manufactured prior to 2005))"~~

Representatives Buys and Orcutt spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (018) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chapman and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1149.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1149, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives DeBolt, Griffey, MacEwen, Stokesbary, Taylor and Wilcox.

Excused: Representative Volz.

SUBSTITUTE HOUSE BILL NO. 1149, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1641, by Representatives McBride, Caldier, Graves, Jinkins, Fey, Clibborn and Stanford

Concerning informed consent for nonemergency, outpatient, primary health care services for

unaccompanied homeless youth under the federal McKinney-Vento homeless assistance act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1641 was substituted for House Bill No. 1641 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1641 was read the second time.

Representative Shea moved the adoption of amendment (046):

On page 3, line 37, after "(ii)" insert "A person authorized to consent to care under this subsection (2)(b) must ensure that prior to the administration of a vaccine for immunization the health care provider reviews the minor patient's full health history and reviews, with the person consenting and the minor patient, the package insert for the vaccine.

(iii)"

On page 4, at the beginning of line 3, strike "(iii)" and insert "(iv)"

Representative Shea and Shea (again) spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (046) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McBride and Caldier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1641.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1641, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne,

Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Klippert, McCaslin, Shea and Taylor.

Excused: Representative Volz.

SUBSTITUTE HOUSE BILL NO. 1641, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1547, by Representatives Schmick and Cody

Exempting certain hospitals from certificate of need requirements for the addition of psychiatric beds until June 2019.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1547 was substituted for House Bill No. 1547 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1547 was read the second time.

Representative Schmick moved the adoption of the striking amendment (058):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.38.111 and 2016 sp.s. c 31 s 4 are each amended to read as follows:

(1) The department shall not require a certificate of need for the offering of an inpatient tertiary health service by:

(a) A health maintenance organization or a combination of health maintenance organizations if (i) the organization or combination of organizations has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (ii) the facility in which the service will be provided is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination;

(b) A health care facility if (i) the facility primarily provides or will

provide inpatient health services, (ii) the facility is or will be controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations which has, in the service area of the organization or service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (iii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination; or

(c) A health care facility (or portion thereof) if (i) the facility is or will be leased by a health maintenance organization or combination of health maintenance organizations which has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals and, on the date the application is submitted under subsection (2) of this section, at least fifteen years remain in the term of the lease, (ii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization;

if, with respect to such offering or obligation by a nursing home, the department has, upon application under subsection (2) of this section, granted an exemption from such requirement to the organization, combination of organizations, or facility.

(2) A health maintenance organization, combination of health maintenance organizations, or health care facility shall not be exempt under subsection (1) of this section from obtaining a certificate of need before offering a tertiary health service unless:

(a) It has submitted at least thirty days prior to the offering of services reviewable under RCW 70.38.105(4)(d) an application for such exemption; and

(b) The application contains such information respecting the organization,

combination, or facility and the proposed offering or obligation by a nursing home as the department may require to determine if the organization or combination meets the requirements of subsection (1) of this section or the facility meets or will meet such requirements; and

(c) The department approves such application. The department shall approve or disapprove an application for exemption within thirty days of receipt of a completed application. In the case of a proposed health care facility (or portion thereof) which has not begun to provide tertiary health services on the date an application is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet the applicable requirements of subsection (1) of this section when the facility first provides such services. The department shall approve an application submitted under this subsection if it determines that the applicable requirements of subsection (1) of this section are met.

(3) A health care facility (or any part thereof) with respect to which an exemption was granted under subsection (1) of this section may not be sold or leased and a controlling interest in such facility or in a lease of such facility may not be acquired and a health care facility described in (1)(c) which was granted an exemption under subsection (1) of this section may not be used by any person other than the lessee described in (1)(c) unless:

(a) The department issues a certificate of need approving the sale, lease, acquisition, or use; or

(b) The department determines, upon application, that (i) the entity to which the facility is proposed to be sold or leased, which intends to acquire the controlling interest, or which intends to use the facility is a health maintenance organization or a combination of health maintenance organizations which meets the requirements of (1)(a)(i), and (ii) with respect to such facility, meets the requirements of (1)(a)(ii) or (iii) or the requirements of (1)(b)(i) and (ii).

(4) In the case of a health maintenance organization, an ambulatory care facility, or a health care facility, which ambulatory or health care facility is controlled, directly or indirectly, by a health maintenance organization or a

combination of health maintenance organizations, the department may under the program apply its certificate of need requirements to the offering of inpatient tertiary health services to the extent that such offering is not exempt under the provisions of this section or RCW 70.38.105(7).

(5)(a) The department shall not require a certificate of need for the construction, development, or other establishment of a nursing home, or the addition of beds to an existing nursing home, that is owned and operated by a continuing care retirement community that:

(i) Offers services only to contractual members;

(ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some assistance with daily living activities;

(iii) Contractually assumes responsibility for the cost of services exceeding the member's financial responsibility under the contract, so that no third party, with the exception of insurance purchased by the retirement community or its members, but including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources;

(iv) Has offered continuing care contracts and operated a nursing home continuously since January 1, 1988, or has obtained a certificate of need to establish a nursing home;

(v) Maintains a binding agreement with the state assuring that financial liability for services to members, including nursing home services, will not fall upon the state;

(vi) Does not operate, and has not undertaken a project that would result in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and

(vii) Has obtained a professional review of pricing and long-term solvency within the prior five years which was fully disclosed to members.

(b) A continuing care retirement community shall not be exempt under this subsection from obtaining a certificate of need unless:

(i) It has submitted an application for exemption at least thirty days prior to commencing construction of, is submitting an application for the licensure of, or is commencing operation of a nursing home, whichever comes first; and

(ii) The application documents to the department that the continuing care retirement community qualifies for exemption.

(c) The sale, lease, acquisition, or use of part or all of a continuing care retirement community nursing home that qualifies for exemption under this subsection shall require prior certificate of need approval to qualify for licensure as a nursing home unless the department determines such sale, lease, acquisition, or use is by a continuing care retirement community that meets the conditions of (a) of this subsection.

(6) A rural hospital, as defined by the department, reducing the number of licensed beds to become a rural primary care hospital under the provisions of Part A Title XVIII of the Social Security Act Section 1820, 42 U.S.C., 1395c et seq. may, within three years of the reduction of beds licensed under chapter 70.41 RCW, increase the number of licensed beds to no more than the previously licensed number without being subject to the provisions of this chapter.

(7) A rural health care facility licensed under RCW 70.175.100 formerly licensed as a hospital under chapter 70.41 RCW may, within three years of the effective date of the rural health care facility license, apply to the department for a hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW and there is no redistribution in the number of beds used for acute care or long-term care, the rural health care facility has been in continuous operation, and the rural health care facility has not been purchased or leased.

(8) A rural hospital determined to no longer meet critical access hospital status for state law purposes as a result of participation in the Washington rural health access preservation pilot

identified by the state office of rural health and formerly licensed as a hospital under chapter 70.41 RCW may apply to the department to renew its hospital license and not be subject to the requirements of RCW 70.38.105(4) (a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW. If all or part of a formerly licensed rural hospital is sold, purchased, or leased during the period the rural hospital does not meet critical access hospital status as a result of participation in the Washington rural health access preservation pilot and the new owner or lessor applies to renew the rural hospital's license, then the sale, purchase, or lease of part or all of the rural hospital is subject to the provisions of this chapter (~~70.38 RCW~~).

(9) (a) A nursing home that voluntarily reduces the number of its licensed beds to provide assisted living, licensed assisted living facility care, adult day care, adult day health, respite care, hospice, outpatient therapy services, congregate meals, home health, or senior wellness clinic, or to reduce to one or two the number of beds per room or to otherwise enhance the quality of life for residents in the nursing home, may convert the original facility or portion of the facility back, and thereby increase the number of nursing home beds to no more than the previously licensed number of nursing home beds without obtaining a certificate of need under this chapter, provided the facility has been in continuous operation and has not been purchased or leased. Any conversion to the original licensed bed capacity, or to any portion thereof, shall comply with the same life and safety code requirements as existed at the time the nursing home voluntarily reduced its licensed beds; unless waivers from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers.

(b) To convert beds back to nursing home beds under this subsection, the nursing home must:

(i) Give notice of its intent to preserve conversion options to the department of health no later than thirty days after the effective date of the license reduction; and

(ii) Give notice to the department of health and to the department of social and health services of the intent to convert beds back. If construction is required for the conversion of beds back, the notice of intent to convert beds back must be given, at a minimum, one year prior to the effective date of license modification reflecting the restored beds; otherwise, the notice must be given a minimum of ninety days prior to the effective date of license modification reflecting the restored beds. Prior to any license modification to convert beds back to nursing home beds under this section, the licensee must demonstrate that the nursing home meets the certificate of need exemption requirements of this section.

The term "construction," as used in (b) (ii) of this subsection, is limited to those projects that are expected to equal or exceed the expenditure minimum amount, as determined under this chapter.

(c) Conversion of beds back under this subsection must be completed no later than four years after the effective date of the license reduction. However, for good cause shown, the four-year period for conversion may be extended by the department of health for one additional four-year period.

(d) Nursing home beds that have been voluntarily reduced under this section shall be counted as available nursing home beds for the purpose of evaluating need under RCW 70.38.115(2) (a) and (k) so long as the facility retains the ability to convert them back to nursing home use under the terms of this section.

(e) When a building owner has secured an interest in the nursing home beds, which are intended to be voluntarily reduced by the licensee under (a) of this subsection, the applicant shall provide the department with a written statement indicating the building owner's approval of the bed reduction.

(10) (a) The department shall not require a certificate of need for a hospice agency if:

(i) The hospice agency is designed to serve the unique religious or cultural needs of a religious group or an ethnic minority and commits to furnishing hospice services in a manner specifically aimed at meeting the unique religious or cultural needs of the religious group or ethnic minority;

(ii) The hospice agency is operated by an organization that:

(A) Operates a facility, or group of facilities, that offers a comprehensive continuum of long-term care services, including, at a minimum, a licensed, medicare-certified nursing home, assisted living, independent living, day health, and various community-based support services, designed to meet the unique social, cultural, and religious needs of a specific cultural and ethnic minority group;

(B) Has operated the facility or group of facilities for at least ten continuous years prior to the establishment of the hospice agency;

(iii) The hospice agency commits to coordinating with existing hospice programs in its community when appropriate;

(iv) The hospice agency has a census of no more than forty patients;

(v) The hospice agency commits to obtaining and maintaining medicare certification;

(vi) The hospice agency only serves patients located in the same county as the majority of the long-term care services offered by the organization that operates the agency; and

(vii) The hospice agency is not sold or transferred to another agency.

(b) The department shall include the patient census for an agency exempted under this subsection (10) in its calculations for future certificate of need applications.

(11) To alleviate the need to board psychiatric patients in emergency departments, ~~((for fiscal year 2015))~~ for the period of time from the effective date of this section through June 30, 2019:

(a) The department shall suspend the certificate of need requirement for a hospital licensed under chapter 70.41 RCW that changes the use of licensed beds to increase the number of beds to provide psychiatric services, including involuntary treatment services. A certificate of need exemption under this ~~(section)~~ subsection (11)(a) shall be valid for two years.

(b) The department may not require a certificate of need for:

(i) The addition of beds as described in RCW 70.38.260 (2) and (3); or

(ii) The construction, development, or establishment of a psychiatric hospital licensed as an establishment under chapter 71.12 RCW that will have no more than sixteen beds and provide treatment to adults on ninety or one hundred eighty-day involuntary commitment orders, as described in RCW 70.38.260(4).

Sec. 2. RCW 70.38.260 and 2015 3rd sp.s. c 22 s 2 are each amended to read as follows:

(1) For a grant awarded during fiscal years 2016 and 2017 by the department of commerce under this section, hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed as establishments under chapter 71.12 RCW are not subject to certificate of need requirements for the addition of the number of new psychiatric beds indicated in the grant. The department of commerce may not make a prior approval of a certificate of need application a condition for a grant application under this section. The period during which an approved hospital or psychiatric hospital project qualifies for a certificate of need exemption under this section is two years from the date of the grant award.

(2)(a) Until June 30, 2019, a hospital licensed under chapter 70.41 RCW is exempt from certificate of need requirements for the addition of new psychiatric beds.

(b) A hospital that adds new psychiatric beds under this subsection (2) must:

(i) Notify the department of the addition of new psychiatric beds. The department shall provide the hospital with a notice of exemption within thirty days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(c) Beds granted an exemption under RCW 70.38.111(11)(b) must remain psychiatric beds unless a certificate of need is granted to change their use or the hospital voluntarily reduces its licensed capacity.

(3)(a) Until June 30, 2019, a psychiatric hospital licensed as an establishment under chapter 71.12 RCW is exempt from certificate of need

requirements for the one-time addition of up to thirty new psychiatric beds, if it demonstrates to the satisfaction of the department:

(i) That its most recent two years of publicly available fiscal year-end report data as required under RCW 70.170.100 and 43.70.050 reported to the department by the psychiatric hospital, show a payer mix of a minimum of fifty percent medicare and medicaid based on a calculation using patient days; and

(ii) A commitment to maintaining the payer mix in (a) of this subsection for a period of five consecutive years after the beds are made available for use by patients.

(b) A psychiatric hospital that adds new psychiatric beds under this subsection (3) must:

(i) Notify the department of the addition of new psychiatric beds. The department shall provide the psychiatric hospital with a notice of exemption within thirty days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(c) Beds granted an exemption under RCW 70.38.111(11)(b) must remain psychiatric beds unless a certificate of need is granted to change their use or the psychiatric hospital voluntarily reduces its licensed capacity.

(4)(a) Until June 30, 2019, an entity seeking to construct, develop, or establish a psychiatric hospital licensed as an establishment under chapter 71.12 RCW is exempt from certificate of need requirements if the proposed psychiatric hospital will have no more than sixteen beds and dedicate a portion of the beds to providing treatment to adults on ninety or one hundred eighty-day involuntary commitment orders. The psychiatric hospital may also provide treatment to adults on a seventy-two hour detention or fourteen-day involuntary commitment order.

(b) An entity that seeks to construct, develop, or establish a psychiatric hospital under this subsection (4) must:

(i) Notify the department of the addition of construction, development, or establishment. The department shall provide the entity with a notice of exemption within thirty days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(c) Entities granted an exemption under RCW 70.38.111(11)(b)(ii) may not exceed sixteen beds unless a certificate of need is granted to increase the psychiatric hospital's capacity.

(5) This section expires June 30, (~~2019~~) 2022.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Schmick and Cody spoke in favor of the adoption of the striking amendment.

Amendment (058) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1547.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1547, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Volz.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1547, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1551, by Representatives Riccelli, Smith, Johnson, Gregerson, Stonier, Peterson, Doglio, Pettigrew, Reeves, Sells, Ryu, Macri, Farrell, Clibborn, Tarleton, Santos, Lovick, Senn, Slatter, McBride, Orwall, Pollet, Dolan, Hudgins, Stanford, Haler, DeBolt, Appleton, Fitzgibbon, Goodman, Bergquist, Vick, Tharinger, Sawyer, Ormsby and Cody

Creating a competitive equipment assistance grant program to enhance student nutrition in public schools.

The bill was read the second time.

Representative Riccelli moved the adoption of amendment (055):

On page 3, line 20, after "of" insert "at least"

Representative Riccelli spoke in favor of the adoption of the amendment.

Amendment (055) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1551.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1551, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton,

Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Klippert and Taylor.
Excused: Representative Volz.

ENGROSSED HOUSE BILL NO. 1551, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1800, by Representatives Gregerson, Hudgins, Ortiz-Self, Peterson, Orwall, Springer, Lovick, Sells, Stonier, Clibborn, Dolan, McBride, Ryu, Goodman, Macri, Senn, Cody, Hansen, Bergquist, Slatter, Frame, Sawyer, Kloba, Stanford, Pollet, Doglio, Robinson, Wylie, Kagi, Jinkins, Sullivan, Appleton, Fitzgibbon, Ormsby, Reeves, Morris, Tharinger, Fey, Pellicciotti, Pettigrew, Haler, Kilduff and Farrell

Enacting the Washington voting rights act.

The bill was read the second time.

With the consent of the House, amendment (054) was withdrawn.

Representative Haler moved the adoption of the striking amendment (072):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This act may be known and cited as the Washington voting rights act of 2017.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise. In applying these definitions and other terms in this chapter, the legislature intends that courts rely on relevant federal case law for guidance.

(1) "Alternative proportional voting method" means any at-large election that includes one of the following methods of voting for multiple members of the governing body of a political subdivision:

(a) Limiting the number of votes a voter is entitled to cast to fewer than there are positions to elect;

(b) Cumulating the number of votes a voter is entitled to cast for each position, and allowing the voter to cast the total number of votes in favor of a single candidate or to distribute the

total number of votes among multiple candidates; or

(c) Voting in a single transferable vote where voters rank each candidate in order of preference, with their vote counting towards the highest ranked candidate, and preferences allocated among other candidates who are not elected on first place votes.

(2) "At-large election" means any of the following methods of electing members of the governing body of a political subdivision:

(a) One in which the voters of the entire jurisdiction elect the members to the governing body;

(b) One in which the candidates are required to reside within given areas of the jurisdiction and the voters of the entire jurisdiction elect the members to the governing body; or

(c) One that combines the criteria in (a) and (b) of this subsection.

(3) "District-based elections" means a method of electing members to the governing body of a political subdivision in which the candidate must reside within an election district that is a divisible part of the political subdivision and is elected only by voters residing within that election district.

(4) "Polarized voting" means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate.

(5) "Political subdivision" means any county, city, or town, but does not include the state.

(6) "Protected class" means a class of voters who are members of a race, color, or language minority group.

NEW SECTION. Sec. 3. (1) A political subdivision is in violation of this section when:

(a) It established by prima facie evidence that elections in the political subdivision exhibit polarized voting; and

(b) It is established that, by the totality of circumstances, the voters of the protected class have less opportunity

than members of the majority group to participate in the political process and to elect representatives of their choice.

(2) In determining whether there is a violation of this section, the court shall analyze elections of the governing body of the political subdivision, ballot measure elections, elections in which at least one candidate is a member of a protected class, and other electoral choices that affect the rights and privileges of members of a protected class. Elections conducted prior to the filing of an action pursuant to this chapter may be used to establish or rebut the existence of a violation. In determining whether, by the totality of the circumstances, the voters of the protected class have less opportunity than members of the majority group to participate in the political process and to elect representatives of their choice, the court shall consider, at a minimum, the following factors:

(a) The history of voter-related discrimination in the political subdivision;

(b) The extent to which voting in elections of the political subdivision is racially polarized;

(c) The extent to which the political subdivision has used voting practices or procedures that tend to enhance the opportunity for discrimination against the minority group, such as unusually large election districts, majority voting requirements, and prohibitions against bullet voting;

(d) The exclusion of members of the protected class from the candidate slating process;

(e) The extent to which protected class members bear the effects of past discrimination in areas such as education; employment; and health, which hinder their ability to participate effectively in the political process;

(f) The use of overt or subtle racial appeals in political campaigns;

(g) The extent to which members of the protected class have been elected to public office in the political subdivision; and

(h) Whether there is a significant lack of responsiveness on the part of elected officials to the particularized needs of the members of the protected class.

(3) Members of different protected classes may file an action jointly pursuant to this act if they demonstrate that their combined voting preferences as a group are different from the rest of the electorate.

(4) In determining whether there is a violation of this section, the court shall analyze elections of the governing body of the political subdivision, ballot measure elections, elections in which at least one candidate is a member of a protected class, and other electoral choices that affect the rights and privileges of members of a protected class. The court may also consider whether the proportion of elected officials serving on the political subdivision's legislative body who are members of the protected class is equivalent to the proportion of the population who are members of the protected class.

(5) The election of candidates who are members of a protected class and who were elected prior to the filing of an action pursuant to this chapter shall not preclude a finding of a violation of this section.

NEW SECTION. Sec. 4. (1) In an action filed pursuant to this act, the trial court shall set a trial to be held no later than one year after the filing of a complaint, and shall set a discovery and motions calendar accordingly.

(2) Proof of intent on the part of the voters or elected officials to discriminate against a protected class is not required for a cause of action to be sustained.

(3) For purposes of any applicable statute of limitations, a cause of action under this act arises every time there is an election pursuant to an at-large election or a district-based election.

(4) The plaintiff's constitutional right to the secrecy of the plaintiff's vote is preserved and is not waived by the filing of an action pursuant to this section, and is not subject to discovery or disclosure.

(5) In seeking a temporary restraining order or a preliminary injunction, a plaintiff shall not be required to post a bond or any other security in order to secure such equitable relief.

(6) No action may be filed pursuant to this act before January 15, 2018.

NEW SECTION. Sec. 5. (1) A political subdivision that conducts an election pursuant to state, county, or local law, is authorized to change its electoral system including, but not limited to, implementing a district-based election system or an alternative proportional voting method to remedy a potential violation of section 3 of this act. If a political subdivision invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with section 6 of this act.

(2) If a political subdivision implements a district-based election system, the plan shall be consistent with the following criteria:

(a) Each district shall be as reasonably equal in population as possible to each and every other such district in the political subdivision. This requirement shall not apply to any positions allocated on an at-large basis.

(b) Each district shall be reasonably compact.

(c) Each district shall consist of geographically contiguous area.

(d) To the extent feasible, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(e) District boundaries may not be drawn or maintained in a manner that denies a protected class an equal opportunity to elect candidates of its choice.

(3) During the adoption of its plan, the political subdivision shall ensure that full and reasonable public notice of its actions is provided. The political subdivision shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(4)(a) If the political subdivision invokes its authority under this section and the plan is adopted during the period of time between the first Tuesday after the first Monday of November and on or before January 15th of the following year, the political subdivision shall

order new elections to occur at the next succeeding general election.

(b) If the political subdivision invokes its authority under this section and the plan is adopted during the period of time between January 16th and on or before the first Monday of November, the next election will occur as scheduled and organized under the current electoral system, but the political subdivision shall order new elections to occur pursuant to the remedy at the general election the following calendar year.

(c) All of the positions that were elected pursuant to the previous electoral system and have at least two years remaining in their terms of office from the date the plan was adopted may, at the legislative authority's discretion, be subject to new elections in order to continue their term of office.

(5) Within forty-five days after receipt of federal decennial census information applicable to a specific local area, the commission established in RCW 44.05.030 shall forward the census information to each political subdivision that has invoked its authority under this section to implement a district-based election system, or that is charged with redistricting under section 6 of this act.

(6) No later than eight months after its receipt of federal decennial census data, the governing body of the political subdivision that had previously invoked its authority under this section to implement a district-based election system, or that was previously charged with redistricting under section 6 of this act, shall prepare a plan for redistricting its districts, pursuant to RCW 29A.76.010, and in a manner consistent with this act.

(7) A political subdivision may eliminate the staggered terms of any position in order to implement an alternative proportional voting method.

NEW SECTION. Sec. 6. (1) Upon a finding of a violation of section 3 of this act, the court shall order appropriate remedies that are tailored to remedy the violation. The remedies may include, but are not limited to, the imposition of a district-based election system or an alternative proportional voting method. The court may order the

affected jurisdiction to draw or redraw district boundaries or appoint an individual or panel to draw or redraw district lines. The proposed districts must be approved by the court prior to their implementation.

(2) In tailoring a remedy after a finding of a violation of section 3 of this act:

(a) If the court's order providing a remedy or approving proposed districts, whichever is later, is issued during the period of time between the first Tuesday after the first Monday of November and on or before January 15th of the following year, the court shall order new elections, conducted pursuant to the remedy, to occur at the next succeeding general election. If a special filing period is required, filings for that office shall be reopened for a period of three business days, such three-day period to be fixed by the filing officer.

(b) If the court's order providing a remedy or approving proposed districts, whichever is later, is issued during the period of time between January 16th and on or before the first Monday of November, the next election will occur as scheduled and organized under the current electoral system, but the court shall order new elections to occur pursuant to the remedy at the general election the following calendar year.

(c) All of the positions that were elected pursuant to the at-large or district-based election system that was the subject of the action filed pursuant to this chapter and have at least two years remaining in their terms of office from the date the plan was adopted, including those elected pursuant to (b) of this subsection, shall be subject to new elections, pursuant to the remedy implemented under subsection (1) of this section.

(d) The remedy may provide for a political subdivision to eliminate the staggered terms of any position in order to implement an alternative proportional voting method.

NEW SECTION. Sec. 7. In any action to enforce this chapter, the court may allow the prevailing party or parties reasonable attorneys' fees, all nonattorney fee costs as defined in RCW 4.84.010, and all reasonable expert

witness fees. No fees or costs may be awarded if no action is filed.

NEW SECTION. **Sec. 8.** Any voter who is a member of a protected class and who resides in a political subdivision where a violation of section 3 of this act is alleged may file an action in the superior court of the county in which the political subdivision is located. If the action is against a county, the action may be filed in the superior court of such county, or in the superior court of either of the two nearest judicial districts as determined pursuant to RCW 36.01.050(2). An action filed pursuant to this chapter does not need to be filed as a class action.

NEW SECTION. **Sec. 9.** (1) Prior to filing an action pursuant to this act, a person shall first notify the political subdivision that he or she intends to challenge the political subdivision's electoral system under this act. If the political subdivision does not invoke its authority under section 5 of this act to implement the person's proposed remedy within twelve months after receiving notice, any person may file an action under this act.

(2) The notice provided shall identify the person or persons who intend to file an action, and the protected class or classes whose members do not have an equal opportunity to elect candidates of their choice. The notice shall also include a reasonable analysis of the person's data concerning the alleged vote dilution and racially polarized voting, and a proposed remedy or remedies, based on that data, which would address the alleged violation of section 3 of this act.

(3) (a) The person bringing the notice and the political subdivision shall work in good faith to implement a remedy that provides the protected class or classes identified in the notice an equal opportunity to elect candidates of their choice.

(b) During the twelve months prior to an action being filed in state court, the political subdivision shall work collaboratively with the person bringing the notice to implement a solution that provides a remedy for all parties without resorting to litigation. At a minimum, representatives of the political

subdivision must facilitate and participate in meetings with the person or persons at least once per month to address identified concerns and work towards a solution.

(c) If, after twelve months have passed from the date of the person first providing notice and no mutually agreed solution has been reached, the person or persons may file an action in state court pursuant to this chapter. If, within twelve months after receiving a person's notice, a political subdivision receives another notice containing a materially different proposed remedy than the first notice, the political subdivision shall have an additional three months from the date of the subsequent notice before an action may be filed under this act.

(d) Nothing in this section is intended to limit the ability of a party to initiate, pursue, or defend against a claim made pursuant to the federal voting rights act.

(4) If, after considering the person's notice, the political subdivision adopts the proposed remedy offered by the person in the notice, an action under this act by any person may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act. In agreeing to adopt the person's proposed remedy, the political subdivision may do so by stipulation, which shall become a public document.

(5) Should the political subdivision adopt a different remedy that takes the notice into account, the political subdivision may seek a court order acknowledging that the political subdivision's remedy complies with section 3 of this act. The person who submitted the notice may support or oppose such an order. If the court concludes that the political subdivision's remedy complies with section 3 of this act, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

(6) If a political subdivision has received two or more notices containing materially different proposed remedies, the persons and political subdivision shall work in good faith to implement a remedy that complies with section 3 of this act. Should the political subdivision adopt one of the remedies offered, or a different remedy that takes multiple notices into account, the political subdivision may seek a court order acknowledging that the political subdivision's remedy complies with section 3 of this act. The persons who submitted notices may support or oppose such an order. If the court concludes that the political subdivision's remedy complies with section 3 of this act, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

(7) An individual who has filed an unsuccessful action against a political subdivision under the federal voting rights act may not file a separate action against the same political subdivision under this act within two years of filing the action under the federal voting rights act.

NEW SECTION. Sec. 10. If, after an action is filed, the political subdivision adopts the person's proposed remedy, or a court-ordered remedy, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under the provisions of this act.

NEW SECTION. Sec. 11. The provisions of this act are not applicable to cities and towns with populations under thirty thousand.

Sec. 12. RCW 36.32.020 and 1982 c 226 s 4 are each amended to read as follows:

The board of county commissioners of each county shall divide their county into three commissioner districts so that

each district shall comprise as nearly as possible one-third of the population of the county: PROVIDED, That the territory comprised in any voting precincts of such districts shall remain compact, and shall not be divided by the lines of said districts.

However, the commissioners of any county composed entirely of islands and with a population of less than thirty-five thousand may divide their county into three commissioner districts without regard to population, except that if any single island is included in more than one district, the districts on such island shall comprise, as nearly as possible, equal populations.

Except where necessary to comply with a court order issued pursuant to sections 3 and 6 of this act, the lines of the districts shall not be changed (~~often~~) more often than once in four years and only when a full board of commissioners is present. The districts shall be designated as districts numbered one, two and three.

NEW SECTION. Sec. 13. A new section is added to chapter 35.21 RCW to read as follows:

The legislative authority of a city or town may authorize a change to its electoral system, including the implementation of a district-based election system or an alternative proportional voting method as defined in section 2 of this act, to remedy a potential violation of section 3 of this act. If the legislative authority of a city or town invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with sections 5 and 6 of this act. The legislative authority of a city or town shall order new elections to be scheduled pursuant to section 5(4) of this act. All of the positions that were elected pursuant to the previous method of election and have at least two years remaining in their terms of office shall be subject to new elections in order to continue their terms of office at the legislative authority's discretion.

NEW SECTION. Sec. 14. A new section is added to chapter 35A.21 RCW to read as follows:

The legislative authority of a code city or town may authorize a change to its electoral system, including the implementation of a district-based election system or an alternative proportional voting method as defined in section 2 of this act, to remedy a potential violation of section 3 of this act. If the legislative authority of a code city or town invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with sections 5 and 6 of this act. The legislative authority of a code city or town shall order new elections to be scheduled pursuant to section 5(4) of this act. All of the positions that were elected pursuant to the previous method of election and have at least two years remaining in their terms of office shall be subject to new elections in order to continue their terms of office at the legislative authority's discretion.

Sec. 15. RCW 29A.76.010 and 2011 c 349 s 26 are each amended to read as follows:

(1) It is the responsibility of each county, municipal corporation, and special purpose district with a governing body comprised of internal director, council, or commissioner districts not based on statutorily required land ownership criteria to periodically redistrict its governmental unit, based on population information from the most recent federal decennial census.

(2) Within forty-five days after receipt of federal decennial census information applicable to a specific local area, the commission established in RCW 44.05.030 shall forward the census information to each municipal corporation, county, and district charged with redistricting under this section.

(3) No later than eight months after its receipt of federal decennial census data, the governing body of the municipal corporation, county, or district shall prepare a plan for redistricting its internal or director districts.

(4) The plan shall be consistent with the following criteria:

(a) Each internal director, council, or commissioner district shall be as nearly equal in population as possible to each and every other such district

comprising the municipal corporation, county, or special purpose district.

(b) Each district shall be as compact as possible.

(c) Each district shall consist of geographically contiguous area.

(d) Population data may not be used for purposes of favoring or disfavoring any racial group or political party, except to the extent necessary to ensure compliance with this act.

(e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county, or district, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(5) During the adoption of its plan, the municipal corporation, county, or district shall ensure that full and reasonable public notice of its actions is provided. The municipal corporation, county, or district shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(6)(a) Any registered voter residing in an area affected by the redistricting plan may request review of the adopted local plan by the superior court of the county in which he or she resides, within fifteen days of the plan's adoption. Any request for review must specify the reason or reasons alleged why the local plan is not consistent with the applicable redistricting criteria. The municipal corporation, county, or district may be joined as respondent. The superior court shall thereupon review the challenged plan for compliance with the applicable redistricting criteria set out in subsection (4) of this section.

(b) If the superior court finds the plan to be consistent with the requirements of this section, the plan shall take effect immediately.

(c) If the superior court determines the plan does not meet the requirements of this section, in whole or in part, it shall remand the plan for further or corrective action within a specified and reasonable time period.

(d) If the superior court finds that any request for review is frivolous or has been filed solely for purposes of

harassment or delay, it may impose appropriate sanctions on the party requesting review, including payment of attorneys' fees and costs to the respondent municipal corporation, county, or district.

NEW SECTION. **Sec. 16.** This act supersedes other state laws and local ordinances to the extent that those state laws or ordinances would otherwise restrict a jurisdiction's ability to implement a remedy pursuant to this act.

NEW SECTION. **Sec. 17.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 18.** Sections 1 through 11 and 17 of this act constitute a new chapter in Title 29A RCW."

Correct the title.

Representative Haler spoke in favor of the adoption of the striking amendment.

Representative Hudgins spoke against the adoption of the striking amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of the striking amendment (072).

ROLL CALL

The Clerk called the roll on the adoption of amendment (072) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Stonier, Taylor, Van Werven, Vick, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells,

Senn, Slatter, Springer, Stanford, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Volz.

Amendment (072) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregerson and Haler spoke in favor of the passage of the bill.

RECONSIDERATION

There being no objection, the rules were suspended, and HOUSE BILL NO. 1800 was returned to second reading for purpose of immediate reconsideration of the striking amendment (072).

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of the striking amendment (072), on reconsideration.

ROLL CALL

The Clerk called the roll on the adoption of amendment (072), on reconsideration, and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Volz.

Amendment (072) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Manweller and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1800.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1800, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, J. Walsh, Wilcox and Young.

Excused: Representative Volz.

HOUSE BILL NO. 1800, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1248
- HOUSE BILL NO. 1320
- HOUSE BILL NO. 1321
- HOUSE BILL NO. 1341
- HOUSE BILL NO. 1434
- HOUSE BILL NO. 1462
- HOUSE BILL NO. 1476
- HOUSE BILL NO. 1521
- HOUSE BILL NO. 1526
- HOUSE BILL NO. 1544
- HOUSE BILL NO. 1586
- HOUSE BILL NO. 1676
- HOUSE BILL NO. 1683
- HOUSE BILL NO. 1713
- HOUSE BILL NO. 1741
- HOUSE BILL NO. 1796
- HOUSE BILL NO. 1809
- HOUSE BILL NO. 1819
- HOUSE BILL NO. 1838
- HOUSE BILL NO. 1905
- HOUSE BILL NO. 1958
- HOUSE BILL NO. 1984
- HOUSE BILL NO. 2066

There being no objection, the House adjourned until 9 a.m., February 28, 2017, the 51st Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTY FIRST DAY

House Chamber, Olympia, Tuesday, February 28, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Hannah Buri and John Bussey. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Rob Steinbach, Seaside Church, Bremerton, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4620, by Representative Stanford

WHEREAS, Pets provide companionship to sixty-five percent of United States households; and

WHEREAS, Each year, over 2.4 million healthy and adoptable cats and dogs are put down in animal shelters due to a lack of critical resources and public awareness; and

WHEREAS, Nearly ninety percent of pets living in poverty, and ninety-eight percent of community (feral and stray) cats are unaltered; and

WHEREAS, Spaying and neutering has been shown to dramatically reduce the number of animals who are put down in animal shelters; and

WHEREAS, Programs exist to assist with the cost of spaying or neutering pets living in poverty and community cats; and

WHEREAS, On "World Spay Day" in 2016, veterinarians, national and local animal protection organizations, and private citizens worked together to ensure the spaying or neutering of tens of thousands of pets and community cats; and

WHEREAS, Veterinarians, national and local animal protection organizations, and private citizens have joined together again to advocate the spaying or neutering of pets and community cats on "World Spay Day" 2017;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the Humane Society of the United States' designation of February 28, 2017, as "World Spay Day."

There being no objection, HOUSE RESOLUTION NO. 4620 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

February 27, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5041,
SUBSTITUTE SENATE BILL NO. 5046,
SUBSTITUTE SENATE BILL NO. 5051,
SUBSTITUTE SENATE BILL NO. 5161,
SENATE BILL NO. 5244,
SUBSTITUTE SENATE BILL NO. 5322,
SUBSTITUTE SENATE BILL NO. 5472,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SB 5125 by Senators Braun, Conway, Rossi and Wilson

AN ACT Relating to defining independent contractor relationships in the context of real estate licensing; and amending RCW 18.85.011.

Referred to Committee on Business & Financial Services.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1010, by Representatives Shea, Taylor, Holy, Short, McCaslin, Pike, Haler and Young

Directing the department of ecology to submit an annual report to the legislature detailing the department's participation in interagency agreements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1010 was substituted for House Bill No. 1010 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1010 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shea and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1010.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1010, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1010, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1279, by Representative Pettigrew

Concerning school safety drills.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1279 was substituted for House Bill No. 1279 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1279 was read the second time.

With the consent of the House, amendment (067) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pettigrew and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1279.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1279, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1279, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1395, by Representatives Peterson and Koster

Allowing public transportation benefit area authorities to use job order contracts and procedure.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Peterson and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1395.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1395, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

HOUSE BILL NO. 1395, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1400, by Representatives Dent, Gregerson, Hargrove, McBride, Klippert, Tarleton, Dye, Blake, Peterson, Sells, Griffey, Holy, Harris, McCabe, Buys, Koster, Haler, Wilcox, Graves, Jenkin, Van Werven, Stokesbary, Pike, Condotta, Rodne, MacEwen, Irwin, Steele, Nealey, Volz, McDonald, McCaslin, Chandler, Stambaugh, Barkis, Kraft, Manweller, Muri, J. Walsh, Pettigrew, Bergquist and Kagi

Creating Washington state aviation special license plates.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Fey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1400.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1400, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet,

Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Sawyer, Shea, Stanford and Taylor.

HOUSE BILL NO. 1400, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1507, by Representatives Holy and Hudgins

Enhancing election reconciliation reports.

The bill was read the second time.

Representative Bergquist moved the adoption of the striking amendment (050):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 29A.60.235 and 2011 c 10 s 62 are each amended to read as follows:

(1) The county auditor shall prepare (~~make publicly available at the auditor's office or on the auditor's web site, and submit~~) at the time of certification an election reconciliation report that discloses the following information:

~~((1))~~ (a) The number of registered voters;

~~((2))~~ (b) The number of ballots issued;

~~((3))~~ (c) The number of ballots received;

~~((4))~~ (d) The number of ballots counted;

~~((5))~~ (e) The number of ballots rejected;

~~((6))~~ (f) The number of provisional ballots issued;

~~((7))~~ (g) The number of provisional ballots received;

~~((8))~~ (h) The number of provisional ballots counted;

~~((9))~~ (i) The number of provisional ballots rejected;

~~((10))~~ (j) The number of federal write-in ballots received;

~~((11))~~ (k) The number of federal write-in ballots counted;

~~((12))~~ (l) The number of federal write-in ballots rejected;

~~((13))~~ (m) The number of overseas and service ballots issued by mail, email, web site link, or facsimile;

~~((14))~~ (n) The number of overseas and service ballots received by mail, email, or facsimile;

~~((15))~~ (o) The number of overseas and service ballots counted by mail, email, or facsimile;

~~((16))~~ (p) The number of overseas and service ballots rejected by mail, email, or facsimile;

~~((17))~~ (q) The number of non-overseas and non-service ballots sent by email, web site link, or facsimile;

(r) The number of non-overseas and non-service ballots received by email or facsimile,

(s) The number of non-overseas and non-service ballots that were rejected for:

(i) Failing to send an original or hard copy of the ballot by the certification deadline; or

(ii) Any other reason, including the reason for rejection;

(t) The number of voters credited with voting; and

~~((18))~~ (u) Any other information the auditor or secretary of state deems necessary to reconcile the number of ballots counted with the number of voters credited with voting.

(2) The county auditor must make the report available to the public at the auditor's office and must publish the report on the auditor's web site at the time of certification. The county auditor must submit the report to the secretary of state at the time of certification in any form determined by the secretary of state.

(3)(a) The secretary of state must collect the reconciliation reports from each county auditor and prepare a statewide reconciliation report for each state primary and general election. The report may be produced in a form determined by the secretary that includes the information as described in this subsection (3). The report must be prepared and published on the secretary of state's web site within two months after the last county's election results have been certified.

(b) The state report must include a comparison among counties on rates of votes received, counted, and rejected, including provisional, write-in, overseas ballots, and ballots transmitted electronically. The comparison information may be in the form of rankings, percentages, or other relevant quantifiable data that can be used to measure performance and trends.

(c) The state report must also include an analysis of the data that can be used to develop a better understanding of election administration and policy. The analysis must combine data, as available, over multiple years to provide broader comparisons and trends regarding voter registration and turnout and ballot counting. The analysis must incorporate national election statistics to the extent such information is available."

Representatives Bergquist and Holy spoke in favor of the adoption of the striking amendment.

Amendment (050) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Holy and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1507.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1507, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan,

Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1507, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1568, by Representatives Pettigrew, Macri, Harris, Bergquist and Farrell

Creating Fred Hutch special license plates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1568 was substituted for House Bill No. 1568 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1568 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the was placed on final passage.

Representatives Pettigrew and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1568.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1568, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Sawyer, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 1568, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1648, by Representatives Stonier, Frame, Peterson, Harris, Vick, Wylie and Pike

Concerning county treasurer administrative efficiencies.

The bill was read the second time.

Representative Volz moved the adoption of the striking amendment (037):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 84.56.020 and 2014 c 13 s 1 are each amended to read as follows:

(1) The county treasurer must be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. No treasurer may accept tax payments or issue receipts for the same until the treasurer has completed the tax roll for the current year's collection and provided notification of the completion of the roll. Notification may be accomplished electronically, by posting a notice in the office, or through other written communication as determined by the treasurer. All ~~((taxes upon))~~ real and personal property taxes and assessments made payable by the provisions of this title are due and payable to the county treasurer on or before the thirtieth day of April and, except as provided in this section, ~~((shall be))~~ are delinquent after that date.

(2) Each tax statement must include a notice that checks for payment of taxes may be made payable to "Treasurer of County" or other appropriate office, but tax statements may not include any suggestion that checks may be made payable to the name of the individual holding the office of treasurer nor any other individual.

(3) When the total amount of tax or special assessments on personal property or on any lot, block or tract of real property payable by one person is fifty dollars or more, and if one-half of such tax ~~((be))~~ is paid on or before the thirtieth day of April, the remainder of such tax is due and payable on or before the following thirty-first day of October ~~((following and shall be))~~ and is delinquent after that date.

(4) When the total amount of tax or special assessments on any lot, block or

tract of real property or on any mobile home payable by one person is fifty dollars or more, and if one-half of such tax ~~((be))~~ is paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of tax payable for that year, the remainder of such tax is due and payable on or before the following thirty-first day of October ~~((following))~~ and is delinquent after that date.

(5) Except as provided in (c) of this subsection, delinquent taxes under this section are subject to interest at the rate of twelve percent per annum computed on a monthly basis on the amount of tax delinquent from the date of delinquency until paid. Interest must be calculated at the rate in effect at the time of the tax payment ~~((of the tax))~~, regardless of when the taxes were first delinquent. In addition, delinquent taxes under this section are subject to penalties as follows:

(a) A penalty of three percent of the amount of tax delinquent is assessed on the tax delinquent on June 1st of the year in which the tax is due.

(b) An additional penalty of eight percent is assessed on the ~~((amount of tax))~~ delinquent tax amount on December 1st of the year in which the tax is due.

(c) If a taxpayer is successfully participating in a partial payment ~~((agreement under subsection (11)(b) of this section))~~ program pursuant to subsection (13) of this section, the county treasurer may not assess additional penalties on delinquent taxes that are included within the payment agreement. Interest and penalties that have been assessed prior to the payment agreement remain due and payable as provided in the payment agreement.

(6)(a) When real property taxes become delinquent and prior to the filing of the certificate of delinquency, the treasurer is authorized to assess and collect tax foreclosure avoidance costs.

(b) For the purposes of this section, "tax foreclosure avoidance costs" means those ~~((costs that can be identified specifically))~~ direct costs associated with the administration of properties subject to and prior to foreclosure. Tax foreclosure avoidance costs include:

(i) Compensation of employees for the time devoted ~~((and identified~~

~~specifically))~~ to administering the avoidance of property foreclosure; and

(ii) The cost of materials, services, or equipment acquired, consumed, or expended ~~((specifically for the purpose of))~~ in administering tax foreclosure avoidance prior to the filing of a certificate of delinquency.

(c) When tax foreclosure avoidance costs are collected, ~~((the tax foreclosure avoidance costs))~~ such costs must be credited to the county treasurer service fund account, except as otherwise directed.

(d) For purposes of chapter 84.64 RCW, any taxes, interest, or penalties deemed delinquent under this section remain delinquent until such time as all taxes, interest, and penalties for the tax year in which the taxes were first due and payable have been paid in full.

(7) Subsection (5) of this section notwithstanding, no interest or penalties may be assessed during any period of armed conflict ~~((on))~~ regarding delinquent taxes imposed on the personal residences owned by active duty military personnel who are participating as part of one of the branches of the military involved in the conflict and assigned to a duty station outside the territorial boundaries of the United States.

(8) During a state of emergency declared under RCW 43.06.010(12), the county treasurer, on his or her own motion or at the request of any taxpayer affected by the emergency, may grant extensions of the due date of any taxes payable under this section as the treasurer deems proper.

(9) All collections of interest on delinquent taxes must be credited to the county current expense fund.

(10) For purposes of this chapter, "interest" means both interest and penalties.

~~((10))~~ All collections of interest on delinquent taxes must be credited to the county current expense fund; but))

(11) The direct cost of foreclosure and sale of real property, and the direct fees and costs of distraint and sale of personal property, for delinquent taxes, must, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and must be used by the county treasurer as a

revolving fund to defray the cost of further foreclosure, distraint, and sale ~~((for))~~ because of delinquent taxes without regard to budget limitations and not subject to indirect costs of other charges.

~~((11))~~ (12)(a) For purposes of this chapter, and in accordance with this section and RCW 36.29.190, the treasurer may collect taxes, assessments, fees, rates, interest, and charges by electronic ~~((bill presentment))~~ billing and payment. Electronic ~~((bill presentment))~~ billing and payment may be ~~((utilized))~~ used as an option by the taxpayer, but the treasurer may not require the use of electronic ~~((bill presentment))~~ billing and payment. Electronic bill presentment and payment may be on a monthly or other periodic basis as the treasurer deems proper for delinquent tax year payments only or for prepayments of current tax. All prepayments must be paid in full by the due date specified in ~~((e))~~ (b) of this subsection. Payments on past due taxes must include collection of the oldest delinquent year, which includes interest and taxes within a twelve-month period, prior to filing a certificate of delinquency under chapter 84.64 RCW or distraint pursuant to RCW 84.56.070.

(b) ~~((The treasurer must provide, by electronic means or otherwise, a payment agreement that provides for payment of current year taxes, inclusive of prepayment collection charges. The treasurer may provide, by electronic means or otherwise, a payment agreement for payment of past due delinquencies, which must also require current year taxes to be paid timely. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic or alternative bill, which includes a payment plan for current year taxes. The treasurer may accept partial payment of current and delinquent taxes including interest and penalties using electronic bill presentment and payments.~~

~~((e))~~ All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and are delinquent after that date. The remainder of the tax is due and payable on or before the following thirty-first ~~((day))~~ of October ~~((following))~~ and is delinquent after that date. All other assessments, fees, rates, and charges are delinquent after the due date.

~~((d))~~ (c) A county treasurer may authorize payment of past due property taxes, penalties, and interest under this chapter by electronic funds transfers ~~((payments))~~ on a monthly basis. Delinquent taxes are subject to interest and penalties, as provided in subsection (5) of this section.

~~((e))~~ (d) The treasurer must pay any collection costs, investment earnings, or both on past due payments or prepayments to the credit of a county treasurer service fund account to be created and used only for the payment of expenses incurred by the treasurer, without limitation, in administering the system for collecting prepayments.

~~((12))~~ (13) The treasurer may accept partial payment of current and delinquent taxes including interest and penalties by any means authorized.

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

(a) "Electronic ~~((bill presentment))~~ billing and payment" means statements, invoices, or bills that are created, delivered, and paid using the internet. The term includes an automatic electronic payment from a person's checking account, debit account, or credit card.

(b) "Internet" has the same meaning as provided in RCW 19.270.010.

Sec. 2. RCW 84.56.050 and 1991 c 245 s 17 are each amended to read as follows:

(1) On ~~((receiving the tax rolls the treasurer shall post))~~ receipt of the certification of the tax rolls from the county assessor, the county treasurer must transfer all real and personal property taxes from the rolls to the treasurer's tax roll, and ~~((shall))~~ must carry forward to the current tax rolls a memorandum of all delinquent taxes on each and every description of property, ~~((and enter the same on the property upon which the taxes are delinquent showing the amounts for each year. The treasurer shall notify each taxpayer in the county, at the expense of the county, of the amount of the real and personal property, and the current and delinquent amount of tax due on the same, and the treasurer shall have printed on the notice the name of each tax and the levy made on the same. The county treasurer shall be the sole collector of all delinquent taxes and all other taxes due and collectible on the tax rolls of~~

~~the county: PROVIDED, That the term "taxpayer" as used in this section shall)~~ entering which taxes are delinquent and the amounts for each year. Except as provided otherwise in this section, the treasurer must provide a printed notice or electronically publish, at the expense of the county, information for each taxpayer, regarding the amount of real and personal property, and the name of each tax and levy made on the same. The county treasurer must be the sole collector of all taxes, current or delinquent.

(2) For the purposes of this section, "taxpayer" means any person charged, or whose property is charged, with property tax ~~(~~and~~)~~.

(3) The person to be notified ~~(~~is that~~)~~ under this section is the person whose name appears on the tax roll herein mentioned ~~(~~PROVIDED, FURTHER, That~~)~~. However, if:

(a) No name so appears the person to be notified is ~~(~~that~~)~~ the person shown by the treasurer's tax rolls or duplicate tax receipts of any preceding year as the payer of the tax last paid on the property ~~(~~in question~~)~~; or

(b) The real property taxes are paid by a bank, as defined in RCW 62A.1-201, the name of each tax and levy in the property tax information on the county treasurer's web site satisfies the notice requirements of this section.

Sec. 3. RCW 82.45.090 and 2009 c 350 s 8 are each amended to read as follows:

(1) Except for a sale of a beneficial interest in real property where no instrument evidencing the sale is recorded in the official real property records of the county in which the property is located, the tax imposed by this chapter ~~(~~shall~~)~~ must be paid to and collected by the treasurer of the county within which is located the real property ~~(~~which~~)~~ that was sold. In collecting the tax the county treasurer ~~(~~shall~~)~~ must act as agent for the state. The county treasurer ~~(~~shall~~)~~ must cause a verification of payment evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording or to the real estate excise tax affidavit in the case of used mobile home sales and used floating home sales. A receipt issued by the county treasurer for the payment of the tax imposed under this chapter ~~(~~shall be~~)~~ is evidence of the satisfaction of the lien imposed ~~(~~hereunder~~)~~ in this section and may be recorded in the manner

prescribed for recording satisfactions of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax ~~(~~shall~~)~~ may be accepted by the county auditor for filing or recording until the tax ~~(~~shall have been~~)~~ is paid and the verification of payment affixed thereto; in case the tax is not due on the transfer, the instrument ~~(~~shall~~)~~ may not be so accepted until suitable notation of such fact has been made on the instrument by the treasurer. ~~(~~Any time there is a~~)~~ At the sale of a used mobile home, used manufactured home, used park model, or used floating home that has not been title eliminated, property taxes must be current in order to complete the processing of the real estate excise tax affidavit or other documents transferring title. Verification that the property taxes are current must be noted on the mobile home real estate excise tax affidavit or on a form approved by the county treasurer. For the purposes of this subsection, "mobile home," "manufactured home," and "park model" have the same meaning as provided in RCW 59.20.030.

(2) For a sale of a beneficial interest in real property where a tax is due under this chapter and where no instrument is recorded in the official real property records of the county in which the property is located, the sale ~~(~~shall~~)~~ must be reported to the department of revenue within five days from the ~~(~~date of the~~)~~ sale date on such returns or forms and according to such procedures as the department may prescribe. Such forms or returns ~~(~~shall~~)~~ must be signed or electronically signed by both the transferor and the transferee and ~~(~~shall~~)~~ must be accompanied by payment of the tax due.

(3) Any person who intentionally makes a false statement on any return or form required to be filed with the department under this chapter is guilty of perjury under chapter 9A.72 RCW.

NEW SECTION. Sec. 4. 2014 c 13 s 3 (uncodified) is repealed."

Correct the title.

Representative Volz spoke in favor of the adoption of the striking amendment.

Amendment (037) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier and Appleton spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1648.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1648, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Klippert.

ENGROSSED HOUSE BILL NO. 1648, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2016, by Representatives DeBolt, Hayes, Stanford, Doglio and Muri

Concerning midwifery and doula services for incarcerated women.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2016 was substituted for House Bill No. 2016 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2016 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives DeBolt and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2016.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2016, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Klippert.

SUBSTITUTE HOUSE BILL NO. 2016, having received the necessary constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4008, by Representative Morris

Requesting that the Bonneville Power Administration consider a rate design for the Eastern Intertie that eliminates or reduces the transmission rate associated with that part of the Eastern Intertie known as the Montana Intertie.

The joint memorial was read the second time.

There being no objection, Substitute House Joint Memorial No. 4008 was substituted for House Joint Memorial No. 4008 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4008 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and DeBolt spoke in favor of the passage of the joint memorial.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Joint Memorial No. 4008.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Memorial No. 4008, and the joint memorial passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4008, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1038, by Representatives Condotta, Stanford, Johnson, Vick, Haler and Sawyer**Increasing the number of tasting rooms allowed under a domestic winery license.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1038 was substituted for House Bill No. 1038 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1038 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Condotta, Sawyer and Jenkin spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1038.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1038, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye,

Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives DeBolt, Harris, Orcutt and Smith.

SUBSTITUTE HOUSE BILL NO. 1038, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1081, by Representatives Kirby and Vick**Authorizing funeral planning and funeral services as noninsurance benefits under group life and disability insurance policies.**

The bill was read the second time.

Representative Kirby moved the adoption of the striking amendment (040):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 48.24.280 and 2016 c 143 s 1 are each amended to read as follows:

(1) A life insurer may include the following noninsurance benefits as part of a policy or certificate of group life insurance, with the prior approval of the commissioner:

- (a) Will preparation services;
- (b) Financial planning and estate planning services;
- (c) Probate and estate settlement services;
- (d) Grief counseling; ~~((and))~~

(e) Funeral planning and funeral services, but it must be disclosed that this noninsurance benefit does not constitute an insurance funded prearrangement contract, pursuant to RCW 18.39.255; and

(f) Such other services as the commissioner may identify by rule.

(2) The commissioner may adopt rules to regulate the disclosure of noninsurance

benefits permitted under this section, including but not limited to guidelines regarding the coverage provided under the policy or certificate of insurance.

(3) Those providing the services listed in subsection (1) of this section must be appropriately licensed.

(4) This section does not require the commissioner to approve any particular proposed noninsurance benefit. The commissioner may disapprove any proposed noninsurance benefit that the commissioner determines may tend to promote or facilitate the violation of any other section of this title.

(5) This section does not expand, limit, or otherwise affect the authority and ethical obligations of those who are authorized by the state supreme court to practice law in this state. This section does not limit the prohibition against the unauthorized practice of law under chapter 2.48 RCW.

(6) This section does not affect the application of chapter 21.20 RCW.

Sec. 2. RCW 48.21.380 and 2016 c 143 s 2 are each amended to read as follows:

(1) A disability insurer may include the following noninsurance benefits as part of a policy or certificate of group disability insurance, with the prior approval of the commissioner and where such benefits bear a reasonable relationship to the disability insurance with which they are intended to be offered:

- (a) Will preparation services;
- (b) Financial planning and estate planning services;
- (c) Probate and estate settlement services;
- (d) Grief counseling; (~~and~~)
- (e) Funeral planning and funeral services, but it must be disclosed that this noninsurance benefit does not constitute an insurance funded prearrangement contract, pursuant to RCW 18.39.255; and

(f) Such other services as the commissioner may identify by rule.

(2) The commissioner may adopt rules to regulate the disclosure of noninsurance benefits permitted under this section, including but not limited to guidelines

regarding the coverage provided under the policy or certificate of insurance.

(3) Those providing the services listed in subsection (1) of this section must be appropriately licensed.

(4) This section does not require the commissioner to approve any particular proposed noninsurance benefit. The commissioner may disapprove any proposed noninsurance benefit that the commissioner determines may tend to promote or facilitate the violation of any other section of this title.

(5) This section does not expand, limit, or otherwise affect the authority and ethical obligations of those who are authorized by the state supreme court to practice law in this state. This section does not limit the prohibition against the unauthorized practice of law under chapter 2.48 RCW.

(6) This section does not affect the application of chapter 21.20 RCW.

(7) This section does not affect wellness programs as described in RCW 48.30.140(6)."

Correct the title.

Representatives Kirby and Vick spoke in favor of the adoption of the striking amendment.

Amendment (040) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1081.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1081, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins,

Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1081, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1417, by Representatives Hudgins and Smith

Concerning the harmonization of the open public meetings act with the public records act in relation to information technology security matters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1417 was substituted for House Bill No. 1417 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1417 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1417.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1417, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan,

Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1417, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1437, by Representatives Pollet, Stambaugh, Orwall, Tarleton, Macri, Bergquist, Stanford and Dolan

Adding a faculty member to the board of regents at the research universities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet, Wilcox and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1437.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1437, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, DeBolt, Fey, Jinkins, Johnson, Manweller, Taylor, J. Walsh and Wilcox.

HOUSE BILL NO. 1437, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1560, by Representatives Stanford, Chandler, Ormsby, Harris, Bergquist, Fey, Stonier, Peterson and Doglio

Addressing plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1560.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1560, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Fitzgibbon, Graves, Holy, Stokesbary, Taylor and Vick.

HOUSE BILL NO. 1560, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1931, by Representatives Hayes, Macri, McDonald and Jinkins

Concerning the posting of child abuse and neglect mandated reporter requirements.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1931.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1931, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1931, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1965, by Representatives Lovick and Irwin

Standardizing the collection and distribution of criminal records.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lovick and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1965.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1965, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan,

Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1965, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1983, by Representatives Dye, Riccelli and Dent

Reducing the population requirement in a consortium of counties in order to operate a juvenile correctional facility.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dye and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1983.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1983, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1983, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2038, by Representatives Jenkin, Ryu, McBride, Condotta, Vick, Sawyer and Harris

Clarifying the applicability of RCW 70.345.080 to only vapor products.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jenkin and Sawyer spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2038.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2038, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Pollet and Stanford.

HOUSE BILL NO. 2038, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2097, by Representatives Stanford, Fitzgibbon, Ortiz-Self, Senn, Pettigrew, Jinkins, Kagi, Lytton, Ormsby, Peterson, Pollet, Ryu, Farrell, Santos, Appleton and Macri

Limiting disclosure of information about the religious affiliation of individuals.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford, Rodne, Shea, Senn, Klippert and Kraft spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2097.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2097, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman,

Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 2097, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1320, by Representatives Reeves, McDonald, Dolan, Stambaugh, Kilduff, Ryu, Klippert, Tarleton, Appleton, Sawyer, Jinkins, Bergquist, Pellicciotti, McBride and Riccelli

Concerning certain gold star license plate qualified applicants and recipients. Revised for 1st Substitute: Concerning certain gold star license plate qualified applicants.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1320 was substituted for House Bill No. 1320 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1320 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reeves and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1320.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1320, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1320, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1341, by Representatives Bergquist, McCaslin, Stonier, Muri and Pollet

Concerning professional certification for teachers and school administrators.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1341 was substituted for House Bill No. 1341 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1341 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and McCaslin spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1341.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1341, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1341, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1526, by Representatives Griffey, Kilduff, MacEwen, Muri, Dent, Hayes, Haler, Smith and Pollet

Exempting multipurpose senior citizen centers from property taxation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1526 was substituted for House Bill No. 1526 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1526 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Griffey and Frame spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1526.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1526, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1526, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1586, by Representatives Macri and Cody

Concerning dental professions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1586 was substituted for House Bill No. 1586 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1586 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Macri spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1586.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1586, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1586, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1676, by Representatives Sullivan, Hansen, Goodman, Rodne, Shea, Ortiz-Self and Tarleton

Concerning crimes involving a dog guide or service animal.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sullivan and Rodne spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1676.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1676, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Calder, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Chandler, Condotta, Dent, Klippert, Koster, McCaslin, Taylor and Volz.

HOUSE BILL NO. 1676, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1741, by Representatives Slatter, Hargrove, Dolan, Stonier, Senn, Ortiz-Self, Jinkins, Tarleton, Pollet and Santos

Concerning educator preparation data for use by the professional educator standards board.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1741 was substituted for House Bill No. 1741 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1741 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Slatter and Hargrove spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1741.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1741, and the bill passed the House by the following vote: Yeas, 78; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Haler, Harmsworth, Hayes, Klippert, Koster, McCaslin, Pike, Schmick, Shea, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

SUBSTITUTE HOUSE BILL NO. 1741, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1235, by Representatives Riccelli, Harris, Stonier, Bergquist, Calder, Robinson, Nealey, Stokesbary, Jinkins, McBride, Goodman, Ryu, Frame, Gregerson, Dolan and Ormsby

Assessing physical education practices in public schools.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1235 was substituted for House Bill No. 1235 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1235 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli, Harris, Riccelli (again) and Harris (again) spoke in favor of the passage of the bill.

Representative Hayes spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1235.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1235, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Volz, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Harmsworth, Hayes, Klippert, McCaslin, Smith, Springer, Steele, Taylor, Van Werven, J. Walsh and Young.

SUBSTITUTE HOUSE BILL NO. 1235, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

HOUSE BILL NO. 1470, by Representatives Hudgins, Koster, Haler, Griffey, Manweller and Doglio**Modifying declaration of candidacy provisions.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Koster spoke in favor of the passage of the bill.

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1470.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1470, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame,

Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Dye, McCaslin, Schmick, Shea, Taylor, J. Walsh and Wilcox.

HOUSE BILL NO. 1470, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1627, by Representatives Ryu and McBride**Addressing nonprofit corporation facilities financing by the Washington state housing finance commission.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1627.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1627, and the bill passed the House by the following vote: Yeas, 68; Nays, 30; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Holy, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, Hargrove, Hayes, Irwin, Jenkin, Johnson, Klippert, Koster, Kristiansen, Manweller, McCabe, McCaslin, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Wilcox.

HOUSE BILL NO. 1627, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2064, by Representatives Shea, Blake, Taylor, Condotta, Buys, Kloba and Ormsby

Removing industrial hemp from the scope of the uniform controlled substances act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shea and Sawyer spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2064.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2064, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 2064, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1521, by Representatives Dolan, Doglio, Ormsby, Appleton, Bergquist and Pollet

Removing the requirement that an employee must work at least six months before taking vacation leave.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1521 was substituted for House Bill No. 1521 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1521 was read the second time.

Representative Stokesbary moved the adoption of amendment (092):

On page 3, beginning on line 37, strike all of section 4 and insert the following:

"NEW SECTION. **Sec. 4.** This act takes effect July 1, 2019."

Correct the title.

Representatives Stokesbary and Graves spoke in favor of the adoption of the amendment.

Representative Hudgins spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (092) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

There being no objection, the House deferred action on. SUBSTITUTE HOUSE BILL NO. 1521, and the bill held its place on the third reading calendar.

HOUSE BILL NO. 1036, by Representatives Harmsworth, Kirby, Short and Muri

Concerning business practices of registered tow truck operators by authorizing electronic records creation and storage.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1036 was substituted for House Bill No. 1036 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1036 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harmsworth and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1036.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1036, and the bill passed the

House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1036, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1218, by Representatives Fey, McCaslin and Goodman

Modifying when towing fees terminate.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1218 was substituted for House Bill No. 1218 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1218 was read the second time.

With the consent of the House, amendment (036) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey, Orcutt and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1218.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1218, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1218, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1616, by Representatives McBride, Johnson, Stanford, Pollet and Jinkins

Clarifying the type of land eligible for purchase under the affordable housing land acquisition revolving loan fund program.

The bill was read the second time.

With the consent of the House, amendment (066) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McBride, McCabe, Manweller and Springer spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1616.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1616, and the bill passed the House by the following vote: Yeas, 79; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, Hargrove, Jenkin, Klippert, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Van Werven, Vick and J. Walsh.

HOUSE BILL NO. 1616, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1845, by Representatives Vick, Kirby and Haler

Concerning the delivery of insurance notices and documents by electronic means.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1845 was substituted for House Bill No. 1845 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1845 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Vick and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1845.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1845, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1845, having received the necessary constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4002, by Representatives Riccelli, Clibborn, Johnson, Ormsby, Jinkins, Fitzgibbon, Haler, Reeves, Kilduff, Manweller, Ortiz-Self, Tarleton, Hudgins, Stanford, Chapman, Dolan, Jenkin, Fey and Farrell

Requesting that state route number 395 be named the Thomas S. "Tom" Foley Memorial Highway.

The joint memorial was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the joint memorial was placed on final passage.

Representatives Riccelli and Ormsby spoke in favor of the passage of the joint memorial.

Representative Orcutt spoke against the passage of the joint memorial.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Joint Memorial No. 4002.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4002, and the joint memorial passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Hargrove, Harmsworth, Harris, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Wilcox.

HOUSE JOINT MEMORIAL NO. 4002, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1232, by Representatives Clibborn, Macri, Rodne, Caldier, Jinkins and Goodman

Concerning the timing and content of disclosures by continuing care retirement communities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1232 was substituted for House Bill No. 1232 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1232 was read the second time.

Representative Schmick moved the adoption of amendment (077):

On page 3, beginning on line 10, after "accountant" strike all material through "actuary" on line 12

On page 4, line 26, after "The" strike "receipt" and insert "availability"

On page 4, beginning on line 27, after "18.390.060" strike all material through "18.390.030" on line 28

Representative Schmick spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (077) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Clibborn spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1232.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1232, and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Hayes, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, Morris, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, Dent, Dye, Haler, Hargrove, Harmsworth, Holy, Irwin, Jenkin, Klippert, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, McDonald, Muri, Nealey, Pike, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

SUBSTITUTE HOUSE BILL NO. 1232, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1494, by Representative Morris

Concerning private road maintenance agreements.

The bill was read the second time.

Representative MacEwen moved the adoption of the striking amendment (074):

Strike everything after the enacting clause and insert the following:

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

(1) "Easement" means a nonpossessory interest in the land of another that entitles the holders of an interest in the easement to a private road for ingress and egress, embodying the right to pass across another's land.

(2) "Holders of an interest in an easement" or "holder" means those with a legal right to use the easement, including the owner of the land across which the easement passes if the owner of the land has the legal right to use the easement.

NEW SECTION. Sec. 2. (1) The holders of an interest in any easement shall maintain the easement. However, nothing in this section prohibits agreements that allow maintenance obligations, including costs, to be allocated to fewer than all holders of an interest in an easement.

(2)(a) The cost of maintaining the easement must be shared by each holder of an interest in the easement as provided in the terms of any agreement entered into by the parties for that purpose.

(b) An agreement under (a) of this subsection may be recorded in the real property records with the county auditor in the county or counties in which the easement is located. A failure to record the agreement does not affect the enforceability of the agreement among the parties to the agreement and any other person with notice of the agreement.

(3)(a) Except as provided in (b) of this subsection, in the absence of an agreement under subsection (2) of this section, the reasonable and necessary cost of maintaining the easement must be shared by each holder of an interest in the easement

in proportion to the use made of the easement by each holder.

(b) Each holder of an interest in an easement is solely responsible for damage caused to the easement because of the holder's negligence or abnormal or excessive use. The holder shall repair the damage at his or her own expense.

(4)(a) Unless inconsistent with an agreement between the holders of an interest in an easement, in determining proportionate use and settling conflicts the following factors may be considered:

(i) The frequency of use by the holders;
(ii) the scope of use by the holders, which may be determined by dividing the distance of total usage of all holders into the distance of total usage of each holder; and
(iii) the size and weight of vehicles used by the holders.

(b) Unless inappropriate, based on the factors contained in (a) of this subsection or other relevant factors, the costs for regular and routine maintenance of the easement and the costs of repair of the easement damaged by natural disasters or other events for which all holders of an interest in the easement are blameless may be shared on the basis of percentages resulting from dividing the distance of total usage of all holders into the usage distance of each holder.

NEW SECTION. Sec. 3. (1)(a) A civil action for money damages, specific performance, or contribution may be brought in a court of competent jurisdiction against a holder if:

(i) The holder fails to maintain the easement according to an agreement; or

(ii) After receiving a demand in writing sent certified mail, return receipt requested, the holder fails to pay, within sixty days of the date of the written demand, the holder's proportion of the cost for maintaining the easement as indicated under section 2 of this act.

(b) An action under this section may be brought against a holder of an interest in the easement by one or more of the other holders either jointly or severally.

(2)(a) In an action brought under this section, the court may order any equitable relief that may be just under the circumstances; and

(b) The court shall award the prevailing party all court costs, arbitration fees, and reasonable attorneys' fees.

(3) Unless the parties are subject to mandatory arbitration under chapter 7.06 RCW, any holder of an interest in an easement may apply to the court of competent jurisdiction where the easement is located and that has jurisdiction over the amount in controversy for the appointment of an impartial arbitrator to apportion the cost, and the matter may be arbitrated as provided in chapter 7.04A RCW. The application may be made before, during, or after performance of the maintenance work.

(4) Nothing in this chapter imposes a maintenance obligation on the holder of an interest in an easement based on the maintenance provisions in an instrument creating the easement if the holder is not a party to the instrument, whether the instrument is recorded or not, after the holder ceases to use the easement.

NEW SECTION. Sec. 4. (1) Except as provided in subsections (2) and (3) of this section, this chapter applies to all easements existing on or created after January 1, 2018.

(2) This chapter does not apply to any entity regulated under chapter 76.09 RCW or railroad company or affiliate, or any easement or right-of-way held by any agency or department of the state, any political subdivision of the state, any public service company as defined in either RCW 80.04.010 or 81.04.010, or any public or private utility provider.

(3) Nothing in this chapter authorizes the impairment of a maintenance agreement existing on or before January 1, 2018.

NEW SECTION. Sec. 5. (1) A city or town may not authorize the financing for the construction, reconstruction, or repair of a private roadway under this chapter unless the city or town receives a petition signed by the owners abutting the roadway, according to the records of the county within which the roadway is located, constituting an aggregate amount of the majority of the lineal frontage upon the contemplated roadway improvement.

(2) A petition submitted under this section must set forth the nature and territorial extent of the proposed roadway improvement and the fact that the petition signers are the owners, according to the records of the county within which the roadway is located, of a majority of the lineal frontage upon the contemplated roadway improvement. The petition must also state the financial contribution that will be provided by each of the property

owners abutting the portion of the roadway improvement and a proposed timeline for completing the roadway improvement.

(3) Upon the filing of a petition under this section, the city or town must determine whether the petition is sufficient. If the city or town finds the petition to be sufficient, the city or town may adopt a resolution under section 7 of this act.

NEW SECTION. **Sec. 6.** A city or town may construct, reconstruct, and repair private roadways when the city or town receives a petition under section 5 of this act and adopts a resolution required under section 7 of this act. From any available funds, the city or town may either pay the entire costs of the construction, reconstruction, or repair, or contribute a portion of the funds to pay the costs of such improvements.

NEW SECTION. **Sec. 7.** (1) Under this chapter, a city or town may only undertake the construction, reconstruction, or repair of a private roadway pursuant to a resolution of the legislative body of the city or town. The resolution must state whether all or a specified portion of the cost of the improvements will be borne by the abutting property owners at their own cost and expense as provided in the petition under section 5 of this act. The amount of cost and expense borne by the abutting property owners, as provided in the resolution, may not exceed the amount specified in the petition under section 5 of this act. If the abutting owners are required to pay for all or a portion of the costs of the improvements and fail to pay for the costs, the city or town may perform and complete the improvements and assess the cost against the abutting owners for the portion of costs attributable to the property owners in the manner provided in the petition, but adjusted for any modifications authorized under this subsection. The city or town may not increase the total amount of funds that will be contributed by the abutting property owners in excess of the amount specified in the petition submitted under section 5 of this act, but the resolution may modify the amount contributed by each property owner to reflect a more fair allocation among the property owners.

(2) Any resolution submitted under subsection (1) of this section must include a declaration of public use that specifically identifies the significant public uses necessitating the

construction, reconstruction, or repair of a private roadway.

(3) If the abutting owners are required to pay for all or a portion of the costs of the improvements as provided under subsection (1) of this section, the cost assigned to each property owner must be consistent with the allocated contribution amounts specified on the petition, but adjusted for any modifications authorized under subsection (1) of this section.

(4) The legislative body of the city or town must provide a public hearing on the resolution prior to its adoption. Notice of the public hearing on the resolution must be published in the official newspaper or regularly published official publication of the city or town for two consecutive weeks before the time of hearing. At least ten days before the date fixed for the hearing, the city or town must provide notice of the date of the hearing to each owner or reputed owner of the abutting property by mailing to the owner or reputed owner of the property a notice of the date of hearing at the address shown on the tax rolls of the county treasurer. An affidavit must be filed with the city or town before the hearing showing that notice, by publication and mailing, was made as required in this section. The hearing may be postponed to a definite date until the hearing is held. At the hearing, the legislative body of the city or town must hear persons who appear for or against the improvement and determine whether it will proceed with the improvement; whether it will make any changes to the original plan; and what the changes will be, if any. This action may be taken by motion adopted in a manner as determined by the legislative body.

NEW SECTION. **Sec. 8.** When all or any portion of the cost is to be assessed against abutting property owners, the city or town may create a "private roadway construction fund No. . . ." to be numbered differently for each improvement and with warrants drawn on this fund the cost of the respective improvements may be paid. The city or town may loan the amounts necessary to pay for any costs of the improvement loan to the private roadway construction fund. If assessments are made for the improvement, then payments for the improvement must be paid into the particular private roadway improvement fund. If any funds are available over the amounts necessary to pay outstanding warrants, any advances or loans made to

the fund must be repaid. If warrants are drawn on any such fund that are not paid for lack of sufficient funds, they must be stamped as such and bear interest until called and paid at a rate established by the city or town by resolution.

NEW SECTION. Sec. 9. If any portion of the costs are to be assessed against the abutting property by the city or town, an assessment roll must be prepared by the proper official of the city or town and must conform with the allocation of costs specified in the petition submitted under section 5 of this act, but adjusted for any modifications authorized under this section. The assessment roll must describe the property assessed; state the name of the owner or that the owner is unknown and fix the amount of the assessment. The assessment roll must be filed with the appropriate official of the city or town. When the assessment roll is properly filed, the city or town must, by resolution, fix a date for hearing the proposed assessment roll and direct the clerk of the city or town to give notice of the hearing and the time and place of the hearing. The notice of hearing must be mailed to the person whose name appears on the county treasurer's tax roll as the owner or reputed owner of the property at the address shown on the tax roll, and must be published before the date fixed for the hearing for two consecutive weeks in the official newspaper or regular official publication of the city. The notice must be mailed and first publication made at least ten days before the hearing date. Proof of mailing and publication must be made by affidavit and must be filed with the appropriate official of the city or town before the date fixed for the hearing. Following the hearing the city or town must by resolution affirm, modify, or reject or order recasting of the assessment roll. An appeal may be filed with the superior court from the ordinance confirming the assessment roll in the same manner as provided for appeals from the assessment roll in chapters 35.43 through 35.54 RCW.

NEW SECTION. Sec. 10. The city or town must by resolution provide whether the full amount of the assessment must be paid in one payment or whether it may be paid in installments and must prescribe the time and amount of such payments. If to be paid in installments, the city or town may by resolution provide for interest on unpaid installments and fix the rate of interest.

NEW SECTION. Sec. 11. The assessment roll, as affirmed or modified by the city or town, must be filed with the treasurer of the city or town for collection, and the amount of the assessment roll including interest, if any, becomes a lien against the property described therein from the date of the filing. Whenever any payment on any assessment or installment is delinquent and unpaid for a period of thirty days or more, the lien may be foreclosed in the same manner and with the same effect as provided in chapters 35.43 through 35.54 RCW. Whenever the deed is issued after the sale therein provided, the regularity, validity, and correctness of the proceedings relating to such improvement and the assessment therefor is final and conclusive and no action may thereafter be brought by or in behalf of any person to set aside such deed.

NEW SECTION. Sec. 12. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Private roadway" means every way or place in private ownership and used for travel of vehicles by the owner or those having express or implied permission from the owner, but not by other persons. "Private roadway" does not include a road or road segment, other than a residential access road, that crosses land that meets the definition of forestland in RCW 76.09.020.

(2) "Public use" means the use of a private roadway by a governmental entity related to police or fire protection services or any other governmental service requiring the use of a private roadway as the vehicular roadway for ingress or egress by the governmental entity.

NEW SECTION. Sec. 13. (1) A code city may not authorize the financing for the construction, reconstruction, or repair of a private roadway under this chapter unless the code city receives a petition signed by the owners abutting the roadway, according to the records of the county within which the roadway is located, constituting an aggregate amount of the majority of the lineal frontage upon the contemplated roadway improvement.

(2) A petition submitted under this section must set forth the nature and territorial extent of the proposed roadway improvement and the fact that the petition signers are the owners, according to the records of the county within which the roadway is located, of a majority of the

lineal frontage upon the contemplated roadway improvement. The petition must also state the financial contribution that will be provided by each of the property owners abutting the portion of the roadway improvement and a proposed timeline for completing the roadway improvement.

(3) Upon the filing of a petition under this section, the code city must determine whether the petition is sufficient. If the code city finds the petition to be sufficient, the code city may adopt a resolution under section 15 of this act.

NEW SECTION. Sec. 14. A code city may construct, reconstruct, and repair private roadways when the code city receives a petition under section 13 of this act and adopts a resolution required under section 15 of this act. From any available funds, the code city may either pay the entire costs of the construction, reconstruction, or repair; or contribute a portion of the funds to pay the costs of such improvements.

NEW SECTION. Sec. 15. (1) Under this chapter, a code city may only undertake the construction, reconstruction, or repair of a private roadway pursuant to a resolution of the legislative body of the code city. The resolution must state whether all or a specified portion of the cost of the improvements will be borne by the abutting property owners at their own cost and expense as provided in the petition under section 13 of this act. The amount of cost and expense borne by the abutting property owners, as provided in the resolution, may not exceed the amount specified in the petition under section 13 of this act. If the abutting owners are required to pay for all or a portion of the costs of the improvements and fail to pay for the costs, the code city may perform and complete the improvements and assess the cost against the abutting owners for the portion of costs attributable to the property owners in the manner provided in the petition, but adjusted for any modifications authorized under this subsection. The code city may not increase the total amount of funds that will be contributed by the abutting property owners in excess of the amount specified in the petition submitted under section 13 of this act, but the resolution may modify the amount contributed by each property owner to reflect a more fair allocation among the property owners.

(2) Any resolution submitted under subsection (1) of this section must include a declaration of public use that

specifically identifies the significant public uses necessitating the construction, reconstruction, or repair of a private roadway.

(3) If the abutting owners are required to pay for all or a portion of the costs of the improvements as provided under subsection (1) of this section, the cost assigned to each property owner must be consistent with the allocated contribution amounts specified on the petition, but adjusted for any modifications authorized under subsection (1) of this section.

(4) The legislative body of the code city must provide a public hearing on the resolution prior to its adoption. Notice of the public hearing on the resolution must be published in the official newspaper or regularly published official publication of the code city for two consecutive weeks before the time of hearing. At least ten days before the date fixed for the hearing, the code city must provide notice of the date of the hearing to each owner or reputed owner of the abutting property by mailing to the owner or reputed owner of the property a notice of the date of hearing at the address shown on the tax rolls of the county treasurer. An affidavit must be filed with the code city before the hearing showing that notice, by publication and mailing, was made as required in this section. The hearing may be postponed to a definite date until the hearing is held. At the hearing, the legislative body of the code city must hear persons who appear for or against the improvement and determine whether it will proceed with the improvement; whether it will make any changes to the original plan; and what the changes will be, if any. This action may be taken by motion adopted in a manner as determined by the legislative body.

NEW SECTION. Sec. 16. When all or any portion of the cost is to be assessed against abutting property owners, the code city may create a "private roadway construction fund No. . . ." to be numbered differently for each improvement and with warrants drawn on this fund the cost of the respective improvements may be paid. The code city may loan the amounts necessary to pay for any costs of the improvement loan to the private roadway construction fund. If assessments are made for the improvement, then payments for the improvement must be paid into the particular private roadway improvement fund. If any funds are available over the amounts necessary to pay outstanding

warrants, any advances or loans made to the fund must be repaid. If warrants are drawn on any such fund that are not paid for lack of sufficient funds, they must be stamped as such and bear interest until called and paid at a rate established by the code city by resolution.

NEW SECTION. **Sec. 17.** If any portion of the costs are to be assessed against the abutting property by the code city, an assessment roll must be prepared by the proper official of the code city and must conform with the allocation of costs specified in the petition submitted under section 13 of this act, but adjusted for any modifications authorized under this section. The assessment roll must describe the property assessed; state the name of the owner or that the owner is unknown and fix the amount of the assessment. The assessment roll must be filed with the appropriate official of the code city. When the assessment roll is properly filed, the code city must, by resolution, fix a date for hearing the proposed assessment roll and direct the clerk of the code city to give notice of the hearing and the time and place of the hearing. The notice of hearing must be mailed to the person whose name appears on the county treasurer's tax roll as the owner or reputed owner of the property at the address shown on the tax roll, and must be published before the date fixed for the hearing for two consecutive weeks in the official newspaper or regular official publication of the city. The notice must be mailed and first publication made at least ten days before the hearing date. Proof of mailing and publication must be made by affidavit and must be filed with the appropriate official of the code city before the date fixed for the hearing. Following the hearing the code city must by resolution affirm, modify, or reject the assessment roll or order recasting of the assessment roll. An appeal may be filed with the superior court from the ordinance confirming the assessment roll in the same manner as provided for appeals from the assessment roll in chapters 35.43 through 35.54 RCW.

NEW SECTION. **Sec. 18.** The code city must by resolution provide whether the full amount of the assessment must be paid in one payment or whether it may be paid in installments and must prescribe the time and amount of such payments. If to be paid in installments, the code city may by resolution provide for interest on unpaid installments and fix the rate of interest.

NEW SECTION. **Sec. 19.** The assessment roll, as affirmed or modified by the code city, must be filed with the treasurer of the code city for collection, and the amount of the assessment roll including interest, if any, becomes a lien against the property described therein from the date of the filing. Whenever any payment on any assessment or installment is delinquent and unpaid for a period of thirty days or more, the lien may be foreclosed in the same manner and with the same effect as provided in chapters 35.43 through 35.54 RCW. Whenever the deed is issued after the sale therein provided, the regularity, validity, and correctness of the proceedings relating to such improvement and the assessment therefor is final and conclusive and no action may thereafter be brought by or in behalf of any person to set aside such deed.

NEW SECTION. **Sec. 20.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Private roadway" means every way or place in private ownership and used for travel of vehicles by the owner or those having express or implied permission from the owner, but not by other persons. "Private roadway" does not include a road or road segment, other than a residential access road, that crosses land that meets the definition of forestland in RCW 76.09.020.

(2) "Public use" means the use of a private roadway by a governmental entity related to police or fire protection services or any other governmental service requiring the use of a private roadway as the vehicular roadway for ingress or egress by the governmental entity.

NEW SECTION. **Sec. 21.** (1) A county may not authorize the financing for the construction, reconstruction, or repair of a private roadway under this chapter unless the county receives a petition signed by the owners abutting the roadway, according to the records of the county within which the roadway is located, constituting an aggregate amount of the majority of the lineal frontage upon the contemplated roadway improvement.

(2) A petition submitted under this section must set forth the nature and territorial extent of the proposed roadway improvement and the fact that the petition signers are the owners, according to the records of the county within which the roadway is located, of a majority of the

lineal frontage upon the contemplated roadway improvement. The petition must also state the financial contribution that will be provided by each of the property owners abutting the portion of the roadway improvement and a proposed timeline for completing the roadway improvement.

(3) Upon the filing of a petition under this section, the county must determine whether the petition is sufficient. If the county finds the petition to be sufficient, the county may adopt a resolution under section 23 of this act.

NEW SECTION. **Sec. 22.** A county may construct, reconstruct, and repair private roadways when the county receives a petition under section 21 of this act and adopts a resolution required under section 23 of this act. From any available funds, the county may either pay the entire costs of the construction, reconstruction, or repair; or contribute a portion of the funds to pay the costs of such improvements.

NEW SECTION. **Sec. 23.** (1) Under this chapter, a county may only undertake the construction, reconstruction, or repair of a private roadway pursuant to a resolution of the legislative body of the county. The resolution must state whether all or a specified portion of the cost of the improvements will be borne by the abutting property owners at their own cost and expense as provided in the petition under section 21 of this act. The amount of cost and expense borne by the abutting property owners, as provided in the resolution, may not exceed the amount specified in the petition under section 21 of this act. If the abutting owners are required to pay for all or a portion of the costs of the improvements and fail to pay for the costs, the county may perform and complete the improvements and assess the cost against the abutting owners for the portion of costs attributable to the property owners in the manner provided in the petition, but adjusted for any modifications authorized under this subsection. The county may not increase the total amount of funds that will be contributed by the abutting property owners in excess of the amount specified in the petition submitted under section 21 of this act, but the resolution may modify the amount contributed by each property owner to reflect a more fair allocation among the property owners.

(2) Any resolution submitted under subsection (1) of this section must include a declaration of public use that

specifically identifies the significant public uses necessitating the construction, reconstruction, or repair of a private roadway.

(3) If the abutting owners are required to pay for all or a portion of the costs of the improvements as provided under subsection (1) of this section, the cost assigned to each property owner must be consistent with the allocated contribution amounts specified on the petition, but adjusted for any modifications authorized under subsection (1) of this section.

(4) The legislative body of the county must provide a public hearing on the resolution prior to its adoption. Notice of the public hearing on the resolution must be published in the official newspaper or regularly published official publication of the county for two consecutive weeks before the time of hearing. At least ten days before the date fixed for the hearing, the county must provide notice of the date of the hearing to each owner or reputed owner of the abutting property by mailing to the owner or reputed owner of the property a notice of the date of hearing at the address shown on the tax rolls of the county treasurer. An affidavit must be filed with the county before the hearing showing that notice, by publication and mailing, was made as required in this section. The hearing may be postponed to a definite date until the hearing is held. At the hearing, the legislative body of the county must hear persons who appear for or against the improvement and determine whether it will proceed with the improvement; whether it will make any changes to the original plan; and what the changes will be, if any. This action may be taken by motion adopted in a manner as determined by the legislative body.

NEW SECTION. **Sec. 24.** When all or any portion of the cost is to be assessed against abutting property owners, the county may create a "private roadway construction fund No. . . ." to be numbered differently for each improvement; and with warrants drawn on this fund the cost of the respective improvements may be paid. The county may loan the amounts necessary to pay for any costs of the improvement loan to the private roadway construction fund. If assessments are made for the improvement, then payments for the improvement must be paid into the particular private roadway improvement fund. If any funds are available over the amounts necessary to pay outstanding

warrants, any advances or loans made to the fund must be repaid. If warrants are drawn on any such fund that are not paid for lack of sufficient funds, they must be stamped as such and bear interest until called and paid at a rate established by the county by resolution.

NEW SECTION. **Sec. 25.** If any portion of the costs are to be assessed against the abutting property by the county, an assessment roll must be prepared by the proper official of the county and must conform with the allocation of costs specified in the petition submitted under section 21 of this act, but adjusted for any modifications authorized under this section. The assessment roll must describe the property assessed; state the name of the owner or that the owner is unknown and fix the amount of the assessment. The assessment roll must be filed with the appropriate official of the county. When the assessment roll is properly filed, the county must, by resolution, fix a date for hearing the proposed assessment roll and direct the clerk of the county to give notice of the hearing and the time and place of the hearing. The notice of hearing must be mailed to the person whose name appears on the county treasurer's tax roll as the owner or reputed owner of the property at the address shown on the tax roll, and must be published before the date fixed for the hearing for two consecutive weeks in the official newspaper or regular official publication of the city. The notice must be mailed and first publication made at least ten days before the hearing date. Proof of mailing and publication must be made by affidavit and must be filed with the appropriate official of the county before the date fixed for the hearing. Following the hearing the county must by resolution affirm, modify, or reject the assessment roll or order recasting of the assessment roll. An appeal may be filed with the superior court from the ordinance confirming the assessment roll in the same manner as provided for appeals from the assessment roll in chapters 35.43 through 35.54 RCW.

NEW SECTION. **Sec. 26.** The county must by resolution provide whether the full amount of the assessment must be paid in one payment or whether it may be paid in installments and must prescribe the time and amount of such payments. If to be paid in installments, the county may by resolution provide for interest on unpaid installments and fix the rate of interest.

NEW SECTION. **Sec. 27.** The assessment roll, as affirmed or modified by the county, must be filed with the treasurer of the county for collection, and the amount of the assessment roll including interest, if any, becomes a lien against the property described therein from the date of the filing. Whenever any payment on any assessment or installment is delinquent and unpaid for a period of thirty days or more, the lien may be foreclosed in the same manner and with the same effect as provided in chapters 35.43 through 35.54 RCW. Whenever the deed is issued after the sale therein provided, the regularity, validity, and correctness of the proceedings relating to such improvement and the assessment therefor is final and conclusive and no action may thereafter be brought by or in behalf of any person to set aside such deed.

NEW SECTION. **Sec. 28.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Private roadway" means every way or place in private ownership and used for travel of vehicles by the owner or those having express or implied permission from the owner, but not by other persons. "Private roadway" does not include a road or road segment, other than a residential access road, that crosses land that meets the definition of forestland in RCW 76.09.020.

(2) "Public use" means the use of a private roadway by a governmental entity related to police or fire protection services or any other governmental service requiring the use of a private roadway as the vehicular roadway for ingress or egress by the governmental entity.

NEW SECTION. **Sec. 29.** Sections 1 through 4 of this act constitute a new chapter in Title 64 RCW.

NEW SECTION. **Sec. 30.** Sections 5 through 12 of this act constitute a new chapter in Title 35 RCW.

NEW SECTION. **Sec. 31.** Sections 13 through 20 of this act constitute a new chapter in Title 35A RCW.

NEW SECTION. **Sec. 32.** Sections 21 through 28 of this act constitute a new chapter in Title 36 RCW.

NEW SECTION. **Sec. 33.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the

application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 34.** Sections 1 through 4 of this act take effect January 1, 2018."

Correct the title.

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (074) to House Bill No. 1494.

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding): "*The title of House Bill 1494 is 'an act relating to private road maintenance agreements.' The bill requires easement holders to share the reasonable and necessary costs of maintaining an easement and provides a civil cause of action for breach of a private agreement or failure to pay proportionate maintenance costs.*

In addition to regulating private road maintenance agreements, amendment 74 regulates the actions that local governments may take with respect to easements.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill, and that your point of order is well taken."

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Morris spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1494.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1494, and the bill passed the House by the following vote: Yeas, 50; Nays, 48; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin,

Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

HOUSE BILL NO. 1494, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1605, by Representatives Pettigrew, Hayes and Klippert

Concerning vessel impoundment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1605 was substituted for House Bill No. 1605 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1605 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pettigrew and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1605.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1605, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

SUBSTITUTE HOUSE BILL NO. 1605, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1751, by Representatives Farrell and Goodman

Allowing fire protection district annexations and mergers within a reasonable geographic proximity and eliminating cross-county restrictions for annexations to a fire protection district.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1751 was substituted for House Bill No. 1751 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1751 was read the second time.

Representative Farrell moved the adoption of amendment (048):

On page 7, line 9, after "means" strike all material through "district" on line 10 and insert "geographical areas near enough to each other so that governance, management, and services can be delivered effectively"

Representatives Farrell and Griffey spoke in favor of the adoption of the amendment.

Amendment (048) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1751.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1751, and the bill passed the House by the following vote: Yeas, 84; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Hargrove, Holy, Koster, McCaslin, McDonald, Shea, Taylor, Van Werven, Vick, Volz and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1751, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:00 a.m., March 1, 2017, the 52nd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTY SECOND DAY

House Chamber, Olympia, Wednesday, March 1, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Colin Nelson and Madison Yackley. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Ryan Welton, Director of Interfaith and Outreach, Islamic Center of Bothell, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

February 27, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5338,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5388,
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 28, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5010,
SUBSTITUTE SENATE BILL NO. 5018,
SENATE BILL NO. 5039,
SUBSTITUTE SENATE BILL NO. 5170,
SENATE BILL NO. 5190,
SENATE BILL NO. 5237,
SUBSTITUTE SENATE BILL NO. 5277,
SUBSTITUTE SENATE BILL NO. 5357,
SENATE BILL NO. 5437,
SENATE BILL NO. 5439,
SENATE BILL NO. 5445,
SENATE BILL NO. 5631,
SENATE BILL NO. 5640,
SENATE BILL NO. 5664,
SENATE BILL NO. 5798,
SUBSTITUTE SENATE BILL NO. 5837,
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 28, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5066,
SENATE BILL NO. 5121,
SUBSTITUTE SENATE BILL NO. 5132,
SUBSTITUTE SENATE BILL NO. 5378,
SENATE BILL NO. 5391,
SENATE BILL NO. 5595,
SUBSTITUTE SENATE BILL NO. 5641,
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 28, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5008,
SUBSTITUTE SENATE BILL NO. 5035,
SUBSTITUTE SENATE BILL NO. 5402,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5456,
SUBSTITUTE SENATE BILL NO. 5657,
SENATE JOINT MEMORIAL NO. 8004,
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 28, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5196,
SENATE BILL NO. 5227,
SENATE BILL NO. 5252,
SUBSTITUTE SENATE BILL NO. 5356,
SUBSTITUTE SENATE BILL NO. 5430,
SUBSTITUTE SENATE BILL NO. 5522,
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 27, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5077,
SUBSTITUTE SENATE BILL NO. 5186,
SENATE BILL NO. 5359,
SUBSTITUTE SENATE BILL NO. 5560,
SENATE BILL NO. 5649,
SUBSTITUTE SENATE BILL NO. 5675,
SENATE BILL NO. 5691,
SENATE BILL NO. 5754,
SUBSTITUTE SENATE BILL NO. 5806,
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 27, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5228,
 SUBSTITUTE SENATE BILL NO. 5241,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5263,
 SUBSTITUTE SENATE BILL NO. 5404,
 SUBSTITUTE SENATE BILL NO. 5655,
 SENATE BILL NO. 5734,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2136 by Representatives Taylor, Shea, Griffey and Holy

AN ACT Relating to disposition of property subject to forfeiture; amending RCW 7.40.230, 7.48.090, 7.68.330, 9.41.098, 9.41.098, 9.46.231, 9.68A.120, 9A.56.240, 9A.82.100, 9A.82.110, 9A.88.150, 10.105.010, 19.290.230, 46.61.5058, 69.50.505, 70.77.440, 77.15.070, 82.24.145, 82.26.240, 82.32.670, and 82.38.370; providing effective dates; and providing an expiration date.

Referred to Committee on Judiciary.

SB 5041 by Senators Baumgartner, Bailey, Conway, Rolfes, Darneille, Zeiger, Chase and Wellman

AN ACT Relating to consumer protections for military service members on active duty; amending RCW 38.42.010, 38.42.130, and 38.42.140; and adding a new section to chapter 38.42 RCW.

Referred to Committee on Judiciary.

SSB 5046 by Senate Committee on Local Government (originally sponsored by Senators Hasegawa, Chase, Darneille and Rolfes)

AN ACT Relating to providing public notices of public health, safety, and welfare in a language other than English; amending RCW 38.52.070; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on Appropriations.

SSB 5051 by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senators Brown, Warnick, Honeyford, Becker and Schoesler)

AN ACT Relating to nondefault or early termination provisions in state land leases for agricultural or grazing purposes; and adding a new section to chapter 79.13 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5077 by Senate Committee on Law & Justice (originally sponsored by Senators Angel, Darneille, Padden, Wilson, Rolfes, Keiser, Mullet, Wellman, Conway and Saldaña)

AN ACT Relating to allowing the department of corrections to provide temporary housing assistance to individuals being released from certain corrections centers for women; amending RCW 72.02.100; creating a new section; and providing an expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SSB 5161 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Keiser, Wilson and Takko)

AN ACT Relating to theater licenses; and amending RCW 66.24.655 and 66.24.650.

Referred to Committee on Appropriations.

SSB 5186 by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Pearson)

AN ACT Relating to the collection of blood samples for forensic testing; amending RCW 18.130.410, 46.61.506, and 46.61.508; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Public Safety.

SSB 5228 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Rivers, Fortunato, Becker, Bailey, Ericksen, Warnick and Pearson)

AN ACT Relating to establishing the joint legislative task force on hydraulic project approval program jurisdiction; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5241 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Carlyle, O'Ban, Darneille, Hasegawa and Wellman)

AN ACT Relating to the educational success of youth who are homeless or in foster care; and amending RCW 28A.320.192.

Referred to Committee on Education.

SB 5244 by Senators O'Ban, Hobbs, Takko and Wilson

AN ACT Relating to the means of communication between a buyer or lessee and an auto dealer during the "bushing" period; and amending RCW 46.70.180.

Referred to Committee on Business & Financial Services.

ESSB 5263 by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senator Warnick)

AN ACT Relating to procurement of seeds by state agencies; and adding a new section to chapter 39.26 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5322 by Senate Committee on Health Care (originally sponsored by Senators King, Frockt, Miloscia, Conway, Hobbs and Becker)

AN ACT Relating to patient safeguards in agreements between dentists and third parties that provide support services to dentists; amending RCW 18.32.675 and 18.32.091; adding new sections to chapter 18.32 RCW; and creating a new section.

Referred to Committee on Appropriations.

ESSB 5338 by Senate Committee on Transportation (originally sponsored by Senators Wilson and Takko)

AN ACT Relating to registration enforcement for off-road vehicles and snowmobiles; adding a new section to chapter 46.09 RCW; adding a new section to chapter 46.10 RCW; adding a new section to chapter 46.93 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5359 by Senators Conway, Zeiger, Bailey, Rolfes, Hobbs and Kuderer

AN ACT Relating to requiring annual reporting on the implementation of laws to streamline licensing processes for military service members and their spouses; and amending RCW 73.04.150.

Referred to Committee on Community Development, Housing & Tribal Affairs.

ESSB 5388 by Senate Committee on Law & Justice (originally sponsored by Senators Zeiger, Sheldon, Kuderer, Padden, Wilson, Conway, Fortunato, Hobbs, Becker, Warnick and Honeyford)

AN ACT Relating to the removal of unauthorized persons from certain premises; adding new sections to

chapter 9A.52 RCW; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

SSB 5404 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Rivers, Liias, Zeiger, Wellman, Keiser, Fain, Kuderer and Carlyle)

AN ACT Relating to sunscreen in schools; adding a new section to chapter 28A.210 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Education.

SSB 5472 by Senate Committee on State Government (originally sponsored by Senator Pearson)

AN ACT Relating to requiring ballot drop boxes in all communities; and amending RCW 29A.40.160.

Referred to Committee on State Government, Elections & Information Technology.

SSB 5560 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Brown, Palumbo and Walsh)

AN ACT Relating to creating a special permit for certain wine auctions; and reenacting and amending RCW 66.20.010.

Referred to Committee on Commerce & Gaming.

SB 5649 by Senators Hawkins and Saldaña

AN ACT Relating to modifying the eligibility requirements for certain counties to form a regional transportation planning organization; and amending RCW 47.80.020.

Referred to Committee on Transportation.

SSB 5655 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Angel and Mullet)

AN ACT Relating to the delivery of insurance notices and documents by electronic means; and amending RCW 48.185.005.

Referred to Committee on Business & Financial Services.

SSB 5675 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Mullet and Angel)

AN ACT Relating to the minimum operating requirements and the review of plans necessary to be

included in the small business retirement marketplace; and amending RCW 43.330.735 and 43.330.750.

Referred to Committee on Business & Financial Services.

SB 5691 by Senators Bailey, Rivers, Becker and Warnick

AN ACT Relating to modifying or terminating a guardianship when a less restrictive alternative is available to provide for the needs of an incapacitated person; amending RCW 11.88.120; and creating a new section.

Referred to Committee on Judiciary.

SB 5734 by Senators Chase, Baumgartner, Miloscia, Saldaña, Keiser, Conway, Hasegawa, McCoy, Braun, Honeyford, Brown, Kuderer, Rivers and Warnick

AN ACT Relating to bringing Washington state government contracting provisions into compliance with federal law as it relates to small works bonding requirements; and amending RCW 39.08.010.

Referred to Committee on Capital Budget.

SB 5754 by Senators Short and Schoesler

AN ACT Relating to the management of noxious weeds on state lands; and amending RCW 17.10.170 and 79.44.060.

Referred to Committee on Agriculture & Natural Resources.

SSB 5806 by Senate Committee on Transportation (originally sponsored by Senators Cleveland, Rivers, Wilson, Hobbs, Chase and Nelson)

AN ACT Relating to preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river; amending RCW 43.157.030; reenacting and amending RCW 43.157.010; adding a new section to chapter 47.01 RCW; creating a new section; and making an appropriation.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1620, by Representatives Lovick, McDonald, Johnson, Hayes, Stonier, Griffey, McBride,

Harris, Springer, Stambaugh, Gregerson, Appleton, Muri and Haler

Concerning the authority of local governments to require criminal history background checks.

The bill was read the second time.

There being no objection, the substitute bill from the Committee on Local Government was not adopted.

With the consent of the House, amendment (083) was withdrawn.

Representative Taylor moved the adoption of amendment (104):

On page 1, beginning on line 8, after "cities or towns" strike all material through "require a" on line 9 and insert "~~((may, by ordinance, require a))~~shall establish by ordinance the requirements for a:

(a)"

On page 1, line 13, after "(b)" strike "By ordinance, require a"

On page 1, line 18, after "adults;" insert "and"

On page 1, line 19, after "(c)" strike "Require a"

On page 2, beginning on line 3, after "adults" strike all material through "adults" on line 9

On page 2, beginning on line 35, after "code cities" strike all material through "require a" on line 36 and insert "~~((may, by ordinance, require a))~~shall establish by ordinance the requirements for a:

(a)"

On page 3, line 1, after "(b)" strike "By ordinance, require a"

On page 3, line 6, after "adults;" insert "and"

On page 3, line 7, after "(c)" strike "Require a"

On page 3, beginning on line 12, after "adults" strike all material through "adults" on line 18

On page 4, beginning on line 4, after "counties" strike all material through "require a" on line 5 and insert "~~((may, by ordinance, require a))~~shall establish by ordinance the requirements for a:

(a)"

On page 4, line 9, after "(b)" strike "By ordinance, require a"

On page 4, line 14, after "adults;" insert "and"

On page 4, line 15, after "(c)" strike "Require a"

On page 4, beginning on line 19, after "adults" strike all material through "adults" on line 25

On page 6, beginning on line 22, after "districts" strike all material through "shall" on line 23 and insert "shall"

On page 6, at the beginning of line 28, strike "(A)" and insert "(i)"

On page 6, at the beginning of line 30, strike "(B)" and insert "(ii)"

On page 6, beginning on line 31, after "transactions" strike all material through "subsection" on line 40

On page 7, line 1, after "(a)" strike "(i)"

On page 7, line 8, after "(a)" strike "(i)"

Representative Taylor and Taylor (again) spoke in favor of the adoption of the amendment.

Representative Appleton spoke against the adoption of the amendment.

Amendment (104) was not adopted.

Representative Lovick moved the adoption of amendment (087):

On page 2, line 28, after "arranged." insert "The cost of investigations conducted under this section shall be borne by the city or town, unless the city's or town's budget limits its ability to reasonably absorb such costs. If the city or town cannot reasonably absorb the costs of such investigations, the city or town may in its discretion require that the employee, prospective employee, volunteer, vendor, or independent contractor pay the costs associated with the record check. Any fingerprinting costs may be borne by the applicant, although an agency may agree to absorb those costs or reimburse the applicant for those costs upon hire."

On page 3, line 36, after "arranged." insert "The cost of investigations conducted under this section shall be borne by the code city, unless the code city's budget limits its ability to reasonably absorb such costs. If the code city cannot reasonably absorb the costs of such investigations, the code city may in its discretion require that the employee, prospective employee, volunteer, vendor,

or independent contractor pay the costs associated with the record check. Any fingerprinting costs may be borne by the applicant, although an agency may agree to absorb those costs or reimburse the applicant for those costs upon hire."

On page 5, line 4, after "arranged." insert "The cost of investigations conducted under this section shall be borne by the county, unless the county's budget limits its ability to reasonably absorb such costs. If the county cannot reasonably absorb the costs of such investigations, the county may in its discretion require that the employee, prospective employee, volunteer, vendor, or independent contractor pay the costs associated with the record check. Any fingerprinting costs may be borne by the applicant, although an agency may agree to absorb those costs or reimburse the applicant for those costs upon hire."

On page 7, line 32, after "arranged. The" insert "costs of investigations conducted under this subsection shall be borne by the park district, unless the park district's budget limits its ability to reasonably absorb such costs. If the park district cannot reasonably absorb the costs of such investigations, the"

On page 7, line 34, after "check." insert "Any fingerprinting costs may be borne by the applicant, although an agency may agree to absorb those costs or reimburse the applicant for those costs upon hire."

Representative Lovick spoke in favor of the adoption of the amendment.

Representative Griffey spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 50 - YEAS; 48 - NAYS.

Amendment (087) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lovick, Griffey and Appleton spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1620.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1620, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Haler, Hargrove, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Rodne, Schmick, Shea, Smith, Taylor, Van Werven, Vick, Volz and J. Walsh.

ENGROSSED HOUSE BILL NO. 1620, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1754, by Representatives Klippert and Hayes**Prioritizing sex offender treatment based on the offender's risk to reoffend.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klippert, Goodman and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1754.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1754, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti,

Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Caldier, Graves and Smith.

HOUSE BILL NO. 1754, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1988, by Representatives Ortiz-Self, Santos, McBride and Frame**Implementing a vulnerable youth guardianship program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1988 was substituted for House Bill No. 1988 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1988 was read the second time.

Representative Maycumber moved the adoption of amendment (103):

On page 1, line 20, after "74.13.031," insert "who is a victim of sex trafficking,"

On page 3, line 7, after "vulnerable youth" insert "who are victims of sex trafficking"

On page 3, line 26, after "twenty-one years old" insert "who are victims of sex trafficking"

On page 3, line 35, after "individuals" insert "who are victims of sex trafficking"

On page 4, line 2, after "twenty-one" insert ", who is a victim of sex trafficking, and"

On page 4, line 10, after "twenty-one years old" insert "who is a victim of sex trafficking"

On page 5, line 14, after "twenty-one years old" insert ", who is a victim of sex trafficking,"

On page 5, line 37, after "8 U.S.C. Sec. 1101(a)(27)(J)" insert "and is a victim of sex trafficking"

Representative Maycumber spoke in favor of the adoption of the amendment.

Representative Kilduff spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (103) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self, Rodne, Smith and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1988.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1988, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Klippert, McCaslin, Schmick, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 1988, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1796, by Representatives Farrell, Kilduff, Doglio, Robinson, Stanford, Hudgins, McBride, Macri, Ormsby, Frame, Slatter, Jinkins and Pollet was read the second time.

Providing reasonable accommodations in the workplace for pregnant women.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1796 was substituted for House Bill No. 1796 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1796 was read the second time.

Representative Farrell moved the adoption of the striking amendment (079):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that the state has an interest in assuring that children are given the opportunity to have a healthy start in life. Because approximately half of all births in Washington state are funded by state resources, the state is in a unique position to make a difference in the health of children in Washington. The legislature further finds that providing children with a healthy start requires promoting healthy pregnancies. In one national survey, pregnant workers said they needed more frequent breaks while pregnant. Prenatal care is also critical for positive birth outcomes, and pregnant women have cited the need for flexibility in their work schedule for the purposes of attending doctor visits. Reasonable accommodations for pregnant women in the workplace can go a long way to promoting healthy pregnancies without producing an undue hardship on employers.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.10 RCW to read as follows:

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

(a) "Employer" has the same meaning as and shall be interpreted consistent with how that term is defined in RCW 49.60.040, except that for the purposes of this section only the threshold of employees must be fifteen or more.

(b) "Pregnancy" includes the employee's pregnancy and pregnancy-related health conditions.

(c) "Reasonable accommodation" means:

(i) Providing more frequent, longer, or flexible restroom breaks;

(ii) Modifying a no food or drink policy;

(iii) Job restructuring, part-time or modified work schedules, reassignment to a vacant position, or acquiring or modifying equipment, devices, or an employee's work station;

(iv) Providing seating or allowing the employee to sit more frequently if her job requires her to stand;

(v) Providing for a temporary transfer to a less strenuous or less hazardous position;

(vi) Providing assistance with manual labor and limits on lifting;

(vii) Scheduling flexibility for prenatal visits; and

(viii) Any further pregnancy accommodation an employee may request, and to which an employer must give reasonable consideration in consultation with information provided on pregnancy accommodation by the department of labor and industries or the attending health care provider of the employee.

(d) "Undue hardship" means an action requiring significant difficulty or expense. An employer may not claim undue hardship for the accommodations under (c)(i), (ii), and (iv) of this subsection, or for limits on lifting over seventeen pounds.

(2) It is an unfair practice for any employer to:

(a) Fail or refuse to make reasonable accommodation for an employee for pregnancy, unless the employer can demonstrate that doing so would impose an undue hardship on the employer's program, enterprise, or business;

(b) Take adverse action against an employee who requests, declines, or uses an accommodation under this section that affects the terms, conditions, or privileges of employment;

(c) Deny employment opportunities to an otherwise qualified employee if such denial is based on the employer's need to make reasonable accommodation required by this section;

(d) Require an employee to take leave if another reasonable accommodation can be provided for the employee's pregnancy.

(3) An employer may request that the employee provide written certification from her treating health care professional regarding the need for reasonable accommodation, except for accommodations listed in subsection (1)(d) of this section.

(4)(a) This section does not require an employer to create additional employment that the employer would not

otherwise have created, unless the employer does so or would do so for other classes of employees who need accommodation.

(b) This section does not require an employer to discharge any employee, transfer any employee with more seniority, or promote any employee who is not qualified to perform the job, unless the employer does so or would do so to accommodate other classes of employees who need accommodation.

(5) The department of labor and industries must provide online education materials explaining the respective rights and responsibilities of employers and employees who have a health condition related to pregnancy or childbirth. The online education materials must be prominently displayed on the department's web site.

(6) The attorney general shall investigate complaints and enforce this section, including by conference and conciliation. In addition to the complaint process with the attorney general, any person believed to be injured by a violation of this section has a civil cause of action in court to enjoin further violations, or to recover the actual damages sustained by the person, or both, together with the cost of suit and reasonable attorneys' fees or any other appropriate remedy authorized by state or federal law.

(7) This section does not preempt, limit, diminish, or otherwise affect any other provision of law relating to disability discrimination, sex discrimination, or pregnancy, or in any way diminish or limit legal protections or coverage for pregnancy, childbirth, or a pregnancy-related health condition.

NEW SECTION. Sec. 3. A new section is added to chapter 43.70 RCW to read as follows:

(1) The healthy pregnancy advisory committee is established to develop a strategy for improving maternal and infant health outcomes. The advisory committee shall conduct its activities in consultation with the maternal mortality review panel established in RCW 70.54.450 and an initiative related to improving maternal and infant outcomes that is established by the largest association representing hospitals in Washington. Administration of the advisory committee by the department must be done within existing resources.

(2) The secretary shall appoint up to twenty members to the advisory committee including experts in maternal and child health, pediatric primary care providers, public health experts, hospitals that provide birthing services, health care providers involved in the care of pregnant women and infants, and representatives of low-income women, women of color, and immigrant communities. In addition, the secretary shall designate a representative from the department of health and invite participation from the health care authority, the department of social and health services, and the department of early learning. The secretary's designee shall serve as the chair of the advisory committee and shall convene the work group.

(3) The advisory committee shall meet quarterly and develop a strategy to promote maternal and child health outcomes. The strategy shall consider best practices that agencies may integrate into their programs to improve birth outcomes, reduce maternal mortality and morbidity, and reduce infant mortality. The strategy shall include elements to promote breastfeeding, incentivize the adoption of the baby-friendly designation by hospitals, and reduce barriers to accessing prenatal care. The advisory committee shall consider where there may be gaps in the availability of services that may benefit pregnant women and infants, such as coverage for lactation consulting, the availability of smoking cessation programs for persons who are codomiciled with the pregnant woman or infant, access to fresh fruits and vegetables, and improved access to dental care for pregnant women.

(4) The advisory committee shall submit the strategy to the legislature and the governor's council for the healthiest next generation by October 15, 2018.

(5) This section expires July 1, 2019.

NEW SECTION. **Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Farrell and Manweller spoke in favor of the adoption of the striking amendment.

Amendment (079) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell, Caldier, Frame, Van Werven, Maycumber, Orcutt and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1796.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1796, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1796, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1757, by Representatives Hayes and Pellicciotti

Addressing transient accommodations contaminated by methamphetamine.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1757.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1757, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1757, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1795, by Representatives Kloba, Farrell, Stambaugh, Stokesbary, Fitzgibbon, Doglio, Stanford and McBride

Creating the Cooper Jones bicyclist safety advisory council.

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (102):

On page 2, beginning on line 21, after "(ix)" strike "An attorney that has worked in areas of the law related to bicycles;

(x)"

On page 2, at the beginning of line 24, strike "(xi)" and insert "(x)"

On page 2, at the beginning of line 25, strike "(xii)" and insert "(xi)"

On page 4, line 32, after "30," strike "2021" and insert "2019"

Representatives Orcutt and Clibborn spoke in favor of the adoption of the amendment.

Amendment (102) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1795.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1795, and the bill passed the House by the following vote:Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harmsworth, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Griffey, Haler, Hargrove, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Nealey, Rodne, Schmick, Shea, Smith, Taylor, Vick, Volz and J. Walsh.

ENGROSSED HOUSE BILL NO. 1795, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1824, by Representatives Peterson, Lovick, Kagi, Ortiz-Self, Tarleton, Robinson, Stanford, Ormsby and Doglio

Concerning electronic product recycling.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1824 was substituted for House Bill No. 1824 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1824 was read the second time.

With the consent of the House, amendment (085) was withdrawn.

Representative Peterson moved the adoption of amendment (090):

On page 3, at the beginning of line 27, strike all material through "products." on line 35 and insert "an independent plan or the standard plan for a minimum period of three years following a violation if the transporter, collector, or processor:

(i) Is determined by the department to have willfully violated, after July 1, 2017, either:

(A) Chapter 70.105 RCW for activities associated with covered electronic products; or

(B) These performance standards or RCW 70.95N.240 for activities related to the export of covered electronic products or for activities that resulted in significant harm to the environment or human health; and

(ii) Has ever previously been penalized by the department for a willful violation under either:

(A) Chapter 70.105 RCW for activities associated with covered electronic products; or

(B) These performance standards or RCW 70.95N.240 for activities related to the export of covered electronic products or for activities that resulted in significant harm to the environment or human health."

On page 6, beginning on line 2, after "plan" strike all material through "plan" on line 6

On page 7, beginning on line 25, after "rates" strike all material through "processor" on line 26 and insert "for services and allocated volumes for each transporter and processor, a description of the procurement process including rate submittal, and a description of the methodology and rationale by which transporter and processor volumes were allocated"

On page 7, line 32, after "(4)" insert "The department shall annually review the information submitted in subsection (2)(j) of this section with a view to ensuring that the plan is using competitive processes that promote cost-effective and environmentally sound transport and processing of covered electronic products.

(5)"

On page 9, after line 14, insert the following:

"**Sec. 8.** RCW 70.95N.290 and 2013 c 305 s 12 are each amended to read as follows:

(1)(a) The authority is governed by a board of directors. The board of directors is comprised of eleven participating manufacturers, appointed by the director of the department. For program years 2009 through 2015, five board positions are reserved for representatives of the top ten brand owners by return share of covered electronic products, and six board positions are reserved for representatives of other brands, including at least one board position reserved for a manufacturer who is also a retailer selling their own private label. The return share of covered electronic products used to determine the top ten brand owners for purposes of electing the board must be determined by the department by January 1, 2007. For program years 2016 and beyond, five board positions are reserved for representatives of the top ten brand owners by market share of covered electronic products, and six board positions are reserved for representatives of other brands, including at least one board position reserved for a manufacturer who is also a retailer selling its own private label. The market share of covered electronic products used to determine the top ten brand owners for purposes of electing the board must be determined by the department by October 1, 2015.

(b) The board must have representation from both television and computer manufacturers.

(2) The board shall select from its membership the chair of the board and such other officers as it deems appropriate.

(3) A majority of the board constitutes a quorum.

(4) The directors of the department of commerce and the department of ecology serve as ex officio members and they or their designees must attend a minimum of three board meetings each year. The state agency directors serving in ex officio capacity may each designate an employee of their respective departments to act on their behalf in all respects with regard to any matter to come before the authority. Ex officio designations must be made in writing and communicated to the authority director.

(5) The board shall create its own bylaws in accordance with the laws of the state of Washington.

(6) Any member of the board may be removed for misfeasance, malfeasance, or willful neglect of duty after notice and a public hearing, unless the notice and hearing are expressly waived in writing by the affected member.

(7) The members of the board serve without compensation but are entitled to reimbursement, solely from the funds of the authority, for expenses incurred in the discharge of their duties under this chapter."

Correct the title.

Representative Peterson spoke in favor of the adoption of the amendment.

Representative Taylor spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 50 - YEAS; 48 - NAYS.

Amendment (090) was adopted.

Representative Taylor moved the adoption of amendment (096):

On page 7, beginning on line 36, strike all of section 6

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

On page 9, beginning on line 11, after "deposited" strike "consistent with RCW 70.95N.260(4)" and insert "into the general fund"

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (096) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1824.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1824, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1824, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2073, by Representatives Dent and Buys

Concerning the beef commission.

The bill was read the second time.

Representative Dent moved the adoption of the striking amendment (043):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 16.67.035 and 2011 c 103 s 34 are each amended to read as follows:

The legislature declares:

(1) That the history, economy, culture, and the future of Washington state's agriculture involves the beef industry. ((In order to develop and promote beef and beef products as part of an existing comprehensive scheme to

regulate those products the legislature declares:

(1) That the Washington state beef commission is created;

(2) That it is vital to the continued economic well-being of the citizens of this state and their general welfare that its beef and beef products be properly promoted by (a) enabling the beef industry to help themselves in establishing orderly, fair, sound, efficient, and unhampered marketing, grading, and standardizing of beef and beef products they produce; and (b) working to stabilize the beef industry by increasing consumption of beef and beef products within the state, the nation, and internationally)) It is vital to the economy and to citizens' health that the beef industry continue to progress and thrive. The Washington state beef commission is part of an existing comprehensive system to regulate and promote beef and beef products.

(2) That the focus of the beef commission shall include the following responsibilities:

(a) The beef industry is to be promoted in a manner that showcases the varied aspects and segments of the industry;

(b) Research, education, and programs related to health and safety of beef are to be advanced in cooperation with the Washington state department of agriculture, Washington State University, other institutions of higher learning as appropriate, and other governmental or nongovernmental organizations doing research on trade or health issues;

(c) Support is to be provided to the beef industry in establishing orderly, fair, sound, efficient, and unhampered marketing, grading, and standardizing of beef and beef products; and

(d) Maintain efforts to increase consumption of beef and beef products within the state, the nation, and internationally;

(3) That beef producers operate within a regulatory environment that imposes burdens on them for the benefit of society and the citizens of the state and includes restrictions on marketing autonomy. Those restrictions may impair the beef producer's ability to compete in local, domestic, and foreign markets;

(4) That it is in the overriding public interest that support for the beef industry be clearly expressed, that adequate protection be given to agricultural commodities, uses, activities, and operations, and that beef and beef products be promoted individually, and as part of a comprehensive industry to:

(a) Enhance the reputation and image of Washington state's agriculture industry;

(b) Increase the sale and use of beef products in local, domestic, and foreign markets;

(c) Protect the public by educating the public in reference to ~~((the))~~ sustainable stewardship of cattle and the environment, quality, care, and methods used in the production of beef and beef products, and in reference to the various cuts and grades of beef and the uses to which each should be put;

(d) Increase the knowledge of the health-giving qualities and dietetic value of beef products; and

(e) Support and engage in programs or activities that benefit the care and well-being of the cattle, and the production, handling, processing, marketing, and uses of beef and beef products;

(5) That this chapter is enacted in the exercise of the police powers of this state for the purpose of protecting the health, peace, safety, and general welfare of the people of this state; and

(6) That the beef industry is a highly regulated industry and that this chapter and the rules adopted under it are only one aspect of the regulated industry. Other regulations and restraints applicable to the beef industry include the:

(a) Beef promotion and research act of 1985, U.S.C. Title 7, chapter 62;

(b) Beef promotion and research, 7 C.F.R., Part 1260;

(c) Agricultural marketing act, 7 U.S.C., section 1621;

(d) USDA meat grading, certification, and standards, 7 C.F.R., Part 54;

(e) Mandatory price reporting, 7 C.F.R., Part 57;

(f) Grazing permits, 43 C.F.R., Part 2920;

(g) Capper-Volstead act, U.S.C. Title 7, chapters 291 and 292;

(h) Livestock identification under chapter 16.57 RCW and rules;

(i) Organic products act under chapter 15.86 RCW and rules;

(j) Intrastate commerce in food, drugs, and cosmetics act under chapter 69.04 RCW and rules, including provisions of 21 C.F.R. relating to the general manufacturing practices, food labeling, food standards, food additives, and pesticide tolerances;

(k) Washington food processing act under chapter 69.07 RCW and rules;

(l) Washington food storage warehouses act under chapter 69.10 RCW and rules;

(m) Animal health under chapter 16.36 RCW and rules; and

(n) Weights and measures under chapter 19.94 RCW and rules.

Sec. 2. RCW 16.67.090 and 2011 c 336 s 436 are each amended to read as follows:

The powers and duties of the commission shall include the following:

(1) To administer and enforce the provisions of this chapter, and do all things reasonably necessary to effectuate the purposes of this chapter;

(2) To elect a chair and such other officers as it deems advisable;

(3) To employ and discharge at its discretion a manager, secretary, and such other personnel, including attorneys engaged in the private practice of law subject to the review of the attorney general, as the commission determines are necessary and proper to carry out the purposes of this chapter, and to prescribe their duties and powers and fix their compensation;

(4) To adopt, rescind, and amend rules, regulations, and orders for the exercise of its powers hereunder subject to the provisions of chapter 34.05 RCW, except that rule-making proceedings conducted under this chapter are exempt from compliance with RCW 34.05.310, the provisions of chapter 19.85 RCW, the regulatory fairness act, and the provisions of RCW 43.135.055 when

adoption of the rule is determined by a referendum vote of the affected parties;

(5) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the commission. All records, books, and minutes of the commission shall be kept at such headquarters;

(6) To require a bond of all commission members and employees of the commission in a position of trust in the amount the commission shall deem necessary. The premium for such bond or bonds shall be paid by the commission from assessments collected. Such bond shall not be necessary if any such commission member or employee is covered by any blanket bond covering officials or employees of the state of Washington;

(7) To establish a beef commission revolving fund, such fund to be deposited in a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the commission, except an amount of petty cash for each day's needs not to exceed one hundred dollars, shall be deposited each day or as often during the day as advisable; none of the provisions of RCW 43.01.050 as now or hereafter amended shall apply to money collected under this chapter;

(8) To prepare a detailed and explanatory budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of this chapter during each fiscal year;

(9) To incur expense and enter into contracts and to create such liabilities as may be reasonable for the proper administration and enforcement of this chapter;

(10) To borrow money, not in excess of its estimate of its revenue from the current year's contributions;

(11) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, expenditures, moneys, and other financial transactions made and done pursuant to this chapter. Such records, books, and accounts shall be audited at least every five years subject to procedures and methods lawfully prescribed by the state auditor. Such books and accounts shall be closed as of the last day of each fiscal year. A copy of such audit shall be delivered within

thirty days after completion thereof to the director, the state auditor, and the commission. On such years and in such event the state auditor is unable to audit the records, books, and accounts within six months following the close of the audit period it shall be mandatory that the commission employ a private auditor to make such audit;

(12) To sue and be sued as a commission, without individual liability for acts of the commission within the scope of the powers conferred upon it by this chapter;

(13) To cooperate with any other local, state, or national commission, organization, or agency, whether voluntary or established by state or federal law, including recognized livestock groups, engaged in work or activities similar to the work and activities of the commission created by this chapter and make contracts and agreements with such organizations or agencies for carrying on joint programs beneficial to the beef industry and sustainable stewardship of cattle;

(14) To accept grants, donations, contributions, or gifts from any governmental agency or private source for expenditures for any purpose consistent with the provisions of this chapter; and

(15) To operate jointly with beef commissions or similar agencies established by state laws in adjoining states.

Sec. 3. RCW 16.67.091 and 2003 c 396 s 34 are each amended to read as follows:

(1) The commission shall develop and submit to the director for approval any plans, programs, and projects concerning the following:

(a) The establishment, issuance, effectuation, and administration of appropriate programs or projects for the advertising and promotion of its affected commodities; ~~((and))~~

(b) The establishment, effectuation, and administration of research, education, and programs related to health and safety of cattle, beef, and beef products; and

(c) The establishment and effectuation of market research projects, market development projects, or ((both)) industry specific educational projects to the end that the marketing and utilization of its affected commodities

may be encouraged, expanded, improved, or made more efficient.

(2) The director shall review the commission's advertising or promotion program to ensure that no false claims are being made concerning its affected commodities.

(3) The commission, prior to the beginning of its fiscal year, shall prepare and submit to the director for approval its research plan, its commodity-related education and training plan, and its budget on a fiscal period basis.

(4) The director shall ~~((strive to))~~ review and make a determination of all submissions described in this section in a timely manner.

Sec. 4. RCW 16.67.110 and 2000 c 146 s 4 are each amended to read as follows:

The commission shall provide for programs designed to support sustainable stewardship of cattle and the environment; increase the consumption of beef; develop more efficient methods for the production, processing, handling and marketing of beef; eliminate transportation rate inequalities on feed grains and supplements and other production supplies adversely affecting Washington producers; properly identify beef and beef products for consumers as to quality and origin. For these purposes the commission may:

(1) Provide for programs for advertising, sales promotion and education, locally, nationally or internationally, for maintaining present markets and/or creating new or larger markets for beef. Such programs shall be directed toward increasing the sale of beef and shall neither make use of false or unwarranted claims in behalf of beef nor disparage the quality, value, sale or use of any other agricultural commodity;

(2) Provide for research: (a) To develop and discover the health, food, therapeutic, and dietetic value of beef and beef products ((thereof)); and (b) to develop materials, education, and programs related to health and safety of beef and beef products and the sustainable stewardship of cattle and the environment;

(3) Make grants to research agencies for financing studies ~~((, including funds for the purchase or acquisition of equipments and facilities, in problems~~

ef) related to beef health, beef production, processing, handling, and marketing, which may include funds for the acquisition of equipment and facilities;

(4) Disseminate reliable information founded upon the research undertaken under this chapter or otherwise available;

(5) Provide for rate studies and participate in rate hearings connected with problems of beef production, processing, handling or marketing; and

(6) Provide for proper labeling of beef and beef products so that the purchaser and the consuming public of the state will be readily apprised of the quality of the product and how and where it was processed.

NEW SECTION. Sec. 5. A new section is added to chapter 16.67 RCW to read as follows:

(1) The budget required in RCW 16.67.090(8) must set forth the complete and detailed financial program of the commission, showing the revenues and expenditures of the commission. The budget must be explanatory, describing how the funding is used to administer and implement the commission's programs and priorities, and include the reasons for salient changes from the previous fiscal period in expenditure or revenue items. The budget must explain any major changes to financial policy and contain an outline of the proposed financial policies of the commission for the ensuing fiscal period and describe performance indicators that demonstrate measurable progress toward the commission's priorities.

(2) The budget must be sufficiently detailed to provide transparency for the commission's actions on behalf of the industry.

(3) The commission must submit to the legislature a concise yet detailed report of the commission's activities and expenditures after the completion of each fiscal year."

Correct the title.

Representatives Dent and Blake spoke in favor of the adoption of the striking amendment.

Amendment (043) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2073.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2073, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Sambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Haler, Harris, Kretz, Maycumber, McCaslin, Shea and Taylor.

ENGROSSED HOUSE BILL NO. 2073, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1321, by Representatives Jenkin, Appleton, Nealey and Gregerson

Concerning certain public facilities district's authorization to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval. Revised for 1st Substitute: Authorizing certain public facilities districts to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1321 was substituted for House Bill No. 1321 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1321 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jenkin, Lytton, Griffey and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1321.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1321, and the bill passed the House by the following vote: Yeas, 86; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Dye, Haler, Hayes, McCaslin, Schmick, Shea, Smith, Taylor, J. Walsh and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1321, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

HOUSE BILL NO. 1753, by Representatives Cody and Jinkins

Concerning professionals qualified to examine individuals in the mental health and substance use disorder treatment systems.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1753 was substituted for House Bill No. 1753 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1753 was read the second time.

Representative Cody moved the adoption of amendment (068):

On page 10, line 26, after "Sec. 6." strike "This" and insert "Except for section 3 of this act, this"

Representative Cody spoke in favor of the adoption of the amendment.

Amendment (068) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1753.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1753, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1753, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2107, by Representatives Schmick, Cody and Ormsby

Concerning the addition of services for long-term placement of mental health patients in community settings that voluntarily contract to provide the services.

The bill was read the second time.

There being no objection, the committee amendments by the Committee on Health Care were adopted. (For Committee amendments, see Journal, Day 40, February 17, 2017).

Representative Cody moved the adoption of amendment (108):

Strike everything after the enacting clause and insert the following:

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

The legislature finds that concentrating all long-term placements for mental health patients at eastern and western state hospitals is not a sustainable model for the future. There is insufficient capacity at eastern and western state hospitals to meet current and growing demand for services and patients, and families are better supported when care is provided in communities closer to their homes. Therefore, the legislature intends to facilitate the addition of services to the existing system by making long-term placement for mental health patients available in community hospitals and evaluation and treatment facilities that voluntarily contract and are certified by the department of social and health services.

Sec. 2. RCW 71.24.310 and 2014 c 225 s 40 are each amended to read as follows:

The legislature finds that administration of chapter 71.05 RCW and this chapter can be most efficiently and effectively implemented as part of the behavioral health organization defined in RCW 71.24.025. For this reason, the legislature intends that the department and the behavioral health organizations shall work together to implement chapter 71.05 RCW as follows:

(1) By June 1, 2006, behavioral health organizations shall recommend to the department the number of state hospital beds that should be allocated for use by each behavioral health organization. The statewide total allocation shall not exceed the number of state hospital beds offering long-term inpatient care, as defined in this chapter, for which funding is provided in the biennial appropriations act.

(2) If there is consensus among the behavioral health organizations regarding the number of state hospital beds that should be allocated for use by each behavioral health organization, the department shall contract with each behavioral health organization accordingly.

(3) If there is not consensus among the behavioral health organizations regarding the number of beds that should be allocated for use by each behavioral health organization, the department shall establish by emergency rule the number of state hospital beds that are available for use by each behavioral health organization. The emergency rule shall be effective September 1, 2006. The primary factor used in the allocation shall be the estimated number of adults with acute and chronic mental illness in each behavioral health organization area, based upon population-adjusted incidence and utilization.

(4) The allocation formula shall be updated at least every three years to reflect demographic changes, and new evidence regarding the incidence of acute and chronic mental illness and the need for long-term inpatient care. In the updates, the statewide total allocation shall include (a) all state hospital beds offering long-term inpatient care for which funding is provided in the biennial appropriations act; plus (b) the estimated equivalent number of beds or comparable diversion services contracted in accordance with subsection (5) of this section.

(5) (a) ~~The department ((is encouraged to))~~ shall enter into performance-based contracts with behavioral health organizations to provide some or all of the behavioral health organization's allocated long-term inpatient treatment capacity in the community, rather than in the state hospital, to the extent that willing certified facilities are available. The performance contracts shall specify the number of patient days of care available for use by the behavioral health organization in the state hospital and the number of patient days of care available for use by the behavioral health organization in a facility certified by the department to provide treatment to adults on a ninety or one hundred eighty day inpatient involuntary commitment order, including hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW.

(b) Nothing in this section requires a hospital licensed under chapter 70.41 or 71.12 RCW to contract or become certified to treat patients on ninety or one hundred eighty day involuntary commitment orders as a condition for

continuing to treat adults who are waiting for placement at either the state hospital or in certified facilities that voluntarily contract to provide treatment to patients on ninety or one hundred eighty day involuntary commitment orders.

(6) If a behavioral health organization uses more state hospital patient days of care than it has been allocated under subsection (3) or (4) of this section, or than it has contracted to use under subsection (5) of this section, whichever is less, it shall reimburse the department for that care, except during the period of July 1, 2012, through December 31, 2013, where reimbursements may be temporarily altered per section 204, chapter 4, Laws of 2013 2nd sp. sess. The reimbursement rate per day shall be the hospital's total annual budget for long-term inpatient care, divided by the total patient days of care assumed in development of that budget.

(7) One-half of any reimbursements received pursuant to subsection (6) of this section shall be used to support the cost of operating the state hospital and, during the 2007-2009 fiscal biennium, implementing new services that will enable a behavioral health organization to reduce its utilization of the state hospital. The department shall distribute the remaining half of such reimbursements among behavioral health organizations that have used less than their allocated or contracted patient days of care at that hospital, proportional to the number of patient days of care not used.

Sec. 3. RCW 71.24.380 and 2014 c 225 s 5 are each amended to read as follows:

(1) The secretary shall purchase mental health and chemical dependency treatment services primarily through managed care contracting, but may continue to purchase behavioral health services directly from tribal clinics and other tribal providers.

(2)(a) The secretary shall request a detailed plan from the entities identified in (b) of this subsection that demonstrates compliance with the contractual elements of RCW 43.20A.894 and federal regulations related to medicaid managed care contracting((7)) including, but not limited to: Having a sufficient network of providers to provide adequate access to mental health

and chemical dependency services for residents of the regional service area that meet eligibility criteria for services, ability to maintain and manage adequate reserves, and maintenance of quality assurance processes. In addition, such entities must demonstrate the ability to contract for a minimum number of patient days, to be determined by the secretary, in a facility certified by the department to provide treatment to adults on a ninety or one hundred eighty day inpatient involuntary commitment order, including at hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW, to the extent that willing certified facilities are available. Any responding entity that submits a detailed plan that demonstrates that it can meet the requirements of this section must be awarded the contract to serve as the behavioral health organization.

(b)(i) For purposes of responding to the request for a detailed plan under (a) of this subsection, the entities from which a plan will be requested are:

(A) A county in a single county regional service area that currently serves as the regional support network for that area;

(B) In the event that a county has made a decision prior to January 1, 2014, not to contract as a regional support network, any private entity that serves as the regional support network for that area;

(C) All counties within a regional service area that includes more than one county, which shall form a responding entity through the adoption of an interlocal agreement. The interlocal agreement must specify the terms by which the responding entity shall serve as the behavioral health organization within the regional service area.

(ii) In the event that a regional service area is comprised of multiple counties including one that has made a decision prior to January 1, 2014, not to contract as a regional support network the counties shall adopt an interlocal agreement and may respond to the request for a detailed plan under (a) of this subsection and the private entity may also respond to the request for a detailed plan. If both responding entities meet the requirements of this section, the responding entities shall

follow the department's procurement process established in subsection (3) of this section.

(3) If an entity that has received a request under this section to submit a detailed plan does not respond to the request, a responding entity under subsection (1) of this section is unable to substantially meet the requirements of the request for a detailed plan, or more than one responding entity substantially meets the requirements for the request for a detailed plan, the department shall use a procurement process in which other entities recognized by the secretary may bid to serve as the behavioral health organization in that regional service area.

(4) Contracts for behavioral health organizations must begin on April 1, 2016.

(5) Upon request of all of the county authorities in a regional service area, the department and the health care authority may jointly purchase behavioral health services through an integrated medical and behavioral health services contract with a behavioral health organization or a managed health care system as defined in RCW 74.09.522, pursuant to standards to be developed jointly by the secretary and the health care authority. Any contract for such a purchase must comply with all federal medicaid and state law requirements related to managed health care contracting.

(6) As an incentive to county authorities to become early adopters of fully integrated purchasing of medical and behavioral health services, the standards adopted by the secretary and the health care authority under subsection (5) of this section shall provide for an incentive payment to counties which elect to move to full integration by January 1, 2016. Subject to federal approval, the incentive payment shall be targeted at ten percent of savings realized by the state within the regional service area in which the fully integrated purchasing takes place. Savings shall be calculated in alignment with the outcome and performance measures established in RCW 43.20A.895, 70.320.020, and 71.36.025, and incentive payments for early adopter counties shall be made available for up to a six-year period, or until full integration of medical and behavioral health services is accomplished statewide, whichever comes

sooner, according to rules to be developed by the secretary and health care authority.

NEW SECTION. Sec. 4. A new section is added to chapter 71.24 RCW to read as follows:

(1) The department and the entities identified in RCW 71.24.310 and 71.24.380 shall: (a) Work with willing community hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW to assess their capacity to become certified to provide long-term mental health placements and to meet the requirements of this chapter; and (b) enter into contracts and payment arrangements with such hospitals and evaluation and treatment facilities choosing to provide long-term mental health placements, to the extent that willing certified facilities are available. Nothing in this chapter requires any community hospital or evaluation and treatment facility to be certified to provide long-term mental health placements.

(2) The department must establish reporting requirements for certified facilities. The reporting standards must allow the department to monitor the performance of the certified facilities and compare results with the state hospitals in a consistent format. The measures must align with the data reported by the department to the select committee on quality improvement in state hospitals, including the length of stay of patients, outcomes after discharge, employee-related measures, and demographic information.

NEW SECTION. Sec. 5. A new section is added to chapter 71.24 RCW to read as follows:

The legislature finds that concentrating all long-term placements for mental health patients at eastern and western state hospitals is not a sustainable model for the future. There is insufficient capacity at eastern and western state hospitals to meet current and growing demand for services and patients, and families are better supported when care is provided in communities closer to their homes. Therefore, the legislature intends to facilitate the addition of services to the existing system by making long-term placement for mental health patients available in community hospitals and

evaluation and treatment facilities that voluntarily contract and are certified by the department of health.

Sec. 6. RCW 71.24.310 and 2014 c 225 s 40 are each amended to read as follows:

The legislature finds that administration of chapter 71.05 RCW and this chapter can be most efficiently and effectively implemented as part of the behavioral health organization defined in RCW 71.24.025. For this reason, the legislature intends that the ~~((department))~~ authority and the behavioral health organizations shall work together to implement chapter 71.05 RCW as follows:

(1) ~~((By June 1, 2006,))~~ Behavioral health organizations shall recommend to the ~~((department))~~ authority the number of state hospital beds that should be allocated for use by each behavioral health organization. The statewide total allocation shall not exceed the number of state hospital beds offering long-term inpatient care, as defined in this chapter, for which funding is provided in the biennial appropriations act.

(2) If there is consensus among the behavioral health organizations regarding the number of state hospital beds that should be allocated for use by each behavioral health organization, the ~~((department))~~ authority shall contract with each behavioral health organization accordingly.

(3) If there is not consensus among the behavioral health organizations regarding the number of beds that should be allocated for use by each behavioral health organization, the ~~((department))~~ authority shall establish by emergency rule the number of state hospital beds that are available for use by each behavioral health organization. ~~((The emergency rule shall be effective September 1, 2006.))~~ The primary factor used in the allocation shall be the estimated number of adults with acute and chronic mental illness in each behavioral health organization area, based upon population-adjusted incidence and utilization.

(4) The allocation formula shall be updated at least every three years to reflect demographic changes, and new evidence regarding the incidence of acute and chronic mental illness and the need for long-term inpatient care. In the updates, the statewide total allocation shall include (a) all state hospital beds

offering long-term inpatient care for which funding is provided in the biennial appropriations act; plus (b) the estimated equivalent number of beds or comparable diversion services contracted in accordance with subsection (5) of this section.

(5)(a) The ~~((department is encouraged to))~~ authority shall enter into performance-based contracts with behavioral health organizations to provide some or all of the behavioral health organization's allocated long-term inpatient treatment capacity in the community, rather than in the state hospital, to the extent that willing certified facilities are available. The performance contracts shall specify the number of patient days of care available for use by the behavioral health organization in the state hospital and the number of patient days of care available for use by the behavioral health organization in a facility certified by the department to provide treatment to adults on a ninety or one hundred eighty day inpatient involuntary commitment order, including hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW.

(b) Nothing in this section requires a hospital licensed under chapter 70.41 or 71.12 RCW to contract or become certified to treat patients on ninety or one hundred eighty day involuntary commitment orders as a condition for continuing to treat adults who are waiting for placement at either the state hospital or in certified facilities that voluntarily contract to provide treatment to patients on ninety or one hundred eighty day involuntary commitment orders.

(6) If a behavioral health organization uses more state hospital patient days of care than it has been allocated under subsection (3) or (4) of this section, or than it has contracted to use under subsection (5) of this section, whichever is less, it shall reimburse the ~~((department))~~ authority for that care ~~((, except during the period of July 1, 2012, through December 31, 2013, where reimbursements may be temporarily altered per section 204, chapter 4, Laws of 2013 2nd sp. sess)).~~ The reimbursement rate per day shall be the hospital's total annual budget for long-term inpatient care, divided by the

total patient days of care assumed in development of that budget.

(7) One-half of any reimbursements received pursuant to subsection (6) of this section shall be used to support the cost of operating the state hospital ~~((and, during the 2007-2009 fiscal biennium, implementing new services that will enable a behavioral health organization to reduce its utilization of the state hospital))~~. The ~~((department))~~ authority shall distribute the remaining half of such reimbursements among behavioral health organizations that have used less than their allocated or contracted patient days of care at that hospital, proportional to the number of patient days of care not used.

Sec. 7. RCW 71.24.380 and 2014 c 225 s 5 are each amended to read as follows:

(1) The ~~((secretary))~~ director shall purchase mental health and chemical dependency treatment services primarily through managed care contracting, but may continue to purchase behavioral health services directly from tribal clinics and other tribal providers.

(2) (a) The ~~((secretary))~~ director shall request a detailed plan from the entities identified in (b) of this subsection that demonstrates compliance with the contractual elements of RCW 43.20A.894 and federal regulations related to medicaid managed care contracting~~((r))~~ including, but not limited to: Having a sufficient network of providers to provide adequate access to mental health and chemical dependency services for residents of the regional service area that meet eligibility criteria for services, ability to maintain and manage adequate reserves, and maintenance of quality assurance processes. In addition, such entities must demonstrate the ability to contract for a minimum number of patient days, to be determined by the secretary, in a facility certified by the department to provide treatment to adults on a ninety or one hundred eighty day inpatient involuntary commitment order, including at hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW, to the extent that willing certified facilities are available. Any responding entity that submits a detailed plan that demonstrates that it can meet the requirements of this section must be awarded the contract to

serve as the behavioral health organization.

(b) (i) For purposes of responding to the request for a detailed plan under (a) of this subsection, the entities from which a plan will be requested are:

(A) A county in a single county regional service area that currently serves as the regional support network for that area;

(B) In the event that a county has made a decision prior to January 1, 2014, not to contract as a regional support network, any private entity that serves as the regional support network for that area;

(C) All counties within a regional service area that includes more than one county, which shall form a responding entity through the adoption of an interlocal agreement. The interlocal agreement must specify the terms by which the responding entity shall serve as the behavioral health organization within the regional service area.

(ii) In the event that a regional service area is comprised of multiple counties including one that has made a decision prior to January 1, 2014, not to contract as a regional support network the counties shall adopt an interlocal agreement and may respond to the request for a detailed plan under (a) of this subsection and the private entity may also respond to the request for a detailed plan. If both responding entities meet the requirements of this section, the responding entities shall follow the ~~((department's))~~ authority's procurement process established in subsection (3) of this section.

(3) If an entity that has received a request under this section to submit a detailed plan does not respond to the request, a responding entity under subsection (1) of this section is unable to substantially meet the requirements of the request for a detailed plan, or more than one responding entity substantially meets the requirements for the request for a detailed plan, the ~~((department))~~ authority shall use a procurement process in which other entities recognized by the ~~((secretary))~~ director may bid to serve as the behavioral health organization in that regional service area.

(4) Contracts for behavioral health organizations must begin on April 1, 2016.

(5) Upon request of all of the county authorities in a regional service area, the ~~((department and the health care))~~ authority may ~~((jointly))~~ purchase behavioral health services through an integrated medical and behavioral health services contract with a behavioral health organization or a managed health care system as defined in RCW 74.09.522, pursuant to standards to be developed ~~((jointly))~~ by the ~~((secretary and the health care))~~ authority. Any contract for such a purchase must comply with all federal medicaid and state law requirements related to managed health care contracting.

(6) As an incentive to county authorities to become early adopters of fully integrated purchasing of medical and behavioral health services, the standards adopted by the ~~((secretary and the health care))~~ authority under subsection (5) of this section shall provide for an incentive payment to counties which elect to move to full integration by January 1, 2016. Subject to federal approval, the incentive payment shall be targeted at ten percent of savings realized by the state within the regional service area in which the fully integrated purchasing takes place. Savings shall be calculated in alignment with the outcome and performance measures established in RCW 43.20A.895, 70.320.020, and 71.36.025, and incentive payments for early adopter counties shall be made available for up to a six-year period, or until full integration of medical and behavioral health services is accomplished statewide, whichever comes sooner, according to rules to be developed by the ~~((secretary and health care))~~ authority.

NEW SECTION. Sec. 8. A new section is added to chapter 71.24 RCW to read as follows:

(1) The authority and the entities identified in RCW 71.24.310 and 71.24.380 shall: (a) Work with willing community hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW to assess their capacity to become certified to provide long-term mental health placements and to meet the requirements of this chapter; and (b) enter into contracts and payment arrangements with such hospitals and evaluation and treatment facilities choosing to provide long-term mental health placements, to the extent that

willing certified facilities are available. Nothing in this chapter requires any community hospital or evaluation and treatment facility to be certified to provide long-term mental health placements.

(2) The authority must establish reporting requirements for certified facilities. The reporting standards must allow the authority to monitor the performance of the certified facilities and compare results with the state hospitals in a consistent format. The measures must align with the data reported by the authority to the select committee on quality improvement in state hospitals, including the length of stay of patients, outcomes after discharge, employee-related measures, and demographic information.

NEW SECTION. Sec. 9. Sections 1 through 4 of this act take effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 10. Sections 5 through 8 of this act take effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Representative Cody spoke in favor of the adoption of the striking amendment.

Amendment (108) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2107.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2107, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 2107, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1234, by Representatives Robinson, Lytton, Senn, Frame, Doglio, Tarleton, Hansen, Jinkins, Cody, Ortiz-Self, Riccelli, Stambaugh, Macri, Pollet, Tharinger, Clibborn, Stonier, Caldier, Sells, Gregerson, Wylie, Kilduff, McBride, Goodman, Bergquist, Ormsby, Stanford, Slatter and Kloba

Addressing private health plan coverage of contraceptives.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1234 was substituted for House Bill No. 1234 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1234 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson, Schmick and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1234.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1234, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Klippert, McCaslin, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 1234, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1523, by Representatives Robinson, Johnson, Cody, Harris, Pollet, Doglio, Appleton, Fitzgibbon, Tharinger, Farrell, McBride, Fey and Macri

Requiring health plans to cover, with no cost sharing, all preventive services required to be covered under federal law as of December 31, 2016.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1523 was substituted for House Bill No. 1523 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1523 was read the second time.

Representative Graves moved the adoption of amendment (042):

On page 1, line 17, after "law" insert "in effect on December 31, 2016,"

Representatives Graves and Cody spoke in favor of the adoption of the amendment.

Amendment (042) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Robinson spoke in favor of the passage of the bill.

Representatives Schmick and Shea spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1523.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1523, and the bill passed the House by the following vote: Yeas, 70; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Haler, Hargrove, Harmsworth, Harris, Hayes, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Smith, Steele, Taylor, Van Werven and Vick.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1523, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1809, by Representatives Fey, Orcutt and McBride

Concerning tax credits for clean alternative fuel commercial vehicles.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1809 was substituted for House Bill No. 1809 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1809 was read the second time.

Representative Fey moved the adoption of amendment (073):

On page 1, line 18, after "~~(\$5,000)~~" strike "\$10,000" and insert "\$25,000"

On page 1, line 19, after "~~(\$10,000)~~" strike "\$20,000" and insert "\$50,000"

On page 2, line 1, after "~~(\$20,000)~~" strike "\$40,000" and insert "\$100,000"

On page 6, line 28, after "~~(\$5,000)~~" strike "\$10,000" and insert "\$25,000"

On page 6, line 29, after "~~(\$10,000)~~" strike "\$20,000" and insert "\$50,000"

On page 6, line 30, after "~~(\$20,000)~~" strike "\$40,000" and insert "\$100,000"

Representatives Fey and Orcutt spoke in favor of the adoption of the amendment.

Amendment (073) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1809.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1809, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Chandler.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1809, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1838, by Representative Schmick

Concerning the crossing of certain public roadways by wheeled all-terrain vehicles.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1838 was substituted for House Bill No. 1838 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1838 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1838.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1838, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1838, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1055, by Representatives Kilduff, Muri, Haler, Shea, Appleton, Klippert, Lovick, Stokesbary, Stanford, Jinkins, Reeves, MacEwen, Koster, Hayes, Barkis, Kloba, Frame, Ormsby, Bergquist, Goodman, Gregerson, Young, Kirby, Fey, Slatter, Sawyer and Tarleton

Concerning pro bono legal services for military service members, veterans, and their families.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1055 was substituted for House Bill No. 1055 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1055 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1055.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1055, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1055, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1129, by Representatives Haler and Pollet

Providing associate degree education to enhance education opportunities and public safety.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1129 was substituted for House Bill No. 1129 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1129 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler, Hansen, Klippert and Orcutt spoke in favor of the passage of the bill.

Representative Holy spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1129.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1129, and the bill passed the House by the following vote: Yeas, 77; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harris, Hudgins, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Dye, Harmsworth, Hayes, Holy, Irwin, Johnson, Koster, Kretz, Kristiansen, Manweller, McCabe, McCaslin, Pike, Schmick, Shea, Taylor, Vick and Volz.

SUBSTITUTE HOUSE BILL NO. 1129, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1129.

Representative Maycumber, 7th Legislative District

SECOND READING

HOUSE BILL NO. 1275, by Representatives Blake, Wilcox, Chapman, MacEwen, J. Walsh, Orcutt, Buys, Pettigrew, Fitzgibbon, Haler, Condotta and Muri

Including fish passage barrier removal projects that comply with the forest practices rules in the streamlined permit process provided in RCW 77.55.181.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1275 was substituted for House Bill No. 1275 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1275 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1275.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1275, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1275, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1338, by Representatives Cody, Schmick, Jinkins, Johnson, Robinson and Riccelli

Addressing the Washington state health insurance pool.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1338 was substituted for House Bill No. 1338 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1338 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1338.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1338, and the 133 passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives McCaslin, Orcutt, Shea, Taylor and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 1338, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1440, by Representatives Stonier, Stambaugh, Hudgins, Johnson, Ortiz-Self, Stokesbary, Sells, Jinkins, Ryu, Appleton, Pollet, Senn, Peterson, Kilduff, Bergquist, Stanford, Frame, Slatter and Dolan

Establishing a student loan bill of rights.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1440 was substituted for House Bill No. 1440 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1440 was read the second time.

Representative Stonier moved the adoption of amendment (121):

On page 5, beginning on line 19, strike all of section 5, and insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 31.04 RCW to read as follows:

(1) In addition to complying with any applicable federal program requirements, a student education loan servicer must comply with the following requirements:

(a) Any fee that is assessed by a student education loan servicer must be assessed within forty-five days of the date on which the fee was incurred and must be explained clearly and conspicuously in a statement mailed to the student education loan borrower at the student education loan borrower's last known address no more than thirty days after assessing the fee, or provided via email if the student education loan borrower has assented to receive electronic communications;

(b) All amounts received by a student education loan servicer on a student education loan at the address where the student education loan borrower has been instructed to make payments must be accepted and credited, or treated as credited, within one business day of the date received, provided that the student education loan borrower has provided sufficient information to credit the account. If a student education loan servicer uses the scheduled method of accounting, any regularly scheduled payment made prior to the scheduled due date must be credited no later than the due date. If any payment is received and not credited, or treated as credited, the student education loan borrower must be notified of the disposition of the payment within ten business days by mail at the student education loan borrower's last known address. The notification must identify the reason the payment was not credited or treated as credited to the account, as well as any actions the student education loan borrower must take to make the student education loan current;

(c) The student education loan servicer must make reasonable attempts to comply with a student education loan borrower's request for information about the student education loan account and to respond to any dispute initiated by the student education loan borrower about the student education loan account. The student education loan servicer:

(i) Must maintain written or electronic records of each written request for information regarding a dispute or error involving the student education loan borrower's account until the student education loan is paid in full, sold, or otherwise satisfied; and

(ii) Must provide a written statement to the student education loan borrower within fifteen business days of receipt of a written request from the student education loan borrower. The student education loan borrower's request must

include the name and account number, if any, of the student education loan borrower, a statement that the account is or may be in error, and sufficient detail regarding the information sought by the student education loan borrower to permit the student education loan servicer to comply. At a minimum, the student education loan servicer's response to the student education loan borrower's request must include the following information:

(A) Whether the account is current or, if the account is not current, an explanation of the default and the date the account went into default;

(B) The current balance due on the student education loan, including the principal due, the amount of funds, if any, held in a suspense account, if any, and whether there are any shortages known to the student education loan servicer;

(C) The identity, address, and other relevant information about the current holder, owner, or assignee of the student education loan; and

(D) The telephone number and mailing address of an individual employed by, or the office or department of, the student education loan servicer with the information and authority to answer questions and resolve disputes; and

(d) Promptly correct any errors and refund any fees assessed to the student education loan borrower resulting from the student education loan servicer's error.

(2) In addition, a student education loan borrower may request more detailed information from a student education loan servicer, and the student education loan servicer must provide the information within fifteen business days of receipt of a written request from the student education loan borrower. The request must include the name and account number, if any, of the student education loan borrower, a statement that the account is or may be in error, and provide sufficient detail to the student education loan servicer regarding information sought by the student education loan borrower. If requested by the student education loan borrower this statement must include:

(a) A copy of the original note, or if unavailable, an affidavit of lost note; and

(b) A statement that identifies and itemizes all fees and charges assessed under the student education loan transaction and provides a full payment history identifying in a clear and conspicuous manner all of the debits, credits, application of and disbursement of all payments received from or for the

benefit of the student education loan borrower, and other activity on the student education loan including suspense account activity, if any. The period of the account history must cover at a minimum the two-year period prior to the date of the receipt of the request for information. If the student education loan servicer has not serviced the student education loan for the entire two-year time period the student education loan servicer must provide the information going back to the date on which the student education loan servicer began servicing the student education loan, and identify the previous student education loan servicer, if known. If the student education loan servicer claims that any delinquent or outstanding sums are owed on the student education loan prior to the two-year period or the period during which the student education loan servicer has serviced the student education loan, the student education loan servicer must provide an account history beginning with the month that the student education loan servicer claims any outstanding sums are owed on the student education loan up to the date of the request for the information. The student education loan borrower may request annually one statement free of charge.

(3) When acquiring servicing rights from another student education loan servicer, a receiving student education loan servicer must:

(a) Notify the student education loan borrowers no more than sixty days and no less than forty-five days before the effective date of the transfer of the student education loans to provide them with:

(i) The effective date of the transfer of servicing, and the date at which the receiving student education loan servicer will begin to accept payments relating to the student education loan, if different;

(ii) The name, address, and toll-free telephone number for an individual employed by, or the office or department of, both the transferring and receiving student education loan servicers at which the student education loan borrower can obtain answers to inquiries;

(iii) A statement that the transfer of servicing does not affect any term or condition of the student education loan other than the entity servicing the student education loan;

(iv) Information about how to obtain a payment history from both the transferring or receiving student education loan servicer;

(v) A notification indicating whether an alternative repayment plan or loan consolidation application is pending; and

(vi) Information about how to submit a complaint to the United States department of education and the student education loan ombuds in the event of a servicing error; and

(b) Continue processing student education loan modification requests received by the receiving student education loan servicer or the transferring student education loan servicer during the transfer process.

(4) When transferring or selling the servicing of student education loans a transferring student education loan servicer must:

(a) Notify the student education loan borrowers no more than sixty days and no less than forty-five days before the effective date of the transfer of the student education loans to provide them with:

(i) The effective date of the transfer of servicing, and the date at which the transferring student education loan servicer will no longer accept payments relating to the student education loan, if different;

(ii) The name, address, and toll-free telephone number for an individual employed by, or the office or department of, both the transferring and receiving student education loan servicers at which the student education loan borrower can obtain answers to inquiries; and

(iii) A statement that the transfer of servicing does not affect any term or condition of the student education loan other than the entity servicing the student education loan; and

(b) Inform the receiving student education loan servicer if a student education loan modification request is pending.

(5) Licensees servicing student education loans shall provide, free of charge on the licensee's web site, information or links to information regarding repayment and loan forgiveness options that may be available to student education loan borrowers, as well as the availability of the student education loan ombuds to provide assistance. This information or these links shall be provided via written correspondence or email at least once per calendar year.

(6) In addition to keeping books and records in compliance with this chapter and section 1 of this act, licensees servicing student education loans shall collect, maintain, and report to the

department specific information about the student education loans in the licensee's portfolio. Such information shall include, but not be limited by: Student education loan volume, default, refinance and modification information, student education loan type (subsidized, deferred, etc.) information, and collection practices.

(7) The director may adopt all rules necessary to implement this section. The director may, at his or her discretion, waive applicability of the provisions of this section when the director determines it necessary to facilitate commerce and protect consumers."

On page 16, beginning on line 17, after "means:" strike all material through "activities" on line 26, and insert "(a) (i) Receiving any scheduled periodic payments from a student education loan borrower or notification of such payments; and

(ii) Applying payments to the student education loan borrower's account pursuant to the terms of the student education loan or of the contract governing the servicing;

(b) During a period when no payment is required on a student education loan;

(i) Maintaining account records for the loan; and

(ii) Communicating with the student education loan borrower or the borrower's designated representative regarding the student education loan, as the student education loan's holder or on behalf of the student education loan's holder; or

(c) Interacting with a student education loan borrower, including activities to help prevent default on obligations arising from student education loans, to facilitate the activities described in (a) or (b) of this subsection."

On page 27, after line 27, insert the following:

"NEW SECTION. Sec. 20. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

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

Representatives Stonier and Holy spoke in favor of the adoption of the amendment.

Amendment (121) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Holy and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1440.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1440, and the bill passed the House by the following vote: Yeas, 71; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Holy, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Harmsworth, Harris, Hayes, Irwin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Steele, Taylor, Vick and J. Walsh.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1440, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1444, by Representatives Caldier, Santos, Kilduff, Muri, Senn, Appleton, Fey, Pollet and Slatter

Facilitating on-time grade level progression and graduation for certain students.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1444 was substituted for House Bill No. 1444 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1444 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Caldier and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1444.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1444, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1444, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1445, by Representatives Ortiz-Self, Stambaugh, Santos, Orwall, Harris, Caldier, Springer, Appleton, Lytton, Condotta, Fey, Pollet, Goodman, Slatter, Bergquist, Macri, Doglio and Kagi

Concerning dual language in early learning and K-12 education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1445 was substituted for House Bill No. 1445 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1445 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self, Harris, Stambaugh, Johnson, Kagi and Santos spoke in favor of the passage of the bill.

Representatives Hargrove and Volz spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1445.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1445, and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, DeBolt, Dent, Dye, Griffey, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

SUBSTITUTE HOUSE BILL NO. 1445, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1571, by Representatives Reeves, Muri, Ryu, Kilduff, Sawyer, Steele, Macri, Orwall, Tharinger, Chapman, Stanford, Doglio, Fey, Hudgins, Stonier, Frame, Kloba, Springer, J. Walsh, McBride, Ortiz-Self, Riccelli and Slatter

Creating a community care and supportive services program for veterans.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reeves and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1571.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1571, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1571, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2007, by Representatives Kagi, Appleton, Hudgins, Jinkins, Johnson, Kilduff, Senn, Tarleton, Frame, Stonier, Stambaugh, Lytton, Macri, Robinson, Ormsby, Doglio, Slatter and Pollet

Making provisions to commemorate the centennial of national women's suffrage.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi, McCabe and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2007.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2007, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 2007, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1169, by Representatives Orwall, Pollet, Appleton, Goodman, Tarleton, Bergquist, Stanford, Fitzgibbon, Doglio and Wylie

Enacting the student opportunity, assistance, and relief act.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1169 was substituted for House Bill No. 1169 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1169 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1169.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1169, and the bill passed the House by the following vote: Yeas, 76; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Klippert, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Taylor, Vick, Volz and Wilcox.

SECOND SUBSTITUTE HOUSE BILL NO. 1169, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1513, by Representatives Bergquist, Stambaugh, Frame, Hudgins, Sawyer, Slatter, Macri, Gregerson, Peterson, McBride, Doglio, Appleton, Fitzgibbon, Goodman, Tharinger, Farrell, Pollet, Ormsby, Dolan and Riccelli

Concerning the collection of youth voter registration sign up information.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1513 was substituted for House Bill No. 1513 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1513 was read the second time.

With the consent of the House, amendments (105) and (138) were withdrawn.

Representative Bergquist moved the adoption of amendment (139):

On page 14, line 16, after "under" strike "RCW 29A.08.330" and insert "section 11 of this act"

Representative Bergquist spoke in favor of the adoption of the amendment.

Amendment (139) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Stambaugh spoke in favor of the passage of the bill.

Representative Koster spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1513.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1513, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin,

Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1513, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1713, by Representatives Senn, Dent, Kagi and Kilduff

Implementing recommendations from the children's mental health work group.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1713 was substituted for House Bill No. 1713 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1713 was read the second time.

With the consent of the House, amendments (116) and (117) were withdrawn.

Representative Senn moved the adoption of amendment (100):

On page 6, line 10, after "(9)" strike "Effective" and insert, "Subject to the availability of amounts appropriated for this specific purpose, effective"

On page 6, line 18, after "(10)" strike "Effective" and insert, "Subject to the availability of amounts appropriated for this specific purpose, effective"

On page 6, line 24, after "(1)" strike "The" and insert "Subject to the availability of amounts appropriated for this specific purpose, the"

On page 7, line 1, after, "Sec. 6." strike "The" and insert "Subject to the availability of amounts appropriated for this specific purpose, the"

On page 9, beginning on line 19, strike all of section 10.

Correct the title.

Representatives Senn and Dent spoke in favor of the adoption of the amendment.

Amendment (100) was adopted.

Representative Dent moved the adoption of amendment (128):

On page 6, line 20, after "birth to" strike "one year" and insert "six months"

Representatives Dent and Senn spoke in favor of the adoption of the amendment.

Amendment (128) was adopted.

Representative Senn moved the adoption of amendment (099):

On page 7, beginning on line 1, strike all of section 6 and insert the following:

"NEW SECTION. Sec. 6. A new section is added to RCW 28A.630 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall establish a competitive application process to designate two educational service districts in which to pilot one lead staff person for children's mental health.

(2) The office must select two educational service districts as pilot sites by October 1, 2017. When selecting the pilot sites, the office must endeavor to achieve a balanced geographic distribution of sites east of the crest of the cascade mountains and west of the crest of the cascade mountains.

(3) The lead staff person for each pilot site must have the primary responsibility for:

(a) Coordinating medicaid billing for schools and school districts in the educational service district;

(b) Facilitating partnerships with community mental health agencies and other providers;

(c) Sharing service models;

(d) Seeking public and private grant funding;

(e) Ensuring the adequacy of other system level supports for students with mental health needs; and

(f) Collaborating with the other selected project and with the office of the superintendent of public instruction.

(4) The office of the superintendent of public instruction must report on the

results of the two pilot projects to the governor and the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2019. The report must also include:

(a) A case study of an educational service district that is successfully delivering and coordinating children's mental health activities and services. Activities and services may include but are not limited to medicaid billing, facilitating partnerships with community mental health agencies, and seeking and securing public and private funding; and

(b) Recommendations regarding whether to continue or make permanent the pilot projects and how the projects might be replicated in other educational service districts.

(5) This section expires January 1, 2020."

Correct the title.

Representative Dent moved the adoption of amendment (118) to amendment (099):

On page 1, line 9 of the amendment, after "health" insert "and substance use disorder services"

On page 1, line 20 of the amendment, after "agencies" insert ", providers of substance use disorder treatment,"

On page 1, line 24 of the amendment, after "health" insert "and substance use disorder treatment"

Representatives Dent and Senn spoke in favor of the adoption of the amendment to the amendment.

Amendment (118) to amendment (099) was adopted.

Representatives Senn and Dent spoke in favor of the adoption of the amendment (099), as amended.

Amendment (099), as amended, was adopted.

Representative Senn moved the adoption of amendment (119):

On page 9, after line 5, insert the following:

"NEW SECTION. **Sec. 7.** A new section is added to chapter 71.24 RCW to read as follows:

(1) Upon initiation or renewal of a contract with the authority, a behavioral health organization shall reimburse a provider for a behavioral health service provided to a covered person who is under

eighteen years old through telemedicine or store and forward technology if:

(a) The behavioral health organization in which the covered person is enrolled provides coverage of the behavioral health service when provided in person by the provider; and

(b) The behavioral health service is medically necessary.

(2)(a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.

(b) For purposes of this section, reimbursement of store and forward technology is available only for those services specified in the negotiated agreement between the behavioral health organization and provider.

(3) An originating site for a telemedicine behavioral health service subject to subsection (1) of this section means an originating site as defined in rule by the department or the authority.

(4) Any originating site, other than a home, under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement must be subject to a negotiated agreement between the originating site and the behavioral health organization. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A behavioral health organization may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A behavioral health organization may subject coverage of a telemedicine or store and forward technology behavioral health service under subsection (1) of this section to all terms and conditions of the behavioral health organization in which the covered person is enrolled, including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable behavioral health care service provided in person.

(7) This section does not require a behavioral health organization to reimburse:

(a) An originating site for professional fees;

(b) A provider for a behavioral health service that is not a covered benefit under the behavioral health organization; or

(c) An originating site or provider when the site or provider is not a contracted provider with the behavioral health organization.

(8) For purposes of this section:

(a) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine;

(b) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(c) "Originating site" means the physical location of a patient receiving behavioral health services through telemedicine;

(d) "Provider" has the same meaning as in RCW 48.43.005;

(e) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical or behavioral health information from an originating site to the provider at a distant site which results in medical or behavioral health diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(f) "Telemedicine" means the delivery of health care or behavioral health services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

(9) The authority must adopt rules as necessary to implement the provisions of this section."

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

On page 9, beginning on line 17, strike all of section 9

On page 9, after line 18, insert the following:

"NEW SECTION. Sec. 10. Section 7 of this act takes effect January 1, 2018, but only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 11. Section 8 of this act takes effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

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

Correct the title.

Representatives Senn and Dent spoke in favor of the adoption of the amendment (119).

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 67 - YEAS; 31 - NAYS.

Amendment (119) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn, Dent, Barkis, Goodman and Kagi spoke in favor of the passage of the bill.

Representatives Schmick and Caldier spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1713.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1713, and the bill passed the House by the following vote: Yeas, 75; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman,

Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Condotta, DeBolt, Dye, Hargrove, Holy, Jenkin, Klippert, Kretz, MacEwen, Manweller, Maycumber, McCaslin, Nealey, Orcutt, Schmick, Shea, Steele, Taylor, Vick, Volz and Young.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1713, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1819, by Representatives Dent, Senn, Kagi, Griffey, Johnson and McBride

Reducing certain documentation and paperwork requirements in order to improve children's mental health and safety.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1819 was substituted for House Bill No. 1819 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1819 was read the second time.

Representative Senn moved the adoption of amendment (110):

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

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

(1) The authority must immediately perform a review of its rules, policies, and procedures related to the documentation requirements for behavioral health services with regard to individual initial assessments. The review must identify areas in which duplicative or inefficient documentation requirements can be eliminated or streamlined for providers. The authority must complete the review by November 1, 2017. Upon completion of the review, the authority must take immediate steps to amend authority rules accordingly.

(2) This section expires December 31, 2018.

NEW SECTION. Sec. 4. Section 2 of this act takes effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 5. Section 3 of this act takes effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

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

Correct the title.

Representatives Senn and Dent spoke in favor of the adoption of the amendment.

Amendment (110) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1819.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1819, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan,

Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1819, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1849, by Representatives Sells, Doglio, Pollet, Ormsby, Tharinger and Farrell

Addressing compliance with apprenticeship utilization requirements.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Sells spoke in favor of the passage of the bill.

Representatives Manweller and Stambaugh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1849.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1849, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Wilcox and Young.

HOUSE BILL NO. 1849, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1606, by Representatives Pike, Tarleton, Orcutt, Stambaugh, Harmsworth, Gregerson and Hargrove

Requiring transportation benefit districts to hold public hearings prior to imposing fees or charges by a vote of the governing board.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Pike spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1606.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1606, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1606, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1548, by Representatives Schmick and Cody

Concerning curricula for persons in long-term care facilities with behavioral health needs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1548 was substituted for House Bill No. 1548 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1548 was read the second time.

With the consent of the House, amendment (109) was withdrawn.

Representative Schmick moved the adoption of amendment (129):

On page 4, line 31, after "individuals" strike "suffering from mental illness" and insert "~~((suffering from mental~~

~~ness~~) who have a behavioral health condition. Hours worked by geriatric behavioral health workers may be recognized as direct care hours for purposes of the minimum staffing requirements only up to a portion of the total hours equal to the proportion of resident days of clients with a behavioral health condition identified at that facility on the most recent semi-annual minimum data set"

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

"(5) For the purposes of this section, "behavioral health condition" means one or more of the behavioral symptoms specified in section e of the minimum data set."

Representatives Schmick and Cody spoke in favor of the adoption of the amendment.

Amendment (129) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1548.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1548, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1548, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1674, by Representatives Ormsby, Sells, Gregerson, Doglio, Frame, Macri, Goodman, Stonier, McBride, Peterson, Cody, Ortiz-Self, Tarleton and Pollet

Establishing the prevailing rate of wage based on collective bargaining agreements or other methods if collective bargaining agreements are not available.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ormsby spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1674.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1674, and the bill passed the House by the following vote: Yeas, 50; Nays, 48; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

HOUSE BILL NO. 1674, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1709, by Representatives Chandler, Ormsby and Stanford

Authorizing the transfer of public employees' retirement system service credit to the public safety employees' retirement system due to differing definitions of full-time.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chandler and Robinson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1709.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1709, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1709, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1540, by Representatives Santos, Pollet, Appleton, Fitzgibbon, Hudgins, Gregerson, Stanford, Macri, Fey, Pettigrew and Slatter

Providing public notices of public health, safety, and welfare in a language other than English.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1540 was substituted for House Bill No. 1540 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1540 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Goodman spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1540.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1540, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 1540, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1728, by Representatives Sawyer, Smith, Caldier, Jinkins, Fey, Kloba, Ortiz-Self, Stanford and Frame)

Protecting minors from sexual exploitation.

The bill was read the second time.

Representative Shea moved the adoption of the striking amendment (148):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature must continue to act to aid law enforcement in their efforts to prevent the unthinkable acts of sexual abuse of children and the horrendous social and emotional trauma experienced by victims of child pornography by expanding the tools available for law enforcement. The legislature finds that the expansion of the internet and computer-related technologies have led to a dramatic increase in the production and availability of child pornography by simplifying how it can be created, distributed, and collected. Between 2005 and 2009, the national center for missing

and exploited children's child victim identification program has seen a four hundred thirty-two percent increase in child pornography films and files submitted for identification of the children depicted. The United States department of justice estimates that pornographers have recorded the abuse of more than one million children in the United States alone. Furthermore, there is a direct correlation between individuals who possess, download, and trade graphic images of child pornography and those who molest children. A well-known study conducted by crimes against children research center for the national center for missing and exploited children concluded that an estimated forty percent of those who possess child pornography have also directly victimized a child and fifteen percent have attempted to entice a child over the internet.

Victims of child pornography often experience severe and lasting harm from the permanent memorialization of the crimes committed against them. Child victims endure depression, withdrawal, anger, and other psychological disorders. Each and every time such an image is viewed, traded, printed, or downloaded, the child in that image is victimized again.

Investigators and prosecutors report serious challenges with combating child pornography because offenders can act anonymously on the internet. Investigators track the trading of child pornography by using internet protocol addresses, which are unique identifiers that each computer is assigned when it accesses the internet. Under federal law, if an internet service provider is presented with a subpoena and an internet protocol address by law enforcement, the provider must turn over the names and addresses of account holders matched to it. Access to such information allows investigators to efficiently evaluate investigative leads and determine whether to request a warrant for a specific internet user. The legislature finds that in investigations of child exploitation, the use of a special inquiry judge is the appropriate process for obtaining subpoenas for the production of records from electronic communications providers under a less than probable cause standard while maintaining judicial oversight.

NEW SECTION. Sec. 2. (1) In a criminal investigation of an offense involving the sexual exploitation of children under chapter 9.68A RCW, the prosecuting attorney shall use the special inquiry judge process established under chapter 10.27 RCW when the prosecuting attorney determines it is necessary to the investigation to subpoena a provider of electronic communication services or remote computing services to obtain records

relevant to the investigation, including, but not limited to, records or information that provide the following subscriber or customer information: (a) Name and address; (b) local and long distance telephone connection records, or records of session times and durations; (c) length of service and types of service utilized; (e) telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and (f) means and source of payment for such service, including any credit card or bank account number.

(2) A provider who receives a subpoena for records as provided under subsection (1) of this section may not disclose the existence of the subpoena to the subscribers or customers whose records or information are requested or released under the subpoena.

(3) For the purposes of this section:

(a) "Electronic communication service" means any service that provides to users the ability to send or receive wire or electronic communications.

(b) "Provider" means a provider of electronic communication services or remote computing services.

(c) "Remote computing service" means the provision to the public of computer storage or processing services by means of an electronic communications system.

Sec. 3. RCW 10.27.170 and 1971 ex.s. c 67 s 17 are each amended to read as follows:

(1) When any public attorney, corporation counsel or city attorney has reason to suspect crime or corruption, within the jurisdiction of such attorney, and there is reason to believe that there are persons who may be able to give material testimony or provide material evidence concerning such suspected crime or corruption, such attorney may petition the judge designated as a special inquiry judge pursuant to RCW 10.27.050 for an order directed to such persons commanding them to appear at a designated time and place in said county and to then and there answer such questions concerning the suspected crime or corruption as the special inquiry judge may approve, or provide evidence as directed by the special inquiry judge.

(2) Upon petition of a prosecuting attorney for the establishment of a

special inquiry judge proceeding in an investigation of sexual exploitation of children under section 2 of this act, the court shall establish the special inquiry judge proceeding, if appropriate, as soon as practicable but no later than seventy-two hours after the filing of the petition.

NEW SECTION. Sec. 4. Section 2 of this act constitutes a new chapter in Title 10 RCW."

Correct the title.

Representatives Shea and Jinkins spoke in favor of the adoption of the striking amendment.

Amendment (148) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1728.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1728, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1728, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1600, by Representatives Santos, Pettigrew, Harris, Young, Stonier, Pike, Appleton,

Johnson, Fey, Bergquist, Hudgins, Kraft, Slatter and Tarleton

Increasing the career and college readiness of public school students.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1600 was substituted for House Bill No. 1600 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1600 was read the second time.

With the consent of the House, amendments (134) and (141) were withdrawn.

Representative Santos moved the adoption of amendment (146):

On page 3, line 30, after "related to" insert "aligning career and technical education programs with statewide and local industry projections and career cluster needs evidenced through economic development data and appropriate longitudinal data, and"

Representatives Santos and Manweller spoke in favor of the adoption of the amendment.

Amendment (146) was adopted.

Representative Manweller moved the adoption of amendment (135):

On page 5, after line 20, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 28B.102 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the career and technical education conditional scholarship program is established. The purpose of the program is to provide scholarships for persons who are seeking to obtain the necessary certifications and endorsements to teach career and technical education courses.

(2) The program shall be administered by the student achievement council. In administering the program, the council shall:

(a) Adopt necessary rules and develop guidelines to administer the program;

(b) Collect and manage repayments from participants who do not meet their service obligations; and

(c) Accept grants and donations from public and private sources for the program.

(3)(a) The career and technical education conditional scholarship program is limited to persons accepted and enrolled in professional educator standards board-approved teacher preparation programs who are seeking to obtain the necessary certifications and endorsements to teach career and technical education courses, and who are making satisfactory progress toward the completion of the teacher preparation program.

(b) Persons receiving a scholarship through the program may receive no more than the annual amount of the scholarship, not to exceed eight thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation to the teacher preparation program in which the recipient is enrolled. The council may adjust the annual award by the average rate of resident undergraduate tuition and fee increases at the state universities as defined in RCW 28B.10.016.

(4) The Washington professional educator standards board shall select individuals to receive the conditional scholarships established in this section.

(5) In accordance with the requirements of this section and RCW 28B.102.080, the state shall forgive one year of loan obligations for every two years a recipient teaches in a public school. The amount of forgiven obligations under this section must be increased by the student achievement council to a maximum of one year of loan obligations for each year a recipient teaches in a public school if the recipient:

(a) Teaches at a school that has enrollment of sixty percent or more students eligible for free or reduced-price meals in the prior school year, or that is using provision two of the national school lunch act or the community eligibility provision under section 104(a) of the federal healthy, hunger-free kids act of 2010 to provide universal meals and that has a claiming percentage for free or reduced-price meals of sixty percent or more; and

(b) Holds a valid career and technical education teaching certificate for the

content area in which he or she is assigned.

(6) Recipients who fail to continue a course of study leading to residency teacher certification or cease to teach in a public school in the state of Washington in their endorsement area must repay the remaining loan principal with interest. Recipients who fail to fulfill the required teaching obligation must repay the remaining loan principal with interest and any other applicable fees. The student achievement council shall adopt rules to define the terms for repayment, including applicable interest rates, fees, and deferments.

(7) The student achievement council may deposit all appropriations, collections, and any other funds received for the program in this section in the future teachers conditional scholarship account authorized in RCW 28B.102.080.

Sec. 5. RCW 28B.102.080 and 2011 1st sp.s. c 11 s 182 are each amended to read as follows:

(1) The future teachers conditional scholarship account is created in the custody of the state treasurer. An appropriation is not required for expenditures of funds from the account. The account is not subject to allotment procedures under chapter 43.88 RCW except for moneys used for program administration.

(2) The office shall deposit in the account all moneys received for the future teachers conditional scholarship and loan repayment program and for conditional loan programs under this chapter and chapter 28A.660 RCW. The account shall be self-sustaining and consist of funds appropriated by the legislature for the future teachers conditional scholarship and loan repayment program, private contributions to the program, receipts from participant repayments from the future teachers conditional scholarship and loan repayment program, and conditional loan programs established under this chapter and chapter 28A.660 RCW. Beginning July 1, 2004, the office shall also deposit into the account: (a) All funds from the institution of higher education loan account that are traceable to any conditional scholarship program for teachers or prospective teachers established by the legislature before June 10, 2004; and (b) all amounts repaid by individuals under any such program.

(3) Expenditures from the account may be used solely for conditional loans and loan repayments to participants in the future teachers conditional scholarship and loan repayment program established by this chapter, conditional scholarships for participants in programs established in this chapter and chapter 28A.660 RCW, and costs associated with program administration by the office.

(4) Disbursements from the account may be made only on the authorization of the office.

((5) During the 2009-2011 fiscal biennium, the legislature may transfer from the future teachers conditional scholarship account to the state general fund such amounts as reflect the excess fund balance of the account.))"

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

Correct the title.

Representatives Manweller and Irwin spoke in favor of the adoption of the amendment.

Representative Santos spoke against the adoption of the amendment.

Amendment (135) was not adopted.

Representative Manweller moved the adoption of amendment (136):

On page 5, after line 20, insert the following:

"**Sec. 4.** RCW 28A.150.410 and 2010 c 236 s 10 are each amended to read as follows:

(1) The legislature shall establish for each school year in the appropriations act a statewide salary allocation schedule, for allocation purposes only, to be used to distribute funds for basic education certificated instructional staff salaries under RCW 28A.150.260. For the purposes of this section, the staff allocations for classroom teachers, teacher librarians, guidance counselors, and student health services staff under RCW 28A.150.260 are considered allocations for certificated instructional staff.

(2) Salary allocations for state-funded basic education certificated instructional staff shall be calculated by the superintendent of public instruction by determining the district's average salary for

certificated instructional staff, using the statewide salary allocation schedule and related documents, conditions, and limitations established by the omnibus appropriations act.

(3) Beginning January 1, 1992, no more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in the omnibus appropriations act, or any replacement schedules and documents, unless:

(a) The employee has a master's degree; or

(b) The credits were used in generating state salary allocations before January 1, 1992.

(4) Beginning in the 2007-08 school year, the calculation of years of service for occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, and psychologists regulated under Title 18 RCW may include experience in schools and other nonschool positions as occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, or psychologists. The calculation shall be that one year of service in a nonschool position counts as one year of service for purposes of this chapter, up to a limit of two years of nonschool service. Nonschool years of service included in calculations under this subsection shall not be applied to service credit totals for purposes of any retirement benefit under chapter 41.32, 41.35, or 41.40 RCW, or any other state retirement system benefits.

(5) Beginning in the 2017-18 school year, the calculation of years of service for classroom teachers must include years of industry experience in any state. The calculation must be that one year of industry experience, up to a maximum of ten years, counts as one year of service for purposes of this chapter. Industry years of experience included in calculations under this subsection may not be applied to service credit totals for purposes of any retirement benefit under chapter 41.32, 41.35, or 41.40 RCW, or any other state retirement system benefits. This subsection (5) applies only to a teacher who holds a valid career and

technical education teaching certificate for the content area in which he or she is assigned."

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

Correct the title.

Representatives Manweller, J. Walsh and Irwin spoke in favor of the adoption of the amendment.

Representative Santos spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (136) was not adopted.

Representative Manweller moved the adoption of amendment (137):

On page 5, after line 20, insert the following:

"**Sec. 4.** RCW 28A.232.020 and 2013 2nd sp.s. c 18 s 503 are each amended to read as follows:

The superintendent of public instruction shall separately calculate and allocate moneys appropriated under RCW 28A.150.260 to school districts for each full-time equivalent student enrolled in an alternative learning experience course. The calculation for non-career and technical education alternative learning experience courses shall be based on the estimated statewide annual average allocation per full-time equivalent student in grades nine through twelve in general education, excluding small high school enhancements, and including applicable rules and provisions of the omnibus appropriations act. The calculation for career and technical education alternative learning experience courses shall be based on the estimated statewide annual average allocation per full-time equivalent student in grades nine through twelve in general education, including career and technical education program funding enhancements."

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

Correct the title.

Representatives Manweller and Kraft spoke in favor of the adoption of the amendment.

Representative Ormsby spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (137) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos, Harris, Manweller and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1600.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1600, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, DeBolt, Taylor and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1136, by Representatives Dye, Blake, Haler, Shea, Taylor, Farrell, Dent, Nealey, Manweller, Short, Muri, Schmick, Ormsby, Fey, Young and Buys

Exempting short-line railroads that haul nonfuel oils from oil spill contingency planning requirements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1136 was substituted for House Bill No. 1136 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1136 was read the second time.

Representative Dye moved the adoption of the striking amendment (140):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 90.56.210 and 2015 c 274 s 5 are each amended to read as follows:

(1) Each onshore and offshore facility shall have a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether

personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, and natural resources, and the department of archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to subsection (9) of this section;

(h) State the means of protecting and mitigating effects on the environment, including fish, shellfish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Provide arrangements for the repositioning of oil spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(j) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(k) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(l) Until a spill prevention plan has been submitted pursuant to RCW 90.56.200, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a facility, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(m) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(n) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner

for the application of the dispersants in conformance with the department's rules.

(2)(a) The following shall submit contingency plans to the department within six months after the department adopts rules establishing standards for contingency plans under subsection (1) of this section:

(i) Onshore facilities capable of storing one million gallons or more of oil; and

(ii) Offshore facilities.

(b) Contingency plans for all other onshore and offshore facilities shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen-month period.

(3)(a) The department by rule shall determine the contingency plan requirements for railroads transporting oil in bulk.

(b) Rules adopted under this subsection may not require the following to be included as components of the contingency plans of class III railroads transporting oil in bulk that is not crude oil in an amount greater than twenty-four tank car loads per year:

(i) Contracted access to oil spill response equipment; or

(ii) The completion of more than a total of one drill of any type every three years to test the contingency plans.

(c) For class III railroads transporting oil in bulk that is not crude oil in an amount less than twenty-four tank car loads per year, rules adopted under this subsection may only require railroads to submit a basic contingency plan to the department. A basic contingency plan filed under this subsection (3)(c) must be limited to requiring the class III railroads to:

(i) Keep documentation of the basic contingency plan on file with the department at the plan holder's principal place of business and at dispatcher field offices of the railroad;

(ii) Identify and include contact information for the chain of command and other personnel, including employees or spill response contractors, who will be

involved in the railroad's response in the event of a spill;

(iii) Include information related to the accident and pollution insurance carried by the railroad;

(iv) Develop a field document for use by personnel involved in oil handling operations that includes time-critical information regarding procedures to be used in the initial response to a spill or a threatened spill; and

(v) Annually review the plan for accuracy.

(d) Federal oil spill response plans created pursuant to 33 U.S.C. Sec. 1321 may be submitted in lieu of contingency plans ((until state rules are adopted)) by a class III railroad transporting oil in bulk that is not crude oil.

(e) For the purposes of this section, "class III railroad" has the same meaning as defined by the United States surface transportation board as of the effective date of this section.

(4)(a) The owner or operator of a facility shall submit the contingency plan for the facility.

(b) A person who has contracted with a facility to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.56.240, may submit the plan for any facility for which the person is contractually obligated to provide services. Subject to conditions imposed by the department, the person may submit a single plan for more than one facility.

(5) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall ensure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(6) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response

time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries, shellfish beds, and wildlife and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the department; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(7) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

(8) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

(9) An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(10) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(11) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law."

Correct the title.

Representatives Dye and Fitzgibbon spoke in favor of the adoption of the striking amendment.

Amendment (140) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dye and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1136.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1136, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Stanford.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1136, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1323, by Representatives Wylie, Harris, Nealey, McBride, Stanford and Muri

Concerning loss prevention reviews by state agencies.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1323 was substituted for House Bill No. 1323 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1323 was read the second time.

Representative Taylor moved the adoption of amendment (071):

On page 2, at the beginning of line 28, strike "one member of the review team shall" and insert "~~(one member)~~ the majority of members of the review team shall be persons from agencies other than the affected agency, and"

On page 2, line 29, after "review." insert "The minority of members of a review team may include persons from the affected agency."

Representatives Taylor and Hudgins spoke in favor of the adoption of the amendment.

Amendment (071) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wylie, Koster and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1323.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1323, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer,

Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1323, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1719, by Representatives Lovick, Dent, Kagi, Senn and Frame

Updating certain department of early learning advising and contracting mechanisms to reflect federal requirements, legislative mandates, and planned system improvements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1719 was substituted for House Bill No. 1719 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1719 was read the second time.

Representative Klippert moved the adoption of amendment (061):

On page 1, line 12 of the substitute, after "Washington's" insert "young"

On page 1, beginning on line 15 of the substitute, after "~~measures~~)" strike "prenatal through age five"

Representatives Klippert and Lovick spoke in favor of the adoption of the amendment.

Amendment (061) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lovick and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1719.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1719, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves,

Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1719, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1163, by Representatives Goodman, Hayes, Orwall, Appleton, Klippert, Pellicciotti, Pettigrew, Chapman, Kilduff, Bergquist, Stanford and Kloba

Concerning domestic violence.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1163 was substituted for House Bill No. 1163 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1163 was read the second time.

Representative Goodman moved the adoption of amendment (145):

On page 24, beginning on line 1, strike all of sections 9 through 12

Correct the title.

Representatives Goodman and Klippert spoke in favor of the adoption of the amendment.

Amendment (145) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1163.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1163, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dent, Holy, McCaslin, Shea and Taylor.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1163, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1258, by Representatives McCabe, Orwall, Johnson, Cody, Dent, Kirby, Griffey, Van Werven, Caldier, Dye, Gregerson, Wylie, Jinkins, Haler, McBride and Muri

Concerning persons with a disability present at the scene of an accident.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1258 was substituted for House Bill No. 1258 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1258 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCabe and Jinkins spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1258.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1258, and the bill passed the

House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

SUBSTITUTE HOUSE BILL NO. 1258, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1298, by Representatives Ortiz-Self, Manweller, Haler, Sells, Kilduff, Frame, Gregerson, Kagi, Tarleton, Jinkins, Stanford, Appleton, Ormsby, Senn, McBride, Santos, Lovick, Bergquist, Farrell and Young

Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1298 was substituted for House Bill No. 1298 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1298 was read the second time.

Representative Shea moved the adoption of amendment (120):

On page 4, after line 12, insert the following:

"NEW SECTION. Sec. 5. The state of Washington fully occupies and preempts the entire field of employment laws related to criminal records and other matters covered within this chapter within the boundaries of the state. Cities, towns, and counties or other municipalities may enact only those laws and ordinances relating to employment laws related to criminal records and other matters covered within this chapter that are specifically authorized by state law and are consistent with this chapter. Local laws and ordinances in existence on the effective date of this section that are inconsistent

with this chapter are preempted and repealed, regardless of the nature of the code, charter, or home rule status of such a city, town, county, or municipality."

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

Representative Shea spoke in favor of the adoption of the amendment.

Representative Gregerson spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (120) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self, Manweller, Riccelli, Dent, Young and Johnson spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1298.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1298, and the bill passed the House by the following vote: Yeas, 68; Nays, 30; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McDonald, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dye, Hargrove, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McCaslin, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Vick and Volz.

SUBSTITUTE HOUSE BILL NO. 1298, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1358, by Representatives Griffey and Cody

Concerning reimbursement for services provided pursuant to community assistance referral and education services programs.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1358 was substituted for House Bill No. 1358 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1358 was read the second time.

With the consent of the House, amendment (111) was withdrawn.

Representative Griffey moved the adoption of amendment (133):

On page 3, after line 4, insert the following:

"NEW SECTION. Sec. 3. (1) The joint legislative audit and review committee shall conduct a cost-effectiveness review, in consultation with the health care authority, of the standards for reimbursement established in section 1 of this act. The review must evaluate the amount paid on behalf of eligible clients under chapter 74.09 RCW by the health care authority to fire departments for health care services that did not require an ambulance transport and the amount that would have been paid had the services been provided in a different care setting.

(2) The cost-effectiveness review must consider the savings realized by medical assistance programs under chapter 74.09 RCW as a result of fire departments providing health care services and make any recommendations for improving the cost-effectiveness of the standards for reimbursement and reducing the potential for excessive billing or billing for unnecessary services. If the review finds that the standards of reimbursement have not resulted in savings to the state's medical assistance programs, the joint legislative audit and review committee shall recommend the repeal of section 1 of this act.

(3) The joint legislative audit and review committee shall submit the cost-effectiveness review, including its findings and recommendations, to the fiscal committees and health policy

committees of the legislature by December 1, 2021."

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

Correct the title.

Representatives Griffey and Cody spoke in favor of the adoption of the amendment.

Amendment (133) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Griffey and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1358.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1358, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, McCaslin, Nealey, Shea, Taylor and Young.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1358, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1524, by Representatives Kloba, Klippert, Goodman, Holy, Macri, Peterson, Haler, Doglio, Appleton and Stanford

Increasing success in therapeutic courts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1524 was substituted for House Bill No. 1524 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1524 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1524.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1524, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Maeri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1524, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1680, by Representatives Goodman, Klippert and Pettigrew

Concerning the sentencing elements worksheet.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1680 was substituted for House Bill No. 1680 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1680 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1680.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1680, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Maeri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1680, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1732, by Representatives Springer and Bergquist

Concerning the confidentiality of educator professional growth plans.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1732.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1732, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Chandler.

HOUSE BILL NO. 1732, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1790, by Representatives Lovick, Dent, Kagi, Frame and Jinkins

Concerning dependency petitions where the department of social and health services is the petitioner.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lovick and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1790.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1790, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

HOUSE BILL NO. 1790, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1434, by Representatives Robinson, Ormsby, Jinkins, Appleton, Senn, Kilduff, Stanford, Slatter, Kagi and Pollet

Adding the use of shared leave for employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive, or foster child.

There being no objection, Substitute House Bill No. 1434 was substituted for House Bill No. 1434 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1434 was read the second time.

Representative Stokesbary moved the adoption of amendment (091):

On page 7, beginning on line 35, strike all of section 5 and insert the following:

"NEW SECTION. **Sec. 5.** This act takes effect July 1, 2019."

Correct the title.

Representatives Stokesbary and Graves spoke in favor of the adoption of the amendment.

Representative Hudgins spoke against the adoption of the amendment.

Amendment (091) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1434.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1434, and the bill passed the House by the following vote: Yeas, 68; Nays, 30; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe,

McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, Dent, Dye, Haler, Hargrove, Hayes, Holy, Jenkin, Klippert, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, Nealey, Pike, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1434, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1468, by Representatives Manweller, Fitzgibbon, Griffey, Hudgins, Jinkins, Haler, Riccelli, Kilduff, Pollet and Doglio

Concerning voter registration.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Manweller and Hudgins spoke in favor of the passage of the bill.

Representative Young spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1468.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1468, and the bill passed the House by the following vote: Yeas, 84; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Calder, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Holy, McCaslin, Orcutt, Schmick, Shea, Smith, Taylor, Van Werven, Vick, J. Walsh and Young.

HOUSE BILL NO. 1468, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

The House resumed consideration of. SUBSTITUTE HOUSE BILL NO. 1521 on third reading. *On February 28, 2017 the rules were suspended, the second reading considered the third and the bill was placed on final passage.*

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1521, by House Committee on State Government, Elections & Information Technology (originally sponsored by Representatives Dolan, Doglio, Ormsby, Appleton, Bergquist and Pollet)

Removing the requirement that an employee must work at least six months before taking vacation leave. Revised for 1st Substitute: Addressing vacation leave.

Representative Dolan spoke in favor of the passage of the bill.

Representative Koster spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1521.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1521, and the bill passed the House by the following vote: Yeas, 65; Nays, 33; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Calder, Chandler, Condotta, Dent, Dye, Haler, Hargrove, Harmsworth, Holy, Jenkin, Klippert, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Pike, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1521, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1060
 HOUSE BILL NO. 1076
 HOUSE BILL NO. 1086
 HOUSE BILL NO. 1115
 HOUSE BILL NO. 1186
 HOUSE BILL NO. 1201
 HOUSE BILL NO. 1204
 HOUSE BILL NO. 1268
 HOUSE BILL NO. 1291
 HOUSE BILL NO. 1322
 HOUSE BILL NO. 1340
 HOUSE BILL NO. 1359
 HOUSE BILL NO. 1388
 HOUSE BILL NO. 1420
 HOUSE BILL NO. 1427
 HOUSE BILL NO. 1432
 HOUSE BILL NO. 1456
 HOUSE BILL NO. 1501
 HOUSE BILL NO. 1520

HOUSE BILL NO. 1558
 HOUSE BILL NO. 1594
 HOUSE BILL NO. 1595
 HOUSE BILL NO. 1614
 HOUSE BILL NO. 1654
 HOUSE BILL NO. 1655
 HOUSE BILL NO. 1656
 HOUSE BILL NO. 1673
 HOUSE BILL NO. 1711
 HOUSE BILL NO. 1772
 HOUSE BILL NO. 1783
 HOUSE BILL NO. 1802
 HOUSE BILL NO. 1825
 HOUSE BILL NO. 1855
 HOUSE BILL NO. 1859
 HOUSE BILL NO. 1867
 HOUSE BILL NO. 1886
 HOUSE BILL NO. 1924
 HOUSE BILL NO. 2005
 HOUSE BILL NO. 2009
 HOUSE BILL NO. 2023
 HOUSE BILL NO. 2114

There being no objection, the House adjourned until 9:00 a.m., March 2, 2017, the 53rd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTY THIRD DAY

House Chamber, Olympia, Thursday, March 2, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nadeen Baba and Isabella Pettis. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend James Erlandson, Community of Christ, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4621, by Representatives Kraft, Harris, and Pike

WHEREAS, Each summer, Edinburgh is awash with performers pursuing their dreams of stardom: Mime artists and ukulele players, contemporary Russian dancers and comedians, and, perhaps most incongruously of all, hundreds of American high school students; and

WHEREAS, Sometimes dreams really do come true; and

WHEREAS, The Battle Ground High School drama club received a coveted spot performing at the 2017 Edinburgh Festival Fringe, the world's largest performing arts festival; and

WHEREAS, The American High School Theatre Festival, a one-of-a-kind theatre opportunity, runs in conjunction with the world's largest performing arts festival, the world-renowned Edinburgh Festival Fringe; and

WHEREAS, Accepted theatre groups spend a total of two weeks in the UK, performing their own production, attending Fringe shows, and touring Scotland and England; and

WHEREAS, Out of the 3,000 high schools in North America nominated by a professional academic in the theater world, only 40 of the top schools are selected to participate; and

WHEREAS, The students will travel to London first, then to Edinburgh in August 2017; and

WHEREAS, In Edinburgh, Scotland they will perform "Almost, Maine," their winter show, which opened in February; and

WHEREAS, They will be featured among more than 50,000 performances, more than 3,000 shows, and in nearly 300 venues across the city; and

WHEREAS, The drama club is in their fourth year as a program; and

WHEREAS, They currently present three performances a year, including a musical and a play by William Shakespeare in alternating years; and

WHEREAS, In order to be an official member of the drama club, a student must be involved in at least one production during a school year, either as a cast member or as a member of the crew (lights, sound, stage crew, hair and make-up, set construction); and

WHEREAS, The club is dedicated to the belief that all students are to be accepted, regardless of who they are or what they believe; and

WHEREAS, The club is a completely welcoming family; a group that does not judge anyone and accepts everyone; and

WHEREAS, The Battle Ground drama club seeks to create a safe space for anyone who feels that they do not quite fit in anywhere else, but knows they would fit in with the drama club family;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize that the Battle Ground High School drama club was selected to perform at this prestigious festival and honor the work and mission of the drama club; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the members of the Battle Ground High School drama club and its faculty.

There being no objection, HOUSE RESOLUTION NO. 4621 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

February 28, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5038,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5180,

ENGROSSED SENATE BILL NO. 5212,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5239,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5393,
SECOND ENGROSSED SENATE BILL NO. 5517,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5679,

Hunter G. Goodman, Secretary

March 1, 2017

MR. SPEAKER:

and the same are herewith transmitted.

The Senate has passed:

Hunter G. Goodman, Secretary

March 1, 2017

MR. SPEAKER:

SUBSTITUTE SENATE BILL NO. 5012,
SUBSTITUTE SENATE BILL NO. 5022,
SENATE BILL NO. 5075,
SENATE BILL NO. 5080,
SUBSTITUTE SENATE BILL NO. 5099,
SENATE BILL NO. 5144,
SUBSTITUTE SENATE BILL NO. 5185,
SENATE BILL NO. 5269,
SENATE BILL NO. 5274,
SUBSTITUTE SENATE BILL NO. 5481,

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5001,
SENATE BILL NO. 5141,
SUBSTITUTE SENATE BILL NO. 5142,
SUBSTITUTE SENATE BILL NO. 5165,
SENATE BILL NO. 5187,
SECOND SUBSTITUTE SENATE BILL NO. 5236,
SUBSTITUTE SENATE BILL NO. 5262,
SENATE BILL NO. 5319,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 1, 2017

MR. SPEAKER:

and the same are herewith transmitted.

The Senate has passed:

Hunter G. Goodman, Secretary

March 1, 2017

MR. SPEAKER:

SENATE BILL NO. 5040,
SECOND SUBSTITUTE SENATE BILL NO. 5107,
SENATE BILL NO. 5119,
ENGROSSED SENATE BILL NO. 5128,
SENATE BILL NO. 5200,
SECOND SUBSTITUTE SENATE BILL NO. 5285,
SECOND SUBSTITUTE SENATE BILL NO. 5300,
SUBSTITUTE SENATE BILL NO. 5394,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5470,
SUBSTITUTE SENATE BILL NO. 5725,

The Senate has passed:

SENATE BILL NO. 5118,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5173,
SENATE BILL NO. 5382,
SECOND SUBSTITUTE SENATE BILL NO. 5474,
SECOND SUBSTITUTE SENATE BILL NO. 5540,
SENATE BILL NO. 5615,
SUBSTITUTE SENATE BILL NO. 5644,
SUBSTITUTE SENATE BILL NO. 5705,
SUBSTITUTE SENATE BILL NO. 5779,
SUBSTITUTE SENATE BILL NO. 5783,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 28, 2017

MR. SPEAKER:

and the same are herewith transmitted.

The Senate has passed:

Hunter G. Goodman, Secretary

March 1, 2017

MR. SPEAKER:

SENATE BILL NO. 5376,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

March 2, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5164,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5293,
SUBSTITUTE SENATE BILL NO. 5366,
SUBSTITUTE SENATE BILL NO. 5372,
SENATE BILL NO. 5375,
SUBSTITUTE SENATE BILL NO. 5453,
SENATE BILL NO. 5454,
SUBSTITUTE SENATE BILL NO. 5508,
SUBSTITUTE SENATE BILL NO. 5514,
SECOND SUBSTITUTE SENATE BILL NO. 5546,

The Senate has passed:

ENGROSSED SENATE BILL NO. 5042,
ENGROSSED SENATE BILL NO. 5234,
ENGROSSED SENATE BILL NO. 5266,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5281,
ENGROSSED SENATE BILL NO. 5629,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5671,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5751,

and the same are herewith transmitted.

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SSB 5001 by Senate Committee on Transportation (originally sponsored by Senators O'Ban, Angel, Miloscia, Becker, Padden, Honeyford, King and Fortunato)

AN ACT Relating to the election and authority of regional transit authority board members; amending RCW 81.112.010 and 81.112.030; adding a new section to chapter 81.112 RCW; creating new sections; repealing RCW 81.112.040; and providing a contingent effective date.

Referred to Committee on Transportation.

ESB 5008 by Senators King, Hunt, Sheldon, Hobbs, Mullet and Warnick

AN ACT Relating to facilitating compliance with the federal REAL ID act by modifying driver's license and identocard design and fees; amending RCW 46.20.202; adding a new section to chapter 46.20 RCW; and repealing RCW 43.41.390 and 46.20.191.

Referred to Committee on Transportation.

SB 5010 by Senator Warnick

AN ACT Relating to promoting water conservation by protecting certain water rights from relinquishment; amending RCW 90.14.140 and 90.14.140; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5018 by Senate Committee on Transportation (originally sponsored by Senators Hasegawa and Kuderer)

AN ACT Relating to authorizing wheelchair accessible taxicabs access to high occupancy vehicle lanes; and amending RCW 46.61.165 and 47.52.025.

Referred to Committee on Transportation.

SSB 5035 by Senate Committee on Health Care (originally sponsored by Senators Pedersen, Rivers, Cleveland, Becker, Keiser, Walsh, Conway, Bailey, O'Ban, Mullet, Kuderer, Darneille and Wellman)

AN ACT Relating to patients' access to investigational medical products; amending RCW 69.04.570; reenacting and amending RCW 69.50.101; and adding a new chapter to Title 69 RCW.

Referred to Committee on Appropriations.

ESSB 5038 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Pedersen, Kuderer, Darneille, Frockt and Angel)

AN ACT Relating to disclosures regarding incentivized evidence and testimony; and adding new sections to chapter 10.58 RCW.

Referred to Committee on Judiciary.

SB 5039 by Senators Pedersen, O'Ban, Frockt and Padden

AN ACT Relating to the uniform electronic legal material act; adding a new chapter to Title 1 RCW; and providing an effective date.

Referred to Committee on Judiciary.

SB 5066 by Senators Miloscia, Rivers, Zeiger, Rossi, Fortunato, Bailey, O'Ban, Honeyford, Sheldon, Brown, Schoesler, Padden and Angel

AN ACT Relating to improving state budgeting through zero-based budget reviews; adding a new section to chapter 43.88 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

SB 5121 by Senators Takko, Rivers and Palumbo

AN ACT Relating to fire protection district tax levies; and amending RCW 52.16.160.

Referred to Committee on Finance.

SSB 5132 by Senate Committee on Law & Justice (originally sponsored by Senators Rivers, Conway, Keiser and Chase)

AN ACT Relating to liquor enforcement officers' powers; and amending RCW 66.44.010.

Referred to Committee on Public Safety.

SB 5141 by Senators Palumbo and Wilson

AN ACT Relating to regulation of programs of yoga practice or instruction as private vocational schools; and amending RCW 28C.10.030.

Referred to Committee on Higher Education.

SSB 5142 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators

Kuderer, Rolfes, Palumbo, Billig, Pedersen, Mullet, McCoy, Keiser and Wellman)

AN ACT Relating to educational interpreters; amending RCW 28A.410.271; creating a new section; and declaring an emergency.

Referred to Committee on Education.

SSB 5165 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senator Ericksen)

AN ACT Relating to snack bar licenses; and amending RCW 66.24.350.

Referred to Committee on Commerce & Gaming.

SSB 5170 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senator Ericksen)

AN ACT Relating to independent remedial actions under the model toxics control act; and amending RCW 70.105D.090, 70.105D.030, 70.94.335, 70.95.270, 70.105.116, 77.55.061, 90.48.039, and 90.58.355.

Referred to Committee on Capital Budget.

ESSB 5180 by Senate Committee on Health Care (originally sponsored by Senators Bailey, Walsh, Darneille, Keiser, Palumbo and Conway)

AN ACT Relating to the legislative advisory committee on aging; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SB 5187 by Senators Angel, Takko and Warnick

AN ACT Relating to modernizing county auditor statutes; amending RCW 36.32.210, 36.72.075, 52.26.070, 68.50.040, and 70.94.120; and repealing RCW 36.32.310.

Referred to Committee on Local Government.

SB 5190 by Senators Conway, King, Keiser, Braun and Chase

AN ACT Relating to the bona fide charitable or nonprofit organization member requirement; and amending RCW 9.46.0209.

Referred to Committee on Commerce & Gaming.

SSB 5196 by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senators Warnick, Hobbs, Takko, King, Chase and Honeyford)

AN ACT Relating to including certain cattle feedlots within the statutory exemption for odor or fugitive dust caused by agricultural activity; and amending RCW 70.94.640.

Referred to Committee on Environment.

ESB 5212 by Senators Wilson, Angel, Honeyford and Schoesler

AN ACT Relating to clarifying the scope of land use control ordinances for purposes of vesting; and amending RCW 19.27.095 and 58.17.033.

Referred to Committee on Judiciary.

SB 5227 by Senators King, Hobbs, Hasegawa, Saldaña and Kuderer

AN ACT Relating to requiring drivers to stop for approaching other on-track equipment at railroad grade crossings; and amending RCW 46.61.340, 46.61.350, 46.61.355, 36.86.100, 46.25.090, and 47.32.140.

Referred to Committee on Transportation.

2SSB 5236 by Senate Committee on Ways & Means (originally sponsored by Senators Zeiger, Fain, Rolfes, Warnick, Rivers, Lias, Angel, Keiser, Kuderer and Hunt)

AN ACT Relating to the creation of a civic learning public-private partnership; adding a new chapter to Title 28A RCW; and creating a new section.

Referred to Committee on Education.

SB 5237 by Senators Bailey, Wilson, Chase, Rivers, Keiser, Rolfes, Zeiger and Kuderer

AN ACT Relating to updating workforce investment act references and making no substantive changes; amending RCW 28B.50.281, 28C.18.010, 28C.18.060, 28C.18.150, 28C.18.164, 50.20.250, 50.22.150, 50.62.030, and 74.15.020; and reenacting and amending RCW 28C.04.410 and 50.22.155.

Referred to Committee on Higher Education.

E2SSB 5239 by Senate Committee on Ways & Means (originally sponsored by Senators Warnick, Takko, Ericksen, Becker, Walsh, Angel, Wilson, Schoesler, Honeyford, Pearson, Brown and Padden)

AN ACT Relating to ensuring that water is available to support development; amending RCW 19.27.097, 36.70A.070, 58.17.110, 90.03.247, and 90.54.120; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

SB 5252 by Senators Angel and Wilson

AN ACT Relating to measuring the effectiveness of document recording fee surcharge funds that support homeless programs; amending RCW 43.185C.040; and creating a new section.

Referred to Committee on Appropriations.

SSB 5262 by Senate Committee on Transportation (originally sponsored by Senators King and Hobbs)

AN ACT Relating to limitations for certain vessels exempt from the pilotage act; and amending RCW 88.16.070.

Referred to Committee on Transportation.

SSB 5277 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Pedersen, Darneille and Kuderer)

AN ACT Relating to disqualification of judges; and amending RCW 4.12.040 and 4.12.050.

Referred to Committee on Judiciary.

SB 5319 by Senators Brown and McCoy

AN ACT Relating to transferring authority for low-level radioactive waste management from the department of ecology to the department of health; amending RCW 43.200.020, 43.200.030, 43.200.070, 43.200.080, 43.200.180, 43.200.190, 43.200.200, 43.200.220, 43.200.230, 43.200.900, 70.98.085, and 70.98.098; reenacting and amending RCW 43.200.015; adding new sections to chapter 43.200 RCW; and repealing RCW 43.200.907.

Referred to Committee on Capital Budget.

SSB 5356 by Senate Committee on Law & Justice (originally sponsored by Senators Fain, Palumbo, Miloscia, Frockt, Bailey, Rolfes, Angel, Keiser, Conway, Pedersen and Wilson)

AN ACT Relating to the humane treatment of dogs; reenacting and amending RCW 16.52.011; adding a new section to chapter 16.52 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SSB 5357 by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Fain, Billig, Sheldon, Hunt, Palumbo, Zeiger, Hobbs, Rolfes, Pearson, Rivers, Carlyle, Saldaña, Walsh, Liias, Conway, Kuderer and Hasegawa)

AN ACT Relating to establishing a pilot project to license outdoor early learning and child care programs; adding a new section to chapter 43.215 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Appropriations.

SSB 5378 by Senate Committee on Transportation (originally sponsored by Senators Sheldon, Dansel, Hasegawa, Conway and Fortunato)

AN ACT Relating to modifying the operation of motorcycles on roadways laned for traffic; amending RCW 46.61.608 and 47.52.025; prescribing penalties; and providing an expiration date.

Referred to Committee on Transportation.

SB 5391 by Senators Zeiger, Hobbs, O'Ban, Conway, Chase and Hunt

AN ACT Relating to clarifying the powers, duties, and functions of the department of veterans affairs; amending RCW 43.60A.020, 43.60A.100, 43.60A.151, 43.60A.154, 43.60A.155, 43.60A.190, 72.36.115, and 73.08.005; reenacting and amending RCW 43.60A.150; and decodifying RCW 43.60A.901, 43.60A.902, and 43.60A.905.

Referred to Committee on Community Development, Housing & Tribal Affairs.

ESSB 5393 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Warnick, Liias, Takko and Pearson)

AN ACT Relating to including fish passage barrier removal projects that comply with the forest practices rules in the streamlined permit process provided in RCW 77.55.181; and amending RCW 77.55.181.

Referred to Committee on Agriculture & Natural Resources.

SSB 5402 by Senate Committee on Transportation (originally sponsored by Senators Liias, Walsh, Billig, Hobbs, King and Sheldon)

AN ACT Relating to the Cooper Jones bicyclist safety advisory council; adding a new section to chapter 43.59 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Transportation.

SSB 5430 by Senate Committee on Law & Justice (originally sponsored by Senators Pearson, Fortunato and Conway)

AN ACT Relating to notice to a victim when a registered out-of-state sex offender moves to Washington; and amending RCW 9A.44.130.

Referred to Committee on Public Safety.

SB 5437 by Senators Chase and Honeyford

AN ACT Relating to the weighmaster program; amending RCW 15.80.300, 15.80.410, 15.80.440, 15.80.450, 15.80.470, 15.80.490, 15.80.510, 15.80.520, 15.80.530, 15.80.540, 15.80.560, 15.80.590, 15.80.640, 15.80.650, and 15.80.660; repealing RCW 15.80.310, 15.80.320, 15.80.330, 15.80.340, 15.80.350, 15.80.360, 15.80.370, 15.80.380, 15.80.390, 15.80.400, 15.80.480, and 15.80.600; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

SB 5439 by Senators Braun, Sheldon, Rivers, Becker, Schoesler, Bailey, Brown, Warnick, Fortunato, Honeyford and Takko

AN ACT Relating to providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants to convert to natural gas-fired plants or biomass energy facilities; amending RCW 82.14.050 and 82.14.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.32 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Technology & Economic Development.

SB 5445 by Senators Padden, O'Ban, Sheldon, Chase and Fortunato

AN ACT Relating to prohibiting the use of eminent domain for economic development; amending RCW 35.81.080; and adding a new chapter to Title 8 RCW.

Referred to Committee on Judiciary.

ESSB 5456 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Braun and Bailey)

AN ACT Relating to unpaid accounts; amending RCW 4.16.040 and 19.52.010; and creating a new section.

Referred to Committee on Judiciary.

ESB 5517 by Senators Wilson, Rivers, Cleveland, Hobbs, King, Sheldon, Miloscia, Brown, Angel, Warnick, Keiser and Schoesler

AN ACT Relating to rail dependent uses for purposes of the growth management act and related development regulations; amending RCW 36.70A.030, 36.70A.060, 36.70A.070, and 36.70A.108; and creating a new section.

Referred to Committee on Rules.

SSB 5522 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Palumbo, Fain and Nelson)

AN ACT Relating to requiring the department of social and health services to collect and publicly report information on the safe surrender of newborn children; amending RCW 13.34.360; and creating a new section.

Referred to Committee on Early Learning & Human Services.

SB 5595 by Senators Billig, O'Ban, Darneille and Padden

AN ACT Relating to maintaining the quarterly average census method for calculating state hospital reimbursements; and amending RCW 71.24.310.

Referred to Committee on Appropriations.

SB 5631 by Senators Becker and Frockt

AN ACT Relating to the University of Washington's alternative process for awarding contracts; amending RCW 28B.20.744; repealing RCW 43.131.413 and 43.131.414; providing an effective date; and declaring an emergency.

Referred to Committee on Capital Budget.

SB 5640 by Senators Conway, Cleveland, Frockt, Zeiger and Saldaña

AN ACT Relating to technical college high school diploma programs; and amending RCW 28B.50.535.

Referred to Committee on Higher Education.

SSB 5641 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Keiser and Honeyford)

AN ACT Relating to school district nomenclature; amending RCW 28A.210.300, 28A.300.065, 28A.310.370, 28A.330.100, 28A.330.110, 28A.330.200, 28A.330.210, 28A.330.230, 28A.335.240, 28A.335.260, 28A.335.290, 28A.340.020, 28A.343.030, 28A.343.050, 28A.343.300, 28A.343.600, 28A.343.610, 28A.343.620, 28A.343.630, 28A.343.640, 28A.343.650, 28A.343.660, 28A.343.670, 28A.343.680, 28A.505.050, 28A.505.060, 28A.505.170, 28A.505.180, 28A.525.166, 29A.04.340, 42.23.030, 53.36.020, and 84.52.020; and reenacting and amending RCW 28A.343.020.

Referred to Committee on Education.

SSB 5657 by Senate Committee on Local Government (originally sponsored by Senators Miloscia and Rivers)

AN ACT Relating to the hosting of the homeless by religious organizations; amending RCW 36.01.290, 35.21.915, and 35A.21.360; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5664 by Senators Braun, Takko, Hawkins and King

AN ACT Relating to eliminating the reduction in state basic education funding that occurs in counties with federal forestlands; amending RCW 28A.150.250 and 28A.520.020; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

ESSB 5679 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Warnick, Wellman, Sheldon, Rivers, Wilson, Cleveland, Walsh, Takko and Rolfes)

AN ACT Relating to the authority of port districts to provide telecommunications services; amending RCW 53.08.370 and 53.08.380; and creating a new section.

Referred to Committee on Technology & Economic Development.

SB 5798 by Senators Braun, O'Ban, Brown, King, Short, Fortunato, Sheldon, Warnick, Angel, Becker, Schoesler, Zeiger and Wilson

AN ACT Relating to administrative procedures; and adding a new section to chapter 34.05 RCW.

Referred to Committee on State Government, Elections & Information Technology.

SSB 5837 by Senate Committee on Transportation (originally sponsored by Senators Saldaña, Hawkins, Hobbs, Hasegawa, Frockt and Kuderer)

AN ACT Relating to expanding high occupancy vehicle lane access to blood-collecting or distributing establishment vehicles; creating a new section; and providing an expiration date.

Referred to Committee on Transportation.

SJM 8004 by Senators Sheldon, Honeyford, Padden, Rossi, Baumgartner, Brown, Rivers, Schoesler, Becker, Hawkins, Braun and Warnick

Requesting that certain federal officials prevent the breaching of any dam in the Columbia River system.

Referred to Committee on Technology & Economic Development.

There being no objection, the bills and memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SUBSTITUTE SENATE BILL NO. 5170 which was referred to the Committee on Environment.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 1, 2017

HB 1048 Prime Sponsor, Representative Morris: Promoting a sustainable, local renewable energy industry through modifying renewable energy system tax incentives and providing guidance for renewable energy system component recycling. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; Santos; Slatter; Steele and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives McDonald and Nealey.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1832, by Representatives Pellicciotti, Irwin, Lovick, Ormsby and Ortiz-Self

Concerning the commercially sexually exploited children statewide coordinating committee.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pellicciotti, Klippert and Irwin spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1832.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1832, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1832, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1844, by Representatives Sells, Robinson, Hayes and Lovick

Concerning attempting to elude a pursuing police vehicle.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells, Hayes, Klippert and Goodman spoke in favor of the passage of the bill.

Representatives Holy, Appleton and Shea spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1844.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1844, and the bill passed the House by the following vote: Yeas, 65; Nays, 33; Absent, 0; Excused, 0.

Voting yea: Representatives Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, Morris, Muri,

Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wylie and Mr. Speaker.

Voting nay: Representatives Appleton, Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Harris, Holy, Jenkin, Koster, Kraft, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Pike, Schmick, Shea, Stambaugh, Steele, Taylor, Vick, Volz, J. Walsh, Wilcox and Young.

HOUSE BILL NO. 1844, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1966, by Representatives Stanford, Vick, Kirby and Ormsby

Addressing the minimum operating requirements and the review of plans necessary to be included in the small business retirement marketplace.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1966 was substituted for House Bill No. 1966 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1966 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford, Vick and Jenkin spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1966.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1966, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, Hargrove, Harmsworth, Harris, Holy,

Jenkin, Johnson, Koster, Kraft, Kristiansen, Maycumber, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Taylor, Volz, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1966, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1806, by Representatives Pellicciotti, Lovick, Dolan, Goodman, Stanford, Riccelli, Ryu, Bergquist, Kilduff, Pollet, Sells, Orwall, Robinson, Stonier, Macri, Clibborn, Pettigrew, Chapman, Gregerson, McBride, Tharinger, Fitzgibbon, Wylie, Sawyer, Appleton, Doglio, Hudgins, Farrell, Ormsby, Senn, Fey, Frame and Jinkins

Increasing monetary penalties for crimes committed by corporations.

The bill was read the second time.

Representative Young moved the adoption of amendment (070):

On page 1, line 17, after "(a)" insert "For corporations with fifty or more employees:

(i) "

On page 1, at the beginning of line 18, strike "(b)" and insert "(ii)"

On page 1, at the beginning of line 19, strike "(c)" and insert "(iii)"

On page 1, at the beginning of line 21, strike "(d)" and insert "(iv)"

On page 1, line 21, after "misdemeanor" insert "; and

(b) For corporations with forty nine or fewer employees:

(i) One hundred fifty thousand dollars for any felony;

(ii) Fifteen thousand dollars for a gross misdemeanor; and

(iii) Ten thousand dollars for a misdemeanor"

Representative Young spoke in favor of the adoption of the amendment.

Representative Pellicciotti spoke against the adoption of the amendment.

Amendment (070) was not adopted.

Representative Irwin moved the adoption of amendment (069):

On page 2, after line 3, insert the following:

"(3) A court ordering a corporation to pay a fine under subsection (1) of this section must include in the order a requirement that any outstanding existing business obligations of the corporation at the time the order is entered must be satisfied prior to the collection of the fine imposed under subsection (1) of this section."

Representatives Irwin, Klippert, Stokesbary and Irwin (again) spoke in favor of the adoption of the amendment.

Representative Pellicciotti spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (069) was not adopted.

Representative Klippert moved the adoption of the striking amendment (024):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 10.01.100 and 1925 ex.s. c 101 s 1 are each amended to read as follows:

Every corporation guilty of a violation of any law of the state of Washington, where the prescribed penalty is, for any reason, incapable of execution or enforcement against such corporation, shall be punished by a fine of not more than (~~ten~~) one hundred fifty thousand dollars, if such offense is a felony; or, by a fine of not more than (~~one~~) fifteen thousand dollars if such offense is a gross misdemeanor; or, by a fine of not more than (~~five hundred~~) ten thousand dollars if such offense is a misdemeanor."

Representative Klippert spoke in favor of the adoption of the striking amendment.

Representative Goodman spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (024) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Pellicciotti spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1806.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1806, and the bill passed the House by the following vote: Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Chandler, Condotta, DeBolt, Dent, Dye, Hargrove, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McCaslin, Orcutt, Pike, Schmick, Shea, Steele, Vick, Volz, Wilcox and Young.

HOUSE BILL NO. 1806, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1806.
Representative Stokesbary, 31st Legislative District

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 1806.
Representative Kraft, 17th Legislative District

SECOND READING

HOUSE BILL NO. 1808, by Representatives Clibborn, McDonald, Kagi, Caldier, Senn, Graves, Lovick, Dent, McBride, Farrell, Wylie, Slatter, Macri, Doglio, Robinson, Ortiz-Self, Ormsby, Sells, Fey, Frame, Muri, Riccelli, Springer, Jinkins, Gregerson, Stanford and Pollet

Providing support for foster youth in obtaining drivers' licenses and automobile liability insurance.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1808 was substituted for House Bill No. 1808 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1808 was read the second time.

Representative Caldier moved the adoption of amendment (167):

On page 2, line 9, after "policy" insert ", with a preference on reimbursements for those foster youth who practice safe driving and avoid moving violations and at-fault collisions"

Representatives Caldier and Clibborn spoke in favor of the adoption of the amendment.

Amendment (167) was adopted.

Representative Young moved the adoption of amendment (165):

On page 2, line 14, after "program" strike "," and insert ";"

On page 2, line 15, after "served" strike "," and insert "; the extent to which foster youth report any negative outcomes of the program, including a foster parent's inappropriate use of a foster youth's driving authorization;"

Representatives Young and Clibborn spoke in favor of the adoption of the amendment.

Amendment (165) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn, Orcutt, Graves and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1808.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1808, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald,

Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, Klippert and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1808, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1829, by Representatives Hudgins, Johnson, Goodman, Klippert, Smith, Dolan, Haler, Koster, Volz, Kraft, Irwin, Stanford, Tarleton, Muri, Ormsby and McBride

Concerning the exemption from public disclosure of information regarding public and private computer and telecommunications networks.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1829.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1829, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1829, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1905, by Representatives Orcutt and Clibborn

Modifying the volume limitation for certain vessels exempt from the pilotage act. Revised for 1st Substitute: Modifying limitations for certain vessels exempt from the pilotage act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1905 was substituted for House Bill No. 1905 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1905 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1905.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1905, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1905, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1086, by Representatives Blake, J. Walsh, Springer, Wilcox and Hargrove

Promoting the completion of environmental impact statements within two years.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1086 was substituted for House Bill No. 1086 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1086 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and J. Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1086.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1086, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1086, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1115, by Representatives Bergquist, Muri, Ortiz-Self, Harris, Stanford, Stambaugh, Gregerson and Kilduff.

Concerning paraeducators.

The bill was read the second time.

There being no objection Substitute House Bill No. 1115 was substituted for House Bill No. 1115 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1115 was read the second time.

Representative Bergquist moved the adoption of amendment (168):

On page 4, beginning on line 28, after "(2)" strike all material through "board" on line 33 and insert "(a) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2019, school districts must provide access to a four day course of study on the state standards of practice, such as the course approved by the board under section 4 of this act, to paraeducators who have not completed the course, either in the district or in another district within the state. School districts must use best efforts to provide paraeducators with access to the course of study before the paraeducator begins to work with students and their families, and at a minimum by the deadlines provided in (b) of this subsection.

(b) School districts must provide access to the course of study required in (a) of this subsection as follows:

(i) For paraeducators hired on or before September 1st, by September 30th of that year, regardless of the size of the district; and

(ii) For paraeducators hired after September 1st:

(A) For districts with ten thousand or more students, within four months of the date of hire; and

(B) For districts with fewer than ten thousand students, no later than September 1st of the following year

(c) School districts may collaborate with other school districts or educational service districts to meet the requirements of this subsection (2) "

On page 14, after line 2, insert the following:

"NEW SECTION. **Sec. 19.** RCW 28A.415.310 (Paraprofessional training program) and 1993 c 336 s 408 are each repealed."

Correct the title.

Representative Bergquist spoke in favor of the adoption of the amendment.

Amendment (168) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1115.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1115, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Hayes, Klippert and Stokesbary.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1115, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1322, by Representatives Kilduff, Harris, Kagi, Senn, Cody, Short, McDonald, Caldier, Dent, Tharinger, Dye, Robinson, Lovick, Appleton, Goodman, Fey, Hudgins, Sawyer, Muri, Jinkins, McBride and Doglio

Reducing training requirements for developmental disability respite providers working three hundred hours or less in any calendar year.

The bill was read the second time.

Representative Kilduff moved the adoption of amendment (166):

On page 1, line 17, after "disabilities" insert "receiving services under Title 71A RCW"

On page 2, line 2, after "RCW" strike "74.39A.351" and insert "74.39A.360"

On page 2, line 19, after "subsection;" strike "and"

On page 2, beginning on line 21, after "month" strike all material through "~~year~~)" on line 25 and insert "; and

(iii) A person working as an individual provider who only provides respite services and works less than three hundred hours in any calendar year, unless covered by subsection (1)(b) of this section"

Representatives Kilduff and Schmick spoke in favor of the adoption of the amendment.

Amendment (166) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1322.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1322, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1322, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1359, by Representatives Jinkins, Harris, Macri, Kilduff, Riccelli, Cody, Slatter, Appleton, Kloba, Frame and Doglio

Concerning notice of charity care availability at time of billing and collection.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1359 was substituted for House Bill No. 1359 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1359 was read the second time.

Representative Harris moved the adoption of amendment (171):

On page 2, line 38, after "(6)" insert "(a)"

On page 3, after line 5, insert the following:

"(b) Nothing in this subsection requires any hospital to alter any preprinted hospital billing statements existing as of October 1, 2017."

Representatives Harris and Jinkins spoke in favor of the adoption of the amendment.

Amendment (171) was adopted.

Representative Jinkins moved the adoption of amendment (065):

On page 3, after line 26, insert the following:

"Sec. 2. RCW 70.170.070 and 1989 1st ex.s. c 9 s 507 are each amended to read as follows:

(1) Every person who shall violate or knowingly aid and abet the violation of RCW 70.170.060 (5) or (~~(6)~~) (7), 70.170.080, or *70.170.100, or any valid orders or rules adopted pursuant to these sections, or who fails to perform any act which it is herein made his or her duty to perform, shall be guilty of a misdemeanor. Following official notice to the accused by the department of the existence of an alleged violation, each day of noncompliance upon which a violation occurs shall constitute a separate violation. Any person violating the provisions of this chapter may be enjoined from continuing such violation. The department has authority to levy civil penalties not exceeding one thousand dollars for violations of this chapter and determined pursuant to this section.

(2) Every person who shall violate or knowingly aid and abet the violation of RCW 70.170.060 (1) or (2), or any valid

orders or rules adopted pursuant to such section, or who fails to perform any act which it is herein made his or her duty to perform, shall be subject to the following criminal and civil penalties:

(a) For any initial violations: The violating person shall be guilty of a misdemeanor, and the department may impose a civil penalty not to exceed one thousand dollars as determined pursuant to this section.

(b) For a subsequent violation of RCW 70.170.060 (1) or (2) within five years following a conviction: The violating person shall be guilty of a misdemeanor, and the department may impose a penalty not to exceed three thousand dollars as determined pursuant to this section.

(c) For a subsequent violation with intent to violate RCW 70.170.060 (1) or (2) within five years following a conviction: The criminal and civil penalties enumerated in (a) of this subsection; plus up to a three-year prohibition against the issuance of tax exempt bonds under the authority of the Washington health care facilities authority; and up to a three-year prohibition from applying for and receiving a certificate of need.

(d) For a violation of RCW 70.170.060 (1) or (2) within five years of a conviction under (c) of this subsection: The criminal and civil penalties and prohibition enumerated in (a) and (b) of this subsection; plus up to a one-year prohibition from participation in the state medical assistance or medical care services authorized under chapter 74.09 RCW.

(3) The provisions of chapter 34.05 RCW shall apply to all noncriminal actions undertaken by the department of health, the department of social and health services, and the Washington health care facilities authority pursuant to chapter 9, Laws of 1989 1st ex. sess."

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

Correct the title.

Representatives Jinkins and Schmick spoke in favor of the adoption of the amendment.

Amendment (065) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1359.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1359, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1359, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1614, by Representatives Goodman, Klippert, Orwall, Hayes, Pellicciotti, Holy, Griffey, Pettigrew, Muri and Haler

Concerning impaired driving.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1614 was substituted for House Bill No. 1614 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1614 was read the second time.

Representative Goodman moved the adoption of the striking amendment (175):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.96.060 and 2014 c 176 s 1 and 2014 c 109 s 1 are each reenacted and amended to read as follows:

(1) Every person convicted of a misdemeanor or gross misdemeanor offense who has completed all of the terms of the sentence for the misdemeanor or gross misdemeanor offense may apply to the sentencing court for a vacation of the applicant's record of conviction for the offense. If the court finds the applicant meets the tests prescribed in subsection (2) of this section, the court may in its discretion vacate the record of conviction by: (a) (i) Permitting the applicant to withdraw the applicant's plea of guilty and to enter a plea of not guilty; or (ii) if the applicant has been convicted after a plea of not guilty, the court setting aside the verdict of guilty; and (b) the court dismissing the information, indictment, complaint, or citation against the applicant and vacating the judgment and sentence.

(2) An applicant may not have the record of conviction for a misdemeanor or gross misdemeanor offense vacated if any one of the following is present:

(a) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal court;

(b) The offense was a violent offense as defined in RCW 9.94A.030 or an attempt to commit a violent offense;

(c) The offense was a violation of RCW 46.61.502 (driving while under the influence), 46.61.504 (actual physical control while under the influence), 9.91.020 (operating a railroad, etc. while intoxicated), or the offense is considered a "prior offense" under RCW 46.61.5055 and the applicant has had a subsequent alcohol or drug violation within ten years of the date of arrest for the prior offense or less than ten years has elapsed since the date of the arrest for the prior offense;

(d) The offense was any misdemeanor or gross misdemeanor violation, including attempt, of chapter 9.68 RCW (obscenity and pornography), chapter 9.68A RCW (sexual exploitation of children), or chapter 9A.44 RCW (sex offenses);

(e) The applicant was convicted of a misdemeanor or gross misdemeanor offense as defined in RCW 10.99.020, or the court determines after a review of the court file that the offense was committed by one family member or household member against another, or the court, after considering the damage to person or property that resulted in the conviction, any prior convictions for crimes defined in RCW

10.99.020, or for comparable offenses in another state or in federal court, and the totality of the records under review by the court regarding the conviction being considered for vacation, determines that the offense involved domestic violence, and any one of the following factors exist:

(i) The applicant has not provided written notification of the vacation petition to the prosecuting attorney's office that prosecuted the offense for which vacation is sought, or has not provided that notification to the court;

(ii) The applicant has previously had a conviction for domestic violence. For purposes of this subsection, however, if the current application is for more than one conviction that arose out of a single incident, none of those convictions counts as a previous conviction;

(iii) The applicant has signed an affidavit under penalty of perjury affirming that the applicant has not previously had a conviction for a domestic violence offense, and a criminal history check reveals that the applicant has had such a conviction; or

(iv) Less than five years have elapsed since the person completed the terms of the original conditions of the sentence, including any financial obligations and successful completion of any treatment ordered as a condition of sentencing;

(f) For any offense other than those described in (e) of this subsection, less than three years have passed since the person completed the terms of the sentence, including any financial obligations;

(g) The offender has been convicted of a new crime in this state, another state, or federal court since the date of conviction;

(h) The applicant has ever had the record of another conviction vacated; or

(i) The applicant is currently restrained, or has been restrained within five years prior to the vacation application, by a domestic violence protection order, a no-contact order, an antiharassment order, or a civil restraining order which restrains one party from contacting the other party.

(3) Subject to RCW 9.96.070, every person convicted of prostitution under RCW 9A.88.030 who committed the offense as a result of being a victim of trafficking,

RCW 9A.40.100, promoting prostitution in the first degree, RCW 9A.88.070, promoting commercial sexual abuse of a minor, RCW 9.68A.101, or trafficking in persons under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq. may apply to the sentencing court for vacation of the applicant's record of conviction for the prostitution offense. An applicant may not have the record of conviction for prostitution vacated if any one of the following is present:

(a) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal court, for any crime other than prostitution; or

(b) The offender has been convicted of another crime, except prostitution, in this state, another state, or federal court since the date of conviction.

(4) Every person convicted prior to January 1, 1975, of violating any statute or rule regarding the regulation of fishing activities, including, but not limited to, RCW 75.08.260, 75.12.060, 75.12.070, 75.12.160, 77.16.020, 77.16.030, 77.16.040, 77.16.060, and 77.16.240 who claimed to be exercising a treaty Indian fishing right, may apply to the sentencing court for vacation of the applicant's record of the misdemeanor, gross misdemeanor, or felony conviction for the offense. If the person is deceased, a member of the person's family or an official representative of the tribe of which the person was a member may apply to the court on behalf of the deceased person. Notwithstanding the requirements of RCW 9.94A.640, the court shall vacate the record of conviction if:

(a) The applicant is a member of a tribe that may exercise treaty Indian fishing rights at the location where the offense occurred; and

(b) The state has been enjoined from taking enforcement action of the statute or rule to the extent that it interferes with a treaty Indian fishing right as determined under *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974), or *Sohappy v. Smith*, 302 F. Supp. 899 (D. Oregon 1969), and any posttrial orders of those courts, or any other state supreme court or federal court decision.

(5) Once the court vacates a record of conviction under this section, the person shall be released from all penalties and disabilities resulting from the offense and the fact that the person has been

convicted of the offense shall not be included in the person's criminal history for purposes of determining a sentence in any subsequent conviction. For all purposes, including responding to questions on employment or housing applications, a person whose conviction has been vacated under this section may state that he or she has never been convicted of that crime. Nothing in this section affects or prevents the use of an offender's prior conviction in a later criminal prosecution.

(6) All costs incurred by the court and probation services shall be paid by the person making the motion to vacate the record unless a determination is made pursuant to chapter 10.101 RCW that the person making the motion is indigent, at the time the motion is brought.

(7) The clerk of the court in which the vacation order is entered shall immediately transmit the order vacating the conviction to the Washington state patrol identification section and to the local police agency, if any, which holds criminal history information for the person who is the subject of the conviction. The Washington state patrol and any such local police agency shall immediately update their records to reflect the vacation of the conviction, and shall transmit the order vacating the conviction to the federal bureau of investigation. A conviction that has been vacated under this section may not be disseminated or disclosed by the state patrol or local law enforcement agency to any person, except other criminal justice enforcement agencies.

Sec. 2. RCW 10.31.100 and 2016 c 203 s 9 and 2016 c 113 s 1 are each reenacted and amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of an officer, except as provided in subsections (1) through (12) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of

property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.92, 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is eighteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means

physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (A) The intent to protect victims of domestic violence under RCW 10.99.010; (B) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (C) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) A police officer shall, at the request of a parent or guardian, arrest the sixteen or seventeen year old child of that parent or guardian if the officer has probable cause to believe that the child has assaulted a family or household member as defined in RCW 10.99.020 in the preceding four hours. Nothing in this subsection removes a police officer's existing authority provided in this section to make an arrest.

(4) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.503 or 46.25.110, relating to persons having alcohol or THC in their system;

(f) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(g) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(5) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(6)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(7) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

(8) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

(9) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(10) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

(11) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged

violation, committed a violation of RCW 9A.50.020 may arrest such person.

(12) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

(13) A law enforcement officer having probable cause to believe that a person has committed a violation under RCW 77.15.160(4) may issue a citation for an infraction to the person in connection with the violation.

(14) A law enforcement officer having probable cause to believe that a person has committed a criminal violation under RCW 77.15.809 or 77.15.811 may arrest the person in connection with the violation.

(15) Except as specifically provided in subsections (2), (4), (5), and (8) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(16) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or (10) of this section if the police officer acts in good faith and without malice.

(17)(a) Except as provided in (b) of this subsection, a police officer shall arrest and keep in custody, until release by a judicial officer on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that the person has violated RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and the police officer: (i) Has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years; or (ii) has knowledge, based on a review of the information available to the officer at the time of arrest, that the person is charged with or is awaiting arraignment for an offense that would qualify as a prior offense as defined in RCW 46.61.5055 if it were a conviction.

(b) A police officer is not required to keep in custody a person under (a) of this subsection if the person requires

immediate medical attention and is admitted to a hospital.

(18) A juvenile detention facility shall book into detention any person under age eighteen brought to that detention facility pursuant to an arrest for assaulting a family or household member as defined in RCW 10.99.020.

Sec. 3. RCW 46.20.385 and 2016 c 203 s 13 are each amended to read as follows:

(1)(a) Any person licensed under this chapter or who has a valid driver's license from another state, who is convicted of: (i) A violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance, or (ii) a violation of RCW 46.61.520(1)(a) or an equivalent local or out-of-state statute or ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1) (b) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520(1)(a), or (iv) RCW 46.61.522(1)(b) or an equivalent local or out-of-state statute or ordinance, or (v) RCW 46.61.522(1) (a) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522(1)(b) committed while under the influence of intoxicating liquor or any drug, or (vi) who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, or who is otherwise permitted under subsection (8) of this section, may submit to the department an application for an ignition interlock driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is eligible to receive the license, may issue an ignition interlock driver's license.

(b) A person may apply for an ignition interlock driver's license anytime, including immediately after receiving the notices under RCW 46.20.308 or after his or her license is suspended, revoked, or denied.

(c) An applicant under this subsection shall provide proof to the satisfaction of the department that a functioning ignition interlock device has been installed on all vehicles operated by the person.

(i) The department shall require the person to maintain the device on all vehicles operated by the person and shall restrict the person to operating only vehicles equipped with the device, for the remainder of the period of suspension,

revocation, or denial, unless otherwise permitted under RCW 46.20.720(6).

(ii) Subject to any periodic renewal requirements established by the department under this section and subject to any applicable compliance requirements under this chapter or other law, an ignition interlock driver's license granted upon a suspension or revocation under RCW 46.61.5055 or 46.20.3101 extends through the remaining portion of any concurrent or consecutive suspension or revocation that may be imposed as the result of administrative action and criminal conviction arising out of the same incident.

(2) An applicant for an ignition interlock driver's license who qualifies under subsection (1) of this section is eligible to receive a license only if the applicant files satisfactory proof of financial responsibility under chapter 46.29 RCW.

(3) Upon receipt of evidence that a holder of an ignition interlock driver's license granted under this subsection no longer has a functioning ignition interlock device installed on all vehicles operated by the driver, the director shall give written notice by first-class mail to the driver that the ignition interlock driver's license shall be canceled. If at any time before the cancellation goes into effect the driver submits evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver, the cancellation shall be stayed. If the cancellation becomes effective, the driver may obtain, at no additional charge, a new ignition interlock driver's license upon submittal of evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver.

(4) A person aggrieved by the decision of the department on the application for an ignition interlock driver's license may request a hearing as provided by rule of the department.

(5) The director shall cancel an ignition interlock driver's license after receiving notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, no longer meets the eligibility requirements, or has been convicted of or found to have committed a separate offense or any other act or omission that under this chapter would warrant suspension or revocation of a regular driver's license.

The department must give notice of the cancellation as provided under RCW 46.20.245. A person whose ignition interlock driver's license has been canceled under this section may reapply for a new ignition interlock driver's license if he or she is otherwise qualified under this section and pays the fee required under RCW 46.20.380.

(6) (a) Unless costs are waived by the ignition interlock company or the person is indigent under RCW 10.101.010, the applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of twenty dollars per month. Payments shall be made directly to the ignition interlock company. The company shall remit the additional ~~((twenty dollar))~~ fee to the department, except that the company may retain one dollar per month of the additional fee to cover the expenses associated with administering the fee.

(b) The department shall deposit the proceeds of the twenty dollar fee into the ignition interlock device revolving account. Expenditures from the account may be used only to administer and operate the ignition interlock device revolving account program. The department shall adopt rules to provide monetary assistance according to greatest need and when funds are available.

(7) The department shall adopt rules to implement ignition interlock licensing. The department shall consult with the administrative office of the courts, the state patrol, the Washington association of sheriffs and police chiefs, ignition interlock companies, and any other organization or entity the department deems appropriate.

(8) (a) Any person licensed under this chapter who is convicted of a violation of RCW 46.61.500 when the charge was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, may submit to the department an application for an ignition interlock driver's license under this section.

(b) A person who does not have any driver's license under this chapter, but who would otherwise be eligible under this section to apply for an ignition interlock license, may submit to the department an application for an ignition interlock license. The department may require the person to take any driver's licensing

examination under this chapter and may require the person to also apply and qualify for a temporary restricted driver's license under RCW 46.20.391.

Sec. 4. RCW 46.20.720 and 2016 c 203 s 14 are each amended to read as follows:

(1) **Ignition interlock restriction.** The department shall require that a person may drive only a motor vehicle equipped with a functioning ignition interlock device:

(a) **Pretrial release.** Upon receipt of notice from a court that an ignition interlock device restriction has been imposed under RCW 10.21.055;

(b) **Ignition interlock driver's license.** As required for issuance of an ignition interlock driver's license under RCW 46.20.385;

(c) **Deferred prosecution.** Upon receipt of notice from a court that the person is participating in a deferred prosecution program under RCW 10.05.020 for a violation of:

(i) RCW 46.61.502 or 46.61.504 or an equivalent local ordinance; or

(ii) RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person would be required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person in the event of a conviction;

(d) **Post conviction.** After any applicable period of suspension, revocation, or denial of driving privileges:

(i) Due to a conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance; or

(ii) Due to a conviction of a violation of RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person is required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person; or

(e) **Court order.** Upon receipt of an order by a court having jurisdiction that a person charged or convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle may drive only a motor vehicle equipped with a functioning ignition interlock. The court shall establish a specific calibration setting at which the ignition interlock will

prevent the vehicle from being started. The court shall also establish the period of time for which ignition interlock use will be required.

(2) **Calibration.** Unless otherwise specified by the court for a restriction imposed under subsection (1)(e) of this section, the ignition interlock device shall be calibrated to prevent the motor vehicle from being started when the breath sample provided has an alcohol concentration of 0.025 or more.

(3) **Duration of restriction.** A restriction imposed under:

(a) Subsection (1)(a) of this section shall remain in effect until:

(i) The court has authorized the removal of the device under RCW 10.21.055; or

(ii) The department has imposed a restriction under subsection (1)(b), (c), or (d) of this section arising out of the same incident.

(b) Subsection (1)(b) of this section remains in effect during the validity of any ignition interlock driver's license that has been issued to the person.

(c) Subsection (1)(c)(i) or (d)(i) of this section shall be for no less than:

(i) For a person who has not previously been restricted under this subsection, a period of one year;

(ii) For a person who has previously been restricted under (c)(i) of this subsection, a period of five years;

(iii) For a person who has previously been restricted under (c)(ii) of this subsection, a period of ten years.

The restriction of a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and who committed the offense while a passenger under the age of sixteen was in the vehicle shall be extended for an additional six-month period as required by RCW 46.61.5055(6) (a).

(d) Subsection (1)(c)(ii) or (d)(ii) of this section shall be for a period of no less than six months.

(e) Subsection (1)(e) of this section shall remain in effect for the period of time specified by the court.

The period of restriction under (c) and (d) of this subsection based on incidents occurring on or after June 9, 2016, must

be tolled for any period in which the person does not have an ignition interlock device installed on a vehicle owned or operated by the person unless the person receives a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. The department's determination that a person is unable to operate an ignition interlock device must be reasonable and be based upon good and substantial evidence. This determination is subject to review by a court of competent jurisdiction. The department may charge a person seeking a medical exemption under this subsection a reasonable fee for the assessment.

(4) **Requirements for removal.** A restriction imposed under subsection (1)(c) or (d) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying that there have been none of the following incidents in the ~~((four))~~ one hundred eighty consecutive ~~((months))~~ days prior to the date of release:

(a) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;

(b) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;

(c) Failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; or

(d) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device.

(5) **Day-for-day credit.** (a) The time period during which a person has an ignition interlock device installed in order to meet the requirements of subsection (1)(b) of this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is imposed

under subsection (1)(c) or (d) of this section arising out of the same incident.

(b) The department must also give the person a day-for-day credit for any time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates, other than those subject to the employer exemption under subsection (6) of this section.

(c) If the day-for-day credit granted under this subsection equals or exceeds the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident, and the person has already met the requirements for removal of the device under subsection (4) of this section, the department may waive the requirement that a device be installed or that the person again meet the requirements for removal.

(6) **Employer exemption.** (a) Except as provided in (b) of this subsection, the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department with a declaration pursuant to RCW 9A.72.085 from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours.

(b) The employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment.

(7) **Ignition interlock device revolving account.** In addition to any other costs associated with the use of an ignition interlock device imposed on the person restricted under this section, the person shall pay an additional fee of twenty dollars per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional ~~((twenty dollar))~~ fee to the department to be deposited into the ignition interlock device revolving account, except that the company may retain one dollar per month of the additional fee to cover the expenses associated with administering the fee. The

department may waive the monthly fee if the person is indigent under RCW 10.101.010.

(8) **Foreign jurisdiction.** For a person restricted under this section who is residing outside of the state of Washington, the department may accept verification of installation of an ignition interlock device by an ignition interlock company authorized to do business in the jurisdiction in which the person resides, provided the device meets any applicable requirements of that jurisdiction. The department may waive the monthly fee required by subsection (7) of this section if collection of the fee would be impractical in the case of a person residing in another jurisdiction.

Sec. 5. RCW 46.61.5055 and 2016 sp.s. c 29 s 530 and 2016 c 203 s 17 are each reenacted and amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one day nor more than three hundred sixty-four days. Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court may order not less than fifteen days of electronic home monitoring or a ninety-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall

determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than two days nor more than three hundred sixty-four days. Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court may order not less than thirty days of electronic home monitoring or a one hundred twenty day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program testing as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of

the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. In lieu of the mandatory ~~((minimum))~~ term of ~~((sixty days))~~ imprisonment and electronic home monitoring under this subsection (2)(a)(i), the court may order ~~((at least an additional four days in jail or, if available in that county or city, a six-month))~~ one hundred twenty days of electronic home monitoring or a one hundred twenty-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390 ~~((, and))~~. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than five hundred dollars nor more than five

thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. In lieu of the mandatory minimum term of ~~((ninety days))~~ imprisonment and electronic home monitoring under this subsection (2)(b)(i), the court may order ~~((at least an additional six days in jail or, if available in that county or city,))~~ six months of electronic home monitoring or a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390 ~~((, and))~~. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two or three prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two or three prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred twenty days of electronic home monitoring, the court may order at least an additional eight days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least

0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred fifty days of electronic home monitoring, the court may order at least an additional ten days in jail. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Four or more prior offenses in ten years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has four or more prior offenses within ten years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b) (i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.** (a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502

or 46.61.504 committed the offense while a passenger under the age of sixteen was in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional six months;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment and a fine of not less than one thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment and a fine of not less than two thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two or three prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment and a fine of not less than three thousand dollars and not more than ten thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the alcohol assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(a) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a ninety-day period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for fewer than two days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for two years or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a six-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(b) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

(i) Where there has been no prior offense within seven years, be revoked or denied by the department for one year or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a one hundred twenty day period of 24/7 sobriety program monitoring. In no circumstances shall the license revocation be for fewer than four days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(c) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(i) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(iii) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this subsection for a suspension, revocation, or denial imposed under RCW 46.20.3101 arising out of the same incident.

Upon receipt of a notice from the court under RCW 36.28A.390 that a participant has been removed from a 24/7 sobriety program, the department must resume any suspension, revocation, or denial that had been terminated early under this subsection due to participation in the program, granting credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 or this section arising out of the same incident.

Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the

convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the

combination does not exceed three hundred sixty-four days.

(13) **Extraordinary medical placement.** An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1)(c).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the

influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (x), (xi), or (xii) of this subsection if committed in this state;

(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW

46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14) (a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means substance use disorder treatment approved by the department of social and health services;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 6. RCW 46.61.506 and 2016 c 203 s 8 are each amended to read as follows:

(1) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or any drug, if the person's alcohol concentration is less than 0.08 or the person's THC concentration is less than 5.00, it is evidence that may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor or any drug.

(2)(a) The breath analysis of the person's alcohol concentration shall be based upon grams of alcohol per two hundred ten liters of breath.

(b) The blood analysis of the person's THC concentration shall be based upon nanograms per milliliter of whole blood.

(c) The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor or any drug.

(3) Analysis of the person's blood or breath to be considered valid under the provisions of this section or RCW 46.61.502 or 46.61.504 shall have been performed according to methods approved by the state toxicologist and by an individual possessing a valid permit issued by the state toxicologist for this purpose. The state toxicologist is directed to approve satisfactory techniques or methods, to supervise the examination of individuals to ascertain their qualifications and competence to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the state toxicologist.

(4)(a) A breath test performed by any instrument approved by the state toxicologist shall be admissible at trial or in an administrative proceeding if the prosecution or department produces prima facie evidence of the following:

(i) The person who performed the test was authorized to perform such test by the state toxicologist;

(ii) The person being tested did not vomit or have anything to eat, drink, or smoke for at least fifteen minutes prior to administration of the test;

(iii) The person being tested did not have any foreign substances, not to include dental work or piercings, fixed or removable, in his or her mouth at the beginning of the fifteen-minute observation period;

(iv) Prior to the start of the test, the temperature of any liquid simulator solution utilized as an external standard, as measured by a thermometer approved of by the state toxicologist was thirty-four degrees centigrade plus or minus 0.3 degrees centigrade;

(v) The internal standard test resulted in the message "verified";

(vi) The two breath samples agree to within plus or minus ten percent of their mean to be determined by the method approved by the state toxicologist;

(vii) The result of the test of the liquid simulator solution external standard or dry gas external standard result did lie between .072 to .088 inclusive; and

(viii) All blank tests gave results of .000.

(b) For purposes of this section, "prima facie evidence" is evidence of sufficient circumstances that would support a logical and reasonable inference of the facts sought to be proved. In assessing whether there is sufficient evidence of the foundational facts, the court or administrative tribunal is to assume the truth of the prosecution's or department's evidence and all reasonable inferences from it in a light most favorable to the prosecution or department.

(c) Nothing in this section shall be deemed to prevent the subject of the test from challenging the reliability or accuracy of the test, the reliability or functioning of the instrument, or any maintenance procedures. Such challenges, however, shall not preclude the admissibility of the test once the prosecution or department has made a prima facie showing of the requirements contained in (a) of this subsection. Instead, such challenges may be considered by the trier of fact in determining what weight to give to the test result.

(5) When a blood test is administered under the provisions of RCW 46.20.308, the withdrawal of blood for the purpose of determining its alcoholic or drug content may be performed only by a physician licensed under chapter 18.71 RCW; an osteopathic physician licensed under chapter 18.57 RCW; a registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; a physician assistant licensed under chapter 18.71A RCW; an osteopathic physician assistant licensed under chapter 18.57A RCW; (~~an advanced emergency medical technician or paramedic licensed under chapter 18.73 RCW~~) a physician's trained advanced emergency medical technician and paramedic certified under chapter 18.71 RCW, provided that performance of the withdrawal is consistent with the protocols of the physician's trained advanced emergency medical technician and paramedic's employing agency; until July 1, 2016, a health care assistant certified under chapter 18.135 RCW; or a medical assistant-certified or medical assistant-phlebotomist certified under chapter 18.360 RCW. Proof of qualification to draw blood may be established through the department of health's provider credential search. ((This)) When withdrawal of blood for the purpose of determining its alcoholic or drug content is performed outside Washington state, the withdrawal

may be performed by any health care provider lawfully authorized to perform a withdrawal for that purpose in the state in which the withdrawal takes place. These limitations shall not apply to the taking of breath specimens.

(6) The person tested may have a licensed or certified health care provider listed in subsection (5) of this section, or a qualified technician, chemist, or other qualified person of his or her own choosing administer one or more tests in addition to any administered at the direction of a law enforcement officer. The test will be admissible if the person establishes the general acceptability of the testing technique or method. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

(7) Upon the request of the person who shall submit to a test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to him or her or his or her attorney.

Sec. 7. RCW 46.61.508 and 2015 2nd sp.s. c 3 s 23 are each amended to read as follows:

No physician licensed under chapter 18.71 RCW; osteopathic physician licensed under chapter 18.57 RCW; registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A RCW; physician's trained advanced emergency medical technician ((or)) and paramedic ((licensed)) certified under chapter ((18.73)) 18.71 RCW; until July 1, 2016, health care assistant certified under chapter 18.135 RCW; or medical assistant-certified or medical assistant-phlebotomist certified under chapter 18.360 RCW, or hospital, or duly licensed clinical laboratory employing or utilizing services of such licensed or certified health care provider, shall incur any civil or criminal liability as a result of the act of withdrawing blood from any person when directed by a law enforcement officer to do so for the purpose of a blood test under the provisions of a search warrant, a waiver of the search warrant requirement, exigent circumstances, any other authority of law, or RCW 46.20.308, as now or hereafter amended: PROVIDED,

That nothing in this section shall relieve such licensed or certified health care provider, or hospital or duly licensed clinical laboratory from civil liability arising from the use of improper procedures or failing to exercise the required standard of care.

Sec. 8. RCW 18.130.410 and 2015 2nd sp.s. c 3 s 21 are each amended to read as follows:

It is not professional misconduct for a physician licensed under chapter 18.71 RCW; osteopathic physician licensed under chapter 18.57 RCW; registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A RCW; physician's trained advanced emergency medical technician ((~~er~~)) and paramedic ((~~licensed~~)) certified under chapter ((~~18.73~~)) 18.71 RCW; until July 1, 2016, health care assistant certified under chapter 18.135 RCW; or medical assistant-certified or medical assistant-phlebotomist certified under chapter 18.360 RCW, or hospital, or duly licensed clinical laboratory employing or utilizing services of such licensed or certified health care provider, to collect a blood sample without a person's consent when the physician licensed under chapter 18.71 RCW; osteopathic physician licensed under chapter 18.57 RCW; registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A RCW; physician's trained advanced emergency medical technician ((~~er~~)) and paramedic ((~~licensed~~)) certified under chapter ((~~18.73~~)) 18.71 RCW; until July 1, 2016, health care assistant certified under chapter 18.135 RCW; or medical assistant-certified or medical assistant-phlebotomist certified under chapter 18.360 RCW, or hospital, or duly licensed clinical laboratory employing or utilizing services of such licensed or certified health care provider withdrawing blood was directed by a law enforcement officer to do so for the purpose of a blood test under the provisions of a search warrant or exigent circumstances: PROVIDED, That nothing in this section shall relieve a physician licensed under chapter 18.71 RCW; osteopathic physician licensed under chapter 18.57 RCW; registered nurse,

licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A RCW; physician's trained advanced emergency medical technician ((~~er~~)) and paramedic ((~~licensed~~)) certified under chapter ((~~18.73~~)) 18.71 RCW; until July 1, 2016, health care assistant certified under chapter 18.135 RCW; or medical assistant-certified or medical assistant-phlebotomist certified under chapter 18.360 RCW, or hospital, or duly licensed clinical laboratory employing or utilizing services of such licensed or certified health care provider withdrawing blood from professional discipline arising from the use of improper procedures or from failing to exercise the required standard of care.

Sec. 9. RCW 46.61.517 and 2001 c 142 s 1 are each amended to read as follows:

The refusal of a person to submit to a test of the alcohol or drug concentration in the person's ((~~blood or~~)) breath under RCW 46.20.308 is admissible into evidence at a subsequent criminal trial. The refusal of a person to submit to a test of the person's blood is admissible into evidence at a subsequent criminal trial when a search warrant, or an exception to the search warrant, authorized the seizure.

Sec. 10. RCW 46.64.025 and 2016 c 203 s 4 are each amended to read as follows:

Whenever any person served with, or provided notice of, a traffic ((~~citation~~)) infraction or a traffic-related criminal complaint willfully fails to appear at a requested hearing for a moving violation, or fails to comply with the terms of a notice of ((~~traffic citation~~)) infraction for a moving violation or a traffic-related criminal complaint, the court ((~~in which the defendant failed to appear~~)) with jurisdiction over the traffic infraction or traffic-related criminal complaint shall promptly give notice of such fact to the department of licensing. Whenever thereafter the case in which the defendant failed to appear or comply is adjudicated, the court hearing the case shall promptly file with the department a certificate showing that the case has been adjudicated. For the purposes of this section, "moving violation" is defined by rule pursuant to RCW 46.20.2891."

Correct the title.

Representatives Goodman and Klippert spoke in favor of the adoption of the striking amendment.

Amendment (175) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1614.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1614, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Schmick, Steele and Taylor.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1614, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1654, by Representatives McCaslin, Bergquist, Ortiz-Self, Muri and Pollet

Changing explicit alternative routes to teacher certification program requirements to expectations for program outcomes.

The bill was read the second time.

Representative McCaslin moved the adoption of amendment (039):

On page 1, line 18, after "and" strike "eligibility for scholarships in addition to"

Representatives McCaslin and Stonier spoke in favor of the adoption of the amendment.

Amendment (039) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCaslin and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1654.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1654, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1654, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1802, by Representatives Reeves, Springer, Kilduff, Farrell, Appleton, Stonier, Stanford, Kloba, Frame, Ryu, Tharinger, Pellicciotti, Macri, Chapman, Fitzgibbon, Jinkins, Orwall, Doglio, Lovick, Riccelli, Peterson, Gregerson, Blake, Ortiz-Self, Ormsby, Bergquist, Fey and Pollet

Increasing the access of veterans, military service members, and military spouses to shared leave in state employment.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1802 was substituted for House Bill No. 1802 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1802 was read the second time.

Representative McCabe moved the adoption of amendment (176):

On page 1, line 15, after "(iii)" insert "The employee is a current member of the uniformed services or is a veteran as defined under RCW 41.04.005, and is attending medical appointments or treatments for a service connected injury or disability;

(iv) The employee is a spouse of a current member of the uniformed services or a veteran as defined under RCW 41.04.005, who is attending medical appointments or treatments for a service connected injury or disability and requires assistance while attending appointment or treatment;

(v) "

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

On page 5, line 31, after "The" strike "office of financial management" and insert "department of veterans affairs"

On page 6, beginning on line 4, after "leave" strike "for the expected term of service"

On page 6, line 34, after "management" insert ", in consultation with the department of veterans affairs,"

Representatives McCabe and Reeves spoke in favor of the adoption of the amendment.

Amendment (176) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reeves and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1802.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1802, and the

bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1802, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1825, by Representatives Senn, Dent, Kilduff, Muri, Sawyer, Klippert, Ortiz-Self, Kagi, Goodman, Ormsby and Fey

Extending the timeline for completing a family assessment response, allowing the department of social and health services to complete a family assessment response upon the verbal agreement of a parent to participate, and defining disqualifying crimes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1825 was substituted for House Bill No. 1825 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1825 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1825.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1825, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan,

Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1825, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2005, by Representatives Lytton, Nealey, Kagi and Ormsby

Improving the business climate in this state by simplifying the administration of municipal general business licenses.

The bill was read the second time.

Representative Lytton moved the adoption of amendment (162):

On page 4, line 5, after "July 1," strike "2017" and insert "2018"

On page 4, line 11, after "July 1," strike "2017" and insert "2018"

On page 4, at the beginning of line 29, strike all material through "association" on line 34 and insert "legislature"

On page 8, beginning on line 37, after "from the" strike "department of revenue" and insert "municipal research and services center"

On page 9, line 2, after "necessary. The" strike "department of revenue" and insert "municipal research and services center"

Representatives Lytton and Manweller spoke in favor of the adoption of the amendment.

Amendment (162) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton, Manweller, Frame, Kagi and Condotta spoke in favor of the passage of the bill.

Representative Senn spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2005.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2005, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Clibborn and Senn.

ENGROSSED HOUSE BILL NO. 2005, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1493, by Representatives Morris, Harmsworth, Smith, Tarleton and Stanford

Concerning biometric identifiers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1493 was substituted for House Bill No. 1493 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1493 was read the second time.

Representative Harmsworth moved the adoption of amendment (023):

On page 2, line 22, after "(e)" strike all material through "(f)" on line 27

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

On page 4, line 6, after "security" insert "or law enforcement"

Representatives Harmsworth and Morris spoke in favor of the adoption of the amendment.

Amendment (023) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris, Harmsworth, Dye and Kraft spoke in favor of the passage of the bill.

Representative Senn spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1493.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1493, and the bill passed the House by the following vote: Yeas, 81; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fitzgibbon, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Maycumber, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Shea, Slatter, Smith, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Chandler, Dent, Fey, Frame, Graves, Harris, Irwin, MacEwen, Manweller, McBride, Schmick, Senn, Springer, Stokesbary, Vick and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1717, by Representatives Smith, Morris, Harmsworth, DeBolt, Hudgins, Van Werven, Santos and Stanford

Concerning state agency collection, use, and retention of biometric identifiers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1717 was substituted for House Bill No. 1717 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1717 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith, Morris and Young spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1717.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1717, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Springer.

SUBSTITUTE HOUSE BILL NO. 1717, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1723, by Representatives Haler, Riccelli, Sells, Gregerson, Ormsby, Doglio and Pollet

Creating the presumption of occupational disease for certain employees at the United States department of energy Hanford site.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1723 was substituted for House Bill No. 1723 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1723 was read the second time.

With the consent of the House, amendments (125), (142), (144) and (157) were withdrawn.

Representative Manweller moved the adoption of the striking amendment (178):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 51.32 RCW to read as follows:

(1) The definitions in this section apply throughout this section.

(a) "Hanford nuclear site" and "Hanford site" and "site" means the approximately five hundred sixty square miles in southeastern Washington state, excluding leased land, state-owned lands, and lands owned by the Bonneville Power Administration, which is owned by the United States and which is commonly known as the Hanford reservation.

(b) "United States department of energy Hanford site workers" and "Hanford site worker" means any person, including a contractor or subcontractor, who was engaged in the performance of work, either directly or indirectly, for the United States, regarding projects and contracts at the Hanford nuclear site and who, while covered under this title, worked on the site for a length of time that a preponderance of medical evidence shows is more likely than not to result in the development of the disease or condition alleged.

(2)(a) For United States department of energy Hanford site workers, as defined in this section, who are covered under this title, there exists a prima facie presumption that the diseases and conditions listed in subsection (3) of this section are occupational diseases under RCW 51.08.140.

(b) The presumption established in this section applies to claims filed on or after the effective date of this section.

(c) The presumption may be rebutted by a preponderance of the evidence. Such evidence may include, but is not limited to, use of tobacco products, physical fitness and weight, lifestyle, hereditary factors, and exposure from other employment or nonemployment activities.

(3) The prima facie presumption applies to the following:

(a) Acute and chronic beryllium disease;

(b) Any heart problems, experienced within seventy-two hours of exposure to fumes, toxic substances, or chemicals at the site;

(c) Cancer, subject to subsection (4) of this section; and

(d) Neurological disease of the brain, which excludes neurological conditions of the spine and other nerves.

(4)(a) The presumption established for cancer only applies to any active or former United States department of energy Hanford site worker who has cancer that develops or manifests itself and who was given a qualifying medical examination upon becoming a United States department of energy Hanford site worker that showed no evidence of cancer.

(b) The presumption applies to the following cancers:

(i) Primary or secondary renal (kidney) cancer;

(ii) Waldenstrom's macroglobulinemia and mycosis fungoides; and

(iii) Primary cancer of the: (A) Esophagus; (B) stomach; (C) pharynx, including all three areas, oropharynx, nasopharynx, and hypopharynx and the larynx. The oropharynx includes base of tongue, soft palate and tonsils (the hypopharynx includes the pyriform sinus); (D) small intestine; (E) pancreas; (F) bile ducts, including ampulla of vater; (G) gall bladder; (H) salivary gland; (I) urinary bladder; and (J) liver, except if cirrhosis or hepatitis B is indicated.

(5) The presumption established in this section extends to an applicable United States department of energy Hanford site worker following termination of service for the lifetime of that individual.

(6)(a) When a determination involving the presumption established in this section is appealed to the board of industrial insurance appeals and the final decision allows the claim of benefits, the board of industrial insurance appeals shall order that all reasonable costs of the appeal, including attorneys' fees and witness fees, be paid to the worker or his or her beneficiary by the opposing party.

(b) When a determination involving the presumption established in this section is appealed to any court and the final decision allows the claim for benefits, the court shall order that all reasonable costs of appeal, including attorneys' fees

and witness fees, be paid to the worker or his or her beneficiary by the opposing party."

Representative Manweller spoke in favor of the adoption of the striking amendment.

Representative Sells spoke against the adoption of the striking amendment.

Amendment (178) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1723.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1723, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Harmsworth, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Dent, Graves, Hargrove, Harris, Hayes, Holy, Klippert, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Vick, Volz, J. Walsh, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1723, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1807, by Representatives Pellicciotti, Hudgins, Riccelli, Orwall, Kirby, Macri, Pollet, Appleton, Wylie, Fitzgibbon, Sawyer, Frame, Lovick, Reeves, Slatter, Chapman, Ryu, Kagi, Doglio, Ortiz-Self, McBride, Farrell, Ormsby and Bergquist

Increasing transparency of contributions by creating the Washington state DISCLOSE act of 2017.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1807 was substituted for House Bill No. 1807 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1807 was read the second time.

Representative Graves moved the adoption of amendment (179):

On page 18, line 2, after "year;" insert "and"

On page 18, beginning on line 3, after "(e)" strike all material through "(f)" on line 6

Representatives Graves and Hudgins spoke in favor of the adoption of the amendment.

Amendment (179) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pellicciotti and Frame spoke in favor of the passage of the bill.

Representatives Stokesbary and Koster spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1807.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1807, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1807, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1432, by Representatives Robinson, Harris, Jenkins, Pollet, Kilduff, Slatter and Cody

Concerning foundational public health services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1432 was substituted for House Bill No. 1432 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1432 was read the second time.

Representative Robinson moved the adoption of amendment (164):

On page 1, beginning on line 6, strike all of section 1

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

Correct the title.

Representatives Robinson and Schmick spoke in favor of the adoption of the amendment.

Amendment (164) was adopted.

Representative Shea moved the adoption of amendment (196):

On page 3, line 9, after "services;" strike "and"

On page 3, line 10, after "records" insert "; and"

(g) Notification of potential side effects associated with certain treatments"

On page 3, line 28, after "that" insert "provide the ability for individuals to claim exemption from certain treatments for religious and philosophical reasons,"

On page 3, line 31, after "Washington" insert ","

Representative Shea spoke in favor of the adoption of the amendment.

Representative Jenkins spoke against the adoption of the amendment.

Amendment (196) was not adopted.

Representative Shea moved the adoption of amendment (197):

On page 4, beginning on line 4, after "through" strike "surveillance and epidemiology" and insert "epidemiologic surveillance"

Representatives Shea and Cody spoke in favor of the adoption of the amendment.

Amendment (197) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1432.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1432, and the bill passed the House by the following vote: Yeas, 86; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Griffey, MacEwen, McCaslin, McDonald, Pike, Shea, Stambaugh, Taylor, Vick and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1924, by Representatives Dent and Fitzgibbon

Concerning small forest landowners.

The bill was read the second time.

Representative Dent moved the adoption of amendment (181):

On page 3, beginning on line 35, strike all of section 3

Correct the title.

Representatives Dent and Blake spoke in favor of the adoption of the amendment.

Amendment (181) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1924.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1924, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1924, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1120, by Representatives Smith, Morris, Short, Hayes, Stanford, Koster, Van Werven, McDonald, MacEwen, Muri, Haler, Ryu, Condotta and Buys

Concerning the regulatory fairness act.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1120 was substituted for House Bill No. 1120 and the

second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1120 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Morris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1120.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1120, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1120, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1186, by Representatives Santos, Goodman, Jinkins, Kilduff and Senn

Concerning the provision of and reimbursement for certain court interpreter services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1186 was substituted for House Bill No. 1186 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1186 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos, Goodman and Kilduff spoke in favor of the passage of the bill.

Representatives Graves, Nealey and Manweller spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1186.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1186, and the bill passed the House by the following vote: Yeas, 52; Nays, 46; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1186, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1783, by Representatives Holy, Goodman, Hansen, Hayes, Stokesbary, Senn, Orwall, Kagi, Appleton, Kilduff, Rodne, Jinkins, Taylor, Shea, Tharinger, Frame, Fitzgibbon, Bergquist, Fey, Macri, Ryu, Doglio, Pellicciotti, Peterson, Santos, Reeves, Kloba, Robinson, Stanford, Hudgins, McBride, Ormsby and Pollet

Concerning legal financial obligations.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1783 was substituted for House Bill No. 1783 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1783 was read the second time.

Representative Klippert moved the adoption of amendment (182):

Beginning on page 1, line 9, strike all of subsections (1) and (2) and insert the following:

"(1) Except as provided in subsection (2) of this section, ~~((financial obligations))~~ restitution imposed in a judgment shall bear interest from the date of the judgment until payment, at the rate applicable to civil judgments. As of the effective date of this section, nonrestitution legal financial obligations imposed in a judgment shall bear interest from the date of the judgment until payment at the rate of three and seventy-six hundredths percent. All nonrestitution interest retained by the court shall be split twenty-five percent to the state treasurer for deposit in the state general fund, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the county current expense fund, and twenty-five percent to the county current expense fund to fund local courts.

(2) The court may, on motion by the offender, following the offender's release from total confinement, reduce or waive the interest on legal financial obligations levied as a result of a criminal conviction as follows:

(a) The court shall waive all interest on the portions of the legal financial obligations that are not restitution that accrued during the term of total confinement for the conviction giving rise to the financial obligations, provided the offender shows that the interest creates a hardship for the offender or his or her immediate family;

(b) The court may reduce interest on the restitution portion of the legal financial obligations only if the principal has been paid in full;

(c) The court may otherwise reduce or waive the interest on the portions of the legal financial obligations that are not restitution if the offender shows that he or she has personally made a good faith effort to pay and that the interest accrual is causing a significant hardship. For purposes of this section, "good faith effort" means that the offender has either (i) paid the principal amount in full; or (ii) made at least fifteen monthly payments within an eighteen-month period, excluding any payments mandatorily deducted by the department of corrections;

(d) For purposes of (a) through (c) of this subsection, the court may reduce or waive interest on legal financial obligations only as an incentive for the offender to meet his or her legal financial obligations. The court may grant the motion, establish a payment schedule, and retain jurisdiction over the offender for purposes of reviewing and revising the reduction or waiver of interest."

On page 3, line 27, after "shall" strike "not accrue interest" and insert "accrue interest at the rate of three and seventy-six hundredths percent"

On page 4, line 40, after "shall" strike "not accrue interest" and insert "accrue interest at the rate of three and seventy-six hundredths percent"

On page 6, line 3, after "shall" strike "not accrue interest" and insert "accrue interest at the rate of three and seventy-six hundredths percent"

On page 7, line 13, after "shall" strike "not accrue interest" and insert "accrue interest at the rate of three and seventy-six hundredths percent"

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (182) was not adopted.

Representative Goodman moved the adoption of amendment (192):

On page 8, line 38, after "hours" insert ", if the jurisdiction operates a community restitution program,"

On page 11, line 14, after "hours" insert ", if the jurisdiction operates a community restitution program,"

On page 13, line 18, after "hours" insert ", if the jurisdiction operates a community restitution program,"

On page 15, line 30, after "hours" insert ", if the jurisdiction operates a community restitution program,"

On page 24, line 21, after "hours" insert ", if the jurisdiction operates a community restitution program,"

Representatives Goodman and Holy spoke in favor of the adoption of the amendment.

Amendment (192) was adopted.

Representative Klippert moved the adoption of amendment (183):

On page 9, line 28, after "court" strike "shall" and insert "is encouraged to"

On page 10, line 22, after "court" strike "shall" and insert "is encouraged to"

On page 11, beginning on line 7, after "may" strike all material through "shall" on line 9

On page 11, line 33, after "court" strike "shall not" and insert "is encouraged not to"

On page 12, line 6, after "court" strike "shall not" and insert "is encouraged not to"

On page 12, line 19, after "court" strike "shall" and insert "is encouraged to"

On page 15, line 10, after "court" strike "shall" and insert "is encouraged to"

On page 15, line 26, after "court" strike "shall" and insert "is encouraged to"

On page 16, line 5, after "court" strike "may not" and insert "is encouraged not to"

On page 16, line 39, after "court" strike "shall not" and insert "is encouraged not to"

On page 23, line 38, after "court" strike "shall" and insert "is encouraged to"

On page 24, line 17, after "court" strike "shall" and insert "may"

On page 25, beginning on line 7, after "except" strike "this fee shall not be imposed" and insert "the court has discretion to not impose this fee"

On page 26, line 18, after "except" strike "this fee shall not be imposed" and insert "the court has discretion to not impose this fee"

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (183) was not adopted.

Representative Klippert moved the adoption of amendment (185):

On page 10, line 20, after "but" strike "refuses" and insert "fails"

On page 15, at the beginning of line 9, strike "refuses" and insert "fails"

On page 23, line 37, after "but" strike "refuses" and insert "fails"

Representative Klippert and Klippert (again) spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (185) was not adopted.

Representative Klippert moved the adoption of amendment (184):

On page 10, line 29, after "defendant is" strike "homeless or"

On page 15, line 17, after "offender is" strike "homeless or"

On page 20, beginning on line 27, after "offender is" strike "homeless or"

On page 24, line 6, after "offender is" strike "homeless or"

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Frame spoke against the adoption of the amendment.

Amendment (184) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Holy and Goodman spoke in favor of the passage of the bill.

Representative Nealy spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1783.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1783, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCaslin, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives DeBolt, Jenkin, Klippert, McCabe, McDonald, Nealey and Orcutt.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1783, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1201, by Representatives Stonier, Orcutt, Harris, Wylie, J. Walsh, Riccelli, Tharinger and Ormsby

Concerning the taxing authority of public facilities districts.

The bill was read the second time.

With the consent of the House, amendment (049) was withdrawn.

Representative Stonier moved the adoption of amendment (198):

On page 1, line 9, after "construction of" strike "a" insert "(~~a~~) at least one"

Representatives Stonier and Orcutt spoke in favor of the adoption of the amendment.

Amendment (198) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1201.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1201, and the 1201 passed the

House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dye, Pike, Shea, Taylor and Young.

ENGROSSED HOUSE BILL NO. 1201, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1291, by Representatives Santos, Jinkins, Fey, Robinson, Fitzgibbon, Stanford, Ormsby and Riccelli

Concerning health care for Pacific Islanders residing in Washington under a compact of free association.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1291 was substituted for House Bill No. 1291 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1291 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Riccelli spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1291.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1291, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen,

Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1291, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1340, by Representatives Cody, Harris, Jinkins, Johnson, Robinson and Tharinger

Modernizing substance use disorder professional practice.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1340 was substituted for House Bill No. 1340 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1340 was read the second time.

Representative Cody moved the adoption of amendment (169):

On page 53, after line 15, insert the following:

"Sec. 23. RCW 18.205.080 and 1998 c 243 s 8 are each amended to read as follows:

(1) The secretary shall appoint a ~~((chemical dependency))~~ substance use disorder certification advisory committee to further the purposes of this chapter. The committee shall be composed of seven members, one member initially appointed for a term of one year, three for a term of two years, and three for a term of three years. Subsequent appointments shall be for terms of three years. No person may serve as a member of the committee for more than two consecutive terms. Members of the committee shall be residents of this state. The committee shall be composed of four certified ~~((chemical dependency))~~ substance use disorder professionals; one ~~((chemical dependency))~~ substance use disorder treatment program director; one physician

licensed under chapter 18.71 or 18.57 RCW who is certified in addiction medicine or a licensed or certified mental health practitioner; and one member of the public who has received ~~((chemical dependency))~~ substance use disorder counseling.

(2) The secretary may remove any member of the committee for cause as specified by rule. In the case of a vacancy, the secretary shall appoint a person to serve for the remainder of the unexpired term.

(3) The committee shall meet at the times and places designated by the secretary and shall hold meetings during the year as necessary to provide advice to the director. The committee may elect a chair and a vice chair. A majority of the members currently serving shall constitute a quorum.

(4) Each member of the committee shall be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060. In addition, members of the committee shall be compensated in accordance with RCW 43.03.240 when engaged in the authorized business of the committee.

(5) The director of the ~~((department of social and health services division of alcohol and substance abuse or the director's))~~ health care authority, or his or her designee, shall serve as an ex officio member of the committee.

(6) The secretary, members of the committee, or individuals acting on their behalf are immune from suit in any action, civil or criminal, based on any certification or disciplinary proceedings or other official acts performed in the course of their duties.

NEW SECTION. Sec. 24. Section 5 of this act takes effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 25. Section 23 of this act takes effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Renumber the remaining sections consecutively, correct any internal

references accordingly, and correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (169) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Cody spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1340.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1340, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hudgins, Jenkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Lovick, Lytton, Macri, Manweller, McBride, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1388, by Representatives Cody, Rodne, Harris, Macri and Frame

Changing the designation of the state behavioral health authority from the department of social and health services to the health care authority and transferring the related powers, functions, and duties to the health care authority and the department of health.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1388 was substituted for House Bill No. 1388 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1388 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Macri, Harris and Rodne spoke in favor of the passage of the bill.

Representatives Schmick and Buys spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1388.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1388, and the bill passed the House by the following vote: Yeas, 73; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hargrove, Harris, Hayes, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Vick, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Dye, Griffey, Haler, Harmsworth, Holy, Irwin, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Nealey, Schmick, Shea, Stokesbary, Taylor, Van Werven, Volz, Wilcox and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1388, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1456, by Representatives Kloba, Springer, McBride, Goodman, Stanford, Slatter, Appleton, Ryu and Doglio

Concerning metropolitan park districts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1456 was substituted for House Bill No. 1456 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1456 was read the second time.

Representative Taylor moved the adoption of amendment (158):

On page 2, after line 39, insert the following:

"(c) No taxes may be levied by a metropolitan park district created under this section until after the election of the park commissioners for such district."

On page 5, after line 2, insert the following:

"(5) No taxes may be levied by a metropolitan park district formed subject to the limitations set forth in RCW 35.61.020(5) until after the election of the park commissioners for such district."

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Springer spoke against the adoption of the amendment.

Amendment (158) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1456.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1456, and the bill passed the House by the following vote: Yeas, 58; Nays, 40; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hayes, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin,

Muri, Orcutt, Pike, Schmick, Shea, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1456, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1508, by Representatives Stonier, Dolan, Ortiz-Self, Riccelli, Orwall, Peterson, Sawyer, Doglio, Gregerson, Slatter, Frame, Macri, Bergquist, Senn, Ryu, Kloba, Stanford, Sells, Farrell, Lovick, McBride, Pollet, Hudgins, Jinkins, Kagi, Appleton, Goodman, Tharinger, Clibborn, Ormsby, Cody, Santos, Fey and Pettigrew

Promoting student health and readiness through meal and nutrition programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1508 was substituted for House Bill No. 1508 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1508 was read the second time.

Representative Steele moved the adoption of amendment (173):

On page 1, beginning on line 11, after "that" strike all material through "that" on line 17

On page 2, at the beginning of line 1, strike "(4)" and insert "(3)"

On page 2, at the beginning of line 2, strike "12" and insert "10"

On page 2, beginning on line 8, after "states;" strike all material through "(c)" on line 12 and insert "and

(b) "

On page 6, beginning on line 19, strike all of section 8

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

On page 7, beginning on line 20, strike all of section 10

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

Correct the title.

Representatives Steele and Stonier spoke in favor of the adoption of the amendment.

Amendment (173) was adopted.

Representative Stokesbary moved the adoption of amendment (194):

On page 1, beginning on line 8, after "including" strike all material through "increased" on line 10 and insert "reductions in tardiness, absenteeism, suspensions, and reported illnesses and visits to nurses' offices. The legislature further finds that thoughtful and evidence-based school food programs are also associated with improved student results on standardized tests and improved"

On page 1, line 19, after "better" strike "understanding" and insert "understand"

On page 2, line 11, after "remains;" strike "and"

On page 2, line 15, after "projects" insert "; and

(d) Conduct an analysis of breakfast after the bell programs established in accordance with section 3 of this act"

On page 11, after line 27, insert the following:

"NEW SECTION. Sec. 12. A new section is added to chapter 28A.235 RCW to read as follows:

(1) The joint legislative audit and review committee shall conduct an analysis of breakfast after the bell programs established in schools in accordance with section 3 of this act. The analysis of the schools establishing breakfast after the bell programs shall include a review of any changes in student:

(a) Tardiness and absenteeism;

(b) Suspensions;

(c) Reported illnesses and visits to nurses' offices;

(d) Results on standardized tests; and

(e) Graduation rates.

(2) The analysis shall also include a review of the outcomes of similar programs or efforts in other states.

(3) The office of the superintendent of public instruction and the education and research data center of the office of financial management shall assist in providing any data required to conduct the analysis. The analysis, including any findings and recommendations, must be completed and submitted to the

superintendent of public instruction and, in accordance with RCW 43.01.036, the education committees of the house of representatives and the senate by December 1, 2025.

NEW SECTION. Sec. 13. Sections 3, 4, and 7 of this act expire June 30, 2027."

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

Correct the title.

Representatives Stokesbary and Stonier spoke in favor of the adoption of the amendment.

Amendment (194) was adopted.

Representative Stokesbary moved the adoption of amendment (204):

On page 4, line 24, after "programs." insert "The guidelines and procedures must also include recommendations and best practices for designing, implementing, and operating breakfast after the bell programs that are based upon the implementation and operational experiences of schools of differing sizes and in different geographic regions of the state that have implemented breakfast after the bell programs."

On page 5, beginning on line 7, strike all of section 5

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

Correct the title.

Representatives Stokesbary and Stonier spoke in favor of the adoption of the amendment.

Amendment (204) was adopted.

Representative Steele moved the adoption of amendment (205):

On page 10, beginning on line 24, strike all of subsections (1) and (2) and insert the following:

"(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction may coordinate with the department of agriculture to promote and facilitate new and existing regional markets programs, including farm-to-school initiatives established in accordance with RCW 15.64.060, and small farm direct marketing assistance in

accordance with RCW 15.64.050. In coordinating with the department of agriculture, the office of the superintendent of public instruction is encouraged to provide technical assistance, including outreach and best practices strategies, to school districts with farm-to-school initiatives.

(2) Subject to the availability of amounts appropriated for this specific purpose, the regional markets programs of the department of agriculture must be a centralized connection point for schools and other institutions for accessing and sharing information, tools, ideas, and best practices for purchasing Washington-grown food.

(a) In accordance with this subsection (2), program staff from the department of agriculture may provide:

(i) Scale-appropriate information and resources to farms to help them respond to the growing demand for local and direct marketed products; and

(ii) Targeted technical assistance to farmers, food businesses, and buyers, including schools, about business planning, access to markets, product development, distribution infrastructure, and sourcing, procuring, and promoting Washington-grown foods.

(b) In accordance with this subsection (2), program staff from the department of agriculture may provide technical assistance to:

(i) Support new and existing farm businesses;

(ii) Maintain the economic viability of farms;

(iii) Support compliance with applicable federal, state, and local requirements; and

(iv) Support access and preparation efforts for competing in markets that are a good fit for their scale and products, including schools and public institutions, and direct-to-consumer markets that include, but are not limited to, farmers' markets, local retailers, restaurants, value-added product developments, and agritourism opportunities.

(3) Subject to the availability of amounts appropriated for this specific purpose, the regional markets programs of the department of agriculture may support school districts in establishing or expanding farm-to-school initiatives by

providing information and guidance to overcome barriers to purchasing Washington-grown food. In accordance with this subsection (3), regional markets program activities may include, but are not limited to:

(a) Connecting schools and other institutions with farmers and distribution chains;

(b) Overcoming seasonality constraints;

(c) Providing budgeting assistance;

(d) Navigating procurement requirements; and

(e) Developing educational materials that can be used in cafeterias, classrooms, and in other educational environments.

(4) Subject to the availability of amounts appropriated for this specific purpose, school districts and other institutions may coordinate with the department of agriculture to promote and facilitate new and existing farm-to-school initiatives. School district representatives involved in these initiatives may include, but not limited to, school nutrition staff, purchasing staff, student representatives, and parent organizations."

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

Representatives Steele and Stonier spoke in favor of the adoption of the amendment.

Amendment (205) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stonier, Harris and Johnson spoke in favor of the passage of the bill.

Representative Hargrove spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1508.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1508, and the bill

passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dent, Hargrove, Klippert, McCaslin, Orcutt, Shea, Taylor and Vick.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1462, by Representatives Kloba, Condotta, Sawyer, Appleton and Ormsby

Adding authority to the department of agriculture to regulate sanitary processing of marijuana-infused edibles.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1462 was substituted for House Bill No. 1462 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1462 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1462.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1462, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1462, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1531, by Representatives Chapman, DeBolt, Blake, Koster, Orcutt, Tharinger, Kraft, Pettigrew, Smith, Dolan and Fitzgibbon

Concerning the forest riparian easement program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1531 was substituted for House Bill No. 1531 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1531 was read the second time.

Representative Chapman moved the adoption of amendment (186):

On page 7, beginning on line 6, after "(11)" strike all material through "strategy" on line 17, and insert: "The legislature finds that the overall societal benefits of economically viable working forests are multiple, and include the protection of clean, cold water, the provision of wildlife habitat, the sheltering of cultural resources from development, and the natural carbon storage potential of growing trees. As such, working forests and the forest riparian easement program may be part of the state's overall carbon sequestration strategy. If the state creates a climate strategy, the department must share information regarding the carbon sequestration benefits of the forest riparian easement program with other state programs using methods and protocols established in the state climate strategy that attempt to quantify carbon storage or account for carbon emissions. The department must promote the expansion of funding for the forest riparian easement program and the ecosystem services supported by the program based on the findings stated in RCW 76.13.100. Nothing

in this subsection allows a landowner to be reimbursed by the state more than once for the same forest riparian easement application"

Representatives Chapman and Buys spoke in favor of the adoption of the amendment.

Amendment (186) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chapman and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1531.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1531, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1531, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1558, by Representatives Kilduff, MacEwen, Sawyer, Hayes, Harris, Griffey, Ormsby, Riccelli, Bergquist, Dolan, Doglio, Lovick, Ryu, Goodman, Peterson, Fitzgibbon, Muri, Stanford and Fey

Authorizing membership in the Washington public safety employees' retirement system for employees who provide nursing care to, or ensure the custody and safety of, offender, probationary, and patient populations in institutions and centers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1558.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1558, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Manweller, McCaslin, Shea, Taylor and Vick.

HOUSE BILL NO. 1558, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1893, by Representatives Vick, Kirby, Dolan, Doglio, Haler and McDonald

Concerning the use of credit cards for purchases of spirits and wine by a purchaser licensed to sell spirits and/or wine for consumption on the licensed premises.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1893 was substituted for House Bill No. 1893 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1893 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1893.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1893, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1893, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1200, by Representatives McCabe, Goodman, Klippert, Orwall, Hayes, Johnson, Griffey, Caldier, Dye, Sells, McDonald, Kilduff and Smith

Concerning the crime of voyeurism.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1200 was substituted for House Bill No. 1200 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1200 was read the second time.

With the consent of the House, amendment (076) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCabe and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1200.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1200, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Klippert.

SUBSTITUTE HOUSE BILL NO. 1200, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Tarleton to preside.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4622, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, and Young

WHEREAS, Joint Base Lewis-McChord (JBLM) has a legacy of significance to the United States and to the world that brings honor and pride to the entire state of Washington; and

WHEREAS, Camp Lewis, as it was then known, began construction in May of 1917 under the direction of Captain David L. Stone; who, in less than 90 days, created one thousand seven hundred fifty-seven buildings as well as four hundred twenty-two other structures with light and heat,

exhibiting the "can do" spirit that inhabits the exploits of JBLM to this day; and

WHEREAS, In 1927, just to the north of Camp Lewis, Pierce County residents established an airfield of the highest quality; in 1939, that airfield was transferred to the United States Government and would later become McChord Field; and

WHEREAS, On February 1, 2010, Camp Lewis, later known as Fort Lewis, and McChord Field, later known as McChord Air Force Base, consolidated facilities and became Joint Base Lewis-McChord; and

WHEREAS, The first recruits to Camp Lewis became the "Ninety-First Division" or the "Wild West Division," which served in numerous battles in World War I, including the Meuse-Argonne offensive and the Battle of Flanders, and captured more than 2,200 German soldiers; and

WHEREAS, In 1940, McChord Field was the General Headquarters of the Air Force Northwest District; and

WHEREAS, With the outbreak of World War II, Colonel Dwight David Eisenhower, who later became President of the United States, was assigned to Fort Lewis as commander to the 15th Infantry Regiment and while there was promoted and placed in command of the entire pacific coast defense; and

WHEREAS, The first military group to arrive at McChord Field was the 17th Bombardment Group that patrolled the west coast for enemy submarines after the December 7, 1941, attack on Pearl Harbor; and

WHEREAS, Colonel James H. "Jimmy" Doolittle came to McChord and selected ten aircrew members to participate in the courageous 1942 Doolittle Raid on Tokyo, which was the first American strike against the homeland of imperial Japan after the attack on Pearl Harbor; and

WHEREAS, During World War II, Fort Lewis contributed and deployed many divisions that were essential to the war effort, and McChord Field continued to play a strategic, vital, and heroic role until the close of World War II; and

WHEREAS, Both institutions were essential for the war efforts that followed, including the Korean War, the Vietnam War, and the Cold War; and

WHEREAS, In 1972, Fort Lewis was given the task of making up a volunteer Army; for this, the 9th Infantry Division was reactivated and became the first volunteer division in the United States Army; and

WHEREAS, During the Reagan administration, Fort Lewis was selected to be the testing ground for molding the Army into a highly skilled, efficient fighting machine with lighter mobilized units capable of rapid deployment; and

WHEREAS, Fort Lewis and McChord played a strategic role in the First Gulf War; Operation Desert Storm; and, following the September 11, 2001, terror attacks, played

a key role in Operation Iraqi Freedom, Operation Enduring Freedom, and to homeland security; and

WHEREAS, In 2004, Task Force Olympia was activated to deploy units into Iraq, including reserves, National Guards, Marines, Australian officers, and several subordinate units including the 3rd Stryker Brigade Combat Team, 2nd Infantry Division and the 1st Brigade Combat Team, 25th Infantry Division; and

WHEREAS, McChord Field, individually and as a part of JBLM, has an honorable and lifesaving record of humanitarian relief; and

WHEREAS, JBLM represents thirty percent of the Pierce County economy; is its largest employer, and is the second largest employer in the state; and has a 6.1 billion dollar impact on our economy; and

WHEREAS, JBLM is among the largest and most important bases in the United States, and currently supports over one hundred twenty-five thousand military retirees and more than thirty-two thousand family members who live both on and off base and enjoy Washington as their home; and

WHEREAS, The remarkable deeds of the men and women who have served at JBLM are too numerous to recount, and many have never been told due to the full measure of sacrifice given to the cause of freedom; and

WHEREAS, The gratitude the world owes them for their role in securing liberty is beyond measure;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize the 100th anniversary of JBLM, which began in 1917 with land gifted for use as a permanent army post to the federal government by the citizens of Pierce County, which would in return give the United States and the world support and protection in our darkest hours so that we might live free.

There being no objection, HOUSE RESOLUTION NO. 4622 was adopted.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1047
 HOUSE BILL NO. 1109
 HOUSE BILL NO. 1155
 HOUSE BILL NO. 1237
 HOUSE BILL NO. 1305
 HOUSE BILL NO. 1333
 HOUSE BILL NO. 1394
 HOUSE BILL NO. 1402
 HOUSE BILL NO. 1406
 HOUSE BILL NO. 1413
 HOUSE BILL NO. 1426
 HOUSE BILL NO. 1439
 HOUSE BILL NO. 1477
 HOUSE BILL NO. 1482
 HOUSE BILL NO. 1499
 HOUSE BILL NO. 1530
 HOUSE BILL NO. 1578
 HOUSE BILL NO. 1603
 HOUSE BILL NO. 1624
 HOUSE BILL NO. 1630
 HOUSE BILL NO. 1707
 HOUSE BILL NO. 1714
 HOUSE BILL NO. 1722
 HOUSE BILL NO. 1743
 HOUSE BILL NO. 1789
 HOUSE BILL NO. 1851
 HOUSE BILL NO. 1906
 HOUSE BILL NO. 2095
 HOUSE BILL NO. 2121

There being no objection, the House adjourned until 9:00 a.m., March 3, 2017, the 54th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTY FOURTH DAY

House Chamber, Olympia, Friday, March 3, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

March 2, 2017

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Myriah Dittmar and Anna Johnson. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Aaragon Markwell, First Baptist Church, South Bend, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

March 2, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5042,
ENGROSSED SENATE BILL NO. 5234,
ENGROSSED SENATE BILL NO. 5266,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5281,
ENGROSSED SENATE BILL NO. 5629,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5671,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5751,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 2, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5068,
SENATE BILL NO. 5085,
SUBSTITUTE SENATE BILL NO. 5405,
SENATE BILL NO. 5849,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5013,
SUBSTITUTE SENATE BILL NO. 5064,
SENATE BILL NO. 5126,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5198,
SUBSTITUTE SENATE BILL NO. 5223,
SENATE BILL NO. 5413,
SUBSTITUTE SENATE BILL NO. 5438,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5449,
SUBSTITUTE SENATE BILL NO. 5500,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5628,
SENATE BILL NO. 5639,
SENATE JOINT MEMORIAL NO. 8009,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SSB 5012 by Senate Committee on Law & Justice
(originally sponsored by Senators Pedersen,
Padden, Frockt, Fain, Mullet and Kuderer)

AN ACT Relating to the distribution of a Washington trust's assets to another trust; and adding a new chapter to Title 11 RCW.

Referred to Committee on Judiciary.

SSB 5022 by Senate Committee on Ways & Means
(originally sponsored by Senators Bailey, Rolfes,
Liias, Keiser, Conway, Wellman, Hasegawa,
Mullet, Frockt and Kuderer)

AN ACT Relating to providing information to students about education loans; adding a new section to chapter 28B.10 RCW; and creating new sections.

Referred to Committee on Appropriations.

SB 5040 by Senators Pedersen and Padden

AN ACT Relating to making revisions to the uniform business organizations code; and amending RCW

23.95.235, 23.95.255, 23.95.530, 23B.01.570, and 25.05.500.

Referred to Committee on Judiciary.

ESB 5042 by Senators Angel, Hobbs and Wellman

AN ACT Relating to authorizing funeral planning and funeral services as noninsurance benefits under group life and disability insurance policies; and amending RCW 48.24.280 and 48.21.380.

Referred to Committee on Business & Financial Services.

SB 5068 by Senators Miloscia, Rivers, Schoesler, Honeyford and Padden

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections in cities, towns, code cities, and counties; amending RCW 35.18.020, 35.23.850, 35A.12.180, 36.32.050, and 36.32.0556; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

SB 5075 by Senators Takko and Warnick

AN ACT Relating to dispute resolution between seed buyers and dealers; amending RCW 15.49.071 and 15.49.091; and repealing RCW 15.49.081, 15.49.101, and 15.49.111.

Referred to Committee on Agriculture & Natural Resources.

SB 5080 by Senators Padden and Pedersen

AN ACT Relating to actions for damage to real property resulting from construction, alteration, or repair on adjacent property; adding a new section to chapter 4.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

SB 5085 by Senators Pedersen, Padden, Frockt and O'Ban

AN ACT Relating to enactment of the uniform voidable transactions act; amending RCW 19.40.011, 19.40.021, 19.40.031, 19.40.041, 19.40.051, 19.40.061, 19.40.071, 19.40.081, 19.40.091, and 19.40.900; adding new sections to chapter 19.40 RCW; and creating a new section.

Referred to Committee on Judiciary.

SSB 5099 by Senate Committee on Law & Justice (originally sponsored by Senators Bailey, Frockt, O'Ban, Pedersen, Darneille, Keiser and Kuderer)

AN ACT Relating to crimes against vulnerable persons; amending RCW 9A.42.020, 9A.42.030, 9A.42.035, 9A.56.010, 9A.04.080, 9A.56.030, 9A.56.040, and 74.34.020; reenacting and amending RCW 9.94A.411 and 9.94A.515; adding a new section to chapter 9A.56 RCW; and adding a new section to chapter 74.34 RCW.

Referred to Committee on Public Safety.

2SSB 5107 by Senate Committee on Ways & Means (originally sponsored by Senators Billig, Fain, Rolfes, Wellman, Walsh, Zeiger, Liias, Cleveland, Hunt, Conway, Saldaña, Kuderer and Mullet)

AN ACT Relating to creating a local pathway for local governments, school districts, institutions of higher education, and nonprofit organizations to provide more high quality early learning opportunities by reducing barriers and increasing efficiency; amending RCW 43.215.099, 43.215.410, and 43.215.195; adding a new section to chapter 43.215 RCW; and creating a new section.

Referred to Committee on Appropriations.

SB 5118 by Senators Rolfes, Bailey, Darneille, Billig, Keiser, Kuderer and Chase

AN ACT Relating to increasing the personal needs allowance for persons receiving state-financed care; adding a new section to chapter 74.09 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

SB 5119 by Senators Takko, Dangel, Sheldon, Angel, Chase, Palumbo and Wellman

AN ACT Relating to water-sewer districts; amending RCW 57.08.016 and 70.95A.020; adding a new section to chapter 57.20 RCW; and adding a new section to chapter 57.08 RCW.

Referred to Committee on Local Government.

ESB 5128 by Senators Takko, Rivers and Chase

AN ACT Relating to allowing incremental electricity produced as a result of certain capital investment projects to qualify as an eligible renewable resource under the energy independence act; and amending RCW 19.285.030 and 19.285.080.

Referred to Committee on Appropriations.

SB 5144 by Senators Angel, Mullet and Hobbs

AN ACT Relating to the Washington state credit union act; amending RCW 31.12.055, 31.12.065, 31.12.195, 31.12.246, 31.12.267, 31.12.326, 31.12.335, 31.12.386,

31.12.404, and 31.12.413; reenacting and amending RCW 31.12.005; and reenacting RCW 31.12.436.

Referred to Committee on Business & Financial Services.

SB 5164 by Senators Keiser, Fain, Rivers and Rolfes

AN ACT Relating to authorizing grocery store license endorsements allowing beer and wine tastings at certain grocery stores that specialize in the sale of meat, poultry, seafood, or cheese; and amending RCW 66.24.363.

Referred to Committee on Commerce & Gaming.

ESSB 5173 by Senate Committee on State Government (originally sponsored by Senators Chase, Miloscia, Hunt and Hobbs)

AN ACT Relating to loss prevention reviews by state agencies; and amending RCW 43.19.003, 43.19.782, and 43.19.783.

Referred to Committee on State Government, Elections & Information Technology.

SSB 5185 by Senate Committee on State Government (originally sponsored by Senators Wilson, Mullet and Palumbo)

AN ACT Relating to immunity from liability for professional or trade associations providing emergency response volunteers; and amending RCW 38.52.180.

Referred to Committee on Judiciary.

SB 5200 by Senators Becker, Warnick, Fain, Bailey, Brown, Hasegawa and Rolfes

AN ACT Relating to allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass; and amending RCW 79A.80.020.

Referred to Committee on Environment.

ESB 5234 by Senators Mullet, Palumbo, Rivers, Liias, Wilson and Kuderer

AN ACT Relating to a systemwide credit policy regarding AP exams; and adding a new section to chapter 28B.77 RCW.

Referred to Committee on Higher Education.

ESB 5266 by Senators O'Ban, Pedersen, Angel and Darneille

AN ACT Relating to theft of rental property; amending RCW 9A.56.096; and prescribing penalties.

Referred to Committee on Judiciary.

SB 5269 by Senators Warnick, Honeyford, Takko and Chase

AN ACT Relating to WAC 173-563-020(4) and 173-531A-060 regarding the processing of applications for Columbia river water right permits to clarify legislative intent to ensure that the rules can be implemented as written; and amending RCW 90.90.020.

Referred to Committee on Agriculture & Natural Resources.

SB 5274 by Senators Conway, Bailey, Schoesler and Hobbs

AN ACT Relating to defining salary for purposes of the Washington state patrol retirement system; and amending RCW 43.43.120.

Referred to Committee on Transportation.

ESSB 5281 by Senate Committee on Local Government (originally sponsored by Senators Angel, Fortunato, Takko, Fain, Sheldon and Hobbs)

AN ACT Relating to state board of health rules regarding on-site sewage systems; and amending RCW 43.20.050.

Referred to Committee on Environment.

2SSB 5285 by Senate Committee on Ways & Means (originally sponsored by Senators Wilson and Palumbo)

AN ACT Relating to conducting a workforce study of employment opportunities in the agriculture, environment, outdoor recreation, and natural resources economic sectors intended to provide educators with the information needed for informing students about employment opportunities in the studied fields; creating new sections; and providing an expiration date.

Referred to Committee on Appropriations.

ESSB 5293 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Darneille and Chase)

AN ACT Relating to court-based and school-based efforts to promote attendance and reduce truancy; amending RCW 28A.225.020, 28A.225.025, 28A.225.026, and 28A.225.090; and repealing RCW 28A.225.115.

Referred to Committee on Appropriations.

2SSB 5300 by Senate Committee on Ways & Means (originally sponsored by Senators Zeiger,

Wellman, Fain, Billig, Walsh, Nelson and Hasegawa)

AN ACT Relating to authorizing specified local governments to designate a portion of their territory as a creative district subject to certification by the Washington state arts commission; adding new sections to chapter 43.46 RCW; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SSB 5366 by Senate Committee on Transportation (originally sponsored by Senators Hobbs, King, Liias and Fortunato)

AN ACT Relating to the authorization of and deposit of moneys from department of transportation advertising activities; adding a new section to chapter 47.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SSB 5372 by Senate Committee on State Government (originally sponsored by Senators Becker, Rivers, Brown, Miloscia, O'Ban, Zeiger and Angel)

AN ACT Relating to state audit findings of noncompliance with state law; amending RCW 43.09.310; and adding a new section to chapter 43.09 RCW.

Referred to Committee on State Government, Elections & Information Technology.

SB 5375 by Senators Fain, Braun, Angel, Brown, Becker, O'Ban, Miloscia, Schoesler, Bailey, Sheldon, Warnick, King, Rivers, Fortunato, Rossi, Baumgartner, Wilson, Honeyford, Padden, Zeiger, Ranker, Darneille, Palumbo, Pedersen, Pearson, Frockt and Hasegawa

AN ACT Relating to renaming the cancer research endowment authority to the Andy Hill cancer research endowment; and amending RCW 43.348.010, 43.348.020, 43.348.030, 43.348.040, 43.348.050, 43.348.060, 43.348.070, and 43.348.080.

Referred to Committee on Health Care & Wellness.

SB 5376 by Senators Sheldon and Padden

AN ACT Relating to indigent defense; amending RCW 10.101.020 and 2.70.020; and reenacting and amending RCW 10.101.010.

Referred to Committee on Judiciary.

SB 5382 by Senators Liias, Hobbs, Walsh, King, Takko, Saldaña, Cleveland, Chase, Kuderer and Wellman

AN ACT Relating to the issuance of identicards at a reduced cost to applicants who are under the age of eighteen and without a permanent residence address; amending RCW 46.20.117 and 46.20.117; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SSB 5394 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Rivers, Takko, Hasegawa, Braun, Chase, Warnick, Honeyford, Rolfes and Zeiger)

AN ACT Relating to the forestry riparian easement program; and amending RCW 76.13.120.

Referred to Committee on Agriculture & Natural Resources.

SSB 5405 by Senate Committee on Ways & Means (originally sponsored by Senators Wilson, Fortunato and Zeiger)

AN ACT Relating to protection for occupants of national guard facilities; and adding a new section to chapter 38.40 RCW.

Referred to Committee on Appropriations.

SSB 5453 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford and Frockt)

AN ACT Relating to school construction assistance grants for small, rural school districts; and adding a new section to chapter 28A.525 RCW.

Referred to Committee on Capital Budget.

SB 5454 by Senator Frockt

AN ACT Relating to allowing fire protection district annexations and mergers within a reasonable geographic proximity and eliminating cross-county restrictions for annexations to a fire protection district; and amending RCW 52.04.061, 52.04.071, 52.04.081, 52.04.091, 52.04.101, 52.04.111, 52.04.121, 52.04.131, 52.04.171, and 52.06.010.

Referred to Committee on Local Government.

ESSB 5470 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Brown, Hobbs, Rivers, Becker, Takko, Ericksen, Honeyford and Schoesler)

AN ACT Relating to advancing the development of renewable energy by improving the permitting process for geothermal resources exploration; and amending RCW 78.60.010, 78.60.070, and 78.60.120.

Referred to Committee on Environment.

2SSB 5474 by Senate Committee on Ways & Means
(originally sponsored by Senator Pearson)

AN ACT Relating to initiating proactive steps to address elk hoof disease; amending RCW 77.12.047; adding a new section to chapter 77.12 RCW; and creating new sections.

Referred to Committee on Appropriations.

SSB 5481 by Senate Committee on Health Care
(originally sponsored by Senators Cleveland, Rivers, Becker, Kuderer, Keiser, Carlyle and Saldaña)

AN ACT Relating to breast cancer; and adding a new section to chapter 70.01 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5508 by Senate Committee on Transportation
(originally sponsored by Senators Hawkins, Lias, Fortunato, O'Ban, Saldaña, King, Sheldon and Hobbs)

AN ACT Relating to two-year registration periods for certain vehicles and vessels while maintaining existing annual registration fee amounts; amending RCW 46.16A.010, 46.16A.020, 46.16A.110, 46.16A.180, 46.17.005, 46.17.015, 46.17.025, 46.17.040, 46.17.210, 46.17.305, 46.17.323, 46.17.350, 46.17.355, 46.17.365, 46.17.375, 46.68.030, 82.44.060, 82.50.460, 82.80.140, 88.02.560, and 82.49.010; reenacting and amending RCW 46.17.220, 88.02.310, 88.02.640, and 88.02.640; adding a new section to chapter 46.16A RCW; adding a new section to chapter 88.02 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Transportation.

SSB 5514 by Senate Committee on Health Care
(originally sponsored by Senators Rivers, Cleveland and Keiser)

AN ACT Relating to rapid health information network data reporting; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health Care & Wellness.

2SSB 5540 by Senate Committee on Ways & Means
(originally sponsored by Senators Walsh, Darneille, Rivers, Braun and Keiser)

AN ACT Relating to an oral health pilot program for adults with diabetes and pregnant women; adding a new section to chapter 74.09 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Appropriations.

2SSB 5546 by Senate Committee on Ways & Means
(originally sponsored by Senators Hawkins, McCoy, Fortunato, Pearson, Braun, Sheldon, Rivers and O'Ban)

AN ACT Relating to proactively addressing wildfire risk by creating a forest health treatment assessment; adding a new section to chapter 76.06 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Appropriations.

SB 5615 by Senators Sheldon, Padden, Fortunato, Hobbs, Warnick and Wilson

AN ACT Relating to the development of new manufactured housing communities outside of urban growth areas under the growth management act; amending RCW 36.70A.350; and creating a new section.

Referred to Committee on Environment.

ESB 5629 by Senators Angel and Hobbs

AN ACT Relating to creating and establishing the rights and duties for title insurance rating and advisory organizations; amending RCW 48.29.010, 48.29.147, and 48.29.017; adding new sections to chapter 48.29 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

SSB 5644 by Senate Committee on Ways & Means
(originally sponsored by Senator Honeyford)

AN ACT Relating to skill center facility maintenance; and adding a new section to chapter 28A.245 RCW.

Referred to Committee on Capital Budget.

ESSB 5671 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Fortunato, Sheldon, Rivers and Wilson)

AN ACT Relating to simplifying the process for bona fide charitable and nonprofit organization to engage in activities and social pastimes, and raise funds for their authorized purposes; amending RCW 9.46.0209, 9.46.0321, 9.46.0323, and 9.46.070; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Commerce & Gaming.

SSB 5705 by Senate Committee on Ways & Means
(originally sponsored by Senators Becker, O'Ban, Rivers, Bailey, Miloscia, Schoesler, Warnick, Brown, Zeiger and Honeyford)

AN ACT Relating to inspection and review of state contracted behavioral health and recovery agencies; amending RCW 43.20A.894; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5725 by Senate Committee on Local Government (originally sponsored by Senators Hasegawa and Chase)

AN ACT Relating to local government responsibility and accountability in mitigating impacts of public facilities on certain surrounding neighborhoods with high poverty and concentrations of persons of color; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

ESSB 5751 by Senate Committee on Health Care (originally sponsored by Senator Schoesler)

AN ACT Relating to personnel requirements for municipal ambulance services; and amending RCW 18.73.150.

Referred to Committee on Health Care & Wellness.

SSB 5779 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Brown and O'Ban)

AN ACT Relating to behavioral health integration in primary care; amending RCW 74.09.010 and 70.320.020; adding new sections to chapter 74.09 RCW; creating new sections; and repealing RCW 18.205.040.

Referred to Committee on Appropriations.

SSB 5783 by Senate Committee on Ways & Means (originally sponsored by Senators Sheldon, Fain, Liias, Pearson and Becker)

AN ACT Relating to exempting multipurpose senior citizen centers from property taxation; adding a new section to chapter 84.36 RCW; and creating a new section.

Referred to Committee on Finance.

SB 5849 by Senators Angel, Bailey, Rolfes, Braun, Brown, Sheldon, Pearson, Becker, Fortunato, Wilson, Palumbo, O'Ban, Warnick and Conway

AN ACT Relating to veterans' services; amending RCW 43.60A.100; adding a new section to chapter 43.41 RCW; and creating new sections.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 1, 2017

HB 1904 Prime Sponsor, Representative Smith: Concerning the sale and taxation of Washingtonians' personal information and related data. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Santos; Slatter and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Steele.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Passed to Committee on Finance.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1060, by Representatives Blake, J. Walsh, Appleton and Chapman

Concerning the administration of marijuana to students for medical purposes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1060 was substituted for House Bill No. 1060 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1060 was read the second time.

Representative Klippert moved the adoption of amendment (199):

On page 1, beginning on line 6, strike all of sections 1 and 2 and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that, as a schedule I controlled substance, health care providers with prescriptive authority may not prescribe and pharmacists may not dispense marijuana and marijuana products. There are, however, other pharmaceutical products that have many of the same properties and benefits as marijuana, such as those made with dronabinol, that may be prescribed and dispensed by licensed health care providers. The legislature finds that these medications should be available to students with a proper prescription in the same manner and according to the same policies governing the administration of other medications at school."

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

On page 3, after line 38, insert the following:

"(9) The use of marijuana in a form that is classified as a schedule I controlled substance on a school bus, on school grounds, or at a school-sponsored event is prohibited. Nothing in this chapter prohibits cannabinoids that are approved by the United States food and drug administration, prescribed by a licensed health care provider with prescriptive authority, and dispensed by a pharmacist licensed under chapter 18.64 RCW, from being administered to a student on a school bus, on school grounds, or at a school-sponsored event."

On page 4, beginning on line 1, strike all of section 4

Correct the title.

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Cody spoke against the adoption of the amendment.

Amendment (199) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Blake and Schmick spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Chandler was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1060.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1060, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Blake, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kirby, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCaslin, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Buys, Calder, Dent, Dye, Griffey, Hayes, Jenkin, Kilduff, Klippert, Kraft, MacEwen, McCabe, McDonald, Morris, Pike, Rodne, Santos and Smith.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1060, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1060.

Representative Lytton, 40 District

SECOND READING

HOUSE BILL NO. 1427, by Representatives Cody, Jinkins, Peterson and Pollet

Concerning opioid treatment programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1427 was substituted for House Bill No. 1427 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1427 was read the second time.

With the consent of the House, amendments (170), (189), (64), (190) and (59) were withdrawn.

Representative Stokesbary moved the adoption of amendment (195):

On page 1, after line 3, insert the following:

"Sec. 1. RCW 70.05.010 and 1993 c 492 s 234 are each amended to read as follows:

For the purposes of chapters 70.05 and 70.46 RCW and unless the context thereof clearly indicates to the contrary:

(1) "Local health departments" means the county or district which provides public health services to persons within the area.

(2) "Local health officer" means the legally qualified physician who has been appointed as the health officer for the county or district public health department.

(3) "Local board of health" means the county or district board of health.

(4) "Health district" means all the territory consisting of one or more counties organized pursuant to the provisions of chapters 70.05 and 70.46 RCW.

(5) "Department" means the department of health.

(6) "Safe injection site" means any building, structure, site, facility, or program, including but not limited to safe consumption, safe injection, or needle exchange programs, with a function of providing a space or area for either use or consumption, or both, of federally controlled substances and prohibited by section 5 of this act.

Sec. 2. RCW 70.05.060 and 1991 c 3 s 308 are each amended to read as follows:

Except as provided for in section 5 of this act, each local board of health shall have supervision over all matters pertaining to the preservation of the life and health of the people within its jurisdiction and shall:

(1) Enforce through the local health officer or the administrative officer appointed under RCW 70.05.040, if any, the public health statutes of the state and rules promulgated by the state board of health and the secretary of health;

(2) Supervise the maintenance of all health and sanitary measures for the protection of the public health within its jurisdiction;

(3) Enact such local rules and regulations as are necessary in order to preserve, promote and improve the public health and provide for the enforcement thereof;

(4) Provide for the control and prevention of any dangerous, contagious or infectious disease within the jurisdiction of the local health department;

(5) Provide for the prevention, control and abatement of nuisances detrimental to the public health;

(6) Make such reports to the state board of health through the local health officer or the administrative officer as the state board of health may require; and

(7) Establish fee schedules for issuing or renewing licenses or permits or for such other services as are authorized by the law and the rules of the state board of health: PROVIDED, That such fees for services shall not exceed the actual cost of providing any such services.

Sec. 3. RCW 70.05.070 and 2013 c 200 s 26 are each amended to read as follows:

Except as provided for in section 5 of this act, the local health officer, acting under the direction of the local board of health or under direction of the administrative officer appointed under RCW 70.05.040 or 70.05.035, if any, shall:

(1) Enforce the public health statutes of the state, rules of the state board of health and the secretary of health, and all local health rules, regulations and ordinances within his or her jurisdiction including imposition of penalties authorized under RCW 70.119A.030 and 70.118.130, the confidentiality provisions in RCW 70.02.220 and rules adopted to implement those provisions, and filing of actions authorized by RCW 43.70.190;

(2) Take such action as is necessary to maintain health and sanitation supervision over the territory within his or her jurisdiction;

(3) Control and prevent the spread of any dangerous, contagious or infectious diseases that may occur within his or her jurisdiction;

(4) Inform the public as to the causes, nature, and prevention of disease and disability and the preservation, promotion and improvement of health within his or her jurisdiction;

(5) Prevent, control or abate nuisances which are detrimental to the public health;

(6) Attend all conferences called by the secretary of health or his or her authorized representative;

(7) Collect such fees as are established by the state board of health or the local board of health for the issuance or renewal of licenses or permits or such other fees as may be authorized by law or by the rules of the state board of health;

(8) Inspect, as necessary, expansion or modification of existing public water systems, and the construction of new public water systems, to assure that the expansion, modification, or construction conforms to system design and plans;

(9) Take such measures as he or she deems necessary in order to promote the public health, to participate in the establishment of health educational or training activities, and to authorize the attendance of employees of the local health department or individuals engaged in community health programs related to or part of the programs of the local health department.

NEW SECTION. **Sec. 4.** A new section is added to chapter 70.05 RCW to read as follows:

(1) The state of Washington fully occupies and preempts the entire field of safe injection site regulation within the boundaries of the state, including the registration, licensing, possession, purchase, sale, acquisition, transfer, use, authorization, or any other element relating to safe injection sites. Cities, towns, and counties or other municipalities may only enact laws and ordinances relating to safe injection sites that are specifically authorized by state law and are consistent with this chapter. Such local ordinances have the same penalty as provided for by state law. Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law may not be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of the enacting city, town, county, or municipality.

(2) Each local health board must provide annual certification to the legislature and state board of health that no private or public safe injection

sites are operating in its local health department jurisdiction.

Sec. 5. RCW 70.05.130 and 1993 c 492 s 242 are each amended to read as follows:

All expenses incurred by the state, health district, or county in carrying out the provisions of chapters 70.05 and 70.46 RCW or any other public health law, or the rules of the department of health enacted under such laws, shall be paid by the county and such expenses shall constitute a claim against the general fund as provided in this section. Any expenditure made related to safe injection sites voids any claim made against the general fund and will result in the denial of all funding claims until the state, health district, or county is able to certify and report to the state board of health and legislature that there are no safe injection sites operating within its jurisdiction."

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

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (195) to Substitute House Bill No. 1427.

SPEAKER'S RULING

Mr. Speaker: *"The title of House Bill 1427 is an act 'relating to opioid treatment programs.' The bill modifies the standards for certifying and siting opioid treatment programs. The proposed amendment relates to safe injection sites, which are not treatment programs.*

The Speaker finds and rules that the amendment is beyond the scope of the bill as defined by its title. Your point of order is well taken."

Representative Cody moved the adoption of amendment (219):

Beginning on page 3, line 17, strike all of section 3 and insert the following:

"Sec. 3. RCW 71.24.590 and 2001 c 242 s 2 are each amended to read as follows:

(1) (~~For purposes of this section, "area" means the county in which an applicant proposes to locate a certified program and counties adjacent, or near to, the county in which the program is proposed to be located.~~)

When making a decision on an application for certification of a program, the department shall:

(a) Consult with the county legislative authorities in the area in which an applicant proposes to locate a program and the city legislative authority in any city in which an applicant proposes to locate a program;

(b) Certify only programs that will be sited in accordance with the appropriate county or city land use ordinances. Counties and cities may require conditional ~~((or special))~~ use permits with reasonable conditions for the siting of programs. Pursuant to RCW 36.70A.200, no local comprehensive plan or development regulation may preclude the siting of essential public facilities;

(c) Not discriminate in its certification decision on the basis of the corporate structure of the applicant;

(d) Consider the size of the population in need of treatment in the area in which the program would be located and certify only applicants whose programs meet the necessary treatment needs of that population;

~~((e))~~ ~~((Demonstrate a need in the community for opiate substitution treatment and not certify more program slots than justified by the need in that community. No program shall exceed three hundred fifty participants unless specifically authorized by the county in which the program is certified,~~

~~((f))~~ Consider the availability of other certified opioid treatment programs near the area in which the applicant proposes to locate the program;

~~((g))~~ (f) Consider the transportation systems that would provide service to the program and whether the systems will provide reasonable opportunities to access the program for persons in need of treatment;

~~((h))~~ (g) Consider whether the applicant has, or has demonstrated in the past, the capability to provide the appropriate services to assist the persons who utilize the program in meeting goals established by the legislature, including ~~((abstinence from opiates and opiate substitutes,))~~ obtaining ~~((mental))~~ behavioral health treatment services, improving economic independence, and reducing adverse consequences associated with illegal use

of controlled substances. The department shall prioritize certification to applicants who have demonstrated such capability;

~~((i))~~ (h) Hold ~~((at least))~~ one public hearing in the ~~((county))~~ community in which the facility is proposed to be located ~~((and one hearing in the area in which the facility is proposed to be located))~~. The hearing shall be held at a time and location that are most likely to permit the largest number of interested persons to attend and present testimony. The department shall notify all appropriate media outlets of the time, date, and location of the hearing at least three weeks in advance of the hearing.

(2) A county may impose a maximum capacity for a program of not less than three hundred fifty participants if necessary to address specific local conditions cited by the county.

(3) A program applying for certification from the department and a program applying for a contract from a state agency that has been denied the certification or contract shall be provided with a written notice specifying the rationale and reasons for the denial.

~~((3))~~ (4) For the purpose of this chapter, ~~((opiate substitution))~~ opioid treatment program means:

(a) Dispensing ~~((an opiate substitution drug))~~ a medication approved by the federal drug administration for the treatment of ~~((opiate addiction))~~ opioid use disorder; and

(b) Providing a comprehensive range of medical and rehabilitative services."

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

"**Sec. 4.** RCW 71.24.590 and 2001 c 242 s 2 are each amended to read as follows:

(1) ~~((For purposes of this section, "area" means the county in which an applicant proposes to locate a certified program and counties adjacent, or near to, the county in which the program is proposed to be located.))~~

When making a decision on an application for licensing or certification of a program, the department shall:

(a) Consult with the county legislative authorities in the area in

which an applicant proposes to locate a program and the city legislative authority in any city in which an applicant proposes to locate a program;

(b) License or certify only programs that will be sited in accordance with the appropriate county or city land use ordinances. Counties and cities may require conditional ~~((or special))~~ use permits with reasonable conditions for the siting of programs. Pursuant to RCW 36.70A.200, no local comprehensive plan or development regulation may preclude the siting of essential public facilities;

(c) Not discriminate in its licensing or certification decision on the basis of the corporate structure of the applicant;

(d) Consider the size of the population in need of treatment in the area in which the program would be located and license or certify only applicants whose programs meet the necessary treatment needs of that population;

~~((e))~~ ~~((Demonstrate a need in the community for opiate substitution treatment and not certify more program slots than justified by the need in that community. No program shall exceed three hundred fifty participants unless specifically authorized by the county in which the program is certified;~~

~~((f))~~ Consider the availability of other licensed or certified opioid treatment programs near the area in which the applicant proposes to locate the program;

~~((g))~~ (f) Consider the transportation systems that would provide service to the program and whether the systems will provide reasonable opportunities to access the program for persons in need of treatment;

~~((h))~~ (g) Consider whether the applicant has, or has demonstrated in the past, the capability to provide the appropriate services to assist the persons who utilize the program in meeting goals established by the legislature, including ~~((abstinence from opiates and opiate substitutes,))~~ obtaining ~~((mental))~~ behavioral health treatment services, improving economic independence, and reducing adverse consequences associated with illegal use of controlled substances. The department shall prioritize licensing or

certification to applicants who have demonstrated such capability;

~~((i))~~ (h) Hold ~~((at least))~~ one public hearing in the ~~((county))~~ community in which the facility is proposed to be located ~~((and one hearing in the area in which the facility is proposed to be located))~~. The hearing shall be held at a time and location that are most likely to permit the largest number of interested persons to attend and present testimony. The department shall notify all appropriate media outlets of the time, date, and location of the hearing at least three weeks in advance of the hearing.

(2) A county may impose a maximum capacity for a program of not less than three hundred fifty participants if necessary to address specific local conditions cited by the county.

(3) A program applying for licensing or certification from the department and a program applying for a contract from a state agency that has been denied the licensing or certification or contract shall be provided with a written notice specifying the rationale and reasons for the denial.

~~((3))~~ (4) For the purpose of this chapter, ~~((opiate substitution))~~ opioid treatment program means:

(a) Dispensing ~~((an opiate substitution drug))~~ a medication approved by the federal drug administration for the treatment of ~~((opiate addiction))~~ opioid use disorder; and

(b) Providing a comprehensive range of medical and rehabilitative services."

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

On page 6, after line 2, insert the following:

"Sec. 5. RCW 71.24.595 and 2003 c 207 s 6 are each amended to read as follows:

(1) The department, in consultation with ~~((opiate substitution))~~ opioid treatment program service providers and counties and cities, shall establish statewide treatment standards for licensed or certified ~~((opiate substitution))~~ opioid treatment programs. The department shall enforce these treatment standards. The treatment standards shall include, but not be

limited to, reasonable provisions for all appropriate and necessary medical procedures, counseling requirements, urinalysis, and other suitable tests as needed to ensure compliance with this chapter.

(2) The department, in consultation with ~~((opiate substitution))~~ opioid treatment programs and counties, shall establish statewide operating standards for certified ~~((opiate substitution))~~ opioid treatment programs. The department shall enforce these operating standards. The operating standards shall include, but not be limited to, reasonable provisions necessary to enable the department and counties to monitor certified ~~((and))~~ or licensed ~~((opiate substitution))~~ opioid treatment programs for compliance with this chapter and the treatment standards authorized by this chapter and to minimize the impact of the ~~((opiate substitution))~~ opioid treatment programs upon the business and residential neighborhoods in which the program is located.

~~(3) ((The department shall establish criteria for evaluating the compliance of opiate substitution treatment programs with the goals and standards established under this chapter. As a condition of certification, opiate substitution programs shall submit an annual report to the department and county legislative authority, including data as specified by the department necessary for outcome analysis. The department shall analyze and evaluate the data submitted by each treatment program and take corrective action where necessary to ensure compliance with the goals and standards enumerated under this chapter))~~ Opioid treatment programs are subject to the oversight required for other substance use disorder treatment programs, as described in this chapter.

NEW SECTION. Sec. 6. Sections 3 and 5 of this act take effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 7. Sections 4 and 6 of this act take effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or

substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (219) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

Representatives Irwin and Stokesbary spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1427.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1427, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, Haler, Irwin, Klippert, Kretz, Maycumber, McCaslin, Orcutt, Rodne, Shea, Smith, Stokesbary, Taylor, Volz and Young.

Excused: Representative Chandler.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1772, by Representatives Appleton, Johnson, Tharinger, Jinkins, Harris, Goodman and Santos

Increasing the personal needs allowance for persons receiving state-financed care.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1772.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1772, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Chandler.

HOUSE BILL NO. 1772, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1402, by Representatives Jinkins, Griffey, Rodne, Goodman, Muri, Kilduff, Orwall, Haler, Kirby, Hansen, Frame, Johnson, Appleton, Ortiz-Self and Cody

Concerning the rights and obligations associated with incapacitated persons and other vulnerable adults.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1402 was substituted for House Bill No. 1402 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1402 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins, Griffey and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1402.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1402, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

SECOND SUBSTITUTE HOUSE BILL NO. 1402, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1413, by Representatives Cody, Schmick, Macri, Harris, Jinkins, Appleton and Springer

Specifying to whom information and records related to mental health services may be disclosed for the purposes of care coordination and treatment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1413 was substituted for House Bill No. 1413 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1413 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1413.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1413, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Smith, Taylor and J. Walsh.
Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1413, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1477, by Representatives Kilduff, Muri, Lytton, Stambaugh, Orwall, McDonald, Robinson, Lovick, Goodman, Sells, Appleton and Fey

Concerning disclosure of health-related information with persons with a close relationship with a patient.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1477 was substituted for House Bill No. 1477 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1477 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Schmick spoke in favor of the passage of the bill.

Representative Maycumber spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1477.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1477, and the bill passed the House by the following vote: Yeas, 69; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hargrove, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Griffey, Haler, Harmsworth, Harris, Hayes, Holy, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, Nealey, Orcutt, Shea, Smith, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1477, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1520, by Representatives Tharinger, Short, Cody, Schmick and Springer

Allowing alternative payment methodologies for critical access hospitals participating in the Washington rural health access preservation pilot.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1520 was substituted for House Bill No. 1520 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1520 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger, Schmick and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1520.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1520, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody,

DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta and Steele.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1520, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1439, by Representatives Pollet, Haler, Tarleton, Fey, Sells, Orwall, Ryu, Stanford and Dolan

Regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business practices.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1439 was substituted for House Bill No. 1439 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1439 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet, Holy and Tarleton spoke in favor of the passage of the bill.

Representatives Stambaugh and DeBolt spoke against the passage of the bill.

There being no objection, the House deferred action on SECOND SUBSTITUTE HOUSE BILL NO. 1439, and the bill held its place on the third reading calendar.

HOUSE BILL NO. 1499, by Representatives Pollet, Ryu, Sells, Lovick, Bergquist and Stanford

Creating protections and fairness for students in the student loan disbursement process.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1499.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1499, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representative Chandler.

HOUSE BILL NO. 1499, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2009, by Representatives Reeves, Stonier, Riccelli, Peterson, Doglio, Jinkins, Kilduff, Lovick, Tarleton, McBride, Ormsby, Stanford, Orwall, Muri, Slatter, Ryu and Fey

Providing higher education support for gold star families.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2009 was substituted for House Bill No. 2009 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2009 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell, Pollet, Holy and Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2009.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2009, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

SECOND SUBSTITUTE HOUSE BILL NO. 2009, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1530, by Representatives Gregerson, Morris and Appleton

Grandfathering the accrual of vacation leave above the statutory maximum for certain employees of the Washington state ferries.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Gregerson spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1530.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1530, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Condotta, Dent, Dye, Manweller, Schmick, Taylor and Wilcox.

Excused: Representative Chandler.

HOUSE BILL NO. 1530, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1624, by Representatives Senn, Dent, Kagi, Lytton, Farrell, Pettigrew, Hudgins, Goodman, Frame and Slatter

Concerning working connections child care eligibility for vulnerable children.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1624 was substituted for House Bill No. 1624 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1624 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1624.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1624, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe,

McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Holy, Jenkin, Kraft, Manweller, Nealey, Pike, Schmick, Shea, Taylor, Van Werven, Vick, J. Walsh and Young.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1624, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1630, by Representatives Slatter, McDonald, Senn, Dent, Kilduff, McBride, Frame, Jinkins, Kloba, Santos, Appleton, Muri, Fey, Doglio, Stanford and Kagi

Allowing minors to consent to share their personally identifying information in the Washington homeless client management information system.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Slatter, Dent, DeBolt, Kretz and J. Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1630.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1630, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Chandler.

HOUSE BILL NO. 1630, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1755, by Representative Manweller

Requiring notice to state fund employers for certain workers' compensation third-party settlements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1755 was substituted for House Bill No. 1755 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1755 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Manweller and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1755.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1755, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1755, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1867, by Representatives Fey, Stambaugh, Senn, Kagi, Kilduff, Appleton, Graves, Hudgins, Orwall, Ryu, Sells, Stanford, Robinson,

McDonald, Ortiz-Self, Doglio, Slatter, Tharinger and Ormsby**Improving transitions in extended foster care to increase housing stability for foster youth.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1867 was substituted for House Bill No. 1867 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1867 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and McDonald spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1867.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1867, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Manweller and Taylor.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1867, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1820, by Representatives Volz, Tharinger, Senn, McCaslin, Koster, Haler, Shea, Irwin and Holy

Concerning the maintenance and operations of parks and recreational land acquired through the conservation futures program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1820 was substituted for House Bill No. 1820 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1820 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Volz, Lytton, Manweller, Caldier and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1820.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1820, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1820, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Holy congratulated Representative Volz on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 2121, by Representatives Pettigrew, Tarleton and Macri

Repealing income eligibility for temporary assistance for needy families benefits for a child who lives with a nonparent caregiver.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2121 was substituted for House Bill No. 2121 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2121 was read the second time.

Representative Caldier moved the adoption of amendment (224):

On page 1, beginning on line 6, strike all of section 1 and insert the following:

"**Sec. 1.** RCW 74.12.037 and 2014 c 75 s 1 are each amended to read as follows:

(1) The department shall adopt rules establishing income eligibility for temporary assistance for needy families benefits for a child, other than a foster child, who lives with a caregiver other than his or her parents. The department shall establish a sliding scale benefit standard for a child when the income of the child's caregiver is above two hundred percent but below (~~three~~) four hundred percent of the federal poverty level based on family size. A caregiver with an income above (~~three~~) four hundred percent of the federal poverty level shall not be eligible for temporary assistance for needy families benefits for a child, not a foster child, who is residing with that caregiver.

(2)(a) For purposes of this section, the department may, by rule, exempt fifty percent of a caregiver's unearned income in determining eligibility and benefit standards. This is in addition to other exemptions authorized by law.

(b) For purposes of this subsection, "unearned income" means income received from a source other than employment or self-employment."

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

Correct the title.

Representatives Caldier and Tarleton spoke in favor of the adoption of the amendment.

Amendment (224) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli, Kagi, Caldier and Pettigrew spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2121.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2121, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, Hargrove, Holy, Klippert, Manweller, McCaslin, Orcutt, Schmick, Shea, Taylor, Vick and Volz.

Excused: Representative Chandler.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2121, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1237, by Representatives Sells, Haler, Pollet, Appleton, Bergquist, Cody, Farrell, Riccelli, Lovick, Johnson, Ormsby, Springer, Gregerson, Ryu, Wylie, Sawyer, Santos, Senn, Goodman, Fey and Stanford

Modifying collective bargaining law to authorize providing additional compensation to academic employees at community and technical colleges.

The bill was read the second time.

Representative Manweller moved the adoption of amendment (222):

On page 1, at the beginning of line 8, insert "(1)"

On page 1, at the beginning of line 17, insert the following:

"(2) The written agreement acted upon by a board of trustees must be submitted to the director of the office of financial management by October 1 prior to the fiscal year in which the provisions of the agreement go into effect."

Representatives Manweller and Sells spoke in favor of the adoption of the amendment.

Amendment (222) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1237.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1237, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Dent, Dye, Hargrove, Harmsworth, Harris, Holy, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Taylor, Van Werven, Vick, Volz and J. Walsh.

Excused: Representative Chandler.

ENGROSSED HOUSE BILL NO. 1237, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1722, by Representatives Kirby and Vick)

Eliminating wholesale vehicle dealer licensing.

The bill was read the second time.

With the consent of the House, amendment (032) was withdrawn.

Representative J. Walsh moved the adoption of amendment (226):

On page 9, after line 39, insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 46.70 RCW to read as follows:

(1) (a) The department shall issue a license to a person, firm, association, corporation, or trust to act as a retail vehicle dealer, as defined in RCW 46.70.011, if the person, firm, association, corporation, or trust meets the requirements of this section.

(b) This section is an alternative to the license application process and requirements that otherwise apply to applicants for a motor vehicle dealer license under this chapter, and is available only for applicants that meet the requirements of this section.

(2) To be eligible for a license as a retail vehicle dealer under this section, a person, firm, association, corporation, or trust must:

(a) Have been licensed as a wholesale vehicle dealer by the department for at least five years preceding the effective date of this section;

(b) Have maintained a physical presence in this state for the entire five-year period in (a) of this subsection; and

(c) Have purchased and sold a majority of the vehicles that the person, firm, association, corporation, or trust has purchased and sold within the five-year period in (a) of this subsection from and to other Washington licensed vehicle dealers.

(3) To be eligible for a license under this section, a person, firm, association, corporation, or trust must:

(a) Submit an application to the department in accordance with RCW 46.70.031; and

(b) Meet the qualifications for a motor vehicle dealer license under this chapter, except that the applicant is not required to be open during normal business hours as otherwise required under RCW 46.70.023(9).

(4) (a) A license issued under this section is subject to all requirements of this chapter that apply to motor vehicle dealers, except as otherwise provided in this section.

(b) The fee for a retail vehicle dealer license issued under this section is the amount of the license renewal fee in RCW 46.70.061(2).

(c) A license issued pursuant to this section may not become effective before July 1, 2019.

(5) As used in this section, "wholesale vehicle dealer" means a vehicle dealer who buys vehicles from or sells vehicles to other Washington licensed vehicle dealers."

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

On page 10, after line 6, insert the following:

"NEW SECTION. **Sec. 9.** Section 7 of this act takes effect March 1, 2019."

Correct the title.

Representative J. Walsh spoke in favor of the adoption of the amendment.

Representative Kirby spoke against the adoption of the amendment.

Amendment (226) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Kirby spoke in favor of the passage of the bill.

Representative Vick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1722.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1722, and the bill passed the House by the following vote:Yeas, 71; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Graves, Hayes, Holy, Irwin, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin,

Nealey, Pike, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Wilcox.

Excused: Representative Chandler.

HOUSE BILL NO. 1722, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1426, by Representatives Robinson, Harris, Cody, Caldier, Rodne, Slatter, Jinkins, Peterson, Kilduff and Kagi

Concerning persons and entities to whom the department of health may provide prescription monitoring program data.

The bill was read the second time.

There being no objection Second Substitute House Bill No. 1426 was substituted for House Bill No. 1426 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1426 was read the second time.

With the consent of the House, amendment (153) was withdrawn.

Representative Taylor moved the adoption of amendment (212):

On page 2, beginning on line 8, after "(d)" strike all material through "(e)" on line 12 and insert "((Appropriate law enforcement or prosecutorial officials, including local, state, and federal officials and officials of federally recognized tribes, who are engaged in a bona fide specific investigation involving a designated person;

(e)))"

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

Representative Taylor and Taylor (again) spoke in favor of the adoption of the amendment.

Representative Robinson spoke against the adoption of the amendment.

Amendment (212) was not adopted.

Representative Robinson moved the adoption of amendment (207):

On page 2, line 16, after "clients" insert "for the purposes of quality improvement, patient safety, and care coordination. The information may not be used for contracting or value-based purchasing decisions"

On page 3, line 34, after "medical association," insert "a statewide

association representing advanced registered nurse practitioners,"

On page 3, line 37, after "(a)" strike "The" and insert "Subject to funds appropriated for this specific purpose, the"

On page 4, line 18, after "(c)" strike "The" and insert "Subject to funds appropriated for this specific purpose, the"

On page 5, beginning on line 10, strike all of sections 2 and 3 and insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 70.225 RCW to read as follows:

Beginning November 15, 2017, the department shall annually report to the governor and the appropriate committees of the legislature on the number of facilities, entities, or provider groups identified in RCW 70.225.040(3)(l) and (m) that have integrated their federally certified electronic health records with the prescription monitoring program utilizing the state health information exchange."

Correct the title.

Representatives Robinson and Schmick spoke in favor of the adoption of the amendment.

Amendment (207) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson, Hayes and Harris spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1426.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1426, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff,

Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Dent, Holy, Kretz, Maycumber, McCaslin, Pike, Schmick, Shea, Taylor, Volz and Young.

Excused: Representative Chandler.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1426, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1501, by Representatives Hansen, Hayes, Kagi, Smith, Tharinger, Clibborn and Muri

Protecting law enforcement and the public from persons who illegally attempt to obtain firearms.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1501 was substituted for House Bill No. 1501 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1501 was read the second time.

With the consent of the House, amendment (203) was withdrawn.

Representative Taylor moved the adoption of amendment (202):

On page 2, line 20, after "including" insert "enrolled members of"

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Hansen spoke against the adoption of the amendment.

Amendment (202) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen and Hayes spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1501.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1501, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, Holy, Jenkin, Kretz, Manweller, Maycumber, McCaslin, Pike, Shea, Taylor, Volz and Young.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1501, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1603, by Representatives Kilduff, Sawyer, Goodman, McBride and Frame

Updating the child support economic table based on recommendations of the child support work group.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff, Rodne and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1603.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1603, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft,

Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Chandler.

HOUSE BILL NO. 1603, having received the necessary constitutional majority, was declared passed

HOUSE BILL NO. 1655, by Representatives Lovick, Holy, Griffey, Hayes, Sells, Doglio, Stokesbary, Frame, Irwin, Fitzgibbon, Pike, Fey, Goodman, Pollet and Stanford

Providing industrial insurance coverage for stress-caused mental disorders and disabilities of members of the law enforcement officers' and firefighters' retirement system.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1655 was substituted for House Bill No. 1655 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1655 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lovick, Griffey and Irwin spoke in favor of the passage of the bill.

Representatives Manweller and Koster spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1655.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1655, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft,

Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Smith, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Hargrove, Klippert, Koster, Kretz, Kristiansen, Manweller, Nealey, Schmick, Slatter, Springer and Taylor.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1655, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1782, by Representatives Stonier, Harris, Cody, Schmick and Caldier

Concerning dental laboratories.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1782 was substituted for House Bill No. 1782 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1782 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier and Caldier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1782.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1782, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger,

Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1782, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1789, by Representatives Jinkins, Pettigrew, Frame, Stambaugh, Ortiz-Self, Fitzgibbon, Macri, Ormsby and Gregerson

Concerning rehabilitated offenders.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1789 was substituted for House Bill No. 1789 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1789 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1789.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1789, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Condotta, DeBolt, Dye, Griffey, Harmsworth, Harris, Kraft, Kretz, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Taylor, Van Werven, Vick and Young.

Excused: Representative Chandler.

SECOND SUBSTITUTE HOUSE BILL NO. 1789, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1906, by Representatives Orcutt, Blake, McDonald, Pike and Doglio

Allowing the expansion of counties qualifying for the farm internship program, including certain southwest Washington counties. (REVISED FOR PASSED LEGISLATURE: Allowing the expansion of counties qualifying for the farm internship program.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1906.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1906, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

HOUSE BILL NO. 1906, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1952, by Representatives Blake, J. Walsh, Pellicciotti, Chapman, Stambaugh and Ormsby

Concerning enforcement of the electrical laws.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1952 was substituted for House Bill No. 1952 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1952 was read the second time.

Representative J. Walsh moved the adoption of amendment (227):

On page 3, after line 28, insert the following:

"Sec. 3. RCW 19.28.311 and 2011 c 336 s 529 are each amended to read as follows:

There is hereby created an electrical board, consisting of fifteen members to be appointed by the governor with the advice of the director of labor and industries as herein provided. It shall be the purpose and function of the board to advise the director on all matters pertaining to the enforcement of this chapter including, but not limited to, standards of electrical and telecommunications installation, minimum inspection procedures, and the adoption of rules pertaining to the electrical inspection division: PROVIDED, HOWEVER, That no rules shall be amended or repealed until the electrical board has first had an opportunity to consider any proposed amendments or repeals and had an opportunity to make recommendations to the director relative thereto. The members of the electrical board shall be selected and appointed as follows: One member shall be an employee or officer of a corporation or public agency generating or distributing electric power; one member must be an employee or officer of a facilities-based telecommunications service provider regulated by the Washington state utilities and transportation commission; three members shall be licensed electrical contractors: PROVIDED, That one of these members may be a representative of a trade association in the electrical industry; one member shall be a licensed telecommunications contractor; one member shall be an employee, or officer, or representative of a corporation or firm engaged in the business of manufacturing or distributing electrical and telecommunications materials, equipment, or devices; one member shall be a person with knowledge of the electrical industry, not related to the electrical industry, to represent the public; three members shall be certified electricians; one member shall be a telecommunications worker; one member

shall be a licensed professional electrical engineer qualified to do business in the state of Washington and designated as a registered communications distribution designer; one member shall be an outside line worker; and one (~~nonvoting~~) member must be a building official from an incorporated city or town with an electrical inspection program established under RCW 19.28.141. The regular term of each member shall be four years: PROVIDED, HOWEVER, The original board shall be appointed on June 9, 1988, for the following terms: The first term of the member representing a corporation or public agency generating or distributing electric power shall serve four years; two members representing licensed electrical contractors shall serve three years; the member representing a manufacturer or distributor of electrical equipment or devices shall serve three years; the member representing the public and one member representing licensed electrical contractors shall serve two years; the three members selected as certified electricians shall serve for terms of one, two, and three years, respectively; the member selected as the licensed professional electrical engineer shall serve for one year. In appointing the original board, the governor shall give due consideration to the value of continuity in membership from predecessor boards. Thereafter, the governor shall appoint or reappoint board members for terms of four years and to fill vacancies created by the completion of the terms of the original members. When new positions are created, the governor may appoint the initial members to the new positions to staggered terms of one to three years. The governor shall also fill vacancies caused by death, resignation, or otherwise for the unexpired term of such members by appointing their successors from the same business classification. The same procedure shall be followed in making such subsequent appointments as is provided for the original appointments. The board, at this first meeting shall elect one of its members to serve as chair. Any person acting as the chief electrical inspector shall serve as secretary of the board during his or her tenure as chief state inspector. Meetings of the board shall be held at least quarterly in accordance with a schedule established by the board. Each member of the board shall receive compensation in

accordance with RCW 43.03.240 and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 which shall be paid out of the electrical license fund, upon vouchers approved by the director of labor and industries."

Correct the title.

Representatives J. Walsh and Sells spoke in favor of the adoption of the amendment.

Amendment (227) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake, J. Walsh and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1952.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1952, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1952, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1490, by Representatives Fey, Rodne, Clibborn, Hargrove, Riccelli, Van Werven, McBride and Irwin

Eliminating the requirement that a city or town provide preservation rating information on a certain

percentage of its arterial network. Revised for 1st Substitute: Concerning the reporting of preservation rating information on arterial networks by cities and towns.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1490 was substituted for House Bill No. 1490 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1490 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1490.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1490, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1490, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1857, by Representatives Kloba, Sawyer, Appleton and Condotta

Addressing provisions concerning marijuana with respect to research licenses, local authority notifications, the retail licensing application process, processor wholesale events, and jurisdictional requirements.

The bill was read the second time.

Representative Condotta moved the adoption of amendment (053):

Beginning on page 1, line 7, strike all of section 1

Renumber the remaining sections consecutively and correct the title.

Representatives Condotta and Sawyer spoke in favor of the adoption of the amendment.

Amendment (053) was adopted.

Representative Stokesbary moved the adoption of amendment (131):

On page 6, beginning on line 37, after "country" strike all material through "tribe" on line 38

On page 7, line 31, after "in" strike "(b)" and insert "~~((b))~~ (a)(i)"

On page 7, line 31, after "through" strike "(d)" and insert "~~((d))~~ (ii)"

On page 7, at the beginning of line 38, strike "(b)" and insert "~~((b))~~ (i)"

On page 7, line 40, after "in" strike "(a) of" and insert "~~((a) of)~~"

On page 8, at the beginning of line 6, strike "(c)" and insert "~~((c))~~ (ii)"

On page On page 8, line 8, after "in" strike "(a) of" and insert "~~((a) of)~~"

On page 8, at the beginning of line 13, strike "(d)" and insert "~~((d))~~ (iii)"

On page 8, line 15, after "under" strike "(b) or (c)" and insert "~~((b) or (c))~~ (a)(i) or (ii)"

On page 8, line 19, after "to" strike "(c)" and insert "~~((c))~~ (a)(ii)"

On page 8, at the beginning of line 20, strike "(i)" and insert "~~((i))~~ (A)"

On page 8, at the beginning of line 22, strike "(ii)" and insert "~~((ii))~~ (B)"

On page 8, at the beginning of line 24, strike "(iii)" and insert "~~((iii))~~ (C)"

On page 8, line 25, after "facility." insert the following:

"(b) The state liquor and cannabis board may not issue a license for any premises within Indian country, as

defined in RCW 82.24.010, including any federal fee patent lands within the exterior boundaries of a reservation, unless incorporated into an agreement with a federally recognized tribe, pursuant to RCW 43.06.490."

Representatives Stokesbary and Sawyer spoke in favor of the adoption of the amendment.

Amendment (131) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1857.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1857, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, DeBolt, Dent, Dye, Haler, Klippert, Kretz, Maycumber, McCabe, Pike, Shea and Taylor.

Excused: Representative Chandler.

ENGROSSED HOUSE BILL NO. 1857, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1248, by Representatives Griffey, Appleton, Goodman, Klippert, Holy and Hayes

Correcting a conflict between state and federal law regarding class I correctional industries work programs.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (034):

On page 4, after line 27, insert the following:

"(10) For purposes of this section, "wages" means monetary compensation due to an offender worker by reason of his or her participation in a class I work program, subject to allowable deductions."

Representatives Klippert and Goodman spoke in favor of the adoption of the amendment.

Amendment (034) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Griffey and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1248.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1248, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Koster and McCabe.

Excused: Representative Chandler.

ENGROSSED HOUSE BILL NO. 1248, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1673, by Representatives Doglio, Sells, Gregerson, Ormsby, Macri, Goodman, Frame, Stonier, McBride, Cody, Senn, Ortiz-Self and Pollet

Adding training on public works and prevailing wage requirements to responsible bidder criteria.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1673 was substituted for House Bill No. 1673 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1673 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Doglio and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1673.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1673, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McDonald, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McCaslin, Muri, Nealey, Orcutt, Rodne, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz and Young.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1673, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

HOUSE BILL NO. 1594, by Representatives McBride, Nealey, Springer, Clibborn, Hayes, Gregerson, Peterson, Koster, Griffey, Klippert, Kilduff, Muri, Senn, Goodman, Haler, Robinson, Sells, Steele, Fitzgibbon,

Fey, Kraft, Bergquist, Smith, Tharinger, Stanford, Kloba, Jinkins, Hargrove, Slatter and Kagi

Improving public records administration.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1594 was substituted for House Bill No. 1594 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1594 was read the second time.

Representative Koster moved the adoption of amendment (220):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 42.56.152 and 2014 c 66 s 4 are each amended to read as follows:

(1) Public records officers designated under RCW 42.56.580 and records officers designated under RCW 40.14.040 must complete a training course regarding the provisions of this chapter, and also chapter 40.14 RCW for records retention.

(2) Public records officers must:

(a) Complete training no later than ninety days after assuming responsibilities as a public records officer or records manager; and

(b) Complete refresher training at intervals of no more than four years as long as they maintain the designation.

(3) Training must be consistent with the attorney general's model rules for compliance with the public records act.

(4) Training may be completed remotely with technology including but not limited to internet-based training.

(5) Training must address particular issues related to the retention, production, and disclosure of electronic documents, including updating and improving technology information services.

Sec. 2. RCW 42.56.520 and 2010 c 69 s 2 are each amended to read as follows:

(1) Responses to requests for public records shall be made promptly by agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives. Within five business days of receiving a public record request, an agency, the office of the secretary of the senate, or

the office of the chief clerk of the house of representatives must respond ~~((by either))~~ in one of the ways provided in this subsection (1):

(a) Providing the record;

~~((2))~~ (b) Providing an internet address and link on the agency's web site to the specific records requested, except that if the requester notifies the agency that he or she cannot access the records through the internet, then the agency must provide copies of the record or allow the requester to view copies using an agency computer;

~~((3))~~ (c) Acknowledging that the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives has received the request and providing a reasonable estimate of the time the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives will require to respond to the request;

(d) Acknowledging that the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives has received the request and asking the requestor to provide clarification for a request that is unclear, and providing, to the greatest extent possible, a reasonable estimate of the time the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives will require to respond to the request if it is not clarified; or

~~((4))~~ (e) Denying the public record request.

(2) Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.

(3) (a) In acknowledging receipt of a public record request that is unclear, an agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives may ask the requestor to clarify what information the requestor is seeking.

(b) If the requestor fails to respond to an agency request to clarify the request, and the entire request is unclear, the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives need not respond to it. Otherwise, the agency must respond, pursuant to this section, to those portions of the request that are clear.

(4) Denials of requests must be accompanied by a written statement of the specific reasons therefor. Agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives shall establish mechanisms for the most prompt possible review of decisions denying inspection, and such review shall be deemed completed at the end of the second business day following the denial of inspection and shall constitute final agency action or final action by the office of the secretary of the senate or the office of the chief clerk of the house of representatives for the purposes of judicial review.

Sec. 3. RCW 42.56.570 and 2007 c 197 s 8 are each amended to read as follows:

(1) The attorney general's office shall publish, and update when appropriate, a pamphlet, written in plain language, explaining this chapter.

(2) The attorney general, by February 1, 2006, shall adopt by rule ~~((an))~~ advisory model rules for state and local agencies, as defined in RCW 42.56.010, addressing the following subjects:

(a) Providing fullest assistance to requestors;

(b) Fulfilling large requests in the most efficient manner;

(c) Fulfilling requests for electronic records; and

(d) Any other issues pertaining to public disclosure as determined by the attorney general.

(3) The attorney general, in his or her discretion, may from time to time revise the model rule.

(4) Local agencies should consult the advisory model rules when establishing local ordinances for compliance with the requirements and responsibilities of this chapter.

(5) Until June 30, 2020, the attorney general must establish a consultation

program to provide information for developing best practices for local agencies requesting assistance in compliance with this chapter including, but not limited to: Responding to records requests, seeking additional public and private resources for developing and updating technology information services, and mitigating liability and costs of compliance. The attorney general may develop the program in conjunction with the advisory model rule and may collaborate with the chief information officer, the state archivist, and other relevant agencies and organizations in developing and managing the program. The program in this subsection ceases to exist June 30, 2020.

(6) Until June 30, 2020, the state archivist must offer and provide consultation and training services for local agencies on improving record retention practices.

Sec. 4. RCW 40.14.024 and 2008 c 328 s 6005 are each amended to read as follows:

The local government archives account is created in the state treasury. All receipts collected by the county auditors under RCW 40.14.027 and 36.22.175 for local government services, such as providing records ~~((scheduling))~~ schedule compliance, security microfilm inspection and storage, archival preservation, cataloging, and indexing for local government records and digital data and access to those records and data through the regional branch archives of the division of archives and records management, must be deposited into the account, and expenditures from the account may be used only for these purposes. ~~((During the 2007-2009 biennium, the legislature may transfer from the local government archives account to the Washington state heritage center account such amounts as reflect the excess fund balance in the account.))~~ Any amounts deposited in the account in accordance with RCW 36.22.175(4) may only be expended for the purposes authorized under that provision as follows: No more than fifty percent of funding may be used for the attorney general's consultation program and the state archivist's training services, and the remainder is to be used for the competitive grant program.

NEW SECTION. Sec. 5. A new section is added to chapter 40.14 RCW to read as follows:

(1) The division of archives and records management in the office of the secretary of state must establish and administer a competitive grant program for local agencies to improve technology information systems for public record retention, management, and disclosure, and any related training. The division of archives and records management may use up to six percent of amounts appropriated for the program for administration of the grant program.

(2) Any local agency may apply to the grant program. The division of archives and records management in the office of the secretary of state must award grants annually. The division of archives and records management must consult with the chief information officer to develop the criteria for grant recipient selection with a preference given to small local governmental agencies based on the applicant agency's need and ability to improve its information technology systems for public record retention, management, and disclosure. The division of archives and records management may award grants for specific hardware, software, equipment, technology services management and training needs, indexing for local records and digital data, and other resources for improving information technology systems. To the extent possible, information technology systems, processes, training, and other resources for improving information technology systems for records retention and distribution may be replicated and shared with other governmental entities. Grants are provided for one-time investments and are not an ongoing source of revenue for operation or management costs. A grantee may not supplant local funding with grant funding provided by the office of the secretary of state.

Sec. 6. RCW 36.22.175 and 2011 1st sp.s. c 50 s 931 are each amended to read as follows:

(1)(a) In addition to any other charge authorized by law, the county auditor shall charge a surcharge of one dollar per instrument for each document recorded. Revenue generated through this surcharge shall be transmitted monthly to the state treasurer for deposit in the local government archives account under RCW 40.14.024. These funds shall be used solely for providing records ~~((scheduling))~~ schedule compliance, security microfilm inspection and storage, archival preservation,

cataloging, and indexing for local government records and digital data and access to those records and data through the regional branch archives of the division of archives and records management.

(b) The division of archives and records management within the office of the secretary of state shall provide records management training for local governments and shall establish a competitive grant program to solicit and prioritize project proposals from local governments for potential funding to be paid for by funds from the auditor surcharge and tax warrant surcharge revenues. Application for specific projects may be made by local government agencies only. The state archivist in consultation with the advisory committee established under RCW 40.14.027 shall adopt rules governing project eligibility, evaluation, awarding of grants, and other criteria including requirements for records management training for grant recipients.

(2) The advisory committee established under RCW 40.14.027 shall review grant proposals and establish a prioritized list of projects to be considered for funding by January 1st of each even-numbered year, beginning in 2002. The evaluation of proposals and development of the prioritized list must be developed through open public meetings. Funding for projects shall be granted according to the ranking of each application on the prioritized list and projects will be funded only to the extent that funds are available. A grant award may have an effective date other than the date the project is placed on the prioritized list.

(3)(a) In addition to any other surcharge authorized by law, the county auditor shall charge a surcharge of one dollar per instrument for every document recorded after January 1, 2002. Revenue generated through this surcharge shall be transmitted to the state treasurer monthly for deposit in the local government archives account under RCW 40.14.024 to be used exclusively for: (i) The construction and improvement of a specialized regional facility located in eastern Washington designed to serve the archives, records management, and digital data management needs of local government; and (ii) payment of the certificate of participation issued for the Washington state heritage center to

the extent there is an excess fund balance in the account and fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments on the certificate of participation.

(b) To the extent the facilities are used for the storage and retrieval of state agency records and digital data, that portion of the construction of such facilities used for state government records and data shall be supported by other charges and fees paid by state agencies and shall not be supported by the surcharge authorized in this subsection, except that to the extent there is an excess fund balance in the account and fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments for the Washington state heritage center, the local government archives account under RCW 40.14.024 may be used for the Washington state heritage center.

(c) At such time that all debt service from construction of the specialized regional archive facility located in eastern Washington has been paid, fifty percent of the surcharge authorized by this subsection shall be reverted to the centennial document preservation and modernization account as prescribed in RCW 36.22.170 and fifty percent of the surcharge authorized by this section shall be reverted to the state treasurer for deposit in the public records efficiency, preservation, and access account to serve the archives, records management, and digital data management needs of local government, except that the state treasurer shall not revert funds to the centennial document preservation and modernization account and to the public records efficiency, preservation, and access account if fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments on the Washington state heritage center.

(4) In addition to any other surcharge authorized by law, the county auditor shall charge a surcharge of one dollar per instrument for every document recorded. Revenue generated through this surcharge shall be transmitted to the state treasurer monthly for deposit in the local government archives account under RCW 40.14.024 to be used exclusively for the competitive grant program in section 5 of this act, and for the attorney general's consultation

program and state archivist's training services authorized in RCW 42.56.570.

NEW SECTION. Sec. 7. (1) The division of archives and records management in the office of the secretary of state must conduct a study to assess the feasibility of implementing a statewide open records portal through which a user can request and receive a response through a single internet web site relating to public records information.

(2) The division of archives and records management must hire a consultant to conduct the study.

(3) At a minimum, the report must include:

(a) The feasibility of Washington creating a central site from which a user can submit a records request and receive a timely response to such request;

(b) An examination of the experience in other states, including but not limited to the state of Utah, that have implemented an electronic open records portal;

(c) Whether the open records portals in other states serve as central repositories and archives for the purpose of all public records on behalf of local and state agencies;

(d) Whether other states' open records portals track and provide a timeline where each request is being responded to in the process;

(e) The cost of creating the open records portal in other states and the amount of funds local and state agencies or any other entities contributed to the start-up and ongoing costs to operate the open records portal;

(f) The length of time it took for other states to develop an open records portal from its initial start-up to its current full operation;

(g) The length of time it would take for Washington to develop and implement an open records portal from start-up to full operation that is similar to the portals located in other states;

(h) The length of time it would take for Washington to develop and implement an open records portal from start-up to full operation that would include: (i) The portal collecting, archiving, and holding all public records from local and state governmental agencies in Washington; (ii) the portal being capable

of allowing users to submit a public records request through a central site; and (iii) the records portal operating as a central site for answering and providing requested public records to a user;

(i) The estimated cost to develop and implement an open records portal that is: (i) Similar to the open records portals located in other states referenced and reviewed in (g) of this subsection; and (ii) a full open records portal pursuant to (h) of this subsection. In both instances, the costs must include costs associated with local and state governmental agencies in Washington participating in the portal and any needed supporting infrastructure, staffing, and training requirements;

(j) How much is charged and how fees are collected from a user requesting a public record through other states' open records portals;

(k) The feasibility of whether an open records portal created in Washington would be able to track all public records requests, when such requests for public records are made through the open records portal, and provide a timeline where each request is being responded to in the process;

(l) The feasibility of whether an open records portal created in Washington would be able to directly respond to answering a user's public records request and, if not, the feasibility of the portal tracking when a local or state agency responds to such a request and providing a timeline where each request is being responded to in the process;

(m) The feasibility of creating an open records portal in Washington that notifies a requestor that the request has been received and either immediately provides the requestor with a copy of the requested record, notifies the requestor that the record is not available, or notifies the requestor that because of the extraordinary request the record will be available on a date certain; and

(n) The allocation of liability between the agency operating an open records portal and any agency that provides records through the portal or accepts requests for public records through the portal in the event of litigation regarding denial of access to records or unreasonable estimate of time to produce records in response to a request.

(4) A report must be completed with findings and recommendations on the experience of the electronic open records portal created in other states and the feasibility of creating a central statewide open records portal in Washington. The report must be submitted to the governor, the appropriate committees of the legislature, and members of the stakeholder group in section 8 of this act, by September 1, 2018.

(5) This section expires December 31, 2018.

NEW SECTION. Sec. 8. (1) The division of archives and records management in the office of the secretary of state must convene a stakeholder group by September 1, 2017, to develop the initial scope and direction of the study in section 7 of this act.

(2) The stakeholder group must include seven members as provided in this subsection.

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The president of the senate and the speaker of the house of representatives, in consultation with the division of archives and records management, jointly shall appoint the remaining three members. The remaining three members must be representatives of the community who have experience in the retention and disclosure of public records.

(3) This section expires September 30, 2018.

NEW SECTION. Sec. 9. (1) The joint legislative audit and review committee must conduct a review of the attorney general's consultation program and the state archivist's training services created under section 3, chapter . . ., Laws of 2017 (section 3 of this act), and the local government competitive grant program created under section 5 of this act. The review must include:

(a)(i) Information on the number of local governments served, the types of consultation and training provided, and the implementation of any practices adopted from the attorney general's

consultation program and the state archivist's training services; and

(ii) The effectiveness of the consultation program and the training services in providing assistance for local governments; and

(b)(i) Information on the number of local governments that applied for and participated in the competitive grant program under section 5 of this act, the amount of funding awarded through the grant program, and how such funding was used; and

(ii) The effectiveness of the grant program in improving local government technology information systems for public records retention, management, disclosure, and training.

(2) By December 1, 2019, the joint legislative audit and review committee must report to the legislature on its findings from the review, including recommendations on whether the competitive grant program, the attorney general's consultation program, and the state archivist's training services should continue or be allowed to expire.

NEW SECTION. Sec. 10. Sections 5 and 6 of this act expire June 30, 2020.

NEW SECTION. Sec. 11. The sum of twenty-five thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal biennium ending June 30, 2019, from the general fund to the secretary of state solely for purposes of section 7 of this act."

Correct the title.

Representative Pollet moved the adoption of amendment (230) to the striking amendment (220):

On page 9, at the beginning of line 5 of the amendment, strike "and"

On page 9, line 6 of the amendment, after "(n)" insert "The feasibility of creating an open records portal through which a requestor can make a request and receive a response through a single internet web site relating to public records information, and the feasibility of agencies managing internet web sites to make public access easier and reduce the number of requests related to the same topic through best practices by offering to post different categories of requested records on the web site in a manner that is responsive to records requests; and

(o)"

On page 9, line 15 of the amendment, after "Washington" insert ", as well as recommendations and best management practices for agencies to post records that are responsive to records requests on an agency internet web site

and take into consideration various categories of records and agency capacities in order to provide broader public access to records of public interest and to reduce the number of requests relating to the same topic"

Representatives Pollet and Nealey spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (230) to the striking amendment (220) was adopted.

Representatives Koster spoke in favor of the adoption of the striking amendment as amended.

Amendment (220), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nealey and McBride spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1594.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1594, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Griffey, Hargrove, Harmsworth, Holy, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Pike, Shea, Stambaugh, Taylor, Van Werven, Vick, Volz and Young.

Excused: Representative Chandler.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1595, by Representatives Nealey, McBride, Senn, Springer, Koster, Klippert, Dye, Schmick, J. Walsh, Haler, Manweller, Harris, Dent,

Peterson, Bergquist, Gregerson, Clibborn, Fey, Fitzgibbon, Dolan, Wilcox, Lytton, Griffey, Hayes, Muri, Goodman, Robinson, Sells, Steele, Kraft, Smith, Tharinger, Stanford, Kloba, Jinkins, Hargrove, Slatter and Kagi

Concerning costs associated with responding to public records requests.

The bill was read the second time.

Representative Springer moved the adoption of the striking amendment (177):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 42.56.070 and 2005 c 274 s 284 are each amended to read as follows:

(1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of subsection ~~((6+))~~ (8) of this section, this chapter, or other statute which exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by this chapter, an agency shall delete identifying details in a manner consistent with this chapter when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

(2) For informational purposes, each agency shall publish and maintain a current list containing every law, other than those listed in this chapter, that the agency believes exempts or prohibits disclosure of specific information or records of the agency. An agency's failure to list an exemption shall not affect the efficacy of any exemption.

(3) Each local agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after January 1, 1973:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and

the Constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(4) A local agency need not maintain such an index, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

(5) Each state agency shall, by rule, establish and implement a system of indexing for the identification and location of the following records:

(a) All records issued before July 1, 1990, for which the agency has maintained an index;

(b) Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.010 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(c) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(d) Interpretive statements as defined in RCW 34.05.010 that were entered after June 30, 1990; and

(e) Policy statements as defined in RCW 34.05.010 that were entered after June 30, 1990.

Rules establishing systems of indexing shall include, but not be limited to, requirements for the form and content of the index, its location and availability to the public, and the schedule for revising or updating the index. State agencies that have maintained indexes for records issued before July 1, 1990, shall continue to make such indexes available for public inspection and copying. Information in such indexes may be incorporated into indexes prepared pursuant to this subsection. State agencies may satisfy the requirements of this subsection by making available to the public indexes prepared by other parties but actually used by the agency in its operations. State agencies shall make indexes available for public inspection and copying. State agencies may charge a fee to cover the actual costs of providing individual mailed copies of indexes.

(6) A public record may be relied on, used, or cited as precedent by an agency against a party other than an agency and it may be invoked by the agency for any other purpose only if:

(a) It has been indexed in an index available to the public; or

(b) Parties affected have timely notice (actual or constructive) of the terms thereof.

(7) Each agency (~~shall~~) may establish, maintain, and make available for public inspection and copying a statement of the actual (~~per page cost or other costs, if any,~~) costs that it charges for providing photocopies or electronically produced copies, of public records and a statement of the factors and manner used to determine the actual (~~per page cost or other costs, if any,~~) costs. Any statement of costs may be adopted by an agency only after providing notice and public hearing.

(a) (i) In determining the actual (~~per page~~) cost for providing (~~photocopies~~) copies of public records, an agency may include all costs directly incident to copying such public records including:

(A) The actual cost of the paper and the per page cost for use of agency copying equipment; and

(B) The actual cost of the electronic production or file transfer of the record and the use of any cloud-based data storage and processing service.

(ii) In determining other actual costs for providing ~~((photocopies))~~ copies of public records, an agency may include all costs directly incident to:

(A) Shipping such public records, including the cost of postage or delivery charges and the cost of any container or envelope used; and

(B) Transmitting such records in an electronic format, including the cost of any transmission charge and use of any physical media device provided by the agency.

(b) In determining the actual ~~((per page cost or other))~~ costs for providing copies of public records, an agency may not include staff salaries, benefits, or other general administrative or overhead charges, unless those costs are directly related to the actual cost of copying the public records. Staff time to copy and ~~((mail))~~ send the requested public records may be included in an agency's costs.

~~(8) ((An agency need not calculate the actual per page cost or other costs it charges for providing photocopies of public records if to do so would be unduly burdensome, but in that event: The agency may not charge in excess of fifteen cents per page for photocopies of public records or for the use of agency equipment to photocopy public records and the actual postage or delivery charge and the cost of any container or envelope used to mail the public records to the requestor.~~

~~(9))~~ This chapter shall not be construed as giving authority to any agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives shall not do so unless specifically authorized or directed by law: PROVIDED, HOWEVER, That lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination

board, upon payment of a reasonable charge therefor: PROVIDED FURTHER, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.05 RCW, the administrative procedure act.

Sec. 2. RCW 42.56.080 and 2016 c 163 s 3 are each amended to read as follows:

(1) A public records request must be for identifiable records. A request for all or substantially all records prepared, owned, used, or retained by an agency is not a valid request for identifiable records under this chapter, provided that a request for all records regarding a particular topic or containing a particular keyword or name shall not be considered a request for all of an agency's records.

(2) Public records shall be available for inspection and copying, and agencies shall, upon request for identifiable public records, make them promptly available to any person including, if applicable, on a partial or installment basis as records that are part of a larger set of requested records are assembled or made ready for inspection or disclosure. Agencies shall not deny a request for identifiable public records solely on the basis that the request is overbroad. Agencies shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request except to establish whether inspection and copying would violate RCW 42.56.070 ~~((+9))~~ (8) or 42.56.240(14), or other statute which exempts or prohibits disclosure of specific information or records to certain persons. Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency. Agencies shall honor requests received in person during an agency's normal office hours, or by mail or email, for identifiable public records unless exempted by provisions of this chapter. No official format is required for making a records request; however, agencies may recommend that requestors submit requests using an agency provided form or web page.

(3) An agency may deny a bot request that is one of multiple requests from the requestor to the agency within a twenty-four hour period, if the agency establishes that responding to the

multiple requests would cause excessive interference with other essential functions of the agency. For purposes of this subsection, "bot request" means a request for public records that an agency reasonably believes was automatically generated by a computer program or script.

Sec. 3. RCW 42.56.120 and 2016 c 163 s 4 are each amended to read as follows:

(1) No fee shall be charged for the inspection of public records or locating public documents and making them available for copying, except as provided in RCW 42.56.240(14) and subsection (3) of this section. A reasonable charge may be imposed for providing copies of public records and for the use by any person of agency equipment or equipment of the office of the secretary of the senate or the office of the chief clerk of the house of representatives to copy public records, which charges shall not exceed the amount necessary to reimburse the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives for its actual costs directly incident to such copying. When calculating any fees authorized under this section, an agency shall use the most reasonable cost-efficient method available to the agency as part of its normal operations. If any agency translates a record into an alternative electronic format at the request of a requestor, the copy created does not constitute a new public record for purposes of this chapter. Scanning paper records to make electronic copies of such records is a method of copying paper records and does not amount to the creation of a new public record.

(2) (a) Agency charges for ((photocopies shall)) actual costs may only be imposed in accordance with the ((actual per page cost or other)) costs established and published by the agency pursuant to RCW 42.56.070(7), and in accordance with the statement of factors and manner used to determine the actual costs. In no event may an agency charge a per page cost greater than the actual ((per page)) cost as established and published by the agency.

(b) An agency need not calculate the actual costs it charges for providing public records if it has rules or regulations declaring the reasons doing so would be unduly burdensome. To the extent the agency has not determined the actual ((per page cost for photocopies

~~ef~~) costs of copying public records, the agency may not charge in excess of:

(i) Fifteen cents per page for photocopies of public records, printed copies of electronic public records when requested by the person requesting records, or for the use of agency equipment to photocopy public records;

(ii) Ten cents per page for public records scanned into an electronic format or for the use of agency equipment to scan the records;

(iii) Five cents per each four electronic files or attachment uploaded to email, cloud-based data storage service, or other means of electronic delivery; and

(iv) Ten cents per gigabyte for the transmission of public records in an electronic format or for the use of agency equipment to send the records electronically. The agency shall take reasonable steps to provide the records in the most efficient manner available to the agency in its normal operations; and

(v) The actual cost of any digital storage media or device provided by the agency, the actual cost of any container or envelope used to mail the copies to the requestor, and the actual postage or delivery charge.

(c) The charges in (b) of this subsection may be combined to the extent that more than one type of charge applies to copies produced in response to a particular request.

(d) An agency may charge a flat fee of up to two dollars for any request as an alternative to fees authorized under (a) or (b) of this subsection. An additional flat fee shall not be charged for any installment after the first installment of a request produced in installments. An agency that has elected to charge the flat fee in this subsection for an initial installment may not charge the fees authorized under (a) or (b) of this subsection on subsequent installments.

(e) An agency shall not impose copying charges under this section for access to or downloading of records that the agency routinely posts on its public internet web site prior to receipt of a request unless the requestor has specifically requested that the agency provide copies of such records through other means.

(f) A requestor may ask an agency to provide a summary of the applicable

charges and may revise the request to reduce the number of records and reduce the applicable charges.

(3)(a)(i) In addition to the charge imposed for providing copies of public records and for the use by any person of agency equipment copying costs, an agency may include a customized service charge. A customized service charge may only be imposed if the agency estimates that the request would require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by the agency for other agency purposes.

(ii) The customized service charge may reimburse the agency up to the actual cost of providing the services in this subsection.

(b) An agency may not assess a customized service charge unless the agency has notified the requestor of the customized service charge to be applied to the request, including an explanation of why the customized service charge applies, a description of the specific expertise, and a reasonable estimate cost of the charge. The notice also must provide the requestor the opportunity to amend his or her request in order to avoid or reduce the cost of a customized service charge.

(4) An agency may require a deposit in an amount not to exceed ten percent of the estimated cost of providing copies for a request, including a customized service charge. If an agency makes a request available on a partial or installment basis, the agency may charge for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed, the agency is not obligated to fulfill the balance of the request. An agency may waive any charge assessed for a request pursuant to agency rules and regulations. An agency may enter into any contract, memorandum of understanding, or other agreement with a requestor that provides an alternative fee arrangement to the charges authorized in this section, or in response to a voluminous or frequently occurring request.

Sec. 4. RCW 42.56.130 and 2005 c 274 s 286 are each amended to read as follows:

The provisions of RCW 42.56.070(7) and (8) and 42.56.120 that establish or allow

agencies to establish the costs charged for photocopies or electronically produced copies of public records do not supersede other statutory provisions, other than in this chapter, authorizing or governing fees for copying public records.

Sec. 5. RCW 42.56.550 and 2011 c 273 s 1 are each amended to read as follows:

(1) Upon the motion of any person having been denied an opportunity to inspect or copy a public record by an agency, the superior court in the county in which a record is maintained may require the responsible agency to show cause why it has refused to allow inspection or copying of a specific public record or class of records. The burden of proof shall be on the agency to establish that refusal to permit public inspection and copying is in accordance with a statute that exempts or prohibits disclosure in whole or in part of specific information or records.

(2) Upon the motion of any person who believes that an agency has not made a reasonable estimate of the time that the agency requires to respond to a public record request or a reasonable estimate of the charges to produce copies of public records, the superior court in the county in which a record is maintained may require the responsible agency to show that the estimate it provided is reasonable. The burden of proof shall be on the agency to show that the estimate it provided is reasonable.

(3) Judicial review of all agency actions taken or challenged under RCW 42.56.030 through 42.56.520 shall be de novo. Courts shall take into account the policy of this chapter that free and open examination of public records is in the public interest, even though such examination may cause inconvenience or embarrassment to public officials or others. Courts may examine any record in camera in any proceeding brought under this section. The court may conduct a hearing based solely on affidavits.

(4) Any person who prevails against an agency in any action in the courts seeking the right to inspect or copy any public record or the right to receive a response to a public record request within a reasonable amount of time shall be awarded all costs, including reasonable attorney fees, incurred in connection with such legal action. In addition, it shall be within the

discretion of the court to award such person an amount not to exceed one hundred dollars for each day that he or she was denied the right to inspect or copy said public record.

(5) For actions under this section against counties, the venue provisions of RCW 36.01.050 apply.

(6) Actions under this section must be filed within one year of the agency's claim of exemption or the last production of a record on a partial or installment basis."

Correct the title.

Representatives Springer, Nealey and Pollet spoke in favor of the adoption of the striking amendment.

Amendment (177) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1595.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1595, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, DeBolt, Griffey, Hargrove, Harmsworth, Holy, Irwin, Kretz, MacEwen, Maycumber, McCaslin, Orcutt, Pike, Sawyer, Shea, Stambaugh, Taylor, Van Werven, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Chandler.

ENGROSSED HOUSE BILL NO. 1595, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1612, by Representatives Orwall, Harris, Jinkins, Goodman, Haler, Robinson, Fey, Kilduff and McBride

Creating a suicide-safer homes project account to support prevention efforts and develop strategies for reducing access to lethal means.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1612 was substituted for House Bill No. 1612 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1612 was read the second time.

Representative Orwall moved the adoption of amendment (127):

On page 2, line 19, after "work." Insert "To the extent possible, the task force membership should include representatives from geographically diverse and priority populations, including tribal populations."

On page 5, line 4, after "~~(consult with)~~" insert ", in consultation with the department of health,"

On page 8, beginning on line 34, after "dentist" strike "or dental hygienist"

Representatives Orwall and Rodne spoke in favor of the adoption of the amendment.

Amendment (127) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall, Rodne and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1612.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1612, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey,

Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dent, Holy, Kraft, Kretz, Maycumber, McCaslin, Shea, Taylor and Volz.

Excused: Representative Chandler.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1612, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1347, by Representatives Riccelli, Holy and Ormsby

Concerning the creation of a countywide port district within a county containing no port districts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1347 was substituted for House Bill No. 1347 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1347 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1347.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1347, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Griffey, Harmsworth, Kretz, MacEwen, Maycumber, McCaslin, Orcutt, Pike, Shea, Taylor, Van Werven and Vick.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1347, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1683, by Representatives Appleton and Griffey

Addressing sewer service within urban growth areas.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1683 was substituted for House Bill No. 1683 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1683 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Maycumber spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1683.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1683, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1683, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1578, by Representatives Dent, Ortiz-Self, McBride, Lovick, Dye, Harris and Griffey

Concerning irrigation district authority.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1578.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1578, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Chandler.

HOUSE BILL NO. 1578, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1420, by Representatives Hudgins, MacEwen and Bergquist

Concerning theatrical wrestling.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1420 was substituted for House Bill No. 1420 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1420 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins, J. Walsh and Volz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1420.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1420, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta and Taylor.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1420, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1043
- HOUSE BILL NO. 1063
- HOUSE BILL NO. 1070
- HOUSE BILL NO. 1089
- HOUSE BILL NO. 1144
- HOUSE BILL NO. 1168
- HOUSE BILL NO. 1170
- HOUSE BILL NO. 1196
- HOUSE BILL NO. 1266
- HOUSE BILL NO. 1280
- HOUSE BILL NO. 1375
- HOUSE BILL NO. 1410
- HOUSE BILL NO. 1492

HOUSE BILL NO. 1495
HOUSE BILL NO. 1503
HOUSE BILL NO. 1506
HOUSE BILL NO. 1512
HOUSE BILL NO. 1541
HOUSE BILL NO. 1561
HOUSE BILL NO. 1566
HOUSE BILL NO. 1715
HOUSE BILL NO. 1739
HOUSE BILL NO. 1787
HOUSE BILL NO. 1814
HOUSE BILL NO. 1815
HOUSE BILL NO. 1816
HOUSE BILL NO. 1831
HOUSE BILL NO. 1877

HOUSE BILL NO. 1929
HOUSE BILL NO. 1987
HOUSE BILL NO. 2126
HOUSE JOINT MEMORIAL NO. 4011

There being no objection, the House adjourned until 9:00 a.m., March 6, 2017, the 57th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTY SEVENTH DAY

House Chamber, Olympia, Monday, March 6, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Benjamin Johnson and Annalisa Mueller-Eberstein. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Gryphon Shafer, Port Orchard Church of God, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

March 2, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5214,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5702,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 3, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5036,
SENATE BILL NO. 5189,
SUBSTITUTE SENATE BILL NO. 5343,
SUBSTITUTE SENATE BILL NO. 5346,
SUBSTITUTE SENATE BILL NO. 5618,
SENATE BILL NO. 5674,
SENATE BILL NO. 5736,
ENGROSSED SENATE BILL NO. 5834,
SUBSTITUTE SENATE BILL NO. 5844,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 3, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5097,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5431,
ENGROSSED SENATE BILL NO. 5652,
ENGROSSED SENATE BILL NO. 5720,
ENGROSSED SENATE BILL NO. 5761,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5777,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 3, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5087,
SUBSTITUTE SENATE BILL NO. 5235,
SECOND SUBSTITUTE SENATE BILL NO. 5258,
SUBSTITUTE SENATE BILL NO. 5286,
SENATE BILL NO. 5525,
SECOND SUBSTITUTE SENATE BILL NO. 5577,
SENATE BILL NO. 5581,
SENATE BILL NO. 5826,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2137 by Representatives Kraft, Griffey, Klippert, Smith, Rodne and Haler

AN ACT Relating to veterans' scoring criteria; and amending RCW 41.04.010.

Referred to Committee on State Government, Elections & Information Technology.

HB 2138 by Representatives Kraft, Kirby, Lovick, Klippert, Smith, Haler and McDonald

AN ACT Relating to tax relief for the construction of adapted housing for disabled veterans; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating new sections.

Referred to Committee on Finance.

SB 5013 by Senators Warnick and Hobbs

AN ACT Relating to the disposition of tenant property placed upon the nearest public property; and amending RCW 59.18.312.

Referred to Committee on Judiciary.

SSB 5064 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Fain, Rolfes, Rivers, Pedersen, Ranker, Mullet, Billig, Becker, Braun, King, Darneille, Chase, Carlyle and Palumbo)

AN ACT Relating to the freedom of expression rights of students at public schools and institutions of higher education; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28B.10 RCW; and prescribing penalties.

Referred to Committee on Education.

SB 5087 by Senators Honeyford and Frockt

AN ACT Relating to the evaluation and prioritization of capital budget projects at the public two-year and four-year institutions of higher education; and amending RCW 43.88D.010 and 28B.77.070.

Referred to Committee on Capital Budget.

SB 5126 by Senators Hunt, Palumbo, Miloscia, Kuderer and Billig

AN ACT Relating to uniform ballot design; amending RCW 29A.36.111; and adding a new section to chapter 29A.36 RCW.

Referred to Committee on State Government, Elections & Information Technology.

ESSB 5198 by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Warnick, Fain, Bailey and Brown)

AN ACT Relating to fire suppression methodologies; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

ESB 5214 by Senators Wilson, Zeiger and Schoesler

AN ACT Relating to adding responsibilities to the duties of the joint administrative rules review committee; amending RCW 34.05.630 and 34.05.655; and adding a new section to chapter 34.05 RCW.

Referred to Committee on State Government, Elections & Information Technology.

SSB 5223 by Senate Committee on State Government (originally sponsored by Senators Miloscia, O'Ban and Becker)

AN ACT Relating to safe injection sites in Washington state; amending RCW 70.05.010, 70.05.060, 70.05.070, and 70.05.130; adding new sections to chapter 70.05 RCW; and providing for submission of this act to a vote of the people.

Referred to Committee on Health Care & Wellness.

SSB 5235 by Senate Committee on Local Government (originally sponsored by Senator Takko)

AN ACT Relating to withdrawing territory from a cemetery district; and adding a new section to chapter 68.54 RCW.

Referred to Committee on Local Government.

2SSB 5258 by Senate Committee on Ways & Means (originally sponsored by Senators Zeiger, Fain, Mullet, Rolfes, Chase, Kuderer and Hunt)

AN ACT Relating to creating the Washington academic, innovation, and mentoring program; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

SSB 5286 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Angel, Hobbs, Fain and Takko)

AN ACT Relating to prohibiting regulation of the amount of rent for commercial properties; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Local Government.

SB 5413 by Senators Cleveland, Bailey and Kuderer

AN ACT Relating to physician limited licenses; and amending RCW 18.71.095.

Referred to Committee on Health Care & Wellness.

SSB 5438 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Braun, Angel, Bailey, Rivers, Becker, O'Ban, Schoesler, Brown, Warnick, King, Honeyford, Fortunato, Baumgartner, Rossi, Sheldon, Wilson and Takko)

AN ACT Relating to promoting the completion of environmental impact statements within two years;

adding a new section to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environment.

ESSB 5449 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Liias, Zeiger, Billig, Hunt and Frockt)

AN ACT Relating to digital citizenship, media literacy, and internet safety in schools; amending RCW 28A.650.010 and 28A.650.045; adding a new section to chapter 28A.650 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

SSB 5500 by Senate Committee on Local Government (originally sponsored by Senators Honeyford, Zeiger, Schoesler, Wilson, Angel and Hobbs)

AN ACT Relating to addressing the accountability, function, and efficiency of the state building code council; and amending RCW 19.27.074, 19.27.095, 19.27A.025, 19.27A.045, and 19.27.070.

Referred to Committee on Local Government.

SB 5525 by Senators Wilson, Palumbo, Cleveland, Baumgartner, Zeiger, O'Ban, Liias, Frockt, Schoesler, Hobbs, Kuderer, Conway and Bailey

AN ACT Relating to veterans' mental health services at institutions of higher education; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Appropriations.

2SSB 5577 by Senate Committee on Ways & Means (originally sponsored by Senators Conway and Keiser)

AN ACT Relating to the rights and obligations associated with incapacitated persons and other vulnerable adults; amending RCW 74.34.020 and 11.92.043; adding a new section to chapter 11.92 RCW; and adding a new section to chapter 2.72 RCW.

Referred to Committee on Judiciary.

SB 5581 by Senators Angel and Mullet

AN ACT Relating to authorizing public hospital districts to participate in self-insurance risk pools with nonprofit hospitals; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

ESSB 5628 by Senate Committee on Local Government (originally sponsored by Senators Takko, Fortunato and Sheldon)

AN ACT Relating to fire protection district formation by the legislative authority of a city or town subject to voter approval; amending RCW 84.55.092, 29A.36.071, 52.14.010, and 52.14.020; adding new sections to chapter 52.02 RCW; and adding a new section to chapter 52.14 RCW.

Referred to Committee on Local Government.

SB 5639 by Senators Conway and Zeiger

AN ACT Relating to alternative student assessments; amending RCW 28A.655.061; and adding a new section to chapter 28A.655 RCW.

Referred to Committee on Education.

ESSB 5702 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Honeyford, Frockt and Pedersen)

AN ACT Relating to improving state funding for school construction, modernization, and asset preservation; amending RCW 28A.525.025, 28A.525.020, 28A.525.090, 28A.525.058, and 28A.525.310; adding a new chapter to Title 28A RCW; creating new sections; recodifying RCW 28A.525.020, 28A.525.025, 28A.525.058, 28A.525.070, 28A.525.080, 28A.525.090, and 28A.525.310; repealing RCW 28A.525.010, 28A.525.030, 28A.525.040, 28A.525.050, 28A.525.055, 28A.525.060, 28A.525.095, 28A.525.161, 28A.525.162, 28A.525.164, 28A.525.166, 28A.525.168, 28A.525.170, 28A.525.172, 28A.525.174, 28A.525.176, 28A.525.178, 28A.525.180, 28A.525.190, and 28A.525.200; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Capital Budget.

SB 5826 by Senators Hobbs, Zeiger, O'Ban, Conway, Fain, Keiser, Hunt and Saldaña

AN ACT Relating to eligibility for veteran or national guard tuition waivers; and amending RCW 28B.15.621.

Referred to Committee on Higher Education.

SJM 8009 by Senator Chase

Requesting Congress to provide the National Oceanic and Atmospheric Administration Fisheries with sufficient resources to expedite its endangered species act and national environmental policy act review of Puget Sound hatchery and genetic management plans and that the National Oceanic and Atmospheric Administration Fisheries prioritize and conduct

immediate review and approval of Puget Sound hatchery and genetic management plans.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills and joint memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1421, by Representatives Smith, Hudgins and Stanford

Concerning the removal of payment credentials and other sensitive data from state data networks.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1421 was substituted for House Bill No. 1421 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1421 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1421.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1421, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan,

Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1421, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1787, by Representatives Hudgins, Koster, Appleton, Doglio, Kraft and Ormsby

Providing oversight of the state procurement and contracting for information technology goods and services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1787 was substituted for House Bill No. 1787 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1787 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1787.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1787, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1787, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1929, by Representatives Hudgins, Harmsworth and Tarleton

Concerning independent security testing of state agencies' information technology systems and infrastructure by the military department.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1929 was substituted for House Bill No. 1929 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1929 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins, Koster and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1929.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1929, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1929, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1814, by Representatives Goodman and Ortiz-Self

Concerning notification requirements for the department of social and health services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1814 was substituted for House Bill No. 1814 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1814 was read the second time.

Representative Goodman moved the adoption of amendment (252):

On page 1, beginning on line 15, after "to the" strike all material through "site" on line 17 and insert "tribal agent designated by the Indian child's tribe or tribes for receipt of Indian child welfare act notice, as published by the bureau of Indian affairs in the federal register"

Representative Goodman spoke in favor of the adoption of the amendment.

Amendment (252) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1814.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1814, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker. par Voting nay: Representative Chandler.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1814, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1566, by Representatives Pellicciotti, McDonald, Stambaugh, Gregerson, Ortiz-Self, Peterson, Riccelli, Stanford, Stonier, Kilduff, Holy, Ormsby, Haler, Bergquist and Dolan

Concerning the definition of work activity for the purposes of the WorkFirst program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1566 was substituted for House Bill No. 1566 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1566 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pellicciotti, Dent and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1566.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1566, and the bill passed the House by the following vote: Yeas, 73; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dye, Haler, Harris, Hayes, Holy, Jenkin, Koster, Kretz, Kristiansen, Maycumber, McCabe, McCaslin, Nealey, Pike, Schmick, Shea, Stokesbary, Taylor, Vick, Volz and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1566, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2010, by Representatives Maycumber, Dent, Blake, Kretz, Dye and Manweller

Addressing homelessness in wildfire areas.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2010 was substituted for House Bill No. 2010 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2010 was read the second time.

With the consent of the House, amendment (093) was withdrawn.

Representative Maycumber moved the adoption of amendment (194):

On page 1, beginning on line 8, after "including" strike all material through "increased" on line 10 and insert "reductions in tardiness, absenteeism, suspensions, and reported illnesses and visits to nurses' offices. The legislature further finds that thoughtful and evidence-based school food programs are also associated with improved student results on standardized tests and improved"

On page 1, line 19, after "better" strike "understanding" and insert "understand"

On page 2, line 11, after "remains;" strike "and"

On page 2, line 15, after "projects" insert "; and (d) Conduct an analysis of breakfast after the bell programs established in accordance with section 3 of this act"

On page 11, after line 27, insert the following:

"NEW SECTION. Sec. 12. A new section is added to chapter 28A.235 RCW to read as follows:

(1) The joint legislative audit and review committee shall conduct an analysis of breakfast after the bell programs established in schools in accordance with section 3 of this act. The analysis of the schools establishing breakfast after the bell programs shall include a review of any changes in student:

- (a) Tardiness and absenteeism;
- (b) Suspensions;
- (c) Reported illnesses and visits to nurses' offices;

(d) Results on standardized tests; and
(e) Graduation rates.

(2) The analysis shall also include a review of the outcomes of similar programs or efforts in other states.

(3) The office of the superintendent of public instruction and the education and research data center of the office of financial management shall assist in providing any data required to conduct the analysis. The analysis, including any findings and recommendations, must be completed and submitted to the superintendent of public instruction and, in accordance with RCW 43.01.036, the education committees of the house of representatives and the senate by December 1, 2025.

NEW SECTION. Sec. 13. Sections 3, 4, and 7 of this act expire June 30, 2027."

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

Correct the title.

Representatives Maycumber and Ryu spoke in favor of the adoption of the amendment.

Amendment (194) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Maycumber, Ryu and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2010.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2010, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet,

Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2010, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Taylor congratulated Representative Maycumber on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1196, by Representatives Goodman, Rodne, Jinkins, Kilduff, McBride and Barkis

Modifying the process for prevailing parties to recover judgments in small claims court.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1196 was substituted for House Bill No. 1196 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1196 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1196.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1196, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford,

Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

SUBSTITUTE HOUSE BILL NO. 1196, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1170, by Representatives Orwall, Goodman, Kilduff, Rodne, Muri, Jinkins, Fey, Pollet and Santos

Maintaining and facilitating court-based and school-based efforts to promote attendance and reduce truancy.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1170 was substituted for House Bill No. 1170 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1170 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall, Barkis, Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1170.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1170, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.

SECOND SUBSTITUTE HOUSE BILL NO. 1170, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1046, by Representative MacEwen

Concerning certificates of academic and individual achievement.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1046 was substituted for House Bill No. 1046 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1046 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives MacEwen, Santos, Stonier, Harris and Dye spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1046.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1046, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Graves, Hargrove, Orcutt, Rodne, Stokesbary and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1046, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1512, by Representatives Bergquist, Stambaugh, McBride, Gregerson, Slatter, Frame, Macri, Peterson, Hudgins, Pollet, Orwall, Doglio, Appleton, Fitzgibbon, Goodman, Farrell and Stanford

Expanding college bound scholarship eligibility.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1512 was substituted for House Bill No. 1512 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1512 was read the second time.

Representative Bergquist moved the adoption of amendment (095):

On page 3, line 10, after "exceed" strike "((sixty-five)) seventy" and insert "sixty-five"

On page 4, line 31, after "exceed" strike "((sixty-five)) seventy" and insert "sixty-five"

On page 4, line 33, after "for" strike "((sixty-five)) seventy" and insert "sixty-five"

On page 6, after line 8, insert the following: "Sec. 1. RCW 28B.92.060 and 2012 c 229 s 558 are each amended to read as follows:

In awarding need grants, the office shall proceed substantially as follows: PROVIDED, That nothing contained herein shall be construed to prevent the office, in the exercise of its sound discretion, from following another procedure when the best interest of the program so dictates:

(1) The office shall annually select the financial aid award recipients from among Washington residents applying for student financial aid who have been ranked according to:

(a) Financial need as determined by the amount of the family contribution; ((and))

(b) College bound scholarship eligibility, in which students who are eligible for the college bound scholarship and whose family incomes are in the zero to seventy percent median family income range shall be prioritized and awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students; and

(c) Other considerations, such as whether the student is a former foster

youth, or is a placebound student who has completed an associate of arts or associate of science degree or its equivalent.

(2) The financial need of the highest ranked students shall be met by grants depending upon the evaluation of financial need until the total allocation has been disbursed. Funds from grants which are declined, forfeited or otherwise unused shall be reawarded until disbursed, except that eligible former foster youth shall be assured receipt of a grant. The office, in consultation with four-year institutions of higher education, the council, and the state board for community and technical colleges, shall develop award criteria and methods of disbursement based on level of need, and not solely rely on a first-come, first-served basis.

(3) A student shall be eligible to receive a state need grant for up to five years, or the credit or clock hour equivalent of five years, or up to one hundred twenty-five percent of the published length of time of the student's program. A student may not start a new associate degree program as a state need grant recipient until at least five years have elapsed since earning an associate degree as a need grant recipient, except that a student may earn two associate degrees concurrently. Qualifications for renewal will include maintaining satisfactory academic progress toward completion of an eligible program as determined by the office. Should the recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the grant shall be returned to the state educational grant fund by the institution according to the institution's own policy for issuing refunds, except as provided in RCW 28B.92.070.

(4) In computing financial need, the office shall determine a maximum student expense budget allowance, not to exceed an amount equal to the total maximum student expense budget at the public institutions plus the current average state appropriation per student for operating expense in the public institutions. Any child support payments received by students who are parents attending less than half-time shall not be used in computing financial need.

(5)(a) A student who is enrolled in three to six credit-bearing quarter credits, or the equivalent semester credits, may receive a grant for up to one academic year before beginning a

program that leads to a degree or certificate.

(b) An eligible student enrolled on a less-than-full-time basis shall receive a prorated portion of his or her state need grant for any academic period in which he or she is enrolled on a less-than-full-time basis, as long as funds are available.

(c) An institution of higher education may award a state need grant to an eligible student enrolled in three to six credit-bearing quarter credits, or the semester equivalent, on a provisional basis if:

(i) The student has not previously received a state need grant from that institution;

(ii) The student completes the required free application for federal student aid;

(iii) The institution has reviewed the student's financial condition, and the financial condition of the student's family if the student is a dependent student, and has determined that the student is likely eligible for a state need grant; and

(iv) The student has signed a document attesting to the fact that the financial information provided on the free application for federal student aid and any additional financial information provided directly to the institution is accurate and complete, and that the student agrees to repay the institution for the grant amount if the student submitted false or incomplete information.

(6) As used in this section, "former foster youth" means a person who is at least eighteen years of age, but not more than twenty-four years of age, who was a dependent of the department of social and health services at the time he or she attained the age of eighteen."

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

Correct the title.

Representative Bergquist spoke in favor of the adoption of the amendment.

Representative Holy spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 50 - YEAS; 48 - NAYS.

Amendment (095) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Bergquist spoke in favor of the passage of the bill.

Representative Holy spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1512.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1512, and the bill passed the House by the following vote: Yeas, 54; Nays, 44; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker. \par Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1512, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1561, by Representatives Frame, Pollet, Doglio, Kloba, Bergquist, Kilduff, Stanford, Dolan, Peterson, Stonier, Senn, Slatter, Fey, Lovick, Macri, Tarleton, Tharinger, Sawyer, Goodman and Farrell

Concerning open educational resources.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1561 was substituted for House Bill No. 1561 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1561 was read the second time.

Representative Vick moved the adoption of amendment (253):

On page 2, line 6, after "adopt" strike "or create" and insert "and modify, or create new,"

On page 2, line 7, after "attendance." insert "Grant dollars may not be used to duplicate open educational resources that are already free and publicly available."

Representatives Vick and Hansen spoke in favor of the adoption of the amendment.

Amendment (253) was adopted.

Representative Stambaugh moved the adoption of the striking amendment (257):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the cost of textbooks is a barrier to higher education for many students. The state board for community and technical colleges through the open course library, and universities around the country through various open educational resources programs, have achieved significant cost savings for students. It is the intent of the legislature to create a pilot grant program to reduce costs for college students by supporting the public, four-year institutions of higher education in promoting, adapting, and creating open educational resources.

NEW SECTION. Sec. 2. (1) Beginning in the 2017-18 academic year, the Washington open educational resources pilot grant program is established within the student achievement council to create a competitive grant program for the public four-year institutions of higher education to promote, adapt, and create open educational resources and reduce students' costs of attendance.

(2) Subject to funds appropriated specifically for this purpose, the student achievement council shall award up to six grants, each up to one hundred thousand dollars, for the purpose of promoting the development, adaptation, and use of open educational resources. The student achievement council shall

develop a process for reviewing and selecting grant applications.

(3) The student achievement council shall report to the appropriate committees of the legislature by November 1, 2019, on:

(a) Which public four-year institutions of higher education received the grants;

(b) How the grant money was used to promote and expand the use of open educational resources; and

(c) An estimated cost savings to students as a result of the grants.

(4) This section expires June 30, 2020.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Stambaugh spoke in favor of the adoption of the striking amendment.

Representative Hansen spoke against the adoption of the striking amendment.

Amendment (257) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Frame spoke in favor of the passage of the bill.

Representative Holy spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1561.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1561, and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hayes, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride,

McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Vick, J. Walsh, Wylie, Young and Mr. Speaker. par Voting nay: Representatives Barkis, Buys, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Schmick, Shea, Stokesbary, Taylor, Van Werven, Volz and Wilcox.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1561, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 1439, by House Committee on Appropriations (originally sponsored by Representatives Pollet, Haler, Tarleton, Fey, Sells, Orwall, Ryu, Stanford and Dolan)

Regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business practices.

There being no objection, the rules were suspended, and SECOND SUBSTITUTE HOUSE BILL NO. 1439 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Pollet moved the adoption of the striking amendment (237):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) In 2016, the student achievement council contracted with the William D. Ruckelshaus center to conduct a two-part study analyzing the system of for-profit degree-granting institutions and private vocational schools in Washington. The Ruckelshaus center issued its first report in December 2016, and this act incorporates some of the findings and recommendations from the first phase of the report, including the benefits of ensuring that recruitment advertising and materials are consistent with state and federal verified data. This act also authorizes the second part of the study, as recommended by the center, including discussions of agency jurisdiction and consistency.

(2) The legislature finds that there are many private for-profit and nonprofit career colleges and degree-granting institutions providing Washington state residents with important postsecondary and career opportunities that contribute to the economic security of Washington residents and aid in meeting the needs of our state's growing economy. The legislature also recognizes that there have been high profile closures of, or federal and other state determinations regarding, some for-profit or formerly for-profit institutions that have damaged the reputation of the sector and impacted the expectations and financial stability of some students. It is the legislature's intent to provide a framework to ensure a level playing field exists for the many institutions that provide disclosures to prospective students based on verifiable metrics, which allow prospective students to be able to make the best decisions on school and career choices and on financial aid and loans to finance their educational goals. The legislature also intends to ensure that students are provided the information they need to make the best decisions for their educational future and careers in event of closure or potential closure of an institution. In addition, the legislature intends to protect the state's interest in the integrity of its grant and aid programs, from private decisions to close schools or programs under circumstances that may prevent students from obtaining the degree or certificate and career services that the students expected upon enrollment.

NEW SECTION. Sec. 2. (1) Subject to the availability of amounts appropriated for this specific purpose, the student achievement council must continue administering the two-part study of for-profit degree-granting institutions and private vocational schools that was authorized under section 609, chapter 36, Laws of 2016 sp. sess..

(2) As part of the second part of the process, the study must contain findings and recommendations regarding the creation of an ombuds to serve students of degree-granting institutions and private vocational schools, including a recommendation on which state agency should house the position, and if there are other ombuds positions created by the legislature that can serve these students.

(3) The student achievement council and the workforce training and education

coordinating board must provide a report on the study to the legislature by December 31, 2017.

NEW SECTION. Sec. 3. A new section is added to chapter 28B.85 RCW to read as follows:

(1) The council may deny, revoke, or suspend the authorization of any degree-granting institution authorized to operate under this chapter that is found to be in violation of this chapter.

(2) It is a violation of this chapter for a degree-granting institution authorized to operate under this chapter or an agent employed by such a degree-granting institution to provide prospective students with any testimonial, endorsement, or other information that a reasonable person would find was likely to mislead or deceive prospective students or the public regarding current practices of the school, current conditions for employment opportunities, postgraduation employment by industry, or probable earnings in the occupation for which the education was designed, the likelihood of obtaining financial aid or low-interest loans for tuition, or the ability of graduates to repay loans.

NEW SECTION. Sec. 4. A new section is added to chapter 28B.85 RCW to read as follows:

If a degree-granting institution authorized to operate under this chapter presents data about its completion rates, employment rates, loan or indebtedness metrics, or its graduates' median hourly and annual earnings, the posted data must be consistent with the data posted on the workforce training and education coordinating board's career bridge web site or the data posted by the United States department of education, if the board or the department of education has posted such data.

Sec. 5. RCW 28C.10.050 and 2014 c 11 s 2 are each amended to read as follows:

(1) The agency shall adopt by rule minimum standards for entities operating private vocational schools. The minimum standards shall include, but not be limited to, requirements to assess whether a private vocational school is eligible to obtain and maintain a license in this state.

(2) The requirements adopted by the agency shall, at a minimum, require a private vocational school to:

(a) Disclose to the agency information about its ownership and financial position and ((to)) demonstrate to the agency that the school is financially

viable and responsible and that it has sufficient financial resources to fulfill its commitments to students. Financial disclosures provided to the agency shall not be subject to public disclosure under chapter 42.56 RCW;

(b) Follow a uniform statewide cancellation and refund policy as specified by the agency;

(c) Disclose through use of a school catalog, web site, brochure, or other written material, necessary information to students so that students may make informed enrollment decisions. The agency shall specify what data and information ((is)) are required. To the extent that these web sites or materials present any data on the completion rates, employment rates, loan or indebtedness metrics, and its graduates' median hourly and annual earnings for any of the private vocational schools or its programs, the posted data must be consistent with the data posted on the agency's career bridge web site or the data posted by the United States department of education, if the agency or the department of education has posted such data. Nothing in this subsection requires the agency to make changes to the career bridge web site or add new elements or features to the career bridge web site;

(d) Use an enrollment contract or agreement that includes: (i) The school's cancellation and refund policy, (ii) a brief statement that the school is licensed under this chapter and that inquiries, concerns, or complaints may be made to the agency, and (iii) other necessary information as determined by the agency;

(e) Describe accurately and completely in writing to students before their enrollment prerequisites and requirements for (i) completing successfully the programs of study in which they are interested and (ii) qualifying for the fields of employment for which their education is designed;

(f) Comply with the requirements of RCW 28C.10.084;

(g) Assess the basic skills and relevant aptitudes of each potential student to determine that a potential student has the basic skills and relevant aptitudes necessary to complete and benefit from the program in which the student plans to enroll, including but not limited to administering a United States department of education-approved English as a second language exam before enrolling students for whom English is a

second language unless the students provide proof of graduation from a United States high school or proof of completion of a high school equivalency certificate as provided in RCW 28B.50.536 in English or results of another academic assessment determined appropriate by the agency. Guidelines for such assessments shall be developed by the agency, in consultation with the schools;

(h) Discuss with each potential student the potential student's obligations in signing any enrollment contract and/or incurring any debt for educational purposes. The discussion shall include the inadvisability of acquiring an excessive educational debt burden that will be difficult to repay given employment opportunities and average starting salaries in the potential student's chosen occupation;

(i) Ensure that any enrollment contract between the private vocational school and its students has an attachment in a format provided by the agency. The attachment shall be signed by both the school and the student. The attachment shall stipulate that the school has complied with (h) of this subsection and that the student understands and accepts his or her responsibilities in signing any enrollment contract or debt application. The attachment shall also stipulate that the enrollment contract shall not be binding for at least five days, excluding Sundays and holidays, following signature of the enrollment contract by both parties; and

(j) Comply with the requirements related to qualifications of administrators and instructors.

(3) The agency may deny a private vocational school's application for licensure if the school fails to meet the requirements in this section.

(4) The agency may determine that a licensed private vocational school or a particular program of a private vocational school is at risk of closure or termination if:

(a) There is a pattern or history of substantiated student complaints filed with the agency pursuant to RCW 28C.10.120; or

(b) The private vocational school fails to meet minimum licensing requirements and has a pattern or history of failing to meet the minimum requirements.

(5) If the agency determines that a private vocational school or a particular program is at risk of closure or

termination, the agency shall require the school to take corrective action.

Sec. 6. RCW 28C.10.110 and 2014 c 11 s 6 are each amended to read as follows:

(1) It is a violation of this chapter for an entity operating a private vocational school to engage in an unfair business practice. The agency may deny, revoke, or suspend the license of any entity that is found to have engaged in a substantial number of unfair business practices or that has engaged in significant unfair business practices.

(2) It is an unfair business practice for an entity operating a private vocational school or an agent employed by a private vocational school to:

(a) Fail to comply with the terms of a student enrollment contract or agreement;

(b) Use an enrollment contract form, catalog, brochure, or similar written material affecting the terms and conditions of student enrollment other than that previously submitted to the agency and authorized for use;

(c) Advertise in the help wanted section of a newspaper or otherwise represent falsely, directly or by implication, that the school is an employment agency, is making an offer of employment or otherwise is attempting to conceal the fact that what is being represented are course offerings of a school;

(d) Represent falsely, directly or by implication, that an educational program is approved by a particular industry or that successful completion of the program qualifies a student for admission to a labor union or similar organization or for the receipt of a state license in any business, occupation, or profession;

(e) Represent falsely, directly or by implication, that a student who successfully completes a course or program of instruction may transfer credit for the course or program to any institution of higher education;

(f) Represent falsely, directly or by implication, in advertising or in any other manner, the school's size, location, facilities, equipment, faculty qualifications, number of faculty, or the extent or nature of any approval received from an accrediting association;

(g) Represent that the school is approved, recommended, or endorsed by the state of Washington or by the agency, except the fact that the school is authorized to operate under this chapter may be stated;

(h) Provide prospective students with: Any testimonial, endorsement, or other information ((which has the tendency)) that a reasonable person would find likely to mislead or deceive prospective students or the public, including those regarding current practices of the school((,)); information regarding rates of completion or postgraduation employment by industry, or its graduates' median hourly or annual earnings, that is not consistent with the presentation of data as established under RCW 28C.10.050(2)(c); current conditions for employment opportunities((,)); postgraduation employment by industry or probable earnings in the occupation for which the education was designed; total cost to obtain a degree or certificate; the acceptance of a degree or certificate by employers as a qualification for employment; the acceptance of courses, a degree, or certificate by higher education institutions; the likelihood of obtaining financial aid or low-interest loans for tuition; and the ability of graduates to repay loans;

(i) Designate or refer to sales representatives as "counselors," "advisors," or similar terms which have the tendency to mislead or deceive prospective students or the public regarding the authority or qualifications of the sales representatives;

(j) Make or cause to be made any statement or representation in connection with the offering of education if the school or agent knows or reasonably should have known the statement or representation to be false, substantially inaccurate, or misleading;

(k) Engage in methods of advertising, sales, collection, credit, or other business practices which are false, deceptive, misleading, or unfair, as determined by the agency by rule; or

(l) Attempt to recruit students in or within forty feet of a building that contains a welfare or unemployment office. Recruiting includes, but is not limited to canvassing and surveying. Recruiting does not include leaving materials at or near an office for a person to pick up of his or her own accord, or handing a brochure or leaflet to a person provided that no attempt is made to obtain a name, address, telephone number, or other data, or to otherwise actively pursue the enrollment of the individual."

Correct the title.

Representatives Pollet and Holy spoke in favor of the adoption of the striking amendment.

Amendment (237) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1439.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1439, and the bill passed the House by the following vote: Yeas, 56; Nays, 42; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Holy, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Vick, Volz, J. Walsh, Wilcox and Young.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1439, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1541, by Representatives Robinson, Johnson, Harris, McBride, Doglio, Wylie, Peterson, Cody, Stonier, Frame, Sawyer, Macri, Sells, Orwall, Jinkins, Senn, Tharinger, Stanford, Riccelli, Fitzgibbon, Ormsby, Gregerson, Hudgins, Ortiz-Self, Ryu, Farrell, Tarleton, Pollet, Clibborn, Fey, Kilduff, Reeves, Kagi, Chapman, Pellicciotti, Bergquist, Goodman, Lovick and Slatter

Addressing prescription drug cost transparency.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1541 was substituted for House Bill No. 1541 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1541 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Robinson spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1541.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1541, and the bill passed the House by the following vote: Yeas, 52; Nays, 46; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kristiansen, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 1541, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Substitute House Bill No. 1541.

Representative Kristiansen, 39th Legislative District

HOUSE BILL NO. 1794, by Representatives Klippert and Jinkins**Concerning the death investigations account.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1794.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1794, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1794, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1711, by Representatives Kretz, Springer, Pettigrew, Schmick, Short and Condotta**Prioritizing lands to receive forest health treatments.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1711 was substituted for House Bill No. 1711 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1711 was read the second time.

Representative Kretz moved the adoption of the striking amendment (130):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 79.10 RCW to read as follows:

(1)(a) The department shall, to the extent feasible given all applicable trust responsibilities, develop and implement a policy for prioritizing investments on forest health treatments to protect state lands and state forestlands, as those terms are defined in RCW 79.02.010, to: (i) Reduce wildfire hazards and losses from wildfire; (ii) reduce insect infestation and disease; and (iii) achieve cumulative impact of improved forest health and resilience at a landscape scale.

(b) The prioritization policy in (a) of this subsection must consider whether state lands and state forestlands are within an area that is subject to a forest health hazard warning or order pursuant to RCW 76.06.180.

(2)(a) The department's prioritization of state lands and state forestlands must be based on an evaluation of the economic and noneconomic value of:

(i) Timber or other commercial forest products removed during any mechanical treatments;

(ii) Timber or other commercial forest products likely to be spared from damage by wildfire;

(iii) Homes, structures, agricultural products, and public infrastructure likely to be spared from damage by wildfire;

(iv) Impacts to recreation and tourism; and

(v) Ecosystem services such as water quality, air quality, or carbon sequestration.

(b) The department's evaluation of economic values may rely on heuristic techniques.

(3) The definitions in this subsection apply throughout this section and sections 2 and 3 of this act unless the context clearly requires otherwise.

(a) "Forest health" has the same meaning as defined in RCW 76.06.020.

(b) "Forest health treatment" or "treatment" means actions taken by the department to restore forest health

including, but not limited to, sublandscape assessment and project planning, site preparation, reforestation, mechanical treatments including timber harvest, road realignment for fire protection and aquatic improvements, and prescribed burning.

NEW SECTION. Sec. 2. A new section is added to chapter 79.10 RCW to read as follows:

(1)(a) Consistent with the prioritization policy developed pursuant to section 1 of this act, and to the extent feasible given all applicable trust responsibilities, the department must identify areas of state lands and state forestlands that would benefit from forest health treatments at the landscape level for the next twenty years, and ones that would benefit the most during the following six years, and prioritize and list specific lands for treatment during the subsequent biennium. The department shall update this list by November 15th of each even-numbered year.

(b) To expedite initial treatments under this act, for the 2017-2019 biennium the department may prioritize and, if funds are appropriated for this purpose, address lands for treatment that are currently identified by the department as pilot treatment projects.

(2) In order to develop a prioritized list that evaluates forest health treatments at a landscape scale, the department should consult with and take into account the land management plans and activities of nearby landowners, if available, including federal agencies, other state agencies, local governments, tribes, and private property owners, in addition to any statewide assessments done by the department. The department may include federally, locally, or privately managed lands on the list. The department may fund treatment on these lands provided that the treatments are funded with nontrust funds, and provided that the treatments produce a net benefit to the health of state lands and state forestlands.

(3) By December 1st of each even-numbered year, the department must submit a report to the legislature consistent with the requirements of RCW 43.01.036, to the office of financial management, and to the board of natural resources. The report must include:

(a) A brief summary of the department's progress towards treating the state lands and state forestlands included on the preceding biennium's prioritization list;

(b) A list of lands prioritized for forest health treatments in the next biennium, including state lands and state forestlands prioritized for treatment pursuant to subsection (1) of this section;

(c) Recommended funding amounts required to carry out the treatment activities for the next biennium, including a summary of potential nontimber revenue sources that could finance specific forest health treatments pursuant to section 1 of this act, including but not limited to ecosystem services such as water and carbon sequestration as well as insurance and fire mitigation; and

(d) A summary of trends in forest health conditions.

NEW SECTION. Sec. 3. A new section is added to chapter 79.64 RCW to read as follows:

(1)(a) The forest health revolving account is created in the custody of the state treasurer. All receipts from the proceeds of forest health treatment sales as defined in this section and sections 1 and 2 of this act and all legislative transfers, gifts, grants, and federal funds must be deposited into the account. Expenditures from the account may be used only for the payment of costs, including management and administrative costs, incurred on forest health treatments necessary to improve forest health as defined in section 1 of this act. Only the commissioner or the commissioner's designee may authorize expenditures from the account. The board of natural resources has oversight of the account, and the commissioner must periodically report to the board of natural resources as to the status of the account, its disbursement, and receipts. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(b) The forest health revolving account is an interest-bearing account and the interest must be credited to the account.

(2) Beginning calendar year 2018, the fund balance attributable to the receipts from the proceeds of forest health

treatment sales is subject to the following:

(a) Any unobligated amounts up to ten million dollars at the end of the calendar year are not subject to disbursements to trust beneficiaries, the resource management account, or the forest development account.

(b) Any unobligated amounts exceeding ten million dollars at the end of the calendar year must be disbursed to the appropriate trust beneficiaries as determined by the board of natural resources and these disbursements are not subject to the deductions for the resource management cost account described in RCW 79.64.040 or the forest development account described in RCW 79.64.110.

(c) If the board of natural resources determines that the department has permanently discontinued using the forest health revolving account for the forest health treatments under sections 1 and 2 of this act, the board must disburse all remaining fund balance attributable to the proceeds of forest health treatment sales to the appropriate trust beneficiaries, and these disbursements are not subject to the deductions for the resource management cost account described in RCW 79.64.040 or the forest development account described in RCW 79.64.110.

(3)(a) Except as provided in (b) and (c) of this subsection, expenditures on state lands and state forestlands for forest health treatments by the department from the forest health revolving account must be consistent with the prioritization policy under section 1 of this act and the prioritization list created under section 2 of this act.

(b) The department is not bound to adhere to the list submitted to the legislature under section 1 of this act in the event that emerging information or changed circumstances support a reprioritization of lands consistent with the policy created under section 1 of this act.

(c) The department is not required to apply the prioritization policy of section 1 of this act where doing so would be incompatible with the conditions of funding provided by the federal government or another organization that is contributing funds to forest health treatments involving the department.

Sec. 4. RCW 43.30.325 and 2003 c 334 s 125 and 2003 c 313 s 9 are each reenacted and amended to read as follows:

(1) The department shall deposit daily all moneys and fees collected or received by the commissioner and the department in the discharge of official duties as follows:

(a) The department shall pay moneys received as advance payments, deposits, and security from successful bidders under RCW 79.15.100 and 79.11.150 to the state treasurer for deposit under (b) of this subsection. Moneys received from unsuccessful bidders shall be returned as provided in RCW 79.11.150;

(b) The department shall pay all moneys received on behalf of a trust fund or account to the state treasurer for deposit in the trust fund or account after making the deduction authorized under RCW ((79.22.040)) 79.64.110, 79.22.050, 79.64.040, and 79.15.520, except as provided in section 3 of this act;

(c) The natural resources deposit fund is hereby created. The state treasurer is the custodian of the fund. All moneys or sums which remain in the custody of the commissioner of public lands awaiting disposition or where the final disposition is not known shall be deposited into the natural resources deposit fund. Disbursement from the fund shall be on the authorization of the commissioner or the commissioner's designee, without necessity of appropriation;

(d) If it is required by law that the department repay moneys disbursed under (a) and (b) of this subsection the state treasurer shall transfer such moneys, without necessity of appropriation, to the department upon demand by the department from those trusts and accounts originally receiving the moneys.

(2) Money shall not be deemed to have been paid to the state upon any sale or lease of land until it has been paid to the state treasurer.

Sec. 5. RCW 79.64.040 and 2015 3rd sp.s. c 4 s 972 are each amended to read as follows:

(1) The board shall determine the amount deemed necessary in order to achieve the purposes of this chapter and shall provide by rule for the deduction of this amount from the moneys received

from all leases, sales, contracts, licenses, permits, easements, and rights-of-way issued by the department and affecting state lands and aquatic lands, except as provided in section 3 of this act, provided that no deduction shall be made from the proceeds from agricultural college lands.

(2) Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150 prior to December 1, 1981, which have not been subjected to deduction under this section are not subject to deduction under this section.

(3) Except as otherwise provided in subsection (5) of this section, the deductions authorized under this section shall not exceed twenty-five percent of the moneys received by the department in connection with any one transaction pertaining to state lands and aquatic lands other than second-class tide and shore lands and the beds of navigable waters, and fifty percent of the moneys received by the department pertaining to second-class tide and shore lands and the beds of navigable waters.

(4) In the event that the department sells logs using the contract harvesting process described in RCW 79.15.500 through 79.15.530, the moneys received subject to this section are the net proceeds from the contract harvesting sale.

(5) During the 2013-2015 fiscal biennium, the twenty-five percent limitation on deductions set in subsection (3) of this section may be increased up to thirty percent by the board. During the 2015-2017 fiscal biennium, the board may increase the twenty-five percent limitation up to thirty-two percent.

Sec. 6. RCW 79.64.110 and 2015 3rd sp.s. c 4 s 973 are each amended to read as follows:

(1) Any moneys derived from the lease of state forestlands or from the sale of valuable materials, oils, gases, coal, minerals, or fossils from those lands, except as provided in section 3 of this act, or the appraised value of these resources when transferred to a public agency under RCW 79.22.060, except as provided in RCW 79.22.060(4), must be distributed as follows:

(a) For state forestlands acquired through RCW 79.22.040 or by exchange for lands acquired through RCW 79.22.040:

(i) The expense incurred by the state for administration, reforestation, and protection, not to exceed twenty-five percent, which rate of percentage shall be determined by the board, must be returned to the forest development account created in RCW 79.64.100. During the 2015-2017 fiscal biennium, the board may increase the twenty-five percent limitation up to twenty-seven percent.

(ii) Any balance remaining must be paid to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board. Payments made under this subsection are to be paid, distributed, and prorated, except as otherwise provided in this section, to the various funds in the same manner as general taxes are paid and distributed during the year of payment.

(iii) Any balance remaining, paid to a county with a population of less than sixteen thousand, must first be applied to the reduction of any indebtedness existing in the current expense fund of the county during the year of payment.

(iv) With regard to moneys remaining under this subsection (1)(a), within seven working days of receipt of these moneys, the department shall certify to the state treasurer the amounts to be distributed to the counties. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date.

(b) For state forestlands acquired through RCW 79.22.010 or by exchange for lands acquired through RCW 79.22.010, except as provided in RCW 79.64.120:

(i) Fifty percent shall be placed in the forest development account.

(ii) Fifty percent shall be prorated and distributed to the state general fund, to be dedicated for the benefit of the public schools, to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board, and

according to the relative proportions of tax levies of all taxing districts in the county. The portion to be distributed to the state general fund shall be based on the regular school levy rate under RCW 84.52.065 and the levy rate for any maintenance and operation special school levies. With regard to the portion to be distributed to the counties, the department shall certify to the state treasurer the amounts to be distributed within seven working days of receipt of the money. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date. The money distributed to the county must be paid, distributed, and prorated to the various other funds in the same manner as general taxes are paid and distributed during the year of payment.

(2) A school district may transfer amounts deposited in its debt service fund pursuant to this section into its capital projects fund as authorized in RCW 28A.320.330.

Sec. 7. RCW 43.79A.040 and 2016 c 203 s 2, 2016 c 173 s 10, 2016 c 69 s 21, and 2016 c 39 s 7 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to

the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission

operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Kretz and Springer spoke in favor of the adoption of the striking amendment.

Amendment (130) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz and Springer spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1711.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1711, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1711, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2126, by Representatives Blake and Wilcox

Creating a community-based approach to provide assistance with nonlethal management methods to reduce livestock depredations by wolves.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2126 was substituted for House Bill No. 2126 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2126 was read the second time.

Representative Kretz moved the adoption of amendment (155):

On page 2, line 6, after "resources" insert "in any Washington county east of the crest of the Cascade mountain range that shares a border with Canada"

On page 2, line 8, after "A" strike "three" and insert "four"

On page 2, line 22, after "member;" strike "and"

On page 2, line 23, after "member" insert "; and"

(iv) One Okanogan conservation district board member"

Representatives Kretz and Blake spoke in favor of the adoption of the amendment.

Amendment (155) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Kretz spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2126.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2126, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2126, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1063, by Representatives Morris, Lytton, Fitzgibbon, Appleton and Sawyer

Allowing federally recognized tribes with lands held in trust in a county that is west of the Cascade mountain range that borders Puget Sound with a population of at least one hundred eighteen thousand, but less than two

hundred fifty thousand, persons to enter into agreements regarding fuel taxes.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Morris spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1063.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1063, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hayes, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

HOUSE BILL NO. 1063, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1176, by Representative Muri

Concerning the alcoholic beverage mead.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1176 was substituted for House Bill No. 1176 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1176 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Muri and Sawyer spoke in favor of the passage of the bill.

Representative Ryu spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1176.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1176, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Santos, Sawyer, Schmick, Sells, Shea, Slatter, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dye, Harris, Nealey, Ryu, Senn, Smith and Stanford.

SUBSTITUTE HOUSE BILL NO. 1176, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1043, by Representatives Robinson, Harris, Clibborn, Riccelli, Cody, Jinkins, Tharinger, Appleton and Sawyer

Addressing nonpublic personal health information.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1043 was substituted for House Bill No. 1043 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1043 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson and Graves spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1043.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1043, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1043, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1492, by Representatives Tharinger, Harris, Cody, Macri and Appleton

Equalizing civil monetary penalties for assisted living facilities with other long-term care providers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Graves spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1492.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1492, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon,

Frame, Goodman, Graves, Gregerson, Hansen, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, Macri, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Johnson, Kraft, Kretz, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pike, Shea, Smith, Taylor, Vick and Volz.

HOUSE BILL NO. 1492, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1815, by Representatives Kilduff, Rodne, Senn, Muri, Lovick, Ortiz-Self, Orwall and Frame

Concerning the rights of an alleged parent in dependency proceedings.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1815 was substituted for House Bill No. 1815 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1815 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1815.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1815, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer,

Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, Haler, Holy, Kretz, Maycumber, McCaslin, Orcutt, Shea, Taylor, Volz and Young.

SUBSTITUTE HOUSE BILL NO. 1815, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1816, by Representatives Frame, Goodman, Lovick, Ortiz-Self, Kilduff, Muri, Doglio, Macri and Fey

Concerning information sharing related to implementation of the homeless youth prevention and protection act of 2015.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1816 was substituted for House Bill No. 1816 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1816 was read the second time.

Representative Klippert moved the adoption of amendment (249):

On page 10, line 38, after "immediately)" insert "authorized to take a child who has run away from placement into custody pursuant to RCW 43.185C.260"

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Frame spoke against the adoption of the amendment.

Amendment (249) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Frame and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1816.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1816, and the bill passed the

House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker

Voting nay: Representatives Jenkin and Klippert.

SUBSTITUTE HOUSE BILL NO. 1816, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1734, by Representatives Lovick, Hargrove, Stonier, Muri, Ortiz-Self and Pollet

Authorizing reimbursement for substitute teachers participating in activities of the Washington state professional educator standards board to carry out its powers and duties.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Lovick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1734.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1734, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer,

Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1734, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1739, by Representatives Gregerson, Goodman, Peterson, Orwall, Kilduff, Harris, Ryu, Ortiz-Self, Lovick, Sells, Stonier, Clibborn, Dolan, Sawyer, Stanford and Jinkins

Concerning the crime victims' compensation program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1739 was substituted for House Bill No. 1739 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1739 was read the second time.

Representative Goodman moved the adoption of the striking amendment (258):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 7.68.020 and 2011 c 346 s 101 are each amended to read as follows:

The following words and phrases as used in this chapter have the meanings set forth in this section unless the context otherwise requires.

(1) "Accredited school" means a school or course of instruction which is:

(a) Approved by the state superintendent of public instruction, the state board of education, or the state board for community and technical colleges; or

(b) Regulated or licensed as to course content by any agency of the state or under any occupational licensing act of the state, or recognized by the apprenticeship council under an agreement registered with the apprenticeship council pursuant to chapter 49.04 RCW.

(2) "Average monthly wage" means the average annual wage as determined under RCW 50.04.355 as now or hereafter amended divided by twelve.

(3) "Beneficiary" means a husband, wife, registered domestic partner, or child of a victim in whom shall vest a

right to receive payment under this chapter, except that a husband or wife of an injured victim, living separate and apart in a state of abandonment, regardless of the party responsible therefor, for more than one year at the time of the injury or subsequently, shall not be a beneficiary. A spouse who has lived separate and apart from the other spouse for the period of two years and who has not, during that time, received or attempted by process of law to collect funds for maintenance, shall be deemed living in a state of abandonment.

(4) "Child" means every natural born child, posthumous child, stepchild, child legally adopted prior to the injury, child born after the injury where conception occurred prior to the injury, and dependent child in the legal custody and control of the victim, all while under the age of eighteen years, or under the age of twenty-three years while permanently enrolled as a full-time student in an accredited school, and over the age of eighteen years if the child is a dependent as a result of a physical, mental, or sensory handicap.

(5) "Consumer price index" means the consumer price index compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items must be used.

(6) "Criminal act" means an act committed or attempted in this state which is: (a) Punishable as a federal offense that is comparable to a felony or gross misdemeanor in this state; (b) punishable as a felony or gross misdemeanor under the laws of this state; (c) an act committed outside the state of Washington against a resident of the state of Washington which would be compensable had it occurred inside this state and the crime occurred in a state which does not have a crime victims' compensation program, for which the victim is eligible as set forth in the Washington compensation law; or (d) trafficking as defined in RCW 9A.40.100. A "criminal act" does not include the following:

(i) The operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law unless:

(A) The injury or death was intentionally inflicted;

(B) The operation thereof was part of the commission of another nonvehicular criminal act as defined in this section;

(C) The death or injury was the result of the operation of a motor vehicle after July 24, 1983, and one of the following applies:

(I) A preponderance of the evidence establishes that the death was the result of vehicular homicide under RCW 46.61.520((, or));

(II) The victim submits a copy of a certificate of probable cause filed by the prosecutor stating that a vehicular assault under RCW 46.61.522 occurred;

(III) Charges have been filed against the defendant for vehicular assault under RCW 46.61.522;

(IV) A conviction of vehicular assault under RCW 46.61.522((,)) has been obtained((.)); or

(V) In cases where a probable criminal defendant has died in perpetration of vehicular assault or, in cases where the perpetrator of the vehicular assault is unascertainable because he or she left the scene of the accident in violation of RCW 46.52.020 or, because of physical or mental infirmity or disability the perpetrator is incapable of standing trial for vehicular assault, the department may, by a preponderance of the evidence, establish that a vehicular assault had been committed and authorize benefits;

(D) The injury or death was caused by a driver in violation of RCW 46.61.502; or

(E) The injury or death was caused by a driver in violation of RCW 46.61.655(7)(a), failure to secure a load in the first degree;

(ii) Neither an acquittal in a criminal prosecution nor the absence of any such prosecution is admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding, except as provided for in (d)(i)(C) of this subsection;

(iii) Evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter is admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; and

(iv) Acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct are deemed to be criminal conduct within the meaning of this chapter.

((6)) (7) "Department" means the department of labor and industries.

((7)) (8) "Financial support for lost wages" means a partial replacement of lost wages due to a temporary or permanent total disability.

((8)) (9) "Gainfully employed" means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

((9)) (10) "Injury" means a sudden and tangible happening, of a traumatic nature, producing an immediate or prompt result, and occurring from without, and such physical conditions as result therefrom.

((10)) (11) "Invalid" means one who is physically or mentally incapacitated from earning wages.

((11)) (12) "Permanent total disability" means loss of both legs, or arms, or one leg and one arm, total loss of eyesight, paralysis, or other condition permanently incapacitating the victim from performing any work at any gainful occupation.

((12)) (13) "Private insurance" means any source of recompense provided by contract available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

((13)) (14) "Public insurance" means any source of recompense provided by statute, state or federal, available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

((14)) (15) "Temporary total disability" means any condition that temporarily incapacitates a victim from performing any type of gainful employment as certified by the victim's attending physician.

((15)) (16) "Victim" means a person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim's own good faith and reasonable effort to prevent a criminal act, or his or her good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. For the purposes of receiving benefits pursuant to this chapter, "victim" is interchangeable with "employee" or "worker" as defined in chapter 51.08 RCW as now or hereafter amended.

Sec. 2. RCW 7.68.030 and 2011 c 346 s 206 are each amended to read as follows:

(1) It shall be the duty of the director to establish and administer a program of benefits to innocent victims of criminal acts within the terms and limitations of this chapter. The director may apply for and, subject to appropriation, expend federal funds under Public Law 98-473 and any other federal program providing financial assistance to state crime victim compensation programs. The federal funds shall be deposited in the state general fund and may be expended only for purposes authorized by applicable federal law.

(2) The director shall:

(a) Establish and adopt rules governing the administration of this chapter in accordance with chapter 34.05 RCW;

(b) Regulate the proof of accident and extent thereof, the proof of death, and the proof of relationship and the extent of dependency;

(c) Supervise the medical, surgical, and hospital treatment to the intent that it may be in all cases efficient and up to the recognized standard of modern surgery;

(d) Issue proper receipts for moneys received and certificates for benefits accrued or accruing;

(e) Designate a medical director who is licensed under chapter 18.57 or 18.71 RCW;

(f) Supervise the providing of prompt and efficient care and treatment, including care provided by physician assistants governed by the provisions of chapters 18.57A and 18.71A RCW, acting under a supervising physician, including chiropractic care, and including care provided by licensed advanced registered

nurse practitioners, to victims at the least cost consistent with promptness and efficiency, without discrimination or favoritism, and with as great uniformity as the various and diverse surrounding circumstances and locations of industries will permit and to that end shall, from time to time, establish and adopt and supervise the administration of printed forms, electronic communications, rules, regulations, and practices for the furnishing of such care and treatment. The medical coverage decisions of the department do not constitute a "rule" as used in RCW 34.05.010(16), nor are such decisions subject to the rule-making provisions of chapter 34.05 RCW except that criteria for establishing medical coverage decisions shall be adopted by rule. The department may recommend to a victim particular health care services and providers where specialized treatment is indicated or where cost-effective payment levels or rates are obtained by the department, and the department may enter into contracts for goods and services including, but not limited to, durable medical equipment so long as statewide access to quality service is maintained for injured victims;

(g) In consultation with interested persons, establish and, in his or her discretion, periodically change as may be necessary, and make available a fee schedule of the maximum charges to be made by any physician, surgeon, chiropractor, hospital, druggist, licensed advanced registered nurse practitioner, and physician assistants as defined in chapters 18.57A and 18.71A RCW, acting under a supervising physician or other agency or person rendering services to victims. The department shall coordinate with other state purchasers of health care services to establish as much consistency and uniformity in billing and coding practices as possible, taking into account the unique requirements and differences between programs. No service covered under this title, including services provided to victims, whether aliens or other victims, who are not residing in the United States at the time of receiving the services, shall be charged or paid at a rate or rates exceeding those specified in such fee schedule, and no contract providing for greater fees shall be valid as to the excess. The establishment of such a schedule, exclusive of conversion factors, does not constitute "agency

action" as used in RCW 34.05.010(3), nor does such a fee schedule constitute a "rule" as used in RCW 34.05.010(16). Payments for providers' services under the fee schedule established pursuant to this subsection (2) may not be less than payments provided for comparable services under the workers' compensation program under Title 51 RCW, provided:

(i) If the department, using caseload estimates, projects a deficit in funding for the program by July 15th for the following fiscal year, the director shall notify the governor and the appropriate committees of the legislature and request funding sufficient to continue payments to not less than payments provided for comparable services under the workers' compensation program. If sufficient funding is not provided to continue payments to not less than payments provided for comparable services under the workers' compensation program, the director shall reduce the payments under the fee schedule for the following fiscal year based on caseload estimates and available funding, except payments may not be reduced to less than seventy percent of payments for comparable services under the workers' compensation program;

(ii) If an unforeseeable catastrophic event results in insufficient funding to continue payments to not less than payments provided for comparable services under the workers' compensation program, the director shall reduce the payments under the fee schedule to not less than seventy percent of payments provided for comparable services under the workers' compensation program, provided that the reduction may not be more than necessary to fund benefits under the program; and

(iii) Once sufficient funding is provided or otherwise available, the director shall increase the payments under the fee schedule to not less than payments provided for comparable services under the workers' compensation program;

(h) Make a record of the commencement of every disability and the termination thereof and, when bills are rendered for the care and treatment of injured victims, shall approve and pay those which conform to the adopted rules, regulations, established fee schedules, and practices of the director and may reject any bill or item thereof incurred in violation of the principles laid down

in this section or the rules, regulations, or the established fee schedules and rules and regulations adopted under it.

(3) The director and his or her authorized assistants:

(a) Have power to issue subpoenas to enforce the attendance and testimony of witnesses and the production and examination of books, papers, photographs, tapes, and records before the department in connection with any claim made to the department or any billing submitted to the department. The superior court has the power to enforce any such subpoena by proper proceedings;

(b)(i) May apply for and obtain a superior court order approving and authorizing a subpoena in advance of its issuance. The application may be made in the county where the subpoenaed person resides or is found, or the county where the subpoenaed records or documents are located, or in Thurston county. The application must (A) state that an order is sought pursuant to this subsection; (B) adequately specify the records, documents, or testimony; and (C) declare under oath that an investigation is being conducted for a lawfully authorized purpose related to an investigation within the department's authority and that the subpoenaed documents or testimony are reasonably related to an investigation within the department's authority.

(ii) Where the application under this subsection (3)(b) is made to the satisfaction of the court, the court must issue an order approving the subpoena. An order under this subsection constitutes authority of law for the agency to subpoena the records or testimony.

(iii) The director and his or her authorized assistants may seek approval and a court may issue an order under this subsection without prior notice to any person, including the person to whom the subpoena is directed and the person who is the subject of an investigation.

(4) In all hearings, actions, or proceedings before the department, any physician or licensed advanced registered nurse practitioner having theretofore examined or treated the claimant may be required to testify fully regarding such examination or treatment, and shall not be exempt from so testifying by reason of the relation of the physician or licensed advanced

registered nurse practitioner to the patient.

Sec. 3. RCW 7.68.031 and 2013 c 125 s 1 are each amended to read as follows:

On all claims under this chapter, claimants' written or electronic notices, orders, or payments must be forwarded directly to the claimant until such time as there has been entered an order on the claim appealable to the ((department)) board of industrial insurance appeals. Claimants' written or electronic notices, orders, or payments may be forwarded to the claimant in care of a representative before an order has been entered if the claimant sets forth in writing the name and address of the representative to whom the claimant desires this information to be forwarded.

Sec. 4. RCW 7.68.062 and 2011 c 346 s 302 are each amended to read as follows:

(1)(a) Where a victim is eligible for compensation under this chapter he or she shall file with the department his or her application for such, together with the certificate of the ((physician or licensed advanced registered nurse practitioner)) treating provider who attended him or her. An application for compensation form developed by the department shall include a notice specifying the victim's right to receive health services from a ((physician or licensed advanced registered nurse practitioner)) treating provider utilizing his or her private or public insurance or if no insurance, of the victim's choice under RCW 7.68.095.

(b) The ((physician or licensed advanced registered nurse practitioner)) treating provider who attended the injured victim shall inform the injured victim of his or her rights under this chapter and lend all necessary assistance in making this application for compensation and such proof of other matters as required by the rules of the department without charge to the victim.

(2) If the application required by this section is filed on behalf of the victim by the ((physician)) treating provider who attended the victim, the ((physician)) treating provider may transmit the application to the department electronically.

Sec. 5. RCW 7.68.070 and 2011 c 346 s 401 are each amended to read as follows:

The eligibility for benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in this chapter.

(1) Each victim injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, or the victim's family or beneficiary in case of death of the victim, are eligible for benefits in accordance with this chapter, subject to the limitations under RCW 7.68.015. Except for medical benefits authorized under RCW 7.68.080, no more than ((fifty)) forty thousand dollars shall be ((paid in total per claim, of which nonmedical benefits shall not exceed forty thousand dollars of the entire claim. Benefits may include a combination of burial expenses, financial support for lost wages, and medical expenses)) granted as a result of a single injury or death.

(a) Benefits payable for temporary total disability that results in financial support for lost wages shall not exceed fifteen thousand dollars.

(b) Benefits payable for a permanent total disability or fatality that results in financial support for lost wages shall not exceed forty thousand dollars. After at least twelve monthly payments have been paid, the department shall have the sole discretion to make a final lump sum payment of the balance remaining.

((c) Benefits for disposition of remains or burial expenses shall not exceed five thousand seven hundred fifty dollars per claim.))

(2) If the victim was not gainfully employed at the time of the criminal act, no financial support for lost wages will be paid to the victim or any beneficiaries, unless the victim was gainfully employed for a total of at least twelve weeks in the six months preceding the date of the criminal act.

(3) No victim or beneficiary shall receive compensation for or during the day on which the injury was received.

(4) If a victim's employer continues to pay the victim's wages that he or she was earning at the time of the crime, the victim shall not receive any financial support for lost wages.

(5) When the director determines that a temporary total disability results in a loss of wages, the victim shall receive

monthly subject to subsection (1) of this section, during the period of disability, sixty percent of the victim's monthly wage but no more than one hundred percent of the state's average monthly wage as defined in RCW 7.68.020. The minimum monthly payment shall be no less than five hundred dollars. Monthly wages shall be based upon employer wage statements, employment security records, or documents reported to and certified by the internal revenue service. Monthly wages must be determined using the actual documented monthly wage or averaging the total wages earned for up to twelve successive calendar months preceding the injury. In cases where the victim's wages and hours are fixed, they shall be determined by multiplying the daily wage the victim was receiving at the time of the injury:

(a) By five, if the victim was normally employed one day a week;

(b) By nine, if the victim was normally employed two days a week;

(c) By thirteen, if the victim was normally employed three days a week;

(d) By eighteen, if the victim was normally employed four days a week;

(e) By twenty-two, if the victim was normally employed five days a week;

(f) By twenty-six, if the victim was normally employed six days a week; or

(g) By thirty, if the victim was normally employed seven days a week.

(6) When the director determines that a permanent total disability or death results in a loss of wages, the victim or eligible spouse shall receive the monthly payments established in this subsection, not to exceed forty thousand dollars or the limits established in this chapter.

(7) If the director determines that the victim is voluntarily retired and is no longer attached to the workforce, benefits shall not be paid under this section.

(8) In the case of death, if there is no eligible spouse, benefits shall be paid to the child or children of the deceased victim. If there is no spouse or children, no payments shall be made under this section. If the spouse remarries before this benefit is paid in full benefits shall be paid to the victim's child or children and the spouse shall not receive further payment. If there is

no child or children no further payments will be made.

(9) The benefits for disposition of remains or burial expenses shall not exceed ((five)) six thousand ((seven)) one hundred ((fifty)) seventy dollars per claim ((and)). Beginning July 1, 2020, the department shall adjust the amount in this subsection (9) for inflation every three years based upon changes in the consumer price index during that time period. To receive reimbursement for expenses related to the disposition of remains or burial, the department must receive an itemized statement from a provider of services within ((twelve)) twenty-four months of the date ((upon which the death of the victim is officially recognized as a homicide)) of the claim allowance. If there is a delay in the recovery of remains or the release of remains for disposition or burial, an itemized statement from a provider of services must be received within ((twelve)) twenty-four months of the date of the release of the remains or of the date of the claim allowance, whichever is later.

(10) Any person who is responsible for the victim's injuries, or who would otherwise be unjustly enriched as a result of the victim's injuries, shall not be a beneficiary under this chapter.

(11) Crime victims' compensation is not available to pay for services covered under chapter 74.09 RCW or Title XIX of the federal social security act.

(12) A victim whose crime occurred in another state who qualifies for benefits under RCW 7.68.060(6) may receive appropriate mental health counseling to address distress arising from participation in the civil commitment proceedings. Fees for counseling shall be determined by the department in accordance with RCW 51.04.030, subject to the limitations of RCW 7.68.080.

(13) If the provisions of this title relative to compensation for injuries to or death of victims become invalid because of any adjudication, or are repealed, the period intervening between the occurrence of an injury or death, not previously compensated for under this title by lump payment or completed monthly payments, and such repeal or the rendition of the final adjudication of invalidity shall not be computed as a part of the time limited by law for the

commencement of any action relating to such injury or death.

(14) The benefits established in RCW 51.32.080 for permanent partial disability will not be provided to any crime victim or for any claim submitted on or after July 1, 2011.

Sec. 6. RCW 7.68.080 and 2011 1st sp.s. c 15 s 69 and 2011 c 346 s 501 are each reenacted and amended to read as follows:

(1) When the injury to any victim is so serious as to require the victim's being taken from the place of injury to a place of treatment, reasonable transportation costs to the nearest place of proper treatment shall be reimbursed by the department as part of the victim's total claim under RCW 7.68.070(1).

(2) In the case of alleged rape or molestation of a child, the reasonable costs of a colposcopy examination shall be reimbursed by the department. Costs for a colposcopy examination given under this subsection shall not be included as part of the victim's total claim under RCW 7.68.070(1).

(3) The director shall adopt rules for fees and charges for hospital, clinic, medical, and other health care services, including fees and costs for durable medical equipment, eyeglasses, hearing aids, and other medically necessary devices for crime victims under this chapter. The director shall set these service levels and fees at a level no lower than those established ((by the health care authority)) for comparable services under the workers' compensation program under Title ((74)) 51 RCW, except the director shall comply with the requirements of RCW 7.68.030(2)(g) (i) through (iii) when setting service levels and fees, including reducing levels and fees when required. In establishing fees for medical and other health care services, the director shall consider the director's duty to purchase health care in a prudent, cost-effective manner. The director shall establish rules adopted in accordance with chapter 34.05 RCW. Nothing in this chapter may be construed to require the payment of interest on any billing, fee, or charge.

(4) Whenever the director deems it necessary in order to resolve any medical issue, a victim shall submit to examination by a physician or physicians selected by the director, with the rendition of a report to the person

ordering the examination. The department shall provide the physician performing an examination with all relevant medical records from the victim's claim file. The director, in his or her discretion, may charge the cost of such examination or examinations to the crime victims' compensation fund. If the examination is paid for by the victim, then the cost of said examination shall be reimbursed to the victim for reasonable costs connected with the examination as part of the victim's total claim under RCW 7.68.070(1).

(5) Victims of sexual assault are eligible to receive appropriate counseling. Fees for such counseling shall be determined by the department. Counseling services may include, if determined appropriate by the department, counseling of members of the victim's immediate family, other than the perpetrator of the assault.

(6) Immediate family members of a homicide victim may receive appropriate counseling to assist in dealing with the immediate, near-term consequences of the related effects of the homicide. Up to twelve counseling sessions may be received ((for one year)) after the crime victim's claim has been allowed. Fees for counseling shall be determined by the department in accordance with and subject to this section. Payment of counseling benefits under this section may not be provided to the perpetrator of the homicide. The benefits under this subsection may be provided only with respect to homicides committed on or after July 1, 1992.

(7) Pursuant to RCW 7.68.070(12), a victim of a sex offense that occurred outside of Washington may be eligible to receive mental health counseling related to participation in proceedings to civilly commit a perpetrator.

(8) The crime victims' compensation program shall consider payment of benefits solely for the effects of the criminal act.

(9) The legislature finds and declares it to be in the public interest of the state of Washington that a proper regulatory and inspection program be instituted in connection with the provision of any services provided to crime victims pursuant to this chapter. In order to effectively accomplish such purpose and to assure that the victim receives such services as are paid for by

the state of Washington, the acceptance by the victim of such services, and the request by a provider of services for reimbursement for providing such services, shall authorize the director of the department or the director's authorized representative to inspect and audit all records in connection with the provision of such services. In the conduct of such audits or investigations, the director or the director's authorized representatives may:

(a) Examine all records, or portions thereof, including patient records, for which services were rendered by a health care provider and reimbursed by the department, notwithstanding the provisions of any other statute which may make or purport to make such records privileged or confidential, except that no original patient records shall be removed from the premises of the health care provider, and that the disclosure of any records or information obtained under authority of this section by the department is prohibited and constitutes a violation of RCW 42.52.050, unless such disclosure is directly connected to the official duties of the department. The disclosure of patient information as required under this section shall not subject any physician, licensed advanced registered nurse practitioner, or other health care provider to any liability for breach of any confidential relationships between the provider and the patient. The director or the director's authorized representative shall destroy all copies of patient medical records in their possession upon completion of the audit, investigation, or proceedings;

(b) Approve or deny applications to participate as a provider of services furnished to crime victims pursuant to this title;

(c) Terminate or suspend eligibility to participate as a provider of services furnished to victims pursuant to this title; and

(d) Pursue collection of unpaid overpayments and/or penalties plus interest accrued from health care providers pursuant to RCW 51.32.240(6).

(10) When contracting for health care services and equipment, the department, upon request of a contractor, shall keep confidential financial and valuable trade information, which shall be exempt from public inspection and copying under chapter 42.56 RCW.

Sec. 7. RCW 7.68.111 and 2011 c 346 s 601 are each amended to read as follows:

(1)(a) If the victim or beneficiary in a claim prevails in an appeal by any party to the ((department)) board of industrial insurance appeals or the court, the department shall comply with the ((department)) board of industrial insurance appeals or court's order with respect to the payment of compensation within the later of the following time periods:

(i) Sixty days after the compensation order has become final and is not subject to review or appeal; or

(ii) If the order has become final and is not subject to review or appeal and the department has, within the period specified in (a)(i) of this subsection, requested the filing by the victim or beneficiary of documents necessary to make payment of compensation, sixty days after all requested documents are filed with the department.

The department may extend the sixty-day time period for an additional thirty days for good cause.

(b) If the department fails to comply with (a) of this subsection, any person eligible for compensation under the order may institute proceedings for injunctive or other appropriate relief for enforcement of the order. These proceedings may be instituted in the superior court for the county in which the claimant resides, or, if the claimant is not then a resident of this state, in the superior court for Thurston county.

(2) In a proceeding under this section, the court shall enforce obedience to the order by proper means, enjoining compliance upon the person obligated to comply with the compensation order. The court may issue such writs and processes as are necessary to carry out its orders and may award a penalty of up to one thousand dollars to the person eligible for compensation under the order.

(3) A proceeding under this section does not preclude other methods of enforcement provided for in this chapter."

Correct the title.

Representatives Goodman and Klippert spoke in favor of the adoption of the striking amendment.

Amendment (258) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregerson, Klippert and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1739.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1739, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Schmick and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1739, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1863, by Representatives Gregerson, Stokesbary, Appleton and Stambaugh

Concerning the national fire incident reporting system.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1863 was substituted for House Bill No. 1863 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1863 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregerson and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1863.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1863, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1863, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1450, by Representatives Nealey, Kirby and Vick

Creating and establishing the rights and duties for title insurance rating and advisory organizations.

The bill was read the second time.

Representative Nealey moved the adoption of amendment (124):

On page 5, line 1, after "fee of" strike "twenty-five dollars" and insert "the amount established by the commissioner pursuant to RCW 48.29.005"

On page 11, beginning on line 12, after "(b)" strike all material through "review" on line 18 and insert "Before the commissioner approves a filing by a rating organization, the commissioner shall review all materials contained in the filing, including, as applicable, materials submitted by the rating organization, materials provided by the statistical reporting agent pursuant to RCW 48.29.017, as well as materials concerning any public hearings, market investigations, studies, or other"

information collected during the review, and determine that the filing complies with the requirements of this chapter"

On page 11, beginning on line 24, after "(9)" strike all material through "company" on line 32 and insert "A filing made under this section is exempt from RCW 48.02.120(3). However, the filing and all supporting information accompanying it is open to public inspection only after the filing becomes effective"

On page 13, after line 21, insert the following:

"**Sec. 23.** RCW 48.29.005 and 2008 c 110 s 9 are each amended to read as follows:

The commissioner may adopt rules to implement and administer this chapter, including but not limited to:

(1) Establishing the information to be included in the report required under RCW 48.29.015;

(2) Establishing the information required for the filing of rates for title insurance under RCW 48.29.147;

(3) Establishing standards which title insurance rate filings must satisfy under RCW 48.29.147;

(4) Establishing a date, which date shall not be earlier than January 1, 2010, by which all title insurers selling policies in this state must file their rates with the commissioner under RCW 48.29.143 and 48.29.147 rather than under RCW 48.29.140 and refile any rates that were in effect prior to the date established by the commissioner; (~~and~~)

(5) Defining what things of value a title insurance insurer or title insurance agent is permitted to give to any person in a position to refer or influence the referral of title insurance business under RCW 48.29.210(2). In adopting rules under this subsection, the commissioner shall work with representatives of the title insurance and real estate industries and consumer groups in developing the rules;

(6) Establishing the fee for a license as a rating organization under section 5 of this act;

(7) Establishing license requirements that an applicant for a license as a rating organization and a licensee must comply with; and

(8) Requiring a rating organization to periodically update the title insurance rates, manuals of rules and rates, rating plans, rate schedules, minimum rates, class rates, or rating rules, filed by the rating organization on behalf of its members or subscribers."

Correct the title.

Representatives Nealey and Kirby spoke in favor of the adoption of the amendment.

Amendment (124) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nealey and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1450.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1450, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1450, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1742, by Representatives Stambaugh, Fey, Orcutt, Riccelli, McDonald and Jinkins

Modifying the motor vehicle transporter's license to accommodate automotive repair facilities.

The bill was read the second time.

Representative Stambaugh moved the adoption of amendment (187):

On page 3, beginning on line 3, strike all of section 6

Correct the title.

Representatives Stambaugh and Clibborn spoke in favor of the adoption of the amendment.

Amendment (187) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stambaugh and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1742.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1742, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1742, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1877, by Representative Stanford

Concerning the release of driving record abstract information affecting registered tow truck operators.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1877 was substituted for House Bill No. 1877 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1877 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1877.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1877, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1877, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1351, by Representatives Sawyer, Vick, Springer, Barkis, Blake, Fitzgibbon and Haler

Authorizing, under one license, the sale of spirits, beer, and wine at retail for off-premises consumption.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1351 was substituted for House Bill No. 1351 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1351 was read the second time.

Representative Sawyer moved the adoption of amendment (088):

On page 2, beginning on line 15, after "premises of a" strike all material through "location" on line 16 and insert "former contract liquor store"

Representatives Sawyer and Condotta spoke in favor of the adoption of the amendment.

Amendment (088) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1351.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1351, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1351, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1132, by Representatives Buys and Blake

Concerning dispute resolution between seed buyers and dealers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Buys and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1132.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1132, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1132, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1280, by Representatives Kagi and Fey

Including referred and diverted youth in establishing community juvenile accountability program guidelines.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1280 was substituted for House Bill No. 1280 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1280 was read the second time.

With the consent of the House, amendment (262) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1280.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1280, and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dye, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Maycumber, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 1280, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1266, by Representatives Peterson, Young and Fitzgibbon

Concerning petroleum storage tank systems.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1266 was substituted for House Bill No. 1266 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1266 was read the second time.

With the consent of the House, amendment (244) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Peterson and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1266.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1266, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1266, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1944, by Representatives Condotta and Hayes

Exempting certain law enforcement officers from the hunter education training program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1944 was substituted for House Bill No. 1944 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1944 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Condotta and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1944.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1944, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves,

Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1944, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1747, by Representatives Taylor, McCaslin, Volz, Young and Shea

Concerning the withdrawal of land from a designated classification.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1747 was substituted for House Bill No. 1747 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1747 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor and Frame spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1747.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1747, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer,

Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1747, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

HOUSE BILL NO. 2057, by Representative Orwall

Concerning services and processes available when residential real property is abandoned or in foreclosure. Revised for 1st Substitute: Concerning the services and processes available when residential real property is abandoned or in foreclosure.

The bill was read the second time.

There being no objection Substitute House Bill No. 2057 was substituted for House Bill No. 2057 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2057 was read the second time.

Representative Orwall moved the adoption of the striking amendment (152):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 61.24 RCW to read as follows:

(1) A certificate of abandonment may be obtained for a fee through the housing finance commission by using a form and subject to the terms and conditions developed by the housing finance commission in conjunction with the servicing industry, trustees, and civil legal aid. The housing finance commission must determine the costs associated with the application process and set a reasonable application fee based upon these costs. The fee must not exceed one hundred dollars.

(2) Upon issuance of a certificate of abandonment, or upon receipt of notification from a servicer pursuant to section 2 or 3 of this act, the housing finance commission must notify the appropriate city, town, or county.

NEW SECTION. Sec. 2. A new section is added to chapter 61.24 RCW to read as follows:

(1) A servicer to whom a borrower, after default, has granted written permission to enter the premises to inspect, secure, repair, or maintain the premises may enter the premises and act

in accordance with the scope of the permission granted by the borrower.

(2) A servicer in possession of a court order allowing entry onto the premises to access, secure, maintain, and preserve the premises may enter the premises and act in accordance with the scope of the court order.

(3) A certificate of abandonment is not necessary under this section, but the servicer must notify the housing finance commission that it has obtained a court order or been granted written permission from the borrower in order that the commission may notify the appropriate city, town, or county.

NEW SECTION. Sec. 3. A new section is added to chapter 61.24 RCW to read as follows:

(1) A servicer may perform reasonable external maintenance without the borrower's permission if, after default and after reasonable inspection and notice in accordance with this section, there is reasonable cause to believe that the property is abandoned.

(2) A certificate of abandonment is not necessary under this section, but the servicer must notify the housing finance commission that it intends to perform reasonable external maintenance in order that the commission may notify the appropriate city, town, or county.

(3) For purposes of this section:

(a) "Notice" means a written notice posted on the door, informing the occupants that in three days the servicer or its agent intends to perform external maintenance of the property. The notice must remain on the door until the servicer is contacted by the borrower or lawful occupant or until foreclosure is complete. The notice must include all of the following:

(i) Information about the borrower's or lawful occupant's right to possession;

(ii) A twenty-four hour phone number that the borrower or lawful occupant may call with questions or concerns or to obtain information; and

(iii) The toll-free telephone number or charge-free equivalent made available by the department to find a department-approved housing counseling agency.

(b) "Reasonable cause to believe that the property is abandoned" means that the property exhibits a lack of evidence of occupancy and at least one of the following indicia of abandonment:

(i) Overgrown or dead vegetation;

(ii) An accumulation of newspapers, circulars, fliers, or mail;

(iii) Past due utility notices, or some or all of the utilities have been disconnected;

(iv) An accumulation of trash, junk, or debris;

(v) Broken windows.

(c) "Reasonable external maintenance" includes:

(i) Maintaining landscaping;

(ii) Collecting and disposing of newspapers, circulars, trash, and debris;

(iii) Painting over graffiti or tagging; and

(iv) The removal of hazardous property. If property is removed, the servicer must inventory and document the removal.

(d) "Reasonable inspection" means inspection from the street without entering the property.

NEW SECTION. Sec. 4. A new section is added to chapter 61.24 RCW to read as follows:

(1) A certificate of abandonment for entry into a dwelling without the borrower's permission permits a servicer or its agent to enter the property to take reasonable steps to secure the property. Upon issuance of a certificate of abandonment, the housing finance commission must notify the appropriate city, town, or county.

(2) The following conditions must be met before issuance of a certificate of abandonment:

(a) The borrower is in default and the property is abandoned, as indicated by the presence of at least three of the following indicia of abandonment visible from the exterior: (i) The absence of furnishings and personal items consistent with residential habitation; (ii) the gas, electric, and water utility services have been disconnected; (iii) statements by neighbors, passersby, delivery agents, or government employees that the property is vacant; (iv) multiple windows on the property are boarded up or closed off or are smashed through, broken, or unhinged, or multiple window panes are broken and unrepaired; (v) doors on the residence are smashed through, broken off, unhinged, or continuously unlocked; (vi) the property has been stripped of copper or other materials, or interior fixtures have been removed; (vii) law enforcement officials have received at least one report of trespassing or vandalism or other illegal activities occurring on the property within the immediately preceding six months; (viii) the property has been

declared unfit for occupancy and ordered to remain vacant and unoccupied pursuant to an order issued by a municipal or county authority or a court of competent jurisdiction; (ix) construction was initiated on the property and was discontinued before completion, leaving a building unsuitable for occupancy, and construction has not taken place for at least six months; (x) newspapers, circulars, flyers, or mail has accumulated on the property or the United States postal service has discontinued delivery to the property; (xi) rubbish, trash, debris, neglected vegetation, or natural overgrowth has accumulated on the property; (xii) hazardous, noxious, or unhealthy substances or materials have accumulated on the property; (xiii) other credible evidence exists indicating the intent to vacate and abandon the property; and either

(b) The property is open and unprotected or in reasonable danger of significant damage resulting from exposure to the elements or vandalism; or

(c) The local police, fire department, or code enforcement authority has requested that the borrower, owner, or any other interested or authorized party secure the residential real property because the local authority has declared the property to be an imminent danger to the health, safety, and welfare of the public.

(3) Within seven days of issuance of the certificate of abandonment, the servicer or its agent must post a written notice on the door informing the occupants that after thirty days the servicer or its agent intends to enter the dwelling to take reasonable steps to secure the property. The notice must remain on the door until the servicer is contacted by the borrower or lawful occupant or until foreclosure is complete. The notice must include all of the following:

(a) Information about the borrower's or lawful occupant's right to possession;

(b) A twenty-four hour phone number that the borrower or lawful occupant may call with questions or concerns or to obtain information; and

(c) The phone number of a housing counseling agency and information regarding the foreclosure fairness act.

(4) Absent the threat of imminent danger of harm, the servicer or its agent must wait thirty days after posting the notice before entering to take reasonable steps to secure the property. If there is imminent danger of harm, the servicer or

its agent need not wait thirty days but may enter immediately and, simultaneous with entry, post the notice required under subsection (3) of this section.

(5) Reasonable steps to secure the property include:

(a) Installing missing locks on exterior doors. Working locks may not be removed or replaced, unless all doors are secured and there is no other means of entry, and in such cases only one working lock may be removed and replaced;

(b) Replacing or boarding broken or missing windows;

(c) Winterizing, including draining pipes and disconnecting or turning on utilities;

(d) Eliminating building code or other code violations; or

(e) Securing exterior pools and spas.

(6) The servicer must document all steps to enter and secure the property, including taking date and time-stamped photographs of entry, and the manner of entry.

(7) Personal property may not be removed unless it is hazardous or perishable, and in such case an inventory and photographs of the property removed must be made.

(8) The servicer or agent must retain all documentation and photographs for a period of four years.

(9) The servicer and its agents must promptly exit the property if, upon entry, there are signs of occupancy.

(10) For purposes of this section, "imminent danger of harm" means:

(a) Active flooding, including damage to the roof such that water is entering the structure;

(b) Extreme weather conditions exist and immediate and extensive property damage is likely;

(c) Notification by the police, fire department, or code enforcement that there is immediate danger to health, safety, and welfare of the public; or

(d) Broken windows or damaged doors that could allow unlawful access to the property.

NEW SECTION. Sec. 5. A new section is added to chapter 61.24 RCW to read as follows:

The authority of an agent, such as a property preservation entity, to enter abandoned property and to perform any sort of work derives solely from the servicer's authority. A servicer has a duty to monitor its agents and to make sure that its agents possess the required permit, license, certificate, or registration, and are properly bonded and

insured if so required. The servicer must require that the agent implement stringent background check requirements for all of its employees engaged in on-site property preservation.

NEW SECTION. Sec. 6. A new section is added to chapter 61.24 RCW to read as follows:

(1) As used in this section:

(a) "Maintain" means:

- (i) Securing doors and windows;
- (ii) Landscaping;
- (iii) Collecting and disposing of newspapers, circulars, trash, and debris;
- (iv) Removing hazardous property;
- (v) Securing exterior pools and hot tubs; and
- (vi) Eliminating other threats to public health and safety.

(b) "Reasonable costs" means actual and demonstrable costs that are commensurate with and do not exceed the market rate for services necessary to remedy a condition resulting from a failure to maintain, plus the actual and demonstrable costs of administering a contract for services to remedy the condition or the portion of the costs of a program to remedy the condition that is attributable to remedying a condition for specific property.

(2)(a) Beginning thirty days after obtaining written permission or a court order as described under section 2 of this act or the issuance of a certificate of abandonment under section 4 of this act, and until the later of the recording of the trustee's deed by the purchaser or fifteen days after physical delivery of the trustee's deed to the purchaser, a beneficiary or its agent or servicer is under a duty to maintain the property during any period in which the property is vacant.

(b) A servicer must provide the servicer's name or the name of the servicer's agent and a telephone number or other means for contacting the servicer or agent to an official that the local government designates to receive the information described in this subsection.

(c) The servicer must post a durable notice in a conspicuous location on the property that lists a telephone number for the servicer or for the local government that a person may call to report a condition of neglect. The servicer must replace the notice if the notice is removed from the property during a period when the property is vacant.

(d) A servicer or the agent of a servicer must identify the borrower to the local government and provide to, and maintain with, the local government current contact information during a period when the property is vacant.

(3)(a) If a local government finds a violation of subsection (2)(a) of this section, the local government must notify the servicer, in writing, that the property is the subject of the violation and in accordance with (b) or (c) of this subsection, as appropriate, must specify a time within which the servicer must remedy the condition that is the basis for the local government's finding.

(b) The local government must allow the servicer not fewer than thirty days to remedy the violation, unless the local government makes a determination under (c) of this subsection, and must provide the servicer with an opportunity to contest the local government's finding at a hearing. The servicer must contest the local government's finding within ten days after the local government notifies the servicer of the violation.

(c) If the local government determines that a specific condition of the property constitutes a threat to public health or safety, the local government may require the servicer to remedy the specific condition in fewer than thirty days, provided that the local government specifies in the written notice the date by which the servicer must remedy the specific condition. A local government may specify in the written notice different dates by which the servicer must remedy separate conditions of neglect on the foreclosed residential real property.

(4)(a) After a local government allows a servicer the time specified in subsection (3)(b) of this section or makes a determination under subsection (3)(c) of this section, the local government may remedy or contract with another person to remedy and require the servicer to reimburse the local government for reasonable costs the local government incurs under this subsection.

(b) A local government that has incurred costs with respect to property under (a) of this subsection has a lien on the property for the sum of the local government's unreimbursed costs. A lien created under this subsection is prior to all other liens and encumbrances, except that the lien has equal priority with a tax lien. The lien attaches at the time the local government files a claim of lien with the county clerk of the county

in which the property is located. A local government may bring an action in the superior court to foreclose the lien in the manner provided for foreclosing other liens on real or personal property.

NEW SECTION. Sec. 7. A new section is added to chapter 61.24 RCW to read as follows:

(1) As used in this section:

(a) "Neglect" means:

(i) To fail or a failure to maintain the buildings, grounds, or appurtenances of property in such a way as to allow:

(A) Excessive growth of foliage that diminishes the value of adjacent property;

(B) Trespassers to remain on the foreclosed residential real property or in a structure located on the foreclosed residential real property;

(C) Mosquito larvae or pupae to grow in standing water on the property; or

(D) Other conditions on the property that cause or contribute to causing a public nuisance;

(ii) To fail or a failure to monitor the condition of property by inspecting the property at least once every thirty days with sufficient attention so as to prevent, or to identify and remedy, a condition described in (a)(i) of this subsection.

(b) "Reasonable costs" means actual and demonstrable costs that are commensurate with and do not exceed the market rate for services necessary to remedy a condition of neglect, plus the actual and demonstrable costs of administering a contract for services to remedy a condition of neglect or the portion of the costs of a program to remedy conditions of neglect that are attributable to remedying a condition of neglect for specific property.

(2)(a) A servicer is under an obligation to maintain and may not neglect the property during any period in which the property is vacant.

(b) A servicer must provide the servicer's name or the name of the servicer's agent and a telephone number or other means for contacting the servicer or agent to an official that the local government designates to receive the information described in this subsection.

(c) The servicer must post a durable notice in a conspicuous location on the property that lists a telephone number for the servicer or for the local government that a person may call to report a condition of neglect. The servicer must replace the notice if the

notice is removed from the property during a period when the property is vacant.

(d) A servicer or the agent of a servicer must identify the borrower to the local government and provide to, and maintain with, the local government current contact information during a period when the property is vacant.

(3)(a) If a local government finds a violation of subsection (2)(a) of this section, the local government must notify the servicer, in writing, that the property is the subject of the violation and in accordance with (b) or (c) of this subsection, as appropriate, must specify a time within which the servicer must remedy the condition of neglect that is the basis for the local government's finding.

(b) The local government must allow the servicer not fewer than thirty days to remedy the violation, unless the local government makes a determination under (c) of this subsection, and must provide the servicer with an opportunity to contest the local government's finding at a hearing. The servicer must contest the local government's finding within ten days after the local government notifies the servicer of the violation.

(c) If the local government determines that a specific condition of the property constitutes a threat to public health or safety, the local government may require the servicer to remedy the specific condition in fewer than thirty days, provided that the local government specifies in the written notice the date by which the servicer must remedy the specific condition. A local government may specify in the written notice different dates by which the servicer must remedy separate conditions of neglect on the foreclosed residential real property.

(4)(a) After a local government allows a servicer the time specified in subsection (3)(b) of this section or makes a determination under subsection (3)(c) of this section, the local government may remedy or contract with another person to remedy neglect or a specific condition of neglect on property and require the servicer to reimburse the local government for reasonable costs the local government incurs under this subsection.

(b) A local government that has incurred costs with respect to property under (a) of this subsection has a lien on the property for the sum of the local government's unreimbursed costs. A lien

created under this subsection is prior to all other liens and encumbrances, except that the lien has equal priority with a tax lien. The lien attaches at the time the local government files a claim of lien with the county clerk of the county in which the property is located. A local government may bring an action in the superior court to foreclose the lien in the manner provided for foreclosing other liens on real or personal property.

Sec. 8. RCW 61.24.173 and 2016 c 196 s 2 are each amended to read as follows:

(1) ((Except as provided in subsections (4) and (5) of this section, beginning July 1, 2016, and every quarter thereafter, every beneficiary on whose behalf a notice of trustee's sale has been recorded pursuant to RCW 61.24.040 on residential real property under this chapter must:

(a) Report to the department the number of notices of trustee's sale recorded for each residential property during the previous quarter;

(b) Remit the amount required under subsection (2) of this section; and

(c) Report and update beneficiary contact information for the person and work group responsible for the beneficiary's compliance with the requirements of the foreclosure fairness act created in this chapter.

(2)) For each notice of trustee's sale recorded on residential real property, the beneficiary on whose behalf the notice of trustee's sale has been recorded shall remit ((two hundred fifty dollars to the department to be deposited, as provided under RCW 61.24.172, into the foreclosure fairness account)) three hundred dollars to the county auditor or recording officer at the time of recording the notice of trustee's sale. The ((two)) three hundred ((fifty)) dollar payment is required for every recorded notice of trustee's sale for noncommercial loans on residential real property, but does not apply to the recording of an amended notice of trustee's sale. ((If the beneficiary previously made a payment under RCW 61.24.174, as it existed prior to July 1, 2016, for a notice of default supporting the recorded notice of trustee's sale, no payment is required under this section. The beneficiary shall remit the total amount required in a lump sum each quarter.

(3) Reporting and payments under subsections (1) and (2) of this section are due within forty-five days of the end of each quarter.

(4) This section does not apply to any beneficiary or loan servicer that is a federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), and that certifies under penalty of perjury that fewer than fifty notices of trustee's sale were recorded on its behalf in the preceding year.

(5)) (a) The county auditor or recording officer shall retain three percent for collection of the fee and the amount retained must be used for purposes of operations and maintenance consistent with RCW 36.22.170(2)(b).

(b) The county treasurer or recording officer shall remit the remaining funds to the state treasurer on a monthly basis for deposit into the foreclosure fairness account.

(2) Any beneficiary or loan servicer that is a federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), that records fewer than fifty notices of trustee's sale for residential real property during a calendar year may apply to the department for a refund of the recording fee established under this section. At the option of the beneficiary or loan servicer, a refund application may be submitted on a quarterly or an annual basis according to rules adopted by the department.

(3) This section does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW.

((6)) (4) For purposes of this section, "residential real property" includes residential real property with up to four dwelling units, whether or not the property or any part thereof is owner-occupied.

Sec. 9. RCW 61.24.040 and 2012 c 185 s 10 are each amended to read as follows:

A deed of trust foreclosed under this chapter shall be foreclosed as follows:

(1) At least ninety days before the sale, or if a letter under RCW 61.24.031 is required, at least one hundred twenty days before the sale, the trustee shall:

(a) Record a notice in the form described in ((f) of this)) subsection (2) of this section in the office of the auditor in each county in which the deed of trust is recorded;

(b) To the extent the trustee elects to foreclose its lien or interest, or the beneficiary elects to preserve its right to seek a deficiency judgment against a borrower or grantor under RCW 61.24.100(3)(a), and if their addresses are stated in a recorded instrument evidencing their interest, lien, or claim

of lien, or an amendment thereto, or are otherwise known to the trustee, cause a copy of the notice of sale described in ((f) of this) subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to the following persons or their legal representatives, if any, at such address:

(i) The borrower and grantor;

(ii) The beneficiary of any deed of trust or mortgagee of any mortgage, or any person who has a lien or claim of lien against the property, that was recorded subsequent to the recordation of the deed of trust being foreclosed and before the recordation of the notice of sale;

(iii) The vendee in any real estate contract, the lessee in any lease, or the holder of any conveyances of any interest or estate in any portion or all of the property described in such notice, if that contract, lease, or conveyance of such interest or estate, or a memorandum or other notice thereof, was recorded after the recordation of the deed of trust being foreclosed and before the recordation of the notice of sale;

(iv) The last holder of record of any other lien against or interest in the property that is subject to a subordination to the deed of trust being foreclosed that was recorded before the recordation of the notice of sale;

(v) The last holder of record of the lien of any judgment subordinate to the deed of trust being foreclosed; and

(vi) The occupants of property consisting solely of a single-family residence, or a condominium, cooperative, or other dwelling unit in a multiplex or other building containing fewer than five residential units, whether or not the occupant's rental agreement is recorded, which notice may be a single notice addressed to "occupants" for each unit known to the trustee or beneficiary;

(c) Cause a copy of the notice of sale described in ((f) of this) subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to the plaintiff or the plaintiff's attorney of record, in any court action to foreclose a lien or other encumbrance on all or any part of the property, provided a court action is pending and a lis pendens in connection therewith is recorded in the office of the auditor of any county in which all or

part of the property is located on the date the notice is recorded;

(d) Cause a copy of the notice of sale described in ((f) of this) subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to any person who has recorded a request for notice in accordance with RCW 61.24.045, at the address specified in such person's most recently recorded request for notice;

(e) Cause a copy of the notice of sale described in ((f) of this) subsection (2) of this section to be posted in a conspicuous place on the property, or in lieu of posting, cause a copy of said notice to be served upon any occupant of the property;

((f)) (2)(a) The notice required in subsection (1) of this section must include a cover sheet on which it is clearly indicated the name of the beneficiary and whether the loan is commercial or noncommercial. In addition to any other indexing requirements, the auditor shall index the notice of trustee's sale by beneficiary. Unless clearly indicated that the loan is commercial, three hundred dollars must be remitted pursuant to RCW 61.24.173(1).

(b) The notice ((shall)) must be in substantially the following form:

NOTICE OF TRUSTEE'S SALE

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the day of,, at the hour of o'clock M. at [street address and location if inside a building] in the City of, State of Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situated in the County(ies) of, State of Washington, to-wit:

[If any personal property is to be included in the trustee's sale, include a description that reasonably identifies such personal property]

which is subject to that certain Deed of Trust dated,, recorded,, under Auditor's File No., records of County, Washington, from, as Grantor, to, as Trustee, to secure an obligation in favor of, as Beneficiary, the beneficial interest in which was assigned

by, under an Assignment recorded under Auditor's File No. [Include recording information for all counties if the Deed of Trust is recorded in more than one county.]

II.

No action commenced by the Beneficiary of the Deed of Trust is now pending to seek satisfaction of the obligation in any Court by reason of the Borrower's or Grantor's default on the obligation secured by the Deed of Trust.

[If there is another action pending to foreclose other security for all or part of the same debt, qualify the statement and identify the action.]

III.

The default(s) for which this foreclosure is made is/are as follows:

[If default is for other than payment of money, set forth the particulars]

Failure to pay when due the following amounts which are now in arrears:

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$, together with interest as provided in the note or other instrument secured from the day of,, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

V.

The above-described real property will be sold to satisfy the expense of sale and the obligation secured by the Deed of Trust as provided by statute. The sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on the day of, The default(s) referred to in paragraph III must be cured by the day of, . . . (11 days before the sale date), to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before the day of, . . ., (11 days before the sale date), the default(s) as set forth in paragraph III is/are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after the day of, . . . (11 days before the sale date), and before the sale by the Borrower, Grantor, any Guarantor, or the holder of any recorded junior lien or encumbrance paying the entire principal and interest secured by the Deed of Trust, plus costs, fees, and advances, if any, made pursuant to the terms of the obligation and/or

Deed of Trust, and curing all other defaults.

VI.

A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

by both first-class and certified mail on the day of,, proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on the day of,, with said written notice of default or the written notice of default was posted in a conspicuous place on the real property described in paragraph I above, and the Trustee has possession of proof of such service or posting.

VII.

The Trustee whose name and address are set forth below will provide in writing to anyone requesting it, a statement of all costs and fees due at any time prior to the sale.

VIII.

The effect of the sale will be to deprive the Grantor and all those who hold by, through or under the Grantor of all their interest in the above-described property.

IX.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to RCW 61.24.130. Failure to bring such a lawsuit may result in a waiver of any proper grounds for invalidating the Trustee's sale.

[Add Part X to this notice if applicable under RCW 61.24.040((9)) (11)]

, Trustee

Address
} Phone

[Acknowledgment]

((g)) (3) If the borrower received a letter under RCW 61.24.031, the notice specified in subsection ((1)(f)) (2) of this section ((shall)) must also include the following additional language:

"THIS NOTICE IS THE FINAL STEP BEFORE THE FORECLOSURE SALE OF YOUR HOME.

You have only 20 DAYS from the recording date on this notice to pursue mediation.

DO NOT DELAY. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you are eligible and it may help you save your home. See below for safe sources of help.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Web site:

The United States Department of Housing and Urban Development

Telephone: Web site:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Web site:"

The beneficiary or trustee shall obtain the toll-free numbers and web site information from the department for inclusion in the notice;

((2)) (4) In addition to providing the borrower and grantor the notice of sale described in subsection ((1)(f)) (2) of this section, the trustee shall include with the copy of the notice which is mailed to the grantor, a statement to the grantor in substantially the following form:

NOTICE OF FORECLOSURE

Pursuant to the Revised Code of Washington,

Chapter 61.24 RCW

The attached Notice of Trustee's Sale is a consequence of default(s) in the obligation to, the Beneficiary of your Deed of Trust and owner of the obligation secured thereby. Unless the default(s) is/are cured, your property will be sold at auction on the day of,

To cure the default(s), you must bring the payments current, cure any other defaults, and pay accrued late charges and other costs, advances, and attorneys' fees as set forth below by the day of, [11 days before

the sale date]. To date, these arrears and costs are as follows:

	Currentl	Estimate
	y due	d amount
	to	that
	reinstate	will be due
	on	to
	reinstate
	on

		(11 days
		before
		the date
		set
		for
		sale)
	Delinquent payments	
	from	
 ,	
 , in	
	the	
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	\$ /m	\$ \$
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	Late	
	charges in	
	the total	
	amount of:	\$ \$
	.	.
		Estim
		ated
		Amoun
		ts
	Attorneys'	\$ \$
	fees:	.
	Trustee's	\$ \$
	fee:	.
	Trustee's expenses:	
	(Itemizatio	
	n)	
	Title	\$ \$
	report	.
	Recording	\$ \$
	fees	.
	Service/Pos	
	ting	\$ \$
	of Notices	.
	Postage/Cop	
	ying	\$ \$
	expense	.
	Publication	\$ \$
	.	.
	Telephone	
	charges	\$ \$
	.	.
	Inspection	\$ \$
	fees	.
	\$ \$
	.	.
	\$ \$
	.	.

TOTALS \$. . . \$. . .

To pay off the entire obligation secured by your Deed of Trust as of the day of you must pay a total of \$ in principal, \$ in interest, plus other costs and advances estimated to date in the amount of \$ From and after the date of this notice you must submit a written request to the Trustee to obtain the total amount to pay off the entire obligation secured by your Deed of Trust as of the payoff date.

As to the defaults which do not involve payment of money to the Beneficiary of your Deed of Trust, you must cure each such default. Listed below are the defaults which do not involve payment of money to the Beneficiary of your Deed of Trust. Opposite each such listed default is a brief description of the action necessary to cure the default and a description of the documentation necessary to show that the default has been cured.

Default	Description of Action Required to Cure and Documentation Necessary to Show Cure
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You may reinstate your Deed of Trust and the obligation secured thereby at any time up to and including the day of, . . . [11 days before the sale date], by paying the amount set forth or estimated above and by curing any other defaults described above. Of course, as time passes other payments may become due, and any further payments coming due and any additional late charges must be added to your reinstating payment. Any new defaults not involving payment of money that occur after the date of this notice must also be cured in order to effect reinstatement. In addition, because some of the charges can only be estimated at this time, and because the amount necessary to reinstate or to pay off the entire indebtedness may include presently unknown expenditures required to preserve the property or to comply with state or local law, it will be necessary for you to contact the Trustee before the time you tender reinstatement or the payoff amount so that you may be advised of the exact amount you will be required to pay.

Tender of payment or performance must be made to:, whose address is, telephone () AFTER THE DAY OF,, YOU MAY NOT REINSTATE YOUR DEED OF TRUST BY PAYING THE BACK PAYMENTS AND COSTS AND FEES AND CURING THE OTHER DEFAULTS AS OUTLINED ABOVE. The Trustee will respond to any written request for current payoff or reinstatement amounts within ten days of receipt of your written request. In such a case, you will only be able to stop the sale by paying, before the sale, the total principal balance (\$) plus accrued interest, costs and advances, if any, made pursuant to the terms of the documents and by curing the other defaults as outlined above.

You may contest this default by initiating court action in the Superior Court of the county in which the sale is to be held. In such action, you may raise any legitimate defenses you have to this default. A copy of your Deed of Trust and documents evidencing the obligation secured thereby are enclosed. You may wish to consult a lawyer. Legal action on your part may prevent or restrain the sale, but only if you persuade the court of the merits of your defense. You may contact the Department of Financial Institutions or the statewide civil legal aid hotline for possible assistance or referrals.

The court may grant a restraining order or injunction to restrain a trustee's sale pursuant to RCW 61.24.130 upon five days notice to the trustee of the time when, place where, and the judge before whom the application for the restraining order or injunction is to be made. This notice shall include copies of all pleadings and related documents to be given to the judge. Notice and other process may be served on the trustee at:

NAME:
ADDRESS:

TELEPHONE
NUMBER:

If you do not reinstate the secured obligation and your Deed of Trust in the manner set forth above, or if you do not succeed in restraining the sale by court action, your property will be sold. The effect of such sale will be to deprive you and all those who hold by, through or under you of all interest in the property;

((3)) (5) In addition, the trustee shall cause a copy of the notice of sale described in subsection ((1)(f)) (2) of

this section (excluding the acknowledgment) to be published in a legal newspaper in each county in which the property or any part thereof is situated, once on or between the thirty-fifth and twenty-eighth day before the date of sale, and once on or between the fourteenth and seventh day before the date of sale;

((4)) (6) On the date and at the time designated in the notice of sale, the trustee or its authorized agent shall sell the property at public auction to the highest bidder. The trustee may sell the property in gross or in parcels as the trustee shall deem most advantageous;

((5)) (7) The place of sale shall be at any designated public place within the county where the property is located and if the property is in more than one county, the sale may be in any of the counties where the property is located. The sale shall be on Friday, or if Friday is a legal holiday on the following Monday, and during the hours set by statute for the conduct of sales of real estate at execution;

((6)) (8) The trustee has no obligation to, but may, for any cause the trustee deems advantageous, continue the sale for a period or periods not exceeding a total of one hundred twenty days by (a) a public proclamation at the time and place fixed for sale in the notice of sale and if the continuance is beyond the date of sale, by giving notice of the new time and place of the sale by both first class and either certified or registered mail, return receipt requested, to the persons specified in subsection (1)(b)(i) and (ii) of this section to be deposited in the mail (i) not less than four days before the new date fixed for the sale if the sale is continued for up to seven days; or (ii) not more than three days after the date of the continuance by oral proclamation if the sale is continued for more than seven days, or, alternatively, (b) by giving notice of the time and place of the postponed sale in the manner and to the persons specified in subsection (1)(b), (c), (d), and (e) of this section and publishing a copy of such notice once in the newspaper(s) described in subsection ((3)) (5) of this section, more than seven days before the date fixed for sale in the notice of sale. No other notice of the postponed sale need be given;

((7)) (9) The purchaser shall forthwith pay the price bid and on payment the trustee shall execute to the

purchaser its deed; the deed shall recite the facts showing that the sale was conducted in compliance with all of the requirements of this chapter and of the deed of trust, which recital shall be prima facie evidence of such compliance and conclusive evidence thereof in favor of bona fide purchasers and encumbrancers for value, except that these recitals shall not affect the lien or interest of any person entitled to notice under subsection (1) of this section, if the trustee fails to give the required notice to such person. In such case, the lien or interest of such omitted person shall not be affected by the sale and such omitted person shall be treated as if such person was the holder of the same lien or interest and was omitted as a party defendant in a judicial foreclosure proceeding;

((8)) (10) The sale as authorized under this chapter shall not take place less than one hundred ninety days from the date of default in any of the obligations secured;

((9)) (11) If the trustee elects to foreclose the interest of any occupant or tenant of property comprised solely of a single-family residence, or a condominium, cooperative, or other dwelling unit in a multiplex or other building containing fewer than five residential units, the following notice shall be included as Part X of the Notice of Trustee's Sale:

X. NOTICE TO OCCUPANTS OR TENANTS

The purchaser at the trustee's sale is entitled to possession of the property on the 20th day following the sale, as against the grantor under the deed of trust (the owner) and anyone having an interest junior to the deed of trust, including occupants who are not tenants. After the 20th day following the sale the purchaser has the right to evict occupants who are not tenants by summary proceedings under chapter 59.12 RCW. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with RCW 61.24.060;

((10)) (12) Only one copy of all notices required by this chapter need be given to a person who is both the borrower and the grantor. All notices required by this chapter that are given to a general partnership are deemed given to each of its general partners, unless otherwise agreed by the parties.

Sec. 10. RCW 61.24.030 and 2012 c 185 s 9 are each amended to read as follows:

It shall be requisite to a trustee's sale:

(1) That the deed of trust contains a power of sale;

(2) That the deed of trust contains a statement that the real property conveyed is not used principally for agricultural purposes; provided, if the statement is false on the date the deed of trust was granted or amended to include that statement, and false on the date of the trustee's sale, then the deed of trust must be foreclosed judicially. Real property is used for agricultural purposes if it is used in an operation that produces crops, livestock, or aquatic goods;

(3) That a default has occurred in the obligation secured or a covenant of the grantor, which by the terms of the deed of trust makes operative the power to sell;

(4) That no action commenced by the beneficiary of the deed of trust is now pending to seek satisfaction of an obligation secured by the deed of trust in any court by reason of the grantor's default on the obligation secured: PROVIDED, That (a) the seeking of the appointment of a receiver, or the filing of a civil case to obtain court approval to access, secure, maintain, and preserve property from waste or nuisance, shall not constitute an action for purposes of this chapter; and (b) if a receiver is appointed, the grantor shall be entitled to any rents or profits derived from property subject to a homestead as defined in RCW 6.13.010. If the deed of trust was granted to secure a commercial loan, this subsection shall not apply to actions brought to enforce any other lien or security interest granted to secure the obligation secured by the deed of trust being foreclosed;

(5) That the deed of trust has been recorded in each county in which the land or some part thereof is situated;

(6) That prior to the date of the notice of trustee's sale and continuing thereafter through the date of the trustee's sale, the trustee must maintain a street address in this state where personal service of process may be made, and the trustee must maintain a physical presence and have telephone service at such address;

(7)(a) That, for residential real property, before the notice of trustee's sale is recorded, transmitted, or served, the trustee shall have proof that the beneficiary is the owner of any promissory note or other obligation secured by the deed of trust. A declaration by the beneficiary made under

the penalty of perjury stating that the beneficiary is the actual holder of the promissory note or other obligation secured by the deed of trust shall be sufficient proof as required under this subsection.

(b) Unless the trustee has violated his or her duty under RCW 61.24.010(4), the trustee is entitled to rely on the beneficiary's declaration as evidence of proof required under this subsection.

(c) This subsection (7) does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW;

(8) That at least thirty days before notice of sale shall be recorded, transmitted or served, written notice of default shall be transmitted by the beneficiary or trustee to the borrower and grantor at their last known addresses by both first-class and either registered or certified mail, return receipt requested, and the beneficiary or trustee shall cause to be posted in a conspicuous place on the premises, a copy of the notice, or personally served on the borrower and grantor. This notice shall contain the following information:

(a) A description of the property which is then subject to the deed of trust;

(b) A statement identifying each county in which the deed of trust is recorded and the document number given to the deed of trust upon recording by each county auditor or recording officer;

(c) A statement that the beneficiary has declared the borrower or grantor to be in default, and a concise statement of the default alleged;

(d) An itemized account of the amount or amounts in arrears if the default alleged is failure to make payments;

(e) An itemized account of all other specific charges, costs, or fees that the borrower, grantor, or any guarantor is or may be obliged to pay to reinstate the deed of trust before the recording of the notice of sale;

(f) A statement showing the total of (d) and (e) of this subsection, designated clearly and conspicuously as the amount necessary to reinstate the note and deed of trust before the recording of the notice of sale;

(g) A statement that failure to cure the alleged default within thirty days of the date of mailing of the notice, or if personally served, within thirty days of the date of personal service thereof, may lead to recordation, transmittal, and publication of a notice of sale, and that the property described in (a) of this

subsection may be sold at public auction at a date no less than one hundred twenty days in the future, or no less than one hundred fifty days in the future if the borrower received a letter under RCW 61.24.031;

(h) A statement that the effect of the recordation, transmittal, and publication of a notice of sale will be to (i) increase the costs and fees and (ii) publicize the default and advertise the grantor's property for sale;

(i) A statement that the effect of the sale of the grantor's property by the trustee will be to deprive the grantor of all their interest in the property described in (a) of this subsection;

(j) A statement that the borrower, grantor, and any guarantor has recourse to the courts pursuant to RCW 61.24.130 to contest the alleged default on any proper ground;

(k) In the event the property secured by the deed of trust is owner-occupied residential real property, a statement, prominently set out at the beginning of the notice, which shall state as follows:

"THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

You may be eligible for mediation in front of a neutral third party to help save your home.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. Mediation MUST be requested between the time you receive the Notice of Default and no later than twenty days after the Notice of Trustee Sale is recorded.

DO NOT DELAY. If you do nothing, a notice of sale may be issued as soon as 30 days from the date of this notice of default. The notice of sale will provide a minimum of 120 days' notice of the date of the actual foreclosure sale.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing

counselors recommended by the Housing Finance Commission

Telephone:
Web site:

The United States Department of Housing and Urban Development

Telephone:
Web site:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
Web site:"

The beneficiary or trustee shall obtain the toll-free numbers and web site information from the department for inclusion in the notice; and

(1) In the event the property secured by the deed of trust is residential real property, the name and address of the owner of any promissory notes or other obligations secured by the deed of trust and the name, address, and telephone number of a party acting as a servicer of the obligations secured by the deed of trust; and

(9) That, for owner-occupied residential real property, before the notice of the trustee's sale is recorded, transmitted, or served, the beneficiary has complied with RCW 61.24.031 and, if applicable, RCW 61.24.163."

Correct the title.

Representatives Orwall and Rodne spoke in favor of the adoption of the striking amendment.

Amendment (152) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2057.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2057, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Sambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2057, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2095, by Representatives Wylie, Stonier, Harris, Vick, Clibborn, Fey, McBride and Macri

Concerning preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river.

The bill was read the second time.

Representative Pike moved the adoption of amendment (256):

On page 7, line 1, after "(2)" insert "The amount provided in subsection (1) of this section must be held in unallotted status until the department of transportation provides the office of financial management with a written commitment from the state of Oregon to participate in the joint legislative action committee described in section 5 of this act.

(3) "

On page 7, line 1, after "2017," insert "if the office of financial management receives the written commitment described in subsection (2) of this section,"

Representative Pike spoke in favor of the adoption of the amendment.

Representative Wylie spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 45 - YEAS; 52 - NAYS.

Amendment (256) was not adopted.

Representative Wylie moved the adoption of amendment (264):

On page 5, beginning on line 29, strike all of section 5 and insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 47.01 RCW to read as follows:

(1) On behalf of the state, the legislature of the state of Washington invites the legislature of the state of Oregon to participate in a joint legislative action committee regarding the construction of a new Interstate 5 bridge spanning the Columbia river that achieves the following purposes:

(a) Works with both states' departments of transportation and transportation commissions and stakeholders to begin a process toward project development. It is assumed that the appropriate local and bistate entities already tasked with related work will also be included when the legislative and interagency agreements are ready to move forward. The legislative action committee must convene its first meeting by December 15, 2017;

(b) Reviews and confirms lead roles related to permitting, construction, operation, and maintenance of a future Interstate 5 bridge project;

(c) Establishes a process to seek public comment on the Interstate 5 bridge project development plan selected and presents final recommendations for the process and financing to both states;

(d) Works to ensure that there are sufficient resources available to both states' departments of transportation to inventory and utilize existing data and any prior relevant work to allow for nonduplicative and efficient decision making regarding a new project;

(e) Examines all of the potential mass transit options available for a future Interstate 5 bridge project;

(f) Utilizes design-build procurement, or an equivalent or better innovation delivery method, and determines the least costly, most efficient project management and best practices tools consistent with work already completed including, but not limited to, height, navigation needs, transparency, economic development, and other critical elements, while minimizing the impacts of congestion during construction;

(g) Considers the creation of a Columbia river bridge authority to review bridge needs for possible repair, maintenance, or new construction, prioritizing those needs and making recommendations to both states with

regard to financing specific projects, timing, authorities, and operations; and

(h) Provides a report to the legislatures of each state that details the findings and recommendations of the legislative action committee by December 15, 2018.

(2)(a) The joint Oregon-Washington legislative action committee is established, with members as provided in this subsection:

(i) The speaker of the house of representatives of both states shall appoint four members, two from each of the two largest caucuses of the house of representatives.

(ii) The majority leader and minority leader of the senate of both states shall jointly appoint four members, two from each of the two largest caucuses of the senate.

(b) The legislative action committee shall choose its cochaIRS from among its membership, one each from the senate and the house of representatives of both states.

(c) Executive agencies, including the departments of transportation and the transportation commissions, shall cooperate with the committee and provide information and other assistance as the cochaIRS may reasonably request.

(d) Staff support for the legislative action committee must be provided by the Washington house of representatives office of program research, Washington senate committee services, and the Oregon legislative policy and research office.

(e) Legislative members of the legislative action committee are reimbursed for travel expenses. For Washington legislative members, this reimbursement must be in accordance with RCW 44.04.120.

(f) The expenses of the legislative action committee must be paid jointly by both states' senate and house of representatives. In Washington, committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(g) Each meeting of the legislative action committee must allow an opportunity for public comment. Legislative action committee meetings must be scheduled and conducted in accordance with the requirements of both the senate and the house of representatives of both states."

Representative Pike moved the adoption of amendment (267) to amendment (264):

On page 2, line 20 of the amendment, after "speaker" insert "and minority leader"

On page 2, line 21 of the amendment, after "shall" insert "jointly"

Representatives Pike and Wylie spoke in favor of the adoption of the amendment (267) to amendment (264).

Amendment (267) to amendment (264) was adopted.

Representative Wylie spoke in favor of the adoption of the amendment (264) as amended.

Representative Pike spoke against the adoption of the amendment (264) as amended.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 53 - YEAS; 45 - NAYS.

Amendment (264), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wylie, Stonier, Johnson, Vick and Harris spoke in favor of the passage of the bill.

Representatives Orcutt, Shea, Pike and Kraft spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2095.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2095, and the bill passed the House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hayes, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McCabe, Morris, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Holy, Irwin, Jenkin, Klippert,

Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, McDonald, Muri, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Taylor, Van Werven, Volz, J. Walsh and Young.

ENGROSSED HOUSE BILL NO. 2095, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1433, by Representatives Stambaugh, Orwall, Haler, Tarleton, Jinkins, Pollet, Stonier, Ryu, Hargrove, Santos and Doglio

Decoupling services and activities fees from tuition.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1433 was substituted for House Bill No. 1433 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1433 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stambaugh and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1433.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1433, and the bill passed the House by the following vote: Yeas, 83; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dye, Klippert, Kretz, Maycumber, McCaslin, Orcutt, Schmick, Shea, Stokesbary, Taylor and Young.

SUBSTITUTE HOUSE BILL NO. 1433, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2114, by Representatives Cody and Pollet

Protecting consumers from charges for out-of-network health services. Revised for 1st Substitute: Addressing protecting consumers from charges for out-of-network health services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2114 was substituted for House Bill No. 2114 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2114 was read the second time.

Representative Graves moved the adoption of the striking amendment (266):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.43.005 and 2016 c 65 s 2 are each amended to read as follows: Unless otherwise specifically provided, the definitions in this section apply throughout this chapter.

(1) "Adjusted community rate" means the rating method used to establish the premium for health plans adjusted to reflect actuarially demonstrated differences in utilization or cost attributable to geographic region, age, family size, and use of wellness activities.

(2) "Adverse benefit determination" means a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit, including a denial, reduction, termination, or failure to provide or make payment that is based on a determination of an enrollee's or applicant's eligibility to participate in a plan, and including, with respect to group health plans, a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit resulting from the application of any utilization review, as well as a failure to cover an item or service for which benefits are otherwise provided because it is determined to be experimental or investigational or not medically necessary or appropriate.

(3) "Applicant" means a person who applies for enrollment in an individual health plan as the subscriber or an enrollee, or the dependent or spouse of a subscriber or enrollee.

(4) "Balance bill" means a bill sent to a covered person by an out-of-network

provider or facility for health care services provided to the covered person after the provider or facility's billed amount is not fully reimbursed by the carrier, exclusive of permitted cost-sharing.

(5) "Basic health plan" means the plan described under chapter 70.47 RCW, as revised from time to time.

((5)) (6) "Basic health plan model plan" means a health plan as required in RCW 70.47.060(2)(e).

((6)) (7) "Basic health plan services" means that schedule of covered health services, including the description of how those benefits are to be administered, that are required to be delivered to an enrollee under the basic health plan, as revised from time to time.

((7)) (8) "Board" means the governing board of the Washington health benefit exchange established in chapter 43.71 RCW.

((8)) (9)(a) For grandfathered health benefit plans issued before January 1, 2014, and renewed thereafter, "catastrophic health plan" means:

(i) In the case of a contract, agreement, or policy covering a single enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, one thousand seven hundred fifty dollars and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least three thousand five hundred dollars, both amounts to be adjusted annually by the insurance commissioner; and

(ii) In the case of a contract, agreement, or policy covering more than one enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, three thousand five hundred dollars and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least six thousand dollars, both amounts to be adjusted annually by the insurance commissioner.

(b) In July 2008, and in each July thereafter, the insurance commissioner shall adjust the minimum deductible and out-of-pocket expense required for a plan to qualify as a catastrophic plan to reflect the percentage change in the consumer price index for medical care for a preceding twelve months, as determined by the United States department of labor. For a plan year beginning in 2014, the out-of-pocket limits must be adjusted as specified in section 1302(c)(1) of P.L.

111-148 of 2010, as amended. The adjusted amount shall apply on the following January 1st.

(c) For health benefit plans issued on or after January 1, 2014, "catastrophic health plan" means:

(i) A health benefit plan that meets the definition of catastrophic plan set forth in section 1302(e) of P.L. 111-148 of 2010, as amended; or

(ii) A health benefit plan offered outside the exchange marketplace that requires a calendar year deductible or out-of-pocket expenses under the plan, other than for premiums, for covered benefits, that meets or exceeds the commissioner's annual adjustment under (b) of this subsection.

((9)) (10) "Certification" means a determination by a review organization that an admission, extension of stay, or other health care service or procedure has been reviewed and, based on the information provided, meets the clinical requirements for medical necessity, appropriateness, level of care, or effectiveness under the auspices of the applicable health benefit plan.

((10)) (11) "Concurrent review" means utilization review conducted during a patient's hospital stay or course of treatment.

((11)) (12) "Covered person" or "enrollee" means a person covered by a health plan including an enrollee, subscriber, policyholder, beneficiary of a group plan, or individual covered by any other health plan.

((12)) (13) "Dependent" means, at a minimum, the enrollee's legal spouse and dependent children who qualify for coverage under the enrollee's health benefit plan.

((13)) (14) "Emergency medical condition" means a medical, mental health, or substance use disorder condition manifesting itself by acute symptoms of sufficient severity((,)) including, but not limited to, severe pain or emotional distress, such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical, mental health, or substance use disorder treatment attention to result in a condition (a) placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, (b) serious impairment to bodily functions, or (c) serious dysfunction of any bodily organ or part.

((14)) (15) "Emergency services" means a medical screening examination, as required under section 1867 of the social security act (42 U.S.C. 1395dd), that is within the capability of the emergency department of a hospital, including ancillary services routinely available to the emergency department to evaluate that emergency medical condition, and further medical examination and treatment, to the extent they are within the capabilities of the staff and facilities available at the hospital, as are required under section 1867 of the social security act (42 U.S.C. 1395dd) to stabilize the patient. Stabilize, with respect to an emergency medical condition, has the meaning given in section 1867(e)(3) of the social security act (42 U.S.C. 1395dd(e)(3)).

((15)) (16) "Employee" has the same meaning given to the term, as of January 1, 2008, under section 3(6) of the federal employee retirement income security act of 1974.

((16)) (17) "Enrollee point-of-service cost-sharing" or "cost-sharing" means amounts paid to health carriers directly providing services, health care providers, or health care facilities by enrollees and may include copayments, coinsurance, or deductibles.

((17)) (18) "Episode of care" means health care services provided to a covered person after the covered person is admitted to, and before the covered person is discharged from, a health care facility.

(19) "Exchange" means the Washington health benefit exchange established under chapter 43.71 RCW.

((18)) (20) "Final external review decision" means a determination by an independent review organization at the conclusion of an external review.

((19)) (21) "Final internal adverse benefit determination" means an adverse benefit determination that has been upheld by a health plan or carrier at the completion of the internal appeals process, or an adverse benefit determination with respect to which the internal appeals process has been exhausted under the exhaustion rules described in RCW 48.43.530 and 48.43.535.

((20)) (22) "Grandfathered health plan" means a group health plan or an individual health plan that under section 1251 of the patient protection and affordable care act, P.L. 111-148 (2010) and as amended by the health care and education reconciliation act, P.L.

111-152 (2010) is not subject to subtitles A or C of the act as amended.

((21)) (23) "Grievance" means a written complaint submitted by or on behalf of a covered person regarding service delivery issues other than denial of payment for medical services or nonprovision of medical services, including dissatisfaction with medical care, waiting time for medical services, provider or staff attitude or demeanor, or dissatisfaction with service provided by the health carrier.

((22)) (24) "Health care facility" or "facility" means hospices licensed under chapter 70.127 RCW, hospitals licensed under chapter 70.41 RCW, rural health care facilities as defined in RCW 70.175.020, psychiatric hospitals licensed under chapter 71.12 RCW, nursing homes licensed under chapter 18.51 RCW, community mental health centers licensed under chapter 71.05 or 71.24 RCW, kidney disease treatment centers licensed under chapter 70.41 RCW, ambulatory diagnostic, treatment, or surgical facilities licensed under chapter 70.41 RCW, drug and alcohol treatment facilities licensed under chapter 70.96A RCW, and home health agencies licensed under chapter 70.127 RCW, and includes such facilities if owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations.

((23)) (25) "Health care provider" or "provider" means:

(a) A person regulated under Title 18 or chapter 70.127 RCW, to practice health or health-related services or otherwise practicing health care services in this state consistent with state law; or

(b) An employee or agent of a person described in (a) of this subsection, acting in the course and scope of his or her employment.

((24)) (26) "Health care service" means that service offered or provided by health care facilities and health care providers relating to the prevention, cure, or treatment of illness, injury, or disease.

((25)) (27) "Health carrier" or "carrier" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020, and includes "issuers" as that term is used in the patient protection and affordable care act (P.L. 111-148).

((26)) (28) "Health plan" or "health benefit plan" means any policy, contract, or agreement offered by a health carrier to provide, arrange, reimburse, or pay for health care services except the following:

(a) Long-term care insurance governed by chapter 48.84 or 48.83 RCW;

(b) Medicare supplemental health insurance governed by chapter 48.66 RCW;

(c) Coverage supplemental to the coverage provided under chapter 55, Title 10, United States Code;

(d) Limited health care services offered by limited health care service contractors in accordance with RCW 48.44.035;

(e) Disability income;

(f) Coverage incidental to a property/casualty liability insurance policy such as automobile personal injury protection coverage and homeowner guest medical;

(g) Workers' compensation coverage;

(h) Accident only coverage;

(i) Specified disease or illness-triggered fixed payment insurance, hospital confinement fixed payment insurance, or other fixed payment insurance offered as an independent, noncoordinated benefit;

(j) Employer-sponsored self-funded health plans;

(k) Dental only and vision only coverage;

(l) Plans deemed by the insurance commissioner to have a short-term limited purpose or duration, or to be a student-only plan that is guaranteed renewable while the covered person is enrolled as a regular full-time undergraduate or graduate student at an accredited higher education institution, after a written request for such classification by the carrier and subsequent written approval by the insurance commissioner; and

(m) Civilian health and medical program for the veterans affairs administration (CHAMPVA).

((27)) (29) "In-network" or "participating" means a provider or facility that has contracted with a carrier or a carrier's contractor or subcontractor to provide health care services to covered persons with the expectation of receiving reimbursement from the carrier at specified levels as payment in full for the health care services.

(30) "Individual market" means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

((28)) (31) "Material modification" means a change in the actuarial value of the health plan as modified of more than five percent but less than fifteen percent.

((29)) (32) "Open enrollment" means a period of time as defined in rule to be held at the same time each year, during which applicants may enroll in a carrier's individual health benefit plan without being subject to health screening or otherwise required to provide evidence of insurability as a condition for enrollment.

((30)) (33) "Out-of-network" or "nonparticipating" means a provider or facility that has not contracted with a carrier or a carrier's contractor or subcontractor to provide health care services to covered persons.

(34) "Out-of-pocket maximum" means the maximum amount a covered person is required to pay in the form of cost-sharing for covered benefits in a plan year, after which the carrier covers the entirety of the allowed amount of covered benefits under the contract of coverage.

(35) "Preexisting condition" means any medical condition, illness, or injury that existed any time prior to the effective date of coverage.

((31)) (36) "Premium" means all sums charged, received, or deposited by a health carrier as consideration for a health plan or the continuance of a health plan. Any assessment or any "membership," "policy," "contract," "service," or similar fee or charge made by a health carrier in consideration for a health plan is deemed part of the premium. "Premium" shall not include amounts paid as enrollee point-of-service cost-sharing.

((32)) (37) "Review organization" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, health care service contractor as defined in RCW 48.44.010, or health maintenance organization as defined in RCW 48.46.020, and entities affiliated with, under contract with, or acting on behalf of a health carrier to perform a utilization review.

((33)) (38) "Small employer" or "small group" means any person, firm, corporation, partnership, association, political subdivision, sole proprietor, or self-employed individual that is actively engaged in business that employed an average of at least one but no more than fifty employees, during the previous calendar year and employed at least one employee on the first day of

the plan year, is not formed primarily for purposes of buying health insurance, and in which a bona fide employer-employee relationship exists. In determining the number of employees, companies that are affiliated companies, or that are eligible to file a combined tax return for purposes of taxation by this state, shall be considered an employer. Subsequent to the issuance of a health plan to a small employer and for the purpose of determining eligibility, the size of a small employer shall be determined annually. Except as otherwise specifically provided, a small employer shall continue to be considered a small employer until the plan anniversary following the date the small employer no longer meets the requirements of this definition. A self-employed individual or sole proprietor who is covered as a group of one must also: (a) Have been employed by the same small employer or small group for at least twelve months prior to application for small group coverage, and (b) verify that he or she derived at least seventy-five percent of his or her income from a trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, schedule C or F, for the previous taxable year, except a self-employed individual or sole proprietor in an agricultural trade or business, must have derived at least fifty-one percent of his or her income from the trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, for the previous taxable year.

((34)) (39) "Special enrollment" means a defined period of time of not less than thirty-one days, triggered by a specific qualifying event experienced by the applicant, during which applicants may enroll in the carrier's individual health benefit plan without being subject to health screening or otherwise required to provide evidence of insurability as a condition for enrollment.

((35)) (40) "Standard health questionnaire" means the standard health questionnaire designated under chapter 48.41 RCW.

((36)) (41) "Utilization review" means the prospective, concurrent, or retrospective assessment of the necessity and appropriateness of the allocation of health care resources and

services of a provider or facility, given or proposed to be given to an enrollee or group of enrollees.

((37)) (42) "Wellness activity" means an explicit program of an activity consistent with department of health guidelines, such as, smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education for the purpose of improving enrollee health status and reducing health service costs.

Sec. 2. RCW 48.43.093 and 1997 c 231 s 301 are each amended to read as follows:

(1) When conducting a review of the necessity and appropriateness of emergency services or making a benefit determination for emergency services:

(a) A health carrier shall cover emergency services necessary to screen and stabilize a covered person if a prudent layperson acting reasonably would have believed that an emergency medical condition existed. In addition, a health carrier shall not require prior authorization of ((such)) emergency services provided prior to the point of stabilization if a prudent layperson acting reasonably would have believed that an emergency medical condition existed. With respect to care obtained from ((a nonparticipating)) an out-of-network hospital emergency department, a health carrier shall cover emergency services necessary to screen and stabilize a covered person ((if a prudent layperson would have reasonably believed that use of a participating hospital emergency department would result in a delay that would worsen the emergency, or if a provision of federal, state, or local law requires the use of a specific provider or facility)). In addition, a health carrier shall not require prior authorization of ((such)) the services provided prior to the point of stabilization ((if a prudent layperson acting reasonably would have believed that an emergency medical condition existed and that use of a participating hospital emergency department would result in a delay that would worsen the emergency)).

(b) If an authorized representative of a health carrier authorizes coverage of emergency services, the health carrier shall not subsequently retract its authorization after the emergency services have been provided, or reduce payment for an item or service furnished

in reliance on approval, unless the approval was based on a material misrepresentation about the covered person's health condition made by the provider of emergency services with the patient's knowledge and consent.

(c) Coverage of emergency services may be subject to applicable in-network copayments, coinsurance, and deductibles, ((and a health carrier may impose reasonable differential cost-sharing arrangements for emergency services rendered by nonparticipating providers, if such differential between cost-sharing amounts applied to emergency services rendered by participating provider versus nonparticipating provider does not exceed fifty dollars. Differential cost sharing for emergency services may not be applied when a covered person presents to a nonparticipating hospital emergency department rather than a participating hospital emergency department when the health carrier requires preauthorization for postevaluation or poststabilization emergency services if:

(i) Due to circumstances beyond the covered person's control, the covered person was unable to go to a participating hospital emergency department in a timely fashion without serious impairment to the covered person's health; or

(ii) A prudent layperson possessing an average knowledge of health and medicine would have reasonably believed that he or she would be unable to go to a participating hospital emergency department in a timely fashion without serious impairment to the covered person's health)) as provided in sections 3 through 16 of this act.

((d)) (2) If a health carrier requires preauthorization for postevaluation or poststabilization services, the health carrier shall provide access to an authorized representative twenty-four hours a day, seven days a week, to facilitate review. In order for postevaluation or poststabilization services to be covered by the health carrier, the provider or facility must make a documented good faith effort to contact the covered person's health carrier within thirty minutes of stabilization, if the covered person needs to be stabilized. The health carrier's authorized representative is required to respond to a telephone request for preauthorization from a provider or facility within thirty minutes. Failure of the health carrier to

respond within thirty minutes constitutes authorization for the provision of immediately required medically necessary postevaluation and poststabilization services, unless the health carrier documents that it made a good faith effort but was unable to reach the provider or facility within thirty minutes after receiving the request.

((e)) (3) A health carrier shall immediately arrange for an alternative plan of treatment for the covered person if ((a nonparticipating)) an out-of-network emergency provider and health plan cannot reach an agreement on which services are necessary beyond those immediately necessary to stabilize the covered person consistent with state and federal laws.

((2)) (4) Nothing in this section is to be construed as prohibiting the health carrier from requiring notification within the time frame specified in the contract for inpatient admission or as soon thereafter as medically possible but no less than twenty-four hours. Nothing in this section is to be construed as preventing the health carrier from reserving the right to require transfer of a hospitalized covered person upon stabilization. Follow-up care that is a direct result of the emergency must be obtained in accordance with the health plan's usual terms and conditions of coverage. All other terms and conditions of coverage may be applied to emergency services.

NEW SECTION. Sec. 3. This subchapter may be known and cited as the balance billing protection act.

NEW SECTION. Sec. 4. (1) An out-of-network provider or facility may not balance bill a covered person for the following health care services:

(a) Emergency services provided to a covered person; and

(b) Nonemergency health care services provided to a covered person at an in-network hospital licensed under chapter 70.41 RCW or an in-network ambulatory surgical facility licensed under chapter 70.230 RCW if the services:

(i) Involve surgical or ancillary services; and

(ii) Are provided by an out-of-network provider because an in-network provider was unavailable or the need for the services arose at the time the services were rendered and was unforeseen.

(2) Payment for services described in subsection (1) of this section is subject to sections 5 through 7 of this act.

(3) For purposes of this subchapter, "surgical or ancillary services" means surgery, anesthesiology, pathology, radiology, laboratory, or hospitalist services.

NEW SECTION. Sec. 5. (1)(a) Before billing a covered person for in-network cost-sharing for the services described in section 4 of this act, an out-of-network provider or facility must request that the carrier provide a written explanation of benefits specifying the applicable in-network cost-sharing amounts owed by the covered person. The carrier must provide the explanation of benefits within sixty days of the provider's or facility's request.

(b) A carrier must calculate the in-network cost-sharing amount for the out-of-network provider's or facility's services using the carrier's median contracted rate for similar services in the geographic area where the services were provided. If there is more than one level of cost-sharing, the carrier must use the cost-sharing amount most beneficial to the covered person.

(2) If a covered person receives emergency or nonemergency health care services under the circumstances described in section 4 of this act:

(a) The covered person satisfies his or her obligation to pay for the health care services if he or she pays the in-network cost-sharing amount specified in the carrier's explanation of benefits;

(b) A carrier, out-of-network provider, or out-of-network facility, and an agent, trustee, or assignee of a carrier, out-of-network provider, or out-of-network facility:

(i) Must ensure that the covered person incurs no greater cost than he or she would have incurred if the services had been provided by an in-network provider or at an in-network facility;

(ii) May not balance bill or otherwise attempt to collect from the covered person any amount greater than the in-network cost-sharing amount specified in the carrier's explanation of benefits;

(iii) May not report adverse information to a consumer credit reporting agency or commence a civil action against the covered person before the expiration of one hundred fifty days after the initial billing for the amount owed by the covered person under this section; and

(iv) May not use wage garnishments or liens on the primary residence of the covered person as a means of collecting unpaid bills under this section;

(c) The carrier must treat any cost-sharing amounts paid by the covered person for such services in the same manner as cost-sharing for health care services provided by an in-network provider and must apply any cost-sharing amounts paid by the covered person for such services toward the limit on the covered person's in-network out-of-pocket maximum expenses;

(d) If the covered person pays the out-of-network provider, out-of-network facility, or carrier an amount that exceeds the in-network cost-sharing amount specified in the carrier's explanation of benefits, the provider, facility, or carrier must refund any amount in excess of the in-network cost-sharing amount to the covered person within thirty business days of receipt. Interest must be paid to the covered person for any unrefunded payments at a rate of twelve percent beginning on the first calendar day after the thirty business days.

NEW SECTION. Sec. 6. (1) Upon receipt of an out-of-network provider or facility's bill for health care services described in section 4 of this act, the carrier must make payment directly to the provider or facility, rather than the covered person.

(2)(a) If the billed amount is less than three hundred dollars, the carrier must pay the out-of-network provider or facility the full billed amount.

(b) If the billed amount is more than three hundred dollars, the carrier and the out-of-network provider or facility may agree to resolve the payment dispute:

(i) Using the dispute resolution process described in section 7 of this act if the amount in dispute is two thousand dollars or more; or

(ii) Using mediation. If the amount in dispute is less than two thousand dollars, mediation expenses, not including attorneys' fees, must be divided equally among the carrier, the out-of-network provider who provided the health care services, and the in-network or out-of-network facility at which the services were provided. The provisions of chapter 7.07 RCW apply to mediations conducted under this subsection.

NEW SECTION. Sec. 7. (1)(a) A carrier, out-of-network provider, or out-of-network facility may initiate arbitration to resolve a payment dispute if the requirements described in section 6 of this act are met. Each arbitration proceeding may not involve more than one episode of care or more than one out-of-

network provider or facility. The arbitrator may not consolidate multiple disputes for resolution in a single arbitration proceeding.

(b) To initiate arbitration, the carrier, provider, or facility must file a request with the commissioner no later than ninety days after the provider's or facility's receipt of the written explanation of benefits under section 5 of this act. The party requesting arbitration must provide the nonrequesting party with a written notification that arbitration has been initiated. The notification must state the requesting party's final offer. No later than thirty days following receipt of the notification, the nonrequesting party must provide its final offer to the requesting party.

(2)(a) Once the requesting party has filed a request for arbitration with the commissioner, the commissioner must provide the parties with a list of approved arbitrators or entities that provide binding arbitration. The arbitrators on the list must be trained by the American arbitration association or the American health lawyers association.

(b) To select an arbitrator, the parties may agree on an arbitrator from the list provided by the commissioner. If the parties do not agree on an arbitrator, the commissioner must provide the parties with the names of five arbitrators from the list. Each party may veto two of the five named arbitrators. If one arbitrator remains, that person is the chosen arbitrator. If more than one arbitrator remains, the commissioner must choose the arbitrator from the remaining arbitrators. The parties and the commissioner must complete this process within twenty days of receipt of the list from the commissioner.

(3)(a) Each party must make written submissions to the arbitrator in support of its position no later than thirty days after the request for arbitration is filed with the commissioner. No later than thirty days after the receipt of the parties' written submissions, the arbitrator must: Issue a written decision requiring payment of the final offer amount of either the requesting party or the nonrequesting party; notify the parties of its decision; and provide the decisions and the information described in section 8 of this act regarding the decision to the commissioner.

(b) In reviewing the submissions of the parties and making a decision related to the appropriate amount to be paid to the out-of-network provider or facility, the arbitrator must consider the following factors:

(i) Whether there is a gross disparity between the amount charged by the out-of-network provider or facility and: (A) Amounts paid to the provider or facility for the same services provided to other patients by carriers with respect to which the provider or facility is out-of-network; and (B) the amounts paid by the carrier to reimburse similarly qualified out-of-network providers or facilities for the same services in the same region;

(ii) The circumstances and complexity of the case; and

(iii) Patient characteristics.

(4) Expenses incurred in the course of arbitration, including the arbitrator's expenses and fees, but not including attorneys' fees, must be paid by the party whose final offer was rejected by the arbitrator.

(5) The parties must enter into a nondisclosure agreement to protect any personal health information or fee information provided to the arbitrator.

(6) Chapter 7.04A RCW applies to arbitrations conducted under this section, but in the event of a conflict between this section and chapter 7.04A RCW, this section governs.

(7) The covered person is not liable for any of the costs of the arbitration and may not be required to participate in the arbitration proceeding as a witness or otherwise.

NEW SECTION. Sec. 8. (1) The commissioner must prepare an annual report summarizing the dispute resolution information provided by arbitrators under section 7 of this act. The report must include summary information related to the matters decided through arbitration, as well as the following information for each dispute resolved through arbitration: The carrier; the health care provider; the health care provider's employer or the business entity in which the provider has an ownership interest; the health care facility where the services were provided; and the type of health care services at issue.

(2) The commissioner must post the report on the office of the insurance commissioner's web site and submit it to the relevant committees of the legislature annually by July 1st.

(3) This section expires January 1, 2023.

NEW SECTION. Sec. 9. The office of the insurance commissioner, in consultation with carriers, health care providers, health care facilities, and consumers, must develop standard template language for notifying consumers that they may not be balance billed for health care services under the circumstances described in section 4 of this act. The standard template language must include contact information for the office of the insurance commissioner so that consumers may contact the office of the insurance commissioner if they believe they have received a balance bill in violation of this subchapter.

NEW SECTION. Sec. 10. (1) A nonemployed provider group that provides surgical or ancillary services at a hospital or ambulatory surgical facility must notify the hospital or ambulatory surgical facility of the carriers with which the provider group contracts. The provider group must notify the hospital or ambulatory surgical facility if the contract between the provider group and a carrier will be terminated. The provider group must provide the notice as soon as practicable, but in no case less than forty-five days prior to termination of the contract.

(2) A hospital or ambulatory surgical facility must post the following information on its web site:

(a) A list of the carriers with which the hospital or ambulatory surgical facility contracts; and

(b) For each nonemployed provider group with which the hospital or ambulatory surgical facility has a contract to provide surgical or ancillary services, whether the provider group contracts with the same carriers as the hospital or ambulatory surgical facility.

(3) On a quarterly basis, a hospital or ambulatory surgical facility must provide a notice to each carrier with which it contracts regarding the network status of its contracted provider groups. The notice must include, for each type of surgical or ancillary service, whether at least seventy-five percent of the nonemployed providers providing the service in the facility were in-network with the carrier during the previous three months. If the seventy-five percent threshold is not met, the carrier must treat the facility as out-of-network for services other than emergency services, unless the facility notifies the carrier

that the seventy-five percent threshold has been met. The carrier must notify the commissioner if it determines that the seventy-five percent threshold has not been met.

(4) When a patient is scheduled for nonemergency health care services, a hospital or ambulatory surgical facility must provide the patient with notice as required by this subsection at least ten days prior to the scheduled admission or outpatient service.

(a) If the facility is an in-network facility with respect to the patient's health plan, the notice must:

(i) Advise the patient that he or she may request that the facility provide only in-network providers;

(ii) Disclose the names and contact information for any providers who will provide surgical or ancillary services and indicate whether each provider is in-network or out-of-network with respect to the patient's health plan;

(iii) Advise the patient of his or her rights under this subchapter using the standard template language developed under section 9 of this act; and

(iv) Provide an estimated range of the cost of services with a disclaimer that the estimate does not account for permitted cost-sharing and that the patient should contact his or her health plan for additional information regarding applicable cost-sharing requirements.

(b) If the facility is an out-of-network facility with respect to the patient's health plan, the notice must:

(i) Advise the patient that the facility is an out-of-network facility and that the patient may choose to obtain the services at an in-network facility;

(ii) Advise the patient that he or she will have the financial responsibility applicable to services provided at an out-of-network facility in excess of applicable cost-sharing amounts and that the patient may be responsible for any costs in excess of those allowed by the health plan;

(iii) Provide an estimated range of the cost of services and advise the patient to contact the carrier for further consultation on those costs; and

(iv) Inform the patient that he or she may qualify for a discount for some or all of the facility's bill, regardless of insurance status, and that the patient should contact the facility's financial assistance office.

(c) If the facility's network status with respect to the patient's health plan

changes after the provision of the notice required by this section and before the services are provided, the facility must promptly notify the patient of the change.

NEW SECTION. Sec. 11. (1) A health care provider must provide information on its web site listing the carriers with which the provider contracts.

(2) An in-network provider must submit accurate information to a carrier regarding the provider's network status in a timely manner, consistent with the terms of the contract between the provider and the carrier.

(3) When a patient is scheduled for nonemergency health care services at an out-of-network hospital or ambulatory surgical facility, a health care provider must provide the patient with notice as required by this subsection if the provider is out-of-network with respect to the patient's health plan. The provider must provide the notice at least ten days prior to the scheduled admission or outpatient service. The notice must:

(a) Disclose that the provider is out-of-network with respect to the patient's health plan;

(b) Advise the patient that he or she may seek other alternatives, including an in-network provider;

(c) Advise the patient that because he or she will be receiving health care services at an out-of-network facility, he or she will have the financial responsibility applicable to services provided outside the health plan's network in excess of applicable cost-sharing amounts and that the patient may be responsible for any costs in excess of those allowed by the health plan; and

(d) Provide an estimated range of the cost of services and the estimated amount that the provider may bill the patient and advise the patient to contact his or her carrier for further consultation regarding those costs.

NEW SECTION. Sec. 12. (1) A carrier must update its web site and provider directory no later than thirty days after the addition or termination of a facility or provider, so long as the carrier had notice of the change.

(2) A carrier must provide a covered person with:

(a) A clear description of the health plan's out-of-network health benefits;

(b) Notice of rights under this subchapter using the standard template language developed under section 9 of this act;

(c) Notification that if the covered person receives services from an out-of-network provider or facility, under circumstances other than those described in section 4 of this act, the covered person will have the financial responsibility applicable to services provided outside the health plan's network in excess of applicable cost-sharing amounts and that the covered person may be responsible for any costs in excess of those allowed by the health plan;

(d) Information on how to use the carrier's member transparency tools under RCW 48.43.007;

(e) Upon request, information regarding whether a health care provider is in-network or out-of-network; and

(f) Upon request, an estimated range of the out-of-pocket costs for an out-of-network benefit.

NEW SECTION. Sec. 13. (1) If the commissioner has cause to believe that any person, including a health care provider, hospital, or ambulatory surgical facility, is violating a provision of this subchapter, the commissioner may order the person to cease and desist.

(2) If any person, including a health care provider, hospital, or ambulatory surgical facility, violates or has violated a provision of this subchapter, the commissioner may levy a fine upon the person in an amount not to exceed one thousand dollars per violation and take other action as permitted under this title for a violation of this title.

NEW SECTION. Sec. 14. The commissioner may adopt rules to implement and administer this subchapter, including rules governing the dispute resolution process established in section 7 of this act.

NEW SECTION. Sec. 15. This subchapter does not apply to health plans that provide benefits under chapter 74.09 RCW.

NEW SECTION. Sec. 16. This subchapter must be liberally construed to promote the public interest by ensuring that consumers are not billed out-of-network charges and do not receive additional bills from providers under the circumstances described in section 4 of this act.

Sec. 17. RCW 41.05.017 and 2016 c 139 s 4 are each amended to read as follows:

Each health plan that provides medical insurance offered under this chapter, including plans created by insuring entities, plans not subject to the provisions of Title 48 RCW, and plans

created under RCW 41.05.140, are subject to the provisions of RCW 48.43.500, 70.02.045, 48.43.505 through 48.43.535, 48.43.537, 48.43.545, 48.43.550, 70.02.110, 70.02.900, 48.43.190, ((and)) 48.43.083, and sections 3 through 16 of this act.

NEW SECTION. Sec. 18. Sections 3 through 16 of this act are each added to chapter 48.43 RCW and codified with the subchapter heading of "health care services balance billing."

NEW SECTION. Sec. 19. This act takes effect January 1, 2018.

NEW SECTION. Sec. 20. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representatives Graves and Cody spoke in favor of the adoption of the striking amendment.

Amendment (266) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Schmick, Orcutt, Harris and Caldier spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2114.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2114, and the bill passed the House by the following vote: Yeas, 81; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, Dent, Haler, Klippert, Kretz, Kristiansen, Manweller, Maycumber, Steele, Stokesbary, Taylor, Van Werven, Vick and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1070, by Representatives Jinkins, Appleton, Robinson, Kirby, Doglio and Fey

Concerning filing fee surcharges for funding dispute resolution centers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1070 was substituted for House Bill No. 1070 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1070 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1070.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1070, and the bill passed the House by the following vote: Yeas, 68; Nays, 30; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Harris, Hayes, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Condotta, Dye, Graves, Hargrove, Harmsworth, Holy, Irwin, Jenkin, Kraft, Kretz, Kristiansen, Maycumber, McCaslin, McDonald, Pike, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1070, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1168, by Representatives Gregerson, Haler, Pollet, Appleton, Stanford, Orwall, Sells, Tarleton, Chapman, Goodman, Fitzgibbon, Peterson, Lytton, Doglio, Frame, Farrell, Riccelli, Lovick, Pettigrew, Sawyer, Springer, Ortiz-Self, Bergquist, Ormsby, Fey, Hudgins, Santos and Macri

Supporting student success at community and technical colleges by increasing full-time faculty.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1168 was substituted for House Bill No. 1168 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1168 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregerson and Nealey spoke in favor of the passage of the bill.

Representative Holy spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1168.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1168, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 1168, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1089, by Representatives Appleton and Fitzgibbon

Amending the schedule for updates to the comprehensive plan of Kitsap county.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1089.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1089, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, McDonald, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, Muri, Nealey, Orcutt, Pike, Reeves, Rodne, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

HOUSE BILL NO. 1089, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1475, by Representatives Irwin, Goodman, Hayes, Ryu, Kilduff, Holy, Klippert, Kirby and Lovick

Clarifying the limited authority of gambling commission officers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Irwin and Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1475.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1475, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 1475, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1109, by Representatives Orwall, McCabe, Griffey, Hayes, McBride, Frame, Goodman, Klippert, Stanford, Stambaugh, Jinkins, Fey, Harmsworth, Dolan, Sells, Muri, Gregerson, McDonald, Wylie, Kilduff, Kloba, Tarleton, Pollet, Farrell, Kagi, Riccelli, Senn, Peterson, Bergquist and Doglio

Supporting victims of sexual assault.

The bill was read the second time.

There being no objection Substitute House Bill No. 1109 was substituted for House Bill No. 1109 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1109 was read the second time.

Representative Orwall moved the adoption of amendment (263):

On page 7, line 13, after "Task force" insert "meetings and"

Representative Orwall spoke in favor of the adoption of the amendment.

Amendment (263) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall, Klippert, McCabe and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1109.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1109, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker. par Voting nay: Representatives Orcutt and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1155, by Representatives Griffey, Orwall, Klippert, McCabe, Kraft, Caldier, Muri, Bergquist, Stanford, Fitzgibbon, McDonald, Doglio and Macri

Making felony sex offenses a crime that may be prosecuted at any time after its commission.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1155 was substituted for House Bill No. 1155 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1155 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Griffey, Goodman, Kraft and Griffey (again) spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1155.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1155, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Frame, Kagi, Ortiz-Self, Pollet, Ryu, Santos and Taylor.

SUBSTITUTE HOUSE BILL NO. 1155, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1927, by Representative Hudgins

Concerning government efficiency by eliminating, revising or decodifying obsolete or inactive statutory provisions that concern the office of financial management.

The bill was read the second time.

Representative Hudgins moved the adoption of the striking amendment (115):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 4.84.360 and 1995 c 403 s 904 are each amended to read as follows:

Fees and other expenses awarded under RCW 4.84.340 and 4.84.350 shall be paid by the agency over which the party prevails from operating funds appropriated to the agency within sixty days. ((Agencies paying fees and other expenses pursuant to RCW 4.84.340 and 4.84.350 shall report all payments to the

office of financial management within five days of paying the fees and other expenses.)) Fees and other expenses awarded by the court shall be subject to the provisions of chapter 39.76 RCW and shall be deemed payable on the date the court announces the award.

Sec. 2. RCW 38.40.030 and 1989 c 19 s 47 are each amended to read as follows:

If any member of the organized militia is injured, incapacitated, or otherwise disabled while in active state service or inactive duty as a member of the organized militia, he or she shall receive from the state of Washington just and reasonable relief in the amount to be determined as provided in this section, including necessary medical care. If the member dies from disease contracted or injury received or is killed while in active state service or inactive duty under order of the governor, then the dependents of the deceased shall receive such compensation as may be allowed as provided in this section. If the United States or any agent thereof, in accordance with any federal statute or regulation, furnishes monetary assistance, benefits, or other temporary or permanent relief to militia members or to their dependents for injuries arising out of and occurring in the course of their activities as militia members, but not including Social Security benefits, then the amount of compensation which any militia member or his or her dependents are otherwise entitled to receive from the state of Washington as provided in this section shall be reduced by the amount of monetary assistance, benefits, or other temporary or permanent relief the militia member or his or her dependents have received and will receive from the United States or any agent thereof as a result of his or her injury. All claims arising under this section shall be inquired into by a board of three officers, at least one being a medical officer, to be appointed by the adjutant general. The board has the same power to take evidence, administer oaths, issue subpoenas, compel witnesses to attend and testify and produce books and papers, and punish their failure to do so as is possessed by a general court martial. The amount of compensation or benefits payable shall conform as nearly as possible to the general schedule of payments and awards provided under the workers' compensation law in effect in

the state of Washington at the time the disability or death occurred. The findings of the board shall be reviewed by the adjutant general ((and submitted to the governor)) for final approval. The ((reviewing officer or the governor)) adjutant general may return the proceedings for revision or for the taking of further testimony. The action of the board when finally approved by the ((governor)) adjutant general is final and conclusive and constitutes the fixed award for the injury or loss and is a debt of the state of Washington.

Sec. 3. RCW 43.03.049 and 2011 1st sp.s. c 21 s 63 are each amended to read as follows:

Exceptions to restrictions on subsistence, lodging, or travel expenses under this chapter may be granted for the critically necessary work of an agency. For boards, commissions, councils, committees, or similar groups in agencies of the executive branch, the exceptions shall be subject to approval by the ((director of financial management or the director's designee)) agency head or authorized designee. For boards, commissions, councils, committees, or similar groups in the executive branch under the purview of a separately elected official, president of an institution of higher education, chair, or executive director, the exceptions shall be subject to approval of the separately elected official, president of an institution of higher education, chair, or executive director. For agencies of the judicial branch, the exceptions shall be subject to approval of the chief justice of the supreme court. For the house of representatives and the senate, the exceptions shall be subject to the approval of the chief clerk of the house of representatives and the secretary of the senate, respectively, under the direction of the senate committee on facilities and operations and the executive rules committee of the house of representatives. For other legislative agencies, the exceptions shall be subject to approval of both the chief clerk of the house of representatives and the secretary of the senate under the direction of the senate committee on facilities and operations and the executive rules committee of the house of representatives.

Sec. 4. RCW 43.08.015 and 1993 c 500 s 3 are each amended to read as follows:

Within the policies and procedures established pursuant to RCW 43.41.110(13) and 43.88.160(1), the state treasurer shall take such actions as are necessary to ensure the effective cash management of public funds. This cash management shall include the authority to represent the state in all contractual relationships with financial institutions. The state treasurer may delegate cash management responsibilities to the affected agencies ((with the concurrence of the office of financial management)).

Sec. 5. RCW 43.320.090 and 1993 c 472 s 23 are each amended to read as follows:

(1) It shall be unlawful for the director of financial institutions, any deputized assistant of the director, or any employee of the department of financial institutions to borrow money from any bank, consumer loan company, credit union, foreign bank branch, savings bank, savings and loan association, or trust company or department, securities broker-dealer or investment advisor, or similar lending institution under the department's direct jurisdiction unless the extension of credit:

(a) Is made on substantially the same terms (including interest rates and collateral) as, and following credit underwriting procedures that are not less stringent than, those prevailing at the time for comparable transactions by the financial institution with other persons that are not employed by either the department or the institution; and

(b) Does not involve more than the normal risk of repayment or present other unfavorable features.

(2) ((The director of the office of financial management shall adopt rules, policies, and procedures interpreting and implementing this section.

(3)) Every person who knowingly violates this section shall forfeit his or her office or employment and be guilty of a gross misdemeanor.

Sec. 6. RCW 43.41.230 and 1994 sp.s. c 9 s 874 are each amended to read as follows:

(1) The director must compile, and revise within ninety days after the

beginning of each biennium, a current list of all permanent and temporary, statutory and nonstatutory boards, commissions, councils, committees, and other groups of similar nomenclature that are established by the executive branch of state government and whose members are eligible to receive travel expenses for their meetings in accordance with RCW 43.03.050 and 43.03.060.

(2) The boards and commissions to be reviewed by the governor under RCW 43.41.220 must be all entities ((that are required to be included in the list prepared by the office of financial management under RCW 43.88.505)) included in the list required in subsection (1) of this section, other than entities established under: ((1)) (a) Constitutional mandate; ((2)) (b) court order or rule; ((3)) (c) requirement of federal law; or ((4)) (d) requirement as a condition of the state or a local government receiving federal financial assistance if, in the judgment of the governor, no other state agency, board, or commission would satisfy the requirement.

Sec. 7. RCW 43.41.240 and 1998 c 245 s 64 are each amended to read as follows:

A new nonstatutory board or commission ((not established or required in statute that must be included in the report required by RCW 43.88.505)) subject to governor review under RCW 43.41.220 may not be established without the express approval of the director of financial management.

NEW SECTION. Sec. 8. The following sections are decodified:

(1) RCW 43.41.901 (Construction—1977 ex.s. c 270);

(2) RCW 43.41.940 (Central budget agency abolished); and

(3) RCW 43.41.950 (Saving—1969 ex.s. c 239).

NEW SECTION. Sec. 9. The following acts or parts of acts are each repealed:

(1) RCW 28B.15.101 (Authority to modify tuition rates—Performance-based measures and goals—Institutional performance plans) and 2011 1st sp.s. c 10 s 5;

(2) RCW 43.41.250 (Criteria for new board or commission not established or

required by statute) and 1994 sp.s. c 9 s 876; and

(3) RCW 43.41.905 (Interagency task force on unintended pregnancy) and 1997 c 58 s 1001."

Correct the title.

Representatives Hudgins and Koster spoke in favor of the adoption of the striking amendment.

Amendment (115) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1927.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1927, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1927, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1314, by Representatives Caldier, Jinkins, DeBolt, Cody, Rodne, Griffey, Harris, Haler and Appleton

Concerning health care authority auditing practices. Revised for 1st Substitute: Addressing health care authority auditing practices.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1314 was substituted for House Bill No. 1314 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1314 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Caldier and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1314.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1314, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1314, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1859, by Representatives Pellicciotti, Griffey, Pettigrew, Chapman, Goodman and Ormsby

Providing an aggravating circumstance for assault against a utility worker.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pellicciotti and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1859.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1859, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives MacEwen, Taylor, Vick and Young.

HOUSE BILL NO. 1859, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2052, by Representative Buys

Concerning recertification of public bodies using alternative contracting methods.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2052.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2052, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri,

Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 2052, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

HOUSE JOINT MEMORIAL NO. 4011, by Representatives Blake, Chapman, Lovick, J. Walsh, Kilduff, Tharinger and Muri

Requesting that the United States Coast Guard name a Coast Guard cutter in honor of Petty Officer Matthew E. Schlimme.

The joint memorial was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the joint memorial was placed on final passage.

Representatives Blake, J. Walsh, McCabe and Lovick spoke in favor of the passage of the memorial.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Joint Memorial No. 4011.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4011, and the joint memorial passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE JOINT MEMORIAL NO. 4011, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 3, 2017

HB 1913 Prime Sponsor, Representative Dolan: Creating a leasehold excise tax exemption for certain leasehold interests in facilities owned or used by schools, colleges, or universities. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Orcutt, Assistant Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Condotta.

MINORITY recommendation: Without recommendation. Signed by Representatives Frame, Vice Chair Nealey, Ranking Minority Member.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1001
- HOUSE BILL NO. 1052
- HOUSE BILL NO. 1299
- HOUSE BILL NO. 1317
- HOUSE BILL NO. 1339
- HOUSE BILL NO. 1376
- HOUSE BILL NO. 1377
- HOUSE BILL NO. 1532
- HOUSE BILL NO. 1562
- HOUSE BILL NO. 1721
- HOUSE BILL NO. 1763
- HOUSE BILL NO. 1812
- HOUSE BILL NO. 1823
- HOUSE BILL NO. 1833
- HOUSE BILL NO. 1873
- HOUSE BILL NO. 1907
- HOUSE BILL NO. 1930
- HOUSE BILL NO. 1967
- HOUSE BILL NO. 1980
- HOUSE BILL NO. 1991
- HOUSE BILL NO. 2003
- HOUSE BILL NO. 2006
- HOUSE BILL NO. 2037
- HOUSE BILL NO. 4010

There being no objection, the House adjourned until 9 a.m., March 7, 2017, the 58 Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTY EIGHTH DAY

House Chamber, Olympia, Tuesday, March 7, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Logan Cornwell and Elizabeth Skoglun. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Han Zhou, Olympia Chinese Christian Church, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) asked the members to join her in a moment of silence in remembrance of former Representative Helen Sommers.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

March 6, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5294,
ENGROSSED SENATE BILL NO. 5665,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5729,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5781,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5810,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 6, 2017

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5179,
SUBSTITUTE SENATE BILL NO. 5289,
SENATE BILL NO. 5333,
SENATE BILL NO. 5399,
SUBSTITUTE SENATE BILL NO. 5435,
SUBSTITUTE SENATE BILL NO. 5458,
SUBSTITUTE SENATE BILL NO. 5537,
SUBSTITUTE SENATE BILL NO. 5573,
SENATE BILL NO. 5621,
SENATE BILL NO. 5632,

SUBSTITUTE SENATE BILL NO. 5634,
SENATE BILL NO. 5635,
SUBSTITUTE SENATE BILL NO. 5713,
SENATE BILL NO. 5778,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 6, 2017

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5021,
SENATE BILL NO. 5325,
SENATE BILL NO. 5331,
SUBSTITUTE SENATE BILL NO. 5358,
SUBSTITUTE SENATE BILL NO. 5426,
SUBSTITUTE SENATE BILL NO. 5443,
SUBSTITUTE SENATE BILL NO. 5589,
SENATE BILL NO. 5660,
SENATE BILL NO. 5661,
SECOND SUBSTITUTE SENATE BILL NO. 5749,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READINGHB 2139 by Representatives Stanford and Kloba

AN ACT Relating to issuance of a search warrant by a municipal court judge; and amending RCW 2.20.030.

Referred to Committee on Judiciary.

HB 2140 by Representatives Buys, Taylor, Manweller, Wilcox, Dent, Chandler, Shea and Koster

AN ACT Relating to equitable treatment in water pollution control permitting; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Environment.

HB 2141 by Representatives Buys, Taylor, Manweller, Van Werven, Dent, Chandler, Shea, Schmick and Koster

AN ACT Relating to requiring water discharge permits issued to sewerage systems to establish environmental protections that are at least as stringent as environmental protections required during agricultural activities; and amending RCW 90.48.162.

Referred to Committee on Environment.

SB 5036 by Senators Takko and Sheldon

AN ACT Relating to clarifying the authority and procedures for unit priced contracting by public utility districts; and amending RCW 54.04.070.

Referred to Committee on Local Government.

ESB 5097 by Senators Braun and Takko

AN ACT Relating to clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016; amending RCW 43.21A.731; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

SB 5189 by Senators Warnick, Takko and Angel

AN ACT Relating to eliminating the collection of anticipated taxes and assessments; amending RCW 84.56.345 and 84.40.042; and repealing RCW 58.08.040.

Referred to Committee on Finance.

SSB 5343 by Senate Committee on Transportation (originally sponsored by Senators Warnick and Takko)

AN ACT Relating to notice sent by and certain release of information affecting registered tow truck operators; and amending RCW 46.55.110 and 46.52.130.

Referred to Committee on Transportation.

SSB 5346 by Senate Committee on Ways & Means (originally sponsored by Senators Walsh, Rolfes, Zeiger, Hobbs, Warnick, Pedersen, Nelson, Darneille, Kuderer, Hunt, Keiser, McCoy, Honeyford, Fain, Liias, Cleveland, Sheldon, Conway, Pearson, Frockt, Wilson, Bailey and Hasegawa)

AN ACT Relating to creating a legislative page scholarship program; reenacting and amending RCW 43.79A.040; adding new sections to chapter 44.04 RCW; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government, Elections & Information Technology.

ESSB 5431 by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senators Warnick, Takko, Brown, Hawkins, Liias, Schoesler, Honeyford and Fortunato)

AN ACT Relating to protection of composting from nuisance lawsuits; amending RCW 7.48.305; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

SSB 5618 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Darneille and Keiser)

AN ACT Relating to arrest of sixteen and seventeen year olds for domestic violence assault; and reenacting and amending RCW 10.31.100.

Referred to Committee on Early Learning & Human Services.

ESB 5652 by Senators Angel and Rolfes

AN ACT Relating to actions by the boundary review board; and amending RCW 36.93.150, 36.93.170, and 36.93.180.

Referred to Committee on Local Government.

SB 5674 by Senators Palumbo and Fain

AN ACT Relating to the final approval of subdivisions of land; and amending RCW 58.17.100, 58.17.170, and 58.17.190.

Referred to Committee on Local Government.

ESB 5720 by Senators Hawkins, Hobbs, Takko, Baumgartner, Sheldon, King, Brown and Schoesler

AN ACT Relating to payment of production-based compensation wages for the employment and use of labor in agricultural activities and in the production, handling, and storage of farm products; adding a new section to chapter 49.46 RCW; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

SB 5736 by Senators Brown, Palumbo, Keiser, Rossi, Frockt, Braun, Bailey, Hasegawa and Rolfes

AN ACT Relating to the expansion of nutrition programs for older adults; and creating new sections.

Referred to Committee on Appropriations.

ESB 5761 by Senators McCoy, Hunt and Hasegawa

AN ACT Relating to exempting certain confidential fish and shellfish harvest information from disclosure under chapter 42.56 RCW, the public records act; and amending RCW 42.56.430.

Referred to Committee on State Government, Elections & Information Technology.

ESSB 5777 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Brown, Carlyle, Angel, Chase and Saldaña)

AN ACT Relating to improving the business climate in this state by simplifying the administration of municipal general business licenses; adding a new chapter to Title 35 RCW; and creating a new section.

Referred to Committee on Finance.

ESB 5834 by Senator Baumgartner

AN ACT Relating to licensing of bonded spirits warehouses; amending RCW 66.24.640; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Gaming.

SSB 5844 by Senate Committee on Ways & Means (originally sponsored by Senator Braun)

AN ACT Relating to adopting citizen commission 2016 recommendations and making adjustments to the commission's review process; amending RCW 82.04.240, 43.136.045, and 43.136.055; creating new sections; repealing RCW 82.08.965, 82.12.965, 84.36.645, 82.04.448, 82.08.970, 82.12.970, 82.04.426, and 82.32.790; and repealing 2010 c 114 s 104 and 2003 c 149 s 3.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 3, 2017

HB 1032 Prime Sponsor, Representative Ryu: Concerning the excise taxation of martial arts. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Frame, Vice Chair.

Referred to Committee on Rules for second reading.

March 3, 2017

HB 1309 Prime Sponsor, Representative Steele: Concerning removal of land from the current use property tax classification due to certain natural disasters. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Frame, Vice Chair.

Referred to Committee on Rules for second reading.

March 3, 2017

HB 1797 Prime Sponsor, Representative McBride: Concerning encouraging affordable housing development and preservation by providing cities limited sales tax remittance for qualifying investments, providing cities and counties authority to use real estate excise taxes to support affordable housing, and providing cities and counties with councilmanic authority to impose the affordable housing sales tax. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Community Development, Housing & Tribal Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Condotta.

MINORITY recommendation: Without recommendation. Signed by Representatives Frame, Vice Chair Nealey, Ranking Minority Member.

Referred to Committee on Rules for second reading.

March 3, 2017

HB 2002 Prime Sponsor, Representative Nealey: Making a technical correction in Engrossed Substitute Senate Bill No. 6057 from 2015 to provide that the business and occupation tax rate for newspapers takes effect as of

July 1, 2015. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Frame, Vice Chair.

Referred to Committee on Rules for second reading.

March 2, 2017

SSB 5031 Prime Sponsor, Committee on Financial Institutions & Insurance: Addressing licensing and enforcement provisions applicable to money transmitters and currency exchanges under the uniform money services act. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Blake; Jenkin; McCabe and Santos.

Referred to Committee on Rules for second reading.

March 6, 2017

SB 5125 Prime Sponsor, Senator Braun: Defining independent contractor relationships in the context of real estate licensing. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

March 6, 2017

SB 5244 Prime Sponsor, Senator O'Ban: Concerning the means of communication between a buyer or lessee and an auto dealer during the "bushing" period. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

March 6, 2017

SSB 5675 Prime Sponsor, Committee on Financial Institutions & Insurance: Addressing the minimum operating requirements and the review of plans necessary to be included in the small business retirement marketplace. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1714, by Representatives Cody, Doglio, Ryu, Pollet, Peterson, McBride, Wylie, Stonier, Goodman, Sawyer, Bergquist, Gregerson, Sullivan, Lytton, Tharinger, Chapman, Lovick, Senn, Hansen, Sells, Frame, Fitzgibbon, Riccelli, Macri, Jinkins, Dolan, Stanford, Orwall, Ortiz-Self, Farrell, Slatter, Tarleton, Clibborn, Fey, Kilduff, Reeves, Pettigrew, Appleton, Robinson, Blake, Ormsby, Pellicciotti, Kloba, Hudgins and Santos

Concerning nursing staffing practices at hospitals.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1714 was substituted for House Bill No. 1714 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1714 was read the second time.

Representative Cody moved the adoption of the striking amendment (280):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that:

(1) Research demonstrates that registered nurses play a critical role in improving patient safety and quality of care;

(2) Appropriate staffing of hospital personnel including registered nurses available for patient care assists in reducing errors, complications, and adverse patient care events and can improve staff safety and satisfaction and reduce incidences of workplace injuries;

(3) Health care professional, technical, and support staff comprise vital components of the patient care team, bringing their particular skills and services to ensuring quality patient care;

(4) Assuring sufficient staffing of hospital personnel, including registered nurses, is an urgent public policy priority in order to protect patients and support greater retention of registered nurses and safer working conditions; and

(5) Steps should be taken to promote evidence-based nurse staffing and increase transparency of health care data and decision making based on the data.

Sec. 2. RCW 70.41.420 and 2008 c 47 s 3 are each amended to read as follows:

(1) By September 1, 2008, each hospital shall establish a nurse staffing committee, either by creating a new committee or assigning the functions of a nurse staffing committee to an existing committee. At least one-half of the members of the nurse staffing committee shall be registered nurses currently providing direct patient care and up to one-half of the members shall be determined by the hospital administration. The selection of the registered nurses providing direct patient care shall be according to the collective bargaining agreement if there is one in effect at the hospital. If there is no applicable collective bargaining agreement, the members of the nurse staffing committee who are registered nurses providing direct patient care shall be selected by their peers.

(2) Participation in the nurse staffing committee by a hospital employee shall be on scheduled work time and compensated at the appropriate rate of pay. Nurse staffing committee members shall be relieved of all other work duties during meetings of the committee.

(3) Primary responsibilities of the nurse staffing committee shall include:

(a) Development and oversight of an annual patient care unit and shift-based nurse staffing plan, based on the needs of patients, to be used as the primary

component of the staffing budget. Factors to be considered in the development of the plan should include, but are not limited to:

(i) Census, including total numbers of patients on the unit on each shift and activity such as patient discharges, admissions, and transfers;

(ii) Level of intensity of all patients and nature of the care to be delivered on each shift;

(iii) Skill mix;

(iv) Level of experience and specialty certification or training of nursing personnel providing care;

(v) The need for specialized or intensive equipment;

(vi) The architecture and geography of the patient care unit, including but not limited to placement of patient rooms, treatment areas, nursing stations, medication preparation areas, and equipment; (~~and~~)

(vii) Staffing guidelines adopted or published by national nursing professional associations, specialty nursing organizations, and other health professional organizations;

(viii) Availability of other personnel supporting nursing services on the unit; and

(ix) Strategies to enable nurses to take meal and rest breaks as required by law or the terms of an applicable collective bargaining agreement, if any, between the hospital and a representative of the nursing staff;

(b) Semiannual review of the staffing plan against patient need and known evidence-based staffing information, including the nursing sensitive quality indicators collected by the hospital;

(c) Review, assessment, and response to staffing variations or concerns presented to the committee.

(4) In addition to the factors listed in subsection (3)(a) of this section, hospital finances and resources (~~may~~) must be taken into account in the development of the nurse staffing plan.

(5) The staffing plan must not diminish other standards contained in state or federal law and rules, or the terms of an applicable collective bargaining

agreement, if any, between the hospital and a representative of the nursing staff.

(6) The committee will produce the hospital's annual nurse staffing plan. If this staffing plan is not adopted by the hospital, the chief executive officer shall provide a written explanation of the reasons why the plan was not adopted to the committee and the chief executive officer must either identify those elements of the proposed plan being changed or prepare an alternate annual staffing plan that will be adopted by the hospital. Beginning January 1, 2019, each hospital shall submit its staffing plan to the department and thereafter on an annual basis and at any time in between that the plan is updated.

(7) Beginning January 1, 2019, each hospital shall implement the staffing plan and assign nursing personnel to each patient care unit in accordance with the plan.

(a) A nurse may report to the staffing committee any variations where the nurse personnel assignment in a patient care unit is not in accordance with the adopted staffing plan and may make a complaint to the committee based on the variations.

(b) Shift-to-shift adjustments in staffing levels required by the plan may be made by the appropriate hospital personnel overseeing patient care operations only after consultation with one or more impacted registered nurses providing direct patient care on the patient care unit or units utilizing procedures specified by the staffing committee. If a nurse on a patient care unit objects to a shift-to-shift adjustment, the registered nurse may submit the complaint to the staffing committee.

(c) Staffing committees shall develop a process to examine and respond to data submitted under (a) and (b) of this subsection, including the ability to determine if a specific complaint is resolved or dismissing a complaint based on unsubstantiated data.

(8) Each hospital shall post, in a public area on each patient care unit, the nurse staffing plan and the nurse staffing schedule for that shift on that unit, as well as the relevant clinical staffing for that shift. The staffing plan and current staffing levels must also be made available to patients and visitors upon request.

~~((8))~~ (9) A hospital may not retaliate against or engage in any form of intimidation of:

(a) An employee for performing any duties or responsibilities in connection with the nurse staffing committee; or

(b) An employee, patient, or other individual who notifies the nurse staffing committee or the hospital administration of his or her concerns on nurse staffing.

~~((9))~~ (10) This section is not intended to create unreasonable burdens on critical access hospitals under 42 U.S.C. Sec. 1395i-4. Critical access hospitals may develop flexible approaches to accomplish the requirements of this section that may include but are not limited to having nurse staffing committees work by telephone or ~~(electronic mail)~~ email.

NEW SECTION. Sec. 3. A new section is added to chapter 70.41 RCW to read as follows:

(1)(a) The department shall investigate a complaint for violation of RCW 70.41.420 following receipt of a complaint with documented evidence of failure to:

(i) Form or establish a staffing committee;

(ii) Conduct a semiannual review of a nurse staffing plan;

(iii) Submit a nurse staffing plan on an annual basis and any updates; or

(iv) Follow the nursing personnel assignments as adopted by the hospital as evidenced by the aggregate data of concerns for either shift-to-shift adjustment or reports of variations not in accordance with the adopted staffing plan for the hospital. This must be evidenced by a minimum of a sixty-day period of aggregate complaint data filed under RCW 70.41.420(7) (a) and (b) and where the staffing committee has not determined the complaints resolved; except in the event of unforeseeable emergency circumstances or where the hospital, after consultation with the staffing committee, documents it has made reasonable efforts to obtain staffing to meet required assignments but has been unable to do so.

(b) The department shall investigate the complaint and, if the department determines that there has been a violation, require the hospital to submit a corrective plan of action within forty-

five days of the presentation of findings from the department to the hospital.

(2) In the event that a hospital fails to submit or submits but fails to follow such a corrective plan of action in response to a violation or violations found by the department based on a complaint filed pursuant to subsection (1) of this section, the department may impose, for all violations asserted against a hospital at any time, a civil penalty of one hundred dollars per day until the hospital submits or begins to follow a corrective plan of action or takes other action agreed to by the department.

(3) The department shall maintain for public inspection records of any civil penalties, administrative actions, or license suspensions or revocations imposed on hospitals under this section.

(4) For purposes of this section, "unforeseeable emergency circumstance" means:

(a) Any unforeseen national, state, or municipal emergency;

(b) When a health care facility disaster plan is activated;

(c) Any unforeseen disaster or other catastrophic event that substantially affects or increases the need for health care services; or

(d) When hospitals in a community are diverting patients to other hospitals for treatment.

(5) Nothing in this section shall be construed to preclude the ability to otherwise submit a complaint to the department for failure to follow RCW 70.41.420.

NEW SECTION. **Sec. 4.** This act may be known and cited as the Washington state patient safety act."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (280) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Smith was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1714.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1714, and the bill passed the House by the following vote: Yeas, 61; Nays, 36; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Holy, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McCaslin, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Hargrove, Harmsworth, Harris, Hayes, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McDonald, Orcutt, Pike, Rodne, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, J. Walsh, Wilcox and Young

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1715, by Representatives Riccelli, Gregerson, McBride, Stonier, Wylie, Pollet, Cody, Ryu, Goodman, Morris, Fitzgibbon, Sullivan, Lytton, Tharinger, Chapman, Peterson, Lovick, Senn, Hansen, Sells, Frame, Doglio, Bergquist, Sawyer, Macri, Jinkins, Dolan, Stanford, Orwall, Ortiz-Self, Farrell, Slatter, Tarleton, Springer, Fey, Kilduff, Reeves, Pettigrew, Appleton, Robinson, Blake, Kagi, Ormsby, Pellicciotti, Kloba, Hudgins and Santos

Addressing meal and rest breaks and mandatory overtime for certain health care employees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli, Holy, Sullivan, Jinkins and Riccelli (again) spoke in favor of the passage of the bill.

Representatives Manweller, Johnson, Harris, Manweller (again), Condotta and Irwin spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1715.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1715, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Holy, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McCabe, Morris, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, Muri, Nealey, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

HOUSE BILL NO. 1715, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1930, by Representatives Frame, Rodne and Jinkins

Concerning child custody.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1930 was substituted for House Bill No. 1930 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1930 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Frame spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1930.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1930, and the bill passed the House by the following vote: Yeas, 50; Nays, 47; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1930, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1001, by Representatives Morris, Smith, Tarleton, Haler and Doglio

Concerning utility easements on state-owned aquatic lands.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1001.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1001, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1001, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1377, by Representatives Ortiz-Self, Stonier, Santos, Lovick, Gregerson, Peterson, Ryu, Appleton, Fitzgibbon, Goodman, Bergquist and Doglio

Improving students' mental health by enhancing nonacademic professional services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1377 was substituted for House Bill No. 1377 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1377 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self, Stonier and Ortiz-Self (again) spoke in favor of the passage of the bill.

Representatives Harris and Manweller spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1377.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1377, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, McDonald, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1377, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1532, by Representatives Lytton and Hayes

Concerning the exemption of property taxes for nonprofit homeownership development.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1532 was substituted for House Bill No. 1532 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1532 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Nealey spoke in favor of the passage of the bill

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1532.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1532, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Haler, Koster, Kretz, Maycumber, McCabe, McCaslin, Pike, Schmick, Shea, Taylor, Van Werven, Vick and Young.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1532, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1465, by Representatives Short, Lytton, Kretz, Koster, Schmick and Fitzgibbon

Exempting from public disclosure certain information regarding reports on wolf depredations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1465 was substituted for House Bill No. 1465 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1465 was read the second time.

Representative Hudgins moved the adoption of amendment (156):

On page 4, after line 12, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 42.56 RCW to read as follows:

By December 1, 2021, the public records exemptions accountability committee, in addition to its duties in RCW 42.56.140, must prepare and submit a report to the legislature that includes recommendations on whether the exemptions created in section 1, chapter . . ., Laws of 2017 (section 1 of this act) should be continued or allowed to expire. The report should focus on whether the exemption continues to serve the intent of the legislature in section 1, chapter . . ., Laws of 2017 (section 1 of this act) to provide protections of personal information during the period the state establishes and implements new policies regarding wolf management. The committee must consider whether the development of wolf management policy, by the time of the report, has diminished risks of threats to personal safety so that the protection of personal information in section 1, chapter . . ., Laws of 2017 (section 1 of this act) is no longer an ongoing necessity.

NEW SECTION. Sec. 4. This act expires June 30, 2022."

Correct the title.

Representatives Hudgins and Maycumber spoke in favor of the adoption of the amendment.

Amendment (156) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Maycumber and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1465.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1465, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Sawyer and Stonier.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1721, by Representatives Cody, Haler, Muri, Goodman and Jinkins

Concerning obtaining required clinical experience for licensed practical nurses who complete a nontraditional registered nurse program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Cody spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1721.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1721, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dye, Jenkin, Manweller, McCaslin, Schmick, Shea, Taylor, Volz and Young.

Excused: Representative Smith.

HOUSE BILL NO. 1721, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1763, by Representatives Robinson, Wylie, Jenkins, Ortiz-Self, Sells, Orcutt, Dolan, Pollet, Wilcox, Springer, Kretz, Kloba, Senn, Tharinger, Kilduff and Santos

Modifying the property tax exemption for property used to provide housing for eligible persons with developmental disabilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1763 was substituted for House Bill No. 1763 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1763 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1763.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1763, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Koster, McCaslin, Shea, Taylor and Vick.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1763, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1833, by Representatives Dolan, Doglio, Jenkins and Ortiz-Self

Concerning financial reporting by elected and appointed officials, candidates, and appointees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dolan and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1833.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1833, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet,

Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1833, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1980, by Representatives Blake, Chapman, Macri, Robinson, Van Werven, Morris, Smith, Haler, J. Walsh, Ryu, Johnson, Stanford, Sells, Ormsby, Frame, Kretz, Dye, Santos, Doglio, Pollet, Tarleton and Jinkins

Creating a low-income home rehabilitation revolving loan program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1980 was substituted for House Bill No. 1980 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1980 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1980.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1980, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys and Taylor.
Excused: Representative Smith.

SECOND SUBSTITUTE HOUSE BILL NO. 1980, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1991, by Representatives Volz, Stonier, McCaslin, Taylor, Shea, Koster and Holy

Clarifying the county treasurer's administration of payments and costs related to delinquent properties.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Volz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1991.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1991, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1991, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2003, by Representatives Kloba, Kagi, Ortiz-Self, Tarleton, McBride, Ormsby and Feya

Allowing special parking privileges for certain organizations that dispatch taxicab vehicles or vehicles for hire that transport persons with disabilities.

The bill was read the second time.

Representative Kloba moved the adoption of amendment (097):

On page 2, beginning on line 21, strike all of section 2

Correct the title.

Representative Kloba spoke in favor of the adoption of the amendment.

Amendment (097) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2003.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2003, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 2003, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1907, by Representatives Orcutt, Blake, DeBolt, McDonald and Van Werven

Concerning abandoned cemeteries.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt, Hudgins and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1907.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1907, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1907, having received the necessary constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4010, by Representatives Morris and Lytton

Requesting that the Blanchard State Forest be renamed the "Harriet A. Spanel-Blanchard State Forest."

The joint memorial was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the joint memorial was placed on final passage.

Representatives Morris and DeBolt spoke in favor of the passage of the joint memorial.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Joint Memorial No. 4010.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4010, and the bill passed the House by

the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Volz, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Taylor, Van Werven and J. Walsh.

Excused: Representative Smith.

HOUSE JOINT MEMORIAL NO. 4010, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

HOUSE BILL NO. 1339, by Representatives Cody, Harris, Jinkins, Johnson, Kagi, Lovick, Ormsby and Slatter

Providing for restrictions on prescriptions for opioid drugs. Revised for 1st Substitute: Concerning restrictions on prescriptions for opioid drugs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1339 was substituted for House Bill No. 1339 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1339 was read the second time.

Representative Cody moved the adoption of amendment (265):

On page 1, at the beginning of line 7, strike "annually" and insert ", on a one-time basis,"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (265) was adopted.

Representative Cody moved the adoption of amendment (056):

On page 1, line 12, after "By" strike "January" and insert "July"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (056) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1339.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1339, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Graves, MacEwen, Maycumber and Taylor.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1339, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1765, by Representatives Irwin, Koster, Volz, Kraft, Stokesbary and Kloba

Concerning donations to the prescription drug donation program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1765 was substituted for House Bill No. 1765 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1765 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Irwin and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1765.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1765, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1765, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1855, by Representatives Blake, Stambaugh and Gregerson

Concerning vehicle identification of electrical contractors.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Blake spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1855.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1855, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fey, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Wilcox and Young.

Excused: Representative Smith.

HOUSE BILL NO. 1855, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1289, by Representatives Riccelli, DeBolt, Tharinger, Doglio, Pike, McBride, Sells, Van Werven, Ryu, Macri, MacEwen, Stonier and Ormsby

Concerning plaques for certain state-funded capital budget projects.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1289 was substituted for House Bill No. 1289 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1289 was read the second time.

With the consent of the House, amendment (080) was withdrawn.

Representative Riccelli moved the adoption of the striking amendment (234):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.63A RCW to read as follows:

The department must require a plaque sized five and three-quarter inches square and one-fourth to one-half inch deep be affixed to buildings or displayed as part of projects receiving a capital budget appropriation of more than ninety-nine thousand dollars under RCW 43.63A.125, 43.63A.135, and 43.63A.750 and capital

budget local and community projects that receive more than ninety-nine thousand dollars. The plaque must contain language that says exactly: "This project has been made possible with funding from the people of Washington State."

Sec. 2. RCW 27.34.330 and 2015 3rd sp.s. c 3 s 7014 are each amended to read as follows:

The Washington state historical society shall establish a competitive process to solicit proposals for and prioritize heritage capital projects for potential funding in the state capital budget. The society shall adopt rules governing project eligibility and evaluation criteria. Application for funding of specific projects may be made to the society by local governments, public development authorities, nonprofit corporations, tribal governments, and other entities, as determined by the society. The society, with the advice of leaders in the heritage field, including but not limited to representatives from the office of the secretary of state, the eastern Washington state historical society, and the department of archaeology and historic preservation, shall establish and submit a prioritized list of heritage capital projects to the governor and the legislature in the society's biennial capital budget request. The list shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed ten million dollars. The prioritized list shall be developed through open and public meetings and the amount of state funding shall not exceed thirty-three and thirty-three one-hundredths percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the society shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of

the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant. The society must require a plaque sized five and three-quarter inches square and one-fourth to one-half inch deep be affixed to buildings or displayed as part of projects that receive more than ninety-nine thousand dollars under this section. The plaque must contain language that says exactly: "This project has been made possible with funding from the people of Washington State."

Representative Taylor moved the adoption of amendment (245) to the striking amendment (234):

On page 1, line 13 of the striking amendment, after "State."" insert "Additionally, for capital budget local and community projects that receive more than ninety-nine thousand dollars, the plaque must include the sponsoring legislator's name, if known."

Representative Taylor spoke in favor of the adoption of the amendment to the striking amendment.

Representative Tharinger spoke against the adoption of the amendment to the striking amendment.

Amendment (245) to the striking amendment (234) was not adopted.

Representative Riccelli spoke in favor of the adoption of the striking amendment.

Amendment (234) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1289.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1289, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kretz, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, Dent, Graves, Griffey, Haler, Hargrove, Harmsworth, Holy, Jenkin, Klippert, Koster, Kraft, Kristiansen, Manweller, Maycumber, McCaslin, Nealey, Pike, Shea, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1289, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1831, by Representatives Pettigrew, Macri, Santos, Ortiz-Self, Frame, Kagi, Fitzgibbon, Stanford, Ormsby and Pollet

Revising resource limitations for public assistance.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1831 was substituted for House Bill No. 1831 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1831 was read the second time.

With the consent of the House, amendment 248 was withdrawn.

Representative Klippert moved the adoption of amendment (279):

On page 3, beginning on line 11, after "motor home" strike "~~((used and useful having an equity value not to exceed five thousand dollars))~~" and insert ", used and useful having an equity value not to exceed ~~((five thousand))~~ ten thousand dollars ("

Representatives Klippert and Kagi spoke in favor of the adoption of the amendment.

Amendment (279) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pettigrew and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1831.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1831, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, Macri, McBride, McCaslin, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dye, Haler, Hargrove, Jenkin, Kretz, MacEwen, Manweller, Maycumber, McCabe, Orcutt, Pike, Schmick, Shea, Steele, Taylor, Van Werven, Vick and Young.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1831, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1482, by Representatives Sawyer, Kagi, Stambaugh, Caldier, Robinson, Springer, Hargrove, Tarleton, Ormsby, Doglio and Stanford

Establishing the legislative-executive WorkFirst poverty reduction oversight task force.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1482 was substituted for House Bill No. 1482 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1482 was read the second time.

Representative Kagi moved the adoption of amendment (225):

On page 5, line 2, after "department" strike "~~((, the office of financial management))~~" and insert "~~((,))~~; (E) the office of financial management"

Renumber remaining subsections consecutively and correct any internal references accordingly.

On page 5, line 4, after "instruction;" strike "(F) the department of corrections;"

Renumber remaining subsections consecutively and correct any internal references accordingly.

Representative Kagi spoke in favor of the adoption of the amendment.

Amendment (225) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and Dent spoke in favor of the passage of the bill.

Representative McCaslin spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1482.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1482, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dye, Haler, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Koster, Kraft, Kretz, Kristiansen, Maycumber, McCaslin, Nealey, Schmick, Shea, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1482, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1953, by Representatives Dolan, Gregerson, Sells, Doglio, Ormsby and Kilduff

Addressing maximum penalties under the Washington industrial safety and health act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Dolan spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1953.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1953, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Smith.

HOUSE BILL NO. 1953, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1562, by Representatives Gregerson, Stonier, Orwall, Senn, Slatter, Peterson, Lovick, Farrell, Santos, Ryu, McBride, Ortiz-Self, Hudgins, Pollet, Riccelli, Macri, Pike, Stanford, Doglio, Fitzgibbon, Bergquist, Tharinger, Sawyer, Ormsby, Dolan, Cody and Fey

Continuing the work of the Washington food policy forum.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1562 was substituted for House Bill No. 1562 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1562 was read the second time.

Representative Dent moved the adoption of the striking amendment (229):

Strike everything after the enacting clause and insert the following:

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

(a) Numerous governmental agencies, state programs, and private entities share goals and missions relating to food, nutrition, agriculture, health, education, and economic development through sustained agricultural production and improved access to nutritious foods;

(b) The food and agriculture industry generates fifty-one billion dollars annually, employs one hundred sixty thousand people, and contributes thirteen percent to the state's economy;

(c) Agriculture is a leading employer in the state, produces over three hundred different crops, and is composed of many diverse types of agricultural endeavors;

(d) The state of Washington continues to lose farmland every year to nonfarming uses;

(e) The state's food system is the network of people and activities connecting growing and harvesting, processing, distribution, consumption, and residue utilization, as well as associated government and nongovernment institutions, regulations, and programs;

(f) Several nongovernmental and charitable organizations are engaged in the distribution of food to food banks and those in need, and there exists an opportunity to build on connections between these organizations and farmers to enhance the delivery of locally produced food to various food programs;

(g) The current food system in the state of Washington is complex and directly affected by the activities and policies of multiple federal and state agencies and local governments;

(h) Small acreage farms in Washington provide local food and maintain a vibrant

culture of agriculture. Although several programs exist to support small farm operations there are opportunities to evaluate the effectiveness of these programs to reduce duplication of effort and streamline service delivery to the farmers; and

(i) The work done by the regional food policy councils in the state can serve as a model for local efforts to bring together community, government, business, and agricultural interests, and improved communication between these local activities, combined with state efforts, could strengthen the state food policy system.

(2) The legislature recognizes the need to understand the impacts of governmental rules and regulations on the viability of small acreage agriculture.

(3) The purpose of this act is to provide for the establishment of a forum to: (a) Increase the direct marketing sales of local farm products; (b) reduce food insecurity in Washington; (c) identify opportunities to improve coordination between local food policy councils and state and federal agencies; and (d) identify rules and regulations impeding the viability of small acreage agriculture.

NEW SECTION. **Sec. 2.** (1) The Washington food policy forum is established as a public-private partnership and its purpose is to develop recommendations to advance the following food system goals:

(a) To increase direct marketing sales and consumption of Washington-grown foods;

(b) To expand and promote programs that bring healthy and nutritious Washington-grown foods to Washington residents, including increased state purchasing of local food products for schools, adult care programs, and other state-funded food programs;

(c) To examine ways to encourage retention of an adequate number of farmers for small scale farms, meet the educational needs for the next generation of farmers, and provide for the continued economic viability of local food production, processing, and distribution in the state;

(d) To reduce food insecurity and hunger in the state; and

(e) To identify ways to improve coordination and communication among local

food policy entities and communication between the local food policy entities and state agencies.

(2) Recommendations of the food policy forum must consider, but not be limited to, ways in which the following may help achieve each of the goals identified under subsection (1) of this section:

(a) Increased collaboration and communication between local, state, and federal governments and agencies;

(b) Innovative public-private partnerships that can leverage private and public market influence, such as through institutional purchasing and contracts;

(c) Improvements to state or federal laws or regulations relevant to the small acreage farming interactions with the food system and food security in the state;

(d) Improvements in state or federal program implementation relevant to small acreage farming interactions with the food system and food security in the state;

(e) Identification of additional federal, state, local, and private investments needed to accomplish the recommendations; and

(f) Defining and describing the variety of agriculture in the state utilizing farm acreage, farm business type, crop and agricultural product type, and defining what the term "local" means in the context of food production and distribution.

(3) In developing its recommendations, the food policy forum:

(a) Shall coordinate with appropriate local, state, and federal agencies, tribes, and nongovernmental organizations to avoid duplication of effort;

(b) Shall solicit public input through public hearings or informational sessions;

(c) May conduct research and analysis as needed within financial resources available to the forum; and

(d) May form an advisory committee or committees to address issues identified by the forum and that are within the guidelines of subsection (1) of this section, as requiring additional study or particular expertise.

(4) The directors of the state conservation commission and the department of agriculture are responsible for appointing participating members of the food policy forum and no appointment may

be made unless each director concurs in the appointment. In making appointments, the directors must attempt to ensure a diversity of knowledge, experience, and perspectives reflecting the issues to be addressed by the forum including, but not limited to:

(a) State and federal government employees, including academia;

(b) Related nonprofit and community organizations; and

(c) The food industry, including food production, processing, distribution, marketing, and retail sales.

(5) A majority of the participating members appointed by the directors must appoint an administrative chair for the forum.

(6) In addition to members appointed by the directors, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants must be appointed as follows:

(a) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; and

(b) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(7) Each member of the food policy forum shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(8) Staff for the food policy forum must be provided by the state conservation commission and the department of agriculture. The state conservation commission and the department of agriculture are jointly responsible for transmitting the recommendations of the food policy forum to the legislature, consistent with RCW 43.01.036, by October 29, 2018.

(9) This section expires July 1, 2019.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Dent and Blake spoke in favor of the adoption of the striking amendment.

Amendment (229) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregerson and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1562.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1562, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kretz, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Klippert, Koster, Kraft, Kristiansen, MacEwen, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Smith.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1562, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1166, by Representatives Griffey and Springer

Concerning fire protection district tax levies.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1166.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1166, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Hargrove, McCaslin, Morris, Orcutt, Shea, Taylor, Van Werven, Vick and Young.

Excused: Representative Smith.

HOUSE BILL NO. 1166, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1333, by Representatives Stambaugh, Springer, Harris, Tarleton, Haler, Muri, Jinkins and Bergquist

Requiring establishment of a systemwide credit policy regarding AP exams.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1333 was substituted for House Bill No. 1333 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1333 was read the second time.

Representative Stambaugh moved the adoption of the striking amendment (172):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that advanced placement coursework prepares students for postsecondary success and provides opportunities for them to earn college credit or secure placement in advanced courses. The legislature further finds that eighty-four thousand eight hundred sixty-six students took an AP exam in Washington state in 2015. The legislature further finds that six thousand six hundred sixty-seven of those students were underrepresented minority students and nine thousand four hundred seventy-one

were low-income students. The legislature further finds that of the students that took an AP exam in Washington state in 2015, fifty-one thousand seven hundred twenty-five scored a three, four, or five.

Therefore, the legislature intends to establish a policy for granting as many undergraduate course credits as possible to students who have earned a minimum score of three on their AP exams and clearly communicate credit awarding policies and course equivalencies to students. The goal of the policy is to award course credit in all appropriate instances and maximize the number of college students given college credit for AP exam scores of three or higher.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.10 RCW to read as follows:

(1) The institutions of higher education must establish a coordinated, evidence-based policy for granting as many undergraduate college credits to students who have earned minimum scores of three on AP exams as possible and appropriate.

(2) Credit policy regarding all AP exams must be posted on campus web sites effective for the 2017 fall academic term. The institutions of higher education must conduct biennial reviews of their AP credit policy and report noncompliance to the appropriate committees of the legislature by November 1st each year beginning November 1, 2019."

Representatives Stambaugh and Hansen spoke in favor of the adoption of the striking amendment.

Representative Manweller spoke against the adoption of the striking amendment.

Amendment (172) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stambaugh and Pollet spoke in favor of the passage of the bill.

Representative Young spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1333.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1333, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Holy, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Slatter, Springer, Stambaugh, Stanford, Sullivan, Taylor, Tharinger, Van Werven, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Hargrove, Harmsworth, Harris, Hayes, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Muri, Nealey, Orcutt, Pellicciotti, Rodne, Schmick, Sells, Senn, Shea, Steele, Stokesbary, Stonier, Tarleton, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1333, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2058, by Representative Harmsworth

Creating procedures for the redemption of certain vehicles that are towed from accident scenes by registered tow truck companies when the vehicle owner is admitted as a patient in a hospital due to the accident.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2058 was substituted for House Bill No. 2058 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2058 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harmsworth and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2058.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2058, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 2058, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1371, by Representatives Farrell, Lovick, Haler, Harris, Clibborn, Orwall, Kagi, Robinson, Appleton, Ryu, Goodman, Tarleton, Gregerson, Sells, Ormsby and Cody

Modifying the infraction of and penalties for distracted driving.

The bill was read the second time.

There being no objection Substitute House Bill No. 1371 was substituted for House Bill No. 1371 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1371 was read the second time.

With the consent of the House, amendment 075 was withdrawn.

Representative Hayes moved the adoption of the striking amendment (132):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that distracted driving is a practice that increases the likelihood of auto accidents, including fatal collisions, and is caused by a variety of activities, including the use of electronic devices, eating and drinking, talking to passengers, grooming, reading, using a navigation system, watching a video, or adjusting an audio device. The legislature further recognizes that distracted driving is one of the top three causes of fatal collisions for young drivers. It is therefore the intent of the legislature

to discourage distracted driving by increasing the penalties and fines for traffic infractions when drivers are dangerously distracted and directing the additional revenue from penalties and fines to programs dedicated to reducing distracted driving.

NEW SECTION. Sec. 2. A new section is added to chapter 46.61 RCW to read as follows:

(1) (a) It is a traffic infraction to drive dangerously distracted. Any driver who commits this infraction must be assessed the unscheduled infraction base penalty amount prescribed by rule by the supreme court in its schedule of monetary penalties for infractions, as directed under RCW 46.63.110(3).

(b) Enforcement of the infraction of driving dangerously distracted may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of a separate traffic infraction or an equivalent local ordinance.

(c) For the purposes of this section, "dangerously distracted" means a person who engages in any activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such motor vehicle on any highway.

(2) The additional monetary penalty imposed under this section must be deposited into the distracted driving prevention account created in subsection (3) of this section.

(3) The distracted driving prevention account is created in the state treasury. All receipts from the base penalty in subsection (2) of this section must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only by the Washington traffic safety commission solely to support programs dedicated to reducing distracted driving and improving driver education on distracted driving.

Sec. 3. RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and 2016 c 112 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income

account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol

building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the distracted driving prevention account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and

use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation future funding program

account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be

allocated earnings without the specific affirmative directive of this section."

Correct the title.

Representatives Hayes, Orcutt, Hargrove and Klippert spoke in favor of the adoption of the striking amendment.

Representative Clibborn spoke against the adoption of the striking amendment.

Amendment (132) was not adopted.

Representative Farrell moved the adoption of the striking amendment (208):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW to read as follows:

(1) A person who uses a personal electronic device while driving a motor vehicle on a public roadway is guilty of a traffic infraction and must pay a fine as provided in RCW 46.63.110(3).

(2) Subsection (1) of this section does not apply to:

(a) A driver who is using a personal electronic device to contact emergency services;

(b) The use of a system by a transit system employee for time-sensitive relay communication between the transit system employee and the transit system's dispatch services;

(c) An individual employed as a commercial motor vehicle driver who uses a personal electronic device within the scope of such individual's employment if such use is permitted under 49 U.S.C. Sec. 31136 as it existed on the effective date of this section;

(d) A person operating an authorized emergency vehicle;

(e) A person operating a tow truck, to the extent that person is using the telephone call functionality of a wireless communications device; and

(f) Beginning January 1, 2021, a person operating an autonomous vehicle while it is being operated in a mode that does not require the person to be in active physical control of or continuously monitoring the vehicle.

(3) Subsection (1) of this section does not restrict the operation of:

(a) An amateur radio station by a person who holds a valid amateur radio operator license issued by the federal communications commission; or

(b) Two-way or citizens band radio services by a person driving a commercial motor vehicle.

(4) The state preempts the field of regulating the use of personal electronic devices in motor vehicles while driving, and this section supersedes any local laws, ordinances, orders, rules, or regulations enacted by any political subdivision or municipality to regulate the use of a personal electronic device by the operator of a motor vehicle.

(5) A second or subsequent offense under this section within five years is subject to two times the penalty amount under RCW 46.63.110.

(6) The first and second offense under this section within five years must not become part of the driver's record under RCW 46.52.101 and 46.52.120, and a finding that a person has committed a first and second offense under this section within five years must not be made available to insurance companies.

(7) For purposes of this section:

(a) "Autonomous vehicle" means any vehicle equipped with technology that has the capability of operating or driving the vehicle without the active physical control or monitoring of a human operator, whether or not the technology is engaged, excluding vehicles equipped with one or more systems that enhance safety or provide driver assistance but are not capable of driving or operating the vehicle without the active physical control or monitoring of a human operator. An "autonomous vehicle" meets the definition of level 3, 4, or 5 of the society of automotive engineers' taxonomy and definitions for terms related to on-road motor vehicle automated driving systems.

(b) "Driving" means to operate a motor vehicle on a public roadway, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. "Driving" does not include when the vehicle has pulled over to the side of, or off of, an active roadway and has stopped in a location where it can safely remain stationary.

(c) "Personal electronic device" means any portable electronic device that is

capable of wireless communication or electronic data retrieval and is not manufactured primarily for hands-free use in a motor vehicle. "Personal electronic device" includes, but is not limited to, a cell phone, tablet, laptop, two-way messaging device, or electronic game.

(d) "Use" or "uses" means:

(i) Holding a personal electronic device in either hand or both hands;

(ii) Using your hand or finger to compose, send, read, view, access, browse, transmit, save, or retrieve email, text messages, instant messages, photographs, or other electronic data; however, this neither precludes the minimal use of a finger to activate, deactivate, or initiate a function of the device, nor precludes the use of a hand or finger to control the built-in features of a motor vehicle through the use of a touch screen control panel;

(iii) Watching video on a personal electronic device.

NEW SECTION. Sec. 2. A new section is added to chapter 46.61 RCW to read as follows:

(1)(a) It is a traffic infraction to drive dangerously distracted. Any driver who commits this infraction must be assessed the unscheduled infraction base penalty amount prescribed by rule by the supreme court in its schedule of monetary penalties for infractions, as directed under RCW 46.63.110(3).

(b) Enforcement of the infraction of driving dangerously distracted may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of a separate traffic infraction or an equivalent local ordinance.

(c) For the purposes of this section, "dangerously distracted" means a person who engages in any activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such motor vehicle on any highway.

(2) The additional monetary penalty imposed under this section must be deposited into the distracted driving prevention account created in subsection (3) of this section.

(3) The distracted driving prevention account is created in the state treasury.

All receipts from the base penalty in subsection (2) of this section must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only by the Washington traffic safety commission solely to support programs dedicated to reducing distracted driving and improving driver education on distracted driving.

Sec. 3. RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and 2016 c 112 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings

set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the distracted driving prevention account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund,

the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state

employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the

scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. **Sec. 4.** The following acts or parts of acts are each repealed:

(1) RCW 46.61.667 (Using a wireless communications device or handheld mobile telephone while driving) and 2013 c 224 s 15, 2010 c 223 s 3, & 2007 c 417 s 2; and

(2) RCW 46.61.668 (Sending, reading, or writing a text message while driving) and 2013 c 224 s 16, 2010 c 223 s 4, & 2007 c 416 s 1.

NEW SECTION. **Sec. 5.** This act takes effect January 1, 2018."

Correct the title.

Representative Young moved the adoption of amendment (291) to the striking amendment (208):

On page 1, line 21 of the striking amendment, after "device;" strike "and"

On page 1, line 22 of the striking amendment, after "(f)" insert "A person operating a motor vehicle other than a commercial motor vehicle during an emergency situation or extraordinary circumstances that have temporarily caused a significant traffic delay; and

(g)"

Representatives Young and Clibborn spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (291) to the striking amendment (208) was adopted.

Representatives Farrell and Hayes spoke in favor of the adoption of the striking amendment as amended.

Amendment (208), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell, Lovick, Morris, Fey and Harris spoke in favor of the passage of the bill.

Representatives Hayes, Orcutt, Irwin and Pike spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1371.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1371, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Wilcox.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1913, by Representatives Dolan, Van Werven and Haler

Creating a leasehold excise tax exemption for certain leasehold interests in facilities owned or used by schools, colleges, or universities.

The bill was read the second time.

Representative Dolan moved the adoption of amendment (223):

On page 5, at the beginning of line 5, strike "school, college, or university"

and insert "community college or technical college"

On page 5, at the beginning of line 9, strike "school, college, or university" and insert "community college or technical college"

On page 5, at the beginning of line 11, strike "82.35.808" and insert "82.32.808"

Representatives Dolan and Nealey spoke in favor of the adoption of the amendment.

Amendment (223) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dolan and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1913.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1913, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Dent, Koster, Manweller, Maycumber, McCaslin, Pike, Schmick, Shea, Taylor and Vick.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 1913, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1480, by Representatives Hayes, Riccelli, Irwin, Lovick, Holy and Santos

Requiring additional criteria to be met for the department of licensing to suspend a driver's license.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (288):

On page 1, line 12, after "received" strike "two" and insert "one"

On page 1, beginning on line 13, after "violations" strike "that have been incurred on two or more separate occasions and"

On page 2, line 3, after "received" strike "two" and insert "one"

On page 2, beginning on line 4, after "violations" strike "that have been incurred on two or more separate occasions and"

Representatives Klippert and Lovick spoke in favor of the adoption of the amendment.

Amendment (288) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes, Lovick, Orcutt and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1480.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1480, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Pike.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 1480, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1481, by Representatives Hayes and Bergquist

Creating uniformity in driver training education provided by school districts and commercial driver training schools.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1481 was substituted for House Bill No. 1481 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1481 was read the second time.

With the consent of the House, amendment (276) was withdrawn.

Representative Hayes moved the adoption of the striking amendment (282):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is a need to establish consistency in the quality of driver training education in this state to reduce the number of young driver accidents that are prematurely killing our youth. The traffic safety commission reports that out of two hundred forty-five fatalities in the first half of 2016, thirty-one involved young drivers aged sixteen to twenty-five. The intent of this act is to require driver training education curriculum to be developed and maintained jointly by the office of the superintendent of public instruction and the department of licensing. The legislature also finds that there is a need to audit driver training education courses; therefore, the intent of this act is also to provide the department of licensing with resources and authority to audit all driver training education courses, in consultation with the superintendent of public instruction for driver training education courses offered by school districts.

Sec. 2. RCW 28A.220.020 and 1990 c 33 s 218 are each amended to read as follows:

((The following words and phrases whenever used in chapter 28A.220 RCW shall have the following meaning:)) The definitions in this section apply

throughout this chapter unless the context clearly requires otherwise.

(1) "Superintendent" or "state superintendent" (~~(shall)~~) means the superintendent of public instruction.

(2) "((Traffic safety)) Driver training education course" (~~(shall)~~) means ((an accredited)) a course of instruction in traffic safety education ((which shall consist of two phases, classroom instruction, and laboratory experience. "Laboratory experience" shall include on-street, driving range, or simulator experience or some combination thereof. Each phase shall meet basic course requirements which shall be established by the superintendent of public instruction and each part of said course shall be)) (a) offered as part of a traffic safety education program authorized by the superintendent of public instruction and certified by the department of licensing and (b) taught by a qualified teacher of ((traffic safety)) driver training education that consists of classroom and behind-the-wheel instruction using curriculum that meets joint superintendent of public instruction and department of licensing standards and the course requirements established by the superintendent of public instruction under RCW 28A.220.030. Behind-the-wheel instruction is characterized by driving experience. ((Any portions of the course may be taught after regular school hours or on Saturdays as well as on regular school days or as a summer school course, at the option of the local school districts.))

(3) "Qualified teacher of ((traffic safety)) driver training education" (~~(shall)~~) means an instructor ((certificated under the provisions of chapter 28A.410 RCW and certificated by the superintendent of public instruction to teach either the classroom phase or the laboratory phase of the traffic safety education course, or both, under regulations promulgated by the superintendent: PROVIDED, That the laboratory experience phase of the traffic safety education course may be taught by instructors certificated under rules promulgated by the superintendent of public instruction, exclusive of any requirement that the instructor be certificated under the provisions of chapter 28A.410 RCW. Professional instructors certificated under the provisions of chapter 46.82 RCW, and participating in this program, shall be

subject to reasonable qualification requirements jointly adopted by the superintendent of public instruction and the director of licensing) who:

(a) Is certificated under chapter 28A.410 RCW and has obtained a traffic safety endorsement or a letter of approval to teach traffic safety education from the superintendent of public instruction or is certificated by the superintendent of public instruction to teach a driver training education course; or

(b) Is an instructor provided by a driver training school that has contracted with a school district's or districts' board of directors under RCW 28A.220.030(3) to teach driver education for the school district.

(4) (~~("Realistic level of effort")~~) "Appropriate course delivery standards" means the classroom and ((laboratory)) behind-the-wheel student learning experiences considered acceptable to the superintendent of public instruction under RCW 28A.220.030 that must be satisfactorily accomplished by the student in order to successfully complete the ((traffic safety)) driver training education course.

(5) "Director" means the director of the department of licensing.

(6) "Traffic safety education program" means the administration and provision of driver training education courses offered by secondary schools of a school district or vocational-technical schools that are conducted by such schools in a like manner to their other regular courses.

Sec. 3. RCW 28A.220.030 and 2011 c 370 s 2 are each amended to read as follows:

(1) The superintendent of public instruction is authorized to establish a section of traffic safety education, and through such section shall: Define ((~~"realistic level of effort"~~)) appropriate course delivery standards required to provide an effective ((traffic safety)) driver training education course, establish a level of driving competency required of each student to successfully complete the course, and ensure that an effective statewide program is implemented and sustained((~~r~~)); administer, supervise, and develop the traffic safety education program; and ((shall)) assist local school districts in the conduct of their traffic safety education programs. The superintendent shall adopt necessary rules ((and regulations)) governing the

operation and scope of the traffic safety education program; and each school district shall submit a report to the superintendent on the condition of its traffic safety education program: PROVIDED, That the superintendent shall monitor the quality of the program and carry out the purposes of this chapter.

(2)(a) The board of directors of any school district maintaining a secondary school which includes any of the grades 10 to 12, inclusive, may establish and maintain a traffic safety education ~~((course))~~ program.

(b) Any school district that offers a driver training education course must certify to the department of licensing that it is operating a traffic safety education program, that the driver training education course follows the curriculum promulgated by the office of the superintendent of public instruction and the department of licensing, that it meets the course delivery standards promulgated by the office of the superintendent of public instruction, that a record retention policy is in place to meet the requirements of subsection (5) of this section, and that the school district has verified that all instructors are authorized by the office of the superintendent of public instruction to teach a driver training education course.

(c) Any portion of a driver training education course offered by a school district may be taught after regular school hours or on Saturdays as well as on regular school days or as a summer school course, at the option of the local school district. If a school district elects to offer a ~~((traffic safety))~~ driver training education course and has within its boundaries a private accredited secondary school which includes any of the grades 10 to 12, inclusive, at least one ~~((class in traffic safety education shall))~~ driver training education course must be given at times other than regular school hours if there is sufficient demand ~~((therefor))~~ for it.

(3)(a) A qualified teacher of driver training education must be certificated under chapter 28A.410 RCW and obtain a traffic safety endorsement or a letter of approval to teach traffic safety education from the superintendent of public instruction to teach either the classroom instruction or the behind-the-wheel instruction portion of the driver training education course, or both, under rules adopted by the superintendent. The

classroom or behind-the-wheel instruction portion of the driver training education course may also be taught by instructors certificated under rules adopted by the superintendent of public instruction, exclusive of any requirement that the instructor be certificated under chapter 28A.410 RCW.

(b) The superintendent shall establish a required minimum number of hours of continuing traffic safety education for qualified teachers of driver training education.

(4) The board of directors of a school district, or combination of school districts, may contract with any ~~((drivers))~~ driver training school licensed under ~~((the provisions of))~~ chapter 46.82 RCW to teach the ~~((laboratory phase))~~ behind-the-wheel instruction portion of the ((traffic safety)) driver training education course. Instructors provided by any such contracting ~~((drivers))~~ driver training school must be properly qualified teachers of ~~((traffic safety))~~ driver training education under the joint qualification requirements adopted by the superintendent of public instruction and the director of licensing.

((4) The superintendent shall establish a required minimum number of hours of continuing traffic safety education for traffic safety education instructors. The superintendent may phase in the requirement over not more than five years.))

(5) Each school district offering a traffic safety education program must maintain: (a) Documentation of each instructor's name and address and that establishes the instructor as a qualified teacher of driver training education as defined in RCW 28A.220.020; and (b) student records that include the student's name, address, and telephone number, the date of enrollment and all dates of instruction, the student's driver's instruction permit or driver's license number, the type of training received, the total number of hours of instruction, and the name of the instructor or instructors. These records must be maintained for three years following the completion of the instruction and are subject to inspection upon request of the department of licensing or the office of the superintendent of public instruction. The superintendent may adopt rules regarding the retention of additional documents that are subject to inspection by the

department of licensing or the office of the superintendent of public instruction.

(6) A driver training education course may not be offered by a school district to a student who is under the age of fifteen, and behind-the-wheel instruction may not be given by an instructor to a student in a motor vehicle unless the student possesses either a current and valid driver's instruction permit issued under RCW 46.20.055 or a current and valid driver's license.

(7) School districts that offer a (~~traffic safety~~) driver training education ((program)) course under this chapter may administer the portions of the driver licensing examination that test the applicant's knowledge of traffic laws and ability to safely operate a motor vehicle as authorized under RCW 46.20.120(7). The superintendent shall work with the department of licensing, in consultation with school districts that offer a traffic safety education program, to develop standards and requirements for administering each portion of the driver licensing examination that are comparable to the standards and requirements for driver training schools under RCW 46.82.450.

~~((6))~~ (8) Before a school district may provide a portion of the driver licensing examination, the school district must, after consultation with the superintendent, enter into an agreement with the department of licensing that sets forth an accountability and audit process that takes into account the unique nature of school district facilities and school hours and, at a minimum, contains provisions that:

(a) Allow the department of licensing to conduct random examinations, inspections, and audits without prior notice;

(b) Allow the department of licensing to conduct on-site inspections at least annually;

(c) Allow the department of licensing to test, at least annually, a random sample of the drivers approved by the school district for licensure and to cancel any driver's license that may have been issued to any driver selected for testing who refuses to be tested; and

(d) Reserve to the department of licensing the right to take prompt and appropriate action against a school district that fails to comply with state

or federal standards for a driver licensing examination or to comply with any terms of the agreement.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.220 RCW to read as follows:

The office of the superintendent of public instruction and the department of licensing shall jointly develop and maintain a required curriculum for school districts operating a traffic safety education program. The jointly developed curriculum must be prepared by August 1, 2018. The curriculum and instructional materials must comply with the course content requirements of RCW 46.82.420(2) and 46.82.430. In developing the curriculum, the office of the superintendent of public instruction and the department of licensing shall consult with one or more of Central Washington University's traffic safety education instructors or program content developers.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.220 RCW to read as follows:

(1) The department of licensing shall develop and administer the certification process required under RCW 28A.220.030 for a school district's traffic safety education program in consultation with the superintendent.

(2) The department of licensing shall conduct audits of traffic safety education programs to ensure that the instructors are qualified teachers of driver training education and teaching the required curriculum material, and that accurate records are maintained and accurate information is provided to the department of licensing regarding student performance. Each school district may be audited at least once every five years or more frequently. The audit process must take into account the unique nature of school district facilities, operations, and hours. As part of its audit process, the department of licensing may examine all relevant information, including driver training education course curriculum materials and student records, and visit any course in progress that is part of the traffic safety education program. The director shall consult with the superintendent in developing and carrying out these auditing practices.

(3) The department of licensing may suspend a school's or school district's traffic safety education program certification if: The school or school

district does not follow the curriculum promulgated by the office of the superintendent of public instruction and the department of licensing, any program instructors are not qualified teachers of driver training education, accurate records have not been maintained under RCW 28A.220.030(5) or accurate information regarding student performance has not been provided to the department of licensing, or the school or school district refuses to cooperate with the department of licensing audit process authorized under this chapter. The director shall consult with the superintendent in developing and carrying out these program certification suspension practices.

Sec. 6. RCW 46.20.055 and 2012 c 80 s 5 are each amended to read as follows:

(1) **Driver's instruction permit.** The department may issue a driver's instruction permit with or without a photograph to an applicant who has successfully passed all parts of the examination other than the driving test, provided the information required by RCW 46.20.091, paid an application fee of twenty-five dollars, and meets the following requirements:

(a) Is at least fifteen and one-half years of age; or

(b) Is at least fifteen years of age and:

(i) Has submitted a proper application; and

(ii) Is enrolled in a ~~((traffic safety))~~ driver training education ~~((program))~~ course offered ~~((, approved, and accredited))~~ as part of a traffic safety education program authorized by the office of the superintendent of public instruction and certified under chapter 28A.220 RCW or offered by a driver training school licensed and inspected by the department of licensing under chapter 46.82 RCW, that includes practice driving.

(2) **Waiver of written examination for instruction permit.** The department may waive the written examination, if, at the time of application, an applicant is enrolled in ~~((~~

~~(a)) a ((traffic safety)) driver training education course as defined ((by RCW 28A.220.020(2)), or~~

(b) A course of instruction offered by a licensed driver training school as defined by)) in RCW 46.82.280 or 28A.220.020.

The department may require proof of registration in such a course as it deems necessary.

(3) **Effect of instruction permit.** A person holding a driver's instruction permit may drive a motor vehicle, other than a motorcycle, upon the public highways if:

(a) The person has immediate possession of the permit;

(b) The person is not using a wireless communications device, unless the person is using the device to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property; and

(c) ~~((An approved))~~ A driver training education course instructor who meets the qualifications of chapter 46.82 or 28A.220 RCW, or a licensed driver with at least five years of driving experience, occupies the seat beside the driver.

(4) **Term of instruction permit.** A driver's instruction permit is valid for one year from the date of issue.

(a) The department may issue one additional one-year permit.

(b) The department may issue a third driver's permit if it finds after an investigation that the permittee is diligently seeking to improve driving proficiency.

(c) A person applying for an additional instruction permit must submit the application to the department in person and pay an application fee of twenty-five dollars for each issuance.

Sec. 7. RCW 46.20.100 and 2010 1st sp.s. c 7 s 18 are each amended to read as follows:

(1) **Application.** The application of a person under the age of eighteen years for a driver's license or a motorcycle endorsement must be signed by a parent or guardian with custody of the minor. If the person under the age of eighteen has no father, mother, or guardian, then the application must be signed by the minor's employer.

(2) **Traffic safety education requirement.** For a person under the age of eighteen years to obtain a driver's license, he or she must meet the traffic safety education requirements of this subsection.

(a) To meet the traffic safety education requirement for a driver's license, the applicant must satisfactorily complete a ~~((traffic safety))~~ driver training education course as defined in RCW 28A.220.020 for a course offered by a school district, or as defined by the department of licensing for a course offered by a driver training school licensed under chapter 46.82 RCW. The course offered by a school district ~~((or an approved private school must meet the standards established))~~ must be part of a traffic safety education program authorized by the office of the ((state)) superintendent of public instruction and certified under chapter 28A.220 RCW. The course offered by a driver training school must meet the standards established by the department of licensing under chapter 46.82 RCW. The ~~((traffic safety))~~ driver training education course may be provided by:

(i) A ~~((recognized))~~ secondary school within a school district that establishes and maintains an approved and certified traffic safety education program under chapter 28A.220 RCW; or

(ii) A driver training school licensed under chapter 46.82 RCW that is annually approved by the department of licensing.

(b) To meet the traffic safety education requirement for a motorcycle endorsement, the applicant must successfully complete a motorcycle safety education course that meets the standards established by the department of licensing.

(c) The department may waive the ~~((traffic safety))~~ driver training education course requirement for a driver's license if the applicant demonstrates to the department's satisfaction that:

(i) He or she was unable to take or complete a ~~((traffic safety))~~ driver training education course;

(ii) A need exists for the applicant to operate a motor vehicle; and

(iii) He or she has the ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property.

The department may adopt rules to implement this subsection (2)(c) in concert with the supervisor of the traffic safety education section of the office of the superintendent of public instruction.

(d) The department may waive the ~~((traffic safety))~~ driver training education course requirement if the applicant was licensed to drive a motor vehicle or motorcycle outside this state and provides proof that he or she has had education equivalent to that required under this subsection.

Sec. 8. RCW 46.82.280 and 2010 1st sp.s. c 7 s 19 are each amended to read as follows:

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

(1) "Behind-the-wheel instruction" means instruction in an approved driver training school instruction vehicle according to and inclusive of the ~~((minimum))~~ required curriculum. Behind-the-wheel instruction is characterized by driving experience.

(2) "Classroom" means a space dedicated to and used exclusively by a driver training instructor for the instruction of students. With prior department approval, a branch office classroom may be located within alternative facilities, such as a public or private library, school, community college, college or university, or a business training facility.

(3) "Classroom instruction" means that portion of a traffic safety education course that is characterized by classroom-based student instruction using the required curriculum conducted by or under the direct supervision of a licensed instructor or licensed instructors.

(4) "Director" means the director of the department of licensing of the state of Washington.

(5) "Driver training education course" means a course of instruction in traffic safety education approved and licensed by the department of licensing that consists of classroom and behind-the-wheel instruction ~~((as documented by the minimum))~~ that follows the approved curriculum.

(6) "Driver training school" means a commercial driver training school engaged in the business of giving instruction, for a fee, in the operation of automobiles.

(7) "Enrollment" means the collecting of a fee or the signing of a contract for a driver training education course. "Enrollment" does not include the collecting of names and contact information for enrolling students once a

driver training school is licensed to instruct.

(8) "Fraudulent practices" means any conduct or representation on the part of a driver training school owner or instructor including:

(a) Inducing anyone to believe, or to give the impression, that a license to operate a motor vehicle or any other license granted by the director may be obtained by any means other than those prescribed by law, or furnishing or obtaining the same by illegal or improper means, or requesting, accepting, or collecting money for such purposes;

(b) Operating a driver training school without a license, providing instruction without an instructor's license, verifying enrollment prior to being licensed, misleading or false statements on applications for a commercial driver training school license or instructor's license or on any required records or supporting documentation;

(c) Failing to fully document and maintain all required driver training school records of instruction, school operation, and instructor training;

(d) Issuing a driver training course certificate without requiring completion of the necessary behind-the-wheel and classroom instruction.

(9) "Instructor" means any person employed by or otherwise associated with a driver training school to instruct persons in the operation of an automobile.

(10) "Owner" means an individual, partnership, corporation, association, or other person or group that holds a substantial interest in a driver training school.

(11) "Person" means any individual, firm, corporation, partnership, or association.

(12) "Place of business" means a designated location at which the business of a driver training school is transacted or its records are kept.

(13) "Student" means any person enrolled in an approved driver training course.

(14) "Substantial interest holder" means a person who has actual or potential influence over the management or operation of any driver training school. Evidence of substantial interest includes, but is not limited to, one or more of the following:

(a) Directly or indirectly owning, operating, managing, or controlling a driver training school or any part of a driver training school;

(b) Directly or indirectly profiting from or assuming liability for debts of a driver training school;

(c) Is an officer or director of a driver training school;

(d) Owning ten percent or more of any class of stock in a privately or closely held corporate driver training school, or five percent or more of any class of stock in a publicly traded corporate driver training school;

(e) Furnishing ten percent or more of the capital, whether in cash, goods, or services, for the operation of a driver training school during any calendar year; or

(f) Directly or indirectly receiving a salary, commission, royalties, or other form of compensation from the activity in which a driver training school is or seeks to be engaged.

Sec. 9. RCW 46.82.320 and 2009 c 101 s 4 are each amended to read as follows:

(1) No person affiliated with a driver training school shall give instruction in the operation of an automobile for a fee without a license issued by the director for that purpose. An application for an original or renewal instructor's license shall be filed with the director, containing such information as prescribed by this chapter and by the director, accompanied by an application fee set by rule of the department, which shall in no event be refunded. An application for a renewal instructor's license must be accompanied by proof of the applicant's continuing professional development that meets the standards adopted by the director. If the applicant satisfactorily meets the application requirements (~~and the examination requirements~~) as prescribed in RCW 46.82.330, the applicant shall be granted a license valid for a period of two years from the date of issuance. An applicant for a renewal instructor's license is not required to retake the examination specified in RCW 46.82.330 to renew his or her instructor's license if his or her original instructor's license is unexpired or has not been expired for longer than six months before submission of his or her renewal application.

(2) The director shall issue a license certificate to each qualified applicant.

(a) An employing driver training school must conspicuously display an instructor's license at its established place of business and display copies of the instructor's license at any branch office where the instructor provides instruction.

(b) Unless revoked, canceled, or denied by the director, the license shall remain the property of the licensee in the event of termination of employment or employment by another driver training school.

(c) If the director has not received a renewal application on or before the date a license expires, the license (~~will be voided~~) is void, requiring a new application as provided for in this chapter, including (~~examination and~~) payment of all fees, as well as an examination subject to the exception in subsection (1) of this section.

(d) If revoked, canceled, or denied by the director, the license must be surrendered to the department within ten days following the effective date of such action.

(3) Each licensee shall be provided with a wallet-size identification card by the director at the time the license is issued which shall be in the instructor's immediate possession at all times while engaged in instructing.

(4) The person to whom an instructor's license has been issued shall notify the director in writing within ten days of any change of employment or termination of employment, providing the name and address of the new driver training school by whom the instructor will be employed.

Sec. 10. RCW 46.82.330 and 2010 1st sp.s. c 7 s 21 are each amended to read as follows:

(1) The application for an instructor's license shall document the applicant's fitness, knowledge, skills, and abilities to teach the classroom and behind-the-wheel (~~phases~~) instruction portions of a driver training education program in a commercial driver training school.

(2) An applicant shall be eligible to apply for an original instructor's certificate if the applicant possesses and meets the following qualifications and conditions:

(a) Has been licensed to drive for five or more years and possesses a current and

valid Washington driver's license or is a resident of a jurisdiction immediately adjacent to Washington state and possesses a current and valid license issued by such jurisdiction, and does not have on his or her driving record any of the violations or penalties set forth in (a) (i), (ii), or (iii) of this subsection. The director shall have the right to examine the driving record of the applicant from the department of licensing and from other jurisdictions and from these records determine if the applicant has had:

(i) Not more than one moving traffic violation within the preceding twelve months or more than two moving traffic violations in the preceding twenty-four months;

(ii) No drug or alcohol-related traffic violation or incident within the preceding three years. If there are two or more drug or alcohol-related traffic violations in the applicant's driving history, the applicant is no longer eligible to be a driving instructor; and

(iii) No driver's license suspension, cancellation, revocation, or denial within the preceding two years, or no more than two of these occurrences in the preceding five years;

(b) Is a high school graduate or the equivalent and at least twenty-one years of age;

(c) Has completed an acceptable application on a form prescribed by the director;

(d) Has satisfactorily completed a course of instruction in the training of drivers acceptable to the director that is no less than sixty hours in length and includes instruction in classroom and behind-the-wheel teaching methods and supervised practice behind-the-wheel teaching of driving techniques; and

(e) Has paid an examination fee as set by rule of the department and has successfully completed an instructor's examination.

Sec. 11. RCW 46.82.360 and 2009 c 101 s 7 are each amended to read as follows:

The license of any driver training school or instructor may be suspended, revoked, denied, or refused renewal, or such other disciplinary action authorized under RCW 18.235.110 may be imposed, for failure to comply with the business practices specified in this section.

(1) No place of business shall be established nor any business of a driver training school conducted or solicited within one thousand feet of an office or building owned or leased by the department of licensing in which examinations for drivers' licenses are conducted. The distance of one thousand feet shall be measured along the public streets by the nearest route from the place of business to such building.

(2) Any automobile used by a driver training school or an instructor for instruction purposes must be equipped with:

(a) Dual controls for foot brake and clutch, or foot brake only in a vehicle equipped with an automatic transmission;

(b) An instructor's rear view mirror; and

(c) A sign in legible, printed English letters displayed on the back or top, or both, of the vehicle that:

(i) Is not less than twenty inches in horizontal width or less than ten inches in vertical height;

(ii) Has the words "student driver," "instruction car," or "driving school" in letters at least two and one-half inches in height near the top;

(iii) Has the name and telephone number of the school in similarly legible letters not less than one inch in height placed somewhere below the aforementioned words;

(iv) Has lettering and background colors that make it clearly readable at one hundred feet in clear daylight;

(v) Is displayed at all times when instruction is being given.

(3) Instruction may not be given by an instructor to a student who is under the age of fifteen, and behind-the-wheel instruction may not be given by an instructor to a student in an automobile unless the student possesses a current and valid instruction permit issued pursuant to RCW 46.20.055 or a current and valid driver's license.

(4) No driver training school or instructor shall advertise or otherwise indicate that the issuance of a driver's license is guaranteed or assured as a result of the course of instruction offered.

(5) No driver training school or instructor shall utilize any types of

advertising without using the full, legal name of the school and identifying itself as a driver training school. Instruction vehicles and equipment, classrooms, driving simulators, training materials and services advertised must be available in a manner as might be expected by the average person reading the advertisement.

(6) A driver training school shall have an established place of business owned, rented, or leased by the school and regularly occupied and used exclusively for the business of giving driver instruction. The established place of business of a driver training school shall be located in a district that is zoned for business or commercial purposes or zoned for conditional use permits for schools, trade schools, or colleges. However, the use of public or private schools does not alleviate the driver training school from securing and maintaining an established place of business or from using its own classroom on a regular basis as required under this chapter.

(a) The established place of business, branch office, or classroom or advertised address of any such driver training school shall not consist of or include a house trailer, residence, tent, temporary stand, temporary address, bus, telephone answering service if such service is the sole means of contacting the driver training school, a room or rooms in a hotel or rooming house or apartment house, or premises occupied by a single or multiple-unit dwelling house.

(b) A driver training school may lease classroom space within a public or private school that is recognized and regulated by the office of the superintendent of public instruction to conduct student instruction as approved by the director. However, such use of public or private classroom space does not alleviate the driver training school from securing and maintaining an established place of business nor from using its own classroom on a regular basis as required by this chapter.

(c) To classify as a branch office or classroom the facility must be within a thirty-five mile radius of the established place of business. The department may waive or extend the thirty-five mile restriction for driver training schools located in counties below the median population density.

(d) Nothing in this subsection may be construed as limiting the authority of local governments to grant conditional use

permits or variances from zoning ordinances.

(7) No driver training school or instructor shall conduct any type of instruction or training on a course used by the department of licensing for testing applicants for a Washington driver's license.

(8) Each driver training school shall maintain its student, instructor, vehicle, insurance, and operating records at its established place of business.

(a) Student records must include the student's name, address, and telephone number, date of enrollment and all dates of instruction, the student's instruction permit or driver's license number, the type of training given, the total number of hours of instruction, and the name and signature of the instructor or instructors.

(b) Vehicle records shall include the original insurance policies and copies of the vehicle registration for all instruction vehicles.

(c) Student and instructor records shall be maintained for three years following the completion of the instruction. Vehicle records shall be maintained for five years following their issuance. All records shall be made available for inspection upon the request of the department.

(d) Upon a transfer or sale of school ownership the school records shall be transferred to and become the property and responsibility of the new owner.

(9) Each driver training school shall, at its established place of business, display, in a place where it can be seen by all clients, a copy of the required (~~minimum~~) curriculum furnished by the department (~~and a copy of the school's own curriculum~~). Copies of the required (~~minimum~~) curriculum are to be provided to driver training schools and instructors by the director.

(10) Driver training schools and instructors shall submit to periodic inspections of their business practices, facilities, records, and insurance by authorized representatives of the director of the department of licensing.

Sec. 12. RCW 46.82.420 and 2010 1st sp.s. c 7 s 22 are each amended to read as follows:

(1) The department and the office of the superintendent of public instruction shall jointly develop and maintain a (~~basic minimum~~) required curriculum (~~and~~) as specified in section 4 of this act. The department shall furnish to each qualifying applicant for an instructor's license or a driver training school license a copy of such curriculum.

(2) In addition to information on the safe, lawful, and responsible operation of motor vehicles on the state's highways, the (~~basic minimum~~) required curriculum shall include information on:

(a) Intermediate driver's license issuance, passenger and driving restrictions and sanctions for violating the restrictions, and the effect of traffic violations and collisions on the driving privileges;

(b) The effects of alcohol and drug use on motor vehicle operators, including information on drug and alcohol related traffic injury and mortality rates in the state of Washington and the current penalties for driving under the influence of drugs or alcohol;

(c) Motorcycle awareness, approved by the director, to ensure new operators of motor vehicles have been instructed in the importance of safely sharing the road with motorcyclists;

(d) Bicycle safety, to ensure that operators of motor vehicles have been instructed in the importance of safely sharing the road with bicyclists; and

(e) Pedestrian safety, to ensure that operators of motor vehicles have been instructed in the importance of safely sharing the road with pedestrians.

(3) Should the director be presented with acceptable proof that any licensed instructor or driver training school is not showing proper diligence in teaching (~~such basic minimum~~) the required curriculum (~~as required~~), the instructor or school shall be required to appear before the director and show cause why the license of the instructor or school should not be revoked for such negligence. If the director does not accept such reasons as may be offered, the director may revoke the license of the instructor or school, or both.

NEW SECTION. **Sec. 13.** The department of licensing and the office of the superintendent of public instruction must work together on the transfer and

coordination of responsibilities to comply with this act.

NEW SECTION. Sec. 14. The following acts or parts of acts are each repealed:

(1)RCW 28A.220.050 (Information on proper use of left-hand lane) and 1986 c 93 s 4;

(2)RCW 28A.220.060 (Information on effects of alcohol and drug use) and 1991 c 217 s 2;

(3)RCW 28A.220.080 (Information on motorcycle awareness) and 2007 c 97 s 4 & 2004 c 126 s 1; and

(4)RCW 28A.220.085 (Information on driving safely among bicyclists and pedestrians) and 2008 c 125 s 4.

NEW SECTION. Sec. 15. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 16. Except for section 13 of this act, this act takes effect August 1, 2018."

Correct the title.

Representatives Hayes, Clibborn and Santos spoke in favor of the adoption of the striking amendment.

Amendment (282) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes, Clibborn and Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1481.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1481, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster,

Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1481, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1183, by Representatives McBride, Chapman, Haler, Ryu, Robinson, McDonald, Stambaugh, Frame, Senn, Riccelli, Dolan and Hudgins

Authorizing specified local governments, including municipalities and federally recognized Indian tribes, that typically have limited access to economic development resources, to designate a portion of their territory as a creative district subject to certification by the Washington state arts commission. Revised for 1st Substitute: Authorizing specified local governments, including municipalities and federally recognized Indian tribes, that typically have limited access to economic development resources, to designate a portion of their territory as a creative district subject to certification by the Washington state arts commission.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1183 was substituted for House Bill No. 1183 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1183 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McBride, Haler, McCabe and Pike spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1183.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1183, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon,

Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Griffey, MacEwen, McCaslin, Santos, Shea, Taylor, Vick, Volz and Young.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1183, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2021, by Representatives Farrell and Macri

Authorizing the sale of marijuana plants and seeds to qualifying patients and designated providers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2021 was substituted for House Bill No. 2021 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2021 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2021.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2021, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet,

Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives DeBolt, Dye, Haler, Hargrove, Harris, Holy, Klippert, McDonald and Pike.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 2021, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2037, by Representatives Frame, Haler, Ryu, Pollet, Stambaugh, Kagi, Kilduff, Tarleton, Fitzgibbon, Jinkins, Bergquist and McDonald

Reauthorizing the work group concerned with removing obstacles for higher education students with disabilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2037 was substituted for House Bill No. 2037 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2037 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Frame and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2037.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2037, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton,

Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 2037, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1467, by Representatives Stokesbary, Peterson, Griffey, Robinson, Muri, McBride, Rodne, Fitzgibbon and Tharinger

Removing disincentives to the voluntary formation of regional fire protection service authorities by establishing parity, equalizing certain provisions with existing laws governing fire protection districts, and clarifying the formation process.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1467 was substituted for House Bill No. 1467 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1467 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wilcox, Stokesbary and Peterson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1467.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1467, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, DeBolt, Hargrove, McCaslin, Orcutt, Schmick, Shea, Taylor, Van Werven, Vick and Wilcox.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1467, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1467.

Representative Fitzgibbon, 34th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1467.

Representative Cody, 34th District

SECOND READING

HOUSE BILL NO. 2006, by Representatives Koster, Lytton, Springer, Volz, Senn, Tharinger, Fey, Stokesbary, Appleton, Nealey, Chapman and Ormsby

Providing cities and counties flexibility with existing resources.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2006 was substituted for House Bill No. 2006 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2006 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Koster and Ormsby spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2006.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2006, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson,

Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, DeBolt, Kraft, McCaslin, Orcutt, Shea, Taylor, Van Werven and Young.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 2006, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2029, by Representatives Ortiz-Self, Ryu, Santos, Tarleton, Fey, Farrell, McBride, Wylie, Peterson, Kloba, Gregerson, Clibborn, Jinkins, Kagi, Bergquist, Ormsby, Hudgins, Stanford, Tharinger and Macri

Providing a referral resource for those seeking information and assistance for immigration and citizenship related matters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2029 was substituted for House Bill No. 2029 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2029 was read the second time.

With the consent of the House, amendment (275) was withdrawn.

Representative Ortiz-Self moved the adoption of amendment (269):

On page 1, beginning on line 6, strike all of section 1

Renumber the remaining sections and correct any internal references accordingly. Correct the title.

Representatives Ortiz-Self and Rodney spoke in favor of the adoption of the amendment.

Amendment (269) was adopted.

Representative Shea moved the adoption of amendment (300):

On page 2, at the beginning of line 6, insert "(1)"

On page 2, after line 15, insert the following:

"(2) By December 1, 2017, and annually thereafter, the commission must submit a report to the governor and the appropriate committees of the legislature containing the following information

regarding the sources of information and assistance to which callers and users were referred for information and assistance in the preceding year:

(a) The name of every source to which a caller or user was referred for information and assistance;

(b) The total number of calls and inquiries; and

(c) The total number of referrals to all sources combined.

(3) Before including any source of information and assistance on the website, the commission must inquire regarding its preference as to whether it wishes to be included in information available on the website, and adhere to that preference in creating and updating the website."

Representatives Shea and Jinkins spoke in favor of the adoption of the amendment.

Amendment (300) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self, Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2029.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2029, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kristiansen, Lovick, Lytton, Macri, McBride, McCabe, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Hargrove, Harmsworth, Holy, Jenkin, Klippert, Kraft, Kretz, MacEwen, Manweller, Maycumber, McCaslin, McDonald, Nealey, Orcutt,

Schmick, Shea, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2029, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1204, by Representatives Young, McCaslin, Shea, Taylor and J. Walsh

Requiring the display of the national league of families' POW/MIA flag on certain days.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Young and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1204.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1204, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1204, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1105, by Representatives Stanford, Orcutt, Clibborn, Stambaugh, Hayes, Stonier, Koster, Holy, Ryu, Ormsby, Fey, Wylie, Dolan, Sells, Muri, Haler, Goodman, Doglio, Hudgins, Gregerson, Barkis, Kilduff, Santos, Tarleton, Pollet, Farrell and Riccelli

Concerning passenger-carrying vehicles for railroad employees.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1105 was substituted for House Bill No. 1105 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1105 was read the second time.

Representative Orcutt moved the adoption of the striking amendment (304):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 81.61.010 and 1977 ex.s. c 2 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise (~~(, the term)~~):

(1) "Contract crew hauling vehicle," as used in this chapter, means every motor vehicle, regardless of its seating capacity, that is owned, leased, operated, or maintained by a person contracting with a railroad company or its agents, contractors, subcontractors, vendors, subvendors, secondary vendors, or subcontractors, and used primarily to provide railroad crew transportation.

(2) "Passenger-carrying vehicle," as used in this chapter, means those buses (~~and~~), vans, trucks, and cars owned, operated, and maintained by a railroad company which transports railroad employees in other than the cab of such vehicle and designed primarily for operation on roads which may or may not be equipped with retractable flanged wheels for operation on railroad tracks.

NEW SECTION. **Sec. 2.** A new section is added to chapter 81.61 RCW to read as follows:

(1) The commission must regulate persons providing contract railroad crew transportation and every contract crew hauling vehicle with respect to the safety of equipment, driver qualifications, permitting, insurance, and safety of operations.

(2) The commission must adopt rules, require reports, and establish mandatory reporting of compliance as necessary to carry out this chapter regarding contract crew hauling vehicles, considering federal and national motor vehicle carrier safety standards for contract crew hauling vehicles, regardless of seating capacity,

as the minimum safety standards, including:

(a) Driver qualifications, including a driver's minimum age and skill, medical condition, and verification of department of licensing driving credentials as mandated under section 3 of this act;

(b) Equipment safety, including:

(i) Requirements for the specific safety equipment that must be carried in each contract crew hauling vehicle, which must include a fire extinguisher, first aid kit, seat belt cutter, window hammer, and other equipment the commission determines is necessary;

(ii) Requirements for a mandatory vehicle maintenance program; and

(iii) Requirements on the proper securement of railroad equipment being transported in the contract crew hauling vehicle;

(c) Safety of operations, including the regulation of driver hours of service that satisfies the following minimum requirements: The contract carrier may not allow or require a driver to drive for more than ten hours following eight consecutive hours off duty, allow or require a driver to drive or remain on duty for more than fifteen hours following eight consecutive hours off duty, or allow or require a driver to drive or remain on duty for more than a total of seventy hours in any period of eight consecutive days. For purposes of this subsection (2)(c), "on duty" means the term as defined in 49 C.F.R. Part 395 as it existed on the effective date of this section, or such subsequent date as may be provided by the commission by rule, consistent with the purposes of this section;

(d) Passenger safety;

(e) Insurance coverage for each contract crew hauling vehicle that satisfies the following minimum amounts, which may be increased by rule as adopted by the commission:

(i) Five million dollars combined single limit coverage for bodily injury and property damage liability coverage; and

(ii) Uninsured and underinsured motorist coverage of one million dollars; and

(f) The form and posting of adequate notices in a conspicuous location in all contract crew hauling vehicles to advise

railroad employee passengers of their rights, the opportunity to submit safety complaints to the commission, the complaint process, and contact information for the commission.

(3) If a third party contracts with the person operating the vehicle on behalf of the railroad company or its agents, contractors, subcontractors, vendors, subvendors, secondary vendors, or subcarriers to transport railroad employees, the insurance requirements may be satisfied by either the third party or the person operating the vehicle, so long as the person operating the vehicle names the third party as an additional insured or named insured. The railroad company may also satisfy the insurance requirements. Proof of coverage must be provided to the commission by the person contracting with the railroad company.

(4) An employer of persons providing contract railroad crew transportation under this chapter must:

(a) Adopt drug testing requirements for drivers of any contract crew hauling vehicle consistent with drug testing programs conducted under 49 C.F.R. Part 382 as it existed on the effective date of this section, or such subsequent date as may be provided by the commission by rule, consistent with the purposes of this section; and

(b) Ensure that all drivers of contract crew hauling vehicles have successfully completed a safety course that has been approved by the department of licensing pursuant to section 3 of this act.

(5)(a) The commission may, in enforcing rules and orders relating to persons owning, leasing, operating, and maintaining contract crew hauling vehicles under this chapter, inspect any contract crew hauling vehicles. Upon request, the chief of the state patrol or the chief's designee may assist the commission in these inspections. The commission must conduct a minimum of one unannounced inspection of contract crew hauling vehicles in use by a person contracting with the railroad company every two years by inspecting at least a sampling of vehicles as part of each inspection conducted.

(b) The commission must investigate safety complaints related to contract crew hauling transportation under this section and take appropriate enforcement action as authorized.

(c) The commission may enforce this section under the authority in RCW 81.04.380 through 81.04.405, including assessing penalties as warranted.

(d) The commission may suspend or revoke a permit upon complaint by any interested party, or upon the commission's own motion after notice and opportunity for hearing, when it finds that any person owning, leasing, operating, or maintaining contract crew hauling vehicles has violated this chapter or the rules of the commission, or that the company or its agent has been found by a court or governmental agency to have violated the laws of a state or the United States.

NEW SECTION. Sec. 3. A new section is added to chapter 81.61 RCW to read as follows:

(1) In addition to maintaining a valid driver's license under chapter 46.20 RCW, a driver of a contract crew hauling vehicle must complete a sixteen-hour safety course that includes, but is not limited to, vehicle and passenger safety awareness, rail yard safety, grade crossing safety, load securement, and distracted and fatigued driving.

(2) The department of licensing or its designee must issue a course completion certificate upon successful completion of the safety course.

(3) Any person providing contract railroad crew transportation must verify that contract crew hauling vehicle drivers possess a valid safety course completion certificate and maintain a record of the certificate.

(4) The department of licensing may charge a reasonable fee not to exceed twenty-five dollars for the issuance of a safety course completion certificate.

(5) The department of licensing may adopt rules necessary to implement this section.

NEW SECTION. Sec. 4. A new section is added to chapter 81.61 RCW to read as follows:

(1) Any person owning, leasing, operating, or maintaining contract crew hauling vehicles must retain for at least three years all operational records relating to the contract crew hauling vehicles, including vehicle records involving accidents, maintenance and service records, drivers' records, records of passenger complaints, all employment

actions, driver logs, and records of passengers transported.

(2) Any records maintained by the person contracting with the railroad company must include driver hours of service and documentation of department of licensing driving credentials as mandated under section 3 of this act. The commission may specify the form of documentation required and may inspect these records.

NEW SECTION. Sec. 5. A new section is added to chapter 81.61 RCW to read as follows:

A person is immediately and automatically disqualified to work as a driver of a contract crew hauling vehicle under this chapter if the person's license is suspended or revoked for a reason other than the nonpayment of fines. The disqualification must last for three years from the most recent license suspension or revocation.

NEW SECTION. Sec. 6. A new section is added to chapter 81.61 RCW to read as follows:

(1) The commission must compile data regarding any reported safety complaints, accidents, regulatory violations and fines, and corrective actions taken by the commission involving vehicles regulated under this chapter. A railroad company, and any person that owns or leases, operates, or maintains contract crew hauling vehicles in the state, must, at the request of the commission, provide data relevant to any complaints and accidents, including location, time of day, visibility, a description of the event, whether any property damage or personal injuries resulted, and any corrective action taken by the railroad company, person operating the contract crew hauling vehicle, or commission. The commission must make this data available upon request and on its web site.

(2) Information included in safety complaints that identifies the employee who submitted the complaint is exempt from public inspection and copying pursuant to RCW 42.56.330.

Sec. 7. RCW 81.61.040 and 1977 ex.s. c 2 s 4 are each amended to read as follows:

(1) The commission may, in enforcing rules and orders under this chapter, inspect any passenger-carrying vehicle provided by a railroad company or its agents, contractors, subcontractors, or

vendors to transport ~~((employees))~~ railroad crews in the course of their employment. Upon request, the chief of the state patrol may assist the commission in these inspections.

(2) By December 31, 2017, the commission must develop an inspection program for contract crew hauling vehicles. This program must require a periodic inspection of each vehicle, including a review of operational practices.

Sec. 8. RCW 42.56.330 and 2015 c 224 s 4 are each amended to read as follows:

The following information relating to public utilities and transportation is exempt from disclosure under this chapter:

(1) Records filed with the utilities and transportation commission or attorney general under RCW 80.04.095 or 81.77.210 that a court has determined are confidential under RCW 80.04.095 or 81.77.210;

(2) The addresses, telephone numbers, electronic contact information, and customer-specific utility usage and billing information in increments less than a billing cycle of the customers of a public utility contained in the records or lists held by the public utility of which they are customers, except that this information may be released to the division of child support or the agency or firm providing child support enforcement for another state under Title IV-D of the federal social security act, for the establishment, enforcement, or modification of a support order;

(3) The names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing program or service. ~~((Participant's [Participants'] was not found))~~ Participants' names, general locations, and point of contact may be disclosed to other persons who apply for ride-matching services and who need that information in order to identify potential riders or drivers with whom to share rides;

(4) The personally identifying information of current or former participants or applicants in a paratransit or other transit service operated for the benefit of persons with disabilities or elderly persons;

(5) The personally identifying information of persons who acquire and use transit passes or other fare payment media including, but not limited to, stored value smart cards and magnetic strip cards, except that an agency may disclose personally identifying information to a person, employer, educational institution, or other entity that is responsible, in whole or in part, for payment of the cost of acquiring or using a transit pass or other fare payment media for the purpose of preventing fraud. As used in this subsection, "personally identifying information" includes acquisition or use information pertaining to a specific, individual transit pass or fare payment media.

(a) Information regarding the acquisition or use of transit passes or fare payment media may be disclosed in aggregate form if the data does not contain any personally identifying information.

(b) Personally identifying information may be released to law enforcement agencies if the request is accompanied by a court order;

(6) Any information obtained by governmental agencies that is collected by the use of a motor carrier intelligent transportation system or any comparable information equipment attached to a truck, tractor, or trailer; however, the information may be given to other governmental agencies or the owners of the truck, tractor, or trailer from which the information is obtained. As used in this subsection, "motor carrier" has the same definition as provided in RCW 81.80.010;

(7) The personally identifying information of persons who acquire and use transponders or other technology to facilitate payment of tolls. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. For these purposes aggregate data may include the census tract of the account holder as long as any individual personally identifying information is not released. Personally identifying information may be released to law enforcement agencies only for toll enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order; ~~((and))~~

(8) The personally identifying information of persons who acquire and use a driver's license or identicaid that includes a radio frequency identification chip or similar technology to facilitate border crossing. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. Personally identifying information may be released to law enforcement agencies only for United States customs and border protection enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order; and

(9) Personally identifying information included in safety complaints submitted under chapter 81.61 RCW.

NEW SECTION. **Sec. 9.** Section 3 of this act takes effect January 1, 2018."

Correct the title.

Representatives Orcutt and Clibborn spoke in favor of the adoption of the striking amendment.

Amendment (304) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1105.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1105, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh,

Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1097, by Representatives Sawyer, Hansen, Fitzgibbon, Stanford, Jinkins, Frame, Gregerson, Santos, Tarleton and Pollet

Concerning tribal consultation regarding hunting rights and activities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1097 was substituted for House Bill No. 1097 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1097 was read the second time.

Representative Sawyer moved the adoption of amendment (062):

On page 1, line 13, after "body of a" insert "federally recognized"

Representative Sawyer spoke in favor of the adoption of the amendment.

Amendment (062) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1097.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1097, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer,

Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Caldier, Chandler, Condotta, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Orcutt, Schmick, Shea, Steele, Taylor, Van Werven, Vick, Volz and J. Walsh.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1538, by Representatives Stambaugh, Doglio, Vick, Hayes, Sells and Pike

Requiring prime contractors to bond the subcontractors portion of retainage upon request.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1538 was substituted for House Bill No. 1538 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1538 was read the second time.

With the consent of the House, amendment (273) was withdrawn.

Representative Stambaugh moved the adoption of amendment (302):

On page 3, line 25, after "it" insert ", the bond is not commercially available,"

Representatives Stambaugh and Tharinger spoke in favor of the adoption of the amendment.

Amendment (302) was adopted.

Representative Steele moved the adoption of the striking amendment (281):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 39.10.230 and 2013 c 222 s 3 are each amended to read as follows:

The board has the following powers and duties:

(1) Develop and recommend to the legislature policies to further enhance the quality, efficiency, and accountability of capital construction projects through the use of traditional and alternative delivery methods in Washington, and make recommendations

regarding expansion, continuation, elimination, or modification of the alternative public works contracting methods;

(2) Evaluate the use of existing contracting procedures and the potential future use of other alternative contracting procedures including competitive negotiation contracts;

(3) Submit recommendations to the appropriate committees of the legislature evaluating alternative contracting procedures that are not authorized under this chapter;

(4) Appoint members of committees; and

(5) Develop and administer questionnaires designed to provide quantitative and qualitative data on alternative public works contracting procedures on which evaluations are based.

The capital projects advisory review board is directed to review current statutes regarding life-cycle cost analysis and energy efficiency as related to the design-build procurement method performed under this chapter (~~39.10 RCW~~). Capital projects advisory review board shall report to the appropriate committees of the legislature by December 31, 2013, with recommendations for statutory changes that promote energy efficiency and reduce the total cost to construct, operate and maintain public buildings. Recommendation must include provisions for postoccupancy validation of estimated energy efficiency measures, and operating and maintenance cost estimates. Life-cycle estimates of energy use must include estimates of energy consumptions for materials used in construction.

The capital projects advisory review board is directed to review current statutes relating to retainage statutes within chapter 60.28 RCW. The capital projects advisory review board shall report to the appropriate committees of the legislature by December 31, 2017, with recommendations. The recommendations should be based on identifying the detriments and benefits of retainage for all parties to a public construction contract. Further, the recommendations should identify alternatives that will minimize the detrimental impact of retainage."

Correct the title.

Representative Steele spoke in favor of the adoption of the amendment.

Representative Tharinger spoke against the adoption of the amendment.

Amendment (281) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stambaugh and Tharinger spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1538.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1538, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Sullivan, Tarleton, Tharinger, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Harris, Holy, Johnson, Kraft, Kretz, MacEwen, Maycumber, McCabe, Nealey, Stonier, Taylor, Van Werven and Volz.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1538, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2023, by Representative Fitzgibbon

Addressing the effective date of certain actions taken under the growth management act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2023 was substituted for House Bill No. 2023 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2023 was read the second time.

With the consent of the House, amendments (159), (160), (161), (215), (216) and (217) were withdrawn.

Representative Taylor moved the adoption of amendment (297):

On page 1, at the beginning of line 7, insert "(1)"

On page 1, at the beginning of line 15, strike "(1)" and insert "(a)"

On page 2, at the beginning of line 1, strike "(2)" and insert "(b)"

On page 2, after line 3, insert the following:

"(2) Any person or persons adversely affected by the commencement of a petition for review filed before the growth management hearings board may bring an action in superior court to recover any attorneys' fees, court costs, and actual damages relating to an affected project that were reasonably incurred as a result of the growth management hearings board's review of the petition, including any delay in commencing or continuing the affected project as a result of the review, from the person or persons who filed the petition for review. A person or persons who commences an action under this section may also recover exemplary damages of up to fifty thousand dollars if a court determines that the primary motivation for the petition for review filed before the growth management hearings board can reasonably be identified as creating a delay in the underlying project, increasing the expenses for the underlying project, or improving the petitioner's position in future negotiations regarding mitigation or other protective measures.

(3) In circumstances where actions are delayed due to this section, a prevailing county, city, or town may recover from the petitioner costs, attorneys' fees, and compensation for all county, city, or town employees' hours expended in defending the action. Any funds recovered pursuant to this subsection must be remitted to the planning department of the county, city, or town."

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Fitzgibbon spoke against the adoption of the amendment.

Amendment (297) was not adopted.

Representative Taylor moved the adoption of amendment (298):

On page 1, at the beginning of line 7, insert "(1)"

On page 1, beginning on line 13, after "RCW 36.70A.360, is" strike all material through "order." on page 2, line 3 and insert "the date of publication of notice of adoption of the comprehensive plan, development regulation, or amendment to the plan or regulation, modifying the boundaries of the urban growth areas as provided in RCW 36.70A.290(2)." .

(2) In circumstances where a fully contained community or master planned resort is delayed due to a petition filed with the growth management hearings board in which the petitioner is not the prevailing party, a property owner impacted by the delay associated with the effective dates of certain actions specified in this section may file a civil lawsuit to recover from the petitioners the damages the property owner has incurred. This includes, but is not limited to, court costs, attorneys' fees, and compensation for financing fees, charges, or interest assessed to the impacted property while the action was pending."

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Fitzgibbon spoke against the adoption of the amendment.

Amendment (298) was not adopted.

Representative Buys moved the adoption of amendment (198):

On page 1, line 9, after "construction of" strike "a" insert "~~(a)~~ at least one"

Representatives Buys and Fitzgibbon spoke in favor of the adoption of the amendment.

Amendment (198) was adopted.

Representative Fitzgibbon moved the adoption of amendment (188):

On page 2, line 3, after "RCW 34.05.530" insert "or 36.70A.280(2) (a) or (c)"

Representative Fitzgibbon spoke in favor of the adoption of the amendment.

Representative Taylor spoke against the adoption of the amendment.

Amendment (188) was adopted.

Representative Taylor moved the adoption of the striking amendment (218):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 36.70A RCW to read as follows:

The initial effective date of an action that amends the locally adopted critical areas ordinance, amends a locally adopted shoreline master program, adds the designation of agricultural, forest, or mineral lands designated under RCW 36.70A.170, reduces a limited area of more intensive rural development designated under RCW 36.70A.070(5), reduces density or increases minimum lot size requirements, or could result in uncompensated taking of private property or significant economic impacts as identified through the analysis conducted under section 2 of this act, is after the latest of the following dates:

(1) Sixty days after the date of publication of notice of adoption of the comprehensive plan, development regulation, or amendment to the plan or regulation; or

(2) If a petition for review to the growth management hearings board is timely filed, upon issuance of the board's final order.

NEW SECTION. Sec. 2. A new section is added to chapter 36.70A RCW to read as follows:

(1) PRIVATE PROPERTY TAKING IMPACT ANALYSIS. To the fullest extent possible, the policies, rules, and public laws interpreting the growth management act shall be interpreted and administered by local governments in accordance with the policies under this chapter. All state and local agencies shall complete a private property taking impact analysis before issuing or adopting any rule, policy, regulation, or related agency action which is likely to result in a taking of private property.

(a) A private property taking impact analysis is a written statement that includes:

(i) The specific purpose of the rule, ordinance, policy, regulation, proposal, recommendation, or related agency action;

(ii) An assessment of the likelihood that a taking of private property will occur under the rule, ordinance, policy, regulation, proposal, recommendation, or related agency action;

(iii) An evaluation of whether the rule, ordinance, policy, regulation, proposal, recommendation, or related agency action is likely to require compensation to private property owners;

(iv) Alternatives to the rule, policy, regulation, proposal, recommendation, or related agency action that would achieve the intended purposes of the agency action and lessen the likelihood that a taking of private property will occur;

(v) An estimate of the potential liability of the agency, if the agency is required to compensate a private property owner; and

(vi) Whether enforcement of the rule, ordinance, policy, regulation, proposal, recommendation, or related agency action could reasonably be construed to require an uncompensated taking of private property as defined by this chapter.

(b) Each agency shall provide an analysis as part of any proposed rule, ordinance, policy, regulation, proposal, recommendation, or related agency action and submit the analysis to the board of county commissioners, in affected jurisdictions, in conjunction with a proposed rule, policy, regulation, proposal, recommendation, or related action prior to adoption.

(2) ECONOMIC IMPACT ANALYSIS. All local governments shall complete an economic impact analysis before issuing or adopting any policy, rule, resolution, ordinance, or related department action pursuant to section 1 of this act which may economically impact the citizens of that jurisdiction.

(a) An economic impact analysis is a written statement that includes:

(i) The specific purpose of the rule, policy, regulation, legislative bill, proposal, recommendation, or related agency action;

(ii) An assessment of the economic impacts likely to occur as a result of the rule, policy, regulation, proposal, resolution, ordinance, recommendation, or related agency action. The economic assessment shall consider impacts to individual property owners and impacts to the affected jurisdictions economy; and

(iii) Alternatives to the rule, policy, resolution, ordinance, proposal, recommendation, or related agency action that would achieve the intended purpose and lessen the economic impacts that are likely to occur.

(b) Each agency shall provide an analysis as part of any proposed rule, policy, resolution, ordinance, proposal, recommendation, or related agency action and submit the analysis to the board of county commissioners, in affected jurisdictions, in conjunction with a proposed rule, policy, resolution, ordinance, proposal, recommendation, or related agency action prior to adoption.

(3) An agency shall make each private property taking impact analysis, economic impact analysis, or both, available to the public."

Correct the title.

Representative Taylor spoke in favor of the adoption of the striking amendment.

Representative Fitzgibbon spoke against the adoption of the striking amendment.

Amendment (218) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2023.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2023, and the bill passed the House by the following vote: Yeas, 50; Nays, 47; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn,

Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2023, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1504, by Representatives Pike, Blake, Wylie, Peterson, Harris, Vick, Manweller, Tarleton, Orcutt, Farrell, Haler, Dent, Fey, Sells, Kraft, Johnson, MacEwen, Chandler, Stambaugh, Van Werven, Dye, Doglio and Springer

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

The bill was read the second time.

There being no objection, Substitute House Bill No. 1504 was substituted for House Bill No. 1504 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1504 was read the second time.

With the consent of the house, amendment (147) was withdrawn.

Representative Fitzgibbon moved the adoption of amendment (284):

On page 4, beginning on line 39, after "element." strike "Rural development includes railroad tracks."

On page 5, beginning on line 18, after "protection services," strike "access to railroad lines,"

Representatives Fitzgibbon and Pike spoke in favor of the adoption of the amendment.

Amendment (284) was adopted.

Representative Pike moved the adoption of amendment (233):

On page 6, line 27, after "minerals." strike all material through "uses." on line 30, and insert "Each of the following counties, and each of the cities in such counties, may adopt development regulations to assure that agriculture, forest, and mineral resource lands adjacent to short line railroads may be developed for freight rail dependent uses: Counties located to

the east of the crest of the Cascade mountains that have a population of at least 240,000; and counties located to the west of the crest of the Cascade mountains that have both a population of at least 240,000 and a border that touches another state."

On page 8, after line 26, insert the following:

"(5) The department of commerce is directed to submit a written report to the legislature by November 15th of each even-numbered year, beginning in 2022 and ending in 2032, that describes any job gains, tax impacts, and impacts to resource lands resulting from freight rail dependent uses sited under this chapter."

On page 16, line 15, after "(2)" strike all material through "railroad." on line 17, and insert: "The transportation element required by RCW 36.70A.070 may, for each of the following counties, and for each of the cities in such counties, include development of freight rail dependent uses on land adjacent to a short line railroad: Counties located to the east of the crest of the Cascade mountains that have a population of at least 240,000; and counties located to the west of the crest of the Cascade mountains that have both a population of at least 240,000 and a border that touches another state."

Representatives Pike and Fitzgibbon spoke in favor of the adoption of the amendment.

Amendment (233) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pike and Wylie spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1504.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1504, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dye, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kilduff, Kirby, Klippert, Kloba, Koster,

Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Rodne, Santos, Sawyer, Schmick, Sells, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Dolan, Farrell, Fey, Kagi, Macri, Ormsby, Ortiz-Self, Robinson, Ryu, Senn, Stonier and Taylor.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1504, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1017, by Representatives McCaslin, Barkis, Blake, Holy, Pettigrew, Haler, Taylor, Shea, Harris, Chandler, Smith, Muri, Stokesbary, Nealey, Stambaugh, Griffey, Vick, Buys, Dye, Short, Pike, Wilcox, Van Werven, Hargrove, Young, Klippert, Kilduff and Sawyer

Addressing the siting of schools and school facilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1017 was substituted for House Bill No. 1017 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1017 was read the second time.

Representative Fitzgibbon moved the adoption of the striking amendment (293):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 36.70A RCW to read as follows:

(1) This chapter does not prohibit a county planning under RCW 36.70A.040 from authorizing the extension of public facilities and utilities to serve a school sited in a rural area so long as:

(a) The county and any affected cities agree with the extension;

(b) The applicable school district has made a finding, with the concurrence of the county legislative authority and the legislative authorities of any affected cities, that the district's proposed site is suitable to site the school and any associated recreational facilities that the districting has determined cannot reasonably be colocated on an existing school site, taking into consideration

school service area needs, locally adopted educational program requirements, and the extent to which there is suitable land available within the growth area that is vacant or developable;

(c) If the public facility or utility is extended beyond the urban growth area to serve a school, the public facility or utility must serve only the school and the costs of such extension must be borne by the applicable school district based on a reasonable nexus to the impacts of the school, except as provided in subsection (3) of this section; and

(d) Any impacts associated with the siting of the school are mitigated as required by the state environmental policy act, chapter 43.21C RCW.

(2) This chapter does not prohibit either the expansion of an existing school in the rural area or the placement of portable classrooms at an existing school in the rural area.

(3) Where a public facility or utility has been extended beyond the urban growth area to serve a school, the public facility or utility may, where consistent with RCW 36.70A.110(4), serve a property or properties in addition to the school if a property owner so requests, provided that the county and any affected cities agree with the request and provided that the property is located no further from the public facility or utility than the distance that, if the property were within the urban growth area, the property would be required to connect to the public facility or utility. In such an instance, the school district may, for a period not to exceed twenty years, require reimbursement from a requesting property owner for a proportional share of the construction costs incurred by the school district for the extension of the public facility or utilities.

NEW SECTION. Sec. 2. A new section is added to chapter 36.70A RCW to read as follows:

(1) A county may authorize the siting in a rural area of a school that serves students from an urban area, even where otherwise prohibited by a multicounty planning policy, under the following circumstances:

(a) The county has a population greater than eight hundred forty thousand but less than one million five hundred thousand;

(b) The county must have adopted in its comprehensive plan a policy concerning the siting of schools in rural areas;

(c) Any impacts associated with the siting of such a school are mitigated as required by the state environmental policy act, chapter 43.21C RCW; and

(d) The county must be a participant in a multicounty planning policy as described in RCW 36.70A.210.

(2) A multicounty planning policy in which any county referenced in subsection (1) of this section is a participant must be amended, at its next regularly scheduled update, to include a policy that addresses the siting of schools in rural areas of all counties subject to the multicounty planning policy.

(3) A school sited under this section may not collect or impose the impact fees described in RCW 82.02.050.

(4) This section expires upon the adoption of the next regularly scheduled update of any multicounty planning policy referenced in subsection (2) of this section.

NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A RCW to read as follows:

In a county that chooses to site schools under section 2 of this act, each school district within the county must participate in the county's periodic updates required by RCW 36.70A.130(1) (b) by:

(1) Coordinating its enrollment forecasts and projections with the county's adopted population projections;

(2) Identifying school siting criteria with the county, cities, and regional transportation planning organizations;

(3) Identifying suitable school sites with the county and cities, with priority to siting urban-serving schools in existing cities and towns in locations where students can walk and bicycle to the school from their homes and that can effectively be served with transit; and

(4) Working with the county and cities to identify school costs and funding for the capital facilities plan element required by RCW 36.70A.070(3).

Sec. 4. RCW 36.70A.030 and 2012 c 21 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Adopt a comprehensive land use plan" means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.

(2) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

(3) "City" means any city or town, including a code city.

(4) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.

(5) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

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

(7) "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may

be expressed in a resolution or ordinance of the legislative body of the county or city.

(8) "Forestland" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forestland is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forestland to other uses.

(9) "Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

(10) "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

(11) "Minerals" include gravel, sand, and valuable metallic substances.

(12) "Public facilities" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

(13) "Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

(14) "Recreational land" means land so designated under RCW 36.70A.1701 and that, immediately prior to this designation, was

designated as agricultural land of long-term commercial significance under RCW 36.70A.170. Recreational land must have playing fields and supporting facilities existing before July 1, 2004, for sports played on grass playing fields.

(15) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

(16) "Rural development" refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

(17) "Rural governmental services" or "rural services" include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, schools serving primarily rural students, transportation and public transit services, and other public utilities

associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

(18) "Urban governmental services" or "urban services" include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, schools, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.

(19) "Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

(20) "Urban growth areas" means those areas designated by a county pursuant to RCW 36.70A.110.

(21) "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or

highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands."

Correct the title.

Representative Doglio moved the adoption of amendment (295) to the striking amendment (293):

On page 3, line 10, after "can" insert "safely"

Representatives Doglio and Taylor spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (295) to the striking amendment (293) was adopted.

Representatives Fitzgibbon and Taylor spoke in favor of the adoption of the striking amendment as amended.

Amendment (293), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCaslin and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1017.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1017, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Dolan, Dye, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ortiz-Self, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Rodne, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Doglio, Farrell, Fey, Goodman, Jenkins, Kloba, Macri, McBride, Ormsby, Orwall, Robinson, Ryu and Stanford.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1017, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1902, by Representatives Kirby, Vick and Doglio

Modifying tavern license provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1902 was substituted for House Bill No. 1902 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1902 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Doglio and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1902.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1902, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Voting nay: Representatives Harris and Stanford.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1902, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1449, by Representatives Manweller and Dent

Concerning water recreation facilities.

The bill was read the second time.

With the consent of the House, amendment (301) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Manweller and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1449.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1449, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1449, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Health Care & Wellness was relieved of SENATE BILL NO. 5581, and the bill was referred to the Committee on Business & Financial Services.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1042
HOUSE BILL NO. 1281
HOUSE BILL NO. 1309
HOUSE BILL NO. 1716
HOUSE BILL NO. 1777

HOUSE BILL NO. 1861
HOUSE BILL NO. 1912
HOUSE BILL NO. 2008
HOUSE BILL NO. 2028
HOUSE CONCURRENT RESOLUTION NO. 4402

There being no objection, the House adjourned until 9:00 a.m., March 8, 2017, the 59th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FIFTY NINTH DAY

House Chamber, Olympia, Wednesday, March 8, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathryn Thomas and Matthew Soper. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Michael White, Harbor Covenant Church, Gig Harbor, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4623, by Representatives Doglio, McCabe, Slatter, Stambaugh, Senn, Van Werven, Kloba, Griffey, Macri, Kraft, Dolan, Rodne, Pellicciotti, Barkis, Frame, Wilcox, Lytton, Caldier, Orwall, Buys, Sullivan, Graves, Sells, Pike, Bergquist, Johnson, Clibborn, Dent, Peterson, Holy, Fey, McDonald, Pettigrew, Haler, Springer, Maycumber, Appleton, Dye, Ryu, Stokesbary, Farrell, Orcutt, Hansen, Shea, Riccelli, Kirby, Blake, Tarleton, Goodman, Wylie, Kilduff, Cody, Morris, Jinkins, Tharinger, McBride, Lovick, Reeves, Kagi, Pollet, Gregerson, Stonier, Chopp, Fitzgibbon, Hudgins, Stanford, Chapman, Robinson, Sawyer, Kristiansen, Santos, Ortiz-Self, and Ormsby

WHEREAS, International Women's Day is a global day celebrating the social, economic, cultural, and political achievements of women. The day also marks a call to action for accelerating gender parity; and

WHEREAS, This year's theme is **Be Bold for Change**; and

WHEREAS, There are numerous examples of women who have been **Bold for Change**, and, in doing so, made their marks on history and changed the world; and

WHEREAS, Harriet Tubman, the famous "conductor" on the Underground Railroad, led hundreds of slaves to freedom. She never lost a fugitive or allowed one to turn back; and

WHEREAS, Anne Frank, who perished in Bergen-Belsen concentration camp, left behind a diary which served as a unique eyewitness account of life during the Holocaust; and

WHEREAS, Former Congresswoman Barbara Jordan was the first black woman elected to the Texas State

Senate and the first African-American Texan in Congress, man or woman. She was a staunch defender of the U.S. Constitution, which, she sometimes noted, had not initially included African-Americans in its "We, the people"; and

WHEREAS, First Lady Eleanor Roosevelt was a leader involved in numerous humanitarian causes, who rejected the "social hostess" role of first lady and turned into a more visible, active participant in the White House administration. She was an early champion for civil rights for African-Americans, and advocated for women, American workers, refugees, and the poor; and

WHEREAS, United States Supreme Court Justice Sandra Day O'Connor was a Presidential Medal of Freedom award recipient and the first woman to serve on the Supreme Court; and

WHEREAS, Condoleezza Rice was the first African-American woman and second woman ever to serve as the United States' National Security Adviser and Secretary of State. She was also the first woman and first African-American to serve as Provost of Stanford University; and

WHEREAS, Representative Ileana Ros-Lehtinen was the first Cuban-American and the first Latina elected to Congress. She's been a strong advocate of programs that address domestic violence against women and was the lead sponsor of the reauthorization of the Violence Against Women Act; and

WHEREAS, Cathy McMorris Rodgers was the first woman to lead the Washington State House Republican Caucus during her service as a state representative. As a Congresswoman, she is the longest-serving woman in Republican leadership, and, as chair of the House Republican Conference, she is the highest-ranking woman in Congress; and

WHEREAS, Washington State Supreme Court Justice Mary Yu is a decorated lawyer with a strong record of service both on and off the bench, and our state's first openly lesbian person and first woman of color to serve on the Washington Supreme Court; and

WHEREAS, According to the World Economic Forum, there is a clear values-based case for promoting gender parity: Women are one-half of the world's population and deserve equal access to health, education, economic participation and earning potential, and political decision-making power;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize the contributions of women to our society, economy, and community; and honor all women throughout our state, nation, and world during the celebration of International Women's Day.

Representative Doglio moved adoption of HOUSE RESOLUTION NO. 4623

Representatives Doglio and McCabe spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4623 was adopted.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1661, and the bill was placed on the second reading calendar.

There being no objection, the Committee on Health Care & Wellness was relieved of SENATE BILL NO. 5581, and the bill was referred to the Committee on Business & Financial Services.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

March 7, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5232,
SUBSTITUTE SENATE BILL NO. 5403,
SENATE BILL NO. 5490,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 7, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5133,
SUBSTITUTE SENATE BILL NO. 5339,
SUBSTITUTE SENATE BILL NO. 5340,
SUBSTITUTE SENATE BILL NO. 5362,
SENATE BILL NO. 5433,
SECOND SUBSTITUTE SENATE BILL NO. 5475,
SUBSTITUTE SENATE BILL NO. 5533,

THIRD SUBSTITUTE SENATE BILL NO. 5558,
SENATE BILL NO. 5762,
SENATE BILL NO. 5793,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

2SSB 5021 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Frockt, Schoesler, Darneille, Nelson, Pearson, Rolfes, Conway, Sheldon, Fortunato, Fain, Hasegawa and Kuderer)

AN ACT Relating to pro bono legal services for military service members, veterans, and their families; and adding new sections to chapter 43.10 RCW.

Referred to Committee on Judiciary.

2SSB 5179 by Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Keiser, Palumbo, Hasegawa and Conway)

AN ACT Relating to requiring coverage for hearing instruments under public employee and medicaid programs; adding a new section to chapter 41.05 RCW; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5289 by Senate Committee on Transportation (originally sponsored by Senators Rivers, Lias, Miloscia, Carlyle and Kuderer)

AN ACT Relating to updating the distracted driving infraction; adding new sections to chapter 46.61 RCW; repealing RCW 46.61.667 and 46.61.668; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

ESSB 5294 by Senate Committee on Law & Justice (originally sponsored by Senators Padden and O'Ban)

AN ACT Relating to addressing the department of corrections early release error; amending RCW 72.09.010, 43.06.010, 42.40.040, 49.60.210, and 42.40.110; adding new sections to chapter 72.09 RCW; adding a new chapter to Title 43 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Public Safety.

SB 5325 by Senators Zeiger and Conway

AN ACT Relating to clarifying the authority of a nurse working in a school setting; adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Education.

SB 5331 by Senators Takko and Warnick

AN ACT Relating to irrigation district administration; and amending RCW 87.03.240, 87.03.445, 87.03.565, and 87.03.820.

Referred to Committee on Local Government.

SB 5333 by Senators Miloscia, Liias, Zeiger and Pearson

AN ACT Relating to the presidential primary; amending RCW 29A.56.010, 29A.56.020, 29A.56.030, 29A.56.040, 29A.56.050, 29A.60.190, 29A.08.161, and 29A.04.206; and adding a new section to chapter 29A.56 RCW.

Referred to Committee on State Government, Elections & Information Technology.

SSB 5358 by Senate Committee on Ways & Means (originally sponsored by Senators Schoesler and Ranker)

AN ACT Relating to improving tax and licensing laws administered by the department of revenue, but not including changes to tax laws that are estimated to affect state or local tax collections as reflected in any fiscal note prepared and approved under the process established in chapter 43.88A RCW; amending RCW 54.28.040, 54.28.050, 54.28.055, 82.32.105, 82.32.350, 82.04.040, 82.04.190, 82.04.050, 82.32.670, 82.32.534, 82.32.585, 82.04.261, 82.04.334, 82.04.43391, 82.32.030, 84.41.041, 35.102.130, 82.04.060, 82.04.190, 82.04.192, 82.04.257, 82.04.258, 82.08.02082, 82.08.02088, 82.12.010, 82.12.020, 82.12.02082, 82.12.02088, 82.12.0259, 82.12.035, 82.12.040, 82.12.860, 82.14.457, 82.04.4277, 84.12.270, 84.12.330, 84.16.040, 84.16.090, 83.100.050, 19.02.115, 82.01.060, and 84.33.089; amending 2015 3rd sp.s. c 30 s 1, and 2015 3rd sp.s. c 6 ss 2301, 2303, and 801 (uncodified); reenacting and amending RCW 84.34.108 and 82.32.790; reenacting RCW 82.04.280; adding a new section to chapter 54.28 RCW; adding a new section to chapter 84.08 RCW; repealing RCW 54.28.030 and 82.04.4483; repealing 2010 c 106 s 206, 2009 c 461 s 3, 2006 c 300 s 7, and 2003 c 149 s 4; creating new sections; and providing effective dates.

Referred to Committee on Finance.

SB 5399 by Senators O'Ban, Miloscia, Darneille, Pearson, Takko and Hunt

AN ACT Relating to the use of background checks for persons who work with children, persons with

developmental disabilities, and vulnerable adults; and amending RCW 35.21.920, 35A.21.370, 36.01.300, and 35.61.130.

Referred to Committee on Local Government.

SSB 5426 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senator Warnick)

AN ACT Relating to increasing the number of tasting rooms allowed under a domestic winery license; and amending RCW 66.24.170.

Referred to Committee on Commerce & Gaming.

SSB 5435 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Rivers, Cleveland and Darneille)

AN ACT Relating to specifying to whom information and records related to mental health services may be disclosed for the purposes of care coordination and treatment; amending RCW 70.02.230; reenacting and amending RCW 70.02.230; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SSB 5443 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Darneille, Miloscia, Becker, Rivers, McCoy, Sheldon, Walsh, Chase, Bailey, Hobbs, Ericksen, Warnick, Angel, Honeyford, Rolfes, Padden, Billig, Zeiger, Wilson, Conway, Fain, Keiser, Hunt and Kuderer)

AN ACT Relating to fiscal notes; amending RCW 43.88A.010 and 43.88A.020; adding a new section to chapter 43.88A RCW; creating a new section; and providing expiration dates.

Referred to Committee on Appropriations.

SSB 5458 by Senate Committee on Law & Justice (originally sponsored by Senator Takko)

AN ACT Relating to changing the date in which community impact statements are provided to the department of corrections; and amending RCW 72.09.285.

Referred to Committee on Public Safety.

SSB 5537 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators King and Keiser)

AN ACT Relating to authorizing licensed spirits and wine distributors to sell spirits and wine products to their employees in certain circumstances; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Commerce & Gaming.

SSB 5573 by Senate Committee on State Government (originally sponsored by Senators McCoy, Hunt and Miloscia)

AN ACT Relating to increasing membership of the state interoperability executive committee and foster radio system interoperability; and amending RCW 43.105.331 and 43.105.020.

Referred to Committee on State Government, Elections & Information Technology.

SSB 5589 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Keiser and Baumgartner)

AN ACT Relating to distillery promotional items and spirit sample sales; and amending RCW 66.24.140 and 66.28.310.

Referred to Committee on Commerce & Gaming.

SB 5621 by Senators Brown, Hobbs, Rivers, Sheldon, Ericksen, Warnick, Honeyford, Becker, Braun and Wilson

AN ACT Relating to projects of statewide significance for economic development and transportation; amending RCW 43.157.005 and 43.157.020; reenacting and amending RCW 43.157.010; and creating a new section.

Referred to Committee on Technology & Economic Development.

SB 5632 by Senators O'Ban, Palumbo, Angel, Wilson, Zeiger, Rossi and Padden

AN ACT Relating to organized retail theft; amending RCW 9A.56.350; and prescribing penalties.

Referred to Committee on Public Safety.

SSB 5634 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Angel, Palumbo, Wilson, Zeiger and Rossi)

AN ACT Relating to aggregating counts of retail theft with special circumstances; and amending RCW 9A.56.360.

Referred to Committee on Public Safety.

SB 5635 by Senators Padden, Pedersen, Angel, Palumbo, O'Ban, Wilson, Rossi and Zeiger

AN ACT Relating to retail theft with special circumstances; amending RCW 9A.56.360; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5660 by Senators Hunt, Becker and Darneille

AN ACT Relating to removing references to specific nonoperational historical facilities from state statute; and amending RCW 27.34.395 and 27.34.900.

Referred to Committee on State Government, Elections & Information Technology.

SB 5661 by Senator Rolfes

AN ACT Relating to interruptive service credit for members of the law enforcement officers' and fire fighters' retirement system; and amending RCW 41.26.520 and 41.26.030.

Referred to Committee on Appropriations.

ESB 5665 by Senators Wilson, Keiser, Conway and King

AN ACT Relating to the use of credit cards for purchases of spirits and wine by a purchaser licensed to sell spirits and/or wine for consumption on the licensed premises; and amending RCW 66.28.270.

Referred to Committee on Commerce & Gaming.

SSB 5713 by Senate Committee on Higher Education (originally sponsored by Senators Palumbo, Wilson, Zeiger and King)

AN ACT Relating to creating the skilled worker outreach, recruitment, and career awareness training program; and adding a new chapter to Title 28C RCW.

Referred to Committee on Higher Education.

ESSB 5729 by Senate Committee on State Government (originally sponsored by Senators Liias, Miloscia and Kuderer)

AN ACT Relating to legislative technology; amending RCW 44.68.010, 44.68.020, 44.68.030, 44.68.035, 44.68.040, 44.68.050, 44.68.060, 44.68.065, 44.68.080, 44.68.085, 44.68.090, 44.68.100, and 44.68.105; and decodifying RCW 44.68.900.

Referred to Committee on State Government, Elections & Information Technology.

2SSB 5749 by Senate Committee on Ways & Means (originally sponsored by Senators Darneille, Frockt, Kuderer, Warnick and Saldaña)

AN ACT Relating to paperwork reduction in order to improve the availability of mental health services to protect children and families; adding a new section to

chapter 71.24 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

SB 5778 by Senators Wilson and Zeiger

AN ACT Relating to modifying the definition of resident student to comply with the federal requirements established by the veterans access, choice, and accountability act of 2014; and amending RCW 28B.15.012.

Referred to Committee on Higher Education.

ESSB 5781 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Fortunato and Baumgartner)

AN ACT Relating to special occasion and banquet provisions for charitable or nonprofit organizations; amending RCW 66.24.380, 66.28.070, 66.28.180, 66.24.170, 66.28.295, and 66.28.310; and reenacting and amending RCW 66.20.010.

Referred to Committee on Commerce & Gaming.

ESSB 5810 by Senate Committee on Law & Justice (originally sponsored by Senator Padden)

AN ACT Relating to adding attempted murder to the list of offenses that may not be prosecuted more than ten years their commission; and amending RCW 9A.04.080.

Referred to Committee on Public Safety.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1042, by Representatives Springer, Harris, Jinkins, Fitzgibbon, Tharinger and Sawyer

Eliminating the office of the insurance commissioner's school district or educational service district annual report.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Springer spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Smith was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1042.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1042, and the bill passed the House by the following vote: Yeas, 50; Nays, 47; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, McCaslin, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

HOUSE BILL NO. 1042, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1281, by Representatives Fitzgibbon and Stokesbary

Modifying the appointment process for trustees of rural county library districts in counties with one million or more residents.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Stokesbary spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1281.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1281, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Hayes, Hudgins, Irwin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Griffey, Harmsworth, Harris, Holy, Jenkin, Kretz, Maycumber, McCaslin, Shea, Taylor, Vick, Volz and Young.

Excused: Representative Smith.

HOUSE BILL NO. 1281, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1716, by Representatives Hudgins and Manweller

Creating the construction registration inspection account as a dedicated account to fund contractor registration and compliance, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, elevators, lifting devices, and moving walks.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins, Manweller and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1716.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1716, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins,

Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1716, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1861, by Representatives Pollet, Haler, Stanford, Tharinger and Santos

Concerning the University of Washington's alternative process for awarding contracts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Pollet spoke in favor of the passage of the bill.

Representatives Holy, Buys and DeBolt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1861.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1861, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

HOUSE BILL NO. 1861, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2066, by Representative Kretz

Authorizing the creation of regional transportation planning organizations by large counties.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz and Wylie spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2066.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2066, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.
Excused: Representative Smith.

HOUSE BILL NO. 2066, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4402, by Representatives Sells, Haler, Pollet, Senn, Condotta, Stambaugh, Kilduff, Dolan, Bergquist, Stonier, Muri, Tarleton, Gregerson, Ormsby and Ortiz-Self

Approving the 2016 state comprehensive plan for workforce training and education.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

Representatives Sells and Holy spoke in favor of the adoption of the resolution.

The Speaker (Representative Lovick presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4402.

HOUSE CONCURRENT RESOLUTION NO. 4402 was adopted.

HOUSE BILL NO. 1058, by Representative MacEwen

Changing provisions relating to court-ordered restitution in certain criminal cases.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives MacEwen and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1058.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1058, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1058, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1148, by Representatives J. Walsh, Chapman, Vick, Blake, Orcutt and Muri

Extending the expiration date for reporting requirements on timber purchases.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives J. Walsh, Chapman, Blake, Vick, McCaslin and Stokesbary spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1148.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1148, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

HOUSE BILL NO. 1148, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Vick congratulated Representative J. Walsh on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1472, by Representatives Hudgins, Koster, Haler, Griffey, Manweller, Muri and Ormsby

Criminalizing damaging, destroying, tampering, or removing ballot return boxes or contents.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1472 was substituted for House Bill No. 1472 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1472 was read the second time.

With the consent of the House, amendment (305) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1472.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1472, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1472, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

March 7, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5131,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5312,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5465,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5620,
ENGROSSED SENATE BILL NO. 5647,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5659,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2008, by Representatives Kagi, Jinkins and Senn

Addressing the budgeting process for core state services for children.

The bill was read the second time.

With the consent of the House, amendments (312), (313) and (319) were withdrawn.

Representative Hargrove moved the adoption of amendment (315):

On page 4, after line 11, insert the following:

"NEW SECTION. Sec. 5. The department of social and health services children's administration shall, as part of its budget request submittal for the 2018 supplemental operating budget, conduct of a review of the most recent caseload forecast of children in foster care and the availability and capacity of licensed foster homes. The review shall include:

- (a) an analysis of the need for licensed foster homes;
- (b) a listing of support resources available for parents in licensed foster homes; and
- (c) a review of department policies that affect the recruitment and retention of licensed foster homes.

A report containing the results of the review shall be submitted to the office of financial management and appropriated committees of the legislature no later than October 1, 2017.

NEW SECTION. Sec. 6. Section 5 of this act expires on October 1, 2017."

Representatives Hargrove and Kagi spoke in favor of the adoption of the amendment.

Amendment (315) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Senn spoke in favor of the passage of the bill.

Representative Chandler spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2008.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2008, and the bill passed the House by the following vote:Yeas, 61; Nays, 36; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Harmsworth, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 2008, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1851, by Representatives Dolan, Harris, Hudgins, MacEwen, Kilduff, Haler, Robinson, Bergquist, Fitzgibbon, Doglio, Pollet, Ormsby and Stanford

Protecting taxpayers by providing for accountability and transparency in government contracting.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1851 was substituted for House Bill No. 1851 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1851 was read the second time.

With the consent of the House, amendment (232) was withdrawn.

Representative Kraft moved the adoption of the striking amendment (314):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** It is the intent of the legislature to increase transparency and accountability of the work performed by private entities and nonprofit organizations pursuant to contracts and the work performed by

public employees pursuant to project plans by requiring better evaluation of their performance. Such evaluation should include an assessment of whether decisions to "contract out" government goods and services to the private sector are achieving their stated objectives. In addition, it is the intent of the legislature to ensure that public contractors and agencies given access to state resources are held to ethical standards consistent with public values.

NEW SECTION. **Sec. 2.** A new section is added to chapter 39.26 RCW to read as follows:

(1) Prior to issuing a request for a proposal under this chapter to contract out to purchase from a private sector entity or nonprofit organization goods and services that have been customarily and historically provided by a public employee or employees, an agency must meet the criteria specified in RCW 41.06.142 and also conduct a comprehensive impact assessment if the estimated cost of contract performance is greater than twenty thousand dollars. This section applies only to contracts entered under this chapter and does not apply to contracts awarded under alternate procurement statutes or to contracts awarded for the purposes of or by the department of transportation.

(a) To assist the agency in determining whether the decision to contract out is beneficial, the comprehensive impact assessment must include at a minimum the following comparative analysis of the estimated costs of providing the goods and services through public employees and the costs of providing the goods and services through a contract:

(i) For goods and services provided by public employees:

(A) An estimate of the cost of the goods and services, including the fully allocated costs of the good or service, the cost of the employees' salaries and benefits, space, equipment, materials, and other costs necessary to perform the function. The estimate shall include the state's indirect overhead costs that can be specifically attributed to delivering the goods and services over the period of the proposed contract; and

(B) A statement of the performance objectives to be achieved; and

(ii) For goods and services contracted out:

(A) An estimate of the cost of the goods and services, including the cost of allocating sufficient public employee staff time and resources to monitor the contract and ensure its proper performance by the contractor; and

(B) A statement of the performance objectives to be achieved by contracting with a private sector or nonprofit entity.

(b) The comprehensive assessment may also include an assessment of the potential impacts on the public from outsourcing the contract, such as gain or loss of employment, effect on social services and public assistance programs, economic impacts on local businesses and local tax revenues, and environmental impacts.

(2) Upon completion of the comprehensive impact assessment required under subsection (1) of this section a written record must be prepared:

(a) If an agency decides to contract out a good or service that has been customarily and historically provided by public employees, the agency must prepare a written record of the basis of the decision and provide it to the department. The written record must include the comprehensive impact assessment and an itemization of performance standards in the contract for the goods or services.

(b) If an agency decides to provide the good or service through public employees, the agency must prepare a written record of the basis of the decision and provide it to the department. The written record must include the comprehensive impact assessment and a quantifiable analysis demonstrating the agency's ability to meet or exceed performance standards in the agency project plan for providing the goods or services.

(c) The agency must maintain the written record in the agency's files for five years or the term of the contract, whichever is longer.

(3) Every five years or upon completion of the contract or provision of the goods or services by the agency's public employees, whichever comes first, the agency must prepare and file with the

department a report, which must include at a minimum the following information:

(a) Documentation of the contractor's or agency's performance as measured by the itemized performance standards;

(b) Itemization of any contract extensions or change orders made by the contractor or comparable project plan revisions by the agency that resulted in a change in the dollar value or cost of the goods or services; and

(c) A report of any remedial actions that were taken to enforce compliance with the contract or project plan, together with an estimate of the cost incurred by the public in enforcing such compliance.

(4) In addition to any other terms required by law:

(a) For goods and services contracted out, the terms of the contract must include the following:

(i) A cancellation clause allowing the agency to cancel the contract if the contractor fails to meet quality standards or budget specifications;

(ii) Terms ensuring periodic review of performance of the contract on a semiannual basis or more frequently;

(iii) Terms requiring the contractor to reimburse the agency for certain additional costs including, but not limited to, the costs of the agency's employee time to mitigate or otherwise perform a contract that failed inspection, that the contractor failed to complete on schedule, or that the contractor failed to complete to specified quality standards;

(iv) A term requiring the contractor to make available to the agency the following information at the start of the contract's term and updated each fiscal year:

(A) The name and license number, if applicable, of the contractor and all subcontractors; and

(B) A list of individuals or entities performing or providing the goods or services, reflected as full-time equivalent positions, including the hourly wage rate for each position, and the status of the individual as an employee, subcontractor, independent contractor, or consultant of the contractor; and

(v) A waiver of confidentiality of, and agreement to provide to the agency upon request, basic financial information related to the contract, other than financial, commercial, or proprietary information specifically exempted from disclosure to the public under RCW 42.56.270; or

(b) For goods and services provided by public employees, the terms of an agency project plan must include the following:

(i) A clause allowing the agency to cancel the good or service if the agency fails to meet quality standards or budget specifications;

(ii) Terms ensuring periodic review of performance of the project plan on a semiannual basis or more frequently;

(iii) Terms requiring the agency to absorb certain additional costs including, but not limited to, the costs of the agency's employee time to mitigate or otherwise perform a project plan that failed inspection, that the agency failed to complete on schedule, or that the agency failed to complete to specified quality standards. In circumstances in which agencies are required to absorb certain additional costs or employee business units and other agencies are required to compensate an agency for certain additional costs, funds appropriated, allotted, or otherwise intended for other purposes may not be used to supplement or supplant funds for the purpose of acquiring the good or service; and

(iv) A term requiring the agency to make available to the department the following information at the start of the project plan and updated each fiscal year:

(A) The name and license number, if applicable, of any contractors and subcontractors; and

(B) A list of individuals or entities performing or providing the goods or services, reflected as full-time equivalent positions, including the hourly wage rate for each position, and the status of the individual as an employee, subcontractor, independent contractor, or consultant of the agency.

(5) The provisions applicable to contracts with a private sector entity or nonprofit organization set forth in this section also apply to contracts with employee business units under RCW

41.06.142 and interlocal agreements with other agencies under chapter 39.34 RCW.

Sec. 3. RCW 39.26.180 and 2012 c 224 s 20 are each amended to read as follows:

(1) The department must adopt uniform policies and procedures for the effective and efficient management of contracts or agency project plans by all state agencies. The policies and procedures must, at a minimum, include:

(a) Precontract procedures for selecting potential contractors based on their qualifications and ability to perform, including procedures to ensure compliance with chapter 39.19 RCW, providing for participation of minority and women-owned businesses;

(b) Model complaint and protest procedures;

(c) Alternative dispute resolution processes;

(d) Incorporation of performance measures and measurable benchmarks in contracts or agency project plans;

(e) Model ~~((contract))~~ terms to ensure ~~((contract))~~ performance and compliance with state and federal standards, including terms to facilitate recovery of the costs of public employee staff time that must be expended to achieve substantial compliance;

(f) Executing contracts using electronic signatures;

(g) Criteria for contract or project plan amendments;

(h) Postcontract or postproject procedures;

(i) Procedures and criteria for terminating contracts or project plans for cause or otherwise, including procedures and criteria for not achieving performance standards; and

(j) Any other subject related to effective and efficient contract or project plan management.

(2) An agency may not enter into a contract or adopt a project plan under which the contractor or agency could charge additional costs to the agency, the department, the joint legislative audit and review committee, or the state auditor for access to data generated under the contract or project plan. A contractor or agency under such a contract or project plan must provide

access to data generated under the contract or project plan to the contracting agency or department, the joint legislative audit and review committee, and the state auditor.

(3) To the extent practicable, agencies should enter into performance-based contracts or adopt performance-based project plans. Performance-based contracts and project plans identify expected deliverables and performance measures or outcomes. Performance-based contracts and project plans also use appropriate techniques, which may include, but are not limited to, either consequences or incentives or both to ensure that agreed upon value to the state is received. Payment for goods and services under performance-based contracts should be contingent on ~~((the contractor))~~ achieving performance outcomes. Agencies or the department must monitor performance-based contracts or project plans at least on a semiannual basis to ensure that all aspects are being properly performed and that performance standards are being achieved.

(4) An agency and contractor may execute a contract using electronic signatures.

(5) As used in subsection (2) of this section, "data" includes all information that supports the findings, conclusions, and recommendations of the contractor's or agency's reports, including computer models and the methodology for those models.

(6) The provisions applicable to contracts and contractors set forth in this section also apply to contracts with employee business units under RCW 41.06.142 and interlocal agreements with other agencies under chapter 39.34 RCW.

Sec. 4. RCW 43.19.008 and 2011 1st sp.s. c 43 s 104 are each amended to read as follows:

(1) The executive powers and management of the department, and oversight through review or audit by the office of financial management, the joint legislative audit and review committee, or state auditor, shall be administered as described in this section.

(2) The executive head and appointing authority of the department is the director. The director is appointed by the governor, subject to confirmation by the senate. The director serves at the

pleasure of the governor. The director is paid a salary fixed by the governor in accordance with RCW 43.03.040. If a vacancy occurs in the position of director while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate at which time he or she shall present to that body his or her nomination for the position.

(3) The director may employ staff members, who are exempt from chapter 41.06 RCW, and any additional staff members as are necessary to administer this chapter, and such other duties as may be authorized by law. The director may delegate any power or duty vested in ~~((him or her))~~ the position by chapter 43, Laws of 2011 1st sp. sess. or other law, including authority to make final decisions and enter final orders in hearings conducted under chapter 34.05 RCW.

(4) The internal affairs of the department are under the control of the director in order that the director may manage the department in a flexible and intelligent manner as dictated by changing contemporary circumstances. Unless specifically limited by law, the director has complete charge and supervisory powers over the department. The director may create the administrative structures as the director deems appropriate, except as otherwise specified by law, and the director may employ personnel as may be necessary in accordance with chapter 41.06 RCW, except as otherwise provided by law.

(5) Until June 30, ~~((2018))~~ 2019, at the beginning of each fiscal biennium, unless the joint legislative audit and review committee or the state auditor is otherwise directed to do so in the omnibus operating budget, the office of financial management shall conduct a review of the programs, goods, and services that are performed by the department to determine whether the program, goods, or services may be performed by the private sector, an employee business unit under RCW 41.06.142, or another agency pursuant to an interlocal agreement under chapter 39.34 RCW in a more cost-efficient and effective manner than being performed by the department. In conducting this review, the office of financial management shall:

(a) Examine the existing activities currently being performed by the department, including but not limited to an examination of goods or services for their performance, cost compared to revenue impact, staffing, capital requirements, and mission. Programs may be broken down into discrete goods, services, or activities or reviewed as a whole; and

(b) Examine the activities to determine which specific goods or services are available in the marketplace and what potential for efficiency gains or savings exist.

(i) As part of the review in this subsection (5), the office of financial management shall select up to six activities, goods, or services that have been determined as an activity that may be provided by the private sector in a cost-effective and efficient manner ~~((including for the 2011-2013 fiscal biennium the bulk printing services))~~. The office of financial management may consult with affected industry stakeholders in making its decision on which activities to contract for goods or services. Priority for selection shall be given to agency activities, goods, or services that are significant, ongoing functions or projects with an initial project plan of two hundred fifty thousand dollars or more.

(ii) The office of financial management must consider the consequences and potential mitigation of improper or failed performance by the contractor or agency, if the activity was performed by public employees.

(iii) For each of the selected activities, the department or agency shall use a request for information, request for proposal, or other procurement process to determine if a contract for the activity would result in the activity being provided at a reduced cost and with greater efficiency. This must include, but is not limited to, consideration of the cost of the agency staff time and resources that may be required to monitor and ensure proper performance of the contract by the contractor or project plan by the agency.

(iv) The request for information, request for proposal, or other procurement process must contain measurable standards for the performance of the contract.

(v) If contracting out will afford taxpayers a cost savings or efficiency, the department may contract with one or more vendors to provide the good or service as a result of the procurement process.

(vi) If the office of financial management determines via the procurement process that the activity cannot be provided by the private sector at a reduced cost and greater efficiency, the department of enterprise services may cancel the procurement without entering into a contract and shall promptly notify the legislative fiscal committees of such a decision along with the cost analysis and basis for the decision.

(vii) The department of enterprise services, in consultation with the office of financial management, must establish a contract or project plan monitoring process to measure contract or project plan performance, costs, service delivery quality, and other contract or project plan standards, and to cancel contracts or projects that do not meet those standards. No contracts or project extensions, expansions, future upgrades, or phases may be renewed without a review of these measures.

(viii) The office of financial management shall prepare a biennial report summarizing the results of the examination of the agency's programs, goods, and services. In addition to the programs, goods, and services examined and the result of the examination, the report shall provide information on any procurement process that does not result in a contract for the goods or services. The biennial report must include updates reporting any unanticipated costs incurred as a result of contracting out or from the agency providing the goods or services pursuant to this section and an estimate of staff hours devoted by employees of the office of financial management and department of enterprise services in conducting the program review required by this section. During each regular legislative session held in odd-numbered years, the legislative fiscal committees shall hold a public hearing on the report and the department's activities under this section. This report must be made available on the web site of the agency that was the subject of the report.

(ix) The joint legislative audit and review committee shall conduct an audit of the implementation of this subsection

(5), and report to the legislature by January 1, 2018, on the results of the audit. The report must include an analysis and estimate of additional costs or savings to taxpayers as a result of the contracting out or project plan provisions. This analysis must, at a minimum, include the following:

(A) An estimate of the cost of performance of the selected activities, if the activities had been performed by public employees;

(B) An estimate of the cost of performance of the contract or project plan by the contractor, including the cost of any change orders, project plan, or contract revisions and the costs of allocating sufficient public employee staff time and resources to monitor the contract and ensure its proper performance by the contractor;

(C) An analysis of the extent to which performance objectives were achieved by outsourcing the contract or by having the agency perform the activity; and

(D) An assessment of potential impacts on the public of outsourcing the contract or by having the agency perform the activities.

Sec. 5. RCW 39.26.200 and 2015 c 44 s 1 are each amended to read as follows:

(1)(a) The director shall provide notice to the contractor of the director's intent to either fine or debar with the specific reason for either the fine or debarment. The department must establish the debarment and fining processes by rule.

(b) After reasonable notice to the contractor and reasonable opportunity for that contractor to be heard, the director has the authority to debar a contractor for cause from consideration for award of contracts. The debarment must be for a period of not more than three years.

(2) The director may either fine or debar a contractor based on a finding of one or more of the following causes:

(a) Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;

(b) Conviction or a final determination in a civil action under

state or federal statutes of fraud, embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, violation of the federal false claims act, 31 U.S.C. Sec. 3729 et seq., or the state medicaid fraud false claims act, chapter 74.66 RCW, or any other offense indicating a lack of business integrity or business honesty that currently, seriously, and directly affects responsibility as a state contractor;

(c) Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;

(d) Two or more violations within the previous five years of the (~~federal~~) national labor relations act as determined by the national labor relations board or court of competent jurisdiction;

(e) Violation of contract provisions, as set forth in this subsection, of a character that is regarded by the director to be so serious as to justify debarment action:

(i) Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or

(ii) A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, however the failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor may not be considered to be a basis for debarment;

(f) Violation of ethical standards set forth in RCW 39.26.020; and

(g) Any other cause the director determines to be so serious and compelling as to affect responsibility as a state contractor, including debarment by another governmental entity for any cause listed in regulations.

(3) The director must issue a written decision to debar. The decision must:

(a) State the reasons for the action taken; and

(b) Inform the debarred contractor of the contractor's rights to judicial or administrative review.

Sec. 6. RCW 41.06.142 and 2011 1st sp.s. c 43 s 408 are each amended to read as follows:

(1) Any department, agency, or institution of higher education may purchase services, including services that have been customarily and historically provided by employees in the classified service under this chapter, by contracting with individuals, nonprofit organizations, businesses, employee business units, or other entities if the following criteria are met:

(a) The invitation for bid or request for proposal contains measurable standards for the performance of the contract;

(b) Employees in the classified service whose positions or work would be displaced by the contract are provided an opportunity to offer alternatives to purchasing services by contract and, if these alternatives are not accepted, compete for the contract under competitive contracting procedures in subsection (4) of this section;

(c) The contract with an entity other than an employee business unit includes a provision requiring the entity to consider employment of state employees who may be displaced by the contract;

(d) The department, agency, or institution of higher education has established a contract monitoring process to measure contract performance, costs, service delivery quality, and other contract standards, and to cancel contracts that do not meet those standards; and

(e) The department, agency, or institution of higher education has determined that the contract results in savings or efficiency improvements. The contracting agency must consider the consequences and potential mitigation of improper or failed performance by the contractor.

(2) Any provision contrary to or in conflict with this section in any collective bargaining agreement in effect on July 1, 2005, is not effective beyond the expiration date of the agreement.

(3) Contracting for services that is expressly mandated by the legislature or was authorized by law prior to July 1, 2005, including contracts and agreements between public entities, shall not be subject to the processes set forth in subsections (1), (4), and (5) of this section.

(4) Competitive contracting shall be implemented as follows:

(a) At least ninety days prior to the date the contracting agency requests bids from private entities for a contract for services provided by classified employees, the contracting agency shall notify the classified employees whose positions or work would be displaced by the contract. The employees shall have sixty days from the date of notification to offer alternatives to purchasing services by contract, and the agency shall consider the alternatives before requesting bids.

(b) If the employees decide to compete for the contract, they shall notify the contracting agency of their decision. Employees must form one or more employee business units for the purpose of submitting a bid or bids to perform the services.

(c) The department of enterprise services, with the advice and assistance of the office of financial management, shall develop and make available to employee business units training in the bidding process and general bid preparation.

(d) The director of enterprise services, with the advice and assistance of the office of financial management, shall, by rule, establish procedures to ensure that bids are submitted and evaluated in a fair and objective manner and that there exists a competitive market for the service. Such rules shall include, but not be limited to: (i) Prohibitions against participation in the bid evaluation process by employees who prepared the business unit's bid or who perform any of the services to be contracted; (ii) provisions to ensure no bidder receives an advantage over other bidders and that bid requirements are applied equitably to all parties; and (iii) procedures that require the contracting agency to receive complaints regarding the bidding process and to consider them before awarding the contract. Appeal of an agency's actions under this subsection is an adjudicative proceeding and subject to the applicable provisions of chapter 34.05 RCW, the administrative procedure act, with the final decision to be rendered by an administrative law judge assigned under chapter 34.12 RCW.

(e) An employee business unit's bid must include the fully allocated costs of

the service, including the cost of the employees' salaries and benefits, space, equipment, materials, and other costs necessary to perform the function. An employee business unit's cost shall not include the state's indirect overhead costs unless those costs can be attributed directly to the function in question and would not exist if that function were not performed in state service.

(f) A department, agency, or institution of higher education may contract with the department of enterprise services to conduct the bidding process.

(5) As used in this section:

(a) "Employee business unit" means a group of employees who perform services to be contracted under this section and who submit a bid for the performance of those services under subsection (4) of this section.

(b) "Indirect overhead costs" means the pro rata share of existing agency administrative salaries and benefits, and rent, equipment costs, utilities, and materials associated with those administrative functions.

(c) "Competitive contracting" means the process by which classified employees of a department, agency, or institution of higher education compete with businesses, individuals, nonprofit organizations, or other entities for contracts authorized by subsection (1) of this section.

(6) The processes set forth in subsections (1), (4), and (5) of this section do not apply to:

(a) RCW 74.13.031(~~(5)~~) (6); and

(b) The acquisition of printing services by a state agency(~~, and~~

~~(c) Contracting for services or activities by the department of enterprise services under RCW 43.19.008 and the department may continue to contract for such services and activities after June 30, 2018.~~

~~(7) The processes set forth in subsections (1), (4), and (5) of this section do not apply to the consolidated technology services agency when contracting for services or activities as follows:~~

~~(a) Contracting for services and activities that are necessary to~~

~~establish, operate, or manage the state data center, including architecture, design, engineering, installation, and operation of the facility that are approved by the technology services board created in RCW 43.41A.070.~~

~~(b) Contracting for services and activities recommended by the chief information officer through a business plan and approved by the technology services board created in RCW 43.41A.070).~~

NEW SECTION. Sec. 7. This act may be known and cited as the "taxpayer protection act."

Correct the title.

Representative Kraft spoke in favor of the adoption of the striking amendment.

Amendment (314) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Dolan spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1851.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1851, and the bill passed the House by the following vote: Yeas, 69; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Graves, Hargrove, Harmsworth, Holy, Jenkin, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick and Young

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1851, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1967, by Representatives Stanford, Ormsby and Pollet

Concerning noncompetition agreements.

The bill was read the second time.

With the consent of the House, amendment (296) was withdrawn.

Representative Stanford moved the adoption of the striking amendment (316):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 49.44 RCW to read as follows:

(1) An unreasonable noncompetition agreement is void and unenforceable. If a court finds a noncompetition agreement unreasonable, it may reform the agreement to make it reasonable and enforceable. If a court reforms an agreement, the party seeking to declare the agreement void shall be deemed the prevailing party for purposes of the agreement and under law.

(2) For a noncompetition agreement to be enforceable, the employer must disclose the terms of the agreement in writing to the prospective employee no later than the time of the acceptance of the offer of employment or, if the agreement is entered into after the commencement of employment, the employer must provide independent consideration for the agreement.

(3) The reformation or unenforceability of a noncompetition agreement does not affect the enforceability of any form of confidentiality, nonsolicitation, or other agreement, or any other terms and conditions between the parties, regardless of whether the other agreement or terms or conditions are contained in the same document as a noncompetition agreement.

(4) If an employer requires an employee to enter into a noncompetition agreement containing provisions the employer knows are unenforceable, the employee may recover actual damages, together with statutory damages of five thousand dollars and reasonable attorneys' fees and costs.

(5) For purposes of this section:

(a) "Confidentiality agreement" means an agreement between an employer and employee that protects proprietary and confidential information including sales information, business strategies and plans, customer information, price information, and trade secrets as defined in RCW 19.108.010.

(b) "Employee" means an employee of an employer.

(c) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other entity that engages in any business, industry, profession, or activity in this state and employs one or more employees, and includes the state, counties, cities, all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations.

(d) "Noncompetition agreement" means an agreement between an employer and an employee that is specifically designed to impede the ability of an employee to compete with the employer upon the termination of the employment relationship. A "noncompetition agreement" does not include a confidentiality agreement or a nonsolicitation agreement.

(e) "Nonsolicitation agreement" means an agreement between an employer and employee that prohibits solicitation by an employee, upon termination of employment: (i) Of any employee of the employer to leave the employer; or (ii) of any customer of the employer to cease doing business with the employer or to compete with the employer.

(6) Except as provided in this section, this section does not restrict the right of an employer from entering into a confidentiality or nonsolicitation agreement, or other terms and conditions of the employment or engagement, with an employee.

NEW SECTION. Sec. 2. This act applies to agreements entered into on or after the effective date of this section."

Correct the title.

Representatives Stanford and Manweller spoke in favor of the adoption of the striking amendment.

Amendment (316) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1967.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1967, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 1967, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1886, by Representatives Harris, Santos and Pollet

Concerning the responsibilities of the superintendent of public instruction and the state board of education. Revised for 1st Substitute: Concerning the responsibilities of the superintendent of public instruction and the state board of education.

The bill was read the second time.

There being no objection Substitute House Bill No. 1886 was substituted for House Bill No. 1886 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1886 was read the second time.

Representative Santos moved the adoption of the striking amendment (318):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes that it is charged by the state Constitution, and entrusted by the voters, to be the principal public policy setting body of Washington state. The legislature recognizes also that a critical component of its policy setting obligations centers upon establishing and amending well-considered and appropriate governance provisions for the K-12 education system.

(2) The legislature finds that the K-12 education system is a constantly evolving barometer of change that reflects the growth, complexity, and diversity of the state. While the state's K-12 education system can be traced to Washington's first territorial legislature, properly responding to the needs and expectations of a system that is devoted to providing a high quality education to more than one million students requires continual evaluations and refinements.

(3) The legislature recognizes that the challenges of setting state education policy are compounded by two important considerations: (a) An evolving federal role in education issues that began in the 1960s and has changed the interplay between states and the federal government by establishing specific responsibilities for the principal state education agency in each state; and (b) the existence of two Washington state educational agencies with territorial roots, the office of the superintendent of public instruction and the state board of education. Furthermore, the legislature recognizes that the division of responsibilities between these state agencies is multifaceted, as the elected superintendents of public instruction served, from 1897 until recently, as the ex-officio presidents of the state board of education.

(4) The legislature, therefore, intends to promote the improved functioning of the K-12 education system by acting upon its public policy setting authority to examine specific K-12 governance and responsibilities considerations. To accomplish this objective, the legislature intends to convene a task force to develop recommendations regarding the appropriate division of duties between the superintendent of public instruction and the state board of education.

NEW SECTION. Sec. 2. (1) (a) The legislative task force on K-12 governance

and responsibilities is established, with members as provided in this subsection.

(i) The president of the senate shall appoint two task force members: The chair and ranking minority member of the senate early learning and K-12 education committee.

(ii) The speaker of the house of representatives shall appoint two task force members: The chair and ranking minority member of the house of representatives education committee.

(iii) The task force shall also consist of:

(A) The governor or the governor's designee;

(B) The superintendent of public instruction or the superintendent's designee;

(C) The chair of the state board of education;

(D) The president of the Washington state school directors' association; and

(E) The chair of the student achievement council.

(b) The task force shall choose its cochairs from among its legislative membership. The chair of the house of representatives education committee shall convene the initial meeting of the task force on or before June 1, 2017.

(2) The task force shall review the following issues:

(a) Legislation introduced in 2017 relating to the responsibilities of the superintendent of public instruction and the state board of education;

(b) The constitutional and statutory provisions establishing the governance structure and associated responsibilities in the K-12 system;

(c) Options for the division of roles and responsibilities between the office of the superintendent of public instruction and the state board of education;

(d) Past and present provisions governing the superintendent of public instruction and the superintendent's office, including authorities and duties assigned and modified by the legislature;

(e) Past and present provisions governing the state board of education,

including provisions prescribing its authorities, duties, composition, and membership qualifications; and

(f) Considerations of governance and responsibility provisions for other public partner agencies in the K-12 system.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research, with additional assistance, if requested by the task force, provided by the office of the superintendent of public instruction and the state board of education.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations, including recommendations regarding the appropriate roles and responsibilities of the superintendent of public instruction and the state board of education in the K-12 system, to the education committees of the house of representatives and the senate by November 15, 2017.

(7) This section expires January 31, 2018.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Santos and Harris spoke in favor of the adoption of the striking amendment.

Amendment (318) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1886.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1886, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1495, by Representatives Fey, Muri, Sawyer, Sells, Jinkins and Doglio

Incentivizing the development of commercial office space in cities with a population of greater than fifty thousand and located in a county with a population of less than one million five hundred thousand.

The bill was read the second time.

There being no objection Second Substitute House Bill No. 1495 was substituted for House Bill No. 1495 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1495 was read the second time.

With the consent of the House, amendments (270), (246) and (236) were withdrawn.

Representative Fey moved the adoption of amendment (290):

On page 6, line 11, after "The" strike "department of commerce" and insert "joint legislative audit and review committee"

Representative Fey spoke in favor of the adoption of the amendment.

Amendment (290) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1495.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1495, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker

Voting nay: Representatives Buys, Dent, Griffey, Harmsworth, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, Pike, Rodne, Shea, Stokesbary, Taylor, Van Werven, Vick and Young.

Excused: Representative Smith.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1495, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1316, by Representatives Caldier, Cody, Jinkins, Wylie, Bergquist, Harris, Clibborn, Rodne, Griffey and Appleton

Addressing fair dental insurance practices.

The bill was read the second time.

There being no objection Substitute House Bill No. 1316 was substituted for House Bill No. 1316 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1316 was read the second time.

With the consent of the House, amendment (180) was withdrawn.

Representative Caldier moved the adoption of amendment (261):

On page 3, line 7, after "including" strike "health care service contractors that offer dental benefit" and insert "carriers that offer stand-alone dental"

On page 3, line 8, after "related to" insert "the contents of stand-alone dental plans"

On page 3, beginning on line 10, after "must" strike all material through "future" on line 12 and insert "provide the legislature with a summary of the stakeholder feedback on explanations of benefits for stand-alone dental plans"

Representatives Caldier and Macri spoke in favor of the adoption of the amendment.

Amendment (261) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Caldier and Macri spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1316.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1316, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-

Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1316, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1656, by Representatives Dent, Gregerson, Hargrove, Tarleton, Klippert and Clibborn

Establishing a community aviation revitalization loan program.

The bill was read the second time.

Representative Shea moved the adoption of the striking amendment (255):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that providing additional funding mechanisms for public use general aviation airports to implement infrastructure rehabilitation, upgrades, and revenue-generating projects is in the best interest of the state. The legislature declares that a revolving loan program is fundamental for smaller airport preservation and future vitality.

NEW SECTION. Sec. 2. A new section is added to chapter 47.68 RCW to read as follows:

(1) An airport infrastructure loan program to be known as the community aviation revitalization loan program is established for political subdivisions of the state that own or manage airports to acquire loans to fund capital projects, including repaving runways, installing runway lights, constructing new airport facilities, and improving existing facilities.

(2) The community aviation revitalization revolving loan account is created in the custody of the state treasurer. All moneys received for the community aviation revitalization loan program, including loan and interest payments, must be deposited into the account. Moneys in the account may be

used only for the loan program and for the department expenditures associated with administering the loan program, and may not be transferred to any other account or used for purposes other than that prescribed in this chapter. Only the secretary or the secretary's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. Disbursements to political subdivisions for approved loans are not subject to appropriation or allotment procedures. The interest on the loans must be the federal rate of interest at the time the loan is borrowed by the political subdivision of the state.

(3) The aviation division of the department must administer the community aviation revitalization loan program.

(4) The department must adopt by rule the criteria to be used in evaluating and approving the loan applications. These loans may be provided to political subdivisions of the state that own or manage airports that do not have more than fifty thousand annual commercial service passenger enplanements as published by the federal aviation administration. Before adopting rules under this subsection or offering a loan contract for a project, the department must consult with the community aviation revitalization loan oversight task force created in section 3 of this act.

(5) The department must consider the following conditions when evaluating loan applications:

(a) The proposed project will lead to additional investment or permanent family wage jobs;

(b) The proposed project will provide capital improvements to augment the maintenance, operation, or expansion of an airport or its associated airport-related business park;

(c) The proposed project will result in retention, expansion, or creation of long-term economic opportunities dependent on the airport or related aeronautic services; or

(d) The proposed project will result in leveraging additional federal funding to an eligible airport.

(6) Loans may only be awarded to applicants that clearly identify a viable

source of funds intended to repay the loan.

(7) The department may accept any gifts, grants, loans of funds, property, contributions, or financial or other aid in any form from other sources that do not conflict with the department's governing statutes and regulations and the laws of the state in furtherance of community aviation airport revitalization as proposed in this section. The department may also accept federal agency loans or grants for the planned financing of any project and enter into an agreement with project owners to administer those loans.

NEW SECTION. **Sec. 3.** A new section is added to chapter 47.68 RCW to read as follows:

(1) The community aviation revitalization loan oversight task force is created to oversee and provide consultation to the department in relation to the community aviation revitalization loan program.

(a) The chair of the community aviation revitalization loan oversight task force is the secretary of transportation. The chair's authority may be delegated to an employee of the department. The chair is responsible for organizing meetings of the task force.

(b) The community aviation revitalization loan oversight task force must consist of: Two people from each of the two largest caucuses of the house of representatives to be appointed by the speaker of the house of representatives, two people from each of the two largest caucuses of the senate to be appointed by the president of the senate, and a nonvoting representative from the department of commerce as designated by the director of the department of commerce.

(2) The community aviation revitalization loan oversight task force shall review and approve rules prepared by the department to govern the implementation, management, and administration of the community aviation revitalization loan program. The task force must be consulted before the department's approval of a project to receive a loan.

(3) Staff support to the community aviation revitalization loan oversight task force must be provided by the department as needed.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

Sec. 4. RCW 43.79A.040 and 2016 c 203 s 2, 2016 c 173 s 10, 2016 c 69 s 21, and 2016 c 39 s 7 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the

community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the community aviation revitalization revolving loan account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average

daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 5. RCW 42.56.270 and 2016 sp.s. c 9 s 3, 2016 sp.s. c 8 s 1, and 2016 c 178 s 1 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services

provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or section 2 of this act, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or

delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information;

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4);

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities;

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to RCW 90.56.565(1)(a), and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to RCW 90.56.565;

(24) Financial institution and retirement account information, and building security plan information, supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345, when filed by or on behalf of a licensee or prospective licensee for the purpose of obtaining, maintaining, or renewing a license to produce, process, transport, or sell marijuana as allowed under chapter 69.50 RCW; (~~and~~)

(25) Marijuana transport information, vehicle and driver identification data, and account numbers or unique access identifiers issued to private entities for traceability system access, submitted by an individual or business to the liquor and cannabis board under the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345 for the purpose of marijuana product traceability. Disclosure to local, state, and federal officials is not considered public disclosure for purposes of this section; (~~and~~)

(26) Financial and commercial information submitted to or obtained by the retirement board of any city that is responsible for the management of an employees' retirement system pursuant to the authority of chapter 35.39 RCW, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the retirement fund or to result in

private loss to the providers of this information except that (a) the names and commitment amounts of the private funds in which retirement funds are invested and (b) the aggregate quarterly performance results for a retirement fund's portfolio of investments in such funds are subject to disclosure; and

(27) Proprietary financial, commercial, operations, and technical and research information and data submitted to or obtained by the liquor and cannabis board in applications for marijuana research licenses under RCW 69.50.372, or in reports submitted by marijuana research licensees in accordance with rules adopted by the liquor and cannabis board under RCW 69.50.372."

Correct the title.

Representatives Shea, Dent and Fey spoke in favor of the adoption of the striking amendment.

Amendment (255) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Fey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1656.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1656, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Kloba and Stanford.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 1656, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1375, by Representatives Van Werven, Tarleton, Orwall, Griffey, Haler, Holy, McCabe, Young, Dent, Riccelli, Bergquist, Buys, Kraft, Kagi, Ryu, Muri, Goodman, Lovick, Frame and Hargrove

Providing students at community and technical colleges with the costs of required course materials.

The bill was read the second time.

There being no objection Second Substitute House Bill No. 1375 was substituted for House Bill No. 1375 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1375 was read the second time.

Representative Van Werven moved the adoption of amendment (278):

On page 1, beginning on line 18, strike all of section 2 and insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 28B.50 RCW to read as follows:

(1) To the maximum extent practicable, but no later than the first full quarter after a community or technical college has implemented the ctcLink system, a community or technical college shall provide the following information to students during registration by displaying it in the online course description or by providing a link that connects to the bookstore's web site or other web site where students can search and view:

(a) The cost of any required textbook or other course materials; and

(b) Whether a course uses open educational resources.

(2) If a course's required textbooks and course materials are not determined prior to registration due to an unassigned faculty member, the textbooks' and course materials' cost must be provided as soon as feasible after a faculty member is assigned.

(3) Each community and technical college shall report to the college board

which courses provided textbooks' and course materials' costs to students during registration, and what percent of total classes this equaled. The college board shall report the information to the legislature in accordance with RCW 43.01.036 by January 1st of each biennium, beginning with January 1, 2019."

Representatives Van Werven and Pollet spoke in favor of the adoption of the amendment.

Amendment (278) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van Werven and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1375.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1375, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker

Excused: Representative Smith.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1375, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1476, by Representatives Peterson, Buys, Van Werven and Short

Ensuring the ongoing viability of safe, reliable, on-site sewage systems in marine counties by identifying best management practices with accountability in on-site

program management plans without creating or newly authorizing a fee or other program funding source.

The bill was read the second time.

With the consent of the House, amendment (303) was withdrawn.

Representative Dye moved the adoption of amendment (228):

On page 3, line 8, after "board" insert ". Rules adopted by the board for the counties addressed by this section must require that an inspection of an on-site sewage disposal system that is carried out by a professional inspector or public agency must be coordinated with and authorized by the owner of the system prior to accessing the property for purposes of carrying out the inspection of the system"

Representatives Dye and Peterson spoke in favor of the adoption of the amendment.

Amendment (228) was adopted.

Representative Taylor moved the adoption of amendment (081):

On page 8, line 28, after "**Sec. 8.**" Insert the following:

"(1)"

On page 8, after line 31, insert the following:

"(2) Any rules adopted to implement this act must be the least burdensome alternative and must be tailored to minimize compliance burdens by taking into consideration the cost of the rules to each community relative to the environmental risks addressed by the rules in that community."

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (081) was not adopted.

Representative Taylor moved the adoption of amendment (082):

On page 8, after line 31, insert the following:

"**Sec. 9.** A new section is added to RCW 70.118A to read as follows:

Rules adopted by the board for the inspection of on-site sewage disposal

systems in the counties identified in RCW 70.118A.030, and any additional requirements imposed by a local health jurisdiction that are authorized under those rules, may not require the professional inspection of an on-site sewage disposal system in the first three years after the installation of that system."

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (082) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Peterson and Buys spoke in favor of the passage of the bill.

Representative Jinkins spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1476.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1476, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Johnson, Kagi, Kirby, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Fey, Goodman, Haler, Hayes, Holy, Jenkin, Jinkins, Kilduff, Klippert, Koster, Kretz, Manweller, Maycumber, McCaslin, Nealey, Pellicciotti, Reeves, Schmick, Shea, Taylor, Vick and Volz.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 1476, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1503, by Representatives Short, Taylor, Van Werven, Buys, Haler, Kraft and Hargrove

Preventing unfunded mandates involving on-site sewage systems from affecting local governments and property owners.

The bill was read the second time.

There being no objection Substitute House Bill No. 1503 was substituted for House Bill No. 1503 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1503 was read the second time.

With the consent of the House, amendments (290) and (293) were withdrawn.

Representative Maycumber moved the adoption of the striking amendment (285):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW to read as follows:

This chapter, including but not limited to RCW 36.70A.070(1) and (5), does not preclude counties from authorizing inspections of on-site sewage systems to be conducted by a homeowner, a homeowner's family member, or a homeowner's tenant that has completed certification requirements specified by the county. Nothing in this section eliminates the requirement that counties protect water quality.

NEW SECTION. **Sec. 2.** A new section is added to chapter 70.118A RCW to read as follows:

Nothing in this chapter prohibits a county from relying on self-inspection of on-site sewage systems consistent with section 1 of this act for the purposes of protecting the quality or quantity of surface or groundwater resources under chapter 36.70A RCW.

NEW SECTION. **Sec. 3.** A new section is added to chapter 70.05 RCW to read as follows:

Nothing in this chapter prohibits a county from relying on self-inspection of on-site sewage systems consistent with section 1 of this act for the purposes of protecting the quality or quantity of surface or groundwater resources under chapter 36.70A RCW."

Representative Fitzgibbon moved the adoption of amendment (320) to the striking amendment (285):

On page 1, beginning on line 6 of the amendment, after "chapter," strike "including but not limited to RCW 36.70A.070(1) and (5),"

On page 1, line 12 of the amendment, after "quality" insert "consistent with RCW 36.70A.070(1) and (5)"

On page 1, beginning on line 18 of the amendment, after "act" strike all material through "RCW" on line 19 and insert "or eliminates the requirement that counties protect water quality consistent with RCW 36.70A.070(1) and (5)"

On page 1, beginning on line 25 of the amendment, after "act" strike all material through "RCW" on line 26 and insert "or eliminates the requirement that counties protect water quality consistent with RCW 36.70A.070(1) and (5)"

Correct the title.

Representatives Fitzgibbon and Maycumber spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (320) was adopted.

Representatives Maycumber and Fitzgibbon spoke in favor of the adoption of the striking amendment as amended.

Amendment (285), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Maycumber and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1503.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1503, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson,

Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker

Voting nay: Representatives Farrell, Kloba, Macri, Pollet, Ryu and Stanford

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1503, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1777, by Representatives Kagi, Johnson, Doglio, Dent, Ryu, MacEwen, Senn, Farrell, Nealey, Ortiz-Self, McBride, Macri, Fey, Slatter and Jinkins

Concerning the financing of early learning facilities.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1777 was substituted for House Bill No. 1777 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1777 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi, Dent, Johnson and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1777.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1777, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe,

McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Holy, Kretz, Maycumber, McCaslin, Schmick, Shea, Taylor, Vick, Volz and Young.

Excused: Representative Smith.

SECOND SUBSTITUTE HOUSE BILL NO. 1777, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1506, by Representatives Senn, Pellicciotti, Slatter, Macri, Peterson, Chapman, Ortiz-Self, Bergquist, Sawyer, Frame, Gregerson, Farrell, Kilduff, Kagi, Dolan, Clibborn, Pollet, McBride, Stanford, Doglio, Appleton, Robinson, Fitzgibbon, Sells, Goodman, Tharinger, Hudgins, Ormsby, Riccelli, Fey and Pettigrew

Addressing workplace practices to achieve gender pay equity.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1506 by the Committee on Appropriations was not substituted for House Bill No. 1506.

With the consent of the House, amendments (254) and (259) were withdrawn.

Representative Caldier moved the adoption of amendment (240):

On page 2, line 24, after "be)" strike "individuals" and insert "employees of the employer"

On page 2, at the beginning of line 28, strike "individual" and insert "employee"

On page 2, line 32, after "the" strike "individual" and insert "employee"

On page 2, beginning on line 34, after "section," strike "individuals are similarly employed if" and insert "employees are similarly employed if the individuals work for the same employer,"

On page 2, at the beginning of line 38, strike "individuals" and insert "employees"

Representatives Caldier and Dolan spoke in favor of the adoption of the amendment.

Amendment (240) was adopted.

Representative Stambaugh moved the adoption of amendment (306):

On page 3, line 8, after "production;" strike "or"

On page 3, line 12, after "entire differential" insert "; or

(v) A bona fide regional difference in compensation levels that is: (A) Consistent with business necessity; (B) not based on or derived from a gender-based differential; and (C) accounts for the entire differential"

On page 3, line 13, after "An" strike "individual's" and insert "employee's"

Representatives Stambaugh and Senn spoke in favor of the adoption of the amendment.

Amendment (306) was adopted.

Representative Kraft moved the adoption of amendment (238):

On page 3, line 9, after "including" insert ", but not limited to,"

Representatives Kraft and Sells spoke in favor of the adoption of the amendment.

Amendment (238) was adopted.

Representative Pike moved the adoption of amendment (311):

On page 3, beginning on line 15, strike all of section 4

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

On page 4, line 12, after "wages" strike "or lack of employment opportunities"

Representative Pike spoke in favor of the adoption of the amendment.

Representative Sells spoke against the adoption of the amendment.

Amendment (311) was not adopted.

Representative McDonald moved the adoption of amendment (241):

On page 4, after line 27, insert the following:

"(5) Nothing in this section permits an employee to violate the requirements in chapter 49.17 RCW and rules promulgated under that chapter."

Representatives McDonald and Senn spoke in favor of the adoption of the amendment.

Amendment (241) was adopted.

Representative Pike moved the adoption of amendment (310):

On page 4, beginning on line 34, strike all of sections 7 and 8 and insert the following:

"NEW SECTION. Sec. 7. Any employee aggrieved by a violation of this chapter may recover in a civil action the employee's lost wages, including interest thereon, and costs and reasonable attorneys' fees. If an employee receiving less than the wage to which the employee is entitled under this chapter shows that the action of the employer was deliberate and in bad faith, the employee may additionally recover statutory damages equal to the actual damages incurred. A civil action to recover wages under this section may be commenced no later than two years after the cause of action occurs."

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

Representative Pike spoke in favor of the adoption of the amendment.

Representative Senn spoke against the adoption of the amendment.

Amendment (310) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn, Kraft, Farrell, Springer, Graves, Slatter, Stambaugh and Jinkins spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1506.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1506, and the bill passed the House by the following vote: Yeas, 61; Nays, 36; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz and Wilcox.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 1506, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., March 9, 2017, the 60th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTIETH DAY

House Chamber, Olympia, Thursday, March 9, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jonathan Emerson and Taylor Clapp. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Paul Harris, 17th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

March 8, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5014,
 SENATE BILL NO. 5070,
 SUBSTITUTE SENATE BILL NO. 5100,
 SUBSTITUTE SENATE BILL NO. 5104,
 SUBSTITUTE SENATE BILL NO. 5233,
 SENATE BILL NO. 5336,
 SECOND SUBSTITUTE SENATE BILL NO. 5342,
 SENATE BILL NO. 5448,
 SENATE BILL NO. 5543,
 SUBSTITUTE SENATE BILL NO. 5633,
 SENATE BILL NO. 5662,
 SUBSTITUTE SENATE BILL NO. 5712,
 SENATE BILL NO. 5813,
 SUBSTITUTE SENATE BILL NO. 5835,
 SENATE CONCURRENT RESOLUTION NO. 8401,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 8, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5145,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5256,
 ENGROSSED SENATE BILL NO. 5280,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5645,

ENGROSSED SENATE BILL NO. 5800,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 8, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5016,
 SENATE BILL NO. 5146,
 SUBSTITUTE SENATE BILL NO. 5154,
 SECOND SUBSTITUTE SENATE BILL NO. 5201,
 SUBSTITUTE SENATE BILL NO. 5327,
 SENATE BILL NO. 5536,
 SENATE BILL NO. 5614,
 SUBSTITUTE SENATE BILL NO. 5770,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5797,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5808,
 SUBSTITUTE SENATE BILL NO. 5833,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 8, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5023,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2142 by Representatives Reeves, Barkis, Kilduff, Stokesbary, Blake, Hayes, Stanford, Steele and Muri

AN ACT Relating to discover passes for state and national guard members; and amending RCW 79A.80.020 and 79A.80.080.

Referred to Committee on Environment.

HB 2143 by Representatives Haler, Hansen, Holy, Stanford and Muri

AN ACT Relating to expanding opportunities for higher education students; amending RCW 28B.145.005, 28B.145.010, 28B.145.020, 28B.145.030, 28B.145.040, and 28B.145.090; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 2144 by Representatives Pollet, Cody, Ryu, Robinson, Jinkins, Kagi and Peterson

AN ACT Relating to the taxation of vapor products; reenacting and amending RCW 82.26.010; adding a new section to chapter 82.26 RCW; and creating a new section.

Referred to Committee on Finance.

SUPPLEMENTAL INTRODUCTION & FIRST READING

ESB 5023 by Senators Wellman, Rolfes, Nelson, McCoy, Carlyle, Frockt, Palumbo, Liias, Billig, Hunt, Keiser, Pedersen, Conway, Saldaña, Darneille, Hasegawa, Chase, Mullet and Kuderer

AN ACT Relating to delaying implementation of revisions to the school levy lid; amending RCW 84.52.0531; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010 c 237 ss 9, 8, and 10, and 2016 c 202 s 56 (unmodified); reenacting and amending RCW 84.52.0531; creating a new section; providing effective dates; and providing expiration dates.

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

ESSB 5131 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Rivers and Conway)

AN ACT Relating to marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, processor wholesale events, certain transfers of plants and seeds, licensing agreements and contracts, residency requirements, and jurisdictional requirements; amending RCW 69.50.325, 69.50.331, 69.50.372, 66.08.100, 69.50.366, 69.50.382, and 69.51A.250; reenacting and amending RCW 42.56.270 and 69.50.101; adding a new section to chapter 69.50 RCW; adding a new section to chapter 69.51A RCW; and creating a new section.

Referred to Committee on Commerce & Gaming.

SSB 5133 by Senate Committee on Local Government (originally sponsored by Senator Takko)

AN ACT Relating to county boards of equalization; and amending RCW 84.48.010.

Referred to Committee on Local Government.

SB 5232 by Senators Brown, Palumbo, Walsh, Dansel, Takko, Chase and Sheldon

AN ACT Relating to allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act; and amending RCW 19.285.030 and 19.285.040.

Referred to Committee on Technology & Economic Development.

ESSB 5312 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Baumgartner, Saldaña, Walsh, Billig, Angel, Hasegawa, Keiser, Chase, Zeiger, Rolfes, Ranker, Fain, Frockt, Conway, Wellman, Darneille, Pedersen and Miloscia)

AN ACT Relating to prohibiting certain employers from including any question on an application about an applicant's criminal record, inquiring either orally or in writing about an applicant's criminal records, or obtaining information from a criminal background check, until after the employer initially determines that the applicant is otherwise qualified; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

SSB 5339 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators O'Ban, Padden, Miloscia, King, Schoesler, Zeiger, Becker, Baumgartner, Rossi, Wilson, Sheldon, Angel, Honeyford, Braun and Warnick)

AN ACT Relating to accommodating the civil rights of religious objectors to mandatory payments to labor organizations; and amending RCW 41.56.122, 41.76.045, 41.59.100, 28B.52.045, 49.39.090, 47.64.160, 41.80.100, and 49.66.010.

Referred to Committee on Labor & Workplace Standards.

SSB 5340 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Baumgartner and Conway)

AN ACT Relating to class B elevator work permits; amending RCW 70.87.100; reenacting and amending RCW 70.87.010; and adding a new section to chapter 70.87 RCW.

Referred to Committee on Labor & Workplace Standards.

SSB 5362 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Braun, Mullet, Baumgartner, Liias and Rossi)

AN ACT Relating to an exemption from unemployment compensation for certain providers of commercial transportation services; and adding a new section to chapter 50.04 RCW.

Referred to Committee on Labor & Workplace Standards.

SSB 5403 by Senate Committee on Transportation (originally sponsored by Senators O'Ban and Conway)

AN ACT Relating to ferry district authority; and amending RCW 36.54.120, 36.54.130, and 36.54.135.

Referred to Committee on Transportation.

SB 5433 by Senators Miloscia, Angel, Sheldon, Padden and Fortunato

AN ACT Relating to informed decision making for death with dignity decisions; and amending RCW 70.245.010, 70.245.040, and 70.245.220.

Referred to Committee on Health Care & Wellness.

ESSB 5465 by Senate Committee on Law & Justice (originally sponsored by Senators Miloscia, Hasegawa, Rolfes, O'Ban, Darneille, Angel and Frockt)

AN ACT Relating to creating an office of the corrections ombuds; and adding a new chapter to Title 43 RCW.

Referred to Committee on Public Safety.

2SSB 5475 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Baumgartner, Rivers, Takko, King, Sheldon, Bailey, Ericksen, Angel, Honeyford, Miloscia, Becker, Braun, Hobbs and Schoesler)

AN ACT Relating to providing a business and occupation tax exemption for manufacturers of small modular reactors; adding a new section to chapter 82.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Technology & Economic Development.

SB 5490 by Senators O'Ban, Pedersen, Hunt and Darneille

AN ACT Relating to notification requirements for the department of social and health services; and amending RCW 26.44.100, 43.20B.430, 43.20B.435, 43.20B.635, and 74.20A.320.

Referred to Committee on Early Learning & Human Services.

SSB 5533 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Rossi, Baumgartner, Fortunato, Braun, Brown, Wilson, Becker, Padden and Angel)

AN ACT Relating to prohibiting contributions to and independent expenditures for gubernatorial candidates; amending RCW 42.17A.405; reenacting and amending RCW 42.17A.005; and providing for submission of this act to a vote of the people.

Referred to Committee on Labor & Workplace Standards.

3SSB 5558 by Senate Committee on Ways & Means (originally sponsored by Senators Darneille, O'Ban and Angel)

AN ACT Relating to issuing a two-year identicaid for offenders released from prison facilities; amending RCW 46.20.117 and 46.20.117; adding a new section to chapter 72.09 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Public Safety.

ESSB 5620 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Mullet and Palumbo)

AN ACT Relating to transportation network companies; amending RCW 48.177.010, 51.12.020, 46.72.010, 46.74.020, and 50.04.100; reenacting and amending RCW 42.56.270 and 43.79A.040; adding a new chapter to Title 46 RCW; recodifying RCW 48.177.010; and repealing RCW 48.177.005.

Referred to Committee on Labor & Workplace Standards.

ESB 5647 by Senators Honeyford, Takko, Schoesler and Saldaña

AN ACT Relating to creating a low-income home rehabilitation revolving loan program; reenacting and amending RCW 43.79A.040; and adding new sections to chapter 43.330 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

ESSB 5659 by Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Hawkins, Schoesler and Warnick)

AN ACT Relating to the eligibility of emergency medical technicians employed by public hospital districts for membership in the law enforcement officers' and firefighters' retirement system; amending RCW 41.26.030; and creating new sections.

Referred to Committee on Appropriations.

SB 5762 by Senators Hunt, Short and Sheldon

AN ACT Relating to financing of the mercury-containing light stewardship program; and amending RCW 70.275.050, 70.275.040, 70.275.130, and 43.131.422.

Referred to Committee on Environment.

SB 5793 by Senators Warnick and Chase

AN ACT Relating to an assessment on cattle; and amending RCW 16.67.120.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills listed on the day's introduction sheet and supplemental introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of ENGROSSED SENATE BILL NO. 5023 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 5023, by Senators Wellman, Rolfes, Nelson, McCoy, Carlyle, Frockt, Palumbo, Lias, Billig, Hunt, Keiser, Pedersen, Conway, Saldaña, Darneille, Hasegawa, Chase, Mullet and Kuderer

Delaying implementation of revisions to the school levy lid. (REVISED FOR ENGROSSED: Changing provisions relating to school district excess levies.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton, Harris, Reeves, Manweller, Sullivan, Steele and Buys spoke in favor of the passage of the bill.

Representative Taylor and Kristiansen spoke against the passage of the bill.

COLLOQUY

Representative Harris: "ESB 5023 extends the school district levy authorization for calendar year 2018 and imposes new requirements. The bill language refers to "levies for maintenance and operation support." However, a general cross reference to RCW 84.52.053 could be interpreted to impose these requirements on two other sources of district funding that statute also contains: capital levies and the transportation levies.

Is it the intent to expand the new requirements in ESB 5023 to cover school district capital levies and transportation levies?"

Representative Sullivan: "No. The provisions of Section 2(13) and (14) and Section 3(10) and (11) of ESB 5023 do not apply to capital levies and transportation levies. ESB 5023 only amends the state law dealing with maintenance and operating levies. It is focused on amendments to RCW 84.52.0531 (see first line of Sec. 2 and see first line of Sec. 3)."

MOTION

On motion of Representative Hayes, Representative Johnson was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5023.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5023, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dye, Kristiansen, McCaslin, Orcutt, Pike, Schmick, Shea and Taylor.

Excused: Representative Johnson.

ENGROSSED SENATE BILL NO. 5023, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., March 10, 2017, the 61st Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTY FIRST DAY

House Chamber, Olympia, Friday, March 10, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2017-4624, by Representative Kirby

WHEREAS, Melanie Dressel was born to Bob and Phyllis LaPlant on September 2, 1952, in Colville, Washington; and

WHEREAS, She learned the importance of family, hard work, and community while working in her family's jewelry shop; and

WHEREAS, After graduating from Colville High School, she attended the University of Washington and graduated with a degree in Political Science; and

WHEREAS, Her family values took her off of a path towards politics and into the world of banking; and

WHEREAS, She raised two boys with her best friend and husband, Robert (Bob) Dressel Jr., and despite their busy schedules, the family had dinner together every night; and

WHEREAS, She was a compassionate and strong leader that rose above stereotypes that limited women in the banking industry; and

WHEREAS, Female representation in business and entrepreneurship was important to her, and she mentored several aspiring female entrepreneurs; and

WHEREAS, As the CEO of Columbia Bank, she led the bank during its growth into the second largest Washington-based banking company by market value; and

WHEREAS, She cared about each and every employee and the importance of community was felt by those who worked with her; and

WHEREAS, Melanie's mission in life was to support the welfare of others through her philanthropy and volunteer work; and

WHEREAS, Melanie served as Chair of the Boards of Mary Bridge Children's Foundation, Bellarmine Preparatory School, and Tacoma/Pierce County Chamber of Commerce; and

WHEREAS, Melanie further volunteered her time and served on the boards and executive committees for

various organizations, including the Tacoma Art Museum and the United Way of Pierce County; and

WHEREAS, Melanie was a pillar in her community and the rock of her family; and

WHEREAS, Melanie Dressel passed away unexpectedly at the age of 64 leaving behind her husband, two sons, two daughters-in-law, and two grandchildren;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the life and accomplishments of Melanie Dressel; and

BE IT FURTHER RESOLVED, That the House of Representatives commend Melanie's dedication to her family, her entrepreneurial spirit, and her philanthropic pursuits; and

BE IT FURTHER RESOLVED, That the House of Representatives acknowledge Melanie's contributions to the city of Tacoma, Pierce County, and the State of Washington.

There being no objection, HOUSE RESOLUTION NO. 4624 was adopted

HOUSE RESOLUTION NO. 2017-4625, by Representative Wilcox

WHEREAS, Ed Bergh was born in Queens, New York, on February 26, 1952; and

WHEREAS, Ed and his family lived in several places throughout the United States before settling in Bellevue, Washington; and

WHEREAS, Ed attended and graduated from Newport High School and went on to earn a political science degree from Western Washington University, graduating in 1973; and

WHEREAS, Ed began his teaching career at Yelm High School in 1974, where he taught Current World History, Current World Problems, and American Government; and

WHEREAS, Soon thereafter, Ed met and fell in love with a young Evergreen College student named Melissa, who moved in next door to him; and

WHEREAS, Ed and Melissa were married within a year of dating; and

WHEREAS, Ed continued teaching grades 9-12 for 42 years until his retirement in November 2016; and

WHEREAS, Ed was always overwhelmingly identified by Yelm High School's graduating seniors as the

teacher who had the greatest impact on their lives due to his passion, creativity, commitment to excellence, tough standards, and their own personal growth; and

WHEREAS, Ed insisted on his students educating themselves on a subject before examining the pros and cons of a particular policy choice; and

WHEREAS, Ed had credibility with his students, not only due to his depth of knowledge, but because of his ability to be a neutral moderator, allowing each side to express themselves, only intervening to clarify and direct; and

WHEREAS, Ed often referred to a study revealing that students who discussed political issues in high school were more likely to be voters, and always kept a stack of voter registration cards in his class; and

WHEREAS, Ed's students studied apartheid in South Africa, the unrest in Central America, the Iranian Revolution and ensuing hostage crisis, the nuclear arms race, the Israeli-Palestinian dispute, physician-assisted suicide, energy policy, Haiti, the death penalty, the U.S. budget, the Clinton impeachment, education reform, sexual harassment, Supreme Court nominations and court decisions, Watergate, and every presidential administration since Gerald Ford; and

WHEREAS, Ed had his classes follow the Washington State Legislature, debating and voting on bills before the governing body; and

WHEREAS, Ed often brought guests into the classroom to speak to his students, including school administrators, state legislators, U.S. representatives, and refugees from Bosnia and the civil war in El Salvador; and

WHEREAS, Ed believed personal contact between decision-makers and students helped make politics more personal, allowing students to assert themselves by asking questions and offering opinions; and

WHEREAS, Ed modeled parts of the civil life: Knowledge, discussion, and decision in a spirit of cordiality, and his students learned that disagreement was inevitable and to be tolerant of the opinions of others; and

WHEREAS, In 1994, Ed received the Barbara Thomas Scholarship for Innovative Teachers from the Washington State School Directors' Association; and

WHEREAS, In 2009, Ed received National Board Certification for excellence in teaching; in 2012, he was named Washington State Legislative Civic Educator of the Year; and in 2014, he was named National History Teacher of the Year by the Gilder Lehrman Institute of American History; and

WHEREAS, Ed infused his work with infectious joy and humor, extraordinary patience, and courage and enthusiasm; and

WHEREAS, Ed dedicated his life and career to the small town of Yelm and to two-and-a-half generations of children; and

WHEREAS, Every student, parent, colleague, and friend who knew Ed are grateful for his steadfast dedication to his students and community, and deeply mourn his passing;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Ed Bergh's distinguished career of public school service and the lasting impact he left on his students and the community he served and loved.

There being no objection, HOUSE RESOLUTION NO. 4625 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2145 by Representatives Frame, Robinson, Farrell, Jinkins, Santos, Doglio, Macri, Dolan, Bergquist, Sells, Pollet, Sawyer, Wylie, Ryu, Appleton, Chapman, Gregerson, Cody, Kirby, Stonier, Riccelli, Fitzgibbon, Kloba, Peterson, Fey, Slatter, Tharinger, Stanford, Ortiz-Self and Orwall

AN ACT Relating to honoring the legislature's intent to create and retain local jobs through incentives provided to the aerospace industry by redirecting those incentives to other job creating opportunities if the number of aerospace jobs continue to decline; amending RCW 82.04.4461 and 82.32.534; amending 2013 3rd sp.s. c 2 s 1 (uncodified); reenacting and amending RCW 82.04.260; adding new sections to chapter 82.32 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 43.135 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2146 by Representatives DeBolt and Condotta

AN ACT Relating to honoring the legislature's intent to create and retain local jobs through incentives provided to the aerospace industry by redirecting those incentives to other job creating opportunities if the number of aerospace jobs continues to decline; amending RCW 82.04.4461 and 82.32.534; amending 2013 3rd sp.s. c 2 s 1 (uncodified); reenacting and amending RCW 82.04.260; adding new sections to chapter 82.32 RCW; adding a new section to chapter 28A.700 RCW; adding new sections to chapter 50.20 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 43.135 RCW; creating new sections; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Finance.

HB 2147 by Representatives Pellicciotti, Irwin, Kilduff, Kloba, Goodman, Clibborn, Sells, Lovick,

Reeves, Harmsworth, Graves, Springer, Stanford, Ryu, Pollet, Orwall, Senn, Sullivan, Dolan, Muri, Orcutt, Hargrove, Farrell, Macri and Santos

AN ACT Relating to taxpayer relief for persons subject to a motor vehicle excise tax imposed by a regional transit authority; amending RCW 81.104.160 and 82.44.035; and declaring an emergency.

Referred to Committee on Transportation.

HB 2148 by Representatives Reeves, Kilduff, Springer, Farrell, Clibborn, Pellicciotti, Frame, Ryu, Tarleton, Sawyer, Kirby, Stonier, Lovick, Stanford, Pollet, Orwall, Senn, Goodman, Dolan, Muri, Macri and Santos

AN ACT Relating to establishing a regional transit authority rebate program for low-income individuals; adding a new section to chapter 81.112 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 2149 by Representatives Lovick, Harmsworth, Reeves, Farrell, Clibborn, Sullivan, Springer, Pellicciotti, Chapman, Sells, Ortiz-Self, Kilduff, Riccelli, Sawyer, Kirby, Tarleton, Stanford, Jenkins, Ryu, Pollet, Goodman, Dolan, Muri, Orcutt, Hargrove, Macri and Santos

AN ACT Relating to requiring a taxpayer accountability statement to be included with regional transit authority motor vehicle excise taxes; amending RCW 81.104.190; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 2150 by Representatives Kloba, Harmsworth, Reeves, Farrell, Rodne, Kirby, Pellicciotti, Kilduff, Orcutt, Young, Springer, Stanford, Jenkins, Ryu, Pollet, Goodman, Dolan, Slatter, Muri, Graves, Hargrove, Macri and Santos

AN ACT Relating to requiring a taxpayer accountability statement to be included with regional transit authority property taxes; adding a new section to chapter 36.29 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 2151 by Representatives Kilduff, Muri, Farrell, Young, Lovick, Reeves, Pellicciotti, Kloba, Frame, Springer, Stanford, Jenkins, Ryu, Pollet, Senn, Dolan, Robinson, Macri and Santos

AN ACT Relating to prioritizing transit agency integration for regional mobility grants in counties with a population of seven hundred thousand or more;

amending RCW 47.66.030; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

SSB 5014 by Senate Committee on Ways & Means (originally sponsored by Senators Pearson, Hobbs and Chase)

AN ACT Relating to calculating the benchmark rate for certain community residential services; adding a new section to chapter 71A.12 RCW; and creating a new section.

Referred to Committee on Appropriations.

SSB 5016 by Senate Committee on Transportation (originally sponsored by Senators Hobbs, Rivers and Warnick)

AN ACT Relating to deficiency claims after auction of a private property vehicle impound; and amending RCW 46.55.140.

Referred to Committee on Transportation.

SB 5070 by Senators Rivers, Mullet, Braun, Hobbs and Rolfes

AN ACT Relating to paraeducators; amending RCW 28A.630.400, 28A.150.203, 28A.410.062, and 28B.50.891; adding a new section to chapter 28A.410 RCW; and creating new sections.

Referred to Committee on Education.

SSB 5100 by Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Wilson, Angel, Zeiger and Darneille)

AN ACT Relating to financial literacy information for students at institutions of higher education; and amending RCW 28B.76.502.

Referred to Committee on Higher Education.

SSB 5104 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban and Wellman)

AN ACT Relating to the creation of a property tax exemption for spouses of military members or first responders killed in the line of duty; amending RCW 84.36.385 and 84.36.387; adding a new section to chapter 84.36 RCW; and creating a new section.

Referred to Committee on Finance.

ESSB 5145 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Liias and Walsh)

AN ACT Relating to equalizing differences between the liquor industries regarding certain sales of alcohol carrying a private label; and amending RCW 66.28.310, 66.24.145, and 66.24.630.

Referred to Committee on Commerce & Gaming.

SSB 5154 by Senate Committee on Transportation (originally sponsored by Senators Fain, Hobbs, Liias, Zeiger, Billig, Wilson and Kuderer)

AN ACT Relating to driver's license formats for persons approaching twenty-one years of age; amending RCW 46.20.105; and providing an effective date.

Referred to Committee on Transportation.

2SSB 5201 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille and Zeiger)

AN ACT Relating to individuals receiving both employment and community access services; amending RCW 71A.12.290; and creating a new section.

Referred to Committee on Early Learning & Human Services.

SSB 5233 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Mullet, Palumbo, Rivers and Wilson)

AN ACT Relating to defining the independent contractor status of certain interpreters and translators; adding a new section to chapter 50.04 RCW; and adding a new section to chapter 51.12 RCW.

Referred to Committee on Labor & Workplace Standards.

ESSB 5256 by Senate Committee on Law & Justice (originally sponsored by Senators Fain, Pedersen, Zeiger, Palumbo, Miloscia, Frockt, Darneille, Chase, Kuderer and Hunt)

AN ACT Relating to sexual assault protection orders; and amending RCW 7.90.120, 7.90.121, and 7.90.170.

Referred to Committee on Judiciary.

ESB 5280 by Senators Honeyford, Rivers, Becker, Sheldon, Brown, Angel, Miloscia, Warnick, Padden, Bailey and Wilson

AN ACT Relating to making crimes and threats against persons because of their occupation as a law enforcement officer a hate crime; amending RCW 9A.36.078, 9A.36.080, 9A.46.060, 9A.36.031, and 36.28A.030; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

SSB 5327 by Senate Committee on Law & Justice (originally sponsored by Senators Angel and Padden)

AN ACT Relating to court clerks; and amending RCW 2.32.050, 26.09.231, and 36.23.110.

Referred to Committee on Judiciary.

SB 5336 by Senators Miloscia, Hunt, Zeiger, Kuderer, Wellman and Fortunato

AN ACT Relating to criminalizing damaging, destroying, tampering, or removing ballot return boxes or contents; amending RCW 9A.48.070, 9A.48.080, and 29A.84.540; and prescribing penalties.

Referred to Committee on Public Safety.

2SSB 5342 by Senate Committee on Ways & Means (originally sponsored by Senators King, Takko, Pearson and Pedersen)

AN ACT Relating to the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements; and amending RCW 7.84.100.

Referred to Committee on Appropriations.

SB 5448 by Senators Rivers, Chase, Zeiger, Walsh, Miloscia, Fain, Warnick and Becker

AN ACT Relating to no required psychotropic medication use for students; amending RCW 26.44.050; and adding a new section to chapter 28A.320 RCW.

Referred to Committee on Education.

SB 5536 by Senator Fortunato

AN ACT Relating to providing funding for the hunter education training program operated by the department of fish and wildlife through the issuance of national rifle association special license plates; amending RCW 77.15.425; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.425; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5543 by Senators Padden and Baumgartner

AN ACT Relating to a reexamination of the classification of land in flood control districts; amending RCW 86.09.418; and adding a new section to chapter 86.09 RCW.

Referred to Committee on Local Government.

SB 5614 by Senators Darneille, Hasegawa and Kuderer

AN ACT Relating to diversion agreements and counsel and release agreements by modifying the conditions under which both may be entered into and mandating eligibility for automatic destruction; and amending RCW 13.40.070 and 13.50.270.

Referred to Committee on Early Learning & Human Services.

SSB 5633 by Senate Committee on Law & Justice (originally sponsored by Senators Palumbo, Rossi, Angel, Pedersen, O'Ban, Wilson, Zeiger and Padden)

AN ACT Relating to changing the definition of theft; and amending RCW 9A.56.020.

Referred to Committee on Public Safety.

ESSB 5645 by Senate Committee on State Government (originally sponsored by Senator Honeyford)

AN ACT Relating to withdrawal of candidacy; and amending RCW 29A.24.131.

Referred to Committee on State Government, Elections & Information Technology.

SB 5662 by Senator Zeiger

AN ACT Relating to professional educator standards board membership; and amending RCW 28A.410.200.

Referred to Committee on Education.

SSB 5712 by Senate Committee on Ways & Means (originally sponsored by Senators Zeiger, Frockt, Saldaña, Warnick, Fain, Walsh, Bailey, Hawkins, Baumgartner, Braun, Schoesler, Hasegawa, Billig, Mullet, Rolfes, Chase and Kuderer)

AN ACT Relating to developing a bilingual educational workforce; adding a new section to chapter 28A.180 RCW; and creating new sections.

Referred to Committee on Education.

SSB 5770 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators McCoy, Darneille, Saldaña and Hunt)

AN ACT Relating to transfer of jurisdiction from a tribe in dependency cases involving Indian children; and amending RCW 13.38.080.

Referred to Committee on Community Development, Housing & Tribal Affairs.

ESSB 5797 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Mullet, Fain and Hobbs)

AN ACT Relating to the services and processes available when residential real property is abandoned or in foreclosure; amending RCW 61.24.173 and 61.24.040; and adding new sections to chapter 61.24 RCW.

Referred to Committee on Judiciary.

ESB 5800 by Senator Baumgartner

AN ACT Relating to obligations of mental health professionals; and adding a new section to chapter 7.70 RCW.

Referred to Committee on Judiciary.

ESSB 5808 by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senators Warnick, Chase, Walsh, Brown, Becker, Short and Bailey)

AN ACT Relating to agritourism; and adding a new chapter to Title 15 RCW.

Referred to Committee on Judiciary.

SB 5813 by Senator Padden

AN ACT Relating to crimes against minors; amending RCW 9A.40.100, 9.68A.070, 9.68A.050, and 9.68A.060; and prescribing penalties.

Referred to Committee on Public Safety.

SSB 5833 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Frockt, Braun, Fain, Angel and Hunt)

AN ACT Relating to the minimum retirement allowance under the teachers' retirement system, plan 1; and amending RCW 41.32.4851.

Referred to Committee on Appropriations.

SSB 5835 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Baumgartner, Fain, Conway, Cleveland, Rivers, Kuderer, Braun, Rossi, Hasegawa, Hunt and Saldaña)

AN ACT Relating to promoting healthy outcomes for pregnant women and infants; amending RCW 74.09.480; adding a new section to chapter 74.09 RCW; adding a new section to chapter 43.10 RCW; adding a new section to chapter 43.70 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Workplace Standards.

SCR 8401 by Senators Bailey, Rolfes, Hasegawa, Chase, Rivers, Zeiger, Keiser, Saldaña and Kuderer

Approving the 2016 state comprehensive plan for workforce training and education.

Referred to Committee on Higher Education.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., March 13, 2017, the 64th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTY FOURTH DAY

House Chamber, Olympia, Monday, March 13, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

March 10, 2017

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 5023,
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

ENGROSSED SENATE BILL NO. 5023

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READINGSB 5146 by Senators Liias, King and Hobbs

AN ACT Relating to job order contracts and procedure; amending RCW 39.10.420; and reenacting and amending RCW 43.131.408.

Referred to Committee on Capital Budget.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 9, 2017

HB 1403

Prime Sponsor, Representative Short: Encouraging job creation and retention in rural economies through the transparent and accountable provision of targeted tax relief for silicon smelters. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

Passed to Committee on Finance.

March 9, 2017

HB 1497

Prime Sponsor, Representative Walsh, J.: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants to convert to natural gas-fired plants or biomass energy facilities. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Manweller; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Doglio and Hudgins.

Passed to Committee on Finance.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the following bills listed on the day's floor calendar were returned to the Committee on Rules:

HOUSE BILL NO. 1047
HOUSE BILL NO. 1052
HOUSE BILL NO. 1065
HOUSE BILL NO. 1076
HOUSE BILL NO. 1137
HOUSE BILL NO. 1144
HOUSE BILL NO. 1219
HOUSE BILL NO. 1225
HOUSE BILL NO. 1268
HOUSE BILL NO. 1272
HOUSE BILL NO. 1299
HOUSE BILL NO. 1303
HOUSE BILL NO. 1305
HOUSE BILL NO. 1315
HOUSE BILL NO. 1317
HOUSE BILL NO. 1394
HOUSE BILL NO. 1410
HOUSE BILL NO. 1535
HOUSE BILL NO. 1544
HOUSE BILL NO. 1633
HOUSE BILL NO. 1692

HOUSE BILL NO. 1700
HOUSE BILL NO. 1707
HOUSE BILL NO. 1731
HOUSE BILL NO. 1743
HOUSE BILL NO. 1752
HOUSE BILL NO. 1812
HOUSE BILL NO. 1823
HOUSE BILL NO. 1912
HOUSE BILL NO. 1958
HOUSE BILL NO. 1984
HOUSE BILL NO. 1987
HOUSE BILL NO. 1999
HOUSE BILL NO. 2018
HOUSE BILL NO. 2028

HOUSE JOINT MEMORIAL NO. 4007
HOUSE CONCURRENT RESOLUTION NO. 4402
ENGROSSED SENATE BILL NO. 5023

There being no objection, the House adjourned until 9:55 a.m., March 14, 2017, the 65th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTY FIFTH DAY

House Chamber, Olympia, Tuesday, March 14, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION**HOUSE RESOLUTION NO. 2017-4626, by Representative Pettigrew**

WHEREAS, Spencer Haywood was born on April 22, 1949, in Silver City, Mississippi and grew up in rural poverty with nine siblings; and

WHEREAS, As a teenager, Haywood moved from Mississippi to Chicago, and then to Detroit in order to find greater opportunity; and

WHEREAS, Haywood began his successful basketball career by leading Pershing High School's team to the state championship, and continued his basketball success while playing for Trinidad Junior College and the University of Detroit; and

WHEREAS, In the 1969-70 ABA season, Haywood was named the Rookie of the Year and most valuable player (MVP), making him the youngest recipient of the MVP award; and

WHEREAS, Haywood went on to compete and win a gold medal with the 1968 USA Olympic basketball team; and

WHEREAS, In 1970, despite the NBA's then-existing rule requiring a player to be four years out of high school before joining the league, Haywood joined the Seattle SuperSonics and, with SuperSonics owner Sam Schulman, launched an antitrust lawsuit against the NBA in the case *Haywood vs. National Basketball Association* arguing that the four-year rule infringed on Haywood's right to make a living; and

WHEREAS, After the NBA threatened punitive actions, Spencer Haywood filed the case *Haywood vs. NBA* and it went all the way to the United States Supreme Court before the NBA agreed to a settlement; and

WHEREAS, The settlement in *Haywood vs. NBA* resulted in the Early Entry rule, also called the Spencer Haywood Rule, which revolutionized professional basketball by pioneering a path to the professional ranks for high school graduates; and

WHEREAS, Haywood used his talents to support his family and to become one of the most distinguished players in the history of the Seattle SuperSonics; and

WHEREAS, Haywood led the Seattle SuperSonics to their first ever playoff appearance, made four NBA All-Star Teams, and won an NBA Title towards the end of his career; and

WHEREAS, Haywood averaged 24.9 points and 12.1 rebounds per game with the SuperSonics, and accumulated 14,592 points and 7,038 rebounds over the course of his career;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the life and accomplishments of Spencer Haywood; and

BE IT FURTHER RESOLVED, That the House of Representatives commend Haywood for his contributions to professional basketball, the Seattle SuperSonics, the city of Seattle, and the State of Washington.

There being no objection, HOUSE RESOLUTION NO. 4626 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2152 by Representative Ormsby

AN ACT Relating to fiscal matters.

Referred to Committee on Appropriations.

HB 2153 by Representative Ormsby

AN ACT Relating to fiscal matters.

Referred to Committee on Appropriations.

HB 2154 by Representative Ormsby

AN ACT Relating to state government.

Referred to Committee on Appropriations.

HB 2155 by Representative Ormsby

AN ACT Relating to state government.

Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEESHB 2156 by Representative Ormsby

AN ACT Relating to human services.

Referred to Committee on Appropriations.

HB 2157 by Representative Ormsby

AN ACT Relating to human services.

Referred to Committee on Appropriations.

HB 2158 by Representative Ormsby

AN ACT Relating to health care.

Referred to Committee on Appropriations.

HB 2159 by Representative Ormsby

AN ACT Relating to health care.

Referred to Committee on Appropriations.

HB 2160 by Representative Ormsby

AN ACT Relating to natural resources.

Referred to Committee on Appropriations.

HB 2161 by Representative Ormsby

AN ACT Relating to education.

Referred to Committee on Appropriations.

HB 2162 by Representative Ormsby

AN ACT Relating to education.

Referred to Committee on Appropriations.

HB 2163 by Representative Ormsby

AN ACT Relating to revenue.

Referred to Committee on Finance.

HB 2164 by Representative Ormsby

AN ACT Relating to revenue.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

HB 1422

March 9, 2017
Prime Sponsor, Representative Blake:
Creating the Washington rural jobs act.
Reported by Committee on Technology &
Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

Passed to Committee on Finance.

HB 1466

March 9, 2017
Prime Sponsor, Representative Blake:
Extending the expiration date of the public utility tax exemption for certain electrolytic processing businesses. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

Passed to Committee on Finance.

HB 1894

March 9, 2017
Prime Sponsor, Representative Sullivan:
Reinstating tax preferences for certain high-technology research and development. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

Passed to Committee on Finance.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:00 a.m., March 15, 2017, the 66th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTY SIXTH DAY

House Chamber, Olympia, Wednesday, March 15, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Simon Lee and Rebecca Giacomazzi. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Mark Suko, Discovery Baptist Church, Gig Harbor, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) recognized former Seattle Supersonic Spencer Haywood, honored by House Resolution 4626 and asked the members to acknowledge him.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2165 by Representatives Harris, Cody, Pollet, Doglio, Kagi, Ryu and Slatter

AN ACT Relating to vapor products, e-cigarettes, and nicotine products taxation; amending RCW 66.08.145, 66.44.010, 82.24.510, 82.24.550, 82.26.060, 82.26.080, 82.26.150, 82.26.220, 82.32.300, and 43.06.450; adding new sections to chapter 43.06 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 82 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

SB 5091 March 14, 2017
Prime Sponsor, Senator Takko: Removing expiration dates, obsolete dates, and an

outdated statutory reference from the enforcement provisions of the underground utility damage prevention act. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter; Steele and Wylie.

Referred to Committee on Rules for second reading.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was referred to the committee so designated.

There being no objection, the House advanced to the seventh order of business.

MESSAGE FROM THE SENATE

March 1, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2106 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that the prohibition on the use of public resources for campaign purposes serves an important purpose, but that the period prohibiting state legislators from communicating with constituents at public expense is unnecessary once the election, and the campaign itself, has ended. Furthermore, the delay in constituent outreach after the election only hinders a legislator's ability to quickly and effectively respond to requests and keep the public informed about current state issues, and the various deadlines relating to mailed, emailed, and web site communications are confusing and need to be harmonized. For these reasons, the legislature intends to change mailed, emailed, and web site communication deadlines to the same time periods, in order to allow legislators to

actively engage with the public on official legislative business in a timely and effective manner.

Sec. 2. RCW 42.52.180 and 2011 c 60 s 30 are each amended to read as follows:

(1) No state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources in violation of this section constitutes a violation of this section. Facilities of an agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

(2) This section shall not apply to the following activities:

(a) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition as long as (i) required notice of the meeting includes the title and number of the ballot proposition, and (ii) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(b) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry. For the purposes of this subsection, it is not a violation of this section for an elected official to respond to an inquiry regarding a ballot proposition, to make incidental remarks concerning a ballot proposition in an official communication, or otherwise comment on a ballot proposition without an actual, measurable expenditure of public funds. The ethics boards shall adopt by rule a definition of measurable expenditure;

(c) The maintenance of official legislative web sites throughout the year, regardless of pending elections.

The web sites may contain any discretionary material which was also specifically prepared for the legislator in the course of his or her duties as a legislator, including newsletters and press releases. The official legislative web sites of legislators seeking reelection or election to any office shall not be altered ((between June 30th and November 15th)), other than during a special legislative session, beginning on the first day of the declaration of candidacy filing period specified in RCW 29A.24.050 through the date of certification of the general election of the election year. The web site shall not be used for campaign purposes;

(d) Activities that are part of the normal and regular conduct of the office or agency; and

(e) De minimis use of public facilities by statewide elected officials and legislators incidental to the preparation or delivery of permissible communications, including written and verbal communications initiated by them of their views on ballot propositions that foreseeably may affect a matter that falls within their constitutional or statutory responsibilities.

(3) As to state officers and employees, this section operates to the exclusion of RCW 42.17A.555.

Sec. 3. RCW 42.52.185 and 2011 c 60 s 31 are each amended to read as follows:

(1) During the ((~~twelve-month~~)) period beginning on December 1st of the year before a general election for a state legislator's election to office and continuing through ((~~November 30th immediately after~~)) the date of certification of the general election, the legislator may not mail, either by regular mail or ((~~electronic mail~~)) email, to a constituent at public expense a letter, newsletter, brochure, or other piece of literature, except for routine legislative correspondence, such as scheduling, and as follows:

(a) The legislator may mail two mailings of newsletters to constituents. All newsletters within each mailing of newsletters must be identical as to their content but not as to the constituent name or address. ((~~One such mailing may be mailed no later than thirty days after the start of a regular legislative session, except that a legislator appointed during a regular legislative~~))

~~session to fill a vacant seat may have up to thirty days from the date of appointment to send out the first mailing. The other)) Both mailings ((may)) must be mailed ((no later than sixty days after the end of a regular legislative session)) before the first day of the declaration of candidacy filing period specified in RCW 29A.24.050.~~

(b) The legislator may mail an individual letter to (i) an individual constituent who has contacted the legislator regarding the subject matter of the letter during the legislator's current term of office; (ii) an individual constituent who holds a governmental office with jurisdiction over the subject matter of the letter; or (iii) an individual constituent who has received an award or honor of extraordinary distinction of a type that is sufficiently infrequent to be noteworthy to a reasonable person, including, but not limited to: (A) An international or national award such as the Nobel prize or the Pulitzer prize; (B) a state award such as Washington scholar; (C) an Eagle Scout award; and (D) a Medal of Honor.

(c) In those cases where constituents have specifically indicated that they would like to be contacted to receive regular or periodic updates on legislative matters or been added to a distribution list and provided regular opportunities to unsubscribe from that mailing list, legislators may provide such updates by ((electronic mail)) email throughout the legislative session and up until ((thirty days from the conclusion of a legislative session)) the first day of the declaration of candidacy filing period specified in RCW 29A.24.050. Legislators may also provide these updates by email during any special legislative session.

~~(2) ((For purposes of subsection (1) of this section, "legislator" means a legislator who is a "candidate," as defined by RCW 42.17A.005, for any public office.~~

~~(3))~~ A violation of this section constitutes use of the facilities of a public office for the purpose of assisting a campaign under RCW 42.52.180.

~~((4))~~ (3) The house of representatives and senate shall specifically limit expenditures per member for the total cost of mailings.

Those costs include, but are not limited to, production costs, printing costs, and postage costs. The limits imposed under this subsection apply only to the total expenditures on mailings per member and not to any categorical cost within the total.

~~((5))~~ (4) For purposes of this section ~~((7))~~:

(a) "Legislator" means a legislator who is a "candidate," as defined in RCW 42.17A.005, for any public office; and

(b) Persons residing outside the legislative district represented by the legislator are not considered to be constituents, but students, military personnel, or others temporarily employed outside of the district who normally reside in the district are considered to be constituents.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "legislators;" strike the remainder of the title and insert "amending RCW 42.52.180 and 42.52.185; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2106 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Koster and Hudgins spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Riccelli, Representative Appleton was excused.

On motion of Representative Hayes, Representative Young was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2106, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2106, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representative Stambaugh.

Excused: Representatives Appleton and Young.

SUBSTITUTE HOUSE BILL NO. 2106, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1661, by Representatives Kagi, Sullivan, Dent, Senn, Muri, Kilduff, Klippert, Frame, Goodman, Ortiz-Self, Wilcox, Lovick, Hargrove, Clibborn, Lytton, Appleton, Fitzgibbon, Orwall, Kloba, Sells, Fey, Macri, Bergquist, Pollet, Hudgins, Robinson, Stanford and Slatter

Creating the department of children, youth, and families.

The bill was read the second time.

There being no objection Second Substitute House Bill No. 1661 was substituted for House Bill No. 1661 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1661 was read the second time.

Representative Dent moved the adoption of amendment (324):

On page 5, line 17, after "manner." insert "An important role for the department shall be to provide preventative services to help secure and preserve families in crisis."

Representatives Dent and Kagi spoke in favor of the adoption of the amendment.

Amendment (324) was adopted.

Representative Dent moved the adoption of amendment (323):

On page 13, beginning on line 2, after "families;" strike "and

(k)" and insert the following:

"(k) To provide a report to the governor and the appropriate committees of the legislature by November 1, 2019, that includes a description of the current review process for foster licensing decisions and recommendations for expanding or modifying the authority of the office of the family and children's ombuds established in chapter 43.06A RCW to more effectively review foster licensing decisions, or development of a separate, independent process for review of foster licensing decisions; and

(l)"

Representatives Dent and Kagi spoke in favor of the adoption of the amendment.

Amendment (323) was adopted.

Representative Dent moved the adoption of amendment (322):

On page 14, line 17, after "(g)" insert "If final review is requested by a licensee, to review whether department of children, youth, and families' licensors appropriately and consistently applied agency rules in child care facility licensing compliance agreements as defined in section 115 of this act that do not involve a violation of health and safety standards as defined in section 115 of this act in cases that have already been reviewed by the internal review process described in section 115 of this act with the authority to overturn, change, or uphold such decisions;

(h)"

On page 14, at the beginning of line 22, strike "(h)" and insert "(i)"

On page 25, after line 8, insert the following:

"NEW SECTION. **Sec. 115.** (1) The department shall develop an internal review process to determine whether department licensors have appropriately and consistently applied agency rules in child care facility licensing compliance agreements that do not involve a violation of health and safety standards. Adverse licensing decisions including license denial, suspension, revocation, modification, or nonrenewal pursuant to RCW 43.215.300 (as recodified by this act) or imposition of civil fines pursuant to RCW 43.215.307 (as recodified by this act) are not subject to the internal review process in this section, but may be appealed using the administrative procedure act, chapter 34.05 RCW.

(2) The definitions in this subsection apply throughout this section.

(a) "Child care facility licensing compliance agreement" means an agreement issued by the department in lieu of the department taking enforcement action against a child care provider that contains: (i) A description of the violation and the rule or law that was violated; (ii) a statement from the licensee regarding the proposed plan to comply with the rule or law; (iii) the date the violation must be corrected; (iv) information regarding other licensing action that may be imposed if compliance does not occur by the required date; and (v) the signature of the licensor and licensee.

(b) "Health and safety standards" means rules or requirements developed by the department to protect the health and safety of children against substantial risk of bodily injury, illness, or death.

(3) The internal review process shall be conducted by the following six individuals:

(a) Three department employees who may include child care licensors; and

(b) Three child care providers selected by the department from names submitted by the oversight board for children, youth, and families established in section 105 of this act.

(4) The internal review process established in this section may overturn, change, or uphold a department licensing decision by majority vote. In the event that the six individuals conducting the internal review process are equally divided, the secretary shall make the

decision of the internal review process. The internal review process must provide the parties with a written decision of the outcome after completion of the internal review process. A licensee must request a review under the internal review process within ten days of the development of a child care facility licensing compliance agreement and the internal review process must be completed within thirty days after the request from the licensee to initiate the internal review process is received.

(5) A licensee may request a final review by the oversight board for children, youth, and families after completing the internal review process established in this section by giving notice to the department and the oversight board for children, youth, and families within ten days of receiving the written decision produced by the internal review process.

(6) The department shall not develop a child care facility licensing compliance agreement with a child care provider for first-time violations of rules that do not relate to health and safety standards and that can be corrected on the same day that the violation is identified. The department shall develop a procedure for providing a warning and offering technical assistance to providers in response to these first-time violations."

On page 255, line 25, after "109," insert "115,"

On page 256, line 3, after "through" strike "114" and insert "115"

Correct the title.

Representatives Dent and Kagi spoke in favor of the adoption of the amendment.

Amendment (322) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi, Dent, Ortiz-Self, McCabe, Frame, Reeves and Caldier spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1661.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1661, and the bill passed the House by the following vote: Yeas, 77; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford,

Steele, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, Dye, Hayes, Holy, Irwin, Koster, Kretz, Manweller, Maycumber, McCaslin, Schmick, Shea, Smith, Stokesbary, Taylor, Van Werven, Vick, Volz and Wilcox.

Excused: Representatives Appleton and Young.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1661, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:00 a.m., March 16, 2017, the 67th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTY SEVENTH DAY

House Chamber, Olympia, Thursday, March 16, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 14, 2017

SSB 5152 Prime Sponsor, Committee on Health Care:
Concerning pediatric transitional care services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that more than twelve thousand infants born in Washington each year have been prenatally exposed to opiates, methamphetamines, and other drugs. Prenatal drug exposure frequently results in infants suffering from neonatal abstinence syndrome and its accompanying withdrawal symptoms after birth. Withdrawal symptoms may include sleep problems, excessive crying, tremors, seizures, poor feeding, fever, generalized convulsions, vomiting, diarrhea, and hyperactive reflexes. Consequently, the legislature finds that drug exposed infants have unique medical needs and benefit from specialized health care that addresses their withdrawal symptoms. Specialized care for infants experiencing neonatal abstinence syndrome is based on the individual needs of the infant and includes: Administration of intravenous fluids and drugs such as morphine; personalized, hands-on therapeutic care such as gentle rocking, reduction in noise and lights, and swaddling; and frequent high-calorie feedings.

The legislature further finds that drug exposed infants often require hospitalization which burdens hospitals

and hospital staff who either have to increase staffing levels or require current staff to take on additional duties to administer the specialized care needed by drug exposed infants.

The legislature further finds that drug exposed infants benefit from early and consistent family involvement in their care, and families thrive when they are provided the opportunity, skills, and training to help them participate in their child's care.

The legislature further finds that infants with neonatal abstinence syndrome often can be treated in a nonhospital clinic setting where they receive appropriate medical and nonmedical care for their symptoms. The legislature, therefore, intends to encourage alternatives to continued hospitalization for drug exposed infants, including the continuation and development of pediatric transitional care services that provide short-term medical care as well as training and assistance to caregivers in order to support the transition from hospital to home for drug exposed infants.

Sec. 2. RCW 71.12.455 and 2001 c 254 s 1 are each amended to read as follows:

~~((As used in this chapter,))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Establishment" and "institution" mean ~~((and include))~~:

(a) Every private or county or municipal hospital, including public hospital districts, sanitarium, home, or other place receiving or caring for any ~~((mentally ill))~~ person with mental illness, mentally incompetent person, or chemically dependent person; and

(b) Beginning January 1, 2019, facilities providing pediatric transitional care services.

(2) "Trained caregiver" means a noncredentialed, unlicensed person trained by the establishment providing

pediatric transitional care services to provide hands-on care to drug exposed infants. Caregivers may not provide medical care to infants and may only work under the supervision of an appropriate health care professional.

(3) "Department" means the department of health.

(4) "Pediatric transitional care services" means short-term, temporary, health and comfort services for drug exposed infants according to the requirements of this chapter and provided in an establishment licensed by the department of health.

(5) "Secretary" means the secretary of the department of health.

NEW SECTION. Sec. 3. A new section is added to chapter 71.12 RCW to read as follows:

(1) An establishment providing pediatric transitional care services to drug exposed infants must demonstrate that it is capable of providing services for children who:

- (a) Are no more than one year of age;
- (b) Have been exposed to drugs before birth;
- (c) Require twenty-four hour continuous residential care and skilled nursing services as a result of prenatal substance exposure; and
- (d) Are referred to the establishment by the department of social and health services, regional hospitals, and private parties.

(2) After January 1, 2019, no person may operate or maintain an establishment that provides pediatric transitional care services without a license under this chapter.

NEW SECTION. Sec. 4. A new section is added to chapter 71.12 RCW to read as follows:

For the purposes of this chapter, the rules for pediatric transitional care services are not considered as a new department of social and health services service category.

NEW SECTION. Sec. 5. A new section is added to chapter 71.12 RCW to read as follows:

The secretary must, in consultation with the department of social and health services, adopt rules on pediatric

transitional care services. The rules must:

(1) Establish requirements for medical examinations and consultations which must be delivered by an appropriate health care professional;

(2) Require twenty-four hour medical supervision for children receiving pediatric transitional services in accordance with the staffing ratios established under subsection (3) of this section;

(3) Include staffing ratios that consider the number of registered nurses or licensed practical nurses employed by the establishment and the number of trained caregivers on duty at the establishment. These staffing ratios may not require more than:

- (a) One registered nurse to be on duty at all times;
- (b) One registered nurse or licensed practical nurse to eight infants; and
- (c) One trained caregiver to four infants;

(4) Require establishments that provide pediatric transitional care services to prepare weekly plans specific to each infant in their care and in accordance with the health care professional's standing orders. The health care professional may modify an infant's weekly plan without reexamining the infant if he or she determines the modification is in the best interest of the child. This modification may be communicated to the registered nurse on duty at the establishment who must then implement the modification. Weekly plans are to include short-term goals for each infant and outcomes must be included in reports required by the department;

(5) Ensure that neonatal abstinence syndrome scoring is conducted by an appropriate health care professional;

(6) Establish drug exposed infant developmental screening tests for establishments that provide pediatric transitional care services to administer according to a schedule established by the secretary;

(7) Require the establishment to collaborate with the department of social and health services to develop an individualized safety plan for each child and to meet other contractual requirements of the department of social

and health services to identify strategies to meet supervision needs, medical concerns, and family support needs;

(8) Establish the maximum amount of days an infant may be placed at an establishment;

(9) Develop timelines for initial and ongoing parent-infant visits to nurture and help develop attachment and bonding between the child and parent, if such visits are possible. Timelines must be developed upon placement of the infant in the establishment providing pediatric transitional care services;

(10) Determine how transportation for the infant will be provided, if needed;

(11) Establish on-site training requirements for caregivers, volunteers, parents, foster parents, and relatives;

(12) Establish background check requirements for caregivers, volunteers, employees, and any other person with unsupervised access to the infants under the care of the establishment; and

(13) Establish other requirements necessary to support the infant and the infant's family.

NEW SECTION. Sec. 6. A new section is added to chapter 71.12 RCW to read as follows:

After referral by the department of social and health services of an infant to an establishment approved to provide pediatric transitional care services, the department of social and health services:

(1) Retains primary responsibility for case management and must provide consultation to the establishment

regarding all placements and permanency planning issues, including developing a parent-child visitation plan;

(2) Must work with the department and the establishment to identify and implement evidence-based practices that address current and best medical practices and parent participation; and

(3) Work with the establishment to ensure medicaid-eligible services are so billed.

NEW SECTION. Sec. 7. A new section is added to chapter 71.12 RCW to read as follows:

Facilities that provide pediatric transitional care services that are in existence on the effective date of this section are not subject to construction review by the department for initial licensure."

Correct the title.

Signed by Representatives Kagi, Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Kilduff; Klippert; Lovick; McCaslin and Muri.

Referred to Committee on Rules for second reading.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was referred to the committee so designated.

There being no objection, the House adjourned until 9:55 a.m., March 17, 2017, the 68 Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTY EIGHTH DAY

House Chamber, Olympia, Friday, March 17, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Springer presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

HB 1904 March 14, 2017
Prime Sponsor, Representative Smith:
Concerning the sale and taxation of
Washingtonians' personal information and
related data. Reported by Committee on
Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Dolan; Pollet; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta; Stokesbary and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey, Ranking Minority Member.

Referred to Committee on Rules for second reading.

SB 5144 March 15, 2017
Prime Sponsor, Senator Angel: Addressing
the Washington state credit union act.
Reported by Committee on Business &
Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

SB 5177 March 15, 2017
Prime Sponsor, Senator Bailey: Requiring
long-term care workers to be trained to

recognize hearing loss. Reported by
Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.39A.074 and 2012 c 164 s 401 are each amended to read as follows:

(1) (a) (~~Beginning January 7, 2012,~~) Except for long-term care workers exempt from certification under RCW 18.88B.041(1) (a) (~~and, until January 1, 2016, those exempt under RCW 18.88B.041(1) (b))~~), all persons hired as long-term care workers must meet the minimum training requirements in this section within one hundred twenty calendar days after the date of being hired (~~or within one hundred twenty calendar days after March 29, 2012, whichever is later. In computing the time periods in this subsection, the first day is the date of hire or March 29, 2012, whichever is applicable~~)).

(b) Except as provided in RCW 74.39A.076, the minimum training requirement is seventy-five hours of entry-level training approved by the department. A long-term care worker must successfully complete five of these seventy-five hours before being eligible to provide care.

(c) Training required by (d) of this subsection applies toward the training required under RCW 18.20.270 or 70.128.230 or any statutory or regulatory training requirements for long-term care workers employed by community residential service businesses.

(d) The seventy-five hours of entry-level training required shall be as follows:

(i) Before a long-term care worker is eligible to provide care, he or she must complete:

(A) Two hours of orientation training regarding his or her role as caregiver and the applicable terms of employment; and

(B) Three hours of safety training, including basic safety precautions, emergency procedures, and infection control; and

(ii) Seventy hours of long-term care basic training, including training related to:

(A) Core competencies; and

(B) Population specific competencies, including identification of individuals with potential hearing loss and how to seek assistance if hearing loss is suspected.

(2) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors on the competencies and training topics in this section.

(3) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

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

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

March 15, 2017

ESSB 5180 Prime Sponsor, Committee on Health Care: Establishing the legislative advisory committee on aging. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

March 14, 2017

SB 5190 Prime Sponsor, Senator Conway: Concerning the member requirement for

bona fide charitable or nonprofit organizations. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby and Ryu.

Referred to Committee on Rules for second reading.

March 16, 2017

SSB 5272 Prime Sponsor, Committee on Law & Justice: Vacating convictions arising from offenses committed as a result of being a victim of trafficking, promoting prostitution, or promoting commercial sexual abuse of a minor. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member Hayes, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

March 15, 2017

SSB 5322 Prime Sponsor, Committee on Health Care: Concerning agreements between dentists and third parties that provide supportive services to dentists. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Passed to Committee on Appropriations.

March 15, 2017

SB 5391 Prime Sponsor, Senator Zeiger: Clarifying the powers, duties, and functions of the department of veterans affairs. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

March 15, 2017
SB 5413 Prime Sponsor, Senator Cleveland:
 Concerning physician limited licenses.
 Reported by Committee on Health Care &
 Wellness

MAJORITY recommendation: Do pass. Signed by
 Representatives Cody, Chair; Macri, Vice Chair;
 Graves, Assistant Ranking Minority Member; Caldier;
 Clibborn; DeBolt; Harris; Jinkins; MacEwen;
 Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier
 and Tharinger.

MINORITY recommendation: Do not pass. Signed by
 Representative Schmick, Ranking Minority Member.

Referred to Committee on Rules for second reading.

March 15, 2017
SB 5436 Prime Sponsor, Senator Becker: Expanding
 patient access to health services through
 telemedicine by further defining where a
 patient may receive the service. Reported
 by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by
 Representatives Cody, Chair; Macri, Vice Chair;
 Schmick, Ranking Minority Member; Graves, Assistant
 Ranking Minority Member; Caldier; Clibborn; DeBolt;
 Harris; Jinkins; MacEwen; Maycumber; Riccelli;
 Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

March 15, 2017
SSB 5514 Prime Sponsor, Committee on Health Care:
 Concerning rapid health information
 network data reporting. Reported by
 Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by
 Representatives Cody, Chair; Macri, Vice Chair;
 Graves, Assistant Ranking Minority Member; Caldier;
 Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli;
 Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by
 Representatives Schmick, Ranking Minority Member
 and Maycumber.

Referred to Committee on Rules for second reading.

March 14, 2017
SSB 5560 Prime Sponsor, Committee on Commerce,
 Labor & Sports: Creating a special permit
 for certain wine auctions. Reported by
 Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by
 Representatives Sawyer, Chair; Kloba, Vice Chair;
 Condotta, Ranking Minority Member; Vick, Assistant
 Ranking Minority Member; Barkis; Blake; Farrell;
 Jenkin; Kirby and Ryu.

Referred to Committee on Rules for second reading.

March 15, 2017
ESSB 5751 Prime Sponsor, Committee on Health Care:
 Concerning personnel requirements for
 municipal ambulance services. Reported
 by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by
 Representatives Cody, Chair; Macri, Vice Chair;
 Schmick, Ranking Minority Member; Graves, Assistant
 Ranking Minority Member; Caldier; Clibborn; DeBolt;
 Harris; Jinkins; MacEwen; Maycumber; Riccelli;
 Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's
 committee reports under the fifth order of business were
 referred to the committees so designated.

There being no objection, the House adjourned until
 9:55 a.m., March 20, 2017, the 71st Day of the Regular
 Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SEVENTY FIRST DAY

House Chamber, Olympia, Monday, March 20, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4627, by Representative Vick

WHEREAS, It is the policy of the Washington State Legislature to honor excellence in every field of endeavor; and

WHEREAS, For the first time in school history, the Camas Papermakers' Boys Swim Team won the 2017 4A Washington State Swim Championship; and

WHEREAS, On February 10 and 11, 2017, at the 4A district meet, the Papermakers set 18 pool and district records, won every event they entered, and qualified for the boys 4A State Swim Tournament; and

WHEREAS, On February 17 and 18, 2017, at the State Championship Meet, the Papermakers put on a dominant performance to win the state title, scoring 302 points, which was 96 more than the second place team; and

WHEREAS, At the State Meet, the Papermakers' Swim Team had a tremendous weekend of improved times; great team camaraderie; and fast swimming, with strong support from families, friends, and students; and

WHEREAS, The team showed strong unity, determination, and dedication to achieve their season long goal of bringing home the 4A state trophy, something that has never been done by a school south of Tacoma; and

WHEREAS, Swimmer Mark Kim won the 200 and 500 meter freestyle races, Tom Utas took first in the 50 meter freestyle, and Mark Kim, Eric Wu, Jaden Kim, and Tom Utas earned a victory in the 200 freestyle relay; and

WHEREAS, The Camas High School Boys 4A Swim Team State Championship participants were: Luke Albert, Jeff Fadlovich, Tom Utas, Finn McClone, Mark Kim, Chris Xia, Brian Andrade, Jaden Kim, Eric Wu, and Austin Fogel; and

WHEREAS, The Papermakers' coach and 4A Boys coach of the year, Mike Bemis, acknowledged that this team's title is a testament to both his current squad as well as past swimmers who helped set up the Papermakers' success; and

WHEREAS, The Camas Papermakers' swimmers have exemplified to their classmates the success that is possible in any field of endeavor when clear goals are established and when persistent effort is made toward those goals;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor and congratulate the Camas High School Boys Swim Team for their hard work, dedication, and sacrifice in achieving this significant accomplishment; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to coach Mike Bemis and Camas High School.

There being no objection, HOUSE RESOLUTION NO. 4627 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2166 by Representatives Harmsworth, Hargrove and Muri

AN ACT Relating to nullifying the imposition of certain taxes within regional transit authority boundaries; amending RCW 81.104.150, 81.104.160, 81.104.170, and 81.104.175; adding a new section to chapter 81.112 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 2167 by Representatives Harmsworth, Hargrove and Muri

AN ACT Relating to nullifying the imposition of certain taxes within regional transit authority boundaries; amending RCW 81.104.175; adding a new section to chapter 81.112 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 2168 by Representatives Harmsworth, Rodne, Irwin, Graves, Orcutt, Pike, McDonald, Hargrove, Stambaugh and Muri

AN ACT Relating to the administration of motor vehicle excise taxes by regional transit authorities;

amending RCW 82.44.135, 81.104.160, 82.44.035, and 81.104.190; and declaring an emergency.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 16, 2017

SB 5030 Prime Sponsor, Senator Darneille:
Concerning human trafficking,
prostitution, and commercial sexual abuse
of a minor. Reported by Committee on
Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** (1) Because of the serious nature of human trafficking related offenses, and the power, control, and exploitation exerted over victims, the legislature finds the statute of limitations on these offenses should be extended. Victims are often under the control of their trafficker for significant periods of time and may not be willing or able to report their perpetrator until they are free from their control.

(2) The legislature finds that statutes governing commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, and promoting prostitution should be consistent with all human trafficking related statutes, and reflect the practical reality of the crimes, which often involve an exchange of drugs or gifts for the commercial sex act.

Sec. 2. RCW 9A.04.080 and 2013 c 17 s 1 are each amended to read as follows:

(1) Prosecutions for criminal offenses shall not be commenced after the periods prescribed in this section.

(a) The following offenses may be prosecuted at any time after their commission:

- (i) Murder;
- (ii) Homicide by abuse;

(iii) Arson if a death results;

(iv) Vehicular homicide;

(v) Vehicular assault if a death results;

(vi) Hit-and-run injury-accident if a death results (RCW 46.52.020(4)).

(b) Except as provided in (c) of this subsection, the following offenses shall not be prosecuted more than ten years after their commission:

(i) Any felony committed by a public officer if the commission is in connection with the duties of his or her office or constitutes a breach of his or her public duty or a violation of the oath of office;

(ii) Arson if no death results;

(iii)(A) Violations of RCW 9A.44.040 or 9A.44.050 if the rape is reported to a law enforcement agency within one year of its commission.

(B) If a violation of RCW 9A.44.040 or 9A.44.050 is not reported within one year, the rape may not be prosecuted more than three years after its commission; (~~(e)~~)

(iv) Indecent liberties under RCW 9A.44.100(1)(b); or

(v) Trafficking under RCW 9A.40.100.

(c) Violations of the following statutes, when committed against a victim under the age of eighteen, may be prosecuted up to the victim's thirtieth birthday: RCW 9A.44.040 (rape in the first degree), 9A.44.050 (rape in the second degree), 9A.44.073 (rape of a child in the first degree), 9A.44.076 (rape of a child in the second degree), 9A.44.079 (rape of a child in the third degree), 9A.44.083 (child molestation in the first degree), 9A.44.086 (child molestation in the second degree), 9A.44.089 (child molestation in the third degree), 9A.44.100(1)(b) (indecent liberties), 9A.64.020 (incest), or 9.68A.040 (sexual exploitation of a minor).

(d) A violation of any offense listed in this subsection (1)(d) may be prosecuted up to ten years after its commission or, if committed against a victim under the age of eighteen, up to the victim's thirtieth birthday, whichever is later:

(i) RCW 9.68A.100 (commercial sexual abuse of a minor);

(ii) RCW 9.68A.101 (promoting commercial sexual abuse of a minor); or

(iii) RCW 9.68A.102 (promoting travel for commercial sexual abuse of a minor).

(e) The following offenses shall not be prosecuted more than six years after their commission or their discovery, whichever occurs later:

(i) Violations of RCW 9A.82.060 or 9A.82.080;

(ii) Any felony violation of chapter 9A.83 RCW;

(iii) Any felony violation of chapter 9.35 RCW;

(iv) Theft in the first or second degree under chapter 9A.56 RCW when accomplished by color or aid of deception; or

(v) Trafficking in stolen property in the first or second degree under chapter 9A.82 RCW in which the stolen property is a motor vehicle or major component part of a motor vehicle as defined in RCW 46.80.010.

~~((e))~~ (f) The following offenses shall not be prosecuted more than five years after their commission: Any class C felony under chapter 74.09, 82.36, or 82.38 RCW.

~~((f))~~ (g) Bigamy shall not be prosecuted more than three years after the time specified in RCW 9A.64.010.

~~((g))~~ (h) A violation of RCW 9A.56.030 must not be prosecuted more than three years after the discovery of the offense when the victim is a tax exempt corporation under 26 U.S.C. Sec. 501(c) (3).

~~((h))~~ (i) No other felony may be prosecuted more than three years after its commission; except that in a prosecution under RCW 9A.44.115, if the person who was viewed, photographed, or filmed did not realize at the time that he or she was being viewed, photographed, or filmed, the prosecution must be commenced within two years of the time the person who was viewed or in the photograph or film first learns that he or she was viewed, photographed, or filmed.

~~((i))~~ (j) No gross misdemeanor may be prosecuted more than two years after its commission.

~~((j))~~ (k) No misdemeanor may be prosecuted more than one year after its commission.

(2) The periods of limitation prescribed in subsection (1) of this section do not run during any time when the person charged is not usually and publicly resident within this state.

(3) In any prosecution for a sex offense as defined in RCW 9.94A.030, the periods of limitation prescribed in subsection (1) of this section run from the date of commission or one year from the date on which the identity of the suspect is conclusively established by deoxyribonucleic acid testing or by photograph as defined in RCW 9.68A.011, whichever is later.

(4) If, before the end of a period of limitation prescribed in subsection (1) of this section, an indictment has been found or a complaint or an information has been filed, and the indictment, complaint, or information is set aside, then the period of limitation is extended by a period equal to the length of time from the finding or filing to the setting aside.

Sec. 3. RCW 9.68A.100 and 2013 c 302 s 2 are each amended to read as follows:

(1) A person is guilty of commercial sexual abuse of a minor if:

(a) He or she ~~((pays a fee))~~ provides anything of value to a minor or a third person as compensation for a minor having engaged in sexual conduct with him or her;

(b) He or she ~~((pays or agrees to pay a fee))~~ provides or agrees to provide anything of value to a minor or a third person pursuant to an understanding that in return therefore such minor will engage in sexual conduct with him or her; or

(c) He or she solicits, offers, or requests to engage in sexual conduct with a minor in return for ~~((a fee))~~ anything of value.

(2) Commercial sexual abuse of a minor is a class B felony punishable under chapter 9A.20 RCW.

(3) In addition to any other penalty provided under chapter 9A.20 RCW, a person guilty of commercial sexual abuse of a minor is subject to the provisions under RCW 9A.88.130 and 9A.88.140.

(4) Consent of a minor to the sexual conduct does not constitute a defense to any offense listed in this section.

(5) For purposes of this section, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

Sec. 4. RCW 9.68A.101 and 2013 c 302 s 3 are each amended to read as follows:

(1) A person is guilty of promoting commercial sexual abuse of a minor if he or she knowingly advances commercial sexual abuse or a sexually explicit act of a minor or profits from a minor engaged in sexual conduct or a sexually explicit act.

(2) Promoting commercial sexual abuse of a minor is a class A felony.

(3) For the purposes of this section:

(a) A person "advances commercial sexual abuse of a minor" if, acting other than as a minor receiving compensation for personally rendered sexual conduct or as a person engaged in commercial sexual abuse of a minor, he or she causes or aids a person to commit or engage in commercial sexual abuse of a minor, procures or solicits customers for commercial sexual abuse of a minor, provides persons or premises for the purposes of engaging in commercial sexual abuse of a minor, operates or assists in the operation of a house or enterprise for the purposes of engaging in commercial sexual abuse of a minor, or engages in any other conduct designed to institute, aid, cause, assist, or facilitate an act or enterprise of commercial sexual abuse of a minor.

(b) A person "profits from commercial sexual abuse of a minor" if, acting other than as a minor receiving compensation for personally rendered sexual conduct, he or she accepts or receives money or ~~((other property))~~ anything of value pursuant to an agreement or understanding with any person whereby he or she participates or will participate in the proceeds of commercial sexual abuse of a minor.

(c) A person "advances a sexually explicit act of a minor" if he or she causes or aids a sexually explicit act of a minor, procures or solicits customers for a sexually explicit act of a minor, provides persons or premises for the purposes of a sexually explicit act of a minor, or engages in any other conduct designed to institute, aid, cause, assist, or facilitate a sexually explicit act of a minor.

(d) A "sexually explicit act" is a public, private, or live photographed, recorded, or videotaped act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons and for which ~~((something))~~ anything of value is given or received.

(e) A "patron" is a person who ~~((pays or agrees to pay a fee))~~ provides or agrees to provide anything of value to another person as compensation for a sexually explicit act of a minor or who solicits or requests a sexually explicit act of a minor in return for a fee.

(4) Consent of a minor to the sexually explicit act or sexual conduct does not constitute a defense to any offense listed in this section.

(5) For purposes of this section, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

Sec. 5. RCW 9A.88.060 and 2011 c 336 s 412 are each amended to read as follows:

The following definitions are applicable in RCW 9A.88.070 through 9A.88.090:

(1) "Advances prostitution." A person "advances prostitution" if, acting other than as a prostitute or as a customer thereof, he or she causes or aids a person to commit or engage in prostitution, procures or solicits customers for prostitution, provides persons or premises for prostitution purposes, operates or assists in the operation of a house of prostitution or a prostitution enterprise, or engages in any other conduct designed to institute, aid, or facilitate an act or enterprise of prostitution.

(2) "Profits from prostitution." A person "profits from prostitution" if, acting other than as a prostitute

receiving compensation for personally rendered prostitution services, he or she accepts or receives money or (~~other property~~) anything of value pursuant to an agreement or understanding with any person whereby he or she participates or is to participate in the proceeds of prostitution activity."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

March 15, 2017
ESB 5042 Prime Sponsor, Senator Angel: Authorizing funeral planning and funeral services as noninsurance benefits under group life and disability insurance policies. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

March 16, 2017
SSB 5083 Prime Sponsor, Committee on Law & Justice: Requiring the prosecuting attorney to use reasonable efforts in notifying a victim of a sex or kidnapping offender's petition for relief from registration. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

March 16, 2017
SB 5316 Prime Sponsor, Senator Fortunato: Concerning the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame;

Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 15, 2017
SSB 5343 Prime Sponsor, Committee on Transportation: Concerning notice sent by and certain release of information affecting registered tow truck operators. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Rules for second reading.

March 15, 2017
SSB 5402 Prime Sponsor, Committee on Transportation: Creating the Cooper Jones bicyclist safety advisory council. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Stambaugh; Tarleton and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Hayes; Irwin; Rodne and Shea.

MINORITY recommendation: Without recommendation. Signed by Representative Pike.

Referred to Committee on Rules for second reading.

March 16, 2017
SSB 5405 Prime Sponsor, Committee on Ways & Means: Requiring protection for occupants of national guard facilities. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Passed to Committee on Appropriations.

March 15, 2017
SB 5649 Prime Sponsor, Senator Hawkins:
 Modifying the eligibility requirements for
 certain counties to form a regional
 transportation planning organization.
 Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by
 Representatives Clibborn, Chair; Farrell, Vice Chair;
 Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking
 Minority Member; Hargrove, Assistant Ranking
 Minority Member; Harmsworth, Assistant Ranking
 Minority Member; Chapman; Gregerson; Irwin; Kloba;
 Lovick; Morris; Pellicciotti; Pike; Riccelli; Rodne;
 Stambaugh; Tarleton and Van Werven.

MINORITY recommendation: Do not pass. Signed by
 Representative Shea.

Referred to Committee on Rules for second reading.

March 15, 2017
SSB 5655 Prime Sponsor, Committee on Financial
 Institutions & Insurance: Concerning the
 delivery of insurance notices and

documents by electronic means. Reported
 by Committee on Business & Financial
 Services

MAJORITY recommendation: Do pass. Signed by
 Representatives Kirby, Chair; Reeves, Vice Chair; Vick,
 Ranking Minority Member; Walsh, J., Assistant
 Ranking Minority Member; Barkis; Bergquist; Blake;
 Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's
 committee reports under the fifth order of business were
 referred to the committees so designated.

There being no objection, the House adjourned until
 9:55 a.m., March 21, 2017, the 72nd Day of the Regular
 Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SEVENTY SECOND DAY

House Chamber, Olympia, Tuesday, March 21, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2169 by Representatives Shea, McCaslin, Taylor, Condotta, Hargrove, Kirby, Sells, Griffey and Pike

AN ACT Relating to implementation of year-round Pacific Standard Time; adding a new section to chapter 1.20 RCW; and repealing RCW 1.20.051.

Referred to Committee on State Government, Elections & Information Technology.

HB 2170 by Representative Tharinger

AN ACT Relating to the capital budget.

Referred to Committee on Capital Budget.

HB 2171 by Representative Tharinger

AN ACT Relating to state general obligation bonds and related accounts.

Referred to Committee on Capital Budget.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 16, 2017

SB 5011 Prime Sponsor, Senator Pedersen: Concerning the business corporation act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame;

Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 16, 2017

SB 5049 Prime Sponsor, Senator King: Concerning relocation assistance following real property acquisition. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following: "**Sec. 1.** RCW 8.26.010 and 1988 c 90 s 1 are each amended to read as follows:

(1) The purposes of this chapter are:

(a) To establish a uniform policy for the fair and equitable treatment of persons displaced as a direct result of public works programs of the state and local governments in order that such persons shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole and to minimize the hardship of displacement on such persons;

(b) To encourage and expedite the acquisition of real property for public works programs by agreements with owners, to reduce litigation and relieve congestion in the courts, to assure consistent treatment for owners affected by state and local programs, and to promote public confidence in state and local land acquisition practices;

(c) To require the state, local public agencies, and other persons who have the authority to acquire property by eminent domain under state law to comply with the provisions of this act in order to assure the fair and equitable treatment of all persons and property owners impacted by public projects.

(2) ~~((Notwithstanding the provisions and limitations of this chapter requiring a local public agency to comply with the provisions of this chapter, the governing body of any local public agency may elect~~

~~not to comply with the provisions of RCW 8.26.035 through 8.26.115 in connection with a program or project not receiving federal financial assistance. Any person who has the authority to acquire property by eminent domain under state law may elect not to comply with RCW 8.26.180 through 8.26.200 in connection with a program or project not receiving federal financial assistance.~~

~~(3))~~ Any determination by the head of a state agency or local public agency administering a program or project as to payments under this chapter is subject to review pursuant to chapter 34.05 RCW; otherwise, no provision of this chapter may be construed to give any person a cause of action in any court.

~~((4))~~ (3) Unless otherwise prohibited by law, any state or local public agency providing a grant, loan, or matching funds for any program or project that displaces persons who are eligible for relocation assistance under this chapter may not limit, restrict, or otherwise prohibit grant, loan, or matching fund money from being used for any required relocation assistance payments.

(4) The governing body of any local public agency may elect not to comply with the provisions of RCW 8.26.035 through 8.26.115 in connection with a program or project not receiving federal financial assistance initiated on or before December 31, 2017.

(5) Nothing in this chapter may be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of value or of damage not in existence immediately before March 16, 1988."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 16, 2017
SSB 5077 Prime Sponsor, Committee on Law & Justice: Allowing the department of corrections to provide temporary housing assistance to individuals being released from certain corrections centers for women. Reported by Committee on

Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; Reeves and Sawyer.

MINORITY recommendation: Without recommendation. Signed by Representatives McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member and Jenkin.

Referred to Committee on Rules for second reading.

March 16, 2017
SSB 5081 Prime Sponsor, Committee on Law & Justice: Adopting the revised uniform law on notarial acts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. SHORT TITLE. This chapter may be known and cited as the revised uniform law on notarial acts.

NEW SECTION. Sec. 2. DEFINITIONS. In this chapter:

(1) "Acknowledgment" means a declaration by an individual in the presence of a notarial officer stating that the individual has signed a record of the individual's free will for the purpose stated in the record and, if the record is signed in a representative capacity, the individual also declares that he or she signed the record with proper authority and signed it as the act of the individual or entity identified in the record.

(2) "Department" means the department of licensing.

(3) "Director" means the director of licensing or the director's designee.

(4) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(5) "Electronic records notary public" means an individual commissioned by the director to perform a notarial act with respect to electronic records. Nothing in this act authorizes an electronic records

notary public to provide court reporting services.

(6) "Electronic signature" means an electronic symbol, sound, or process attached to or logically associated with a record and executed or adopted by an individual with the intent to sign the record.

(7) "In a representative capacity" means acting as:

(a) An authorized officer, agent, partner, trustee, or other representative for a person other than an individual;

(b) A public officer, personal representative, guardian, or other representative, in the capacity stated in a record;

(c) An agent or attorney-in-fact for a principal; or

(d) An authorized representative of another in any other capacity.

(8) "Notarial act" means an act, whether performed with respect to a tangible or electronic record, that a notarial officer may perform under the law of this state. The term includes taking an acknowledgment, administering an oath or affirmation, taking a verification on oath or affirmation, witnessing or attesting a signature, certifying or attesting a copy, certifying the occurrence of an event or the performance of an act, and noting a protest of a negotiable instrument if the protest was prepared under the authority of an attorney licensed to practice law in this state or another state, or was prepared under the authority of a financial institution that is regulated by this state, another state, or the federal government.

(9) "Notarial officer" means a notary public or other individual authorized to perform a notarial act.

(10) "Notary public" means an individual commissioned to perform a notarial act by the director.

(11) "Official stamp" means a physical image affixed to or embossed on a tangible record or an electronic image attached to or logically associated with an electronic record.

(12) "Person" means an individual, corporation, business trust, statutory trust, estate, trust, partnership, limited liability company, association,

joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(13) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in human perceivable form.

(14) "Sign" means, with present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach to or logically associate with the record an electronic symbol, sound, or process.

(15) "Signature" means a tangible symbol or an electronic signature that evidences the signing of a record.

(16) "Stamping device" means:

(a) A physical device capable of affixing to or embossing on a tangible record an official stamp; or

(b) An electronic device or process capable of attaching to or logically associating with an electronic record an official stamp.

(17) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(18) "Verification on oath or affirmation" means a declaration, made by an individual on oath or affirmation before a notarial officer, that a statement in a record is true.

NEW SECTION. Sec. 3. APPLICABILITY. This chapter applies to a notarial act performed on or after the effective date of this section.

NEW SECTION. Sec. 4. AUTHORITY TO PERFORM NOTARIAL ACT. (1) A notarial officer may perform a notarial act authorized by this chapter or by law of this state other than this chapter.

(2)(a) A notarial officer may not perform a notarial act with respect to a record to which the officer or the officer's spouse or domestic partner is

a party, or in which any of the above have a direct beneficial interest.

(b) A notarial officer may not notarize the notarial officer's own signature.

(c) A notarial act performed in violation of this subsection (2) is voidable.

NEW SECTION. Sec. 5. REQUIREMENTS FOR CERTAIN NOTARIAL ACTS. (1) A notarial officer who takes an acknowledgment of a record shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and making the acknowledgment has the identity claimed and that the signature on the record is the signature of the individual.

(2) A notarial officer who takes a verification of a statement on oath or affirmation shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and making the verification has the identity claimed and that the signature on the statement verified is the signature of the individual.

(3) A notarial officer who witnesses or attests to a signature shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and signing the record has the identity claimed.

(4) A notarial officer who certifies or attests a copy of a record or an item that was copied shall compare the copy with the original record or item and determine that the copy is a full, true, and accurate transcription or reproduction of the record or item.

(5) A notarial officer may make or note a protest of a negotiable instrument only if the notarial officer is licensed to practice law in this state, acting under the authority of an attorney who is licensed to practice law in this or another state, or acting under the authority of a financial institution regulated by this state, another state, or the federal government. In making or noting a protest of a negotiable instrument the notarial officer or

licensed attorney shall determine the matters set forth in RCW 62A.3-505(b).

NEW SECTION. Sec. 6. If a notarial act relates to a statement made in or a signature executed on a record, the individual making the statement or executing the signature shall appear personally before the notarial officer.

NEW SECTION. Sec. 7. IDENTIFICATION OF INDIVIDUAL. (1) A notarial officer has personal knowledge of the identity of an individual appearing before the officer if the individual is personally known to the officer through dealings sufficient to provide reasonable certainty that the individual has the identity claimed.

(2) A notarial officer has satisfactory evidence of the identity of an individual appearing before the officer if the officer can identify the individual:

(a) By means of:

(i) A passport, driver's license, or government-issued nondriver identification card, which is current or expired not more than three years before performance of the notarial act; or

(ii) Another form of government identification issued to an individual, which is current or expired not more than three years before performance of the notarial act, contains the signature or a photograph of the individual, and is satisfactory to the officer; or

(b) By a verification on oath or affirmation of a credible witness personally appearing before the officer and personally known to the officer and who provides satisfactory evidence of his or her identity as described in (a) of this subsection.

(3) A notarial officer may require an individual to provide additional information or identification credentials necessary to assure the officer of the identity of the individual.

NEW SECTION. Sec. 8. AUTHORITY TO REFUSE TO PERFORM NOTARIAL ACT. (1) A notarial officer has the authority to refuse to perform a notarial act if the officer is not satisfied that:

(a) The individual executing the record is competent or has the capacity to execute the record; or

(b) The individual's signature is knowingly and voluntarily made.

(2) A notarial officer has the authority to refuse to perform a notarial act unless refusal is prohibited by law other than this chapter.

NEW SECTION. **Sec. 9.** SIGNATURE IF INDIVIDUAL UNABLE TO SIGN. Except as otherwise provided in RCW 64.08.100, if an individual is physically unable to sign a record, the individual may direct an individual other than the notarial officer to sign the individual's name on the record. The notarial officer shall insert "signature affixed by (name of other individual) at the direction of (name of individual)" or words of similar import.

NEW SECTION. **Sec. 10.** NOTARIAL ACT IN THIS STATE. (1) A notarial act may be performed in this state by:

(a) A notary public of this state;

(b) A judge, clerk, or deputy clerk of a court of this state; or

(c) Any other individual authorized to perform the specific act by the law of this state.

(2) The signature and title of an individual authorized by this act to perform a notarial act in this state are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(3) The signature and title of a notarial officer described in subsection (1)(a) or (b) of this section conclusively establishes the authority of the officer to perform the notarial act.

NEW SECTION. **Sec. 11.** NOTARIAL ACT IN ANOTHER STATE. (1) A notarial act performed in another state has the same effect under the law of this state as if performed by a notarial officer of this state, if the act performed in that state is performed by:

(a) A notary public of that state;

(b) A judge, clerk, or deputy clerk of a court of that state; or

(c) Any other individual authorized by the law of that state to perform the notarial act.

(2) The signature and title of an individual performing a notarial act in another state are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(3) The signature and title of a notarial officer described in subsection (1)(a) through (c) of this section conclusively establishes the authority of the officer to perform the notarial act.

NEW SECTION. **Sec. 12.** NOTARIAL ACT UNDER AUTHORITY OF FEDERALLY RECOGNIZED INDIAN TRIBE. (1) A notarial act performed under the authority and in the jurisdiction of a federally recognized Indian tribe has the same effect as if performed by a notarial officer of this state, if the act performed in the jurisdiction of the tribe is performed by:

(a) A notary public of the tribe;

(b) A judge, clerk, or deputy clerk of a court of the tribe; or

(c) Any other individual authorized by the law of the tribe to perform the notarial act.

(2) The signature and title of an individual performing a notarial act under the authority of and in the jurisdiction of a federally recognized Indian tribe are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(3) The signature and title of a notarial officer described in subsection (1)(a) through (c) of this section conclusively establishes the authority of the officer to perform the notarial act.

NEW SECTION. **Sec. 13.** NOTARIAL ACT UNDER FEDERAL AUTHORITY. (1) A notarial act performed under federal law has the same effect under the law of this state as if performed by a notarial officer of this state, if the act performed under federal law is performed by:

(a) A judge, clerk, or deputy clerk of a court;

(b) An individual in military service or performing duties under the authority of military service who is authorized to perform notarial acts under federal law;

(c) An individual designated a notarizing officer by the United States department of state for performing notarial acts overseas; or

(d) Any other individual authorized by federal law to perform the notarial act.

(2) The signature and title of an individual acting under federal authority and performing a notarial act are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(3) The signature and title of an officer described in subsection (1)(a), (b), or (c) of this section conclusively establishes the authority of the officer to perform the notarial act.

NEW SECTION. Sec. 14. FOREIGN NOTARIAL ACT. (1) In this section, "foreign state" means a government other than the United States, a state, or a federally recognized Indian tribe.

(2) If a notarial act is performed under the authority and in the jurisdiction of a foreign state or constituent unit of the foreign state or is performed under the authority of a multinational or international governmental organization, the act has the same effect under the law of this state as if performed by a notarial officer of this state.

(3) If the title of office and indication of authority to perform notarial acts in a foreign state appears in a digest of foreign law or in a list customarily used as a source for that information, the authority of an officer with that title to perform notarial acts is conclusively established.

(4) The signature and official stamp of an individual holding an office described in subsection (3) of this section are prima facie evidence that the signature is genuine and the individual holds the designated title.

(5) An apostille in the form prescribed by the Hague Convention of October 5, 1961, and issued by a foreign state party to the Hague Convention

conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the indicated office.

(6) A consular authentication issued by an individual designated by the United States department of state as a notarizing officer for performing notarial acts overseas and attached to the record with respect to which the notarial act is performed conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the indicated office.

NEW SECTION. Sec. 15. CERTIFICATE OF NOTARIAL ACT. (1) A notarial act must be evidenced by a certificate. The certificate must:

(a) Be executed contemporaneously with the performance of the notarial act;

(b) Be signed and dated by the notarial officer and, if the notarial officer is a notary public, be signed in the same manner as on file with the department;

(c) Identify the jurisdiction in which the notarial act is performed;

(d) Contain the title of office of the notarial officer;

(e) Be written in English or in dual languages, one of which must be English; and

(f) If the notarial officer is a notary public, indicate the date of expiration, if any, of the officer's commission.

(2) Regarding notarial act certificates on a tangible record:

(a) If a notarial act regarding a tangible record is performed by a notary public, an official stamp must be affixed to or embossed on the certificate.

(b) If a notarial act regarding a tangible record is performed by a notarial officer other than a notary public and the certificate contains the information specified in subsection (1)(b), (c), and (d) of this section, an official stamp may be affixed to or embossed on the certificate.

(3) Regarding notarial act certificates on an electronic record:

(a) If a notarial act regarding an electronic record is performed by an electronic records notary public, an official stamp must be attached to or

logically associated with the certificate.

(b) If a notarial act regarding an electronic record is performed by a notarial officer other than a notary public and the certificate contains the information specified in subsection (1)(b), (c), and (d) of this section, an official stamp may be attached to or logically associated with the certificate.

(4) A certificate of a notarial act is sufficient if it meets the requirements of subsections (1) through (3) of this section and:

(a) Is in a short form set forth in section 16 of this act;

(b) Is in a form otherwise permitted by the law of this state;

(c) Is in a form permitted by the law applicable in the jurisdiction in which the notarial act was performed; or

(d) Sets forth the actions of the notarial officer and the actions are sufficient to meet the requirements of the notarial act as provided in sections 5, 6, and 7 of this act or law of this state other than this chapter.

(5) By executing a certificate of a notarial act, a notarial officer certifies that the officer has complied with the requirements and made the determinations specified in sections 5, 6, and 7 of this act.

(6) A notarial officer may not affix the officer's signature to, or logically associate it with, a certificate until the notarial act has been performed.

(7) If a notarial act is performed regarding a tangible record, a certificate must be part of, or securely attached to, the record. If a notarial act is performed regarding an electronic record, the certificate must be affixed to, or logically associated with, the electronic record. If the director has established standards pursuant to section 28 of this act for attaching, affixing, or logically associating the certificate, the process must conform to the standards.

NEW SECTION. Sec. 16. SHORT FORM CERTIFICATES. The following short form certificates of notarial acts are sufficient for the purposes indicated, if completed with the information required

by section 15 (1) through (4) of this act:

(1) For an acknowledgment in an individual capacity:

State of

County of

This record was acknowledged before me on (date) by (name(s) of individuals).

.....
(Signature of notary public)

(Stamp)

.....

(Title of office)

My commission expires:

.....

(date)

(2) For an acknowledgment in a representative capacity:

State of

County of

This record was acknowledged before me on (date) by (name(s) of individuals) as (type of authority, such as officer or trustee) of (name of party on behalf of whom record was executed).

.....
(Signature of notary public)

(Stamp)

.....

(Title of office)

My commission expires:

.....

(date)

(3) For verification on oath or affirmation:

State of

County of

Signed and sworn to (or affirmed) before me on (date) by (name(s) of individuals making statement).

.....
 (Signature of
 notary public)
 (Stamp)

 (Title of office)
 My commission
 expires:

 (date)

(4) For witnessing or attesting a
 signature:
 State of
 County of
 Signed or attested before me on (date)
 by (name(s) of individuals).

.....
 (Signature of
 notary public)
 (Stamp)

 (Title of office)
 My commission
 expires:

 (date)

(5) For certifying or attesting a copy
 of a record:
 State of
 County of
 I certify that this is a true and
 correct copy of a record in the
 possession of

Dated:

 (Signature of
 notary public)
 (Stamp)

 (Title of office)
 My commission
 expires:

.....
 (date)

(6) For certifying the occurrence of
 an event or the performance of any act:

State of
 County of

I certify that the event described in
 this document has occurred or been
 performed.

Dated:

(Signature of
 notary public)

(Stamp)

(Title of office)

My commission
 expires:

(date)

NEW SECTION. Sec. 17. OFFICIAL STAMP.

(1) It is unlawful for any person
 intentionally to manufacture, give,
 sell, procure, or possess a seal or stamp
 evidencing the current appointment of a
 person as a notary public until the
 director has issued a notary commission.
 The official seal or stamp of a notary
 public must include:

- (a) The words "notary public;"
- (b) The words "state of Washington;"
- (c) The notary public's name as
 commissioned;
- (d) The notary public's commission
 expiration date; and
- (e) Any other information required by
 the director.

(2) The size and form or forms of the
 seal or stamp shall be prescribed by the
 director in rule.

(3) The seal or stamp must be capable
 of being copied together with the record
 to which it is affixed or attached or
 with which it is logically associated.

(4) The seal or stamp used at the time
 that a notarial act is performed must be
 the seal or stamp evidencing the notary
 public's commission in effect as of such
 time, even if the notary public has

received the seal or stamp evidencing his or her next commission.

NEW SECTION. **Sec. 18.** STAMPING DEVICE. (1) A notary public is responsible for the security of the notary public's stamping device and may not allow another individual to use the device to perform a notarial act. On resignation from, or the revocation or expiration of, the notary public's commission, or on the expiration of the date set forth in the stamping device, the notary public shall disable the stamping device by destroying, defacing, damaging, erasing, or securing it against use in a manner that renders it unusable. On the death or adjudication of incompetency of a notary public, the notary public's personal representative or guardian or any other person knowingly in possession of the stamping device shall render it unusable by destroying, defacing, damaging, erasing, or securing it against use in a manner that renders it unusable.

(2) The seal or stamp should be kept in a locked and secured area, under the direct and exclusive control of the notary public. If a notary public's stamping device is lost or stolen, the notary public or the notary public's personal representative or guardian shall notify promptly the department on discovering that the device is lost or stolen. Any replacement device must contain a variance from the lost or stolen seal or stamp.

NEW SECTION. **Sec. 19.** FEES. (1) The director may establish by rule the maximum fees that may be charged by notaries public for various notarial services.

(2) A notary public need not charge fees for notarial acts.

NEW SECTION. **Sec. 20.** (1) A notary public shall maintain a journal in which the notary public chronicles all notarial acts that the notary public performs. The notary public shall retain the journal for ten years after the performance of the last notarial act chronicled in the journal. The journal is to be destroyed as required by the director in rule upon completion of the ten-year period.

(2) Notwithstanding any other provision of this chapter requiring a notary public to maintain a journal, a notary public who is an attorney licensed to practice law in this state is not required to chronicle a notarial act in a journal if documentation of the notarial act is otherwise maintained by professional practice.

(3) A notary public shall maintain only one tangible journal at a time to chronicle notarial acts, whether those notarial acts are performed regarding tangible or electronic records. The journal must be a permanent, bound register with numbered pages. An electronic records notary public may also maintain an electronic format journal, which can be kept concurrently with the tangible journal. The electronic journal must be in a permanent, tamper-evident electronic format complying with the rules of the director.

(4) An entry in a journal must be made contemporaneously with performance of the notarial act and contain the following information:

(a) The date and time of the notarial act;

(b) A description of the record, if any, and type of notarial act;

(c) The full name and address of each individual for whom the notarial act is performed; and

(d) Any additional information as required by the director in rule.

(5) The journal shall be kept in a locked and secured area, under the direct and exclusive control of the notary public. Failure to secure the journal may be cause for the director to take administrative action against the commission held by the notary public. If a notary public's journal is lost or stolen, the notary public promptly shall notify the department on discovering that the journal is lost or stolen.

(6) On resignation from, or the revocation or suspension of, a notary public's commission, the notary public shall retain the notary public's journal in accordance with subsection (1) of this section and inform the department where the journal is located.

NEW SECTION. **Sec. 21.** NOTIFICATION REGARDING PERFORMANCE OF NOTARIAL ACT ON

ELECTRONIC RECORD—SELECTION OF TECHNOLOGY. (1) A notary public may not perform notarial acts with respect to electronic records unless the notary public holds a commission as an electronic records notary public.

(2) An electronic records notary public may select one or more tamper-evident technologies to perform notarial acts with respect to electronic records that meet the standards provided in subsection (4) of this section. A person cannot require an electronic records notary public to perform a notarial act with respect to an electronic record with a technology that the notary public has not selected.

(3) Before an electronic records notary public performs the notary public's initial notarial act with respect to an electronic record, an electronic records notary public shall notify the department that he or she will be performing notarial acts with respect to electronic records and identify the technology the electronic records notary public intends to use.

(4) The director shall establish standards for approval of technology in rule. If the technology conforms to the standards, the director shall approve the use of the technology.

NEW SECTION. Sec. 22. COMMISSION AS NOTARY PUBLIC—QUALIFICATIONS—NO IMMUNITY OR BENEFIT. (1) An individual qualified under subsection (2) of this section may apply to the director for a commission as a notary public. The applicant shall comply with and provide the information required by rules established by the director and pay any application fee.

(2) An applicant for a commission as a notary public must:

- (a) Be at least eighteen years of age;
- (b) Be a citizen or permanent legal resident of the United States;
- (c) Be a resident of or have a place of employment or practice in this state;
- (d) Be able to read and write English;
- (e) Not be disqualified to receive a commission under section 24 of this act; and
- (f) Have successfully completed a course or passed an examination required under section 23 of this act.

(3) Before issuance of a commission as a notary public, an applicant for the commission shall execute an oath of office and submit it to the department in the format prescribed by the director in rule.

(4) Before issuance of a commission as a notary public, the applicant for a commission shall submit to the director an assurance in the form of a surety bond in the amount established by the director in rule. The assurance must be issued by a surety or other entity licensed or authorized to write surety bonds in this state. The assurance must be effective for a four-year term or for a term that expires on the date the notary public's commission expires. The assurance must cover acts performed during the term of the notary public's commission and must be in the form prescribed by the director. If a notary public violates law with respect to notaries public in this state, the surety or issuing entity is liable under the assurance. The surety or issuing entity shall give at least thirty days notice to the department before canceling the assurance. The surety or issuing entity shall notify the department not later than thirty days after making a payment to a claimant under the assurance. A notary public may perform notarial acts in this state only during the period that a valid assurance is on file with the department.

(5) On compliance with this section, the director shall issue a commission as a notary public to an applicant for a term of four years or for a term that expires on the date of expiration of the assurance, whichever comes first.

(6) A commission to act as a notary public authorizes the notary public to perform notarial acts. The commission does not provide the notary public any immunity or benefit conferred by law of this state on public officials or employees.

(7) An individual qualified under (a) of this subsection may apply to the director for a commission as an electronic records notary public. The applicant shall comply with and provide the information required by rules established by the director and pay the relevant application fee.

(a) An applicant for a commission as an electronic records notary public must hold a commission as notary public.

(b) An electronic records notary public commission may take the form of an endorsement to the notary public commission if deemed appropriate by the director.

NEW SECTION. **Sec. 23.** EXAMINATION OF NOTARY PUBLIC. The director may require an applicant for a commission or renewal of a commission as a notary public, including an applicant for a commission as an electronic records notary public, to successfully pass a course or an examination, as prescribed by the director in rule.

NEW SECTION. **Sec. 24.** GROUNDS TO DENY, REFUSE TO RENEW, REVOKE, SUSPEND, OR CONDITION COMMISSION OF NOTARY PUBLIC. (1) In addition to conduct defined as unprofessional under RCW 18.235.130, the director may take action as provided for in RCW 18.235.110 against a commission as notary public for any act or omission that demonstrates the individual lacks the honesty, integrity, competence, or reliability to act as a notary public, including:

(a) Failure to comply with this chapter;

(b) A fraudulent, dishonest, or deceitful misstatement or omission in the application for a commission as a notary public submitted to the department;

(c) A conviction of the applicant or notary public of any felony or crime involving fraud, dishonesty, or deceit;

(d) A finding against, or admission of liability by, the applicant or notary public in any legal proceeding or disciplinary action based on the applicant's or notary public's fraud, dishonesty, or deceit;

(e) Failure by the notary public to discharge any duty required of a notary public, whether by this chapter, rules of the director, or any federal or state law;

(f) Use of false or misleading advertising or representation by the notary public representing that the notary public has a duty, right, or privilege that the notary public does not have;

(g) Violation by the notary public of a rule of the director regarding a notary public;

(h) Denial, refusal to renew, revocation, suspension, or conditioning

of a notary public commission in another state;

(i) Failure of the notary public to maintain an assurance as provided in section 22(4) of this act; or

(j) Making or noting a protest of a negotiable instrument without being a person authorized by section 5(5) of this act.

(2) If the director denies, refuses to renew, revokes, suspends, imposes conditions, or otherwise sanctions, a commission as a notary public, the applicant or notary public is entitled to timely notice and hearing in accordance with chapter 34.05 RCW.

(3) The authority of the director to take disciplinary action on a commission as a notary public does not prevent a person from seeking and obtaining other criminal or civil remedies provided by law.

NEW SECTION. **Sec. 25.** DATABASE OF NOTARIES PUBLIC. The director shall maintain an electronic database of notaries public:

(1) Through which a person may verify the authority of a notary public to perform notarial acts; and

(2) Which indicates whether a notary public has notified the director that the notary public will be performing notarial acts on electronic records.

NEW SECTION. **Sec. 26.** PROHIBITED ACTS. (1) A commission as a notary public does not authorize an individual to:

(a) Assist persons in drafting legal records, give legal advice, or otherwise practice law;

(b) Act as an immigration consultant or an expert on immigration matters;

(c) Represent a person in a judicial or administrative proceeding relating to immigration to the United States, United States citizenship, or related matters;

(d) Receive compensation for performing any of the activities listed in this subsection; or

(e) Provide court reporting services.

(2) A notary public may not engage in false or deceptive advertising.

(3) A notary public, other than an attorney licensed to practice law in this

state, or a Washington-licensed limited license legal technician acting within the scope of his or her license, may not use the term "notario" or "notario publico."

(4) A notary public, other than an attorney licensed to practice law in this state or a limited license legal technician acting within the scope of his or her license, may not assist another person in selecting the appropriate certificate required by section 15 of this act.

(5) A notary public, other than an attorney licensed to practice law in this state, or a Washington-licensed limited license legal technician acting within the scope of his or her license, may not advertise or represent that the notary public may assist persons in drafting legal records, give legal advice, or otherwise practice law. If a notary public who is not an attorney licensed to practice law in this state, or a Washington-licensed limited license legal technician acting within the scope of his or her license, in any manner advertises or represents that the notary public offers notarial services, whether orally or in a record, including broadcast media, print media, and the internet, the notary public shall include the following statement, or an alternate statement authorized or required by the director, in the advertisement or representation, prominently and in each language used in the advertisement or representation: "I am not an attorney licensed to practice law in this state. I am not allowed to draft legal records, give advice on legal matters, including immigration, or charge a fee for those activities." If the form of advertisement or representation is not broadcast media, print media, or the internet and does not permit inclusion of the statement required by this subsection because of size, it must be displayed prominently or provided at the place of performance of the notarial act before the notarial act is performed.

(6) Except as otherwise allowed by law, a notary public may not withhold access to or possession of an original record provided by a person that seeks performance of a notarial act by the notary public. A notary public may not maintain copies or electronic images of documents notarized unless the copies or images are maintained by an attorney or Washington-licensed limited license

legal technician acting within his or her scope of practice for the performance of legal services or for other services performed for the client and the copies or images are not maintained solely as part of the notary transaction.

NEW SECTION. **Sec. 27.** VALIDITY OF NOTARIAL ACTS. Except as otherwise provided in section 4(2) of this act, the failure of a notarial officer to perform a duty or meet a requirement specified in this chapter does not invalidate a notarial act performed by the notarial officer. The validity of a notarial act under this chapter does not prevent an aggrieved person from seeking to invalidate the record or transaction that is the subject of the notarial act or from seeking other remedies based on law of this state other than this chapter or law of the United States. This section does not validate a purported notarial act performed by an individual who does not have the authority to perform notarial acts. Nothing in this act gives the director authority to invalidate a notarial act.

NEW SECTION. **Sec. 28.** RULES. (1) The director may adopt rules necessary to implement this chapter.

(2) In adopting, amending, or repealing rules about notarial acts with respect to electronic records, the director shall consider standards, practices, and customs of other jurisdictions that substantially enact this chapter.

NEW SECTION. **Sec. 29.** NOTARY PUBLIC COMMISSION IN EFFECT. A commission as a notary public in effect on the effective date of this section continues until its date of expiration. A notary public who applies to renew a commission as a notary public on or after the effective date of this section is subject to and shall comply with this chapter. A notary public, in performing notarial acts after the effective date of this section, shall comply with this chapter.

NEW SECTION. **Sec. 30.** SAVINGS CLAUSE. This chapter does not affect the validity or effect of a notarial act performed before the effective date of this section.

NEW SECTION. **Sec. 31.** UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with

respect to its subject matter among states that enact it.

NEW SECTION. Sec. 32. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This chapter modifies, limits, and supersedes the electronic signatures in global and national commerce act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

NEW SECTION. Sec. 33. UNIFORM REGULATION OF BUSINESS AND PROFESSIONS ACT. The uniform regulation of business and professions act, chapter 18.235 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter.

NEW SECTION. Sec. 34. NEW CHAPTER. Sections 1 through 33 and 45 of this act constitute a new chapter in Title 42 RCW.

NEW SECTION. Sec. 35. REPEALS. The following acts or parts of acts are each repealed:

(1)RCW 42.44.010 (Definitions) and 1985 c 156 s 1;

(2)RCW 42.44.020 (Qualifications—Application—Bond) and 1985 c 156 s 2;

(3)RCW 42.44.030 (Appointment—Denial for unprofessional conduct—Certificate of appointment) and 2011 c 244 s 6, 2002 c 86 s 287, & 1985 c 156 s 3;

(4)RCW 42.44.050 (Seal or stamp) and 1985 c 156 s 5;

(5)RCW 42.44.060 (Term) and 2002 c 86 s 288 & 1985 c 156 s 6;

(6)RCW 42.44.070 (Reappointment without endorsements) and 1985 c 156 s 7;

(7)RCW 42.44.080 (Standards for notarial acts) and 1987 c 76 s 3 & 1985 c 156 s 8;

(8)RCW 42.44.090 (Form of certificate—General—Seal or stamp as exclusive property) and 1985 c 156 s 9;

(9)RCW 42.44.100 (Short forms of certificate) and 1988 c 69 s 4 & 1985 c 156 s 10;

(10)RCW 42.44.110 (Illegible writing) and 1985 c 156 s 11;

(11)RCW 42.44.120 (Fees) and 1985 c 156 s 12;

(12)RCW 42.44.130 (Notarial acts by officials of other jurisdictions) and 1985 c 156 s 13;

(13)RCW 42.44.140 (Notarial acts by federal authorities) and 1985 c 156 s 14;

(14)RCW 42.44.150 (Notarial acts by foreign authorities) and 1985 c 156 s 15;

(15)RCW 42.44.160 (Official misconduct—Penalty) and 2002 c 86 s 289 & 1985 c 156 s 16;

(16)RCW 42.44.170 (Revocation of appointment—Resignation) and 2002 c 86 s 290 & 1985 c 156 s 17;

(17)RCW 42.44.180 (Evidence of authenticity of notarial seal and signature) and 1985 c 156 s 18;

(18)RCW 42.44.190 (Rules) and 2002 c 86 s 291 & 1985 c 156 s 20;

(19)RCW 42.44.200 (Transfer of records) and 1985 c 156 s 22;

(20)RCW 42.44.210 (Uniform regulation of business and professions act) and 2002 c 86 s 292;

(21)RCW 42.44.220 (Military training or experience) and 2011 c 351 s 18;

(22)RCW 42.44.221 (Spouses of military personnel—Appointment) and 2011 2nd sp.s. c 5 s 7;

(23)RCW 42.44.900 (Savings—1985 c 156) and 1985 c 156 s 21;

(24)RCW 42.44.901 (Construction) and 1985 c 156 s 23; and

(25)RCW 42.44.903 (Effective date—1985 c 156) and 1985 c 156 s 27.

Sec. 36. RCW 9.97.020 and 2016 c 81 s 3 are each amended to read as follows:

(1) Except as provided in this section, no state, county, or municipal department, board, officer, or agency authorized to assess the qualifications of any applicant for a license, certificate of authority, qualification to engage in the practice of a profession or business, or for admission to an examination to qualify for such a license or certificate may disqualify a qualified applicant, solely based on the applicant's criminal history, if the qualified applicant has obtained a certificate of restoration of opportunity and the applicant meets all other statutory and regulatory

requirements, except as required by federal law or exempted under this subsection. Nothing in this section is interpreted as restoring or creating a means to restore any firearms rights or eligibility to obtain a firearm dealer license pursuant to RCW 9.41.110 or requiring the removal of a protection order.

(a)(i) Criminal justice agencies, as defined in RCW 10.97.030, and the Washington state bar association are exempt from this section.

(ii) This section does not apply to the licensing, certification, or qualification of the following professionals: Accountants, RCW 18.04.295; assisted living facilities employees, RCW 18.20.125; bail bond agents, RCW 18.185.020; escrow agents, RCW 18.44.241; long-term care workers, RCW 18.88B.080; nursing home administrators, RCW 18.52.071; nursing, chapter 18.79 RCW; physicians and physician assistants, chapters 18.71 and 18.71A RCW; private investigators, RCW 18.165.030; receivers, RCW 7.60.035; teachers, chapters 28A.405 and 28A.410 RCW; notaries public, chapter ~~((42.44 RCW))~~ 42.--- RCW (the new chapter created in section 34 of this act); private investigators, chapter 18.165 RCW; real estate brokers and salespersons, chapters 18.85 and 18.86 RCW; security guards, chapter 18.170 RCW; and vulnerable adult care providers, RCW 43.43.842.

(iii) To the extent this section conflicts with the requirements for receipt of federal funding under the adoption and safe families act, 42 U.S.C. Sec. 671, this section does not apply.

(b) Unless otherwise addressed in statute, in cases where an applicant would be disqualified under RCW 43.20A.710, and the applicant has obtained a certificate of restoration of opportunity, the department of social and health services may, after review of relevant factors, including the nature and seriousness of the offense, time that has passed since conviction, changed circumstances since the offense occurred, and the nature of the employment or license sought, at its discretion:

(i) Allow the applicant to have unsupervised access to children, vulnerable adults, or individuals with mental illness or developmental

disabilities if the applicant is otherwise qualified and suitable; or

(ii) Disqualify the applicant solely based on the applicant's criminal history.

(c) If the practice of a profession or business involves unsupervised contact with vulnerable adults, children, or individuals with mental illness or developmental disabilities, or populations otherwise defined by statute as vulnerable, the department of health may, after review of relevant factors, including the nature and seriousness of the offense, time that has passed since conviction, changed circumstances since the offense occurred, and the nature of the employment or license sought, at its discretion:

(i) Disqualify an applicant who has obtained a certificate of restoration of opportunity, for a license, certification, or registration to engage in the practice of a health care profession or business solely based on the applicant's criminal history; or

(ii) If such applicant is otherwise qualified and suitable, credential or credential with conditions an applicant who has obtained a certificate of restoration of opportunity for a license, certification, or registration to engage in the practice of a health care profession or business.

(d) The state of Washington, any of its counties, cities, towns, municipal corporations, or quasi-municipal corporations, the department of health, and its officers, employees, contractors, and agents are immune from suit in law, equity, or any action under the administrative procedure act based upon its exercise of discretion under this section. This section does not create a protected class; private right of action; any right, privilege, or duty; or change to any right, privilege, or duty existing under law. This section does not modify a licensing or certification applicant's right to a review of an agency's decision under the administrative procedure act or other applicable statute or agency rule. A certificate of restoration of opportunity does not remove or alter citizenship or legal residency requirements already in place for state agencies and employers.

(2) A qualified court has jurisdiction to issue a certificate of restoration of opportunity to a qualified applicant.

(a) A court must determine, in its discretion whether the certificate:

(i) Applies to all past criminal history; or

(ii) Applies only to the convictions or adjudications in the jurisdiction of the court.

(b) The certificate does not apply to any future criminal justice involvement that occurs after the certificate is issued.

(c) A court must determine whether to issue a certificate by determining whether the applicant is a qualified applicant as defined in RCW 9.97.010.

(3) An employer or housing provider may, in its sole discretion, determine whether to consider a certificate of restoration of opportunity issued under this chapter in making employment or rental decisions. An employer or housing provider is immune from suit in law, equity, or under the administrative procedure act for damages based upon its exercise of discretion under this section or the refusal to exercise such discretion. In any action at law against an employer or housing provider arising out of the employment of or provision of housing to the recipient of a certificate of restoration of opportunity, evidence of the crime for which a certificate of restoration of opportunity has been issued may not be introduced as evidence of negligence or intentionally tortious conduct on the part of the employer or housing provider. This subsection does not create a protected class, private right of action, any right, privilege, or duty, or to change any right, privilege, or duty existing under law related to employment or housing except as provided in RCW 7.60.035.

(4) (a) Department of social and health services: A certificate of restoration of opportunity does not apply to the state abuse and neglect registry. No finding of abuse, neglect, or misappropriation of property may be removed from the registry based solely on a certificate. The department must include such certificates as part of its criminal history record reports, qualifying letters, or other assessments pursuant to RCW 43.43.830 through

43.43.838. The department shall adopt rules to implement this subsection.

(b) Washington state patrol: The Washington state patrol is not required to remove any records based solely on a certificate of restoration of opportunity. The state patrol must include a certificate as part of its criminal history record report.

(c) Court records:

(i) A certificate of restoration of opportunity has no effect on any other court records, including records in the judicial information system. The court records related to a certificate of restoration of opportunity must be processed and recorded in the same manner as any other record.

(ii) The qualified court where the applicant seeks the certificate of restoration of opportunity must administer the court records regarding the certificate in the same manner as it does regarding all other proceedings.

(d) Effect in other judicial proceedings: A certificate of restoration of opportunity may only be submitted to a court to demonstrate that the individual met the specific requirements of this section and not for any other procedure, including evidence of character, reputation, or conduct. A certificate is not an equivalent procedure under Rule of Evidence 609(c).

(e) Department of health: The department of health must include a certificate of restoration of opportunity on its public web site if:

(i) Its web site includes an order, stipulation to informal disposition, or notice of decision related to the conviction identified in the certificate of restoration of opportunity; and

(ii) The credential holder has provided a certified copy of the certificate of restoration of opportunity to the department of health.

(5) In all cases, an applicant must provide notice to the prosecutor in the county where he or she seeks a certificate of restoration of opportunity of the pendency of such application. If the applicant has been sentenced by any other jurisdiction in the five years preceding the application for a certificate, the applicant must also notify the prosecuting attorney in those jurisdictions. The prosecutor in

the county where an applicant applies for a certificate shall provide the court with a report of the applicant's criminal history.

(6) Application for a certificate of restoration of opportunity must be filed as a civil action.

(7) A superior court in the county in which the applicant resides may decline to consider the application for certificate of restoration of opportunity. If the superior court in which the applicant resides declines to consider the application, the court must dismiss the application without prejudice and the applicant may refile the application in another qualified court. The court must state the reason for the dismissal on the order. If the court determines that the applicant does not meet the required qualifications, then the court must dismiss the application without prejudice and state the reason(s) on the order. The superior court in the county of the applicant's conviction or adjudication may not decline to consider the application.

(8) Unless the qualified court determines that a hearing on an application for certificate of restoration is necessary, the court must decide without a hearing whether to grant the certificate of restoration of opportunity based on a review of the application filed by the applicant and pleadings filed by the prosecuting attorney.

(9) The clerk of the court in which the certificate of restoration of opportunity is granted shall transmit the certificate of restoration of opportunity to the Washington state patrol identification section, which holds criminal history information for the person who is the subject of the conviction. The Washington state patrol shall update its records to reflect the certificate of restoration of opportunity.

(10)(a) The administrative office of the courts shall develop and prepare instructions, forms, and an informational brochure designed to assist applicants applying for a certificate of restoration of opportunity.

(b) The instructions must include, at least, a sample of a standard application and a form order for a certificate of restoration of opportunity.

(c) The administrative office of the courts shall distribute a master copy of the instructions, informational brochure, and sample application and form order to all county clerks and a master copy of the application and order to all superior courts by January 1, 2017.

(d) The administrative office of the courts shall determine the significant non-English-speaking or limited English-speaking populations in the state. The administrator shall then arrange for translation of the instructions, which shall contain a sample of the standard application and order, and the informational brochure into languages spoken by those significant non-English-speaking populations and shall distribute a master copy of the translated instructions and informational brochures to the county clerks by January 1, 2017.

(e) The administrative office of the courts shall update the instructions, brochures, standard application and order, and translations when changes in the law make an update necessary.

Sec. 37. RCW 18.235.010 and 2007 c 256 s 11 are each amended to read as follows:

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

(1) "Board" means those boards specified in RCW 18.235.020(2)(b).

(2) "Department" means the department of licensing.

(3) "Director" means the director of the department or director's designee.

(4) "Disciplinary action" means sanctions identified in RCW 18.235.110.

(5) "Disciplinary authority" means the director, board, or commission having the authority to take disciplinary action against a holder of, or applicant for, a professional or business license upon a finding of a violation of this chapter or a chapter specified under RCW 18.235.020.

(6) "License," "licensing," and "licensure" are deemed equivalent to the terms "license," "licensing," "licensure," "certificate," "certification," and "registration" as those terms are defined in RCW 18.118.020. Each of these terms, and the term ("~~appointment~~") "commission" under chapter (~~42.44 RCW~~) 42.--- RCW

(the new chapter created in section 34 of this act), are interchangeable under the provisions of this chapter.

(7) "Unlicensed practice" means:

(a) Practicing a profession or operating a business identified in RCW 18.235.020 without holding a valid, unexpired, unrevoked, and unsuspended license to do so; or

(b) Representing to a person, through offerings, advertisements, or use of a professional title or designation, that the individual or business is qualified to practice a profession or operate a business identified in RCW 18.235.020 without holding a valid, unexpired, unrevoked, and unsuspended license to do so.

Sec. 38. RCW 18.235.020 and 2013 c 322 s 29 are each amended to read as follows:

(1) This chapter applies only to the director and the boards and commissions having jurisdiction in relation to the businesses and professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The director has authority under this chapter in relation to the following businesses and professions:

(i) Auctioneers under chapter 18.11 RCW;

(ii) Bail bond agents and bail bond recovery agents under chapter 18.185 RCW;

(iii) Camping resorts' operators and salespersons under chapter 19.105 RCW;

(iv) Commercial telephone solicitors under chapter 19.158 RCW;

(v) Cosmetologists, barbers, manicurists, and estheticians under chapter 18.16 RCW;

(vi) Court reporters under chapter 18.145 RCW;

(vii) Driver training schools and instructors under chapter 46.82 RCW;

(viii) Employment agencies under chapter 19.31 RCW;

(ix) For hire vehicle operators under chapter 46.72 RCW;

(x) Limousines under chapter 46.72A RCW;

(xi) Notaries public under chapter ~~((42.44 RCW))~~ 42.--- RCW (the new chapter created in section 34 of this act);

(xii) Private investigators under chapter 18.165 RCW;

(xiii) Professional boxing, martial arts, and wrestling under chapter 67.08 RCW;

(xiv) Real estate appraisers under chapter 18.140 RCW;

(xv) Real estate brokers and salespersons under chapters 18.85 and 18.86 RCW;

(xvi) Scrap metal processors, scrap metal recyclers, and scrap metal suppliers under chapter 19.290 RCW;

(xvii) Security guards under chapter 18.170 RCW;

(xviii) Sellers of travel under chapter 19.138 RCW;

(xix) Timeshares and timeshare salespersons under chapter 64.36 RCW;

(xx) Whitewater river outfitters under chapter 79A.60 RCW;

(xxi) Home inspectors under chapter 18.280 RCW;

(xxii) Body artists, body piercers, and tattoo artists, and body art, body piercing, and tattooing shops and businesses, under chapter 18.300 RCW; and

(xxiii) Appraisal management companies under chapter 18.310 RCW.

(b) The boards and commissions having authority under this chapter are as follows:

(i) The state board for architects established in chapter 18.08 RCW;

(ii) The Washington state collection agency board established in chapter 19.16 RCW;

(iii) The state board of registration for professional engineers and land surveyors established in chapter 18.43 RCW governing licenses issued under chapters 18.43 and 18.210 RCW;

(iv) The funeral and cemetery board established in chapter 18.39 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;

(v) The state board of licensure for landscape architects established in chapter 18.96 RCW; and

(vi) The state geologist licensing board established in chapter 18.220 RCW.

(3) In addition to the authority to discipline license holders, the disciplinary authority may grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered under RCW 18.235.110 by the disciplinary authority.

Sec. 39. RCW 19.34.340 and 1997 c 27 s 21 are each amended to read as follows:

(1) Unless otherwise provided by law or contract, if so provided in the certificate issued by a licensed certification authority, a digital signature verified by reference to the public key listed in a valid certificate issued by a licensed certification authority satisfies the requirements for an acknowledgment under ~~((RCW 42.44.010(4)))~~ section 2(1) of this act and for acknowledgment of deeds and other real property conveyances under RCW 64.04.020 if words of an express acknowledgment appear with the digital signature regardless of whether the signer personally appeared before either the certification authority or some other person authorized to take acknowledgments of deeds, mortgages, or other conveyance instruments under RCW 64.08.010 when the digital signature was created, if that digital signature is:

(a) Verifiable by that certificate; and

(b) Affixed when that certificate was valid.

(2) If the digital signature is used as an acknowledgment, then the certification authority is responsible to the same extent as a notary up to the recommended reliance limit for failure to satisfy the requirements for an acknowledgment. The certification authority may not disclaim or limit, other than as provided in RCW 19.34.280, the effect of this section.

Sec. 40. RCW 19.154.060 and 2011 c 244 s 3 are each amended to read as follows:

(1) Persons, other than those licensed to practice law in this state or otherwise permitted to practice law or represent others under federal law in an immigration matter, are prohibited from engaging in the practice of law in an immigration matter for compensation.

(2) Persons, other than those licensed to practice law in this state or otherwise permitted to practice law or represent others under federal law in an immigration matter, are prohibited from engaging in the following acts or practices, for compensation:

(a) Advising or assisting another person in determining the person's legal or illegal status for the purpose of an immigration matter;

(b) Selecting or assisting another in selecting, or advising another as to his or her answers on, a government agency form or document in an immigration matter;

(c) Selecting or assisting another in selecting, or advising another in selecting, a benefit, visa, or program to apply for in an immigration matter;

(d) Soliciting to prepare documents for, or otherwise representing the interests of, another in a judicial or administrative proceeding in an immigration matter;

(e) Explaining, advising, or otherwise interpreting the meaning or intent of a question on a government agency form in an immigration matter;

(f) Charging a fee for referring another to a person licensed to practice law;

(g) Selecting, drafting, or completing legal documents affecting the legal rights of another in an immigration matter.

(3) Persons, other than those holding an active license to practice law issued by the Washington state bar association or otherwise permitted to practice law or represent others under federal law in an immigration matter, are prohibited from engaging in the following acts or practices, regardless of whether compensation is sought:

(a) Representing, either orally or in any document, letterhead, advertisement, stationery, business card, web site, or other comparable written material, that he or she is a notario publico, notario,

immigration assistant, immigration consultant, immigration specialist, or using any other designation or title, in any language, that conveys or implies that he or she possesses professional legal skills in the area of immigration law;

(b) Representing, in any language, either orally or in any document, letterhead, advertisement, stationery, business card, web site, or other comparable written material, that he or she can or is willing to provide services in an immigration matter, if such services would constitute the practice of law.

(4) (a) The prohibitions of subsections (1) through (3) of this section shall not apply to the activities of nonlawyer assistants acting under the supervision of a person holding an active license to practice law issued by the Washington state bar association or otherwise permitted to practice law or represent others under federal law in an immigration matter.

(b) This section does not prohibit a person from offering translation services, regardless of whether compensation is sought. Translating words contained on a government form from English to another language and translating a person's words from another language to English does not constitute the unauthorized practice of law.

(5) In addition to complying with the prohibitions of subsections (1) through (3) of this section, persons licensed as a notary public under chapter ~~((42.44 RCW))~~ 42.--- RCW (the new chapter created in section 34 of this act) who do not hold an active license to practice law issued by the Washington state bar association shall not use the term notario publico, notario, immigration assistant, immigration consultant, immigration specialist, or any other designation or title, in any language, that conveys or implies that he or she possesses professional legal skills in the areas of immigration law, when advertising notary public services in the conduct of their business. A violation of any provision of this chapter by a person licensed as a notary public under chapter ~~((42.44 RCW))~~ 42.--- RCW (the new chapter created in section 34 of this act) shall constitute unprofessional conduct under the uniform regulation of business and professions act, chapter 18.235 RCW.

Sec. 41. RCW 43.24.150 and 2013 2nd sp.s. c 4 s 978 are each amended to read as follows:

(1) The business and professions account is created in the state treasury. All receipts from business or professional licenses, registrations, certifications, renewals, examinations, or civil penalties assessed and collected by the department from the following chapters must be deposited into the account:

- (a) Chapter 18.11 RCW, auctioneers;
- (b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;
- (c) Chapter 18.145 RCW, court reporters;
- (d) Chapter 18.165 RCW, private investigators;
- (e) Chapter 18.170 RCW, security guards;
- (f) Chapter 18.185 RCW, bail bond agents;
- (g) Chapter 18.280 RCW, home inspectors;
- (h) Chapter 19.16 RCW, collection agencies;
- (i) Chapter 19.31 RCW, employment agencies;
- (j) Chapter 19.105 RCW, camping resorts;
- (k) Chapter 19.138 RCW, sellers of travel;
- (l) Chapter ~~((42.44 RCW))~~ 42.--- RCW (the new chapter created in section 34 of this act), notaries public;
- (m) Chapter 64.36 RCW, timeshares;
- (n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;
- (o) Chapter 18.300 RCW, body art, body piercing, and tattooing;
- (p) Chapter 79A.60 RCW, whitewater river outfitters;
- (q) Chapter 19.158 RCW, commercial telephone solicitation; and
- (r) Chapter 19.290 RCW, scrap metal businesses.

Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for expenses incurred in carrying out these business

and professions licensing activities of the department. Any residue in the account must be accumulated and may not revert to the general fund at the end of the biennium. However, during the 2013-2015 fiscal biennium the legislature may transfer to the state general fund such amounts as reflect the excess fund balance in the account.

(2) The director must biennially prepare a budget request based on the anticipated costs of administering the business and professions licensing activities listed in subsection (1) of this section, which must include the estimated income from these business and professions fees.

Sec. 42. RCW 64.08.060 and 2016 c 202 s 40 are each amended to read as follows:

A certificate of acknowledgment for an individual, substantially in the following form or, after December 31, 1985, substantially in the form set forth in ((RCW 42.44.100(1))) section 16(1) of this act, shall be sufficient for the purposes of this chapter and for any acknowledgment required to be taken in accordance with this chapter:

Stat
e of ss
Count
ty of

On this day personally appeared before me (here insert the name of grantor or grantors) to me known to be the individual, or individuals described in and who executed the within and foregoing instrument, and acknowledged that he (she or they) signed the same as his (her or their) free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal this day of, (year) (Signature of officer and official seal)

If acknowledgment is taken before a notary public of this state the signature shall be followed by substantially the following: Notary Public in and for the state of Washington, residing at, (giving place of residence).

Sec. 43. RCW 64.08.070 and 2016 c 202 s 41 are each amended to read as follows:

A certificate of acknowledgment for a corporation, substantially in the following form or, after December 31, 1985, substantially in the form set forth in ((RCW 42.44.100(2))) section 16(2) of this act, shall be sufficient for the purposes of this chapter and for any acknowledgment required to be taken in accordance with this chapter:

State
of ss
Count
y of

On this day of, (year), before me personally appeared, to me known to be the (president, vice president, secretary, treasurer, or other authorized officer or agent, as the case may be) of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written. (Signature and title of officer with place of residence of notary public.)

NEW SECTION. Sec. 44. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 45. EFFECTIVE DATE. This act takes effect July 1, 2018."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 15, 2017
SB 5227 Prime Sponsor, Senator King: Requiring drivers to stop for approaching other on-

track equipment at railroad grade crossings.
Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Rules for second reading.

March 16, 2017

SB 5270 Prime Sponsor, Senator Hawkins:
Concerning expiration dates affecting the department of natural resources' contract harvesting program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Capital Budget.

March 16, 2017

SB 5306 Prime Sponsor, Senator Rolfes:
Concerning secondary commercial fish receivers. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

March 15, 2017

ESSB 5338 Prime Sponsor, Committee on Transportation: Concerning registration enforcement for off-road vehicles and snowmobiles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that many residents of Washington enjoy recreational opportunities for

off-road vehicle and snowmobile use afforded by the natural beauty of the state and do so in compliance with vehicle titling and registration laws and other laws that govern off-road vehicle and snowmobile use. At the same time, the legislature recognizes that the current law and corresponding enforcement regime may not be robust enough to ensure full compliance with legal registration requirements and a level playing field for all users. It is therefore the intent of the legislature to modify the statutory framework governing penalties for off-road vehicle and snowmobile registration violations and to add requirements to the department of licensing in order to improve registration compliance.

NEW SECTION. Sec. 2. A new section is added to chapter 46.09 RCW under the subchapter heading "uses and violations" to read as follows:

(1) It is a gross misdemeanor, punishable as provided under chapter 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to knowingly fail to apply for a Washington state certificate of title for, or to knowingly fail to register, an off-road vehicle within fifteen days of receiving or refusing a notice issued by the department under section 4 of this act.

(2) Excise taxes owed and fines assessed must be deposited in the manner provided under RCW 46.16A.030(6).

NEW SECTION. Sec. 3. A new section is added to chapter 46.10 RCW under the subchapter heading "uses and violations" to read as follows:

(1) It is a gross misdemeanor, punishable as provided under chapter 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to knowingly fail to register a snowmobile within fifteen days of receiving or refusing a notice issued by the department under section 4 of this act.

(2) Excise taxes owed and fines assessed must be deposited in the manner provided under RCW 46.16A.030(6).

NEW SECTION. Sec. 4. A new section is added to chapter 46.93 RCW to read as follows:

(1) By the first business day in February of each year, beginning in 2018, motorsports vehicle manufacturers must report to the department of licensing a

listing of all motorsports vehicle warranties for off-road vehicles under chapter 46.09 RCW and snowmobiles under chapter 46.10 RCW sold to Washington residents by out-of-state motorsports vehicle dealers in the previous calendar year. The report must be transmitted such that the department receives the listing no later than the first business day in February. Failure to report a complete listing as required under this subsection results in an administrative fine of one hundred dollars for each day after the first business day in February that the department has not received the report.

(2) The department of licensing shall examine the listing reported in subsection (1) of this section to verify whether the vehicles are properly registered in the state. Beginning in 2018, and to the extent that it has received the listing required under subsection (1) of this section, the department shall notify by certified mail from the United States postal service, with return receipt requested, by the end of February of each year, the purchasers of the warranties of the off-road vehicles and snowmobiles that are not properly registered in the state of the owner's obligations under state law regarding vehicle titling, registration, and use tax payment, as well as of the penalties for failure to comply with the law.

(3) Fines received under this section must be paid into the state treasury and credited to the nonhighway and off-road vehicle activities program account under RCW 46.09.510 and to the snowmobile account under RCW 46.68.350. The state treasurer must apportion the fines between the accounts according to the pro rata share of the number of off-road vehicle and snowmobile registrations in the previous calendar year. The department must provide the state treasurer with the information needed to determine the apportionment.

NEW SECTION. **Sec. 5.** Section 4 of this act applies to the sales of off-road vehicles and snowmobiles beginning in January 2017.

NEW SECTION. **Sec. 6.** This act takes effect August 1, 2017."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Rules for second reading.

March 15, 2017

SSB 5366 Prime Sponsor, Committee on Transportation: Concerning the authorization of and deposit of moneys from department of transportation advertising activities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Rules for second reading.

March 16, 2017

ESSB 5552 Prime Sponsor, Committee on Law & Justice: Concerning firearms sales and transfers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.41.010 and 2015 c 1 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(3) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(4) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

(5) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

(6) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

(7) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(8) "Felony firearm offense" means:

(a) Any felony offense that is a violation of this chapter;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

(9) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

(10) "Gun" has the same meaning as firearm.

(11) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

(12) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

(13) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

(14) "Loaded" means:

(a) There is a cartridge in the chamber of the firearm;

(b) Cartridges are in a clip that is locked in place in the firearm;

(c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;

(d) There is a cartridge in the tube or magazine that is inserted in the action; or

(e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

(15) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

(16) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a) (15).

(17) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

(18) "Pistol" means any firearm with a barrel less than sixteen inches in length, or is designed to be held and fired by the use of a single hand.

(19) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(20) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

(21) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

(a) Any crime of violence;

(b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least ten years;

(c) Child molestation in the second degree;

(d) Incest when committed against a child under age fourteen;

(e) Indecent liberties;

(f) Leading organized crime;

(g) Promoting prostitution in the first degree;

(h) Rape in the third degree;

(i) Drive-by shooting;

(j) Sexual exploitation;

(k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense; or

(p) Any felony conviction under RCW 9.41.115.

(22) "Short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

(23) "Short-barreled shotgun" means a shotgun having one or more barrels less

than eighteen inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

(24) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(25) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

(26) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

(27) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

(28) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

Sec. 2. RCW 9.41.113 and 2015 c 1 s 3 are each amended to read as follows:

(1) All firearm sales or transfers, in whole or part in this state including without limitation a sale or transfer where either the purchaser or seller or transferee or transferor is in Washington, shall be subject to background checks unless specifically exempted by state or federal law. The background check requirement applies to all sales or transfers including, but not limited to, sales and transfers through a licensed dealer, at gun shows, online, and between unlicensed persons.

(2) No person shall sell or transfer a firearm unless:

(a) The person is a licensed dealer;

(b) The purchaser or transferee is a licensed dealer; or

(c) The requirements of subsection (3) of this section are met.

(3) Where neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or transfer through a licensed dealer as follows:

(a) The seller or transferor shall deliver the firearm to a licensed dealer to process the sale or transfer as if it is selling or transferring the firearm from its inventory to the purchaser or transferee, except that the unlicensed seller or transferor may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller or transferor removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser or transferee and the seller or transferor shall return to the business premises of the licensed dealer and the seller or transferor shall again deliver the firearm to the licensed dealer prior to completing the sale or transfer.

(b) Except as provided in (a) of this subsection, the licensed dealer shall comply with all requirements of federal and state law that would apply if the licensed dealer were selling or transferring the firearm from its inventory to the purchaser or transferee, including but not limited to conducting a background check on the prospective purchaser or transferee in accordance with federal and state law requirements and fulfilling all federal and state recordkeeping requirements.

(c) The purchaser or transferee must complete, sign, and submit all federal, state, and local forms necessary to process the required background check to the licensed dealer conducting the background check.

(d) If the results of the background check indicate that the purchaser or transferee is ineligible to possess a firearm, then the licensed dealer shall return the firearm to the seller or transferor.

(e) The licensed dealer may charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed dealer for

facilitating the sale or transfer of the firearm.

(4) This section does not apply to:

(a) A transfer between immediate family members, which for this subsection shall be limited to spouses, domestic partners, parents, parents-in-law, children, siblings, siblings-in-law, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles, that is a bona fide gift or loan;

(b) The sale or transfer of an antique firearm;

(c) A temporary transfer of possession of a firearm if such transfer is necessary to prevent imminent death or great bodily harm to the person to whom the firearm is transferred if:

(i) The temporary transfer only lasts as long as immediately necessary to prevent such imminent death or great bodily harm; and

(ii) The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(d) A temporary transfer of possession of a firearm if: (i) The transfer is intended to prevent suicide or self-inflicted great bodily harm; (ii) the transfer lasts only as long as reasonably necessary to prevent death or great bodily harm; and (iii) the firearm is not utilized by the transferee for any purpose for the duration of the temporary transfer;

(e) Any law enforcement or corrections agency and, to the extent the person is acting within the course and scope of his or her employment or official duties, any law enforcement or corrections officer, United States marshal, member of the armed forces of the United States or the national guard, or federal official;

~~((e))~~ (f) A federally licensed gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the federally licensed gunsmith;

~~((f))~~ (g) The temporary transfer of a firearm (i) between spouses or domestic partners; (ii) if the temporary transfer occurs, and the firearm is kept at all times, at an established shooting range authorized by the governing body of the jurisdiction in which such range is located; (iii) if the temporary transfer

occurs and the transferee's possession of the firearm is exclusively at a lawful organized competition involving the use of a firearm, or while participating in or practicing for a performance by an organized group that uses firearms as a part of the performance; (iv) to a person who is under eighteen years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult who is not prohibited from possessing firearms; ~~((e))~~ (v) under circumstances in which the transferee and the firearm remain in the presence of the transferor; or (vi) while hunting if the hunting is legal in all places where the person to whom the firearm is transferred possesses the firearm and the person to whom the firearm is transferred has completed all training and holds all licenses or permits required for such hunting, provided that any temporary transfer allowed by this subsection is permitted only if the person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law; ~~((e))~~

~~((g))~~ (h) A person who (i) acquired a firearm other than a pistol by operation of law upon the death of the former owner of the firearm or (ii) acquired a pistol by operation of law upon the death of the former owner of the pistol within the preceding sixty days. At the end of the sixty-day period, the person must either have lawfully transferred the pistol or must have contacted the department of licensing to notify the department that he or she has possession of the pistol and intends to retain possession of the pistol, in compliance with all federal and state laws; or

(i) A sale or transfer when the purchaser or transferee is a licensed collector and the firearm being sold or transferred is a curio or relic."

Correct the title.

Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

SB 5581

March 15, 2017
Prime Sponsor, Senator Angel:
Authorizing public hospital districts to participate in self-insurance risk pools with nonprofit hospitals. Reported by

Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe and Stanford.

MINORITY recommendation: Do not pass. Signed by Representative Santos.

Referred to Committee on Rules for second reading.

March 15, 2017

ESB 5629

Prime Sponsor, Senator Angel: Creating and establishing the rights and duties for title insurance rating and advisory organizations. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, J., Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10 a.m., March 22, 2017, the 73rd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SEVENTY THIRD DAY

House Chamber, Olympia, Wednesday, March 22, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Precious Omweri and Luis Zepeda. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Keith Wilson, Hood Canal Community Church, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) recognized members of the Seattle Buffalo Soldiers seated in the North Gallery, and asked the members to acknowledge them. The Buffalo Soldiers were previously honored by the adoption of HR 4615.

The Speaker (Representative Lovick presiding) also recognized former Seattle Seahawk receiver Ricardo Lockette and asked the members to acknowledge him.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2172 by Representative Hudgins

AN ACT Relating to building a more robust state information technology security posture by leveraging assets at the military department and other agencies responsible for information technology systems and infrastructure; amending RCW 43.105.215; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

HB 2173 by Representatives Hudgins and Koster

AN ACT Relating to ballot drop box accessibility; amending RCW 29A.40.160; and adding a new section to chapter 29A.40 RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 2174 by Representatives Maycumber, Blake, Buys, Taylor and Shea

AN ACT Relating to making licensed dealer delivery provisions consistent with federal law; and amending RCW 9.41.092.

Referred to Committee on Judiciary.

HB 2175 by Representatives Maycumber, Blake, Buys, Taylor and Shea

AN ACT Relating to natural resource management activities; amending RCW 77.12.037; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 2176 by Representatives Hargrove, Shea and Orcutt

AN ACT Relating to aligning the issuance of drivers' licenses and identicards with the federal requirements of the REAL ID act at no additional cost to applicants; amending RCW 46.20.091 and 46.20.117; reenacting and amending RCW 46.01.130; adding a new section to chapter 46.20 RCW; repealing RCW 43.41.390 and 46.20.191; and providing an effective date.

Referred to Committee on Transportation.

HB 2177 by Representatives Chapman and Steele

AN ACT Relating to creating the rural county high employer demand jobs program; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 2178 by Representatives Buys, Manweller, Maycumber, Taylor, Condotta, Volz, Shea, Haler, Schmick, Kretz, Dye, Koster and Van Werven

AN ACT Relating to providing sanctuary from state policies, rules, and statute; amending RCW 36.32.120, 35.58.180, and 35A.11.020; creating a new section; and declaring an emergency.

Referred to Committee on Local Government.

HJR 4209 by Representatives Young, Shea, Taylor and Volz

Requiring a balanced budget.

Referred to Committee on Appropriations.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 21, 2017

ESSB 5263 Prime Sponsor, Committee on Agriculture, Water, Trade & Economic Development: Concerning the procurement of seeds by state agencies. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

March 21, 2017

SB 5660 Prime Sponsor, Senator Hunt: Removing references to specific nonoperational historical facilities from state statute. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair;

Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 21, 2017

ESSB 5729 Prime Sponsor, Committee on State Government: Concerning legislative technology. (REVISED FOR ENGROSSED: Concerning making nonsubstantive changes to statutes affecting legislative technology administration.) Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., March 23, 2017, the 74 Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SEVENTY FOURTH DAY

House Chamber, Olympia, Thursday, March 23, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2179 by Representative Clibborn

AN ACT Relating to extending the duration of the state route number 167 high occupancy toll lane pilot project; amending RCW 47.56.403; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

HB 1677 Prime Sponsor, Representative Peterson: Concerning local government infrastructure funding. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

SSB 5051 Prime Sponsor, Committee on Agriculture, Water, Trade & Economic Development: Concerning nondefault or early termination provisions in state land leases for agricultural or grazing purposes. Reported

by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Lytton; Orcutt; Robinson; Schmick; Springer and Walsh, J..

Referred to Committee on Rules for second reading.

SB 5075 Prime Sponsor, Senator Takko: Concerning dispute resolution between seed buyers and dealers. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

ESB 5097 Prime Sponsor, Senator Braun: Clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Lytton; Orcutt; Robinson; Schmick; Springer and Walsh, J..

Referred to Committee on Rules for second reading.

SB 5119 Prime Sponsor, Senator Takko: Concerning water-sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 57.20 RCW to read as follows:

(1) The board of commissioners of a district with revenues of five million dollars or more in each of the preceding three years that were audited in accordance with RCW 43.09.260 may by resolution adopt a policy to issue its own warrants for payment of claims or other obligations of the district. The board of commissioners, after auditing all payrolls and bills, may authorize the issuing of one general certificate to the county treasurer, to be signed by the president of the board of commissioners, authorizing the county treasurer to pay all the warrants specified by date, number, name, and amount, and the accounting funds on which the warrants are drawn. The district may then issue the warrants specified in the general certificate.

(2) The board of commissioners of a district with revenues greater than two hundred fifty thousand dollars and less than five million dollars in each of the preceding three years that were audited in accordance with RCW 43.09.260 may upon agreement between the county treasurer and the district commission, with approval of the district commission by resolution, adopt a policy to issue its own warrants for payment of claims or other obligations of the district. The board of commissioners, after auditing all payrolls and bills, may authorize the issuing of one general certificate to the county treasurer, to be signed by the president of the board of commissioners, authorizing the county treasurer to pay all the warrants specified by date, number, name, and amount, and the accounting funds on which the warrants are drawn. The district may then issue the warrants specified in the general certificate.

NEW SECTION. Sec. 2. A new section is added to chapter 57.08 RCW to read as follows:

(1) Any water-sewer district may elect to contract for asset management service of its water storage assets in accordance with this section. If a water-sewer district elects to contract under this subsection for all, some, or one component of water storage asset management services for its water storage assets, each water-sewer district shall publish notice of its requirements to procure asset management service of its

water storage assets. The announcement must concisely state the scope and nature of the water storage asset management service for which a contract is required and encourage firms to submit proposals to meet these requirements. If a water-sewer district chooses to negotiate a water storage asset management service contract under this section, no otherwise applicable statutory procurement requirement applies.

(2) The water-sewer district may negotiate a fair and reasonable water storage asset management service contract with the firm that submits the best proposal based on criteria that is established by the water-sewer district.

(3) If the water-sewer district is unable to negotiate a satisfactory water storage asset management service contract with the firm that submits the best proposal, negotiations with that firm must formally be terminated and the water-sewer district may select another firm in accordance with this section and continue negotiation until a water storage asset management service contract is reached or the selection process is terminated.

(4) For the purposes of this section:

(a) "Water storage asset management services" means the financing, designing, improving, operating, maintaining, repairing, testing, inspecting, cleaning, administering, or managing, or any combination thereof, of a water storage asset.

(b) "Water storage asset" means water storage structures and associated distribution systems, such as the water tank, tower, well, meter, or water filter.

Sec. 3. RCW 70.95A.020 and 1973 c 132 s 3 are each amended to read as follows:

As used in this chapter, unless the context otherwise requires:

(1) "Municipality" shall mean any city, town, county, ~~((or))~~ port district, or water-sewer district in the state;

(2) "Facility" or "facilities" shall mean any land, building, structure, machinery, system, fixture, appurtenance, equipment or any combination thereof, or any interest therein, and all real and personal properties deemed necessary in connection therewith whether or not now in existence, which is used or to be used

by any person, corporation or municipality in furtherance of the purpose of abating, controlling or preventing pollution;

(3) "Pollution" shall mean any form of environmental pollution, including but not limited to water pollution, air pollution, land pollution, solid waste disposal, thermal pollution, radiation contamination, or noise pollution;

(4) "Governing body" shall mean the body or bodies in which the legislative powers of the municipality are vested;

(5) "Mortgage" shall mean a mortgage or a mortgage and deed of trust or other security device; and

(6) "Department" shall mean the state department of ecology."

Correct the title.

Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

March 20, 2017

SB 5164 Prime Sponsor, Senator Keiser: Authorizing grocery store license endorsements allowing beer and wine tastings at certain grocery stores that specialize in the sale of meat, poultry, seafood, or cheese. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

March 22, 2017

SB 5261 Prime Sponsor, Senator Warnick: Concerning irrigation district authority. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

March 22, 2017

SB 5268 Prime Sponsor, Senator Takko: Concerning notice to the licensee before a concealed pistol license expires. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

March 21, 2017

SSB 5372 Prime Sponsor, Committee on State Government: Addressing state audit findings of noncompliance with state law. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 21, 2017

SSB 5374 Prime Sponsor, Committee on Law & Justice: Concerning state employee whistleblower protection. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 21, 2017

SSB 5426 Prime Sponsor, Committee on Commerce, Labor & Sports: Increasing the number of tasting rooms allowed under a domestic winery license. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 66.24.170 and 2016 c 235 s 1 are each amended to read as follows:

(1) There is a license for domestic wineries; fee to be computed only on the liters manufactured: Less than two hundred fifty thousand liters per year,

one hundred dollars per year; and two hundred fifty thousand liters or more per year, four hundred dollars per year.

(2) The license allows for the manufacture of wine in Washington state from grapes or other agricultural products.

(3) Any domestic winery licensed under this section may also act as a retailer of wine of its own production. Any domestic winery licensed under this section may act as a distributor of its own production. Notwithstanding any language in this title to the contrary, a domestic winery may use a common carrier to deliver up to one hundred cases of its own production, in the aggregate, per month to licensed Washington retailers. A domestic winery may not arrange for any such common carrier shipments to licensed retailers of wine not of its own production. Except as provided in this section, any winery operating as a distributor and/or retailer under this subsection must comply with the applicable laws and rules relating to distributors and/or retailers, except that a winery operating as a distributor may maintain a warehouse off the premises of the winery for the distribution of wine of its own production provided that: (a) The warehouse has been approved by the board under RCW 66.24.010; and (b) the number of warehouses off the premises of the winery does not exceed one.

(4) A domestic winery licensed under this section, at locations separate from any of its production or manufacturing sites, may serve samples of its own products, with or without charge, may sell wine of its own production at retail, and may sell for off-premises consumption wines of its own production in kegs or sanitary containers meeting the applicable requirements of federal law brought to the premises by the purchaser or furnished by the licensee and filled at the tap at the time of sale, provided that: (a) Each additional location has been approved by the board under RCW 66.24.010; (b) the total number of additional locations does not exceed ~~((two))~~ four; (c) a winery may not act as a distributor at any such additional location; and (d) any person selling or serving wine at an additional location for on-premises consumption must obtain a class 12 or class 13 alcohol server permit. Each additional location is deemed to be part of the winery license

for the purpose of this title. At additional locations operated by multiple wineries under this section, if the board cannot connect a violation of RCW 66.44.200 or 66.44.270 to a single licensee, the board may hold all licensees operating the additional location jointly liable. Nothing in this subsection may be construed to prevent a domestic winery from holding multiple domestic winery licenses.

(5)(a) A domestic winery licensed under this section may apply to the board for an endorsement to sell wine of its own production at retail for off-premises consumption at a qualifying farmers market. The annual fee for this endorsement is seventy-five dollars. An endorsement issued pursuant to this subsection does not count toward the ~~((two))~~ four additional retail locations limit specified in this section.

(b) For each month during which a domestic winery will sell wine at a qualifying farmers market, the winery must provide the board or its designee a list of the dates, times, and locations at which bottled wine may be offered for sale. This list must be received by the board before the winery may offer wine for sale at a qualifying farmers market.

(c) The wine sold at qualifying farmers markets must be made entirely from grapes grown in a recognized Washington appellation or from other agricultural products grown in this state.

(d) Each approved location in a qualifying farmers market is deemed to be part of the winery license for the purpose of this title. The approved locations under an endorsement granted under this subsection include tasting or sampling privileges subject to the conditions pursuant to RCW 66.24.175. The winery may not store wine at a farmers market beyond the hours that the winery offers bottled wine for sale. The winery may not act as a distributor from a farmers market location.

(e) Before a winery may sell bottled wine at a qualifying farmers market, the farmers market must apply to the board for authorization for any winery with an endorsement approved under this subsection to sell bottled wine at retail at the farmers market. This application shall include, at a minimum: (i) A map of the farmers market showing all booths, stalls, or other designated locations at

which an approved winery may sell bottled wine; and (ii) the name and contact information for the on-site market managers who may be contacted by the board or its designee to verify the locations at which bottled wine may be sold. Before authorizing a qualifying farmers market to allow an approved winery to sell bottled wine at retail at its farmers market location, the board must notify the persons or entities of such application for authorization pursuant to RCW 66.24.010 (8) and (9). An authorization granted under this subsection (5) (e) may be withdrawn by the board for any violation of this title or any rules adopted under this title.

(f) The board may adopt rules establishing the application and approval process under this section and such additional rules as may be necessary to implement this section.

(g) For the purposes of this subsection:

(i) "Qualifying farmers market" means an entity that sponsors a regular assembly of vendors at a defined location for the purpose of promoting the sale of agricultural products grown or produced in this state directly to the consumer under conditions that meet the following minimum requirements:

(A) There are at least five participating vendors who are farmers selling their own agricultural products;

(B) The total combined gross annual sales of vendors who are farmers exceeds the total combined gross annual sales of vendors who are processors or resellers. However, if a farmers market does not satisfy this subsection (5) (g) (i) (B), a farmers market is still considered a "qualifying farmers market" if the total combined gross annual sales of farmers and processors at the farmers market is one million dollars or more;

(C) The total combined gross annual sales of vendors who are farmers, processors, or resellers exceeds the total combined gross annual sales of vendors who are not farmers, processors, or resellers;

(D) The sale of imported items and secondhand items by any vendor is prohibited; and

(E) No vendor is a franchisee.

(ii) "Farmer" means a natural person who sells, with or without processing,

agricultural products that he or she raises on land he or she owns or leases in this state or in another state's county that borders this state.

(iii) "Processor" means a natural person who sells processed food that he or she has personally prepared on land he or she owns or leases in this state or in another state's county that borders this state.

(iv) "Reseller" means a natural person who buys agricultural products from a farmer and resells the products directly to the consumer.

(6) Wine produced in Washington state by a domestic winery licensee may be shipped out-of-state for the purpose of making it into sparkling wine and then returned to such licensee for resale. Such wine is deemed wine manufactured in the state of Washington for the purposes of RCW 66.24.206, and shall not require a special license.

(7) During an event held by a nonprofit holding a special occasion license issued under RCW 66.24.380, a domestic winery licensed under this section may take orders, either in writing or electronically, and accept payment for wines of its own production under the following conditions:

(a) Wine produced by the domestic winery may be served for on-premises consumption by the special occasion licensee;

(b) The domestic winery delivers wine to the consumer on a date after the conclusion of the special occasion event;

(c) The domestic winery delivers wine to the consumer at a location different from the location at which the special occasion event is held;

(d) The domestic winery complies with all requirements in chapter 66.20 RCW for direct sale of wine to consumers;

(e) The wine is not sold for resale; and

(f) The domestic winery is entitled to all proceeds from the sale and delivery of its wine to a consumer after the conclusion of the special occasion event, but may enter into an agreement to share a portion of the proceeds of these sales with the special occasion licensee licensed under RCW 66.24.380.

NEW SECTION. Sec. 2. The legislature intends that at least two hundred new

domestic wineries be created over the next six years. The state liquor and cannabis board must report electronically to the house committee on commerce and gaming regarding the number of new domestic wineries each biennium. The first report is due June 30, 2019, and a report is due every two years thereafter through June 30, 2023."

Correct the title.

Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

March 21, 2017

SB 5437 Prime Sponsor, Senator Chase: Concerning the weighmaster program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 15.80.300 and 1969 ex.s. c 100 s 1 are each amended to read as follows:

~~((Terms used in this chapter shall have the meaning given to them in RCW 15.80.310 through 15.80.400 unless the context where used shall clearly indicate to the contrary.))~~ The definitions in this section apply throughout this chapter unless the context clearly require otherwise.

(1) "Certified weight" means any signed certified statement or memorandum of weight, measure, or count, issued by a weighmaster or weigher in accordance with the provisions of this chapter or any rule adopted under it.

(2) "Commodity" means anything that may be weighed, measured, or counted in a commercial transaction.

(3) "Department" means the department of agriculture of the state of Washington.

(4) "Director" means the director of the department or the director's duly appointed representative.

(5) "Licensed public weighmaster," also referred to as "weighmaster," means any person, licensed under the provisions of this chapter, who weighs, measures, or

counts any commodity or thing and issues therefor a signed certified statement, ticket, or memorandum of weight, measure, or count accepted as the accurate weight, or count upon which the purchase or sale of any commodity or upon which the basic charge or payment for services rendered is based.

(6) "Person" means a natural person, individual, or firm, partnership, corporation, company, society, or association. This term shall import either the singular or plural, as the case may be.

(7) "Retail merchant" means and includes any person operating from a bona fide fixed or permanent location at which place all of the retail business of the merchant is transacted, and whose business is exclusively retail except for the occasional wholesaling of small quantities of surplus commodities that have been taken in exchange for merchandise from the producers thereof at the bona fide fixed or permanent location.

(8) "Thing" means anything used to move, handle, transport, or contain any commodity for which a certified weight, measure, or count is issued when such thing is used to handle, transport, or contain a commodity.

(9) "Vehicle" means any device, other than a railroad car, in, upon, or by which any commodity is or may be transported or drawn.

(10) "Weigher" means any person who is licensed under the provisions of this chapter and who is an agent or employee of a weighmaster and authorized by the weighmaster to issue certified statements of weight, measure, or count.

Sec. 2. RCW 15.80.410 and 1969 ex.s. c 100 s 12 are each amended to read as follows:

The director shall enforce and carry out the provisions of this chapter and may adopt the necessary rules to carry out its purposes. The adoption of rules shall be subject to the provisions of chapter 34.05 RCW (administrative procedure act), as enacted or hereafter amended, concerning the adoption of rules.

Sec. 3. RCW 15.80.440 and 1969 ex.s. c 100 s 15 are each amended to read as follows:

The director or any peace officer may order the driver of any vehicle previously weighed by a licensed public weighmaster (~~(may be required)~~) to reweigh the vehicle and load at the nearest scale.

The director or any peace officer may order the driver of any vehicle operated by or for a retail merchant which vehicle contains hay, straw, or grain (~~(may be required)~~) to weigh the vehicle and load at the nearest scale (~~(, and)~~). If the weight is found to be less than the amount appearing on the invoice, a copy of which is required to be carried on the vehicle, the director or peace officer shall report the finding to the consignee and may (~~(cause)~~) prosecute such retail merchant (~~(to be prosecuted)~~) in accordance with the provisions of this chapter.

Sec. 4. RCW 15.80.450 and 2006 c 358 s 3 are each amended to read as follows:

(1) Any person may apply to the director for a weighmaster's license. Such application shall be on a form prescribed by the director and shall include:

~~((1))~~ (a) The full name of the person applying for such license and, if the applicant is a partnership, association, or corporation, the full name of each member of the partnership or the names of the officers of the association or corporation;

~~((2))~~ (b) The principal business address of the applicant in this state and elsewhere;

~~((3))~~ (c) The names and addresses of the persons authorized to receive and accept service of summons and legal notice of all kinds for the applicant;

~~((4))~~ (d) The location of ~~((any))~~ each scale (~~(or scales)~~) subject to the applicant's control and from which certified weights will be issued; (~~and~~

~~(5))~~ (e) The state unified business identifier number for the operator of the scale; and

(f) Such other information as the director (~~(feels)~~) identifies as necessary to carry out the purposes of this chapter and adopts by rule.

(2) Such annual application shall be accompanied by a license fee of ~~((fifty))~~ eighty dollars for each scale from which

certified weights will be issued (~~(and a bond as provided for in RCW 15.80.490)~~).

Sec. 5. RCW 15.80.470 and 2010 c 8 s 6103 are each amended to read as follows:

If an application for the annual renewal of any license provided for in this chapter is not filed prior to the current license expiration date, there shall be assessed and added to the renewal fee as a penalty therefor fifty percent of said renewal fee which shall be paid by the applicant before any renewal license shall be issued. The penalty shall not apply if the applicant furnishes ~~((an affidavit))~~ a declaration that he or she has not acted as a weighmaster or weigher subsequent to the expiration of his or her prior license.

Sec. 6. RCW 15.80.490 and 2010 c 8 s 6105 are each amended to read as follows:

(1) Any weighmaster (~~(may)~~) must file an application with the director for a license for any employee or agent to operate and issue certified weight tickets from ~~((a))~~ each scale which such weighmaster is licensed to operate under the provisions of this chapter. Such application shall be submitted on a form prescribed by the director and shall contain the following:

~~((1))~~ (a) The name of the weighmaster;

~~((2))~~ (b) The full name of the employee or agent (~~(and his or her resident address)~~); and

~~((3))~~ ~~The position held by such person with the weighmaster;~~

~~(4))~~ (c) The scale (~~(or scales)~~) from which such employee or agent will issue certified weights (~~(, and~~

~~(5))~~ ~~Signature of the weigher and the weighmaster).~~

(2) Such annual application shall be accompanied by a license fee of ~~((ten))~~ twenty dollars.

Sec. 7. RCW 15.80.510 and 2010 c 8 s 6107 are each amended to read as follows:

A licensed public weighmaster shall:

(1) Keep the scale or scales upon which he or she weighs any commodity or thing, in conformity with the standards of weights and measures; (2) carefully and correctly weigh and certify the gross, tare, and net weights of any load of any commodity or thing required to be weighed; and (3) without charge, weigh

any commodity or thing brought to his or her scale (~~by an inspector authorized~~) by the director or peace officer, and issue a certificate of the weights thereof.

Sec. 8. RCW 15.80.520 and 1983 c 95 s 6 are each amended to read as follows:

(1) Certification of weights (~~shall be made by~~) must be in accordance with subsection (2) (a) or (b) of this section.

(2) (a) The certification must appear in an appropriate and conspicuous place on each certificate and copies thereof. In addition the weight ticket must bear the name of the weighmaster, the full name of the weigher issuing the ticket, and a seal number assigned to the scale by the department. The seal number must be used only at the scale to which it is assigned.

WEIGHMASTER CERTIFICATE

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by chapter 15.80 RCW administered by the Washington state department of agriculture.

(b) Certification must be made by means of an impression seal, the impress of which shall be placed by the weighmaster or weigher making the weight determination upon the weights shown on the weight tickets. The impression seal (~~shall~~) may be procured from the director upon the payment of a fee of (~~five~~) sixty dollars or the current cost of the seal to the department, whichever is less, and such fee shall accompany the applicant's application for a weighmaster's license. (~~The seal shall be retained by the weighmaster upon payment of an annual renewal fee of five dollars, and the fee shall accompany the annual renewal application for a weighmaster's license.~~) Any replacement seal needed (~~shall~~) may be procured from the director upon payment to the department of the current cost to the department for such replacement. An impression seal (~~shall~~) must be used only at the scale to which it is assigned, and remains the property of the state and shall be returned (~~forthwith~~) to the director upon the termination,

suspension, or revocation of the weighmaster's license.

Sec. 9. RCW 15.80.530 and 1969 ex.s. c 100 s 24 are each amended to read as follows:

The certified weight ticket shall be of a form approved by the director and shall contain the following information:

- (1) The date of issuance;
- (2) The kind of commodity weighed, measured, or counted;
- (3) The name of the owner, agent, or consignee of the commodity weighed;
- (4) The name of the seller, agent, or consignor;
- (5) The accurate weight, measure, or count of the commodity weighed, measured, or counted; including the entry of the gross, tare, and/or net weight, where applicable;
- (6) The identifying numerals or symbols, if any, of each container separately weighed and the (~~motor vehicle~~) license plate number of each vehicle separately weighed;
- (7) The means by which the commodity was being transported at the time it was weighed, measured, or counted;
- (8) The name of the city or town where such commodity was weighed;
- (9) The complete signature of the weighmaster or weigher who weighed, measured, or counted the commodity; and
- (10) Such other available information as may be necessary to distinguish or identify the commodity.

Such weight certificates when so made and properly (~~signed and~~) certified or sealed shall be prima facie evidence of the accuracy of the weights, measures, or count shown, as a certified weight, measure, or count.

Sec. 10. RCW 15.80.540 and 1969 ex.s. c 100 s 25 are each amended to read as follows:

(1) Certified weight tickets shall be (~~made in triplicate, one copy to be~~) delivered to the person receiving the weighed commodity at the time of delivery (~~, which copy shall~~). The weight ticket must accompany the vehicle that transports such commodity (~~, one copy to be forwarded~~).

(2) A copy must be provided to the seller by the carrier of the weighed commodity (~~(, and one copy to be retained by)~~).

(3) The weighmaster that (~~(weighed the vehicle transporting such commodity. The copy retained by the weighmaster shall be kept at least~~) provided the certified weight ticket must retain a copy for a period of one year (~~(, and such copies and)~~).

(4) The weighmaster must retain such other records as the director shall determine necessary to carry out the purposes of this chapter.

(5) These records shall be made available at all reasonable business hours for inspection by the director.

Sec. 11. RCW 15.80.560 and 1969 ex. s. c 100 s 27 are each amended to read as follows:

A licensed public weighmaster shall, in making a weight determination as provided for in this chapter, use a weighing device that conforms to current state legal requirements for commercial devices and is suitable for the weighing of the type and amount of commodity being weighed. The director shall cause to be tested for proper state standards of weight all weighing or measuring devices utilized by any licensed public weighmaster. Certified weights shall not be issued over a device that has been rejected or condemned for (~~(repair or)~~) use by the director until such device has been repaired and tested as conforming to the intended use requirements.

Sec. 12. RCW 15.80.590 and 2010 c 8 s 6109 are each amended to read as follows:

The director is hereby authorized to deny, suspend, or revoke a license (~~(subsequent to a hearing, if a hearing is requested,)~~) in any case in which he or she finds that there has been a failure to comply with the requirements of this chapter or rules adopted hereunder. For hearings for revocations, suspension, or denial of a license, the director shall give the licensee or applicant such notice as is required under the provisions of chapter 34.05 RCW. Such hearings shall be subject to chapter 34.05 RCW (administrative procedure act) concerning adjudicative proceedings.

Sec. 13. RCW 15.80.640 and 2011 c 96 s 16 are each amended to read as follows:

Any person who shall mark, stamp, or write any false weight ticket, scale ticket, or weight certificate, knowing it to be false, and any person who influences, or attempts to wrongfully influence, any licensed public weighmaster or weigher in the performance of his or her official duties shall be guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine of not less than (~~(one)~~) five hundred dollars nor more than (~~(one)~~) five thousand dollars, or by imprisonment of not less than thirty days nor more than three hundred sixty-four days in the county jail, or by both such fine and imprisonment.

Sec. 14. RCW 15.80.650 and 2003 c 53 s 109 are each amended to read as follows:

(1) Except as provided in RCW 15.80.640 or subsection (2) of this section, any person violating any provision of this chapter or rules adopted hereunder is guilty of a misdemeanor.

(2) A second or subsequent same or similar violation is a gross misdemeanor. Any offense committed more than five years after a previous conviction shall be considered a first offense.

(3) The director may assess a civil penalty ranging from one hundred dollars to one thousand dollars per occurrence against any person who knowingly violates any provision under this chapter or rules adopted thereunder. In determining the amount of any civil penalty, the director shall give due consideration to the appropriateness of the penalty with respect to the gravity of the violation, and the history of any previous violations. The respondent issued a notice of intent to assess a civil penalty must be provided the opportunity to request a hearing as provided under chapter 34.05 RCW to contest the alleged violation and the penalty amount.

Sec. 15. RCW 15.80.660 and 1995 c 355 s 25 are each amended to read as follows:

(1) All moneys collected under this chapter shall be placed in the weights and measures account created in RCW 19.94.185.

(2) Civil penalties collected under RCW 15.80.650 must be deposited into the state general fund.

NEW SECTION. **Sec. 16.** The following acts or parts of acts are each repealed:

- (1)RCW 15.80.310 ("Department") and 1969 ex.s. c 100 s 2;
- (2)RCW 15.80.320 ("Director") and 2010 c 8 s 6101 & 1969 ex.s. c 100 s 3;
- (3)RCW 15.80.330 ("Person") and 1969 ex.s. c 100 s 4;
- (4)RCW 15.80.340 ("Licensed public weighmaster") and 1969 ex.s. c 100 s 5;
- (5)RCW 15.80.350 ("Weigher") and 1969 ex.s. c 100 s 6;
- (6)RCW 15.80.360 ("Vehicle") and 1969 ex.s. c 100 s 7;
- (7)RCW 15.80.370 ("Certified weight") and 1969 ex.s. c 100 s 8;
- (8)RCW 15.80.380 ("Commodity") and 1969 ex.s. c 100 s 9;
- (9)RCW 15.80.390 ("Thing") and 1969 ex.s. c 100 s 10;
- (10)RCW 15.80.400 ("Retail merchant") and 1969 ex.s. c 100 s 11;
- (11)RCW 15.80.480 (Surety bond) and 2010 c 8 s 6104 & 1969 ex.s. c 100 s 19; and
- (12)RCW 15.80.600 (Hearings for denial, suspension or revocation of licenses—Notice—Location) and 1969 ex.s. c 100 s 31."

Correct the title.

Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

March 21, 2017

SSB 5472 Prime Sponsor, Committee on State Government: Requiring ballot drop boxes in all communities. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member and Kraft.

MINORITY recommendation: Without recommendation. Signed by Representative Irwin.

Referred to Committee on Rules for second reading.

March 22, 2017

2SSB 5474 Prime Sponsor, Committee on Ways & Means: Initiating proactive steps to address elk hoof disease. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that elk hoof disease poses a significant threat to the state, including elk populations and livestock. While the legislature recognizes the efforts of the department of fish and wildlife thus far, more aggressive steps are necessary to achieve a better understanding of the hoof disease epidemic facing the state's elk populations and to ensure proactive management and treatment actions are pursued.

Sec. 2. RCW 77.12.047 and 2001 c 253 s 14 are each amended to read as follows:

(1) The commission may adopt, amend, or repeal rules as follows:

(a) Specifying the times when the taking of wildlife, fish, or shellfish is lawful or unlawful.

(b) Specifying the areas and waters in which the taking and possession of wildlife, fish, or shellfish is lawful or unlawful.

(c) Specifying and defining the gear, appliances, or other equipment and methods that may be used to take wildlife, fish, or shellfish, and specifying the times, places, and manner in which the equipment may be used or possessed.

(d) Regulating the importation, transportation, possession, disposal, landing, and sale of wildlife, fish, shellfish, or seaweed within the state, whether acquired within or without the state. However, the rules of the department must prohibit any person, including department staff, from translocating a live elk from an area with elk affected by hoof disease to any other location except:

(i) Consistent with a process developed by the department with input from the affected federally recognized tribes for translocation for monitoring or hoof disease management purposes; or

(ii) Within an elk herd management plan area affected by hoof disease.

(e) Regulating the prevention and suppression of diseases and pests affecting wildlife, fish, or shellfish.

(f) Regulating the size, sex, species, and quantities of wildlife, fish, or shellfish that may be taken, possessed, sold, or disposed of.

(g) Specifying the statistical and biological reports required from fishers, dealers, boathouses, or processors of wildlife, fish, or shellfish.

(h) Classifying species of marine and freshwater life as food fish or shellfish.

(i) Classifying the species of wildlife, fish, and shellfish that may be used for purposes other than human consumption.

(j) Regulating the taking, sale, possession, and distribution of wildlife, fish, shellfish, or deleterious exotic wildlife.

(k) Establishing game reserves and closed areas where hunting for wild animals or wild birds may be prohibited.

(l) Regulating the harvesting of fish, shellfish, and wildlife in the federal exclusive economic zone by vessels or individuals registered or licensed under the laws of this state.

(m) Authorizing issuance of permits to release, plant, or place fish or shellfish in state waters.

(n) Governing the possession of fish, shellfish, or wildlife so that the size, species, or sex can be determined visually in the field or while being transported.

(o) Other rules necessary to carry out this title and the purposes and duties of the department.

(2)(a) Subsections (1)(a), (b), (c), (d), and (f) of this section do not apply to private tideland owners and lessees and the immediate family members of the owners or lessees of state tidelands, when they take or possess oysters, clams,

cockles, borers, or mussels, excluding razor clams, produced on their own private tidelands or their leased state tidelands for personal use.

(b) "Immediate family member" for the purposes of this section means a spouse, brother, sister, grandparent, parent, child, or grandchild.

(3) Except for subsection (1)(g) of this section, this section does not apply to private sector cultured aquatic products as defined in RCW 15.85.020. Subsection (1)(g) of this section does apply to such products.

NEW SECTION. Sec. 3. A new section is added to chapter 77.12 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the legislature designates Washington State University college of veterinary medicine as the state lead in developing a program to monitor and assess causes of and potential solutions for elk hoof disease. The college must establish an elk monitoring system in southwest Washington in order to carry out this mission. In conducting this work, the college must work collaboratively with entities including the department, the state veterinarian, and any tribes with interest in participating. The college must provide regular updates, at minimum on an annual basis, to the appropriate committees of the legislature and the commission on its findings, program needs, and any recommendations.

NEW SECTION. Sec. 4. The department of fish and wildlife must immediately adopt or amend any rule as necessary to implement, and ensure rules are consistent with, this act."

Correct the title.

Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Lytton; Orcutt; Robinson; Schmick; Springer and Walsh, J.

Referred to Committee on Appropriations.

March 21, 2017

SSB 5537

Prime Sponsor, Committee on Commerce, Labor & Sports: Authorizing licensed spirits and wine distributors to sell spirits and wine products to their employees in certain circumstances. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Vick, Assistant Ranking Minority Member; Blake; Farrell; Kirby; Ryu and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta, Ranking Minority Member; Barkis and Jenkin.

Referred to Committee on Rules for second reading.

March 21, 2017

ESB 5647 Prime Sponsor, Senator Honeyford: Creating a low-income home rehabilitation revolving loan program. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Capital Budget.

March 21, 2017

ESB 5665 Prime Sponsor, Senator Wilson: Concerning the use of credit cards for purchases of spirits and wine by a purchaser licensed to sell spirits and/or wine for consumption on the licensed premises. (REVISED FOR ENGROSSED: Concerning the use of credit cards for purchases of beer, spirits, and wine by the purchaser licensed to sell beer, spirits, and/or wine for consumption on the licensed premises.) Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 66.28.270 and 2009 c 373 s 11 are each amended to read as follows:

(1) Nothing in this chapter prohibits the use of checks, credit or debit cards, prepaid accounts, electronic funds transfers, and other similar methods as approved by the board, as cash payments for purposes of this title. Electronic ~~((fund[s]))~~ funds transfers must be: ~~((1))~~ (a) Voluntary; ~~((2))~~ (b) conducted pursuant to a prior written agreement of the parties that includes a provision that the purchase be initiated by an irrevocable invoice or sale order before the time of delivery; ~~((3))~~ (c) initiated by the retailer, manufacturer, importer, or distributor no later than the first business day following

delivery; and ~~((4))~~ (d) completed as promptly as is reasonably practical, and in no event ~~((7))~~ later than five business days following delivery.

(2) Any person licensed as a distributor of beer, spirits, and/or wine may pass credit card fees on to a purchaser licensed to sell beer, spirits, and/or wine for consumption on the licensed premises, if the decision to use a credit card is entirely voluntary and the credit card fees are set out as a separate line item on the distributor's invoice. Nothing in this section requires the use of a credit card by any licensee. The credit card fee authorized under this section may not exceed the actual fee imposed by the credit card issuer."

Correct the title.

Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

March 22, 2017

SB 5691 Prime Sponsor, Senator Bailey: Modifying or terminating a guardianship when a less restrictive alternative is available to provide for the needs of an incapacitated person. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The legislature finds that an incapacitated person should retain basic rights enjoyed by the public, including the freedom of associating with family and friends. A court or guardian should not remove or restrict the rights of an incapacitated person under a guardianship except when absolutely necessary to protect the incapacitated person. The legislature finds that less restrictive alternatives are preferred to guardianships and limited guardianships when they provide adequate support for an incapacitated person's needs. The legislature also recognizes that less restrictive alternatives are typically less expensive to administer than a guardianship, thereby preserving state resources, court resources, and the incapacitated person's estate. A less

restrictive alternative may be in the form of a power of attorney, or a trust, or other legal, financial, or medical directives that allow an incapacitated person to enjoy a greater degree of individual liberty and decision making than for persons under a guardianship.

Sec. 2. RCW 11.88.120 and 2015 c 293 s 1 are each amended to read as follows:

(1)(a) At any time after establishment of a guardianship or appointment of a guardian, the court may, upon the death of the guardian or limited guardian, or, for other good reason, modify or terminate the guardianship or replace the guardian or limited guardian or modify the authority of a guardian or limited guardian. Such action may be taken based on the court's own motion, based on a motion by an attorney for a person or entity, based on a motion of a person or entity representing themselves, or based on a written complaint, as described in this section. The court may grant relief under this section as it deems just and in the best interest of the incapacitated person. For any hearing to modify or terminate a guardianship, the incapacitated person shall be given reasonable notice of the hearing and of the incapacitated person's right to be represented at the hearing by counsel of his or her own choosing.

(b) The court must modify or terminate a guardianship when a less restrictive alternative, such as a power of attorney or a trust, will adequately provide for the needs of the incapacitated person. In any motion to modify or terminate a guardianship with a less restrictive alternative, the court should consider any recent medical reports; whether a condition is reversible; testimony of the incapacitated person; testimony of persons most closely related by blood, marriage, or state registered domestic partnership to the incapacitated person; testimony of persons entitled to notice of special proceedings under RCW 11.92.150; and other needs of the incapacitated person that are not adequately served in a guardianship or limited guardianship that may be better served with a less restrictive alternative. All motions under the provisions of this subsection (1)(b) must be heard within sixty days unless an extension of time is requested by a party or a guardian ad litem within such sixty-day period and granted for good cause shown. An extension granted for good

cause should not exceed an additional sixty days from the date of the request of the extension, and the court must set a new hearing date.

(2)(a) An unrepresented person or entity may submit a complaint to the court. Complaints must be addressed to one of the following designees of the court: The clerk of the court having jurisdiction in the guardianship, the court administrator, or the guardianship monitoring program, and must identify the complainant and the incapacitated person who is the subject of the guardianship. The complaint must also provide the complainant's address, the case number (if available), and the address of the incapacitated person (if available). The complaint must state facts to support the claim.

(b) By the next judicial day after receipt of a complaint from an unrepresented person, the court's designee must ensure the original complaint is filed and deliver the complaint to the court.

(c) Within fourteen days of being presented with a complaint, the court must enter an order to do one or more of the following actions:

(i) To show cause, with fourteen days' notice, directing the guardian to appear at a hearing set by the court in order to respond to the complaint;

(ii) To appoint a guardian ad litem to investigate the issues raised by the complaint or to take any emergency action the court deems necessary to protect the incapacitated person until a hearing can be held;

(iii) To dismiss the complaint without scheduling a hearing, if it appears to the court that the complaint: Is without merit on its face; is filed in other than good faith; is filed for an improper purpose; regards issues that have already been adjudicated; or is frivolous. In making a determination, the court may review the matter and consider previous behavior of the complainant that is documented in the guardianship record;

(iv) To direct the guardian to provide, in not less than fourteen days, a written report to the court on the issues raised in the complaint;

(v) To defer consideration of the complaint until the next regularly scheduled hearing in the guardianship, if

the date of that hearing is within the next three months, provided that there is no indication that the incapacitated person will suffer physical, emotional, financial, or other harm as a result of the court's deferral of consideration;

(vi) To order other action, in the court's discretion, in addition to doing one or more of the actions set out in this subsection.

(d) If after consideration of the complaint, the court believes that the complaint is made without justification or for reason to harass or delay or with malice or other bad faith, the court has the power to levy necessary sanctions, including but not limited to the imposition of reasonable attorney fees, costs, fees, striking pleadings, or other appropriate relief.

(3) The court may order persons who have been removed as guardians to deliver any property or records belonging to the incapacitated person in accordance with the court's order. Similarly, when guardians have died or been removed and property or records of an incapacitated person are being held by any other person, the court may order that person to deliver it in accordance with the court's order. Disobedience of an order to deliver (~~shall be~~) is punishable as contempt of court.

(4) The administrative office of the courts must develop and prepare (~~(+)~~), in consultation with interested persons, a model form for the complaint described in subsection (2)(a) of this section and a model form for the order that must be issued by the court under subsection (2)(c) of this section.

(5) The board may send a grievance it has received regarding an active guardian case to the court's designee with a request that the court review the grievance and take any action the court deems necessary. This type of request from the board must be treated as a complaint under this section and the person who sent the complaint must be treated as the complainant. The court must direct the clerk to transmit a copy of its order to the board. The board must consider the court order when taking any further action and note the court order in any final determination.

(6) In any court action under this section that involves a professional guardian, the court must direct the clerk

of the court to send a copy of the order entered under this section to the board.

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

(a) "Board" means the certified professional guardianship board.

(b) "Complaint" means a written submission by an unrepresented person or entity, who is referred to as the complainant."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 21, 2017

ESB 5761 Prime Sponsor, Senator McCoy: Exempting certain confidential fish and shellfish harvest information from disclosure under chapter 42.56 RCW, the public records act. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 20, 2017

ESB 5834 Prime Sponsor, Senator Baumgartner: Concerning the licensing of bonded spirits warehouses. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 66.24 RCW to read as follows:

(1) There shall be a bonded and nonbonded spirits warehouse license for spirits warehouses that authorizes the storage and handling of bonded bulk spirits and, to the extent allowed under federal law and under rules adopted by the board, bottled spirits and the

storage of tax-paid spirits not in bond. Under this license a licensee may maintain a warehouse for the storage of federally authorized spirits off the premises of a distillery for distillers qualified under RCW 66.24.140, 66.24.145, or 66.24.150, or entities otherwise licensed and permitted in this state, or bulk spirits transferred in bond from out-of-state distilleries and, to the extent allowed by federal law and under rules adopted by the board, bottled spirits, if the storage of the federally authorized spirits transferred into the state is for storage only and not for processing or bottling in the bonded spirits warehouse. A licensee must designate clearly in its license application to the board the sections of the warehouse that are bonded and nonbonded with a physical separation between such spaces. Only spirits in bond may be stored in the bonded sections of the warehouse and only spirits that have been removed from bond tax-paid may be stored in nonbonded areas of the warehouse. The proprietor of the warehouse must maintain a plan for tracking spirits being stored in the warehouse to ensure compliance with relevant bonding and tax obligations.

(2) The board must adopt similar qualifications for a spirits warehouse licensed under this section as required for obtaining a distillery license as specified in RCW 66.24.140, 66.24.145, and 66.24.150. A licensee must be a sole proprietor, a partnership, a limited liability company, a corporation, a port authority, a city, a county, or any other public entity or subdivision of the state that elects to license a bonded spirits warehouse as an agricultural or economic development activity. One or more domestic distilleries or manufacturers may operate as a partnership, corporation, business co-op, cotenant, or agricultural co-op for the purpose of obtaining a bonded and nonbonded spirits warehouse license or storing spirits in the facility under a common management and oversight agreement free of charge or for a fee.

(3) Spirits in bond may be removed from a bonded spirits warehouse for the purpose of being:

(a) Exported from the state;

(b) Returned to a distillery or spirits warehouse licensed under this section; or

(c) Transferred to a distillery, spirits warehouse licensed under this section, or a licensed bottling or packaging facility.

(4) Bottled spirits that are being removed from a spirits warehouse licensed under this section tax-paid may be:

(a) Transferred back to the distillery that produced them;

(b) Shipped to a licensed Washington spirits distributor;

(c) Shipped to a licensed Washington spirits retailer;

(d) Exported from the state; or

(e) Removed for direct shipping to a consumer pursuant to RCW 66.20.410.

(5) The ownership and operation of a spirits warehouse facility licensed under this section may be by a person or entity other than those described in this section acting in a commercial warehouse management position under contract for such licensed persons or entities on their behalf.

(6) A license applicant must demonstrate the right to have warehoused spirits under a valid federal permit held by a licensee who maintains ownership and title to the spirits while they are in storage in the spirits warehouse licensed under this section. The fee for this license is one hundred dollars per year.

(7) The board must adopt rules requiring a spirits warehouse licensed under this section to be physically secure, zoned for the intended use, and physically separated from any other use.

(8) The operator or licensee operating a spirits warehouse licensed under this section must submit to the board a monthly report of movement of spirits to and from a warehouse licensed under this section in a form prescribed by the board. The board may adopt other necessary procedures by which such warehouses are licensed and regulated.

(9) The board may require a single annual permit valid for a full calendar year issued to each licensee or entity warehousing spirits under this section that allows for unlimited transfers to and from such warehouse within that year. The fee for this permit is one hundred dollars per year.

(10) Handling of bottled spirits that have been removed from bond tax-paid and

that reside in the spirits warehouse licensed under this section includes packaging and repackaging services; bottle labeling services; creating baskets or variety packs that may or may not include nonspirits products; and picking, packing, and shipping spirits orders on behalf of a licensed distillery direct to consumers in accordance with RCW 66.20.410. A distillery contracting with the operator of a spirits warehouse licensed under this section for handling bottled spirits must comply with all applicable state and federal laws and is responsible for financial transactions in direct to consumer shipping activities.

Sec. 2. RCW 66.24.640 and 2012 c 2 s 206 are each amended to read as follows:

Any distiller licensed under this title may act as a retailer and/or distributor to retailers selling for consumption on or off the licensed premises of spirits of its own production, and any manufacturer, importer, or bottler of spirits holding a certificate of approval may act as a distributor of spirits it is entitled to import into the state under such certificate. The board must by rule provide for issuance of certificates of approval to spirits suppliers. An industry member operating as a distributor and/or retailer under this section must comply with the applicable laws and rules relating to distributors and/or retailers, except that an industry member operating as a distributor under this section may maintain a warehouse off the distillery premises for the distribution of bottled spirits of its own production to spirits retailers within the state and for bottled foreign-made spirits that such distillery is entitled to distribute under this title, if the warehouse is within the United States and has been approved by the board."

Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby; Ryu and Young.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4628, by Representatives Lovick, Irwin, Orwall, and Sells

WHEREAS, Officer Steve Redmond started his law enforcement career in 1989 as a reserve officer with the Spokane Police Department, and was hired by the Seattle Police Department in 1992; and

WHEREAS, Over the course of his career, Steve has worked as a patrol officer, field training officer, mountain bike officer, DUI squad officer, motorcycle officer, and safety officer; and

WHEREAS, Because of his passion for helping others, Steve became an original member of Safe Call Now, a national 24-hour crisis referral service for all public safety employees, emergency personnel, and their family members; and

WHEREAS, Steve went on to create Code 4 Northwest, a volunteer-run, free, and confidential crisis service, to ensure that all Washington State active or retired first responders, corrections officers, civilian support personnel, and their families have access to personalized service; and

WHEREAS, Through his dedication to service, Steve has helped over 2,000 people through their crises, including drug and alcohol addiction, posttraumatic stress disorder, marital issues, and financial issues; and

WHEREAS, Steve speaks at many first responder conferences and police and fire departments around the region, offering advice on how to cope with work and personal challenges; Steve's advice is based on his personal journey battling alcohol addiction; and

WHEREAS, Steve has received many awards, including the: 2008 and 2011 Outstanding Public Service Award, which is presented by Seattle's mayor and police chief; 2013 Seattle Police Department Award of Excellence; and 2016 Seattle Police Department Award of Excellence;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Officer Steve Redmond for his exceptional dedication to service and his contribution to the State of Washington.

There being no objection, HOUSE RESOLUTION NO. 4628 was adopted.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

SUBSTITUTE HOUSE BILL NO. 2106

The Speaker called upon Representative Orwall to preside.

There being no objection, the House adjourned until 9:55 a.m., March 24, 2017, the 75th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SEVENTY FIFTH DAY

House Chamber, Olympia, Friday, March 24, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

Koster, Irwin, Maycumber, Holy, McCaslin, Pike and Stokesbary

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

AN ACT Relating to providing fuel tax rate information at fuel pumps; and adding a new section to chapter 82.38 RCW.

There being no objection, the House advanced to the third order of business.

Referred to Committee on Transportation.

MESSAGES FROM THE SENATE

March 23, 2017

MR. SPEAKER:

HB 2181 by Representatives Taylor, MacEwen, Manweller, Vick, McCaslin, Volz, Buys, Maycumber and Stokesbary

The President has signed:

AN ACT Relating to reducing the number of state supreme court justices; and amending RCW 2.04.070 and 2.04.071.

SUBSTITUTE HOUSE BILL NO. 2106,

Referred to Committee on Judiciary.

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

March 23, 2017

MR. SPEAKER:

There being no objection, the House advanced to the fifth order of business.

The Senate has passed:

REPORTS OF STANDING COMMITTEES

SENATE BILL NO. 5715,
 SUBSTITUTE SENATE BILL NO. 5815,
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5875,
 ENGROSSED SENATE BILL NO. 5891,
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5894,
 SENATE BILL NO. 5895,
 SUBSTITUTE SENATE BILL NO. 5898,
 SUBSTITUTE SENATE BILL NO. 5901,
 SENATE BILL NO. 5902,

March 22, 2017
SSB 5012 Prime Sponsor, Committee on Law & Justice: Concerning the distribution of a Washington trust's assets to another trust. Reported by Committee on Judiciary

and the same are herewith transmitted.

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Hunter G. Goodman, Secretary

Referred to Committee on Rules for second reading.

There being no objection, the House advanced to the fourth order of business.

March 22, 2017
SSB 5022 Prime Sponsor, Committee on Ways & Means: Providing information to students about education loans. Reported by Committee on Higher Education

INTRODUCTION & FIRST READING

MAJORITY recommendation: Do pass as amended.

HB 2180 by Representatives Condotta, Shea, Taylor, Manweller, Orcutt, Wilcox, Barkis, Buys, MacEwen, Harmsworth, Kretz, Schmick, Steele,

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares that students pursuing higher education benefit from periodic notification about the balance of their student education loan debt. This notification helps students and their families make informed borrowing decisions about how to finance their postsecondary education and be more prepared for repayment when leaving school. The legislature recognizes the steps many higher education institutions in Washington have already taken to provide financial education and information to their students. The legislature encourages schools to continue to strengthen financial literacy training, financial aid counseling, and other resources available to students. It is the intent of the legislature to ensure that all students pursuing higher education in Washington receive periodic notifications about their student education loan debt.

NEW SECTION. Sec. 2. A new section is added to chapter 28B.10 RCW to read as follows:

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

(a) "Educational institution" includes any entity that is an institution of higher education as defined in RCW 28B.10.016, a degree-granting institution as defined in RCW 28B.85.010, a private vocational school as defined in RCW 28C.10.020, or school as defined in RCW 18.16.020.

(b) "Student education loan" means any loan solely for personal use to finance postsecondary education and costs of attendance at an educational institution.

(2) Subject to the availability of amounts appropriated for this specific purpose, an educational institution must provide to an enrolled student who has applied for student financial aid a notification including the following information about the student education loans the educational institution has certified:

(a) An estimate, based on information available at the time the notification is provided, of the:

(i) Total amount of student education loans taken out by the student;

(ii) Potential total payoff amount of the student education loans incurred or a range of the total payoff amount, including principal and interest;

(iii) The monthly repayment amount that the student may incur for the amount of student education loans the student has taken out, based on the federal loan repayment plan borrowers are automatically enrolled in if they do not select an alternative repayment plan; and

(iv) Percentage of the aggregate federal direct loan borrowing limit applicable to the student's program of study the student has reached at the time the information is sent to the student; and

(b) Consumer information about the differences between private student loans and federal student loans, including the availability of income-based repayment plans and loan forgiveness programs for federal loans.

(3) The notification provided under subsection (2) of this section must include a statement that the estimates and ranges provided are general in nature and not meant as a guarantee or promise of the actual projected amount. It must also include a statement that a variety of repayment plans are available for federal student loans that may limit the monthly repayment amount based on income.

(4) The notification must include information about how to access resources for student education loan borrowers provided by federal or state agencies, such as a student education loan debt hotline and web site or student education loan ombuds, federal student loan repayment calculator, or other available resources.

(5) An educational institution must provide the notification required in subsection (2) of this section via email. In addition, the educational institution may provide the notification in writing, in an electronic format, or in person.

(6) An educational institution does not incur liability, including for actions under chapter 19.86 RCW by the attorney general, for any good faith representations made under subsection (2) of this section.

(7) Educational institutions must begin providing the notification required under subsection (2) of this section by July 1, 2018, each time a

financial aid package that includes a new or revised student education loan is offered to the student.

(8) Subject to the availability of amounts appropriated for this specific purpose, an organization representing the public four-year colleges and universities, an organization representing the private nonprofit institutions, the state board for community and technical colleges under chapter 28B.50 RCW, the workforce training and education coordinating board as defined in RCW 28C.18.020, and the department of licensing under chapter 46.01 RCW, must develop a form for the educational institutions to use to report compliance by July 1, 2018.

(9) Beginning December 1, 2019, and biannually thereafter until December 25, 2025, the organizations under subsection (8) of this section must submit a report in compliance with RCW 43.01.036 to the legislature that details how the educational institutions are in compliance with this section.

NEW SECTION. Sec. 3. This act may be known and cited as the Washington student loan transparency act."

Correct the title.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

March 22, 2017

SSB 5035 Prime Sponsor, Committee on Health Care:
Concerning patients' access to
investigational medical products. Reported
by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the process for approval of investigational drugs, biological products, and devices in the United States protects future patients from premature, ineffective, and unsafe medications and treatments over time, but the process often takes many years. Patients who have a terminal illness do not have the luxury of waiting until an

investigational drug, biological product, or device receives final approval from the United States food and drug administration. The legislature further finds that patients who have a terminal illness should be permitted to pursue the preservation of their own lives by accessing available investigational drugs, biological products, and devices. The use of available investigational drugs, biological products, and devices is a decision that should be made by the patient with a terminal illness in consultation with the patient's health care provider so that the decision to use an investigational drug, biological product, or device is made with full awareness of the potential risks, benefits, and consequences to the patient and the patient's family.

The legislature, therefore, intends to allow terminally ill patients to use potentially lifesaving investigational drugs, biological products, and devices.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Eligible patient" means an individual who meets the requirements of section 4 of this act.

(2) "Health care facility" means a clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(3) "Hospital" means a health care institution licensed under chapter 70.41, 71.12, or 72.23 RCW.

(4) "Investigational product" means a drug, biological product, or device that has successfully completed phase one and is currently in a subsequent phase of a clinical trial approved by the United States food and drug administration assessing the safety of the drug, biological product, or device under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355.

(5) "Issuer" means any state purchased health care programs under chapter 41.05 or 74.09 RCW, a disability insurer regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020.

(6) "Manufacturer" means a person or other entity engaged in the manufacture or distribution of drugs, biological products, or devices.

(7) "Physician" means a physician licensed under chapter 18.71 RCW or an osteopathic physician and surgeon licensed under chapter 18.57 RCW.

(8) "Serious or immediately life-threatening disease or condition" means a stage of disease in which there is reasonable likelihood that death will occur within six months or in which premature death is likely without early treatment.

NEW SECTION. Sec. 3. (1) An eligible patient and his or her treating physician may request that a manufacturer make an investigational product available for treatment of the patient. The request must include a copy of the written informed consent form described in section 5 of this act and an explanation of why the treating physician believes the investigational product may help the patient.

(2) Upon receipt of the request and the written informed consent form, the manufacturer may, but is not required to, make the investigational product available for treatment of the eligible patient. Prior to making the investigational product available, the manufacturer shall enter into an agreement with the treating physician and the eligible patient providing that the manufacturer will transfer the investigational product to the physician and the physician will use the investigational product to treat the eligible patient.

NEW SECTION. Sec. 4. A patient is eligible to request access to and be treated with an investigational product if:

(1) The patient is eighteen years of age or older;

(2) The patient is a resident of this state;

(3) The patient's treating physician attests to the fact that the patient has a serious or immediately life-threatening disease or condition;

(4) The patient acknowledges having been informed by the treating physician of all other treatment options currently approved by the United States food and drug administration;

(5) The patient's treating physician recommends that the patient be treated with an investigational product;

(6) The patient is unable to participate in a clinical trial for the investigational product because the patient's physician has contacted one or more clinical trials or researchers in the physician's practice area and has determined, using the physician's professional judgment, that there are no clinical trials reasonably available for the patient to participate in, that the patient would not qualify for a clinical trial, or that delay in waiting to join a clinical trial would risk further harm to the patient; and

(7) In accordance with section 5 of this act, the patient has provided written informed consent for the use of the investigational product, or, if the patient lacks the capacity to consent, the patient's legally authorized representative has provided written informed consent on behalf of the patient.

NEW SECTION. Sec. 5. (1) Prior to treatment of the eligible patient with an investigational product, the treating physician shall obtain written informed consent, consistent with the requirements of RCW 7.70.060(1), and signed by the eligible patient or, if the patient lacks the capacity to consent, his or her legally authorized representative.

(2) Information provided in order to obtain the informed consent must, to the extent possible, include the following:

(a) That the patient has been diagnosed with a serious or immediately life-threatening disease or condition and explains the currently approved products and treatments for the disease or condition from which the eligible patient suffers;

(b) That all currently approved and conventionally recognized treatments are unlikely to prolong the eligible patient's life;

(c) Clear identification of the investigational product that the eligible patient seeks to use;

(d) The potentially best and worst outcomes of using the investigational product and a realistic description of the most likely outcome. This description must include the possibility that new,

unanticipated, different, or worse symptoms may result and that death could be hastened by the proposed treatment. The description must be based on the physician's knowledge of the proposed treatment in conjunction with an awareness of the eligible patient's condition;

(e) That the eligible patient's health benefit plan is not obligated to pay for the investigational product or any harm caused to the eligible patient by the investigational product, unless otherwise specifically required to do so by law or contract, and that in order to receive the investigational product the patient may be required to pay the costs of administering the investigational product; and

(f) That the eligible patient is liable for all expenses consequent to the use of the investigational product, except as otherwise provided in the eligible patient's health benefit plan or a contract between the eligible patient and the manufacturer of the investigational product.

(3) The document must be signed and dated by the eligible patient's treating physician and witnessed in writing by at least one adult.

NEW SECTION. Sec. 6. (1) An issuer may, but is not required to, provide coverage for the cost or the administration of an investigational product provided to an eligible patient pursuant to this chapter.

(2) (a) An issuer may deny coverage to an eligible patient who is treated with an investigational product for harm to the eligible patient caused by the investigational product and is not required to cover the costs associated with receiving the investigational product or the costs demonstrated to be associated with an adverse effect that is a result of receiving the investigational product.

(b) Except as stated in (a) of this subsection, an issuer may not deny coverage to an eligible patient for: (i) The eligible patient's serious or immediately life-threatening disease or condition; (ii) benefits that accrued before the day on which the eligible patient was treated with an investigational product; or (iii) palliative or hospice care for an eligible patient who was previously treated with an investigational product

but who is no longer being treated with an investigational product.

NEW SECTION. Sec. 7. A hospital or health care facility:

(1) May, but is not required to, allow a health care practitioner who is privileged to practice or who is employed at the hospital or health care facility to treat, administer, or provide an investigational product to an eligible patient under this chapter;

(2) May establish a policy regarding treating, administering, or providing investigational products under this chapter; and

(3) Is not obligated to pay for the investigational product or any harm caused to the eligible patient by the product, or any care that is necessary as a result of the use of the investigational product, including under chapter 70.170 RCW.

NEW SECTION. Sec. 8. (1) This act does not create a private right of action.

(2) A health care practitioner does not commit unprofessional conduct under RCW 18.130.180 and does not violate the applicable standard of care by:

(a) Obtaining an investigational product pursuant to this chapter;

(b) Refusing to recommend, request, prescribe, or otherwise provide an investigational product pursuant to this chapter;

(c) Administering an investigational product to an eligible patient pursuant to this chapter; or

(d) Treating an eligible patient with an investigational product pursuant to this chapter.

(3) The following persons and entities are immune from civil or criminal liability and administrative actions arising out of treatment of an eligible patient with an investigational product, other than acts or omissions constituting gross negligence or willful or wanton misconduct:

(a) A health care practitioner who recommends or requests an investigational product for an eligible patient in compliance with this chapter;

(b) A health care practitioner who refuses to recommend or request an

investigational product for a patient seeking access to an investigational product;

(c) A manufacturer that provides an investigational product to a health care practitioner in compliance with this chapter;

(d) A hospital or health care facility where an investigational product is either administered or provided to an eligible patient in compliance with this chapter; and

(e) A hospital or health care facility does not allow a health care practitioner to provide treatment with an investigational product or enforces a policy it has adopted regarding treating, administering, or providing care with an investigational product.

NEW SECTION. Sec. 9. The pharmacy quality assurance commission may adopt rules necessary to implement this chapter.

Sec. 10. RCW 69.04.570 and 2012 c 117 s 338 are each amended to read as follows:

Except as permitted by chapter 69.---
RCW (the new chapter created in section 12 of this act), no person shall introduce or deliver for introduction into intrastate commerce any new drug which is subject to section 505 of the federal act unless an application with respect to such drug has become effective thereunder. No person shall introduce or deliver for introduction into intrastate commerce any new drug which is not subject to section 505 of the federal act, unless (1) it has been found, by appropriate tests, that such drug is not unsafe for use under the conditions prescribed, recommended, or suggested in the labeling thereof; and (2) an application has been filed under this section of this chapter with respect to such drug: PROVIDED, That the requirement of subsection (2) of this section shall not apply to any drug introduced into intrastate commerce at any time prior to the enactment of this chapter or introduced into interstate commerce at any time prior to the enactment of the federal act: PROVIDED FURTHER, That if the director finds that the requirement of subsection (2) of this section as applied to any drug or class of drugs, is not necessary for the protection of the public health, he or she shall promulgate regulations of exemption accordingly.

Sec. 11. RCW 69.50.101 and 2015 2nd sp.s. c 4 s 901 are each reenacted and amended to read as follows:

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

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(d) "Commission" means the pharmacy quality assurance commission.

(e) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(f)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

- (i) a controlled substance;
- (ii) a substance for which there is an approved new drug application;
- (iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or chapter 69.--- RCW (the new chapter created in section 12 of this act) to the extent conduct with respect to the substance is pursuant to the exemption; or
- (iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.
- (g) "Deliver" or "delivery((~~r~~)" means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.
- (h) "Department" means the department of health.
- (i) "Designated provider" has the meaning provided in RCW 69.51A.010.
- (j) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.
- (k) "Dispenser" means a practitioner who dispenses.
- (l) "Distribute" means to deliver other than by administering or dispensing a controlled substance.
- (m) "Distributor" means a person who distributes.
- (n) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of

this subsection. The term does not include devices or their components, parts, or accessories.

(o) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(p) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(q) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(r) "Isomer" means an optical isomer, but in subsection (dd)(5) of this section, RCW 69.50.204(a)(12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a)(8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(s) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(t) "Lot number" must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(u) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(v) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(w) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent.

(x) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and

marijuana-infused products at wholesale to marijuana retailers.

(y) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(z) "Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section.

(aa) "Marijuana researcher" means a person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

(bb) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(cc) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection (v) of this section, and have a THC concentration no greater than ten percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(dd) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(ff) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

(gg) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(hh) "Plant" has the meaning provided in RCW 69.51A.010.

(ii) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(jj) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is

certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(kk) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(ll) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(mm) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(nn) "Recognition card" has the meaning provided in RCW 69.51A.010.

(oo) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(pp) "Secretary" means the secretary of health or the secretary's designee.

(qq) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(rr) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(ss) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(tt) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

NEW SECTION. **Sec. 12.** Sections 1 through 9 of this act constitute a new chapter in Title 69 RCW.

NEW SECTION. **Sec. 13.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber;

Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

March 22, 2017
SB 5039 Prime Sponsor, Senator Pedersen: Adopting the uniform electronic legal material act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 22, 2017
SB 5040 Prime Sponsor, Senator Pedersen: Making revisions to the uniform business organizations code. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 22, 2017
SSB 5069 Prime Sponsor, Committee on Law & Justice: Providing associate degree education to enhance education opportunities and public safety. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

March 22, 2017
SB 5085 Prime Sponsor, Senator Pedersen: Enacting the uniform voidable transactions act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 22, 2017

SB 5126 Prime Sponsor, Senator Hunt: Concerning uniform ballot design. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives Volz, Assistant Ranking Minority Member; Irwin and Kraft.

MINORITY recommendation: Without recommendation. Signed by Representative Koster, Ranking Minority Member.

Referred to Committee on Rules for second reading.

March 23, 2017

SB 5129 Prime Sponsor, Senator Hunt: Concerning charter school students participating in interschool athletics and extracurricular activities. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Calder; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

March 22, 2017

SSB 5138 Prime Sponsor, Committee on Local Government: Concerning metropolitan park districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

March 21, 2017

ESSB 5145 Prime Sponsor, Committee on Commerce, Labor & Sports: Equalizing differences between the liquor industries regarding certain sales of alcohol carrying a private label. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Sawyer, Chair; Kloba, Vice Chair;

Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell and Kirby.

MINORITY recommendation: Do not pass. Signed by Representatives Jenkin and Ryu.

MINORITY recommendation: Without recommendation. Signed by Representative Young.

Referred to Committee on Rules for second reading.

March 22, 2017

2SSB 5179 Prime Sponsor, Committee on Ways & Means: Requiring coverage for hearing instruments under public employee and medicaid programs. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 41.05 RCW to read as follows:

(1) Subject to appropriation, a health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2018, must include coverage for hearing instruments. Coverage must include no more than one new hearing instrument every five years and services and supplies such as the initial assessment, fitting, adjustment, and auditory training.

(2) The hearing instrument must be recommended by a licensed audiologist or hearing aid specialist and dispensed by a licensed audiologist or hearing aid specialist.

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

NEW SECTION. **Sec. 2.** A new section is added to chapter 74.09 RCW to read as follows:

(1) The medical assistance coverage offered under this chapter issued or renewed on or after January 1, 2018, must include coverage for hearing instruments when medically necessary. Coverage must include no more than one new hearing instrument every five years and services and supplies such as the initial assessment, fitting, adjustment, and

auditory training. Coverage must include a new hearing instrument sooner than every five years if alterations to the existing hearing instrument cannot meet the needs of the patient.

(2) The hearing instrument must be recommended by a licensed audiologist or hearing aid specialist and dispensed by a licensed audiologist or hearing aid specialist.

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

NEW SECTION. **Sec. 3.** If specific funding for the purposes of section 2 of this act, referencing section 2 of this act by bill or chapter number and section number, is not provided by June 30, 2017, in the omnibus appropriations act, section 2 of this act is null and void."

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member Graves, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

March 22, 2017
SSB 5207 Prime Sponsor, Committee on State Government: Concerning the public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representative Volz, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

March 22, 2017
SB 5230 Prime Sponsor, Senator Wilson: Concerning licensing and regulatory requirements of small business owners.

Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 22, 2017
ESB 5234 Prime Sponsor, Senator Mullet: Requiring establishment of a systemwide credit policy regarding AP exams. (REVISED FOR ENGROSSED: Requiring establishment of credit policies regarding AP exams.) Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that advanced placement coursework prepares students for postsecondary success and provides opportunities for them to earn college credit or secure placement in advanced courses. The legislature further finds that eighty-four thousand eight hundred sixty-six students took an AP exam in Washington state in 2015. The legislature further finds that six thousand six hundred sixty-seven of those students were underrepresented minority students and nine thousand four hundred seventy-one were low-income students. The legislature further finds that of the students that took an AP exam in Washington state in 2015, fifty-one thousand seven hundred twenty-five scored a three, four, or five.

Therefore, the legislature intends to establish a policy for granting as many undergraduate course credits as possible to students who have earned a minimum score of three on their AP exams and clearly communicate credit awarding policies and course equivalencies to students. The goal of the policy is to award course credit in all appropriate instances and maximize the number of college students given college credit for AP exam scores of three or higher.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.10 RCW to read as follows:

(1) The institutions of higher education must establish a coordinated, evidence-based policy for granting as many undergraduate college credits to students who have earned minimum scores of three on AP exams as possible and appropriate.

(2) Credit policy regarding all AP exams must be posted on campus web sites effective for the 2017 fall academic term. The institutions of higher education must conduct biennial reviews of their AP credit policy and report noncompliance to the appropriate committees of the legislature by November 1st each year beginning November 1, 2019."

Correct the title.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Without recommendation. Signed by Representative Orwall.

Referred to Committee on Rules for second reading.

March 22, 2017
SB 5319 Prime Sponsor, Senator Brown: Transferring authority for low-level radioactive waste management from the department of ecology to the department of health. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Capital Budget.

March 22, 2017
SSB 5346 Prime Sponsor, Committee on Ways & Means: Creating a legislative page scholarship program. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 44.04 RCW to read as follows:

The secretary of the senate and the chief clerk of the house of representatives may administer and conduct a legislative page scholarship program to provide resources for Washington students who participate in the page programs of the senate or house of representatives. The scholarship program should provide assistance to students, based on financial need, who qualify for a page program. The program is called the Gina Grant Bull memorial legislative page scholarship program.

NEW SECTION. **Sec. 2.** A new section is added to chapter 44.04 RCW to read as follows:

(1) The secretary of the senate and the chief clerk of the house of representatives may solicit and accept gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise, and sell, lease, exchange, or expend these donations or the proceeds, rents, profits, and income from the donations except as limited by the donor's terms. Any legislative member or legislative employee may solicit the same types of contributions for the secretary of the senate and the chief clerk of the house of representatives.

(2) Moneys received under this section may be used only for establishing and operating the legislative page scholarship program authorized in section 1 of this act.

(3) Moneys received under this section must be deposited in the Gina Grant Bull memorial legislative page scholarship account established in section 3 of this act.

(4) The secretary of the senate and the chief clerk of the house of representatives must adopt joint rules to govern and protect the receipt and expenditure of the proceeds.

NEW SECTION. **Sec. 3.** A new section is added to chapter 44.04 RCW to read as follows:

The Gina Grant Bull memorial legislative page scholarship account is created in the custody of the state treasurer. All moneys received under

section 1 of this act must be deposited in the account. Expenditures from the account may be made only for the purposes of the legislative page scholarship program in section 1 of this act. Only the secretary of the senate or the chief clerk of the house of representatives or their designee may authorize expenditures from the account. An appropriation is not required for expenditures, but the account is subject to allotment procedures under chapter 43.88 RCW.

NEW SECTION. **Sec. 4.** A new section is added to chapter 42.52 RCW to read as follows:

This chapter does not prohibit the secretary of the senate, the chief clerk of the house of representatives, or their designee from soliciting and accepting contributions to the Gina Grant Bull memorial legislative page scholarship account created in section 3 of this act. Furthermore, this chapter does not prohibit any legislative member or legislative employee from soliciting gifts for the Gina Grant Bull memorial legislative page scholarship account.

Sec. 5. RCW 43.79A.040 and 2016 c 203 s 2, 2016 c 173 s 10, 2016 c 69 s 21, and 2016 c 39 s 7 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) (a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual

development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section."

Correct the title.

Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 22, 2017
SB 5375 Prime Sponsor, Senator Fain: Renaming the cancer research endowment authority to the Andy Hill cancer research endowment. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair;

Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

March 22, 2017
SSB 5435 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Specifying to whom information and records related to mental health services may be disclosed for the purposes of care coordination and treatment. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

March 22, 2017
SB 5481 Prime Sponsor, Committee on Health Care: Requiring the insurance commissioner to educate breast cancer patients about the availability of insurance coverage for breast reconstruction and breast prostheses. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5488 Prime Sponsor, Senator Zeiger: Changing the annual reporting date for the transitional bilingual instruction program. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

March 22, 2017
2SSB 5540 Prime Sponsor, Committee on Ways & Means: Creating an oral health pilot

program for adults with diabetes and pregnant women. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Washington state currently provides dental coverage for enrollees in medicaid apple health coverage. Dental services have been successfully provided for children in part due to: Higher reimbursement rates for services provided to children and through a public-private partnership with the access to baby and child dentistry program that recruits and trains dentists to provide preventive care to medicaid children, reduced barriers for low-income families in accessing care with outreach, and enhanced reimbursement for services provided to children from birth through age five.

Adults in medicaid apple health have more difficulty accessing dental care. As a statewide average, only twenty-two percent of apple health adults utilized care in fiscal year 2015. Utilization rates vary across the state, ranging from 7.6 percent to 31.4 percent.

A growing body of research indicates oral health is connected to systemic health. Pregnant women are more susceptible to oral health problems due to changes in their bodies related to pregnancy. Dental disease may cause complications during pregnancy, such as preeclampsia and gestational diabetes. Adults with diabetes are also at high risk for oral health problems. The chronic inflammation and infection associated with gum disease can result in serious health complications, including heart disease, kidney disease, blindness, and amputation.

Studies have found significant medical savings when patients with chronic conditions like diabetes and pregnant women received treatment for gum disease. The legislature therefore finds that the state should invest in a pilot program to test enhanced dental benefits for medicaid apple health adults with diabetes and pregnant women. Through this pilot program, the legislature intends to reduce the prevalence of preeclampsia and gestational diabetes in pregnant women and the incidence of heart disease,

kidney disease, blindness, and amputation in adults with diabetes.

NEW SECTION. Sec. 2. A new section is added to chapter 74.09 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the health care authority must begin a three-year statewide pilot program, named oral health connections, with the Washington dental service foundation, modeled after the access to baby and child dentistry program, to test enhanced dental benefits for medicaid apple health adults with diabetes and pregnant women. The pilot program's aim is to better integrate medical and oral health care to improve health outcomes and control chronic disease. The pilot program must include enhanced reimbursement rates for participating dental providers and an increase in the allowable number of periodontal treatments to up to four per calendar year. The additional visits for periodontal treatments apply to all adults with diabetes and pregnant women regardless of the location of the service. The Washington dental service foundation shall partner with the agency and provide wraparound services to link patients to care. Services include, but are not limited to, outreach to and support for medical providers, dental providers, care coordinators, accountable communities of health, managed care organizations, and eligible medicaid enrollees, in order to connect people with diabetes and pregnant women with the oral health care they need.

(2) The health care authority and Washington dental service foundation shall jointly develop the statewide program, subject to the availability of amounts appropriated for this specific purpose. The authority and foundation shall provide joint progress reports to the appropriate committees of the legislature each December 1st commencing after implementation of the first year of the pilot program. The final report shall include an assessment of the effectiveness of the pilot program related to reducing health care costs and improving health outcomes for pregnant women as related to preeclampsia and gestational diabetes and for adults with diabetes as related to heart disease, kidney disease, blindness, and amputation.

(3) This section expires June 30, 2022."

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Calder; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member and Maycumber.

Referred to Committee on Appropriations.

March 22, 2017

SSB 5573 Prime Sponsor, Committee on State Government: Increasing membership of the state interoperability executive committee and foster radio system interoperability. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 21, 2017

SSB 5589 Prime Sponsor, Committee on Commerce, Labor & Sports: Concerning distillery promotional items and spirit sample sales. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 66.24.140 and 2015 c 194 s 1 are each amended to read as follows:

(1) There is a license to distillers, including blending, rectifying, and bottling; fee two thousand dollars per annum, unless provided otherwise as follows:

(a) For distillers producing one hundred fifty thousand gallons or less of spirits with at least half of the raw materials used in the production grown in Washington, the license fee must be reduced to one hundred dollars per annum;

(b) The board must license stills used and to be used solely and only by a commercial chemist for laboratory purposes, and not for the manufacture of liquor for sale, at a fee of twenty dollars per annum;

(c) The board must license stills used and to be used solely and only for laboratory purposes in any school, college, or educational institution in the state, without fee; and

(d) The board must license stills that have been duly licensed as fruit and/or wine distilleries by the federal government, used and to be used solely as fruit and/or wine distilleries in the production of fruit brandy and wine spirits, at a fee of two hundred dollars per annum.

(2) Any distillery licensed under this section may:

(a) Sell spirits of its own production for consumption off the premises. A distillery selling spirits under this subsection must comply with the applicable laws and rules relating to retailers;

(b) Contract distilled spirits for, and sell contract distilled spirits to, holders of distillers' or manufacturers' licenses, including licenses issued under RCW 66.24.520, or for export; and

(c) Provide samples subject to the following conditions:

(i) For the purposes of this subsection, the maximum amount of alcohol per person per day is two ounces;

(ii) Provide free or for a charge one-half ounce or less samples of spirits of its own production to persons on the premises of the distillery. (~~The maximum total per person per day is two ounces. Every person who participates in any manner in the service of samples must obtain a class 12 alcohol server permit.~~) Spirits samples may be adulterated with nonalcoholic mixers, mixers with alcohol of the distiller's own production, water, and/or ice;

(iii) Sell adulterated samples of spirits of their own production, water, and/or ice to persons on the premises at the distillery; and

(iv) Every person who participates in any manner in the service of these samples must obtain a class 12 alcohol server permit."

Correct the title.

Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Farrell; Jenkin; Kirby and Young.

MINORITY recommendation: Do not pass. Signed by Representative Ryu.

Referred to Committee on Rules for second reading.

March 22, 2017
SB 5631 Prime Sponsor, Senator Becker:
 Concerning the University of Washington's
 alternative process for awarding contracts.
 Reported by Committee on Higher
 Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Haler; Orwall; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member Van Werven, Assistant Ranking Minority Member.

Referred to Committee on Capital Budget.

March 23, 2017
SSB 5641 Prime Sponsor, Committee on Early
 Learning & K-12 Education: Changing
 nomenclature for first-class and second-
 class school districts. Reported by
 Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Calder; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

March 22, 2017
ESSB 5645 Prime Sponsor, Committee on State
 Government: Concerning withdrawal of
 candidacy. Reported by Committee on
 State Government, Elections &
 Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 22, 2017

SSB 5705 Prime Sponsor, Committee on Ways &
 Means: Concerning inspection and review
 of state contracted behavioral health and
 recovery agencies. Reported by
 Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting
 clause and insert the following:

"NEW SECTION. **Sec. 1.** The state finds that the department should not reduce the number of license violations found by field inspectors for the purpose of allowing licensed behavioral health service providers to avoid liability in a manner that permits the violating service provider to continue to provide care at the risk of public safety. The state also recognizes the need to prohibit fraudulent transfers of licenses between licensed behavioral health service providers found in violation of the terms of their license agreement and their family members.

Sec. 2. RCW 71.24.037 and 2016 sp.s. c 29 s 505 are each amended to read as follows:

(1) The secretary shall by rule establish state minimum standards for licensed behavioral health service providers and services, whether those service providers and services are licensed to provide solely mental health services, substance use disorder treatment services, or services to persons with co-occurring disorders.

(2) Minimum standards for licensed behavioral health service providers shall, at a minimum, establish: Qualifications for staff providing services directly to persons with mental disorders, substance use disorders, or both, the intended result of each service, and the rights and responsibilities of persons receiving behavioral health services pursuant to this chapter. The secretary shall provide for deeming of licensed behavioral health service providers as meeting state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department.

(3) Minimum standards for community support services and resource management services shall include at least qualifications for resource management

services, client tracking systems, and the transfer of patient information between behavioral health service providers.

(4) The department may suspend, revoke, limit, restrict, or modify an approval, or refuse to grant approval, for failure to meet the provisions of this chapter, or the standards adopted under this chapter. RCW 43.20A.205 governs notice of a license denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.

(5) No licensed behavioral health service provider may advertise or represent itself as a licensed behavioral health service provider if approval has not been granted, has been denied, suspended, revoked, or canceled.

(6) Licensure as a behavioral health service provider is effective for one calendar year from the date of issuance of the license. The license must specify the types of services provided by the behavioral health service provider that meet the standards adopted under this chapter. Renewal of a license must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(7) Licensure as a licensed behavioral health service provider must specify the types of services provided that meet the standards adopted under this chapter. Renewal of a license must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(8) Licensed behavioral health service providers may not provide types of services for which the licensed behavioral health service provider has not been certified. Licensed behavioral health service providers may provide services for which approval has been sought and is pending, if approval for the services has not been previously revoked or denied.

(9) The department periodically shall inspect licensed behavioral health service providers at reasonable times and in a reasonable manner.

(10) Upon petition of the department and after a hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer

or employee of the department authorizing him or her to enter and inspect at reasonable times, and examine the books and accounts of, any licensed behavioral health service provider refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.

(11) The department shall maintain and periodically publish a current list of licensed behavioral health service providers.

(12) Each licensed behavioral health service provider shall file with the department upon request, data, statistics, schedules, and information the department reasonably requires. A licensed behavioral health service provider that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may have its license revoked or suspended.

(13) The department shall use the data provided in subsection (12) of this section to evaluate each program that admits children to inpatient substance use disorder treatment upon application of their parents. The evaluation must be done at least once every twelve months. In addition, the department shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into substance use disorder treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.

(14) Any settlement agreement entered into between the department and licensed behavioral health service providers to resolve administrative complaints, license violations, license suspensions, or license revocations may not reduce the number of violations reported by the department unless the department concludes, based on evidence gathered by inspectors, that the licensed behavioral health service provider did not commit one or more of the violations.

(15) In cases in which a behavioral health service provider that is in violation of licensing standards attempts to transfer or sell the behavioral health service provider to a family member, the transfer or sale may only be made for the purpose of remedying

license violations and achieving full compliance with the terms of the license. Transfers or sales to family members are prohibited in cases in which the purpose of the transfer or sale is to avoid liability or reset the number of license violations found before the transfer or sale. If the department finds that the owner intends to transfer or sell, or has completed the transfer or sale of, ownership of the behavioral health service provider to a family member solely for the purpose of resetting the number of violations found before the transfer or sale, the department may not renew the behavioral health service provider's license or issue a new license to the behavioral health service provider."

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

March 22, 2017
SB 5778 Prime Sponsor, Senator Wilson: Modifying the definition of resident student to comply with the federal requirements established by the veterans access, choice, and accountability act of 2014. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.15.012 and 2015 3rd sp.s. c 8 s 1 are each amended to read as follows:

Whenever used in this chapter:

(1) The term "institution" shall mean a public university, college, or community or technical college within the state of Washington.

(2) The term "resident student" shall mean:

(a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution and has

in fact established a bona fide domicile in this state primarily for purposes other than educational;

(b) A dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution;

(c) A student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous;

(d) Any student who has spent at least seventy-five percent of both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year;

(e) Any person who has completed the full senior year of high school and obtained a high school diploma, both at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma; who has lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent; who has continuously lived in the state of Washington after receiving the diploma or its equivalent and until such time as the individual is admitted to an institution of higher education under subsection (1) of this section; and who provides to the institution an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses;

(f) Any person who has lived in Washington, primarily for purposes other

than educational, for at least one year immediately before the date on which the person has enrolled in an institution, and who holds lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii), (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse or child of a person having nonimmigrant status under one of those subsections, or who, holding or having previously held such lawful nonimmigrant status as a principal or derivative, has filed an application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

(g) A student who is on active military duty stationed in the state or who is a member of the Washington national guard;

(h) A student who is on active military duty or a member of the national guard who entered service as a Washington resident and who has maintained Washington as his or her domicile but is not stationed in the state;

(i) A student who is the spouse or a dependent of a person who is on active military duty or a member of the national guard who entered service as a Washington resident and who has maintained Washington as his or her domicile but is not stationed in the state. If the person on active military duty is reassigned out-of-state, the student maintains the status as a resident student so long as the student is continuously enrolled in a degree program;

(j) A student who is entitled to transferred federal post-9/11 veterans educational assistance act of 2008 (38 U.S.C. Sec. 3301 et seq.) benefits based on the student's relationship as a spouse, former spouse, or child to an individual who is on active duty in the uniformed services;

(k) A student who resides in the state of Washington and is the spouse or a dependent of a person who is a member of the Washington national guard;

~~((l))~~ (l) A student who has separated from the uniformed services with any period of honorable service after at least ninety days of active duty service; is eligible for benefits under the federal all-volunteer force educational assistance program (38 U.S.C. Sec. 3001 et seq.), the federal post-9/11 veterans educational assistance act of 2008 (38 U.S.C. Sec. 3301 et seq.), or any other federal law authorizing educational assistance benefits for veterans; and enters an

institution of higher education in Washington within three years of the date of separation;

~~((m))~~ (m) A student who is entitled to veterans administration educational assistance benefits based on the student's relationship as a spouse, former spouse, or child to an individual who has separated from the uniformed services with any period of honorable service after at least ninety days of active duty service, and who enters an institution of higher education in Washington within three years of the service member's date of separation;

~~((n))~~ (n) A student who is entitled to veterans administration educational assistance benefits based on the student's relationship with a deceased member of the uniformed services who ~~((completed at least ninety days of active duty service and))~~ died in the line of duty ~~((, and the student enters an institution of higher education in Washington within three years of the service member's death))~~;

~~((o))~~ (o) A student of an out-of-state institution of higher education who is attending a Washington state institution of higher education pursuant to a home tuition agreement as described in RCW 28B.15.725;

~~((p))~~ (p) A student who meets the requirements of RCW 28B.15.0131 or 28B.15.0139: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that the student has in fact established a bona fide domicile in this state primarily for purposes other than educational;

~~((q))~~ (q) A student who resides in Washington and is on active military duty stationed in the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington; or

~~((r))~~ (r) A student who resides in Washington and is the spouse or a dependent of a person who resides in Washington and is on active military duty stationed in the Oregon counties of Columbia, Gilliam, Hood River,

Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington. If the person on active military duty moves from Washington or is reassigned out of the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the student maintains the status as a resident student so long as the student resides in Washington and is continuously enrolled in a degree program.

(3) (a) A student who qualifies under subsection (2) (~~((k), (l), or (m))~~) (j), (l), (m), or (n) of this section and who remains continuously enrolled at an institution of higher education shall retain resident student status.

(b) Nothing in subsection (2) (~~((k), (l), or (m))~~) (j), (l), (m), or (n) of this section applies to students who have a dishonorable discharge from the uniformed services, or to students who are the spouse or child of an individual who has had a dishonorable discharge from the uniformed services, unless the student is receiving veterans administration educational assistance benefits.

(4) The term "nonresident student" shall mean any student who does not qualify as a "resident student" under the provisions of this section and RCW 28B.15.013. Except for students qualifying under subsection (2) (e) or (~~((n))~~) (o) of this section, a nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter. This condition shall not apply to students from Columbia, Multnomah, Clatsop, Clackamas, or Washington county, Oregon participating in the border county pilot project under RCW 28B.76.685, 28B.76.690, and 28B.15.0139.

(b) A person who is not a citizen of the United States of America who does not have permanent or temporary resident status or does not hold "Refugee-Parolee" or "Conditional Entrant" status with the United States citizenship immigration services or is not otherwise permanently residing in the United States under color of law and who does not also meet and comply with all the applicable

requirements in this section and RCW 28B.15.013.

(5) The term "domicile" shall denote a person's true, fixed and permanent home and place of habitation. It is the place where the student intends to remain, and to which the student expects to return when the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(6) The term "dependent" shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules adopted by the student achievement council and shall include, but not be limited to, the state and federal income tax returns of the person and/or the student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the council may require.

(7) The term "active military duty" means the person is serving on active duty in:

(a) The armed forces of the United States government; or

(b) The Washington national guard; or

(c) The coast guard, merchant mariners, or other nonmilitary organization when such service is recognized by the United States government as equivalent to service in the armed forces.

(8) The term "active duty service" means full-time duty, other than active duty for training, as a member of the uniformed services of the United States. Active duty service as a national guard member under Title 32 U.S.C. for the purpose of organizing, administering, recruiting, instructing, or training and active service under 32 U.S.C. Sec. 502(f) for the purpose of responding to a national emergency is recognized as active duty service.

(9) The term "uniformed services" is defined by Title 10 U.S.C.; subsequently structured and organized by Titles 14, 33, and 42 U.S.C.; consisting of the United States army, United States marine corps, United States navy, United States

air force, United States coast guard, United States public health service commissioned corps, and the national oceanic and atmospheric administration commissioned officer corps."

Correct the title.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

March 22, 2017

SSB 5779 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Concerning behavioral health integration in primary care. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Slatter; Stonier and Tharinger.

Referred to Committee on Appropriations.

March 22, 2017

SB 5826 Prime Sponsor, Senator Hobbs: Concerning eligibility for veteran or national guard tuition waivers. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:00 a.m., March 27, 2017, the 78th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SEVENTY EIGHTH DAY

House Chamber, Olympia, Monday, March 27, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carson Hammer and Tarin Santos, granddaughter of Representative Santos. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Tammy Stampfli, The United Churches, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

March 23, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO.
5033,
ENGROSSED SUBSTITUTE SENATE BILL NO.
5048,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READINGHB 2182 by Representative Peterson

AN ACT Relating to creating the tiered taxation on hazardous substance possession to provide for the current program's immediate needs and a more stable source of revenue in the future act of 2017.

Referred to Committee on Capital Budget.

HB 2183 by Representative MacEwen

AN ACT Relating to the Washington state commission on minority affairs; amending RCW 28A.300.105, 28A.300.807, 28A.600.490, 28B.108.020, 43.03.028,

43.06B.020, 43.20.025, 43.376.040, and 76.48.241; reenacting and amending RCW 42.56.240; adding a new chapter to Title 43 RCW; creating a new section; repealing RCW 43.113.005, 43.113.010, 43.113.020, 43.113.030, 43.115.010, 43.115.020, 43.115.030, 43.115.040, 43.115.045, 43.115.060, 43.115.900, 43.117.010, 43.117.020, 43.117.030, 43.117.040, 43.117.050, 43.117.060, 43.117.070, 43.117.080, 43.117.090, 43.117.100, 43.117.110, 43.131.341, and 43.131.342; providing an effective date; and declaring an emergency.

Referred to Committee on State Government, Elections & Information Technology.

HB 2184 by Representative Goodman

AN ACT Relating to the sentencing and incarceration of offenders; amending RCW 72.09.010, 9.94A.480, and 9.94A.585; adding new sections to chapter 72.09 RCW; adding a new section to chapter 9.94A RCW; adding a new chapter to Title 43 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Public Safety.

SB 5715 by Senators Rivers, Keiser, Cleveland, Becker, Hunt, Billig, Bailey and Kuderer

AN ACT Relating to limiting nursing home direct care payment adjustments to the lowest case mix weights in the reduced physical function groups and authorizing upward adjustments to case mix weights in the cognitive and behavior groups; and amending RCW 74.46.485.

Referred to Committee on Appropriations.

SSB 5815 by Senate Committee on Ways & Means (originally sponsored by Senators Rivers, Cleveland, Becker and Ranker)

AN ACT Relating to the hospital safety net assessment; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.090, 74.60.100, 74.60.120, 74.60.130, 74.60.150, 74.60.160, 74.60.901, and 74.60.902; adding a new section to chapter 74.60 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

ESSB 5875 by Senate Committee on Ways & Means
(originally sponsored by Senator Braun)

AN ACT Relating to making revisions to education reforms in Substitute Senate Bill No. 5607; amending RCW 28A.150.---, 84.52.065, 84.52.---, and 28A.320.---; and amending 2017 c ... (SSB 5607) s 2102 (uncodified).

Referred to Committee on Appropriations.

2ESB 5891 by Senators Zeiger and Conway

AN ACT Relating to eliminating the use of the high school science assessment as a graduation prerequisite; and amending RCW 28A.655.061, 28A.655.065, and 28A.655.068.

Referred to Committee on Education.

SB 5895 by Senator Braun

AN ACT Relating to making expenditures from the budget stabilization account for catastrophic wildfire events in fiscal year 2017; creating a new section; making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5898 by Senate Committee on Ways & Means
(originally sponsored by Senator Braun)

AN ACT Relating to eligibility for public assistance programs; amending RCW 43.215.135, 74.08A.260, and 74.62.030; and adding a new section to chapter 74.08A RCW.

Referred to Committee on Appropriations.

SSB 5901 by Senate Committee on Ways & Means
(originally sponsored by Senator Braun)

AN ACT Relating to eligibility for the early childhood education and assistance program; and amending RCW 43.215.456.

Referred to Committee on Appropriations.

SB 5902 by Senators Braun and Wilson

AN ACT Relating to enrollments in postsecondary certification and degree programs with an emphasis in science, technology, engineering, and mathematics; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 23, 2017

SB 5013 Prime Sponsor, Senator Warnick:
Concerning the disposition of tenant property placed upon the nearest public property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

MINORITY recommendation: Do not pass. Signed by Representative Kilduff, Vice Chair.

Referred to Committee on Rules for second reading.

March 22, 2017

SSB 5018 Prime Sponsor, Committee on Transportation: Authorizing wheelchair accessible taxicabs access to high occupancy vehicle lanes. (REVISED FOR PASSED LEGISLATURE: Requiring the examination of rules to authorize wheelchair accessible taxicabs access to high occupancy vehicle lanes.) Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The department of transportation shall engage in a transparent, public process to reexamine the administrative rules surrounding access to high occupancy vehicle lanes that must include an examination of the benefits and impacts of allowing private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device into the high occupancy vehicle lanes.

(2) By January 1, 2018, the department of transportation shall report progress of the public rule reexamination process in subsection (1) of this section to the transportation committees of the legislature with sufficient time for

review before the conclusion of the process.

NEW SECTION. **Sec. 2.** This act expires August 1, 2019."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven Farrell, Member.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5036 Prime Sponsor, Senator Takko: Clarifying the authority and procedures for unit priced contracting by public utility districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Capital Budget.

March 23, 2017
SB 5080 Prime Sponsor, Senator Padden: Concerning actions for damage to real property resulting from construction, alteration, or repair on adjacent property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature enacts this act to limit the Washington supreme court decision in Vern J. Oja and Assoc. v. Washington Park Towers, Inc., 89 Wn.2d 72, 569 P.2d 1141 (1977), which held that claims for damage to real property resulting from construction activities on adjacent property do not accrue until the construction project on the adjacent property is complete.

NEW SECTION. Sec. 2. A new section is added to chapter 4.16 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, actions for damage to real property resulting from construction, alteration, or repair on an adjacent property, whether alleging negligence, strict liability, trespass, or any other cause of action against a public entity using funds approved by the registered voters of its jurisdiction for the construction of a transportation project, must be commenced within the earlier of the following periods:

(a) Within three years after the property owner first discovered the damage; or

(b) Within three years after completion of the construction, alteration, or repair.

(2) Actions for such damage that: (a) Is known or reasonably should have been known as of the effective date of this section; and (b) is caused by a construction, alteration, or repair project that is not complete as of the effective date of this section must be commenced within three years of the effective date of this section.

(3) Nothing in this section may be construed as extending the period for bringing a claim beyond the periods provided in RCW 4.16.300, 4.16.310, and 4.16.320, or barring a cause of action against a public entity for the operation and maintenance of the transportation project."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5118 Prime Sponsor, Senator Rolfes: Increasing the personal needs allowance for persons receiving state-financed care. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey;

Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Taylor.

Referred to Committee on Rules for second reading.

March 23, 2017

ESB 5128 Prime Sponsor, Senator Takko: Allowing incremental electricity produced as a result of certain capital investment projects to qualify as an eligible renewable resource under the energy independence act. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Manweller; McDonald; Nealey; Santos; Slatter; Steele and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Hudgins.

Referred to Committee on Appropriations.

March 23, 2017

SSB 5133 Prime Sponsor, Committee on Local Government: Concerning county boards of equalization. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

March 22, 2017

ESSB 5173 Prime Sponsor, Committee on State Government: Concerning loss prevention reviews by state agencies. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.19.003 and 2011 1st sp.s. c 43 s 102 are each amended to read as follows:

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

(1) "Department" means the department of enterprise services.

(2) "Director" means the director of enterprise services.

(3) "State agency" means every state agency, office, officer, board, commission, institution, and institution of higher education, including all state universities, regional universities, The Evergreen State College, and community and technical colleges.

Sec. 2. RCW 43.19.782 and 2011 1st sp.s. c 43 s 508 are each amended to read as follows:

(1) ((The director)) In consultation with the department and upon delegation, a state agency shall appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency((, unless the director in his or her discretion determines that the incident does not merit review)) except when the death, injury, or substantial loss is already being investigated by another federal or state agency, or by the affected state agency, pursuant to the federal or state agency requirements. Any review conducted by another agency or under other requirements must contain elements of subsection (3) of this section and must comply with section 3 of this act to the extent section 3 of this act does not conflict with statutes or rules governing those reviews. The department may also direct a state agency to conduct a loss prevention review ((team may also be appointed when any other substantial loss occurs as a result of agency policies, litigation or defense practices, or other management practices. When the director decides not to appoint a loss prevention review team he or she shall issue a statement of the reasons for the director's decision. The statement shall be made available on the department's web site. The director's decision pursuant to this section to appoint or not appoint a loss prevention review team shall not be admitted into evidence in a civil or administrative proceeding.)) after consultation with the affected agency as to the purpose, scope, necessary resources, and intended outcomes of the loss prevention review.

The department may provide guidance to the state agency conducting the loss prevention review as requested by the state agency.

(2) A loss prevention review team shall consist of at least three ((but no more than five)) persons, and may include independent consultants, contractors, or state employees, but it shall not include any person ((employed by the agency)) directly involved in the loss or risk of loss giving rise to the review, nor any person with testimonial knowledge of the incident to be reviewed. At least one member of the review team shall have expertise relevant to the matter under review, but no more than half of the review team members may be employees of the affected agency.

(3) The loss prevention review team shall review the death, serious injury, or other incident and the circumstances surrounding it, evaluate its causes, and recommend steps to reduce the risk of such incidents occurring in the future. The loss prevention review team shall accomplish these tasks by reviewing relevant documents((,)) and interviewing persons with relevant knowledge((, and reporting its recommendations)). The loss prevention review team must submit a report in writing to the director and the ((director)) head of the state agency involved in the loss or risk of loss ((within the time requested by the director)). The report must include the teams' findings, analyze the causes and contributing factors, analyze future risk, include methods that the agency will use to address and mitigate the risks identified, which may include changes to policies or procedures, and any legislative recommendation necessary to address and carry out the risk treatment strategies identified in the subject report and include the manner in which the agency will measure the effectiveness of its changes. The final report shall not disclose the contents of any documents required by law or regulation to be kept private or confidential, or that are subject to legal privilege or exemption.

(4) ((Pursuant to guidelines established by the director,)) The director may develop and enact rules to implement the provisions of this chapter that apply to all state agency loss prevention review teams. State agencies must notify the department immediately upon becoming aware of a death, serious

injury, or other substantial loss that is alleged or suspected to be caused at least in part by the actions of the state agency.

(5) All state agencies shall provide the loss prevention review team ready access to relevant documents in their possession and ready access to their employees.

(6) The director shall submit an annual report to the legislature identifying the reviews conducted in the past year, providing appropriate metrics on effectiveness and efficiency of the loss prevention review team and programs, and summarizing any determinations of trends in incidents such as reductions or increases in the frequency or magnitude of losses and innovative approaches to mitigating risks identified.

Sec. 3. RCW 43.19.783 and 2011 1st sp.s. c 43 s 509 are each amended to read as follows:

(1) The final report from ((a)) the state agency's loss prevention review team to the director shall be made public by the director promptly ((upon receipt)) after review, and shall be subject to public disclosure. The final report shall be subject to discovery in a civil or administrative proceeding. However, the final report shall not be admitted into evidence or otherwise used in a civil or administrative proceeding except pursuant to subsection (2) of this section.

(2) The relevant excerpt or excerpts from the final report of a loss prevention review team may be used to impeach a fact witness in a civil or administrative proceeding only if the party wishing to use the excerpt or excerpts from the report first shows the court by clear and convincing evidence that the witness, in testimony provided in deposition or at trial in the present proceeding, has contradicted his or her previous statements to the loss prevention review team on an issue of fact material to the present proceeding. In that case, the party may use only the excerpt or excerpts necessary to demonstrate the contradiction. This section shall not be interpreted as expanding the scope of material that may be used to impeach a witness.

(3) No member of a loss prevention review team may be examined in a civil or administrative proceeding as to (a) the work of the loss prevention review team,

(b) the incident under review, (c) his or her statements, deliberations, thoughts, analyses, or impressions relating to the work of the loss prevention review team or the incident under review, or (d) the statements, deliberations, thoughts, analyses, or impressions of any other member of the loss prevention review team, or any person who provided information to it, relating to the work of the loss prevention review team or the incident under review.

(4) Any document that exists prior to the appointment of a loss prevention review team, or that is created independently of such a team, does not become inadmissible merely because it is reviewed or used by the loss prevention review team. A person does not become unavailable as a witness merely because the person has been interviewed by or has provided a statement to a loss prevention review team. However, if called as a witness, the person may not be examined regarding the person's interactions with the loss prevention review team, including without limitation whether the loss prevention review team interviewed the person, what questions the loss prevention review team asked, and what answers the person provided to the loss prevention review team. This section shall not be construed as restricting the person from testifying fully in any proceeding regarding his or her knowledge of the incident under review.

(5) Documents prepared by or for the loss prevention review team are inadmissible and may not be used in a civil or administrative proceeding, except that excerpts may be used to impeach the credibility of a witness under the same circumstances that excerpts of the final report may be used pursuant to subsection (2) of this section.

(6) The restrictions set forth in this section shall not apply in a licensing or disciplinary proceeding arising from an agency's effort to revoke or suspend the license of any licensed professional based in whole or in part upon allegations of wrongdoing in connection with the death, injury, or other incident reviewed by the loss prevention review team.

(7) ((Within one hundred twenty days after completion of the final report of a loss prevention review team, the agency under review shall issue to the department a response to the report. The

response will indicate (a) which of the report's recommendations the agency hopes to implement, (b) whether implementation of those recommendations will require additional funding or legislation, and (c) whatever other information the director may require. This response shall be considered part of the final report and shall be subject to all provisions of this section that apply to the final report, including without limitation the restrictions on admissibility and use in civil or administrative proceedings and the obligation of the director to make the final report public.

((8))) Nothing in RCW ((43.41.370)) 43.19.782 or this section is intended to limit the scope of a legislative inquiry into or review of an incident that is the subject of a loss prevention review.

((9))) (8) Nothing in RCW ((43.41.370)) 43.19.782 or in this section affects chapter 70.41 RCW and application of that chapter to state-owned or managed hospitals licensed under chapter 70.41 RCW."

Correct the title.

Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5185 Prime Sponsor, Committee on State Government: Providing immunity from liability for professional or trade associations providing emergency response volunteers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5187 Prime Sponsor, Senator Angel: Concerning county auditors. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

March 23, 2017

SSB 5235 Prime Sponsor, Committee on Local Government: Withdrawing territory from a cemetery district. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

March 22, 2017

SB 5237 Prime Sponsor, Senator Bailey: Updating workforce investment act references and making no substantive changes. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

March 23, 2017

ESSB 5256 Prime Sponsor, Committee on Law & Justice: Concerning sexual assault protection orders. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Haler and Shea.

Referred to Committee on Rules for second reading.

March 23, 2017

2SSB 5258 Prime Sponsor, Committee on Ways & Means: Creating the Washington academic, innovation, and mentoring (AIM) program. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.215 RCW to read as follows:

(1) The Washington academic, innovation, and mentoring program is established.

(2) The purpose of the program is to enable eligible neighborhood youth development entities to provide out-of-school time programs for youth ages six to eighteen years of age that include educational services, social emotional learning, mentoring, and linkages to positive, prosocial leisure, and recreational activities. The programs must be designed for mentoring and academic enrichment.

(3) Eligible entities must meet the following requirements:

(a) Ensure that sixty percent or more of the academic, innovation, and mentoring program participants must qualify for free or reduced-price lunch;

(b) Have an existing partnership with the school district and a formalized data-sharing agreement;

(c) Combine, or have a plan to combine, academics and social emotional learning;

(d) Engage in a continuous program quality improvement process;

(e) Conduct national criminal background checks for all employees and volunteers who work with children; and

(f) Have adopted standards for care including staff training, health and safety standards, and mechanisms for assessing and enforcing the program's compliance with the standards.

(4) Nonprofit entities applying for funding as a statewide network must:

(a) Have an existing infrastructure or network of academic, innovation, and mentoring program grant-eligible entities;

(b) Provide after-school and summer programs with youth development services; and

(c) Be facility-based and provide proven and tested recreational, educational, and character-building

programs for children ages six to eighteen years of age.

(5) The office of the superintendent of public instruction must submit a report to the appropriate education and fiscal committees of the legislature by December 31, 2018, and a final report by December 31, 2019. The report must outline the programs established, target populations, and pretesting and posttesting results.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Appropriations.

March 22, 2017
SSB 5262 Prime Sponsor, Committee on Transportation: Modifying limitations for certain vessels exempt from the pilotage act. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harnsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven Farrell, Member.

Referred to Committee on Rules for second reading.

March 23, 2017
ESB 5266 Prime Sponsor, Senator O'Ban: Modifying theft of rental, leased, lease-purchased, or loaned property provisions. (REVISED FOR PASSED LEGISLATURE: Concerning theft of rental or leased property.) Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.56.096 and 2012 c 30 s 1 are each amended to read as follows:

(1) A person who, with intent to deprive the owner or owner's agent, wrongfully obtains, or exerts unauthorized control over, or by color or aid of deception gains control of personal property that is rented, leased, or loaned by written agreement to the person, is guilty of theft of rental, leased, lease-purchased, or loaned property.

(2)(a) A person is guilty of theft of rental or leased property who, having control of personal property under a written rental or lease agreement, intentionally holds the property beyond the expiration of the rental or lease period without the effective consent of the owner of the property, depriving the owner of the property of its use in further rentals, and fails to return the property within seventy-two hours after receipt of proper notice.

(b) As used in this subsection (2), "proper notice" consists of a written demand by the owner or the owner's agent made after the due date of the rental or lease period, mailed by certified or registered mail to the renter or lessee at: (i) The address the renter or lessee gave when the contract was made; or (ii) the renter's or lessee's last known address if later furnished in writing by the renter or lessee or the agent of the renter or lessee.

(c) It is not a defense that the person returned the personal property held under a rental or lease agreement if the return was made after the end of the seventy-two hour period following receipt of proper notice and the person fails to pay the applicable rental charge for the property for the time that the person held the personal property.

(d) Rental and leased property agreements must contain a warning that failure to return property and pay all outstanding obligations pursuant to the terms of the agreement may result in charges up to and including a gross misdemeanor. For purposes of this subsection, applicable rental charge is determined pursuant to the late return provisions in the written agreement; however, if the written agreement contains no late return provisions, applicable rental charge means a value equal to the terms of the written rental or lease agreement prorated from the due

date of the rental or lease period through the receipt of the returned property.

(e) This subsection (2) applies only to rental and leased property agreements, and does not apply to lease-purchased property, rent to own property, medical equipment, and motor vehicles.

(3) The finder of fact may presume intent to deprive under subsection (1) of this section if the finder of fact finds either of the following:

(a) That the person who rented or leased the property failed to return or make arrangements acceptable to the owner of the property or the owner's agent to return the property to the owner or the owner's agent within seventy-two hours after receipt of proper notice following the due date of the rental, lease, lease-purchase, or loan agreement; or

(b) That the renter, lessee, or borrower presented identification to the owner or the owner's agent that was materially false, fictitious, or not current with respect to name, address, place of employment, or other appropriate items.

((3)) (4) As used in subsection ((2)) (3) of this section, "proper notice" consists of a written demand by the owner or the owner's agent made after the due date of the rental, lease, lease-purchase, or loan period, mailed by certified or registered mail to the renter, lessee, or borrower at: (a) The address the renter, lessee, or borrower gave when the contract was made; or (b) the renter, lessee, or borrower's last known address if later furnished in writing by the renter, lessee, borrower, or the agent of the renter, lessee, or borrower.

((4)) (5) The replacement value of the property obtained must be utilized in determining the amount involved in the theft of rental, leased, lease-purchased, or loaned property.

((5)) (6)(a) Theft of rental, leased, lease-purchased, or loaned property is a class B felony if the rental, leased, lease-purchased, or loaned property is valued at five thousand dollars or more.

(b) Theft of rental, leased, lease-purchased, or loaned property is a class C felony if the rental, leased, lease-purchased, or loaned property is valued

at seven hundred fifty dollars or more but less than five thousand dollars.

(c) Theft of rental, leased, lease-purchased, or loaned property is a gross misdemeanor if the rental, leased, lease-purchased, or loaned property is valued at less than seven hundred fifty dollars.

(d)(i)(A) Theft of rental or leased property under subsection (2) of this section is a gross misdemeanor if the outstanding obligation is valued at seven hundred fifty dollars or more;

(B) Theft of rental or leased property under subsection (2) of this section is a misdemeanor if the outstanding obligation is valued at two hundred fifty dollars or more but less than seven hundred fifty dollars;

(C) Theft of rental or leased property under subsection (2) of this section is a class 1 civil infraction if the outstanding obligation is valued at fifty dollars or more but less than two hundred fifty dollars.

(ii) This subsection (6)(d) applies only to rental and leased property, and does not apply to lease-purchased property, rent to own property, medical equipment, and motor vehicles.

((6)) (7) The crime of theft of rental, leased, lease-purchased, or loaned property may be deemed to have been committed either at the physical location where the written agreement for the rental, lease, lease-purchase, or loan of the property was executed under subsection (1) of this section, or at the address where proper notice may be mailed to the renter, lessee, or borrower under subsection ((3)) (4) of this section.

((7)) (8) This section applies to rental agreements that provide that the renter may return the property any time within the rental period and pay only for the time the renter actually retained the property, in addition to any minimum rental fee, to lease agreements, to lease-purchase agreements as defined under RCW 63.19.010, and to vehicles loaned to prospective purchasers borrowing a vehicle by written agreement from a motor vehicle dealer licensed under chapter 46.70 RCW. This section does not apply to rental or leasing of real property under the residential landlord-tenant act, chapter 59.18 RCW."

Correct the title.

Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 23, 2017

SSB 5277 Prime Sponsor, Committee on Law & Justice: Concerning disqualification of judges. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 22, 2017

2SSB 5285 Prime Sponsor, Committee on Ways & Means: Conducting a workforce study of employment opportunities in the agriculture, environment, outdoor recreation, and natural resources economic sectors intended to provide educators with the information needed for informing students about employment opportunities in the studied fields. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the agriculture, environment, outdoor recreation, and natural resources economic sectors can offer rewarding career paths for students who are interested in the natural world and are excited by the idea of having a career with outdoor opportunities. Not only are these careers currently available to students, but the United States department of agriculture predicts, in their recent report on employment opportunities for college graduates in food, agriculture, renewable natural resources, outdoor recreation, and the environment, that employment opportunities in these fields are expected to increase.

(2) The legislature further finds that thousands of Washington students do not have access to the types of education that are necessary to guide them down the pathways leading to marketable job skills

and productive careers in the agriculture, environment, outdoor recreation, and natural resources economic sectors. Long-term career success in these fields require the ability to identify, apply, and integrate concepts from science, technology, engineering, and mathematics as they specifically relate to the agriculture, environment, outdoor recreation, and natural resources economic sectors and the sectors' related careers.

(3) The legislature further finds that students will have the information they need to consider careers in the agriculture, environment, outdoor recreation, and natural resources economic sectors if educators are provided with actual applications of how to put integrated learning into action and facilitating experiences that allow students to get outdoors and learn in real-world and community-connected environments.

(4) The legislature further finds that the economic opportunities available for students interested in agriculture, natural resources, outdoor recreation, or the environment can be more readily unlocked if educators are provided with information on worker demand and qualifications so that they are equipped to assist students to access the economic opportunity and help make connections between education and outdoor careers. The information needed by educators to make these connections can be accomplished through a statewide workforce study of potential jobs in these fields.

NEW SECTION. Sec. 2. (1)(a) Subject to the availability of amounts appropriated for this specific purpose, the workforce training and education coordinating board shall conduct a workforce assessment for the agriculture, natural resources, outdoor recreation, and environment sectors. The purpose of the study is to assess the available data on current and projected employment levels and hiring demand for skilled mid-level workers in the agriculture, environment, outdoor recreation, and natural resources economic sectors in the state. Ultimately, this information is being collected so that educators have better information available as they develop programs for informing students about potential careers.

(b) The study must use a broad definition for the mid-level skilled occupations included in the study and identify up to five regions of the state based on the specific workforce characteristics of agriculture, natural resources, outdoor recreation, and environment employers.

(2) The study required by this section must, at a minimum:

(a) Include assessment of:

(i) Data from the employment security department on the current and projected levels of employment and net job vacancies;

(ii) Data used by workforce development councils in identifying demand for workers in their areas;

(iii) Data from the United States census bureau; and

(iv) Data from the United States census bureau's longitudinal employer-household dynamics dataset.

(b) Identify and interview a sample of major employers from the agriculture, environment, outdoor recreation, and natural resources economic sectors in each region to assess employers' perspective and expectations on employment and hiring of skilled mid-level workers in their industry and area. The study must also include an assessment of food and fiber processing jobs in the state.

(3) In conducting any study pursuant to this section, the workforce training and education coordinating board must convene and consult with a steering committee to define the scope of mid-level skilled occupations considered, validate designation of specific regions to be analyzed, and assist in the design of information collection. The steering committee must include representatives of statewide business organizations and a delegate of the state board for community and technical colleges who will be staff.

(4) In implementing this section, the workforce training and education coordinating board may complete the work directly or, at its discretion, contract the assignment, or portions of the assignment, to a third party or parties chosen by the workforce training and education coordinating board. However, the final delivered product must be

reported under the workforce training and education coordinating board.

(5) The report must include recommendations on current sources that provide the most representative and useful information for educators and counselors, further steps to improve the specificity, timeliness, and quality of information available on skilled workforce needs and issues in the areas of the state, and steps necessary to extend this work both into entry level and advanced level occupations, and into identification of specific skills that are key to enabling workers to be productive in this sector.

(6) Consistent with RCW 43.01.036, the study required by this section must be completed and the results reported to the legislature by October 15, 2018.

(7) This section expires June 30, 2019."

Correct the title.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

March 23, 2017

ESSB 5293 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Concerning court-based and school-based efforts to promote attendance and reduce truancy. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Appropriations.

March 23, 2017

SSB 5327 Prime Sponsor, Committee on Law & Justice: Clarifying the duties of court clerks. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 2.32.050 and 2011 c 336 s 45 are each amended to read as follows:

The clerk of the supreme court, each clerk of the court of appeals, and each clerk of a superior court, has power to take and certify the proof and acknowledgment of a conveyance of real property, or any other written instrument authorized or required to be proved or acknowledged, and to administer oaths in every case when authorized by law; and it is the duty of the clerk of the supreme court, each clerk of the court of appeals, and of each county clerk for each of the courts for which he or she is clerk:

(1) To keep the seal of the court and affix it in all cases where he or she is required by law;

(2) To record the proceedings of the court;

(3) To keep the records, files, and other books and papers appertaining to the court;

(4) To file all papers delivered to him or her for that purpose in any action or proceeding in the court as directed by court rule or statute;

(5) To attend the court of which he or she is clerk, to administer oaths, and receive the verdict of a jury in any action or proceeding therein, in the presence and under the direction of the court;

(6) To keep the ((journal)) minutes of the proceedings of the court, and, under the direction of the court, to enter its orders, judgments, and decrees;

(7) To authenticate by certificate or transcript, as may be required, the records, files, or proceedings of the court, or any other paper appertaining thereto and filed with him or her;

(8) To exercise the powers and perform the duties conferred and imposed upon him or her elsewhere by statute;

(9) In the performance of his or her duties to conform to the direction of the court;

(10) To publish notice of the procedures for inspection of the public records of the court.

Sec. 2. RCW 26.09.231 and 2007 c 496 s 701 are each amended to read as follows:

The parties to dissolution matters shall file with the clerk of the court the residential time summary report. The summary report shall be on the form developed by the administrative office of the courts in consultation with the department of social and health services division of child support. The parties must complete the form and file the form with the court order. ((The clerk of the court must forward the form to the division of child support on at least a monthly basis.))

Sec. 3. RCW 26.18.230 and 2007 c 496 s 702 are each amended to read as follows:

(1) The administrative office of the courts in consultation with the department of social and health services, division of child support, shall develop a residential time summary report form to provide for the reporting of summary information in every case in which residential time with children is to be established or modified.

(2) The residential time summary report must include at a minimum: A breakdown of residential schedules with a reasonable degree of specificity regarding actual time with each parent, including enforcement practices, representation status of the parties, whether domestic violence, child abuse, chemical dependency, or mental health issues exist, and whether the matter was agreed or contested.

((3) The division of child support shall compile and electronically transmit the information in the residential time summary reports to the administrative office of the courts for purposes of tracking residential time awards by parent, enforcement practices, representation status of the parties, the existence of domestic violence, child abuse, chemical dependency, or mental health issues and whether the matter was agreed or contested.

(4) The administrative office of the courts shall report the compiled information, organized by each county, on at least an annual basis. The information shall be itemized by quarter. These reports shall be made publicly available through the judicial information public access services and shall not contain any personal identifying information of parties in the proceedings.))"

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5331 Prime Sponsor, Senator Takko:
 Concerning irrigation district
 administration. Reported by Committee on
 Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

March 23, 2017
SSB 5356 Prime Sponsor, Committee on Law &
 Justice: Concerning the humane treatment
 of dogs. Reported by Committee on
 Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Hansen; Kirby and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Haler; Klippert and Shea.

Referred to Committee on Rules for second reading.

March 22, 2017
SB 5382 Prime Sponsor, Senator Liias: Authorizing
 the issuance of identicards at a reduced cost
 to applicants who are under the age of
 eighteen and without a permanent
 residence address. Reported by Committee
 on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Hayes; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Stambaugh; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Pike; Rodne; Shea and Van Werven.

MINORITY recommendation: Without
 recommendation. Signed by Representative Irwin.

Referred to Committee on Rules for second reading.

March 23, 2017
ESSB 5388 Prime Sponsor, Committee on Law &
 Justice: Concerning the removal of
 unauthorized persons from certain
 premises. Reported by Committee on
 Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting
 clause and insert the following:

"NEW SECTION. Sec. 1. A new section
 is added to chapter 9A.52 RCW to read as
 follows:

(1) Subject to subsections (2) and (3)
 of this section and upon the receipt of
 a declaration signed under penalty of
 perjury and containing all of the
 required information and in the form
 prescribed in section 2 of this act, a
 peace officer shall have the authority
 to:

(a) Remove the person or persons from
 the premises, with or without arresting
 the person or persons; and

(b) Order the person or persons to
 remain off the premises or be subject to
 arrest for criminal trespass.

(2) Only a peace officer having
 probable cause to believe that a person
 is guilty of criminal trespass under RCW
 9A.52.070 for knowingly entering or
 remaining unlawfully in a building
 considered residential real property, as
 defined in RCW 61.24.005, has the
 authority and discretion to make an
 arrest or exclude anyone under penalty of
 criminal trespass.

(3) While a peace officer can take into
 account a declaration from the property
 owner signed under penalty of perjury
 containing all of the required
 information and in the form prescribed in
 section 2 of this act, the peace officer
 must provide the occupant or occupants
 with a reasonable opportunity to secure
 and present any credible evidence
 provided by the person or persons on the
 premises, which the peace officer must
 consider, showing that the person or
 persons are tenants, legal occupants, or
 the guests or invitees of tenants or
 legal occupants.

(4) Neither the peace officer nor his or her law enforcement agency shall be held liable for actions or omissions made in good faith under this section.

(5) This section may not be construed to in any way limit rights under RCW 61.24.060 or to allow a peace officer to remove or exclude an occupant who is entitled to occupy a dwelling unit under a rental agreement or the occupant's guests or invitees.

NEW SECTION. Sec. 2. A new section is added to chapter 9A.52 RCW to read as follows:

The owner of premises, or his or her authorized agent, may initiate the investigation and request the removal of an unauthorized person or persons from the premises by providing to law enforcement a declaration containing all of the following required information and in substantially the following form:

REQUEST TO REMOVE TRESPASSER(S) FORM

The undersigned owner, or authorized agent of the owner, of the premises located at hereby represents and declares under the penalty of perjury that (initial each box):

(1) [] The declarant is the owner of the premises or the authorized agent of the owner of the premises;

(2) [] An unauthorized person or persons have entered and are remaining unlawfully on the premises;

(3) [] The person or persons were not authorized to enter or remain;

(4) [] The person or persons are not a tenant or tenants and have not been a tenant or tenants, or a homeowner or homeowners who have been on title, within the last twelve months on the property;

(5) [] The declarant has demanded that the unauthorized person or persons vacate the premises but they have not done so;

(6) [] The premises were not abandoned at the time the unauthorized person or persons entered;

(7) [] The premises were not open to members of the public at the time the unauthorized person or persons entered;

(8) [] The declarant understands that a person or persons removed from the premises pursuant to section 1 of this act may bring a cause of action under section 3 of this act against the

declarant for any false statements made in this declaration, and that as a result of such action the declarant may be held liable for actual damages, costs, and reasonable attorneys' fees;

(9) [] The declarant understands and acknowledges the prohibitions in RCW 59.18.230 and 59.18.290 against taking or detaining an occupant's personal property or removing or excluding an occupant from a dwelling unit or rental premises without an authorizing court order;

(10) [] The declarant agrees to indemnify and hold harmless law enforcement for its actions or omissions made in good faith pursuant to this declaration; and

(11) [] Additional Optional Explanatory Comments:

.....
.....
.....

A declarant of premises who falsely swears on a declaration provided under this section may be guilty of false swearing under RCW 9A.72.040 or of making a false or misleading statement to a public servant under RCW 9A.76.175, both of which are gross misdemeanors.

NEW SECTION. Sec. 3. A new section is added to chapter 4.24 RCW to read as follows:

All persons removed from premises pursuant to section 1 of this act on the basis of false statements made by a declarant pursuant to section 2 of this act shall have a cause of action to recover from the declarant for the full amount of damages caused thereby, together with costs and reasonable attorneys' fees."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 23, 2017
SSB 5394 Prime Sponsor, Committee on Natural Resources & Parks: Concerning the forest riparian easement program. Reported by

Committee on Agriculture & Natural
Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 76.13.120 and 2011 c 218 s 1 are each amended to read as follows:

(1) The legislature finds that the state should acquire easements primarily along riparian and other sensitive aquatic areas from qualifying small forest landowners willing to sell or donate ((such)) easements to the state provided that the state will not be required to acquire ((such)) the easements if they are subject to unacceptable liabilities. Therefore the legislature ((therefore)) establishes a forestry riparian easement program.

(2) The definitions in this subsection apply throughout this section and RCW 76.13.100, 76.13.110, 76.13.140, and 76.13.160 unless the context clearly requires otherwise.

(a) "Forestry riparian easement" means an easement covering qualifying timber granted voluntarily to the state by a qualifying small forest landowner.

(b) "Qualifying small forest landowner" means a landowner meeting all of the following characteristics as of the date the department offers compensation for a forestry riparian easement:

(i) Is a small forest landowner as defined in (d) of this subsection; and

(ii) Is an individual, partnership, corporation, or other nongovernmental for-profit legal entity.

(c) "Qualifying timber" means those forest trees for which the small forest landowner is willing to grant the state a forestry riparian easement and ((must)) meets all of the following:

(i) The forest trees are covered by a forest practices application that the small forest landowner is required to leave unharvested under the rules adopted under RCW 76.09.040, 76.09.055, and 76.09.370 or that is made uneconomic to harvest by those rules;

(ii) The forest trees are within or bordering a commercially reasonable harvest unit as determined under rules adopted by the forest practices board, or

for which an approved forest practices application for timber harvest cannot be obtained because of restrictions under the forest practices rules;

(iii) The forest trees are located within, or affected by forest practices rules pertaining to any one, or all, of the following:

(A) Riparian or other sensitive aquatic areas;

(B) Channel migration zones; or

(C) Areas of potentially unstable slopes or landforms, verified by the department, and must meet all of the following:

(I) Are addressed in a forest practices application;

(II) Are adjacent to a commercially reasonable harvest area; and

(III) Have the potential to deliver sediment or debris to a public resource or threaten public safety.

(d) "Small forest landowner" means a landowner meeting all of the following characteristics:

(i) A forest landowner as defined in RCW 76.09.020 whose interest in the land and timber is in fee or who has rights to the timber to be included in the forestry riparian easement that extend at least fifty years from the date the completed forestry riparian easement application associated with the easement is submitted;

(ii) An entity that has harvested from its own lands in this state during the three years prior to the year of application an average timber volume that would qualify the owner as a small harvester under RCW 84.33.035; and

(iii) An entity that certifies at the time of application that it does not expect to harvest from its own lands more than the volume allowed by RCW 84.33.035 during the ten years following application. If a landowner's prior three-year average harvest exceeds the limit of RCW 84.33.035, or the landowner expects to exceed this limit during the ten years following application, and that landowner establishes to the department's reasonable satisfaction that the harvest limits were or will be exceeded to raise funds to pay estate taxes or equally compelling and unexpected obligations such as court-ordered judgments or extraordinary

medical expenses, the landowner shall be deemed to be a small forest landowner. For purposes of determining whether a person qualifies as a small forest landowner, the small forest landowner office, created in RCW 76.13.110, shall evaluate the landowner under this definition, pursuant to RCW 76.13.160, as of the date that the forest practices application is submitted and the date that the department offers compensation for the forestry riparian easement. A small forest landowner can include an individual, partnership, corporation, or other nongovernmental legal entity. If a landowner grants timber rights to another entity for less than five years, the landowner may still qualify as a small forest landowner under this section. If a landowner is unable to obtain an approved forest practices application for timber harvest for any of his or her land because of restrictions under the forest practices rules, the landowner may still qualify as a small forest landowner under this section.

(e) "Completion of harvest" means that the trees have been harvested from an area and that further entry into that area by mechanized logging or slash treating equipment is not expected.

(3) The department is authorized and directed to accept and hold in the name of the state of Washington forestry riparian easements granted by qualifying small forest landowners covering qualifying timber and to pay compensation to ((such)) the landowners in accordance with this section. The department may not transfer the easements to any entity other than another state agency.

(4) Forestry riparian easements shall be effective for fifty years from the date of the completed forestry riparian easement application, unless the easement is voluntarily terminated earlier by the department, based on a determination that termination is in the best interest of the state, or under the terms of a termination clause in the easement.

(5) Forestry riparian easements shall be restrictive only, and shall preserve all lawful uses of the easement premises by the landowner that are consistent with the terms of the easement and the requirement to protect riparian functions during the term of the easement, subject to the restriction that the leave trees required by the rules to be left on the easement premises may not

be cut during the term of the easement. No right of public access to or across, or any public use of the easement premises is created by this statute or by the easement. Forestry riparian easements shall not be deemed to trigger the compensating tax of or otherwise disqualify land from being taxed under chapter 84.33 or 84.34 RCW.

(6) The small forest landowner office shall determine what constitutes a completed application for a forestry riparian easement. ((Such)) An application shall, at a minimum, include documentation of the owner's status as a qualifying small forest landowner, identification of location and the types of qualifying timber, and notification of completion of harvest, if applicable.

(7) Upon receipt of the qualifying small forest landowner's forestry riparian easement application, and subject to the availability of amounts appropriated for this specific purpose, the following must occur:

(a) The small forest landowner office ((shall)) must determine the compensation to be offered to the qualifying small forest landowner for qualifying timber after the department accepts the completed forestry riparian easement application and the landowner has completed marking the boundary of the area containing the qualifying timber. The legislature recognizes that there is not readily available market transaction evidence of value for easements of the nature required by this section, and thus establishes the methodology provided in this subsection to ascertain the value for forestry riparian easements. Values so determined may not be considered competent evidence of value for any other purpose.

(b) The small forest landowner office, subject to the availability of amounts appropriated for this specific purpose, is responsible for assessing the volume of qualifying timber. However, no more than fifty percent of the total amounts appropriated for the forestry riparian easement program may be applied to determine the volume of qualifying timber for completed forestry riparian easement applications. Based on the volume established by the small forest landowner office and using data obtained or maintained by the department of revenue under RCW 84.33.074 and 84.33.091, the small forest landowner office shall attempt to determine the fair market

value of the qualifying timber as of the date the complete forestry riparian easement application is received. Removal of any qualifying timber before the expiration of the easement must be in accordance with the forest practices rules and the terms of the easement. There shall be no reduction in compensation for reentry.

(8) (a) Except as provided in subsection (9) of this section and subject to the availability of amounts appropriated for this specific purpose, the small forest landowner office shall offer compensation for qualifying timber to the qualifying small forest landowner in the amount of fifty percent of the value determined by the small forest landowner office, plus the compliance and reimbursement costs as determined in accordance with RCW 76.13.140. However, compensation for any qualifying small forest landowner for qualifying timber located on potentially unstable slopes or landforms may not exceed a total of fifty thousand dollars during any biennial funding period.

(b) If the landowner accepts the offer for qualifying timber, the department shall pay the compensation promptly upon:

(i) Completion of harvest in the area within a commercially reasonable harvest unit with which the forestry riparian easement is associated under an approved forest practices application, unless an approved forest practices application for timber harvest cannot be obtained because of restrictions under the forest practices rules;

(ii) Verification that the landowner has no outstanding violations under chapter 76.09 RCW or any associated rules; and

(iii) Execution and delivery of the easement to the department.

(c) Upon donation or payment of compensation, the department may record the easement.

(9) For approved forest practices applications for which the regulatory impact is greater than the average percentage impact for all small forest landowners as determined by an analysis by the department under the regulatory fairness act, chapter 19.85 RCW, the compensation offered will be increased to one hundred percent for that portion of the regulatory impact that is in excess of the average. Regulatory impact

includes all trees identified as qualifying timber. A separate average or high impact regulatory threshold shall be established for western and eastern Washington. Criteria for these measurements and payments shall be established by the small forest landowner office.

(10) The forest practices board shall adopt rules under the administrative procedure act, chapter 34.05 RCW, to implement the forestry riparian easement program, including the following:

(a) A standard version of a forestry riparian easement application as well as all additional documents necessary or advisable to create the forestry riparian easements as provided for in this section;

(b) Standards for descriptions of the easement premises with a degree of precision that is reasonable in relation to the values involved;

(c) Methods and standards for cruises and valuation of forestry riparian easements for purposes of establishing the compensation. The department shall perform the timber cruises of forestry riparian easements required under this chapter and chapter 76.09 RCW. Timber cruises are subject to amounts appropriated for this purpose. However, no more than fifty percent of the total appropriated funding for the forestry riparian easement program may be applied to determine the volume of qualifying timber for completed forestry riparian easement applications. Any rules concerning the methods and standards for valuations of forestry riparian easements shall apply only to the department, qualifying small forest landowners, and the small forest landowner office;

(d) A method to determine that a forest practices application involves a commercially reasonable harvest, and adopt criteria for entering into a forestry riparian easement where a commercially reasonable harvest is not possible or a forest practices application that has been submitted cannot be approved because of restrictions under the forest practices rules;

(e) A method to address blowdown of qualified timber falling outside the easement premises;

(f) A formula for sharing of proceeds in relation to the acquisition of qualified timber covered by an easement through the exercise or threats of eminent domain by a federal or state agency with eminent domain authority, based on the present value of the department's and the landowner's relative interests in the qualified timber;

(g) High impact regulatory thresholds;

(h) A method to determine timber that is qualifying timber because it is rendered uneconomic to harvest by the rules adopted under RCW 76.09.055 and 76.09.370;

(i) A method for internal department review of small forest landowner office compensation decisions under this section; and

(j) Consistent with RCW 76.13.180, a method to collect reimbursement from landowners who received compensation for a forestry riparian easement and who, within the first ten years after receipt of compensation for a forestry riparian easement, sells the land on which an easement is located to a nonqualifying landowner.

(11) The legislature finds that the overall societal benefits of economically viable working forests are multiple, and include the protection of clean, cold water, the provision of wildlife habitat, the sheltering of cultural resources from development, and the natural carbon storage potential of growing trees. As such, working forests and the forest riparian easement program may be part of the state's overall carbon sequestration strategy. If the state creates a climate strategy, the department must share information regarding the carbon sequestration benefits of the forest riparian easement program with other state programs using methods and protocols established in the state climate strategy that attempt to quantify carbon storage or account for carbon emissions. The department must promote the expansion of funding for the forest riparian easement program and the ecosystem services supported by the program based on the findings stated in RCW 76.13.100. Nothing in this subsection allows a landowner to be reimbursed by the state more than once for the same forest riparian easement application."

Correct the title.

Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

March 23, 2017

SSB 5404

Prime Sponsor, Committee on Early Learning & K-12 Education: Permitting the possession and application of topical sunscreen products at schools. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.210 RCW to read as follows:

(1) Any person, including students, parents, and school personnel, may possess topical sunscreen products to help prevent sunburn while on school property, at a school-related event or activity, or at summer camp. As excepted in RCW 28A.210.260, a sunscreen product may be possessed and applied under this section without the prescription or note of a licensed health care professional if the product is regulated by the United States food and drug administration for over-the-counter use. For student use, a sunscreen product must be supplied by a parent or guardian.

(2) Schools are encouraged to educate students about sun safety guidelines.

(3) Nothing in this section requires school personnel to assist students in applying sunscreen.

(4) As used in this section, "school" means a public school, school district, educational service district, or private school with any of grades kindergarten through twelve.

Sec. 2. RCW 28A.210.260 and 2013 c 180 s 1 are each amended to read as follows:

Public school districts and private schools which conduct any of grades kindergarten through the twelfth grade may provide for the administration of oral medication, topical medication, eye drops, ear drops, or nasal spray, of any nature to students who are in the custody of the school district or school at the

time of administration, but are not required to do so by this section, subject to the following conditions:

(1) The board of directors of the public school district or the governing board of the private school or, if none, the chief administrator of the private school shall adopt policies which address the designation of employees who may administer oral medications, topical medications, eye drops, ear drops, or nasal spray to students, the acquisition of parent requests and instructions, and the acquisition of requests from licensed health professionals prescribing within the scope of their prescriptive authority and instructions regarding students who require medication for more than fifteen consecutive school days, the identification of the medication to be administered, the means of safekeeping medications with special attention given to the safeguarding of legend drugs as defined in chapter 69.41 RCW, and the means of maintaining a record of the administration of such medication;

(2) The board of directors shall seek advice from one or more licensed physicians or nurses in the course of developing the foregoing policies;

(3) The public school district or private school is in receipt of a written, current and unexpired request from a parent, or a legal guardian, or other person having legal control over the student to administer the medication to the student;

(4) The public school district or the private school is in receipt of (a) a written, current and unexpired request from a licensed health professional prescribing within the scope of his or her prescriptive authority for administration of the medication, as there exists a valid health reason which makes administration of such medication advisable during the hours when school is in session or the hours in which the student is under the supervision of school officials, and (b) written, current and unexpired instructions from such licensed health professional prescribing within the scope of his or her prescriptive authority regarding the administration of prescribed medication to students who require medication for more than fifteen consecutive workdays;

(5) The medication is administered by an employee designated by or pursuant to the policies adopted pursuant to

subsection (1) of this section and in substantial compliance with the prescription of a licensed health professional prescribing within the scope of his or her prescriptive authority or the written instructions provided pursuant to subsection (4) of this section. If a school nurse is on the premises, a nasal spray that is a legend drug or a controlled substance must be administered by the school nurse. If no school nurse is on the premises, a nasal spray that is a legend drug or a controlled substance may be administered by a trained school employee or parent-designated adult who is not a school nurse. The board of directors shall allow school personnel, who have received appropriate training and volunteered for such training, to administer a nasal spray that is a legend drug or a controlled substance. After a school employee who is not a school nurse administers a nasal spray that is a legend drug or a controlled substance, the employee shall summon emergency medical assistance as soon as practicable;

(6) The medication is first examined by the employee administering the same to determine in his or her judgment that it appears to be in the original container and to be properly labeled; and

(7) The board of directors shall designate a professional person licensed pursuant to chapter 18.71 RCW or chapter 18.79 RCW as it applies to registered nurses and advanced registered nurse practitioners, to delegate to, train, and supervise the designated school district personnel in proper medication procedures;

(8)(a) For the purposes of this section, "parent-designated adult" means a volunteer, who may be a school district employee, who receives additional training from a health care professional or expert in epileptic seizure care selected by the parents, and who provides care for the child consistent with the individual health plan.

(b) To be eligible to be a parent-designated adult, a school district employee not licensed under chapter 18.79 RCW must file, without coercion by the employer, a voluntary written, current, and unexpired letter of intent stating the employee's willingness to be a parent-designated adult. If a school employee who is not licensed under chapter 18.79 RCW chooses not to file a

letter under this section, the employee shall not be subject to any employer reprisal or disciplinary action for refusing to file a letter;

(9) The board of directors shall designate a professional person licensed under chapter 18.71, 18.57, or 18.79 RCW as it applies to registered nurses and advanced registered nurse practitioners, to consult and coordinate with the student's parents and health care provider, and train and supervise the appropriate school district personnel in proper procedures for care for students with epilepsy to ensure a safe, therapeutic learning environment. Training may also be provided by an epilepsy educator who is nationally certified. Parent-designated adults who are school employees are required to receive the training provided under this subsection. Parent-designated adults who are not school employees must show evidence of comparable training. The parent-designated adult must also receive additional training as established in subsection (8)(a) of this section for the additional care the parents have authorized the parent-designated adult to provide. The professional person designated under this subsection is not responsible for the supervision of the parent-designated adult for those procedures that are authorized by the parents;

(10) This section does not apply to topical sunscreen products regulated by the United States food and drug administration for over-the-counter use. Provisions related to possession and application of topical sunscreen products are in section 1 of this act.

NEW SECTION. Sec. 3. This act does not create any civil liability on the part of the state or any state agency, officer, employee, agent, political subdivision, or school district.

NEW SECTION. Sec. 4. This act may be known and cited as the student sun safety education act.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

March 23, 2017

SB 5445

Prime Sponsor, Senator Padden:
Prohibiting the use of eminent domain for economic development. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) It is the intent of the legislature to recognize, reaffirm, and support existing Washington case law under Article I, section 16 of the state Constitution, that prohibits the condemnation of private property other than for certain public purposes pursuant to law.

(2) In light of the United States supreme court decision in *Kelo v. New London*, 545 U.S. 469 (2005), the legislature intends to reaffirm existing Washington state law relating to the use of eminent domain by state and local governments, and to reaffirm the prohibition in Article I, section 16 of the state Constitution on the use of eminent domain to take private property for private use. To this end, the legislature recognizes, reaffirms, and supports the restrictions on the use of eminent domain to take private property for private use, as set forth in chapters 8.04, 8.08, 8.12, 8.16, and 8.20 RCW and in the Washington state supreme court's decisions such as *Hogue v. Seattle*, 54 Wn.2d 799, 341 P.2d 171 (1959); *Miller v. Tacoma*, 61 Wn.2d 374, 378 P.2d 464 (1963); *In re Petition of Seattle*, 96 Wn.2d 616, 638 P.2d 549 (1981); and *State ex rel. Washington State Convention & Trade Center v. Evans*, 136 Wn.2d 811, 966 P.2d 1252 (1998).

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Consumer-owned utility" has the same meaning as in RCW 19.27A.140.

(2) "Economic development" means any activity to increase tax revenue, tax

base, employment, or general economic health, when that activity does not result in:

(a) The transfer of property to public possession, occupation, and enjoyment;

(b) The transfer of property to a private entity that is a public service company, consumer-owned utility, or common carrier;

(c) The use of eminent domain:

(i) (A) To remove a public nuisance;

(B) To remove a structure that is beyond repair or unfit for human habitation or use; or

(C) To acquire abandoned property; and

(ii) To eliminate a direct threat to public health and safety caused by the property in its current condition; or

(d) The transfer of property to private entities that occupy an incidental area within a publicly owned and occupied project.

"Economic development" does not include the transfer of property to a public service company, a consumer-owned utility, or a common carrier for the purpose of constructing, operating, or maintaining generation, transmission, or distribution facilities. "Economic development" also does not include port districts' activities under Title 14 or 53 RCW. "Economic development" also does not include highway projects.

(3) "Public service company" has the same meaning as defined in RCW 80.04.010.

(4) (a) "Public use" means:

(i) The possession, occupation, and enjoyment of the property by the general public, or by public agencies;

(ii) The use of property for the creation or functioning of public service companies, a consumer-owned utility, or common carriers; or

(iii) Where the use of eminent domain:

(A) (I) Removes a public nuisance;

(II) Removes a structure that is beyond repair or unfit for human habitation or use; or

(III) Is used to acquire abandoned property; and

(B) Eliminates a direct threat to public health and safety caused by the property in its current condition.

(b) The public benefits of economic development, including an increase in tax base, tax revenues, employment, and general economic health, may not constitute a public use.

NEW SECTION. Sec. 3. Private property may be taken only for public use and the taking of private property by any public entity for economic development does not constitute a public use. No public entity may take property for the purpose of economic development.

NEW SECTION. Sec. 4. In an action to establish or challenge the asserted public use of a taking of private property, the taking of private property shall be deemed for economic development, and not a proper basis for eminent domain, if the court determines that the taking of the private property does not result in any of the exceptions to economic development set forth in section 2(2) of this act, and economic development was a substantial factor in the governmental body's decision to take the property.

Sec. 5. RCW 35.81.080 and 2002 c 218 s 8 are each amended to read as follows:

A municipality shall have the right to acquire by condemnation, in accordance with the procedure provided for condemnation by such municipality for other purposes, any interest in real property, which it may deem necessary for a community renewal project under this chapter after the adoption by the local governing body of a resolution declaring that the acquisition of the real property described therein is necessary for such purpose. Condemnation for community renewal of blighted areas is declared to be a public use, and property already devoted to any other public use or acquired by the owner or a predecessor in interest by eminent domain may be condemned for the purposes of this chapter. Condemnation of property in blighted areas for economic development, as defined in section 2 of this act, is not a public use.

The award of compensation for real property taken for such a project shall not be increased by reason of any increase in the value of the real property caused by the assembly, clearance, or reconstruction, or proposed assembly, clearance, or

reconstruction in the project area. No allowance shall be made for the improvements begun on real property after notice to the owner of such property of the institution of proceedings to condemn such property. Evidence shall be admissible bearing upon the insanitary, unsafe, or substandard condition of the premises, or the unlawful use thereof.

NEW SECTION. Sec. 6. Sections 2 through 4 of this act constitute a new chapter in Title 8 RCW."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5454 Prime Sponsor, Senator Frockt: Allowing fire protection district annexations and mergers within a reasonable geographic proximity and eliminating cross-county restrictions for annexations to a fire protection district. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 52.04.061 and 2010 c 136 s 2 are each amended to read as follows:

(1) A city or town ((lying adjacent)) located within reasonable proximity to a fire protection district may be annexed to such district if at the time of the initiation of annexation the population of the city or town is 300,000 or less. The legislative authority of the city or town may initiate annexation by the adoption of an ordinance stating an intent to join the fire protection district and finding that the public interest will be served thereby. If the board of fire commissioners of the fire protection district shall concur in the annexation, notification thereof shall be transmitted to the legislative authority or authorities of the counties in which the city or town and the district are situated.

(2) ((When a city or town is located in two counties, and at least eighty percent of the population resides in one

county, all of that portion of the city lying in that county and encompassing eighty percent of the population may be annexed to a fire protection district if at the time of the initiation of annexation the proposed area lies adjacent to a fire protection district, and the population of the proposed area is greater than five thousand but less than ten thousand. The legislative authority of the city or town may initiate annexation by the adoption of an ordinance stating an intent to join the fire protection district and finding that the public interest will be served thereby. If the board of fire commissioners of the fire protection district shall concur in the annexation, notification thereof must be transmitted to the legislative authority or authorities of the counties in which the city or town and the district are situated.)) For the purposes of this section, "reasonable proximity" means geographical areas near enough to each other so that governance, management, and services can be delivered effectively.

Sec. 2. RCW 52.04.071 and 2011 c 10 s 82 are each amended to read as follows:

The county legislative authority or authorities shall by resolution call a special election to be held in the city((, partial city as set forth in RCW 52.04.061(2),)) or town and in the fire protection district at the next date according to RCW 29A.04.321, and shall cause notice of the election to be given as provided for in RCW 29A.52.355.

The election on the annexation of the city((, partial city as set forth in RCW 52.04.061(2),)) or town into the fire protection district shall be conducted by the auditor of the county or counties in which the city((, partial city as set forth in RCW 52.04.061(2),)) or town and the fire protection district are located in accordance with the general election laws of the state. The results thereof shall be canvassed by the canvassing board of the county or counties. No person is entitled to vote at the election unless he or she is a qualified elector in the city((, partial city as set forth in RCW 52.04.061(2),)) or town or unless he or she is a qualified elector within the boundaries of the fire protection district. The ballot proposition shall be in substantially the following form:

"Shall the city((, partial city as set forth in RCW 52.04.061(2),)) or town of

. be annexed to and be a part of fire protection district?

YES

NO "

If a majority of the persons voting on the proposition in the city((, partial city as set forth in RCW 52.04.061(2),)) or town and a majority of the persons voting on the proposition in the fire protection district vote in favor thereof, the city((, partial city as set forth in RCW 52.04.061(2),)) or town shall be annexed and shall be a part of the fire protection district.

Sec. 3. RCW 52.04.081 and 2009 c 115 s 3 are each amended to read as follows:

The annual tax levies authorized by chapter 52.16 RCW shall be imposed throughout the fire protection district, including any city((, partial city as set forth in RCW 52.04.061(2),)) or town annexed thereto. Any city((, partial city as set forth in RCW 52.04.061(2),)) or town annexed to a fire protection district is entitled to levy up to three dollars and sixty cents per thousand dollars of assessed valuation less any regular levy made by the fire protection district or by a library district under RCW 27.12.390 in the incorporated area: PROVIDED, That the limitations upon regular property taxes imposed by chapter 84.55 RCW apply.

Sec. 4. RCW 52.04.091 and 2009 c 115 s 4 are each amended to read as follows:

When any city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town is annexed to a fire protection district under RCW 52.04.061 and 52.04.071, thereafter, any territory annexed by the city shall also be annexed and be a part of the fire protection district.

Sec. 5. RCW 52.04.101 and 2009 c 115 s 5 are each amended to read as follows:

The legislative body of such a city((, partial city as set forth in RCW 52.04.061(2),)) or town which has annexed to such a fire protection district((,)) may, by resolution, present to the voters of such city((, partial city as set forth in RCW 52.04.061(2),)) or town a proposition to withdraw from said fire protection district at any general election held at least three years following the annexation to the fire protection district. If the voters approve such a proposition to withdraw

from said fire protection district, the city((, partial city as set forth in RCW 52.04.061(2),)) or town shall have a vested right in the capital assets of the district proportionate to the taxes levied within the corporate boundaries of the city((, partial city as set forth in RCW 52.04.061(2),)) or town and utilized by the fire protection district to acquire such assets.

Sec. 6. RCW 52.04.111 and 2010 c 8 s 15001 are each amended to read as follows:

(1) When any city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town is annexed to a fire protection district under RCW 52.04.061 and 52.04.071, any employee of the fire department of such city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town who ((1)): (a) Was at the time of annexation employed exclusively or principally in performing the powers, duties, and functions which are to be performed by the fire protection district ((2)); (b) will, as a direct consequence of annexation, be separated from the employ of the city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town((,)); and ((3)) (c) can perform the duties and meet the minimum requirements of the position to be filled, then such employee may transfer his or her employment to the fire protection district as provided in this section and RCW 52.04.121 and 52.04.131.

(2) For purposes of this section and RCW 52.04.121 and 52.04.131, employee means an individual whose employment with a city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town has been terminated because the city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town was annexed by a fire protection district for purposes of fire protection.

Sec. 7. RCW 52.04.121 and 2009 c 115 s 7 are each amended to read as follows:

(1) An eligible employee may transfer into the fire protection district civil service system, if any, or if none, then may request transfer of employment under this section by filing a written request with the board of fire commissioners of the fire protection district and by giving written notice to the legislative authority of the city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town. Upon receipt of

such request by the board of fire commissioners the transfer of employment shall be made. The employee so transferring will: (a) Be on probation for the same period as are new employees of the fire protection district in the position filled, but if the transferring employee has already completed a probationary period as a firefighter prior to the transfer, then the employee may only be terminated during the probationary period for failure to adequately perform assigned duties, not meeting the minimum qualifications of the position, or behavior that would otherwise be subject to disciplinary action((,)); (b) be eligible for promotion no later than after completion of the probationary period((,)); (c) receive a salary at least equal to that of other new employees of the fire protection district in the position filled((,)); and (d) in all other matters, such as retirement, vacation, and sick leave, have all the rights, benefits, and privileges to which he or she would have been entitled as an employee of the fire protection district from the beginning of employment with the city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town fire department: PROVIDED, That for purposes of layoffs by the annexing fire agency, only the time of service accrued with the annexing agency shall apply unless an agreement is reached between the collective bargaining representatives of the employees of the annexing and annexed fire agencies and the annexing and annexed fire agencies. The city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town shall, upon receipt of such notice, transmit to the board of fire commissioners a record of the employee's service with the city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town which shall be credited to such employee as a part of the period of employment in the fire protection district. All accrued benefits are transferable provided that the recipient agency provides comparable benefits. All benefits shall then accrue based on the combined seniority of each employee in the recipient agency.

(2) As many of the transferring employees shall be placed upon the payroll of the fire protection district as the district determines are needed to provide services. These needed employees shall be taken in order of seniority and the remaining employees who transfer as

provided in this section and RCW 52.04.111 and 52.04.131 shall head the list for employment in the civil service system in order of their seniority, to the end that they shall be the first to be reemployed in the fire protection district when appropriate positions become available: PROVIDED, That employees who are not immediately hired by the fire protection district shall be placed on a reemployment list for a period not to exceed thirty-six months unless a longer period is authorized by an agreement reached between the collective bargaining representatives of the employees of the annexing and annexed fire agencies and the annexing and annexed fire agencies.

Sec. 8. RCW 52.04.131 and 2009 c 115 s 8 are each amended to read as follows:

When a city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town is annexed to a fire protection district and as a result any employee is laid off who is eligible to transfer to the fire protection district pursuant to this section and RCW 52.04.111 and 52.04.121, the city, code city, ((partial city as set forth in RCW 52.04.061(2),)) or town shall notify the employee of the right to transfer and the employee shall have ninety days to transfer employment to the fire protection district.

Sec. 9. RCW 52.04.171 and 2010 c 63 s 1 are each amended to read as follows:

All property located within the boundaries of a city, ((partial city as set forth in RCW 52.04.061(2),)) or town annexing into a fire protection district, which property is subject to an excess levy by the city or town for the repayment of voter-approved indebtedness for fire protection related capital improvements incurred prior to the effective date of the annexation, is exempt from voter-approved excess property taxes levied by the annexing fire protection district for the repayment of indebtedness issued prior to the effective date of the annexation.

Sec. 10. RCW 52.06.010 and 1989 c 63 s 13 are each amended to read as follows:

(1) A fire protection district may merge with another ((adjacent)) fire protection district located within a reasonable proximity, on such terms and conditions as they agree upon, in the manner provided in this title. The fire protection districts may be located in different counties. The district

desiring to merge with another district, or the district from which it is proposed that a portion of the district be merged with another district, shall be called the "merging district." The district into which the merger is to be made shall be called the "merger district." The merger of any districts under chapter 52.06 RCW is subject to potential review by the boundary review board or boards of the county in which the merging district, or the portion of the merging district that is proposed to be merged with another district, is located.

(2) For the purposes of this section, "reasonable proximity" means geographical areas near enough to each other so that governance, management, and services can be delivered effectively."

Correct the title.

Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

March 23, 2017

SB 5543 Prime Sponsor, Senator Padden: Concerning a reexamination of the classification of land in flood control districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

March 23, 2017

2SSB 5546 Prime Sponsor, Committee on Ways & Means: Concerning proactively addressing wildfire risk by creating a forest health treatment assessment. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Kretz; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Appropriations.

March 23, 2017

2SSB 5577 Prime Sponsor, Committee on Ways & Means: Concerning the rights and obligations associated with incapacitated persons and other vulnerable adults. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 11.92 RCW to read as follows:

(1) Except as otherwise provided in this section, an incapacitated person retains the right to associate with persons of the incapacitated person's choosing. This right includes, but is not limited to, the right to freely communicate and interact with other persons, whether through in-person visits, telephone calls, electronic communication, personal mail, or other means. If the incapacitated person is unable to express consent for communication, visitation, or interaction with another person, or is otherwise unable to make a decision regarding association with another person, a guardian of the incapacitated person, whether full or limited, must:

(a) Personally inform the incapacitated person of the decision under consideration, using plain language, in a manner calculated to maximize the understanding of the incapacitated person;

(b) Maximize the incapacitated person's participation in the decision-making process to the greatest extent possible, consistent with the incapacitated person's abilities; and

(c) Give substantial weight to the incapacitated person's preferences, both expressed and historical.

(2) A guardian or limited guardian may not restrict an incapacitated person's right to communicate, visit, interact, or otherwise associate with persons of the incapacitated person's choosing, unless:

(a) The restriction is specifically authorized by the guardianship court in the court order establishing or modifying the guardianship or limited guardianship under chapter 11.88 RCW;

(b) The restriction is pursuant to a protection order issued under chapter 74.34 RCW, chapter 26.50 RCW, or other law, that limits contact between the incapacitated person and other persons; or

(c)(i) The guardian or limited guardian has good cause to believe that there is an immediate need to restrict an incapacitated person's right to communicate, visit, interact, or otherwise associate with persons of the incapacitated person's choosing in order to protect the incapacitated person from abuse, neglect, abandonment, or financial exploitation, as those terms are defined in RCW 74.34.020, or to protect the incapacitated person from activities that unnecessarily impose significant distress on the incapacitated person; and

(ii) Within fourteen calendar days of imposing the restriction under (c)(i) of this subsection, the guardian or limited guardian files a petition for a protection order under chapter 74.34 RCW. The immediate need restriction may remain in place until the court has heard and issued an order or decision on the petition.

(3) A protection order under chapter 74.34 RCW issued to protect an incapacitated person as described in subsection (2)(c)(ii) of this section:

(a) Must include written findings of fact and conclusions of law;

(b) May not be more restrictive than necessary to protect the incapacitated person from abuse, neglect, abandonment, or financial exploitation as those terms are defined in RCW 74.34.020; and

(c) May not deny communication, visitation, interaction, or other association between the incapacitated person and another person unless the court finds that placing reasonable time, place, or manner restrictions is unlikely to sufficiently protect the incapacitated person from abuse, neglect, abandonment, or financial exploitation as those terms are defined in RCW 74.34.020.

Sec. 2. RCW 74.34.020 and 2015 c 268 s 1 are each amended to read as follows:

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

(1) "Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

(2) "Abuse" means the willful action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish. Abuse includes sexual abuse, mental abuse, physical abuse, and personal exploitation of a vulnerable adult, and improper use of restraint against a vulnerable adult which have the following meanings:

(a) "Sexual abuse" means any form of nonconsensual sexual conduct, including but not limited to unwanted or inappropriate touching, rape, sodomy, sexual coercion, sexually explicit photographing, and sexual harassment. Sexual abuse also includes any sexual conduct between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter 71A.12 RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under chapter 71A.12 RCW, whether or not it is consensual.

(b) "Physical abuse" means the willful action of inflicting bodily injury or physical mistreatment. Physical abuse includes, but is not limited to, striking with or without an object, slapping, pinching, choking, kicking, shoving, or prodding.

(c) "Mental abuse" means a willful verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. Mental abuse may include ridiculing, yelling, or swearing.

(d) "Personal exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(e) "Improper use of restraint" means the inappropriate use of chemical, physical, or mechanical restraints for convenience or discipline or in a manner that: (i) Is inconsistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW; (ii) is not medically authorized; or (iii) otherwise constitutes abuse under this section.

(3) "Chemical restraint" means the administration of any drug to manage a vulnerable adult's behavior in a way that reduces the safety risk to the vulnerable adult or others, has the temporary effect of restricting the vulnerable adult's freedom of movement, and is not standard treatment for the vulnerable adult's medical or psychiatric condition.

(4) "Consent" means express written consent granted after the vulnerable adult or his or her legal representative has been fully informed of the nature of the services to be offered and that the receipt of services is voluntary.

(5) "Department" means the department of social and health services.

(6) "Facility" means a residence licensed or required to be licensed under chapter 18.20 RCW, assisted living facilities; chapter 18.51 RCW, nursing homes; chapter 70.128 RCW, adult family homes; chapter 72.36 RCW, soldiers' homes; or chapter 71A.20 RCW, residential habilitation centers; or any other facility licensed or certified by the department.

(7) "Financial exploitation" means the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(b) The breach of a fiduciary duty, including, but not limited to, the misuse

of a power of attorney, trust, or a guardianship appointment, that results in the unauthorized appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of his or her property, income, resources, or trust funds.

(8) "Financial institution" has the same meaning as in RCW 30A.22.040 and 30A.22.041. For purposes of this chapter only, "financial institution" also means a "broker-dealer" or "investment adviser" as defined in RCW 21.20.005.

(9) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW and any employee, agent, officer, director, or independent contractor thereof.

(10) "Incapacitated person" means a person who is at a significant risk of personal or financial harm under RCW 11.88.010(1) (a), (b), (c), or (d).

(11) "Individual provider" means a person under contract with the department to provide services in the home under chapter 74.09 or 74.39A RCW.

(12) "Interested person" means a person who demonstrates to the court's satisfaction that the person is interested in the welfare of the vulnerable adult, that the person has a good faith belief that the court's intervention is necessary, and that the vulnerable adult is unable, due to incapacity, undue influence, or duress at the time the petition is filed, to protect his or her own interests.

(13) (a) "Isolate" or "isolation" means to restrict a vulnerable adult's ability to communicate, visit, interact, or otherwise associate with persons of his or her choosing. Isolation may be evidenced by acts including but not limited to:

(i) Acts that prevent a vulnerable adult from sending, making, or receiving his or her personal mail, electronic communications, or telephone calls; or

(ii) Acts that prevent or obstruct the vulnerable adult from meeting with others, such as telling a prospective visitor or caller that a vulnerable adult is not present, or does not wish contact, where the statement is contrary to the express wishes of the vulnerable adult.

(b) The term "isolate" or "isolation" may not be construed in a manner that prevents a guardian or limited guardian from performing his or her fiduciary obligations under chapter 11.92 RCW or prevents a hospital or facility from providing treatment consistent with the standard of care for delivery of health services.

(14) "Mandated reporter" is an employee of the department; law enforcement officer; social worker; professional school personnel; individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; county coroner or medical examiner; Christian Science practitioner; or health care provider subject to chapter 18.130 RCW.

((14)) (15) "Mechanical restraint" means any device attached or adjacent to the vulnerable adult's body that he or she cannot easily remove that restricts freedom of movement or normal access to his or her body. "Mechanical restraint" does not include the use of devices, materials, or equipment that are (a) medically authorized, as required, and (b) used in a manner that is consistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW.

((15)) (16) "Neglect" means (a) a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100.

((16)) (17) "Permissive reporter" means any person, including, but not limited to, an employee of a financial institution, attorney, or volunteer in a facility or program providing services for vulnerable adults.

((17)) (18) "Physical restraint" means the application of physical force without the use of any device, for the purpose of restraining the free movement of a vulnerable adult's body. "Physical restraint" does not include (a) briefly holding without undue force a vulnerable adult in order to calm or comfort him or her, or (b) holding a vulnerable adult's hand to safely escort him or her from one area to another.

((18)) (19) "Protective services" means any services provided by the department to a vulnerable adult with the consent of the vulnerable adult, or the legal representative of the vulnerable adult, who has been abandoned, abused, financially exploited, neglected, or in a state of self-neglect. These services may include, but are not limited to case management, social casework, home care, placement, arranging for medical evaluations, psychological evaluations, day care, or referral for legal assistance.

((19)) (20) "Self-neglect" means the failure of a vulnerable adult, not living in a facility, to provide for himself or herself the goods and services necessary for the vulnerable adult's physical or mental health, and the absence of which impairs or threatens the vulnerable adult's well-being. This definition may include a vulnerable adult who is receiving services through home health, hospice, or a home care agency, or an individual provider when the neglect is not a result of inaction by that agency or individual provider.

((20)) (21) "Social worker" means:

(a) A social worker as defined in RCW 18.320.010(2); or

(b) Anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support, or education of vulnerable adults, or providing social services to vulnerable adults, whether in an individual capacity or as an employee or agent of any public or private organization or institution.

((21)) (22) "Vulnerable adult" includes a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or

(b) Found incapacitated under chapter 11.88 RCW; or

(c) Who has a developmental disability as defined under RCW 71A.10.020; or

(d) Admitted to any facility; or

(e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or

(f) Receiving services from an individual provider; or

(g) Who self-directs his or her own care and receives services from a personal aide under chapter 74.39 RCW.

Sec. 3. RCW 11.92.043 and 2011 c 329 s 3 are each amended to read as follows:

(1) It ((shall be)) is the duty of the guardian or limited guardian of the person:

((1)) (a) To file within three months after appointment a personal care plan for the incapacitated person, which ((shall)) must include ((a)) (i) an assessment of the incapacitated person's physical, mental, and emotional needs and of such person's ability to perform or assist in activities of daily living, and ((b)) (ii) the guardian's specific plan for meeting the identified and emerging personal care needs of the incapacitated person.

((2)) (b) To file annually or, where a guardian of the estate has been appointed, at the time an account is required to be filed under RCW 11.92.040, a report on the status of the incapacitated person, which shall include:

((a)) (i) The address and name of the incapacitated person and all residential changes during the period;

((b)) (ii) The services or programs ((which)) that the incapacitated person receives;

((c)) (iii) The medical status of the incapacitated person;

((d)) (iv) The mental status of the incapacitated person, including reports from mental health professionals on the status of the incapacitated person, if any exist;

((e)) (v) Changes in the functional abilities of the incapacitated person;

((f)) (vi) Activities of the guardian for the period;

((g)) (vii) Any recommended changes in the scope of the authority of the guardian;

((h)) (viii) The identity of any professionals who have assisted the incapacitated person during the period;

((i)) (ix) (A) Evidence of the guardian or limited guardian's successful completion of any standardized training video or web cast for guardians or limited guardians made available by the administrative office of the courts and the superior court when the guardian or limited guardian: ((A)) (I) Was appointed prior to July 22, 2011; ((B)) (II) is not a certified professional guardian or financial institution authorized under RCW 11.88.020; and ((C)) (III) has not previously completed the requirements of RCW 11.88.020(3). The training video or web cast must be provided at no cost to the guardian or limited guardian.

((ii)) (B) The superior court may, upon ((A)) petition by the guardian or limited guardian((;)) or ((B)) any other method as provided by local court rule:

(I) For good cause, waive this requirement for guardians appointed prior to July 22, 2011. Good cause ((shall)) requires evidence that the guardian already possesses the requisite knowledge to serve as a guardian without completing the training. When determining whether there is good cause to waive the training requirement, the court ((shall)) must consider, among other facts, the length of time the guardian has been serving the incapacitated person; whether the guardian has timely filed all required reports with the court; whether the guardian is monitored by other state or local agencies; and whether there have been any allegations of abuse, neglect, or a breach of fiduciary duty against the guardian; or

(II) Extend the time period for completion of the training requirement for ninety days; and

((j)) (x) Evidence of the guardian or limited guardian's successful completion of any additional or updated

training video or web cast offered by the administrative office of the courts and the superior court as is required at the discretion of the superior court unless the guardian or limited guardian is a certified professional guardian or financial institution authorized under RCW 11.88.020. The training video or web cast must be provided at no cost to the guardian or limited guardian.

((3)) (c) To report to the court within thirty days any substantial change in the incapacitated person's condition, or any changes in residence of the incapacitated person.

((4)) (d) To inform any person entitled to special notice of proceedings under RCW 11.92.150 and any other person designated by the incapacitated person as soon as possible, but in no case more than five days, after the incapacitated person:

(i) Makes a change in residence that is intended or likely to last more than fourteen calendar days;

(ii) Has been admitted to a medical facility for acute care in response to a life-threatening injury or medical condition that requires inpatient care;

(iii) Has been treated in an emergency room setting or kept for hospital observation for more than twenty-four hours; or

(iv) Dies, in which case the notification must be made in person, by telephone, or by certified mail.

(e) Consistent with the powers granted by the court, to care for and maintain the incapacitated person in the setting least restrictive to the incapacitated person's freedom and appropriate to the incapacitated person's personal care needs, assert the incapacitated person's rights and best interests, and if the incapacitated person is a minor or where otherwise appropriate, to see that the incapacitated person receives appropriate training and education and that the incapacitated person has the opportunity to learn a trade, occupation, or profession.

((5)) (f) Consistent with RCW 7.70.065, to provide timely, informed consent for health care of the incapacitated person, except in the case of a limited guardian where such power is not expressly provided for in the order of appointment or subsequent modifying

order as provided in RCW 11.88.125 as now or hereafter amended, the standby guardian or standby limited guardian may provide timely, informed consent to necessary medical procedures if the guardian or limited guardian cannot be located within four hours after the need for such consent arises. No guardian, limited guardian, or standby guardian may involuntarily commit for mental health treatment, observation, or evaluation an alleged incapacitated person who is unable or unwilling to give informed consent to such commitment unless the procedures for involuntary commitment set forth in chapter 71.05 or 72.23 RCW are followed. Nothing in this section ((shall)) may be construed to allow a guardian, limited guardian, or standby guardian to consent to:

((a)) (i) Therapy or other procedure which induces convulsion;

((b)) (ii) Surgery solely for the purpose of psychosurgery;

((c)) (iii) Other psychiatric or mental health procedures that restrict physical freedom of movement, or the rights set forth in RCW 71.05.217.

(2) A guardian, limited guardian, or standby guardian who believes these procedures are necessary for the proper care and maintenance of the incapacitated person shall petition the court for an order unless the court has previously approved the procedure within the past thirty days. The court may order the procedure only after an attorney is appointed in accordance with RCW 11.88.045 if no attorney has previously appeared, notice is given, and a hearing is held in accordance with RCW 11.88.040.

NEW SECTION. Sec. 4. A new section is added to chapter 2.72 RCW to read as follows:

The office of public guardianship, in partnership with the office of the state long-term care ombuds, must develop and offer training targeted to the legal community and persons working in long-term care facilities regarding the different kinds of decision-making authority, including guardianship, authority granted under power of attorney, and surrogate health care decision-making authority. The training must include, at a minimum, information regarding: The roles, duties, and responsibilities of different kinds of decision makers; the scope of authority and limitations on authority with respect

to different kinds of decision makers; and any relevant remedial measures provided in law for activity that exceeds the scope of decision-making authority.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Appropriations.

March 23, 2017

ESSB 5628 Prime Sponsor, Committee on Local Government: Providing for fire protection district formation by the legislative authority of a city or town subject to voter approval. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 52.02 RCW to read as follows:

(1) As an alternative to the petition method of formation for fire protection districts provided in this chapter, the legislative authority of a city or town may by resolution, subject to the approval of the voters, establish a fire protection district with boundaries that are the same as the corporate boundaries of the city or town for the provision of fire prevention services, fire suppression services, and emergency medical services, and for the protection of life and property within the city or town.

(a) Any resolution adopted by a city or town under this section to establish a fire protection district must, at a minimum:

(i) Contain a financing plan for the fire protection district. As part of the financing plan, the city or town may propose the imposition of revenue sources authorized by this title for fire protection districts, such as property

taxes, as provided in chapter 52.16 RCW, or benefit charges, as provided in chapter 52.18 RCW; and

(ii) Set a date for a public hearing on the resolution.

(b) The financing plan in the resolution adopted by the city or town must contain the following information regarding property taxes that will be imposed by the fire protection district and city or town subsequent to the formation of the district:

(i) The dollar amount the fire protection district will levy in the first year in which the fire protection district imposes any of the regular property taxes in RCW 52.16.130, 52.16.140, or 52.16.160;

(ii) The city's or town's highest lawful levy for the purposes of RCW 84.55.092, reduced by the fire protection district's levy amount from (b)(i) of this subsection. This reduced highest lawful levy becomes the city's or town's highest lawful levy since 1986 for subsequent levy limit calculations under chapter 84.55 RCW; and

(iii) The estimated aggregate net dollar amount impact on property owners within the city or town based on the changes described in (b)(i) and (ii) of this subsection (1).

(c) If a city or town proposes the initial imposition of a benefit charge as a revenue source for the fire protection district under (a) of this subsection, the resolution adopted by the city or town must comply with the requirements of RCW 52.18.030.

(d) Notice of public hearing on a resolution adopted by a city or town must be published for three consecutive weeks in a newspaper of general circulation in the city or town, and must be posted for at least fifteen days prior to the date of the hearing in three public places within the boundaries of the proposed fire protection district. All notices must contain the time, date, and place of the public hearing.

(2) (a) A resolution adopted under this section is not effective unless approved by the voters of the city or town at a general election. The resolution must be approved:

(i) By a simple majority of the voters of the city or town; or

(ii) If the resolution proposes the initial imposition of a benefit charge, by sixty percent of the voters of the city or town.

(b) An election to approve or reject a resolution forming a fire protection district, including the proposed financial plan and any imposition of revenue sources for the fire protection district, must be conducted by the election officials of the county or counties in which the proposed district is located in accordance with the general election laws of the state. If a resolution forming a fire protection district provides that the fire protection district will be governed by a board of fire commissioners, as permitted under section 6 of this act, then the initial fire commissioners must be elected at the same election where the resolution is submitted to the voters authorizing the creation of the fire protection district. The election must be held at the next general election date, according to RCW 29A.04.321 and 29A.04.330, occurring after the date of the public hearing on the resolution adopted by the city or town legislative authority. The ballot title must include the information regarding property taxes that is required to be in the financing plan of the resolution under subsection (1)(b) of this section.

(c) If a ballot proposition on the resolution is approved by voters, as provided in (a) of this subsection, the county legislative authority shall by resolution declare the fire protection district organized under the name designated in the ballot proposition.

(d) Nothing contained in this chapter may be construed to alter a municipal airport fire department or affect any powers authorized under RCW 14.08.120(2). If a question arises as to whether this chapter modifies the affairs of municipal airports in any way, the answer is no.

(3) A city or town must reduce its general fund regular property tax levy by the total combined levy of the fire protection district as proposed by the district in accordance with subsection (1)(b)(i) of this section. The reduced levy amount of the city or town must occur in the first year in which the fire protection district imposes any of the property taxes in RCW 52.16.130, 52.16.140, or 52.16.160 and must be specified in the financing plan and

ballot proposition as provided in this section. If the fire protection district does not impose all three levies under RCW 52.16.130, 52.16.140, and 52.16.160 when it begins operations, the city must further reduce its general fund regular property tax levy if the district initially imposes any of the levies in subsequent years, by the amount of such levy or levies initially imposed in a subsequent year.

NEW SECTION. Sec. 2. A new section is added to chapter 52.02 RCW to read as follows:

(1) A fire protection district may establish an ambulance service to be operated as a public utility. However, the fire protection district may not provide for the establishment of an ambulance service utility that would compete with any existing private ambulance service unless the fire protection district determines that the area served by the fire protection district, or a substantial portion of that area, is not adequately served by an existing private ambulance service.

(2) In determining the adequacy of an existing private ambulance service, the fire protection district must take into consideration objective generally accepted medical standards and reasonable levels of service, which must be published by the fire protection district. If a fire protection district makes a preliminary conclusion that an existing private ambulance service is inadequate, the fire protection district must allow a minimum of sixty days for the private ambulance service to meet the generally accepted medical standards and accepted levels of service. If the fire protection district makes a second preliminary conclusion of inadequacy within a twenty-four month period, the fire protection district may immediately issue a call for bids or establish its own ambulance service utility and is not required to afford the private ambulance service another sixty-day period to meet the generally accepted medical standards and reasonable levels of service.

(3) A private ambulance service that is not licensed by the department of health, or has had its license denied, suspended, or revoked, is not entitled to a sixty-day period to demonstrate adequacy, and the fire protection district may immediately issue a call for bids or establish an ambulance service utility.

(4) A private ambulance service that abandons service in the area served by the fire protection district, or a substantial portion of the area served by the fire protection district, is not entitled to a sixty-day period to demonstrate adequacy, and the fire protection district may immediately issue a call for bids or establish an ambulance service utility. If a fire protection district becomes aware of an intent to abandon service at a future date, the fire protection district may immediately issue a call for bids or establish an ambulance service utility to avoid an interruption in service.

(5) For purposes of this section, "fire protection district" means a fire protection district established by the legislative authority of a city or town pursuant to section 1 of this act.

Sec. 3. RCW 84.55.092 and 1998 c 16 s 3 are each amended to read as follows:

(1) The regular property tax levy for each taxing district other than the state may be set at the amount which would be allowed otherwise under this chapter if the regular property tax levy for the district for taxes due in prior years beginning with 1986 had been set at the full amount allowed under this chapter including any levy authorized under RCW 52.16.160 that would have been imposed but for the limitation in RCW 52.18.065, applicable upon imposition of the benefit charge under chapter 52.18 RCW.

(2) The purpose of subsection (1) of this section is to remove the incentive for a taxing district to maintain its tax levy at the maximum level permitted under this chapter, and to protect the future levy capacity of a taxing district that reduces its tax levy below the level that it otherwise could impose under this chapter, by removing the adverse consequences to future levy capacities resulting from such levy reductions.

(3) Subsection (1) of this section does not apply to any portion of a city or town's regular property tax levy that has been reduced as part of the formation of a fire protection district under section 1 of this act.

Sec. 4. RCW 29A.36.071 and 2015 c 172 s 3 are each amended to read as follows:

(1) Except as provided to the contrary in RCW 82.14.036, 82.46.021, or 82.80.090, the ballot title of any referendum filed on an enactment or

portion of an enactment of a local government and any other question submitted to the voters of a local government consists of three elements: (a) An identification of the enacting legislative body and a statement of the subject matter; (b) a concise description of the measure; and (c) a question. The ballot title must conform with the requirements and be displayed substantially as provided under RCW 29A.72.050, except that the concise description must not exceed seventy-five words; however, a concise description submitted on behalf of a proposed or existing regional transportation investment district or a proposed fire protection district, as provided in section 1 of this act, may exceed seventy-five words. If the local governmental unit is a city or a town, or if the ballot title is for a referendum under RCW 35.13A.115, the concise statement ((shall)) must be prepared by the city or town attorney. If the local governmental unit is a county, the concise statement ((shall)) must be prepared by the prosecuting attorney of the county. If the unit is a unit of local government other than a city, town, or county, the concise statement ((shall)) must be prepared by the prosecuting attorney of the county within which the majority area of the unit is located.

(2) A referendum measure on the enactment of a unit of local government ((shall)) must be advertised in the manner provided for nominees for elective office.

(3) Subsection (1) of this section does not apply if another provision of law specifies the ballot title for a specific type of ballot question or proposition.

NEW SECTION. Sec. 5. A new section is added to chapter 52.02 RCW to read as follows:

(1) Except as provided otherwise in the resolution adopted by the legislative authority of a city or town establishing a fire protection district under section 1 of this act, all powers, duties, and functions of the city or town fire department pertaining to fire protection and emergency services of the city or town are transferred to the fire protection district on its creation date.

(2)(a) The city or town fire department must transfer or deliver to the fire protection district:

(i) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the city or town fire department pertaining to fire protection and emergency services powers, functions, and duties;

(ii) All real property and personal property including cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the city or town fire department in carrying out the fire protection and emergency services powers, functions, and duties; and

(iii) All funds, credits, or other assets held by the city or town fire department in connection with fire protection and emergency services powers, functions, and duties.

(b) Any appropriations made to the city or town fire department for carrying out the fire protection and emergency services powers, functions, and duties of the city or town must be transferred and credited to the fire protection district.

(c) Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred to the fire protection district, the legislative authority of the city or town must make a determination as to the proper allocation.

(3) All rules and all pending business before the city or town fire department pertaining to the fire protection and emergency services powers, functions, and duties transferred must be continued and acted upon by the fire protection district, and all existing contracts and obligations remain in full force and must be performed by the fire protection district.

(4) The transfer of powers, duties, functions, and personnel of the city or town fire department do not affect the validity of any act performed before creation of the fire protection district.

(5) If apportionments of budgeted funds are required because of the transfers, the treasurer for the city or town fire department must certify the apportionments.

(6)(a) Subject to (c) of this subsection, all employees of the city or

town fire department are transferred to the fire protection district on its creation date. Upon transfer, unless an agreement for different terms of transfer is reached between the collective bargaining representatives of the transferring employees and the fire protection district, an employee is entitled to the employee rights, benefits, and privileges to which he or she would have been entitled as an employee of the city or town fire department, including rights to:

(i) Compensation at least equal to the level at the time of transfer;

(ii) Retirement, vacation, sick leave, and any other accrued benefit;

(iii) Promotion and service time accrual; and

(iv) The length or terms of probationary periods, including no requirement for an additional probationary period if one had been completed before the transfer date.

(b) If a city or town provides for civil service in its fire department, the collective bargaining representatives of the transferring employees and the fire protection district must negotiate regarding the establishment of a civil service system within the fire protection district.

(c) Nothing contained in this section may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified as provided by law.

NEW SECTION. Sec. 6. A new section is added to chapter 52.14 RCW to read as follows:

(1) The members of the legislative authority of a city or town shall serve ex officio, by virtue of their office, as the fire commissioners of a fire protection district created under section 1 of this act.

(2) The legislative authority of a city or town may, within the initial resolution establishing the district's formation, relinquish governance authority of a fire protection district created under this act to an independently elected board of commissioners to be elected in accordance with RCW 52.14.060.

(3) (a) The legislative authority of a city or town may, by a majority vote of its members in an open public meeting, relinquish governance authority of a fire protection district created under this act to an appointed board of three fire commissioners at any time after formation. Each appointed commissioner serves until successors are elected at the next qualified election.

At the next qualified election, the person who receives the greatest number of votes for each commissioner position is elected to that position. The terms of office for the initial elected fire commissioners are staggered as follows:

(i) The person who is elected receiving the greatest number of votes is elected to a six-year term of office if the election is held in an odd-numbered year, or a five-year term of office if the election is held in an even-numbered year;

(ii) The person who is elected receiving the next greatest number of votes is elected to a four-year term of office if the election is held in an odd-numbered year, or a three-year term of office if the election is held in an even-numbered year; and

(iii) The other person who is elected is elected to a two-year term of office if the election is held in an odd-numbered year, or a one-year term of office if the election is held in an even-numbered year. The term of office for each subsequent commissioner is six years.

(b) If the legislative authority of a city or town relinquishes governance authority of a fire protection district after formation under this section, and that fire protection district maintains a fire department consisting wholly of personnel employed on a full-time, fully paid basis, that district shall have five fire commissioners. The terms of office for the initial elected fire commissioners are staggered as follows:

(i) The two people elected receiving the two greatest number of votes are elected to six-year terms of office if the election is held in an odd-numbered year, or five-year terms of office if the election is held in an even-numbered year;

(ii) The two people who are elected receiving the next two greatest number of votes are elected to four-year terms of

office if the election is held in an odd-numbered year, or three-year terms of office if the election is held in an even-numbered year; and

(iii) The other person who is elected is elected to a two-year term of office if the election is held in an odd-numbered year, or a one-year term of office if the election is held in an even-numbered year. The term of office for each subsequent commissioner is six years.

(c) If the legislative authority of a city or town relinquishes governance authority of a fire protection district after formation under this section, and that fire protection district has an annual budget of ten million dollars or more, that district must have seven fire commissioners. The terms of office for the initial elected fire commissioners are staggered as follows:

(i) The three people who are elected receiving the three greatest number of votes are elected to six-year terms of office if the election is held in an odd-numbered year, or five-year terms of office if the election is held in an even-numbered year;

(ii) The two people who are elected receiving the next two greatest number of votes are elected to four-year terms of office if the election is held in an odd-numbered year, or three-year terms of office if the election is held in an even-numbered year; and

(iii) The other two people who are elected are elected to two-year terms of office if the election is held in an odd-numbered year, or one-year terms of office if the election is held in an even-numbered year. The term of office for each subsequent commissioner is six years.

Sec. 7. RCW 52.14.010 and 2012 c 174 s 1 are each amended to read as follows:

(1) The affairs of the district shall be managed by a board of fire commissioners composed initially of three registered voters residing in the district, except as provided otherwise in RCW 52.14.015 ((and)), 52.14.020, and section 6 of this act.

(2) (a) Each member of an elected board of fire commissioners shall each receive one hundred four dollars per day or portion thereof, not to exceed nine thousand nine hundred eighty-four

dollars per year, for time spent in actual attendance at official meetings of the board or in performance of other services or duties on behalf of the district. Members serving in an ex officio capacity on a board of fire commissioners may not receive compensation, but shall receive necessary expenses in accordance with (b) of this subsection.

((In addition, they)) (b) Each member of a board of fire commissioners shall receive necessary expenses incurred in attending meetings of the board or when otherwise engaged in district business, and shall be entitled to receive the same insurance available to all firefighters of the district: PROVIDED, That the premiums for such insurance, except liability insurance, shall be paid by the individual commissioners who elect to receive it.

(c) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

(3) The board shall fix the compensation to be paid the secretary and all other agents and employees of the district. The board may, by resolution adopted by unanimous vote, authorize any of its members to serve as volunteer firefighters without compensation. A commissioner actually serving as a volunteer firefighter may enjoy the rights and benefits of a volunteer firefighter.

(4) The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2008, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for

areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the adjustments for inflation in this section. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect.

(5) A person holding office as commissioner for two or more special purpose districts or serving ex officio as commissioner as a member of the legislative authority of a city or town shall receive only that per diem compensation authorized for one of his or her ((commissioner)) official positions as compensation for attending an official meeting or conducting official services or duties while representing more than one ((of his or her districts)) district or representing a municipality and a district. However, such commissioner may receive additional per diem compensation if approved by resolution of ((all)) the boards of ((the)) an affected commission((s)), city, or town.

Sec. 8. RCW 52.14.020 and 2012 c 174 s 2 are each amended to read as follows:

(1) In a fire protection district ((maintaining)) with elected commissioners that maintains a fire department consisting wholly of personnel employed on a full-time, fully-paid basis, there shall be five fire commissioners. A fire protection district with an annual budget of ten million dollars or more may have seven fire commissioners.

(2) (a) If two positions are created on boards of fire commissioners by this section, such positions shall be filled initially as for a vacancy, except that the appointees shall draw lots, one appointee to serve until the next general fire district election after the appointment, at which two commissioners shall be elected for six-year terms, and the other appointee to serve until the second general fire district election after the appointment, at which two commissioners shall be elected for six-year terms.

(b) If four positions are created on boards of fire commissioners by this section, such positions shall be filled

initially as for a vacancy, except that the appointees shall draw lots, three appointees to serve until the next general fire district election after the appointment, at which three commissioners shall be elected for six-year terms and two commissioners shall be elected for four-year terms, and the other appointee to serve until the second general fire district election after the appointment, at which two commissioners shall be elected for six-year terms.

Sec. 9. RCW 84.09.030 and 2012 c 186 s 17 are each amended to read as follows:

(1)(a) Except as provided in (b) ((and)), (c), and (d) of this subsection (1), for the purposes of property taxation and the levy of property taxes, the boundaries of counties, cities, and all other taxing districts shall be the established official boundaries of such districts existing on the first day of August of the year in which the property tax levy is made.

(b) The boundaries for a newly incorporated port district or regional fire protection service authority shall be established on the first day of October if the boundaries of the newly incorporated port district or regional fire protection service authority are coterminous with the boundaries of another taxing district or districts, as they existed on the first day of August of that year.

(c) The boundaries of a school district that is required to receive or annex territory due to the dissolution of a financially insolvent school district under RCW 28A.315.225 must be the established official boundaries of such districts existing on the first day of September of the year in which the property tax levy is made.

(d) The boundaries of a newly established fire protection district authorized under section 1 of this act are the established official boundaries of the district as of the date that the voter-approved proposition required under section 1 of this act is certified.

(2) In any case where any instrument setting forth the official boundaries of any newly established taxing district, or setting forth any change in the boundaries, is required by law to be filed in the office of the county auditor or other county official, the instrument shall be filed in triplicate. The officer

with whom the instrument is filed shall transmit two copies of the instrument to the county assessor.

(3) No property tax levy shall be made for any taxing district whose boundaries are not established as of the dates provided in this section."

Correct the title.

Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Finance.

March 22, 2017

SB 5640 Prime Sponsor, Senator Conway: Concerning technical college diploma programs. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

March 22, 2017

SB 5734 Prime Sponsor, Senator Chase: Bringing Washington state government contracting provisions into compliance with federal law as it relates to small works bonding requirements. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Kraft and Pellicciotti.

Referred to Committee on Capital Budget.

March 22, 2017

SSB 5764 Prime Sponsor, Committee on Higher Education: Concerning higher education records. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

March 22, 2017

SSB 5806 Prime Sponsor, Committee on Transportation: Concerning preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Irwin; Pike; Rodne; Shea; Stambaugh and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Hayes.

Referred to Committee on Rules for second reading.

March 23, 2017

ESSB 5808 Prime Sponsor, Committee on Agriculture, Water, Trade & Economic Development: Concerning agritourism. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that agriculture plays a substantial role in the economy, culture, and history of Washington state. As an increasing number of Washington's citizens are removed from day-to-day agricultural experiences, agritourism provides a valuable opportunity for the public to interact with, experience, and understand agriculture. In addition, agritourism opportunities provide valuable options for farmers and ranchers and rural residents to maintain their operations and continue a traditional economic development opportunity in rural areas. Inherent risks exist on farms and ranches, some of which cannot be reasonably eliminated. Uncertainty of potential liability associated with inherent risks has a negative impact on the establishment and success of agritourism operations.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agritourism activity" means any activity carried out on a farm or ranch whose primary business activity is agriculture or ranching and that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities including, but not limited to: Farming; ranching; historic, cultural, and on-site educational programs; recreational farming programs that may include on-site hospitality services; guided and self-guided tours; petting zoos; farm festivals; corn mazes; harvest-your-own operations; hayrides; barn parties; horseback riding; fishing; and camping.

(2) "Agritourism professional" means any person in the business of providing one or more agritourism activities, whether or not for compensation.

(3) "Inherent risks of agritourism activity" means those dangers or conditions that are an integral part of an agritourism activity including certain hazards, such as surface and subsurface conditions, natural conditions of land, vegetation, waters, the behavior of wild or domestic animals, and ordinary dangers of structures or equipment ordinarily used in farming and ranching operations. Inherent risks of agritourism activity also include the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, including failing to follow instructions given by the agritourism professional or failing to exercise reasonable caution while engaging in the agritourism activity, unless the participant acting in a negligent manner is a minor or is under the influence of alcohol or drugs.

(4) "Participant" means any person, other than the agritourism professional, who engages in an agritourism activity.

(5) "Person" means an individual, fiduciary, firm, association, partnership, limited liability company, corporation, unit of government, or any other group acting as a unit.

NEW SECTION. Sec. 3. (1)(a) Except as provided in subsection (2) of this section, an agritourism professional is not liable for injury, loss, damage, or death of a participant resulting

exclusively from any of the inherent risks of agritourism activities.

(b) Except as provided in subsection (2) of this section, no participant or participant's representative may pursue an action or recover from an agritourism professional for injury, loss, damage, or death of the participant resulting exclusively from any of the inherent risks of agritourism activities.

(c) In any action for damages against an agritourism professional for agritourism activity, the agritourism professional must plead the affirmative defense of assumption of the risk of agritourism activity by the participant.

(2) Nothing in subsection (1) of this section prevents or limits the liability of an agritourism professional if the agritourism professional does any one or more of the following:

(a) Commits an act or omission that is grossly negligent or constitutes willful or wanton disregard for the safety of the participant and that act or omission proximately causes injury, damage, or death to the participant.

(b) Has actual knowledge or reasonably should have known of an existing dangerous condition on the land, facilities, or equipment used in the activity or the dangerous propensity of a particular animal used in such an activity and does not make the danger known to the participant and the danger proximately causes injury, damage, or death to the participant.

(c) Permits minor participants to use facilities or engage in agritourism activities that are not reasonably appropriate for their age. This provision shall not be interpreted to relieve a parent or guardian of a minor participant of the duty to reasonably supervise the minor's participation in agritourism activities, including assessing whether the minor's participation in an agritourism activity is reasonably appropriate for his or her age.

(d) Knowingly permits participants to use facilities or engage in agritourism activities while under the influence of alcohol or drugs.

(e) Fails to warn participants as required by section 4 of this act.

(3) Any limitation on legal liability afforded by this section to an agritourism professional is in addition

to any other limitations of legal liability otherwise provided by law.

NEW SECTION. Sec. 4. (1) Every agritourism professional must post and maintain signs that contain the warning notice specified in subsection (2) of this section. The sign must be placed in a clearly visible location at the entrance to the agritourism location and at the site of the agritourism activity. The warning notice must consist of a sign in black letters, with each letter to be a minimum of one inch in height. Every written contract entered into by an agritourism professional for the providing of professional services, instruction, or the rental of equipment to a participant, whether or not the contract involves agritourism activities on or off the location or at the site of the agritourism activity, must contain in clearly readable print the warning notice specified in subsection (2) of this section.

(2) The sign and contracts described in subsection (1) of this section must contain the following notice of warning:

"WARNING

Under Washington state law, there is limited liability for an injury to or death of a participant in an agritourism activity conducted at this agritourism location if such an injury or death results exclusively from the inherent risks of the agritourism activity. Inherent risks of agritourism activities include, among others, risks of injury inherent to land, equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury or death. We are required to ensure that in any activity involving minor children, only age-appropriate access to activities, equipment, and animals is permitted. You are assuming the risk of participating in this agritourism activity."

(3) Failure to comply with the requirements concerning warning signs and notices provided in this section prohibits an agritourism professional from invoking the privilege of immunity provided by this section and sections 1 through 3 of this act and may be introduced as evidence in any claim for damages.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act are each added to chapter 4.24 RCW."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

March 22, 2017

SSB 5837 Prime Sponsor, Committee on Transportation: Addressing high occupancy vehicle lane access for blood-collecting or distributing establishment vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Van Werven Farrell, Member.

Referred to Committee on Rules for second reading.

March 23, 2017

SB 5849 Prime Sponsor, Senator Angel: Addressing the need for veterans' services. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Maeri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Appropriations.

March 22, 2017

SCR 8401 Prime Sponsor, Senator Bailey: Approving the 2016 state comprehensive plan for workforce training and education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Rules for second reading.

There being no objection, the bills and resolution listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., March 28, 2017, the 79th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SEVENTY NINTH DAY

House Chamber, Olympia, Tuesday, March 28, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2017-4629, by Representative Sullivan

WHEREAS, It is the policy of the Washington State Legislature to recognize extraordinary achievement; and

WHEREAS, The Kentridge High School Girls Basketball team demonstrated a high level of skill and perseverance in winning the 2017 4A Girls Basketball Championship; and

WHEREAS, The extraordinary individual and team effort led the Kentridge Chargers to a 60-46 victory over Glacier Peak in the title game; and

WHEREAS, The Chargers made history by winning their first championship for their high school and the community; and

WHEREAS, The Chargers' commitment to preparation and to each other is a prime example of overcoming adversity; and

WHEREAS, Head Coach Bob Sandall established a culture of dedication and collaboration that guided the Chargers through a long season and into the championship game; and

WHEREAS, The Chargers' road to victory was paved by the boundless support of their families and the Kentridge community;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the Kentridge Chargers Girls Basketball team, whose dedication, perseverance, and accomplishments made them holders of the 2017 4A Girls Basketball State Title; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Kentridge High School Girls Basketball team, to the team's managers and coaches, and to the Kentridge High School principal.

HOUSE RESOLUTION NO. 4629 was adopted.

HOUSE RESOLUTION NO. 2017-4630, by Representative Sullivan

WHEREAS, It is the policy of the Washington State Legislature to recognize extraordinary achievement; and

WHEREAS, The Kentwood High School Boys Basketball team lost to Federal Way in the 2016 4A State Championship Game; and

WHEREAS, This year, however, the Kentwood High School Boys Basketball team defeated that same Federal Way team during the regular season, snapping Federal Way's record-setting 63-game winning streak; and

WHEREAS, Kentwood's team went on to claim the league title and the district title; and

WHEREAS, In the 2017 4A State Championship Game, despite trailing Union High School at half-time, Kentwood completed a dramatic comeback and defeated Union 81-61 in a blowout victory; and

WHEREAS, In completing the comeback, Kentwood claimed the 2017 4A Washington State Basketball Championship for the third time in school history; and

WHEREAS, The title victory and historic season were only achieved through dedicated teamwork and boundless support from family and community;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the Kentwood High School Boys Basketball team for winning the 4A State Basketball Championship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Kentwood High School Boys Basketball team, to the team's managers and coaches, and to the Kentwood High School principal.

HOUSE RESOLUTION NO. 4630 was adopted.

HOUSE RESOLUTION NO. 2017-4631, by Representatives Santos, Pettigrew, Fitzgibbon, Haler, Macri, Pollet, Ryu, Senn, Nealey, Chapman, Appleton, Kilduff, Holy, Dent, Johnson, and Graves

WHEREAS, In 1891, the Society of Jesus established the Immaculate Conception Church parish school in central Seattle with ninety students, marking the commencement of a long, rich history of distinguished service in higher education in Washington state; and

WHEREAS, In 1898, Washington state approved a charter to recognize the Immaculate Conception parish school as Seattle College; and

WHEREAS, In 1931, overcoming provincial and diocesan disapproval, Seattle College was one of the first Jesuit universities to admit women as students, many of whom taught in local parish schools; and

WHEREAS, By 1941, Seattle College was the third largest institution of higher learning in Washington state with schools of education, nursing, and engineering; and

WHEREAS, In 1948, Seattle College officially became Seattle University, the largest Catholic postsecondary education institution in the West; and

WHEREAS, Today, Seattle University is hailed as a nationally recognized higher education institution that boasts undergraduate, graduate, and professional degree programs of distinction through the College of Nursing, the College of Education, the Albers School of Business and Economics, the School of Theology and Ministry, the College of Arts and Sciences, the School of Law, the College of Science and Engineering, and the preparatory Matteo Ricci College; and

WHEREAS, The Seattle University mission to educate the whole person and to empower leaders for a just and humane world enriches our state and our society through the accomplishments and achievements of notable alumni such as Governor John Spellman, U.S. District Court Judge Richard Jones, Seattle City Councilmember Martha Choe, world-renown mountaineer Jim Whittaker, Seattle Times former president and chief operating officer Carolyn Kelly, attorney and television personality Anne Bremner, Grammy Award winning musician Quincy Jones, Northwest artist and professor Val Laigo, and National Basketball Association All-Time great Elgin Baylor; and

WHEREAS, Throughout the 2016-17 academic year, the entire Seattle University community will engage in special Quasiquicentennial events and programs aimed to pay homage to this cherished history and heritage of academic excellence and service to society;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives join in celebrating the 125th anniversary of the founding of Seattle University and recognize the lasting contributions of this irreplaceable institution, its faculty, and its alumni to the strength and vitality of our state and our citizenry; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Stephen V. Sundborg, S. J., President of Seattle University.

HOUSE RESOLUTION NO. 4631 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2185 by Representatives Lytton, Jinkins and Macri

AN ACT Relating to fulfilling the state's paramount duty for all children through equitable and responsible investments in the state's basic education program and reductions to local effort contributions; amending RCW 28A.150.200, 28A.150.410, 28A.400.205, 28A.400.200, 28A.510.250, 84.52.0531, 84.52.0531, 28A.500.020, 28A.500.020, 28A.150.260, and 28A.150.261; amending 2015 3rd sp.s. c 38 s 3 (uncodified); reenacting and amending RCW 28A.500.030 and 28A.150.260; adding new sections to chapter 28A.150 RCW; adding a new section to chapter 28A.400 RCW; adding new sections to chapter 28A.415 RCW; creating new sections; recodifying RCW 28A.300.600, 28A.300.602, and 28A.300.604; repealing RCW 28A.400.201, 28A.415.020, 28A.415.023, 28A.415.024, and 28A.415.025; providing effective dates; and providing expiration dates.

Referred to Committee on Appropriations.

HB 2186 by Representatives Lytton, Jinkins and Macri

AN ACT Relating to investing in Washington families by improving the fairness of the state's excise tax system by narrowing or eliminating tax preferences, imposing a business and occupation tax surcharge while eliminating tax liability for small businesses, enacting an excise tax on capital gains, modifying the real estate excise tax, making administrative changes, and implementing marketplace fairness in Washington; amending RCW 82.32.045, 82.08.0293, 82.12.0293, 82.12.0263, 82.04.290, 82.08.0273, 82.45.060, 82.45.010, 82.45.080, 18.27.110, 18.27.200, 82.08.050, 82.12.040, 82.32.145, 82.32.060, 82.04.293, 82.04.440, 82.04.44525, and 82.04.4463; reenacting and amending RCW 82.04.280 and 82.32.790; adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.32 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 43.135 RCW; adding a new section to chapter 39.42 RCW; adding new chapters to Title 82 RCW; creating new sections; repealing RCW 82.04.4451 and 82.04.272; repealing 2010 c 106 s 206, 2009 c 461 s 3, 2006 c 300 s 7, and 2003 c 149 s 4; prescribing penalties; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Finance.

HB 2187 by Representatives Manweller, Hayes and Griffey

AN ACT Relating to the eligibility of emergency medical technicians employed by public hospital districts for membership in the law enforcement officers' and firefighters' retirement system plan 2;

amending RCW 41.26.030; adding a new section to chapter 41.26 RCW; and creating new sections.

Referred to Committee on Appropriations.

ESSB 5033 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Honeyford, Frockt, Warnick, Conway and Palumbo)

AN ACT Relating to financing essential public infrastructure; amending RCW 43.155.020, 43.155.040, 43.155.060, 43.155.065, 43.155.068, 43.155.070, 43.155.075, 43.155.120, 82.45.060, 82.16.020, 82.18.040, and 39.36.060; reenacting and amending RCW 43.155.050; adding new sections to chapter 43.155 RCW; adding new sections to chapter 43.180 RCW; creating a new section; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Capital Budget.

ESSB 5894 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille, Braun, Becker, Rossi, Brown, Miloscia, Cleveland, Ranker, Chase, Warnick, Keiser, Hunt, Hasegawa, Wellman and Zeiger)

AN ACT Relating to behavioral health system reform; amending RCW 71.24.310, 71.24.380, 71.05.320, 71.05.320, 71.05.365, 71.05.585, 71.05.150, 71.05.150, 71.05.150, 71.05.240, 71.05.240, 71.05.590, 71.05.590, 71.05.590, 10.77.060, and 10.77.060; reenacting and amending RCW 71.05.320, 71.05.020, 71.05.020, 71.05.585, 71.05.230, 71.05.230, 71.05.240, and 71.05.201; adding new sections to chapter 71.24 RCW; adding new sections to chapter 71.05 RCW; adding a new section to chapter 72.23 RCW; creating new sections; providing effective dates; and providing expiration dates.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 23, 2017

ESSB 5038 Prime Sponsor, Committee on Law & Justice: Concerning disclosures regarding incentivized evidence and testimony. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The definitions in this section apply throughout this section and sections 2 and 3 of this act unless the context clearly requires otherwise.

(1) "Benefit" means any deal, payment, promise, leniency, inducement, or other advantage offered by the state to an informant in exchange for his or her testimony, information, or statement, but excludes a court-issued protection order. "Benefit" also excludes assistance that is ordinarily provided to both a prosecution and defense witness to facilitate his or her presence in court including, but not limited to, lodging, meals, travel expenses, or parking fees.

(2)(a) "Informant" means the following individuals who provide information or testimony in exchange for a benefit or in reliance on a communicated benefit:

(i) Any criminal suspect, whether or not he or she is detained or incarcerated; and

(ii) Any incarcerated individual.

(b) An informant does not include an expert witness or a victim of the crime being prosecuted.

(3) "Statement" means an oral, written, or nonverbal communication related to the crime charged.

NEW SECTION. Sec. 2. (1) Before the state may introduce any testimony or statement of an informant in a trial or other criminal proceeding, the state must:

(a) Request the material and information in subsection (2) of this section from the investigative agency, the informant, and prosecutors and investigative agencies in jurisdictions where the informant has a criminal record or pending criminal charges; and

(b) Disclose to the defendant the results of the requests in (a) of this subsection, and any other material and information in subsection (2) of this section that is known or reasonably available to be obtained from a review of material and information internal to the office of the prosecuting attorney.

(2) The following material and information must be disclosed pursuant to subsection (1) of this section:

(a) The complete criminal history of the informant, including any pending criminal charges or investigations in which the informant is a suspect;

(b) Any benefit the state has provided or may provide in the future to the informant in the present case, including any written agreement related to a benefit, and information related to the informant's breach of any conditions contained within the agreement;

(c) The substance, time, and place of any statement allegedly given by the defendant to the informant, and the substance, time, and place of any statement given by the informant to law enforcement implicating the defendant in the crime charged, including the names of all persons present when any statement was allegedly given by the defendant to the informant;

(d) Any instance that the informant modified or recanted his or her testimony or statement, the time and place of the modification or recantation, the nature of the modification or recantation, and the names of the persons who were present at the modification or recantation;

(e) All other cases in which the informant offered to provide information to or testify for the state in exchange for a deal, payment, promise, leniency, inducement, or other advantage, whether or not a deal, payment, promise, leniency, inducement, or other advantage was offered or received;

(f) All other cases in which the informant testified for the state in exchange for a benefit, or in which the informant received any benefit as a result of that testimony;

(g) The relationship between the defendant and the informant, including the amount of time they were incarcerated in the same custodial section of the jail or prison;

(h) All evidence corroborating the informant's testimony or statement implicating the defendant in the crime charged; and

(i) Any other material or information in the possession, custody, or control of the state that bears on the credibility or reliability of the informant or the informant's statement.

(3)(a) The state must disclose to the defendant the materials and information required under subsections (1) and (2) of

this section as soon as practicable after discovery but no later than fourteen days before the testimony or statement is introduced in a trial or other criminal proceeding.

(b) The state may not introduce any testimony or statement of an informant in a trial or other criminal proceeding unless the materials and information required to be disclosed in subsections (1) and (2) of this section are disclosed in accordance with this subsection (3).

NEW SECTION. **Sec. 3.** If the state fails to disclose the materials and information required under section 2 of this act, the court must order the state to immediately disclose the material and information, and may:

(1) Grant a continuance, unless waived by the defendant;

(2) Preclude the informant from testifying or the prior statement from being introduced;

(3) Dismiss the action; or

(4) Enter such other order as it deems just under the circumstances.

NEW SECTION. **Sec. 4.** Nothing in sections 1 through 3 of this act diminishes federal constitutional disclosure obligations to criminal defendants or any related obligations under Washington case law, statutes, or court rules.

NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act are each added to chapter 10.58 RCW.

NEW SECTION. **Sec. 6.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Frame; Goodman; Graves; Haler; Hansen; Kirby; Orwall and Shea.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives Rodne, Ranking Minority Member Muri, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

March 23, 2017

ESSB 5106 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Clarifying obligations under the involuntary treatment act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Part One - Joel's Law Amendments

Sec. 1. RCW 71.05.201 and 2016 c 107 s 1 are each amended to read as follows:

(1) If a designated mental health professional decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated mental health professional received a request for investigation and the designated mental health professional has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2) A petition under this section must be filed within ten calendar days following the designated mental health professional investigation or the request for a designated mental health professional investigation. If more than ten days have elapsed, the immediate family member, guardian, or conservator may request a new designated mental health professional investigation.

(3)(a) The petition must be filed in the county in which the designated mental health professional investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated mental health professional.

((3)) (4) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated mental health professional agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated mental health professional's current decision.

((4)) (5) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

((5)) (6) The court shall dismiss the petition at any time if it finds that a designated mental health professional has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

((6)) (7) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

((7)) (8) If the court enters an order for initial detention, it shall provide the order to the designated mental health professional agency((, which shall execute the order without delay)) and issue a written order for apprehension of the person by a peace officer for delivery of the person to a facility or emergency room determined by the designated mental health professional. The designated mental health agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement regarding apprehensions and detentions under this

subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a written order issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated mental health professional. An order for initial detention under this section expires one hundred eighty days from issuance.

((8)) (9) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

((9)) (10) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

Sec. 2. RCW 71.05.201 and 2016 sp.s. c 29 s 222 and 2016 c 107 s 1 are each reenacted and amended to read as follows:

(1) If a designated crisis responder decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2) A petition under this section must be filed within ten calendar days following the designated crisis responder investigation or the request for a designated crisis responder investigation. If more than ten days have elapsed, the immediate family member, guardian, or conservator may request a new designated crisis responder investigation.

(3)(a) The petition must be filed in the county in which the designated ((mental health professional)) crisis responder investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired,

describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated crisis responder.

((3)) (4) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated crisis responder agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated crisis responder's current decision.

((4)) (5) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

((5)) (6) The court shall dismiss the petition at any time if it finds that a designated crisis responder has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

((6)) (7) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

((7)) (8) If the court enters an order for initial detention, it shall provide the order to the designated crisis responder agency((, which shall

execute the order without delay)) and issue a written order for apprehension of the person by a peace officer for delivery of the person to a facility or emergency room determined by the designated crisis responder. The designated crisis responder agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement regarding apprehensions and detentions under this subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a written order issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated crisis responder. An order for initial detention under this section expires one hundred eighty days from issuance.

((8)) (9) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

((9)) (10) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

Sec. 3. RCW 71.05.203 and 2015 c 258 s 3 are each amended to read as follows:

(1) The department and each ((regional support network)) behavioral health organization or agency employing designated mental health professionals shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under RCW 71.05.201.

(2) A designated mental health professional or designated mental health professional agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under RCW 71.05.201. If the designated mental health professional decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight

hours have elapsed since the request for investigation was received and the designated mental health professional has not taken action to have the person detained, the designated mental health professional or designated mental health professional agency must inform the immediate family member, guardian, or conservator who made the request for investigation about the process to petition for court review under RCW 71.05.201.

(3) A designated mental health professional or designated mental health professional agency must, upon request, disclose the date of a designated mental health professional investigation under this chapter to an immediate family member, guardian, or conservator of a person to assist in the preparation of a petition under RCW 71.05.201.

Sec. 4. RCW 71.05.203 and 2016 sp.s. c 29 s 223 are each amended to read as follows:

(1) The department and each behavioral health organization or agency employing designated crisis responders shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under RCW 71.05.201.

(2) A designated crisis responder or designated crisis responder agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under RCW 71.05.201. If the designated crisis responder decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since the request for investigation was received and the designated crisis responder has not taken action to have the person detained, the designated crisis responder or designated crisis responder agency must inform the immediate family member, guardian, or conservator who made the request for investigation about the process to petition for court review under RCW 71.05.201.

(3) A designated crisis responder or designated crisis responder agency must, upon request, disclose the date of a designated crisis responder

investigation under this chapter to an immediate family member, guardian, or conservator of a person to assist in the preparation of a petition under RCW 71.05.201.

NEW SECTION. Sec. 5. By December 15, 2017, the administrative office of the courts, in collaboration with stakeholders, including but not limited to judges, prosecutors, defense attorneys, the department of social and health services, behavioral health advocates, and families, shall: (1) Develop a user's guide to assist pro se litigants in the preparation and filing of a petition under RCW 71.05.201; and (2) develop a model order of detention under RCW 71.05.201 which contains an advisement of rights for the detained person.

NEW SECTION. Sec. 6. Sections 1 and 3 of this act expire April 1, 2018.

NEW SECTION. Sec. 7. Sections 2 and 4 of this act take effect April 1, 2018.

Part Two - Less Restrictive Alternative Revocations

Sec. 8. RCW 71.05.590 and 2015 c 250 s 13 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated mental health professional, may take action to enforce, modify, or revoke a less restrictive alternative order or conditional release order ((if)). The agency, facility, or designated mental health professional ((determines)) must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal

autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel((,)) or advise((, or admonish)) the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) ((To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d)) To cause the person to be transported by a peace officer, designated mental health professional, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or evaluation and treatment facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated mental health professional or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation or

modification procedures under ((subsection (4) of)) this section in appropriate circumstances; and

((e)) (d) To initiate revocation or modification procedures under ((subsection (4) of)) this section. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated mental health professional when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) A designated mental health professional or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this section to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment, or initiate proceedings under ((this)) subsection ((4)) (5) of this section without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated mental health professional or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

((c)) (5)(a) The designated mental health professional or secretary shall ((notify the court that originally ordered commitment within two judicial days of a person's detention and)) file a petition for revocation ((petition)) or modification and an order of apprehension and detention, if applicable, with the

court ((and)) of the county where the person is currently located or being detained. The designated mental health professional shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings ((regarding a petition for modification or revocation must be in)) is the county ((in which)) where the petition ((was)) is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation or modification is filed, within two judicial days of the person's detention.

((d)) (b) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order.

((e)) (c) Revocation proceedings under this subsection ((4)) (5) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

((5)) (6) In determining whether or not to take action under this section the designated mental health professional, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors

specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Sec. 9. RCW 71.05.590 and 2016 sp.s. c 29 s 242 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative order or conditional release order ((if)). The agency, facility, or designated crisis responder ((determines)) must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel((,)) or advise((, or admonish)) the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) ((To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification

is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d)) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or to an evaluation and treatment facility if the person is committed for mental health treatment, or to a secure detoxification facility with available space or an approved substance use disorder treatment program with available space if the person is committed for substance use disorder treatment. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation or modification procedures under ((subsection (4) of)) this section in appropriate circumstances; and

((e)) (d) To initiate revocation or modification procedures under ((subsection (4) of)) this section. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) A designated crisis responder or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a secure detoxification facility or approved substance use disorder treatment program if either is available in or near the county in which he or she is receiving outpatient treatment and has adequate space. Proceedings under ((this)) subsection ((4)) (5) of this section may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

((c)) (5)(a) The designated crisis responder or secretary shall ((notify the court that originally ordered commitment within two judicial days of a person's detention and)) file a petition for revocation ((petition)) or modification and an order of apprehension and detention, if applicable, with the court ((and)) of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any

involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings ((regarding a petition for modification or revocation must be in)) is the county ((in which)) where the petition ((was)) is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation or modification is filed, within two judicial days of the person's detention.

((d)) (b) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order. A court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder treatment program under this subsection unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.

((e)) (c) Revocation proceedings under this subsection ((4)) (5) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

((5)) (6) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the

court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Sec. 10. RCW 71.05.590 and 2016 sp.s. c 29 s 243 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative order or conditional release order ((if)). The agency, facility, or designated crisis responder ((determines)) must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel((,)) or advise((, or admonish)) the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) ((To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give

rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

((d)) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or to an evaluation and treatment facility if the person is committed for mental health treatment, or to a secure detoxification facility or an approved substance use disorder treatment program if the person is committed for substance use disorder treatment. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation or modification procedures under ((subsection (4) of)) this section in appropriate circumstances; and

((e)) (d) To initiate revocation or modification procedures under ((subsection (4) of)) this section. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) A designated crisis responder or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a secure detoxification facility or approved substance use disorder treatment program if either is available in or near the county in which he or she is receiving outpatient treatment. Proceedings under ((this)) subsection ((4)) (5) of this section may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

((c)) (5)(a) The designated crisis responder or secretary shall ((notify the court that originally ordered commitment within two judicial days of a person's detention and)) file a petition for revocation ((petition)) or modification and an order of apprehension and detention, if applicable, with the court ((and)) of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except

as specifically set forth in this section. There is no right to jury trial. The venue for proceedings ((regarding a petition for modification or revocation must be in)) is the county ((in which)) where the petition ((was)) is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation or modification is filed, within two judicial days of the person's detention.

((d)) (b) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order.

((e)) (c) Revocation proceedings under this subsection ((4)) (5) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

((5)) (6) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Part Three - Initial Detention Investigations

Sec. 11. RCW 71.05.154 and 2013 c 334 s 1 are each amended to read as follows:

((A)) (1) If a person subject to evaluation under RCW 71.05.150 or 71.05.153 is located in an emergency room at the time of evaluation, the designated mental health professional conducting ((an)) the evaluation ((of a person under RCW 71.05.150 or 71.05.153 must consult with any examining emergency room physician regarding the physician's observations and opinions relating to the person's condition, and whether, in the view of the physician, detention is appropriate. The designated mental health professional)) shall take serious consideration of observations and opinions by an examining emergency room physician((s)), advanced registered nurse practitioner, or physician assistant in determining whether detention under this chapter is appropriate. The designated mental health professional must document ((the)) his or her consultation with ((an examining emergency room physician)) this professional, ((including)) if the professional is available, or his or her review of the ((physician's)) professional's written observations or opinions regarding whether detention of the person is appropriate.

(2) This section does not create an exception to the general rule under RCW 71.05.010, which creates a presumption that courts should decide petitions under this chapter on their merits in light of the state's parens patriae or police power interest in protecting the safety of individuals and the public.

Sec. 12. RCW 71.05.154 and 2016 sp.s. c 29 s 214 are each amended to read as follows:

((A)) (1) If a person subject to evaluation under RCW 71.05.150 or 71.05.153 is located in an emergency room at the time of evaluation, the designated crisis responder conducting ((an)) the evaluation ((of a person under RCW 71.05.150 or 71.05.153 must consult with any examining emergency room physician regarding the physician's observations and opinions relating to the person's condition, and whether, in the view of the physician, detention is appropriate. The designated crisis responder)) shall take serious consideration of observations and opinions by an examining emergency room physician((s)), advanced registered nurse practitioner, or physician assistant in determining whether detention under this chapter is appropriate. The designated crisis

responder must document ((the)) his or her consultation with ((an examining emergency room physician)) this professional, ((including)) if the professional is available, or his or her review of the ((physician's)) professional's written observations or opinions regarding whether detention of the person is appropriate.

(2) This section does not create an exception to the general rule under RCW 71.05.010, which creates a presumption that courts should decide petitions under this chapter on their merits in light of the state's parens patriae or police power interest in protecting the safety of individuals and the public.

Part Four - Evaluation and Petition by Chemical

Dependency Professionals

Sec. 13. RCW 70.96A.140 and 2016 sp.s. c 29 s 102 are each amended to read as follows:

(1)(a) When a designated chemical dependency specialist receives information alleging that a person presents a likelihood of serious harm or is gravely disabled as a result of ((chemical dependency)) a substance use disorder, the designated chemical dependency specialist, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the information, may file a petition for commitment of such person with the superior court, district court, or in another court permitted by court rule.

If a petition for commitment is not filed in the case of a minor, the parent, guardian, or custodian who has custody of the minor may seek review of that decision made by the designated chemical dependency specialist in superior or district court. The parent, guardian, or custodian shall file notice with the court and provide a copy of the designated chemical dependency specialist's report.

If the designated chemical dependency specialist finds that the initial needs of such person would be better served by placement within the mental health system, the person shall be referred to either a designated mental health professional or an evaluation and treatment facility as defined in RCW 71.05.020 or 71.34.020.

(b) If placement in a ((chemical dependency)) substance use disorder treatment program is available and deemed appropriate, the petition shall allege that: The person is chemically dependent and presents a likelihood of serious harm or is gravely disabled by alcohol or drug addiction, or that the person has twice before in the preceding twelve months been admitted for withdrawal management, sobering services, or ((chemical dependency)) substance use disorder treatment pursuant to RCW 70.96A.110 or 70.96A.120, and is in need of a more sustained treatment program, or that the person ((is chemically dependent)) has a substance use disorder and has threatened, attempted, or inflicted physical harm on another and is likely to inflict physical harm on another unless committed. A refusal to undergo treatment, by itself, does not constitute evidence of lack of judgment as to the need for treatment.

(c) If involuntary detention is sought, the petition must state facts that support a finding of the grounds identified in (b) of this subsection and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition must state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition must state facts that support a finding of the grounds for commitment identified in (b) of this subsection and set forth the proposed less restrictive alternative.

(d) (i) The petition must be signed by:

(A) ((Two physicians;)) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(B) ((One physician and a mental health professional;

(C) One physician assistant and a mental health professional; or

(D) One psychiatric advanced registered nurse practitioner and a mental health professional.

(ii) The persons signing the petition must have examined the person)) One physician, physician assistant, psychiatric advanced registered nurse

practitioner, or designated chemical dependency specialist.

(2) Upon filing the petition, the court shall fix a date for a hearing no less than two and no more than seven days after the date the petition was filed unless the person petitioned against is presently being detained in a program, pursuant to RCW 70.96A.120, 71.05.210, or 71.34.710, in which case the hearing shall be held within seventy-two hours of the filing of the petition((: PROVIDED, HOWEVER, That)). The ((above specified)) seventy-two hours shall be computed by excluding Saturdays, Sundays, and holidays((: PROVIDED FURTHER, That,)). The court may, upon motion of the person whose commitment is sought, or upon motion of petitioner with written permission of the person whose commitment is sought, or his or her counsel and, upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of the hearing, including the date fixed by the court, shall be served ((by the designated chemical dependency specialist)) on the person whose commitment is sought, his or her next of kin, a parent or his or her legal guardian if he or she is a minor, and any other person the court believes advisable. A copy of the petition and certificate shall be delivered to each person notified.

(3) At the hearing the court shall hear all relevant testimony including, if possible, the testimony, which may be telephonic, of at least one licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or ((mental health professional)) designated chemical dependency specialist who has examined the person whose commitment is sought. Communications otherwise deemed privileged under the laws of this state are deemed to be waived in proceedings under this chapter when a court of competent jurisdiction in its discretion determines that the waiver is necessary to protect either the detained person or the public. The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person, or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical, nursing, or psychological records of detained persons so long as the requirements of RCW 5.45.020 are met, except that portions of the record that contain opinions as to whether the detained person ((is chemically dependent)) has a substance use disorder shall be deleted from the records unless the person offering the opinions is available for cross-examination. The person shall be present unless the court believes that his or her presence is likely to be injurious to him or her; in this event the court may deem it appropriate to appoint a guardian ad litem to represent him or her throughout the proceeding. If deemed advisable, the court may examine the person out of courtroom. If the person has refused to be examined by a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or ((mental health professional)) designated chemical dependency specialist, he or she shall be given an opportunity to be examined by a court appointed licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or other professional person qualified to provide such services. If he or she refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more medical evidence is necessary, the court may make a temporary order committing him or her to the department for a period of not more than five days for purposes of a diagnostic examination.

(4)(a) If, after hearing all relevant evidence, including the results of any diagnostic examination, the court finds that grounds for involuntary commitment have been established by a preponderance of the evidence and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interest of the person or others, it shall make an order of commitment to an approved substance use disorder treatment program. It shall not order commitment of a person unless it determines that an approved substance use disorder treatment program is available and able to provide adequate and appropriate treatment for him or her.

(b) If the court finds that the grounds for commitment have been established by

a preponderance of the evidence, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive course of treatment. The less restrictive order may impose treatment conditions and other conditions that are in the best interest of the respondent and others. A copy of the less restrictive order must be given to the respondent, the designated chemical dependency specialist, and any program designated to provide less restrictive treatment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary treatment, the program so designated must agree in writing to assume such responsibility. The court may not order commitment of a person to a less restrictive course of treatment unless it determines that an approved substance use disorder treatment program is available and able to provide adequate and appropriate treatment for him or her.

(5) A person committed to inpatient treatment under this section shall remain in the program for treatment for a period of fourteen days unless sooner discharged. A person committed to a less restrictive course of treatment under this section shall remain in the program of treatment for a period of ninety days unless sooner discharged. At the end of the fourteen-day period, or ninety-day period in the case of a less restrictive alternative to inpatient treatment, he or she shall be discharged automatically unless the program or the designated chemical dependency specialist, before expiration of the period, files a petition for his or her recommitment upon the grounds set forth in subsection (1) of this section for a further period of ninety days of inpatient treatment or ninety days of less restrictive alternative treatment unless sooner discharged. The petition for ninety-day inpatient or less restrictive alternative treatment must be filed with the clerk of the court at least three days before expiration of the fourteen-day period of intensive treatment.

If a petition for recommitment is not filed in the case of a minor, the parent, guardian, or custodian who has custody of the minor may seek review of that decision made by the designated chemical dependency specialist in superior or district court. The parent, guardian, or custodian shall file notice with the

court and provide a copy of the treatment progress report.

If a person has been committed because he or she ((is chemically dependent)) has a substance use disorder and is likely to inflict physical harm on another, the program or designated chemical dependency specialist shall apply for recommitment if after examination it is determined that the likelihood still exists.

(6) Upon the filing of a petition for recommitment under subsection (5) of this section, the court shall fix a date for hearing no less than two and no more than seven days after the date the petition was filed((: PROVIDED, That,)). The court may, upon motion of the person whose commitment is sought and upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of hearing, including the date fixed by the court, shall be served by the treatment program on the person whose commitment is sought, his or her next of kin, the original petitioner under subsection (1) of this section if different from the petitioner for recommitment, one of his or her parents or his or her legal guardian if he or she is a minor, and his or her attorney and any other person the court believes advisable. At the hearing the court shall proceed as provided in subsections (3) and (4) of this section, except that the burden of proof upon a hearing for recommitment must be proof by clear, cogent, and convincing evidence.

(7) The approved substance use disorder treatment program shall provide for adequate and appropriate treatment of a person committed to its custody on an inpatient or outpatient basis. A person committed under this section may be transferred from one approved public treatment program to another if transfer is medically advisable.

(8) A person committed to a program for treatment shall be discharged at any time before the end of the period for which he or she has been committed and he or she shall be discharged by order of the court if either of the following conditions are met:

(a) In case of a ((chemically dependent)) person with a substance use disorder committed on the grounds of likelihood of infliction of physical harm upon himself, herself, or another, the likelihood no longer exists; or further

treatment will not be likely to bring about significant improvement in the person's condition, or treatment is no longer adequate or appropriate.

(b) In case of a ((chemically dependent)) person with a substance use disorder committed on the grounds of the need of treatment and incapacity, that the incapacity no longer exists.

(9) The court shall inform the person whose commitment or recommitment is sought of his or her right to contest the application, be represented by counsel at every stage of any proceedings relating to his or her commitment and recommitment, and have counsel appointed by the court or provided by the court, if he or she wants the assistance of counsel and is unable to obtain counsel. If the court believes that the person needs the assistance of counsel, the court shall require, by appointment if necessary, counsel for him or her regardless of his or her wishes. The person shall, if he or she is financially able, bear the costs of such legal service; otherwise such legal service shall be at public expense. The person whose commitment or recommitment is sought shall be informed of his or her right to be examined by a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, designated chemical dependency specialist, or other professional person of his or her choice who is qualified to provide such services. If the person is unable to obtain a qualified person and requests an examination, the court shall employ a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, designated chemical dependency specialist, or other professional person to conduct an examination and testify on behalf of the person.

(10) A person committed under this chapter may at any time seek to be discharged from commitment by writ of habeas corpus in a court of competent jurisdiction.

(11) The venue for proceedings under this section is the county in which person to be committed resides or is present.

(12) When in the opinion of the professional person in charge of the program providing involuntary inpatient treatment under this chapter, the committed patient can be appropriately

served by less restrictive treatment before expiration of the period of commitment, then the less restrictive care may be required as a condition for early release for a period which, when added to the initial treatment period, does not exceed the period of commitment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary treatment, the program so designated must agree in writing to assume such responsibility. A copy of the conditions for early release shall be given to the patient, the designated chemical dependency specialist of original commitment, and the court of original commitment. The program designated to provide less restrictive care may modify the conditions for continued release when the modifications are in the best interests of the patient. If the program providing less restrictive care and the designated chemical dependency specialist determine that a conditionally released patient is failing to adhere to the terms and conditions of his or her release, or that substantial deterioration in the patient's functioning has occurred, then the designated chemical dependency specialist shall notify the court of original commitment and request a hearing to be held no less than two and no more than seven days after the date of the request to determine whether or not the person should be returned to more restrictive care. The designated chemical dependency specialist shall file a petition with the court stating the facts substantiating the need for the hearing along with the treatment recommendations. The patient shall have the same rights with respect to notice, hearing, and counsel as for the original involuntary treatment proceedings. The issues to be determined at the hearing are whether the conditionally released patient did or did not adhere to the terms and conditions of his or her release to less restrictive care or that substantial deterioration of the patient's functioning has occurred and whether the conditions of release should be modified or the person should be returned to a more restrictive program. The hearing may be waived by the patient and his or her counsel and his or her guardian or conservator, if any, but may not be waived unless all such persons agree to the waiver. Upon waiver, the person may be returned for involuntary treatment or continued on conditional

release on the same or modified conditions. The grounds and procedures for revocation of less restrictive alternative treatment ordered by the court must be the same as those set forth in this section for less restrictive care arranged by an approved substance use disorder treatment program as a condition for early release.

Sec. 14. RCW 71.05.020 and 2016 sp.s. c 29 s 204 and 2016 c 155 s 1 are each reenacted and amended to read as follows:

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

(1) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(3) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(4) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(5) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(6) "Chemical dependency" means:

(a) Alcoholism;

(b) Drug addiction; or

(c) Dependence on alcohol and one or more psychoactive chemicals, as the context requires;

(7) "Chemical dependency professional" means a person certified as a chemical dependency professional by the

department of health under chapter 18.205 RCW;

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

(9) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(10) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(11) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(12) "Department" means the department of social and health services;

(13) "Designated crisis responder" means a mental health professional appointed by the behavioral health organization to perform the duties specified in this chapter;

(14) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(15) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(16) "Developmental disability" means that condition defined in RCW 71A.10.020(5);

(17) "Discharge" means the termination of hospital medical authority. The

commitment may remain in place, be terminated, or be amended by court order;

(18) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(19) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. The department may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(20) "Gravely disabled" means a condition in which a person, as a result of a mental disorder, or as a result of the use of alcohol or other psychoactive chemicals: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(21) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(22) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, a long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction;

(23) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(24) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

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

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

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

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

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

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

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

(25) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(26) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

(27) "In need of assisted outpatient mental health treatment" means that a person, as a result of a mental disorder: (a) Has been committed by a court to detention for involuntary mental health treatment at least twice during the preceding thirty-six months, or, if the person is currently committed for involuntary mental health treatment, the person has been committed to detention for involuntary mental health treatment at least once during the thirty-six months preceding the date of initial detention of the current commitment cycle; (b) is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, in view of the person's treatment history or current behavior; (c) is unlikely to survive safely in the community without supervision; (d) is likely to benefit from less restrictive alternative treatment; and (e) requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time. For purposes of (a) of this subsection, time spent in a mental health facility or in confinement as a result of a criminal conviction is excluded from the thirty-six month calculation;

(28) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(29) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health and substance use disorder service providers under RCW 71.05.130;

(30) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585;

(31) "Licensed physician" means a person licensed to practice medicine or

osteopathic medicine and surgery in the state of Washington;

(32) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(33) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder;

(34) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(35) "Mental health professional" means a psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(36) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders or substance use disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or behavioral health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, approved substance use

disorder treatment programs as defined in this section, secure detoxification facilities as defined in this section, and correctional facilities operated by state and local governments;

(37) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(38) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW;

(39) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders;

(40) "Professional person" means a mental health professional, chemical dependency professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(41) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(42) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(43) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(44) "Public agency" means any evaluation and treatment facility or institution, secure detoxification facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(45) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness or substance use disorders;

(46) "Release" means legal termination of the commitment under the provisions of this chapter;

(47) "Resource management services" has the meaning given in chapter 71.24 RCW;

(48) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(49) "Secure detoxification facility" means a facility operated by either a public or private agency or by the program of an agency that:

(a) Provides for intoxicated persons:

(i) Evaluation and assessment, provided by certified chemical dependency professionals;

(ii) Acute or subacute detoxification services; and

(iii) Discharge assistance provided by certified chemical dependency professionals, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Includes security measures sufficient to protect the patients, staff, and community; and

(c) Is certified as such by the department;

(50) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(51) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(52) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(53) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(54) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others;

(55) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(56) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

Sec. 15. RCW 71.05.210 and 2016 sp.s. c 29 s 224 and 2016 c 155 s 2 are each reenacted and amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program:

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by:

(i) One physician ((and a mental health professional)), physician assistant, or psychiatric advanced registered nurse practitioner; and

(ii) One ((physician assistant and a) mental health professional(; or

(iii) One advanced registered nurse practitioner and a mental health)). If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a chemical dependency professional instead of a mental health professional; and

(b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained

pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional or chemical dependency professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment ((facility)) program, or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the person shall be referred to the more appropriate placement; however, a person may only be referred to a secure detoxification facility or approved substance use disorder treatment program if there is an available secure detoxification facility or approved substance use disorder treatment program with adequate space for the person.

(3) An evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated crisis responder and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 16. RCW 71.05.210 and 2016 sp.s. c 29 s 225 are each amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program:

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by:

(i) One physician ((and a mental health professional)), physician

assistant, or psychiatric advanced registered nurse practitioner; and

(ii) One ((physician assistant and a) mental health professional(; or

(iii) One advanced registered nurse practitioner and a mental health)). If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a chemical dependency professional instead of a mental health professional; and

(b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional or chemical dependency professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment ((facility)) program, or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the person shall be referred to the more appropriate placement.

(3) An evaluation and treatment center, secure detoxification facility,

or approved substance use disorder treatment program admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated crisis responder and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 17. RCW 71.05.230 and 2016 sp.s. c 29 s 230, 2016 c 155 s 5, and 2016 c 45 s 1 are each reenacted and amended to read as follows:

A person detained or committed for seventy-two hour evaluation and treatment or for an outpatient evaluation for the purpose of filing a petition for a less restrictive alternative treatment order may be committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative to involuntary intensive treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by mental disorder or substance use disorder and results in a likelihood of serious harm, results in the person being gravely disabled, or results in the person being in need of assisted outpatient mental health treatment, and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has evidence that he or she has not in good faith volunteered; and

(3) The agency or facility providing intensive treatment or which proposes to supervise the less restrictive alternative is certified to provide such treatment by the department; and

(4) The professional staff of the agency or facility or the designated crisis responder has filed a petition with the court for a fourteen day involuntary detention or a ninety day less restrictive alternative. The petition must be signed ((either)) by:

(a) ((Two physicians)) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(b) One physician ((and a)), physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional(;;

(c) One physician assistant and a mental health professional; or

(d) One psychiatric advanced registered nurse practitioner and a mental health professional)). If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional. The persons signing the petition must have examined the person. If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of a mental disorder or substance use disorder, presents a likelihood of serious harm, or is gravely disabled and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition shall state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition shall state facts that support the finding that such person, as a result of a mental disorder or as a result of a substance use disorder, presents a likelihood of serious harm, is gravely disabled, or is in need of assisted outpatient mental health treatment, and shall set forth any recommendations for less restrictive alternative treatment services; and

(5) A copy of the petition has been served on the detained or committed person, his or her attorney and his or her guardian or conservator, if any, prior to the probable cause hearing; and

(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed for mental health treatment; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated crisis responder may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide less restrictive alternative treatment is other than the facility providing involuntary treatment, the outpatient facility so designated to provide less restrictive alternative treatment has agreed to assume such responsibility.

Sec. 18. RCW 71.05.290 and 2016 sp.s. c 29 s 235, 2016 c 155 s 6, and 2016 c 45 s 3 are each reenacted and amended to read as follows:

(1) At any time during a person's fourteen day intensive treatment period, the professional person in charge of a treatment facility or his or her professional designee or the designated crisis responder may petition the superior court for an order requiring such person to undergo an additional period of treatment. Such petition must be based on one or more of the grounds set forth in RCW 71.05.280.

(2) The petition shall summarize the facts which support the need for further commitment and shall be supported by affidavits based on an examination of the patient and signed by:

(a) ((Two physicians)) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(b) One physician ((and a)), physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional(;;

(c) One physician assistant and a mental health professional; or

(d) One psychiatric advanced registered nurse practitioner and a mental health professional)). If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional. The affidavits shall describe in detail the behavior of the detained person which supports the petition and shall explain what, if any, less restrictive treatments

which are alternatives to detention are available to such person, and shall state the willingness of the affiant to testify to such facts in subsequent judicial proceedings under this chapter. If less restrictive alternative treatment is sought, the petition shall set forth any recommendations for less restrictive alternative treatment services.

(3) If a person has been determined to be incompetent pursuant to RCW 10.77.086(4), then the professional person in charge of the treatment facility or his or her professional designee or the designated crisis responder may directly file a petition for one hundred eighty day treatment under RCW 71.05.280(3). No petition for initial detention or fourteen day detention is required before such a petition may be filed.

Sec. 19. RCW 71.05.760 and 2016 sp.s. c 29 s 201 are each amended to read as follows:

(1)(a) By April 1, 2018, the department, by rule, must combine the functions of a designated mental health professional and designated chemical dependency specialist by establishing a designated crisis responder who is authorized to conduct investigations, detain persons up to seventy-two hours to the proper facility, and carry out the other functions identified in this chapter and chapter 71.34 RCW. The behavioral health organizations shall provide training to the designated crisis responders as required by the department.

(b)(i) To qualify as a designated crisis responder, a person must have received chemical dependency training as determined by the department and be a:

(A) Psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or social worker;

(B) Person with a master's degree or further advanced degree in counseling or one of the social sciences from an accredited college or university and who have, in addition, at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, such experience gained under the direction of a mental health professional;

(C) Person who meets the waiver criteria of RCW 71.24.260, which waiver was granted before 1986;

(D) Person who had an approved waiver to perform the duties of a mental health professional that was requested by the regional support network and granted by the department before July 1, 2001; or

(E) Person who has been granted an exception of the minimum requirements of a mental health professional by the department consistent with rules adopted by the secretary.

(ii) Training must include chemical dependency training specific to the duties of a designated crisis responder, including diagnosis of substance abuse and dependence and assessment of risk associated with substance use.

(c) The department must develop a transition process for any person who has been designated as a designated mental health professional or a designated chemical dependency specialist before April 1, 2018, to be converted to a designated crisis responder. The behavioral health organizations shall provide training, as required by the department, to persons converting to designated crisis responders, which must include both mental health and chemical dependency training applicable to the designated crisis responder role.

(2)(a) The department must ensure that at least one sixteen-bed secure detoxification facility is operational by April 1, 2018, and that at least two sixteen-bed secure detoxification facilities are operational by April 1, 2019. In addition, the department shall ensure that an additional sixteen-bed secure detoxification facility is operational by April 1st of each year beginning in 2020 until there is adequate capacity to meet the involuntary treatment requirements for substance use disorder clients.

(b) If, at any time during the implementation of secure detoxification facility capacity, federal funding becomes unavailable for federal match for services provided in secure detoxification facilities, then the department must cease any expansion of secure detoxification facilities until further direction is provided by the legislature.

NEW SECTION. Sec. 20. Section 13 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. Sec. 21. Sections 8, 11, and 13 of this act expire April 1, 2018.

NEW SECTION. Sec. 22. Sections 9, 12, 14, 15, and 17 through 19 of this act take effect April 1, 2018.

NEW SECTION. Sec. 23. Sections 9 and 15 of this act expire July 1, 2026.

NEW SECTION. Sec. 24. Sections 10 and 16 of this act take effect July 1, 2026."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Appropriations.

March 21, 2017

ESSB 5131 Prime Sponsor, Committee on Commerce, Labor & Sports: Concerning marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, processor wholesale events, certain transfers of plants and seeds, licensing agreements and contracts, residency requirements, and jurisdictional requirements. (REVISED FOR ENGROSSED: Concerning marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, certain transfers of plants and seeds, licensing agreements and contracts, advertising, and jurisdictional requirements.) Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 69.50.325 and 2016 c 170 s 1 are each amended to read as follows:

(1) There shall be a marijuana producer's license regulated by the state liquor and cannabis board and subject to annual renewal. The licensee is authorized to produce: (a) Marijuana for sale at wholesale to marijuana processors and other marijuana producers ((and to produce marijuana)); (b) immature plants or clones and seeds for sale to cooperatives as described under RCW 69.51A.250((, regulated by the state liquor and cannabis board and subject to annual renewal)); and (c) immature plants or clones and seeds for sale to qualifying patients and designated providers as described under section 9 of this act. The production, possession, delivery, distribution, and sale of marijuana in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.

(2) There shall be a marijuana processor's license to process, package, and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the state liquor and cannabis board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, and marijuana concentrates in accordance with the provisions of this chapter and chapter 69.51A RCW and the rules adopted to implement and enforce these chapters, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at

which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana.

(3)(a) There shall be a marijuana retailer's license to sell marijuana concentrates, useable marijuana, and marijuana-infused products at retail in retail outlets, regulated by the state liquor and cannabis board and subject to annual renewal. The possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates, useable marijuana, and marijuana-infused products.

(b) An individual retail licensee and all other persons or entities with a financial or other ownership interest in the business operating under the license are limited, in the aggregate, to holding a collective total of not more than five retail marijuana licenses.

(c)(i) A marijuana retailer's license is subject to forfeiture in accordance with rules adopted by the state liquor and cannabis board pursuant to this section.

(ii) The state liquor and cannabis board shall adopt rules to establish a

license forfeiture process for a licensed marijuana retailer that is not fully operational and open to the public within a specified period from the date of license issuance, as established by the state liquor and cannabis board, subject to the following restrictions:

(A) No marijuana retailer's license may be subject to forfeiture within the first nine months of license issuance; and

(B) The state liquor and cannabis board must require license forfeiture on or before twenty-four calendar months of license issuance if a marijuana retailer is not fully operational and open to the public, unless the board determines that circumstances out of the licensee's control are preventing the licensee from becoming fully operational and that, in the board's discretion, the circumstances warrant extending the forfeiture period beyond twenty-four calendar months.

(iii) The state liquor and cannabis board has discretion in adopting rules under this subsection (3)(c).

(iv) This subsection (3)(c) applies to marijuana retailer's licenses issued before and after the effective date of this section. However, no license of a marijuana retailer that otherwise meets the conditions for license forfeiture established pursuant to this subsection (3)(c) may be subject to forfeiture within the first three calendar months of the effective date of this section.

Sec. 2. RCW 69.50.331 and 2015 2nd sp.s. c 4 s 301 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, or for the renewal of a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, the state liquor and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received. As part of the licensing application and renewal process, the board must obtain information and collect

demographic data regarding the race, ethnic background, and gender of the applicants for the licenses authorized under this chapter.

(a) ((The state liquor and cannabis board must develop a competitive, merit-based application process that includes, at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. The state liquor and cannabis board must give preference between competing applications in the licensing process to applicants that have the following experience and qualifications, in the following order of priority:

(i) First priority is given to applicants who:

(A) Applied to the state liquor and cannabis board for a marijuana retailer license prior to July 1, 2014;

(B) Operated or were employed by a collective garden before January 1, 2013;

(C) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(D) Have had a history of paying all applicable state taxes and fees;

(ii) Second priority must be given to applicants who:

(A) Operated or were employed by a collective garden before January 1, 2013;

(B) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(C) Have had a history of paying all applicable state taxes and fees; and

(iii) Third priority must be given to all other applicants who do not have the experience and qualifications identified in (a) (i) and (ii) of this subsection.

(b)) The state liquor and cannabis board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor and cannabis board may consider any prior criminal conduct of the applicant including an administrative violation

history record with the state liquor and cannabis board and a criminal history record information check. The state liquor and cannabis board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor and cannabis board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW do not apply to these cases. Subject to the provisions of this section, the state liquor and cannabis board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (10) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor and cannabis board to any staff member the board designates in writing. Conditions for granting this authority must be adopted by rule.

((c)) (b) No license of any kind may be issued to:

(i) A person under the age of twenty-one years;

(ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least six months prior to applying to receive a license;

(iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2) (a) The state liquor and cannabis board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for

producing, processing, researching, or selling marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products thereunder must be suspended or terminated, as the case may be.

(b) The state liquor and cannabis board must immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license is automatic upon the state liquor and cannabis board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor and cannabis board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor and cannabis board may adopt.

(d) Witnesses must be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor and cannabis board or a subpoena issued by the state liquor and cannabis board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, compels obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee must forthwith deliver up the license to the state liquor and cannabis board. Where the license has been suspended only, the state liquor and cannabis board must return the license to the licensee at the expiration or termination of the period of suspension. The state liquor and cannabis board must notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under this chapter is subject to all conditions and restrictions imposed by this chapter or by rules adopted by the state liquor and cannabis board to implement and enforce this chapter. All conditions and restrictions imposed by the state liquor and cannabis board in the issuance of an individual license must be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee must post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee may employ any person under the age of twenty-one years.

(7)(a) Before the state liquor and cannabis board issues a new or renewed license to an applicant it must give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns, or to the tribal government if the application is for a license within Indian country under the jurisdiction of a federally recognized Indian tribe, or to the port authority if the application for a license is located on property owned by a port authority.

(b) The incorporated city or town through the official or employee selected by it, ((or)) the county legislative authority or the official or employee selected by it, the tribal government, or

port authority has the right to file with the state liquor and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The state liquor and cannabis board may extend the time period for submitting written objections upon request from the authority notified by the state liquor and cannabis board.

(c) The written objections must include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor and cannabis board representatives must present and defend the state liquor and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor and cannabis board must send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8)(a) Except as provided in (b) through (d) of this subsection, the state liquor and cannabis board may not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(b) A city, county, or town may permit the licensing of premises within one thousand feet but not less than one hundred feet of the facilities described

in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance authorizing such distance reduction, provided that such distance reduction will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

(c) A city, county, or town may permit the licensing of research premises allowed under RCW 69.50.372 within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection by enacting an ordinance authorizing such distance reduction, provided that the ordinance will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement, public safety, or public health.

(d) The state liquor and cannabis board may license premises located in compliance with the distance requirements set in an ordinance adopted under (b) or (c) of this subsection. Before issuing or renewing a research license for premises within one thousand feet but not less than one hundred feet of an elementary school, secondary school, or playground in compliance with an ordinance passed pursuant to (c) of this subsection, the board must ensure that the facility:

(i) Meets a security standard exceeding that which applies to marijuana producer, processor, or retailer licensees;

(ii) Is inaccessible to the public and no part of the operation of the facility is in view of the general public; and

(iii) Bears no advertising or signage indicating that it is a marijuana research facility.

(e)(i) The state liquor and cannabis board may not issue a license for any premises within Indian country, as defined in 18 U.S.C. Sec. 1151, including any federal fee patent lands within the exterior boundaries of a reservation, without the consent of the federally recognized tribe associated with the reservation or Indian country.

(ii) The state liquor and cannabis board may issue a license either upon receipt of the consent of the tribe required under (e)(i) of this subsection or after ninety days following the

board's provision of notice to the tribe, as required under subsection (7)(a) of this section, in the event the tribe fails to respond to such notice within this ninety-day period.

(iii) The provisions of this subsection (8)(e) are prospective only and apply only to applications for new licenses received on or after the effective date of this section.

(9) ((Subject to section 1601 of this act,)) A city, town, or county may adopt an ordinance prohibiting a marijuana producer or marijuana processor from operating or locating a business within areas zoned primarily for residential use or rural use with a minimum lot size of five acres or smaller.

(10) In determining whether to grant or deny a license or renewal of any license, the state liquor and cannabis board must give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Sec. 3. RCW 69.50.372 and 2016 sp.s. c 9 s 1 are each amended to read as follows:

(1) A marijuana research license is established that permits a licensee to produce, process, and possess marijuana for the following limited research purposes:

(a) To test chemical potency and composition levels;

(b) To conduct clinical investigations of marijuana-derived drug products;

(c) To conduct research on the efficacy and safety of administering marijuana as part of medical treatment; and

(d) To conduct genomic or agricultural research.

(2) As part of the application process for a marijuana research license, an applicant must submit to the liquor and cannabis board's designated scientific reviewer a description of the research that is intended to be conducted. The liquor and cannabis board must select a scientific reviewer to review an applicant's research project and determine that it meets the requirements of subsection (1) of this section, as well as assess the following:

(a) Project quality, study design, value, or impact;

(b) Whether applicants have the appropriate personnel, expertise, facilities/infrastructure, funding, and human/animal/other federal approvals in place to successfully conduct the project; and

(c) Whether the amount of marijuana to be grown by the applicant is consistent with the project's scope and goals.

If the scientific reviewer determines that the research project does not meet the requirements of subsection (1) of this section, the application must be denied.

(3) A marijuana research licensee may only sell marijuana grown or within its operation to other marijuana research licensees. The liquor and cannabis board may revoke a marijuana research license for violations of this subsection.

(4) A marijuana research licensee may contract with the University of Washington or Washington State University to perform research in conjunction with the university. All research projects, not including those projects conducted pursuant to a contract entered into under RCW 28B.20.502(3), must be approved by the scientific reviewer and meet the requirements of subsection (1) of this section.

(5) In establishing a marijuana research license, the liquor and cannabis board may adopt rules on the following:

- (a) Application requirements;
- (b) Marijuana research license renewal requirements, including whether additional research projects may be added or considered;
- (c) Conditions for license revocation;
- (d) Security measures to ensure marijuana is not diverted to purposes other than research;
- (e) Amount of plants, useable marijuana, marijuana concentrates, or marijuana-infused products a licensee may have on its premises;
- (f) Licensee reporting requirements;
- (g) Conditions under which marijuana grown by licensed marijuana producers and other product types from licensed marijuana processors may be donated to marijuana research licensees; and
- (h) Additional requirements deemed necessary by the liquor and cannabis board.

(6) The production, processing, possession, delivery, donation, and sale of marijuana, including immature plants or clones and seeds, in accordance with this section, RCW 69.50.366(3), and the rules adopted to implement and enforce ((it)) this section and RCW 69.50.366(3), by a validly licensed marijuana researcher, shall not be a criminal or civil offense under Washington state law. Every marijuana research license must be issued in the name of the applicant, must specify the location at which the marijuana researcher intends to operate, which must be within the state of Washington, and the holder thereof may not allow any other person to use the license.

(7) The application fee for a marijuana research license is two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana research license is one thousand dollars. The applicant must pay the cost of the review process directly to the scientific reviewer as designated by the liquor and cannabis board.

(8) The scientific reviewer shall review any reports made by marijuana research licensees under liquor and cannabis board rule and provide the liquor and cannabis board with its

determination on whether the research project continues to meet research qualifications under this section.

(9) For the purposes of this section, "scientific reviewer" means an organization that convenes or contracts with persons who have the training and experience in research practice and research methodology to determine whether a project meets the criteria for a marijuana research license under this section and to review any reports submitted by marijuana research licensees under liquor and cannabis board rule. "Scientific reviewers" include, but are not limited to, educational institutions, research institutions, peer review bodies, or such other organizations that are focused on science or research in its day-to-day activities.

Sec. 4. RCW 66.08.100 and 2012 c 117 s 269 are each amended to read as follows:

No court of the state of Washington other than the superior court of Thurston county shall have jurisdiction over any action or proceeding against the board or any member thereof for anything done or omitted to be done in or arising out of the performance of his or her or their duties under this title. Neither the board nor any member or members thereof shall be personally liable in any action at law for damages sustained by any person because of any acts performed or done or omitted to be done by the board or any employee of the board in the performance of his or her duties and in the administration of this title or chapter 69.50 or 69.51A RCW.

Sec. 5. RCW 69.50.101 and 2015 2nd sp.s. c 4 s 901 are each reenacted and amended to read as follows:

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

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(d) "Commission" means the pharmacy quality assurance commission.

(e) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(f)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(g) "Deliver" or "delivery((,))" means the actual or constructive transfer from

one person to another of a substance, whether or not there is an agency relationship.

(h) "Department" means the department of health.

(i) "Designated provider" has the meaning provided in RCW 69.51A.010.

(j) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(k) "Dispenser" means a practitioner who dispenses.

(l) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(m) "Distributor" means a person who distributes.

(n) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(o) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(p) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(q) "Immature plant or clone" means a plant or clone that has no flowers, is

less than twelve inches in height, and is less than twelve inches in diameter.

(r) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

((r)) (s) "Isomer" means an optical isomer, but in subsection ((dd)) (ee) (5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b) (4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a) (35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

((s)) (t) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

((t)) (u) "Lot number" must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

((u)) (v) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

((v)) (w) "Marijuana" or "marihuana" means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

((w)) (x) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant Cannabis and having a THC concentration greater than ten percent.

((x)) (y) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

((y)) (z) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

((z)) (aa) "Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section.

((aa)) (bb) "Marijuana researcher" means a person licensed by the state

liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

((bb)) (cc) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

((cc)) (dd) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection ((v)) (w) of this section, and have a THC concentration no greater than ten percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

((dd)) (ee) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

((ee)) (ff) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

((ff)) (gg) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

((gg)) (hh) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

((hh)) (ii) "Plant" has the meaning provided in RCW 69.51A.010.

((ii)) (jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

((jj)) (kk) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter,

licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

((kk)) (ll) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

((ll)) (mm) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

((mm)) (nn) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

((nn)) (oo) "Recognition card" has the meaning provided in RCW 69.51A.010.

((oo)) (pp) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

((pp)) (qq) "Secretary" means the secretary of health or the secretary's designee.

((qq)) (rr) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

((rr)) (ss) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant Cannabis, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant Cannabis regardless of moisture content.

((ss)) (tt) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

((tt)) (uu) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

Sec. 6. RCW 69.50.366 and 2015 c 207 s 8 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana producer or employee of a validly licensed marijuana producer in compliance with rules adopted by the state liquor ((control)) and cannabis board to implement and enforce this chapter ((3, Laws of 2013)), do not constitute criminal or civil offenses under Washington state law:

(1) Production or possession of quantities of marijuana that do not exceed the maximum amounts established by the state liquor ((control)) and cannabis board under RCW 69.50.345(3);

(2) Delivery, distribution, and sale of marijuana to a marijuana processor or another marijuana producer validly licensed under this chapter ((3, Laws of 2013)); ((and))

(3) Delivery, distribution, and sale of immature plants or clones and marijuana seeds to a licensed marijuana researcher, and to receive or purchase immature plants or clones and seeds from a licensed marijuana researcher; and

(4) Delivery, distribution, and sale of marijuana or useable marijuana to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under RCW 43.06.490.

Sec. 7. RCW 69.50.382 and 2015 2nd sp.s. c 4 s 501 are each amended to read as follows:

(1) A licensed marijuana producer, marijuana processor, marijuana researcher, or marijuana retailer, or their employees, in accordance with the requirements of this chapter and the administrative rules adopted thereunder, may use the services of a common carrier subject to regulation under chapters 81.28 and 81.29 RCW and licensed in compliance with the regulations established under RCW 69.50.385, to physically transport or deliver, as authorized under this chapter, marijuana, useable marijuana, marijuana concentrates, immature plants or clones, marijuana seeds, and marijuana-infused products between licensed marijuana businesses located within the state.

(2) An employee of a common carrier engaged in marijuana-related transportation or delivery services authorized under subsection (1) of this section is prohibited from carrying or using a firearm during the course of providing such services, unless:

(a) Pursuant to RCW 69.50.385, the state liquor and cannabis board explicitly authorizes the carrying or use of firearms by such employee while engaged in the transportation or delivery services;

(b) The employee has an armed private security guard license issued pursuant to RCW 18.170.040; and

(c) The employee is in full compliance with the regulations established by the state liquor and cannabis board under RCW 69.50.385.

(3) A common carrier licensed under RCW 69.50.385 may, for the purpose of transporting and delivering marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products, utilize Washington state ferry routes for such transportation and delivery.

(4) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused

products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized under, and in accordance with, this section and RCW 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

Sec. 8. RCW 69.51A.250 and 2016 c 170 s 2 are each amended to read as follows:

(1) Qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative. No more than four qualifying patients or designated providers may become members of a cooperative under this section and all members must hold valid recognition cards. All members of the cooperative must be at least twenty-one years old. The designated provider of a qualifying patient who is under twenty-one years old may be a member of a cooperative on the qualifying patient's behalf. All plants grown in the cooperative must be ((purchased or cloned)) from an immature plant or clone purchased from a licensed marijuana producer as defined in RCW 69.50.101. Cooperatives may also purchase marijuana seeds from a licensed marijuana producer.

(2) Qualifying patients and designated providers who wish to form a cooperative must register the location with the state liquor and cannabis board and this is the only location where cooperative members may grow or process marijuana. This registration must include the names of all participating members and copies of each participant's recognition card. Only qualifying patients or designated providers registered with the state liquor and cannabis board in association with the location may participate in growing or receive useable marijuana or marijuana-infused products grown at that location.

(3) No cooperative may be located in any of the following areas:

(a) Within one mile of a marijuana retailer;

(b) Within the smaller of either:

(i) One thousand feet of the perimeter of the grounds of any elementary or

secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade that admission to which is not restricted to persons aged twenty-one years or older; or

(ii) The area restricted by ordinance, if the cooperative is located in a city, county, or town that has passed an ordinance pursuant to RCW 69.50.331(8); or

(c) Where prohibited by a city, town, or county zoning provision.

(4) The state liquor and cannabis board must deny the registration of any cooperative if the location does not comply with the requirements set forth in subsection (3) of this section.

(5) If a qualifying patient or designated provider no longer participates in growing at the location, he or she must notify the state liquor and cannabis board within fifteen days of the date the qualifying patient or designated provider ceases participation. The state liquor and cannabis board must remove his or her name from connection to the cooperative. Additional qualifying patients or designated providers may not join the cooperative until sixty days have passed since the date on which the last qualifying patient or designated provider notifies the state liquor and cannabis board that he or she no longer participates in that cooperative.

(6) Qualifying patients or designated providers who participate in a cooperative under this section:

(a) May grow up to the total amount of plants for which each participating member is authorized on their recognition cards, up to a maximum of sixty plants. At the location, the qualifying patients or designated providers may possess the amount of useable marijuana that can be produced with the number of plants permitted under this subsection, but no more than seventy-two ounces;

(b) May only participate in one cooperative;

(c) May only grow plants in the cooperative and if he or she grows plants in the cooperative may not grow plants elsewhere;

(d) Must provide assistance in growing plants. A monetary contribution or

donation is not to be considered assistance under this section. Participants must provide nonmonetary resources and labor in order to participate; and

(e) May not sell, donate, or otherwise provide marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to a person who is not participating under this section.

(7) The location of the cooperative must be the domicile of one of the participants. Only one cooperative may be located per property tax parcel. A copy of each participant's recognition card must be kept at the location at all times.

(8) The state liquor and cannabis board may adopt rules to implement this section including:

(a) Any security requirements necessary to ensure the safety of the cooperative and to reduce the risk of diversion from the cooperative;

(b) A seed to sale traceability model that is similar to the seed to sale traceability model used by licensees that will allow the state liquor and cannabis board to track all marijuana grown in a cooperative.

(9) The state liquor and cannabis board or law enforcement may inspect a cooperative registered under this section to ensure members are in compliance with this section. The state liquor and cannabis board must adopt rules on reasonable inspection hours and reasons for inspections.

NEW SECTION. Sec. 9. A new section is added to chapter 69.51A RCW to read as follows:

Qualifying medical marijuana patients and designated providers who have been issued an authorization form, as defined in RCW 69.51A.010, or who hold a recognition card, may purchase immature plants or clones, or marijuana seeds, from a licensed marijuana producer as defined in RCW 69.50.101.

Sec. 10. RCW 15.120.020 and 2016 sp.s. c 11 s 3 are each amended to read as follows:

Except as otherwise provided in this chapter, industrial hemp is an agricultural product that may be grown, produced, possessed, processed, and

exchanged in the state solely and exclusively as part of an industrial hemp research program supervised by the department. Processing any part of industrial hemp, except seed, as food, extract, oil, cake, concentrate, resin, or other preparation for topical use, oral consumption, or inhalation by humans is prohibited, unless authorized by the department under section 11 of this act.

NEW SECTION. Sec. 11. A new section is added to chapter 15.120 RCW to read as follows:

(1) The department may allow a person holding an industrial hemp license authorizing the licensee to grow, produce, possess, or process industrial hemp to sell or transfer industrial hemp to a marijuana processor licensed under chapter 69.50 RCW and the rules adopted by the state liquor and cannabis board, for use by the marijuana processor.

(2) A licensed marijuana processor is not required to obtain an industrial hemp license from the department in order to possess or process industrial hemp for the purposes authorized under this section.

(3) A licensed marijuana processor may use any part of industrial hemp obtained in accordance with this section. A licensee's use of industrial hemp must comply with the requirements of chapter 69.50 RCW, the rules adopted by the state liquor and cannabis board, and the rules adopted by the department of health for marijuana products.

(4) The department may adopt rules, in consultation with the state liquor and cannabis board, to implement this section.

NEW SECTION. Sec. 12. The legislature finds that protecting the state's children, youth, and young adults under the legal age to purchase and consume marijuana, by establishing limited restrictions on the advertising of marijuana and marijuana products, is necessary to assist the state's efforts to discourage and prevent underage consumption and the potential risks associated with underage consumption. The legislature finds that these restrictions assist the state in maintaining a strong and effective regulatory and enforcement system as specified by the federal government. The legislature finds this act leaves ample opportunities for licensed marijuana businesses to market their products to

those who are of legal age to purchase them, without infringing on the free speech rights of business owners. Finally, the legislature finds that the state has a substantial and compelling interest in enacting this act aimed at protecting Washington's children, youth, and young adults.

Sec. 13. RCW 69.50.357 and 2016 c 171 s 1 are each amended to read as follows:

(1) Retail outlets may not sell products or services other than marijuana concentrates, useable marijuana, marijuana-infused products, or paraphernalia intended for the storage or use of marijuana concentrates, useable marijuana, or marijuana-infused products.

(2) Licensed marijuana retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed marijuana retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the state liquor and cannabis board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed marijuana retailers with a medical marijuana endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase marijuana for their personal medical use and to permit qualifying patients who are under the age

of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) ((Licensed marijuana retailers may not display any signage outside of the licensed premises, other than two signs identifying the retail outlet by the licensee's business or trade name. Each sign must be no larger than one thousand six hundred square inches, be permanently affixed to a building or other structure, and be posted not less than one thousand feet from any elementary school, secondary school, or playground.

(5)) Except for the purposes of disposal as authorized by the state liquor and cannabis board, no licensed marijuana retailer or employee of a retail outlet may open or consume, or allow to be opened or consumed, any marijuana concentrates, useable marijuana, or marijuana-infused product on the outlet premises.

((6)) (5) The state liquor and cannabis board must fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated marijuana account created under RCW 69.50.530.

Sec. 14. RCW 69.50.369 and 2015 2nd sp.s. c 4 s 204 are each amended to read as follows:

(1) No licensed marijuana producer, processor, researcher, or retailer may place or maintain, or cause to be placed or maintained, an advertisement of marijuana, useable marijuana, marijuana concentrates, or a marijuana-infused product in any form or through any medium whatsoever(:

(a)) within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older(;

(b) On or in a public transit vehicle or public transit shelter; or

(c) On or in a publicly owned or operated property)).

(2) A marijuana licensee may not utilize transit advertisements for the purpose of advertising its business or product line. "Transit advertisements" means advertising on or within private or public vehicles and all advertisements

placed at, on, or within any bus stop, taxi stand, transportation waiting area, train station, airport, or any similar transit-related location.

(3) A marijuana licensee may not engage in advertising or other marketing practice that specifically targets persons residing outside of the state of Washington.

(4) A marijuana licensee may not:

(a) Take any action, directly or indirectly, to target youth in the advertising, promotion, or marketing of marijuana and marijuana products, or take any action the primary purpose of which is to initiate, maintain, or increase the incidence of youth use of marijuana or marijuana products;

(b) Use objects such as toys or inflatables, movie or cartoon characters, or any other depiction or image likely to be appealing to youth, where such objects, images, or depictions indicate an intent to cause youth to become interested in the purchase or consumption of marijuana products; or

(c) Use or employ a commercial mascot outside of, and in proximity to, a licensed marijuana business. A "commercial mascot" means live human being, animal, or mechanical device used for attracting the attention of motorists and passersby so as to make them aware of marijuana products or the presence of a marijuana business. Commercial mascots include, but are not limited to, persons in costume, or wearing or holding a sign with a marijuana-related commercial message or image, where the intent is to draw attention to a marijuana business or its products.

(5) A marijuana licensee may not engage in outdoor advertising except as specifically provided for in this section.

(a) Outdoor advertising is prohibited:

(i) On signs and placards in arenas, stadiums, shopping malls, fairs that receive state allocations, farmers markets, and video game arcades, whether any of the foregoing are open air or enclosed, but not including any such sign or placard located in an adult only facility; or

(ii) On any other advertisements placed outdoors or on the inside surface of a window facing outward that do not

meet the exclusionary provisions contained in (c) of this subsection.

(b)(i) Billboards that are visible from any street, road, highway, right-of-way, or public parking area are prohibited, except as provided in (b)(ii) of this subsection.

(ii) Licensed retail outlets may use a billboard or outdoor sign solely for the purpose of identifying the name of the business, the nature of the business, and providing the public with directional information to the licensed retail outlet. The content of the billboard or sign is strictly limited to the store's licensed name, its logo, the type of business, and directions to the licensed retail outlet. A billboard or sign may not contain any depictions of marijuana plants or products.

(c) Outdoor advertising does not include:

(i) An individual advertisement that does not occupy an area larger than two thousand four hundred square inches and that neither is placed in such proximity to any other such advertisement so as to create a single mosaic-type advertisement larger than two thousand four hundred square inches, nor functions solely as a segment of a larger advertising unit or series, and that is placed on the outside of any licensed retail establishment that sells marijuana products, outside but on the licensed premises of any such establishment, or on the inside surface of a window facing outward in any such establishment;

(ii) An advertisement inside a licensed retail establishment that sells marijuana products that is not placed on the inside surface of a window facing outward; or

(iii) An outdoor advertisement at the site of an event to be held at an adult only facility that is placed at such site during the period the facility or enclosed area constitutes an adult only facility, but in no event more than fourteen days before the event, and that does not advertise any marijuana product other than by using a brand name to identify the event.

(6) Merchandising within a retail outlet is not advertising for the purposes of this section.

((3)) (7) This section does not apply to a noncommercial message.

((4)) (8)(a) The state liquor and cannabis board must:

(i) Adopt rules implementing this section and specifically including provisions regulating the billboards and outdoor signs authorized under subsection (5)(b)(ii) of this section; and

(ii) Fine a licensee one thousand dollars for each violation of ((subsection (1) of)) this section until the state liquor and cannabis board adopts rules prescribing penalties for violations of this section. The rules must establish escalating penalties including fines and up to suspension or revocation of a marijuana license for subsequent violations.

(b) Fines collected under this subsection must be deposited into the dedicated marijuana account created under RCW 69.50.530.

(9) A city, town, or county may adopt rules of outdoor advertising by licensed marijuana retailers that are more restrictive than the advertising restrictions imposed under this chapter. Enforcement of restrictions to advertising by a city, town, or county is the responsibility of the city, town, or county.

Sec. 15. RCW 69.50.4013 and 2015 2nd sp.s. c 4 s 503 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4) The delivery by a person twenty-one years of age or older to one or more persons twenty-one years of age or older, during a twenty-four hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following marijuana products, is not a violation of this section, this chapter, or any other provisions of Washington state law:

(a) One-half ounce of useable marijuana;

(b) Eight ounces of marijuana-infused product in solid form;

(c) Thirty-six ounces of marijuana-infused product in liquid form; or

(d) Three and one-half grams of marijuana concentrates.

(5) No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

((5)) (6) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

Sec. 16. RCW 69.07.010 and 1992 c 34 s 3 are each amended to read as follows:

For the purposes of this chapter:

(1) "Department" means the department of agriculture of the state of Washington;

(2) "Director" means the director of the department;

(3) "Food" means any substance used for food or drink by any person, including ice, bottled water, and any ingredient used for components of any such substance regardless of the quantity of such component;

(4) "Sale" means selling, offering for sale, holding for sale, preparing for sale, trading, bartering, offering a gift as an inducement for sale of, and advertising for sale in any media;

(5) "Food processing" means the handling or processing of any food in any manner in preparation for sale for human consumption: PROVIDED, That it shall not include fresh fruit or vegetables merely washed or trimmed while being prepared or packaged for sale in their natural state;

(6) "Food processing plant" includes but is not limited to any premises, plant, establishment, building, room, area, facilities and the appurtenances thereto, in whole or in part, where food is prepared, handled or processed in any manner for distribution or sale for resale by retail outlets, restaurants, and any such other facility selling or distributing to the ultimate consumer: PROVIDED, That, as set forth herein, establishments processing foods in any manner for resale shall be considered a food processing plant as to such processing;

(7) "Food service establishment" shall mean any fixed or mobile restaurant, coffee shop, cafeteria, short order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, night club, roadside stand, industrial-feeding establishment, retail grocery, retail food market, retail meat market, retail bakery, private, public, or nonprofit organization routinely serving food, catering kitchen, commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

For the purpose of this chapter any custom cannery or processing plant where raw food products, food, or food products are processed for the owner thereof, or the food processing facilities are made available to the owners or persons in control of raw food products or food or food products for processing in any

manner, shall be considered to be food processing plants;

(8) "Person" means an individual, partnership, corporation, or association;

(9) "Board" means the state liquor and cannabis board;

(10) "Marijuana" has the meaning provided in RCW 69.50.101;

(11) "Marijuana-infused edible" means "marijuana-infused products," which is defined in RCW 69.50.101, but limited to products intended for oral consumption;

(12) "Marijuana-infused edible processing" means processing, packaging, or making marijuana-infused edibles using marijuana, marijuana extract, or marijuana concentrates as an ingredient. The term does not include preparation of marijuana as an ingredient including, but not limited to, processing marijuana extracts or marijuana concentrates;

(13) "Marijuana processor" has the meaning provided in RCW 69.50.101.

Sec. 17. RCW 69.07.020 and 1969 c 68 s 1 are each amended to read as follows:

(1) The department shall enforce and carry out the provisions of this chapter, and may adopt the necessary rules to carry out its purposes.

(2) Such rules may include:

(a) Standards for temperature controls in the storage of foods, so as to provide proper refrigeration.

(b) Standards for temperatures at which low acid foods must be processed and the length of time such temperatures must be applied and at what pressure in the processing of such low acid foods.

(c) Standards and types of recording devices that must be used in providing records of the processing of low acid foods, and how they shall be made available to the department of agriculture for inspection.

(d) Requirements for the keeping of records of the temperatures, times and pressures at which foods were processed, or for the temperatures at which refrigerated products were stored by the licensee and the furnishing of such records to the department.

(e) Standards that must be used to establish the temperature and purity of water used in the processing of foods.

(3) The department may adopt rules specific to marijuana-infused edibles. The rules must be written and interpreted to be consistent with rules adopted by the board and the department of health.

Sec. 18. RCW 19.02.110 and 2013 c 144 s 25 are each amended to read as follows:

(1) In addition to the licenses processed under the business licensing system prior to April 1, 1982, on July 1, 1982, use of the business licensing system is expanded as provided by this section.

(2) Applications for the following must be filed with the business licensing service and must be processed, and renewals must be issued, under the business licensing system:

(a) Nursery dealer's licenses required by chapter 15.13 RCW;

(b) Seed dealer's licenses required by chapter 15.49 RCW;

(c) Pesticide dealer's licenses required by chapter 15.58 RCW;

(d) Shopkeeper's licenses required by chapter 18.64 RCW;

(e) Egg dealer's licenses required by chapter 69.25 RCW; and

(f) Marijuana-infused edible endorsements required by chapter 69.07 RCW.

NEW SECTION. Sec. 19. A new section is added to chapter 69.07 RCW to read as follows:

(1) In addition to the requirements administered by the board under chapter 69.50 RCW, the department shall regulate marijuana-infused edible processing the same as other food processing under this chapter, except:

(a) The department shall not consider foods containing marijuana to be adulterated when produced in compliance with chapter 69.50 RCW and the rules adopted by the board;

(b) Initial issuance and renewal for an annual marijuana-infused edible endorsement in lieu of a food processing license under RCW 69.07.040 must be made through the business licensing system under chapter 19.02 RCW;

(c) Renewal of the endorsement must coincide with renewal of the endorsement holder's marijuana processor license;

(d) The department shall adopt a penalty schedule specific to marijuana processors, which may have values equivalent to the penalty schedule adopted by the board. The penalties are in addition to any penalties imposed under the penalty schedule adopted by the board; and

(e) The department shall notify the board of violations by marijuana processors under this chapter.

(2) A marijuana processor that processes, packages, or makes marijuana-infused edibles must obtain an annual marijuana-infused edible endorsement, as provided in this subsection (2).

(a) The marijuana processor must apply for issuance and renewal for the endorsement from the department through the business licensing system under chapter 19.02 RCW.

(b) The marijuana processor must have a valid marijuana processor license before submitting an application for initial endorsement. The application and initial endorsement fees total eight hundred ninety-five dollars. Applicants for endorsement otherwise must meet the same requirements as applicants for a food processing license under this chapter including, but not limited to, successful completion of inspection by the department.

(c) Annual renewal of the endorsement must coincide with renewal of the endorsement holder's marijuana processor license. The endorsement renewal fee is eight hundred ninety-five dollars.

(d) A marijuana processor must obtain a separate endorsement for each location at which the marijuana processor intends to process marijuana-infused edibles. Premises used for marijuana-infused edible processing may not be used for processing food that does not use marijuana as an ingredient, with the exception of edibles produced solely for tasting samples or internal product testing.

(3) The department may deny, suspend, or revoke a marijuana-infused edible endorsement on the same grounds as the department may deny, suspend, or revoke a food processing license under this chapter.

(4) Information about processors otherwise exempt from public inspection and copying under chapter 42.56 RCW is

also exempt from public inspection and copying if submitted to or used by the department.

NEW SECTION. Sec. 20. The department of agriculture, state liquor and cannabis board, and department of revenue shall take the necessary steps to ensure that section 19 of this act is implemented on its effective date.

NEW SECTION. Sec. 21. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the state liquor and cannabis board.

(2) "Licensee facilities" means any premises regulated by the board for producing, processing, or retailing marijuana or marijuana products.

(3) "Marijuana" has the meaning provided in RCW 69.50.101.

(4) "Marijuana processor" has the meaning provided in RCW 69.50.101.

(5) "Marijuana producer" has the meaning provided in RCW 69.50.101.

(6) "Marijuana products" has the meaning provided in RCW 69.50.101.

(7) "Marijuana retailer" has the meaning provided in RCW 69.50.101.

(8) "Person" means any natural person, firm, partnership, association, private or public corporation, governmental entity, or other business entity.

NEW SECTION. Sec. 22. (1) The department may adopt rules establishing:

(a) Standards for marijuana and marijuana products produced and processed in a manner consistent with, to the extent practicable, 7 C.F.R. Part 205;

(b) A self-sustaining program for certifying marijuana producers and marijuana processors as meeting the standards established under (a) of this subsection; and

(c) Other rules as necessary for administration of this chapter.

(2) To the extent practicable, the program must be consistent with the program established by the director under chapter 15.86 RCW.

(3) The rules must include a fee schedule that will provide for the recovery of the full cost of the program

including, but not limited to, application processing, inspections, sampling and testing, notifications, public awareness programs, and enforcement.

NEW SECTION. Sec. 23. (1) No marijuana or marijuana product may be labeled, sold, or represented as produced or processed under the standards established under this chapter unless produced or processed by a person certified by the department under the program established under this chapter.

(2) No person may represent, sell, or offer for sale any marijuana or marijuana products as produced or processed under standards adopted under this chapter if the person knows, or has reason to know, that the marijuana or marijuana product has not been produced or processed in conformance with the standards established under this chapter.

(3) No person may represent, sell, or offer for sale any marijuana or marijuana products as "organic products" as that term has meaning under chapter 15.86 RCW.

NEW SECTION. Sec. 24. (1) The department may inspect licensee facilities to verify compliance with this chapter and rules adopted under it.

(2) The department may deny, suspend, or revoke a certification provided for in this chapter if the department determines that an applicant or certified person has violated this chapter or rules adopted under it.

(3) The department may impose on and collect from any person who has violated this chapter or rules adopted under it a civil fine not exceeding the total of:

(a) The state's estimated costs of investigating and taking appropriate administrative and enforcement actions for the violation; and

(b) One thousand dollars.

(4) The board may take enforcement actions against a marijuana producer, marijuana processor, or marijuana retailer license issued by the board, including suspension or revocation of the license, when a licensee continues to violate this chapter after revocation of its certification or, if uncertified, receiving written notice from the department of certification requirements.

(5) The provisions of this chapter are cumulative and nonexclusive and do not affect any other remedy at law.

NEW SECTION. Sec. 25. Information about marijuana producers, marijuana processors, and marijuana retailers otherwise exempt from public inspection and copying under chapter 42.56 RCW is also exempt from public inspection and copying if submitted to or used by the department.

NEW SECTION. Sec. 26. All fees collected under this chapter must be deposited in an account within the agricultural local fund. The revenue from the fees must be used solely for carrying out the provisions of this chapter, and no appropriation is required for disbursement from the fund.

NEW SECTION. Sec. 27. This act applies prospectively only and not retroactively. It applies only to causes of action that arise (if change is substantive) or that are commenced (if change is procedural) on or after the effective date of this section.

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

NEW SECTION. Sec. 29. Sections 11 through 26 of this act constitute a new chapter in Title 15 RCW.

NEW SECTION. Sec. 30. Section 19 of this act takes effect April 1, 2018."

Correct the title.

Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Barkis; Blake; Jenkin; Kirby; Ryu; Young Farrell, Member.

Referred to Committee on Appropriations.

March 23, 2017

SSB 5142

Prime Sponsor, Committee on Early Learning & K-12 Education: Concerning educational interpreters. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Calder; Hargrove; Johnson; Kilduff; Lovick; McCaslin;

Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

patrol retirement system. Reported by Committee on Appropriations

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended.

March 23, 2017
SB 5162 Prime Sponsor, Senator McCoy: Creating the wastewater treatment plant operator certification account. Reported by Committee on Appropriations

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.43.120 and 2011 1st sp.s. c 5 s 6 are each amended to read as follows:

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Bergquist; Buys; Calder; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Tharinger; Vick; Volz and Wilcox.

As used in this section and RCW 43.43.130 through 43.43.320, unless a different meaning is plainly required by the context:

(1) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality table as may be adopted and such interest rate as may be determined by the director.

MINORITY recommendation: Do not pass. Signed by Representatives Stokesbary, Assistant Ranking Minority Member; Condotta and Taylor.

(2) "Annual increase" means as of July 1, 1999, seventy-seven cents per month per year of service which amount shall be increased each subsequent July 1st by three percent, rounded to the nearest cent.

Referred to Committee on Rules for second reading.

March 23, 2017
SSB 5241 Prime Sponsor, Committee on Early Learning & K-12 Education: Concerning the educational success of youth who are homeless or in foster care. Reported by Committee on Education

(3)(a) "Average final salary," for members commissioned prior to January 1, 2003, shall mean the average monthly salary received by a member during the member's last two years of service or any consecutive two-year period of service, whichever is the greater, as an employee of the Washington state patrol; or if the member has less than two years of service, then the average monthly salary received by the member during the member's total years of service.

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Calder; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

(b) "Average final salary," for members commissioned on or after January 1, 2003, shall mean the average monthly salary received by a member for the highest consecutive sixty service credit months; or if the member has less than sixty months of service, then the average monthly salary received by the member during the member's total months of service.

March 23, 2017
SB 5252 Prime Sponsor, Senator Angel: Addressing the effectiveness of document recording fee surcharge funds that support homeless programs. Reported by Committee on Community Development, Housing & Tribal Affairs

(c) In calculating average final salary under (a) or (b) of this subsection, the department of retirement systems shall include:

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Appropriations.

(i) Any compensation forgone by the member during the 2009-2011 fiscal biennium as a result of reduced work hours, mandatory or voluntary leave without pay, temporary reduction in pay implemented prior to December 11, 2010, or temporary layoffs if the reduced

March 23, 2017
SB 5274 Prime Sponsor, Senator Conway: Defining salary for purposes of the Washington state

compensation is an integral part of the employer's expenditure reduction efforts, as certified by the chief; and

(ii) Any compensation forgone by a member during the 2011-2013 fiscal biennium as a result of reduced work hours, mandatory leave without pay, temporary layoffs, or reductions to current pay if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the chief. Reductions to current pay shall not include elimination of previously agreed upon future salary reductions.

(4) "Beneficiary" means any person in receipt of retirement allowance or any other benefit allowed by this chapter.

(5)(a) "Cadet," for a person who became a member of the retirement system after June 12, 1980, is a person who has passed the Washington state patrol's entry-level oral, written, physical performance, and background examinations and is, thereby, appointed by the chief as a candidate to be a commissioned officer of the Washington state patrol.

(b) "Cadet," for a person who became a member of the retirement system before June 12, 1980, is a trooper cadet, patrol cadet, or employee of like classification, employed for the express purpose of receiving the on-the-job training required for attendance at the state patrol academy and for becoming a commissioned trooper. "Like classification" includes: Radio operators or dispatchers; persons providing security for the governor or legislature; patrol officers; drivers' license examiners; weighmasters; vehicle safety inspectors; central wireless operators; and warehouse workers.

(6) "Contributions" means the deduction from the compensation of each member in accordance with the contribution rates established under chapter 41.45 RCW.

(7) "Current service" shall mean all service as a member rendered on or after August 1, 1947.

(8) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(9) "Director" means the director of the department of retirement systems.

(10) "Domestic partners" means two adults who have registered as domestic partners under RCW 26.60.040.

(11) "Employee" means any commissioned employee of the Washington state patrol.

(12) "Insurance commissioner" means the insurance commissioner of the state of Washington.

(13) "Lieutenant governor" means the lieutenant governor of the state of Washington.

(14) "Member" means any person included in the membership of the retirement fund.

(15) "Plan 2" means the Washington state patrol retirement system plan 2, providing the benefits and funding provisions covering commissioned employees who first become members of the system on or after January 1, 2003.

(16) "Prior service" shall mean all services rendered by a member to the state of Washington, or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington.

(17) "Regular interest" means interest compounded annually at such rates as may be determined by the director.

(18) "Retirement board" means the board provided for in this chapter.

(19) "Retirement fund" means the Washington state patrol retirement fund.

(20) "Retirement system" means the Washington state patrol retirement system.

(21)(a) "Salary," for members commissioned prior to July 1, 2001, shall exclude any overtime earnings related to RCW 47.46.040, or any voluntary overtime, earned on or after July 1, 2001, and prior to July 1, 2017. On or after July 1, 2017, salary shall exclude overtime earnings in excess of seventy hours per year in total related to either RCW 47.46.040 or any voluntary overtime.

(b) "Salary," for members commissioned on or after July 1, 2001, shall exclude any overtime earnings related to RCW 47.46.040 or any voluntary overtime, earned prior to July 1, 2017, lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, holiday pay, or

any form of severance pay. On or after July 1, 2017, salary shall exclude overtime earnings in excess of seventy hours per year in total related to either RCW 47.46.040 or any voluntary overtime.

(c) The addition of overtime earnings related to RCW 47.46.040 or any voluntary overtime earned on or after July 1, 2017, in this act is a benefit improvement that increases the member maximum contribution rate under RCW 41.45.0631(1) by 1.10 percent.

(22) "Service" shall mean services rendered to the state of Washington or any political subdivisions thereof for which compensation has been paid. Full time employment for seventy or more hours in any given calendar month shall constitute one month of service. An employee who is reinstated in accordance with RCW 43.43.110 shall suffer no loss of service for the period reinstated subject to the contribution requirements of this chapter. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for herein. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.

(23) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(24) "State treasurer" means the treasurer of the state of Washington.

Unless the context expressly indicates otherwise, words importing the masculine gender shall be extended to include the feminine gender and words importing the feminine gender shall be extended to include the masculine gender."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Nealey and Taylor.

Referred to Committee on Transportation.

March 23, 2017

2SSB 5300

Prime Sponsor, Committee on Ways & Means: Authorizing specified local governments to designate a portion of their territory as a creative district subject to certification by the Washington state arts commission. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

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

(a) A creative district is a designated, geographical, mixed-use area of a community in which a high concentration of cultural facilities, creative businesses, or arts-related businesses serve as a collective anchor of public attraction;

(b) In certain cases, multiple vacant properties in close proximity may exist within a community that would be suitable for redevelopment as a creative district;

(c) Creative districts are a highly adaptable economic development tool that is able to take a community's unique conditions, assets, needs, and opportunities into account and thereby address the needs of large, small, rural, and urban areas;

(d) Creative districts may be home to both nonprofit and for-profit creative industries and organizations;

(e) The arts and culture transcend boundaries of race, age, gender, language, and social status; and

(f) Creative districts promote and improve communities in particular and the state more generally in many ways. Specifically, such districts:

(i) Attract artists and creative entrepreneurs to a community and thereby infuse the community with energy and innovation and enhance the economic and civic capital of the community;

(ii) Create a hub of economic activity that helps an area become an appealing place to live, visit, and conduct business, complements adjacent businesses, creates new economic opportunities and jobs in both the cultural sector and other local

industries, and attracts new businesses and assists in the recruitment of employees;

(iii) Establish marketable tourism assets that highlight the distinct identity of communities, attract in-state, out-of-state, and international visitors, and become especially attractive destinations for cultural, recreational, and business travelers;

(iv) Revitalize and beautify neighborhoods, cities, and larger regions, reverse urban decay, promote the preservation of historic buildings, and facilitate a healthy mixture of business and residential activity that contributes to reduced vacancy rates and enhanced property values;

(v) Provide a focal point for celebrating and strengthening a community's unique cultural identity, providing communities with opportunities to highlight existing cultural amenities as well as mechanisms to recruit and establish new artists, creative industries, and organizations;

(vi) Provide artists with a creative area in which they can live and work, with living spaces that enable them to work in artistic fields and find affordable housing close to their place of employment; and

(vii) Enhance property values. Successful creative districts combine improvements to public spaces such as parks, waterfronts, and pedestrian corridors, alongside property development. The redevelopment of abandoned properties and historic sites and recruiting businesses to occupy vacant spaces can also contribute to reduced vacancy rates and enhanced property values.

(2) It is the intent of the legislature that the state provide leadership, technical support, and the infrastructure to local communities desirous of creating their own creative districts by, among other things, certifying districts, offering available incentives to encourage business development, exploring new incentives that are directly related to creative enterprises, facilitating local access to state assistance, enhancing the visibility of creative districts, providing technical assistance and planning help, ensuring broad and equitable program benefits, and fostering a supportive climate for the

arts and culture, thereby contributing to the development of healthy communities across the state and improving the quality of life of the state's residents.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the Washington state arts commission.

(2) "Coordinator" means the employee of the Washington state arts commission who is responsible for performing the specific tasks under section 5 of this act.

(3) "Creative district" means a land area designated by a local government in accordance with section 3 of this act that contains either a hub of cultural facilities, creative industries, or arts-related businesses, or multiple vacant properties in close proximity that would be suitable for redevelopment as a creative district.

(4) "Local government" means a city, county, or town.

(5) "State-certified creative district" means a creative district whose application for certification has been approved by the commission.

NEW SECTION. Sec. 3. (1) A local government may designate a creative district within its territorial boundaries subject to certification as a state-certified creative district by the commission. Two or more local governments may jointly apply for certification of a creative district that extends across a common boundary.

(2) In order to receive certification as a state-certified creative district, a creative district must:

(a) Be a geographically contiguous area;

(b) Be distinguished by physical, artistic, or cultural resources that play a vital role in the quality and life of a community, including its economic and cultural development;

(c) Be the site of a concentration of artistic or cultural activity, a major arts or cultural institution or facility, arts and entertainment businesses, an area with arts and cultural activities, or artistic or cultural production;

(d) Be engaged in the promotional, preservation, and educational aspects of the arts and culture of the community and contribute to the public through interpretive, educational, or recreational uses; and

(e) Satisfy any additional criteria required by the commission that in its discretion will further the purposes of sections 2 through 5 of this act. Any additional eligibility criteria must be posted by the commission on its public web site.

(3) The commission may grant certification to a creative district that does not qualify for certification under subsection (2) of this section if the land area proposed for certification contains multiple vacant properties in close proximity that would be suitable, as determined by the commission, for redevelopment as a creative district.

NEW SECTION. Sec. 4. (1) The commission may create a process for review of applications submitted by local governments or federally recognized Indian tribes for certification of state-certified creative districts. The application must be submitted on a standard form developed and approved by the commission.

(2) After reviewing an application for certification, the commission must approve or reject the application or return it to the applicant with a request for changes or additional information. The commission may request that an applicant provide relevant information supporting an application. Rejected applicants may reapply at any time in coordination with program guidelines.

(3) Certification must be based upon the criteria specified in section 3 of this act.

(4) If the commission approves an application for certification, it must notify the applicant in writing and must specify the terms and conditions of the commission's approval, including the terms and conditions set forth in the application and as modified by written agreement between the applicant and the commission.

(5) Upon approval by the commission of an application for certification, a creative district becomes a state-certified creative district with all of the attendant benefits under sections 2 through 5 of this act.

(6) The commission may revoke a certification previously granted for failure by a local government to comply with the requirements of this section or an agreement executed pursuant to this section.

(7) In addition to any powers explicitly granted to the commission under sections 2 through 5 of this act, the commission is granted such additional powers as are necessary to carry out the purposes of sections 2 through 5 of this act. Where authorized by law, such powers may include offering incentives to state-certified creative districts to encourage business development, exploring new incentives that are directly related to creative enterprises, facilitating local access to state economic development assistance, enhancing the visibility of state-certified creative districts, providing state-certified creative districts with technical assistance and planning aid, ensuring broad and equitable program benefits, and fostering a supportive climate for the arts and culture within the state.

(8) The creation of a district under this section may not be used to prohibit any particular business or the development of residential real property within the boundaries of the district or to impose a burden on the operation or use of any particular business or parcel of residential real property located within the boundaries of the district.

(9) Total appropriations for this program may not exceed one hundred fifty-six thousand dollars in the 2017-2019 biennium and two hundred thirty-five thousand dollars in the 2019-2021 biennium.

NEW SECTION. Sec. 5. The commission may not dedicate additional staff to the administration of the program beyond the coordinator. The coordinator must:

(1) Review applications for certification and make a recommendation to the commission for action;

(2) Administer and promote the application process for the certification of creative districts;

(3) With the approval of the commission, develop standards and policies for the certification of state-certified creative districts. Any approved standards and policies must be

posted on the commission's public web site;

(4) Require periodic written reports from any state-certified creative district for the purpose of reviewing the activities of the district, including the compliance of the district with the policies and standards developed under this section and with the conditions of an approved application for certification;

(5) Identify available public and private resources, including any applicable economic development incentives and other tools, that support and enhance the development and maintenance of creative districts and, with the assistance of the commission, ensure that such programs and services are accessible to creative districts; and

(6) With the approval of the commission, develop such additional procedures as may be necessary to administer this section. Any approved procedures must be posted on the commission's public web site.

NEW SECTION. Sec. 6. Sections 2 through 5 of this act are each added to chapter 43.46 RCW.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5359 Prime Sponsor, Senator Conway:
 Requiring annual reporting on the implementation of laws to streamline licensing processes for military service members and their spouses. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

On page 3, line 2, after "351, Laws of 2011." insert "By January 1, 2018, the department of labor and industries and the professional educator standards

board must each submit a report to the legislature, including an assessment on how its licensing, certification, and apprenticeship programs apply training and experience acquired by military members and their spouses outside of Washington, and recommendations about whether such programs should be included in the reporting schedule within this subsection."

Signed by Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5442 Prime Sponsor, Senator Fortunato:
 Concerning expanding the permitted uses of surplus funds from boater education card fees to certain boating safety programs and activities. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Haler; Harris; Nealey; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Referred to Committee on Rules for second reading.

March 23, 2017
SB 5736 Prime Sponsor, Senator Brown:
 Concerning the expansion of nutrition programs for older adults. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Haler and Taylor.

Referred to Committee on Rules for second reading.

ESSB 5797 Prime Sponsor, Committee on Financial Institutions & Insurance: Concerning the services and processes available when residential real property is abandoned or in foreclosure. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Muri, Assistant

Ranking Minority Member; Frame; Goodman; Graves; Haler; Hansen; Kirby; Klippert; Orwall and Shea.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:00 a.m., March 29, 2017, the 80th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTIETH DAY

House Chamber, Olympia, Wednesday, March 29, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sebastian Engel and McKinlee Traynor. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Father Stephen Sundborg, President of Seattle University, serving his 20th year.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2188 by Representatives Ormsby and Kilduff

AN ACT Relating to requiring electronic payments to the division of child support when remitting funds in response to an order to withhold income; amending RCW 74.20A.350; adding a new section to chapter 26.23 RCW; and providing an effective date.

Referred to Committee on Appropriations.

HB 2189 by Representative Ormsby

AN ACT Relating to eligibility for the early childhood education and assistance program; and amending RCW 43.215.456.

Referred to Committee on Appropriations.

HB 2190 by Representative Ormsby

AN ACT Relating to budget stabilization account transfers; and amending RCW 43.79.496.

Referred to Committee on Appropriations.

HB 2191 by Representative Ormsby

AN ACT Relating to making appropriations from the budget stabilization account; creating a new section; making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2192 by Representative Ormsby

AN ACT Relating to taxes deposited in the public works account; and amending RCW 82.45.060, 82.16.020, and 82.18.040.

Referred to Committee on Appropriations.

ESSB 5048 by Senate Committee on Ways & Means (originally sponsored by Senators Braun and Ranker)

AN ACT Relating to fiscal matters; amending RCW 19.28.351, 19.118.110, 28B.15.031, 28B.15.210, 28B.15.310, 28B.15.910, 28B.35.370, 28B.50.360, 28C.04.535, 36.70A.725, 38.40.210, 41.16.050, 41.26.450, 41.26.725, 41.26.802, 41.50.110, 41.50.255, 41.60.050, 41.80.010, 41.80.020, 43.08.190, 43.09.475, 43.24.150, 43.41.450, 43.43.839, 43.79.445, 43.79.460, 43.79.480, 43.101.200, 43.320.110, 43.330.250, 50.16.010, 69.50.540, 70.93.180, 70.105D.070, 70.105D.130, 71.24.580, 77.12.203, 79.13.120, 79.17.200, 79.64.040, 79.64.110, and 79.105.150; amending 2016 sp.s. c 36 ss 112, 113, 114, 117, 118, 120, 121, 124, 125, 127, 128, 130, 131, 132, 134, 135, 136, 137, 139, 141, 143, 145, 147, 148, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 218, 219, 220, 221, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 511, 512, 513, 514, 516, 517, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 615, 617, 701, 706, 801, and 804 (uncodified); amending 2015 3rd sp.s. c 4 ss 125, 506, and 703 (uncodified); reenacting and amending RCW 43.155.050; adding new sections to 2015 3rd sp.s. c 4 (uncodified); adding a new section to chapter 28B.16 RCW; adding new sections to chapter 43.41 RCW; making appropriations; providing an effective date; providing an expiration date; and declaring an emergency.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of ENGROSSED SUBSTITUTE SENATE BILL NO. 5048 which was read the first time, and under suspension of the rules was placed on the second reading calendar.

The Speaker (Representative Lovick presiding) called upon Representative Springer to preside.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 21, 2017
SB 5087 Prime Sponsor, Senator Honeyford:
 Concerning the evaluation and
 prioritization of capital budget projects at
 the public two-year and four-year
 institutions of higher education. Reported
 by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting
 clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The office
 of financial management, in consultation
 with the legislative fiscal committees,
 the state board for community and
 technical colleges, and the public four-
 year institutions of higher education,
 shall:

(a) Develop learning space utilization
 standards for higher education
 facilities. The standards may include:

(i) Percentage of hours utilized per
 scheduling window;

(ii) Percentage of seats utilized;

(iii) Square feet per seat; and

(iv) Type of technology utilized in
 learning spaces.

(b) Develop reasonableness of cost
 standards for higher education capital
 projects. The standards may include:

(i) Costs per square feet per type of
 facility;

(ii) Expected life-cycle costs; and

(iii) Project schedules that result in
 realistic, balanced, and predictable
 expenditure patterns over the ensuing
 three biennia.

(c) Develop a criteria scoring and
 prioritization matrix for use by four-
 year higher education institutions and
 other decision makers to produce single
 prioritized lists of higher education
 capital projects that consists of two
 components:

(i) A numeric rating scale that
 assesses how well a particular project
 satisfies higher education capital
 project criteria; and

(ii) A numeric measure to weigh the
 importance of those criteria.

(2) The office of financial management
 shall provide technical assistance to the

legislative fiscal committees and the
 four-year institutions in using the
 criteria scoring and prioritization
 matrix developed in subsection (1)(c) of
 this section.

Sec. 2. RCW 43.88D.010 and 2012 c 229
 s 821 are each amended to read as
 follows:

(1) By October 1st of each even-
 numbered year, the office of financial
 management shall complete an objective
 analysis and scoring of all capital
 budget projects proposed by the public
 four-year institutions of higher
 education and submit the results of the
 scoring process to the legislative fiscal
 committees and the four-year
 institutions. Each project must be
 reviewed and scored within ~~((one of))~~ the
 following categories ~~((, according to the
 project's principal purpose))~~. ~~((Each))~~
Projects with more than one categorical
 component as defined in (a) through (f)
 of this subsection may be scored in
 ((only)) more than one category and
 weighted as a ratio of costs attributed
 to that categorical component to total
 project costs. The categories are:

(a) ~~((Access-related))~~ Growth projects
 to accommodate enrollment growth at
~~((main and branch))~~ higher education
 campuses, at existing or new university
 centers, or through distance learning.
 Growth projects should provide
 significant additional student capacity
to increase program access. Proposed
 projects must demonstrate that they are
 based on solid enrollment demand
 projections, ~~((more cost-effectively))~~
provide more cost-effective enrollment
 access than alternatives such as
 university centers and distance
 learning, and make cost-effective use of
 existing and proposed new space;

(b) Projects that replace failing
 permanent buildings or projects that
 cannot be economically renovated are
 replacement projects. ~~((Facilities that
 cannot be economically renovated are
 considered replacement projects. New
 space may be programmed for the same or
 a different use than the space being
 replaced and may include additions to
 improve access and enhance the
 relationship of program or support))~~
Replaced facilities must either be
 demolished or removed from the inventory
 of learning space;

(c) Projects that renovate or
 modernize facilities to restore building

life and upgrade space to meet current program requirements are renovation projects. Renovation projects should represent a complete renovation of a total facility or an isolated wing of a facility. A reasonable renovation project should cost between sixty to eighty percent of current replacement value and restore the renovated area to at least ~~((twenty-five))~~ thirty years of useful life ~~((New space may be programmed for the same or a different use than the space being renovated and may include additions to improve access and enhance the relationship of program or support space))~~;

(d) Major stand-alone campus infrastructure projects. Projects scored under other categories with significant campus infrastructure costs may also include scoring in this category;

(e) Projects that promote economic growth and innovation through expanded research activity. The acquisition and installation of specialized equipment is authorized under this category; and

(f) Other project categories as determined by the office of financial management in consultation with the legislative fiscal committees.

(2) The office of financial management, in consultation with the legislative fiscal committees, shall establish a scoring system and process for each four-year project category ~~((that is based on the framework used in the community and technical college system of prioritization))~~. Staff from the state board for community and technical colleges and the four-year institutions shall provide technical assistance on the development of a scoring system and process.

(3) The office of financial management shall consult with the legislative fiscal committees in developing the criteria and the scoring methodology of four-year institution project proposals, and may also solicit participation by independent experts ~~((→))~~ in consideration of the following:

(a) For each four-year project category, the scoring system must ~~((at a minimum, include))~~ establish criteria including, but not limited to, an evaluation of enrollment trends, reasonableness of cost, the ability of the project to enhance specific strategic master plan goals, age and condition of the facility if applicable, ((and))

impact on learning space utilization, and other criteria as determined by the office of financial management in consultation with the legislative fiscal committees.

~~((b))~~ ~~((Each four year project category may include projects at the predesign, design, or construction funding phase.~~

~~((c))~~ To the extent possible, the objective analysis and scoring system of all capital budget projects shall occur within the context of any and all performance agreements between the office of financial management and the governing board of a public, four-year institution of higher education that aligns goals, priorities, desired outcomes, flexibility, institutional mission, transparency and accountability, and levels of resources.

~~((4))~~ ~~((In evaluating and scoring four-year institution projects, the office of financial management shall take into consideration project schedules that result in realistic, balanced, and predictable expenditure patterns over the ensuing three biennia.~~

~~((5))~~ The office of financial management shall distribute common definitions, the scoring system, and other information and forms required for the project proposal and scoring process as part of its biennial budget instructions. The office of financial management, in consultation with the legislative fiscal committees, shall develop common definitions that four-year institutions must use in developing their project proposals and lists under this section.

~~((6))~~ (5) In developing any scoring system for capital projects proposed by the four-year institutions, the office of financial management:

(a) Shall be provided with all required information by the four-year institutions as deemed necessary by the office of financial management; and

(b) May utilize independent services to verify, sample, or evaluate information provided to the office of financial management by the four-year institutions ~~((→ and~~

~~((c))~~ ~~Shall have full access to all data maintained by the joint legislative audit and review committee concerning the condition of higher education facilities).~~

~~((7))~~ (6) Pursuant to subsection (5) (a) of this section, by August ~~((1st))~~ 15th of each even-numbered year each public four-year higher education institution shall prepare and submit ~~((prioritized lists of the individual projects proposed by the institution for the ensuing six year period in each category. The lists must be submitted to the office of financial management and the legislative fiscal committees. The four year institutions may aggregate minor works project proposals by primary purpose for ranking purposes. Proposed minor works projects must be prioritized within the aggregated proposal, and supporting documentation, including project descriptions and cost estimates, must be provided))~~ to the office of financial management and the legislative fiscal committees:

(a) Individual project proposals developed pursuant to subsection (1) of this section;

(b) Individual project proposals scored in prior biennia pursuant to subsection (1) of this section; and

(c) A prioritized list of up to five project proposals submitted pursuant to (a) and (b) of this subsection.

Sec. 3. RCW 28B.77.070 and 2012 c 229 s 110 are each amended to read as follows:

(1) The council shall identify budget priorities and levels of funding for higher education, including the two and four-year institutions of higher education and state financial aid programs. It is the intent of the legislature for the council to make budget recommendations for allocations for major policy changes in accordance with priorities set forth in the ten-year ~~((plan))~~ roadmap as defined in RCW 28B.77.020, but the legislature does not intend for the council to review and make recommendations on individual institutional budgets. It is the intent of the legislature that recommendations from the council prioritize funding needs for the overall system of higher education in accordance with priorities set forth in the ten-year ~~((plan))~~ roadmap. It is also the intent of the legislature that the council's recommendations take into consideration the total per-student funding at similar public institutions of higher education in the global challenge states.

(2) By December of each odd-numbered year, the council shall outline the council's fiscal priorities under the ten-year ~~((plan))~~ roadmap that it must distribute to the institutions, the state board for community and technical colleges, the office of financial management, and the joint higher education committee.

~~((a))~~ Capital budget outlines for the two-year institutions shall be submitted to the office of financial management by August 15th of each even numbered year, and shall include the prioritized ranking of the capital projects being requested, a description of each capital project, and the amount and fund source being requested.

~~((b))~~ Capital budget outlines for the four-year institutions must be submitted to the office of financial management by August 15th of each even numbered year, and must include: The institutions' priority ranking of the project; the capital budget category within which the project will be submitted to the office of financial management in accordance with RCW 43.88D.010; a description of each capital project; and the amount and fund source being requested.

~~((c))~~ The office of financial management shall reference these reporting requirements in its budget instructions.)

(3) The council shall submit recommendations on the operating budget priorities to support the ten-year ~~((plan))~~ roadmap to the office of financial management by October 1st each year, and to the legislature by January 1st each year.

~~((4))~~ (a) The office of financial management shall develop one prioritized list of capital projects for the legislature to consider that includes all of the projects requested by the four-year institutions of higher education that were scored by the office of financial management pursuant to chapter 43.88D RCW, including projects that were previously scored but not funded. The prioritized list of capital projects shall be based on the following priorities in the following order:

~~((i))~~ Office of financial management scores pursuant to chapter 43.88D RCW;

~~((ii))~~ Preserving assets;

~~((iii))~~ Degree production; and

~~(iv) Maximizing efficient use of instructional space.~~

~~(b) The office of financial management shall include all of the capital projects requested by the four-year institutions of higher education, except for the minor works projects, in the prioritized list of capital projects provided to the legislature.~~

~~(c) The form of the prioritized list for capital projects requested by the four-year institutions of higher education shall be provided as one list, ranked in priority order with the highest priority project ranked number "1" through the lowest priority project numbered last. The ranking for the prioritized list of capital projects may not:~~

~~(i) Include subpriorities;~~

~~(ii) Be organized by category;~~

~~(iii) Assume any state bond or building account biennial funding level to prioritize the list; or~~

~~(iv) Assume any specific share of projects by institution in the priority list.~~

~~(5) Institutions and the state board for community and technical colleges shall submit any supplemental capital budget requests and revisions to the office of financial management by November 1st and to the legislature by January 1st.)"~~

Correct the title.

Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J.

Referred to Committee on Rules for second reading.

March 28, 2017

2SSB 5107 Prime Sponsor, Committee on Ways & Means: Facilitating local funding and involvement in expanding early childhood education and assistance program eligibility. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent, Ranking Minority Member and McCaslin.

Referred to Committee on Appropriations.

March 28, 2017

SB 5121 Prime Sponsor, Senator Takko: Concerning fire protection district tax levies. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Finance.

March 28, 2017

SB 5122 Prime Sponsor, Senator Takko: Concerning fire commissioner compensation. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

March 27, 2017

SSB 5196 Prime Sponsor, Committee on Agriculture, Water, Trade & Economic Development: Including cattle feedlots implementing best management practices within the statutory exemption for odor or fugitive dust caused by agricultural activity. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

March 28, 2017

SSB 5357 Prime Sponsor, Committee on Ways & Means: Establishing a pilot project to license outdoor early learning and child care programs. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin; Muri and Ortiz-Self.

Referred to Committee on Appropriations.

March 27, 2017

SSB 5438 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Promoting the completion of environmental impact statements within two years. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the analysis of environmental impacts required under the state environmental policy act adds value to government decision-making processes in Washington state and helps minimize the potential environmental harm coming from those government decisions. However, the legislature also recognizes that excessive delays in the environmental impact analysis process adds uncertainty and burdensome costs to those seeking to do business in the state of Washington. Therefore, it is the intent of the legislature to promote timely completion of state environmental policy act processes. In doing so, the legislature intends to restore balance between the need to carefully consider environmental impacts and the need to maintain the economic competitiveness of state businesses.

NEW SECTION. Sec. 2. A new section is added to chapter 43.21C RCW to read as follows:

(1) A lead agency shall aspire to prepare a final environmental impact statement required by RCW 43.21C.030(2) in as expeditious a manner as possible while not compromising the integrity of the analysis.

(a) For even the most complex government decisions associated with a broad scope of possible environmental impacts, a lead agency shall aspire to prepare a final environmental impact statement required by RCW 43.21C.030(2) within twenty-four months of a threshold determination of a probable significant, adverse environmental impact.

(b) Wherever possible, a lead agency shall aspire to far outpace the twenty-four month time limit established in this section for more commonplace government decisions associated with narrower and more easily identifiable environmental impacts.

(2) Beginning December 31, 2018, and every two years thereafter, the department of ecology must submit a report consistent with RCW 43.01.036 on the environmental impact statements produced by state agencies and local governments to the appropriate committees of the legislature. The report must include data on the average time, and document the range of time, it took to complete environmental impact statements within the previous two years. The report must also identify any incomplete environmental impact statements that have exceeded the aspirational time limit established in subsection (1)(a) of this section.

(3) Nothing in this section creates any civil liability for a lead agency or creates a new cause of action against a lead agency."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

March 27, 2017

ESSB 5470 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Advancing the development of renewable energy by improving the permitting process for geothermal resources exploration. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 78.60.010 and 1974 ex. s. c 43 s 1 are each amended to read as follows:

The public has a direct interest in the safe, orderly, and nearly pollution-free development of the geothermal resources of the state, as (~~hereinafter in RCW 79.76.030(1)~~) defined in RCW 78.60.030. The legislature hereby

declares that it is in the best interests of the state to further the development of geothermal resources for the benefit of all of the citizens of the state while at the same time fully providing for the protection of the environment. The development of geothermal resources shall be so conducted as to protect the rights of landowners, other owners of interests therein, and the general public. In providing for such development, it is the purpose of this chapter to provide for the orderly exploration, safe drilling, production, and proper abandonment of geothermal resources in the state of Washington.

Sec. 2. RCW 78.60.070 and 2007 c 338 s 1 are each amended to read as follows:

(1) Any person proposing to drill a well or redrill an abandoned well for geothermal resources shall file with the department a written application for a permit to commence such drilling or redrilling on a form prescribed by the department accompanied by a permit fee of two hundred dollars. The department shall forward a duplicate copy to the department of ecology within ten days of filing.

(2) Upon receipt of a proper application relating to drilling or redrilling the department shall set a date, time, and place for a public hearing on the application (~~(7, which hearing shall be in the county in which the drilling or redrilling is proposed to be made, and shall instruct the applicant to publish notices of such application and hearing by such means and within such time as the department shall prescribe. The department shall require that the notice so prescribed shall be published twice in a newspaper of general circulation within the county in which the drilling or redrilling is proposed to be made and in such other appropriate information media as the department may direct)).~~ The public hearing on the drilling application shall be in the county in which the drilling or redrilling is proposed to be made.

(3) Any person proposing to drill a core hole for the purpose of gathering geothermal data, including but not restricted to heat flow, temperature gradients, and rock conductivity, shall be required to obtain a single permit ~~((for each))~~ covering all core holes according to subsection (1) of this section, including a single permit fee ~~((for each core hole, but no notice need~~

~~be published, and no hearing need be held. Such core holes that penetrate more than seven hundred and fifty feet into bedrock shall be deemed geothermal test wells and subject to the payment of a permit fee and to the requirement in subsection (2) of this section for public notices and hearing. In the event geothermal energy is discovered in a core hole, the hole shall be deemed a geothermal well and subject to the permit fee, notices, and hearing)).~~ Such core holes as described by this subsection are not required to be the subject of a public hearing but are subject to all other provisions of this chapter, including a bond or other security as specified in RCW 78.60.130.

(4) All moneys paid to the department under this section shall be deposited with the state treasurer for credit to the general fund.

Sec. 3. RCW 78.60.120 and 1974 ex.s. c 43 s 12 are each amended to read as follows:

(1) Before any operation to plug and abandon or suspend the operation of any well is commenced, the owner or operator shall submit in writing a notification of abandonment or suspension of operations to the department for approval. No operation to abandon or suspend the operation of a well shall commence without approval by the department. The department shall respond to such notification in writing within ten working days following receipt of the notification.

(2) Failure to abandon or suspend operations in accordance with the method approved by the department shall constitute a violation of this chapter, and the department shall take appropriate action under the provisions of RCW ~~((79.76.270))~~ 78.60.270."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

March 23, 2017

SB 5621

Prime Sponsor, Senator Brown:
Concerning projects of statewide significance for economic development and transportation. Reported by

Committee on Technology & Economic
Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Harmsworth; Manweller; McDonald; Nealey; Steele and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Kloba, Vice Chair; Hudgins and Santos.

MINORITY recommendation: Without recommendation. Signed by Representatives Fey and Slatter.

Referred to Committee on Rules for second reading.

March 27, 2017
SB 5635 Prime Sponsor, Senator Padden:
Concerning retail theft with special
circumstances. Reported by Committee on
Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting
clause and insert the following:

"Sec. 1. RCW 9A.56.360 and 2013 c 153
s 1 are each amended to read as follows:

(1) A person commits retail theft with
special circumstances if he or she
commits theft of property from a
mercantile establishment with one of the
following special circumstances:

(a) To facilitate the theft, the
person leaves the mercantile
establishment through a designated
emergency exit;

(b) The person was, at the time of the
theft, in possession of an item, article,
implement, or device used, under
circumstances evincing an intent to use
or employ, or designed to overcome
security systems including, but not
limited to, lined bags or tag removers;
or

(c) The person committed theft at
three or more separate and distinct
mercantile establishments within a one
hundred eighty-day period.

(2) A person is guilty of retail theft
with special circumstances in the first
degree if the theft involved constitutes
theft in the first degree. Retail theft
with special circumstances in the first
degree is a class B felony.

(3) A person is guilty of retail theft
with special circumstances in the second

degree if the theft involved constitutes
theft in the second degree. Retail theft
with special circumstances in the second
degree is a class C felony.

(4) A person is guilty of retail theft
with special circumstances in the third
degree if the theft involved constitutes
theft in the third degree. Retail theft
with special circumstances in the third
degree is a class C felony.

(5) For the purposes of this section,
"special circumstances" means the
particular aggravating circumstances
described in subsection (1)(a) through
(c) of this section.

(6)(a) A series of thefts committed by
the same person from one or more
mercantile establishments over a period
of one hundred eighty days may be
aggregated in one count and the sum of
the value of all the property shall be
the value considered in determining the
degree of the retail theft with special
circumstances involved. Thefts committed
by the same person in different counties
that have been aggregated in one county
may be prosecuted in any county in which
any one of the thefts occurred. In no
case may an aggregated series of thefts,
or a single theft that has been
aggregated in one county, be prosecuted
in more than one county.

(b) The mercantile establishment or
establishments whose property is alleged
to have been stolen may request that the
charge be aggregated with other thefts of
property about which the mercantile
establishment or establishments is
aware. In the event a request to
aggregate the prosecution is declined,
the mercantile establishment or
establishments shall be promptly advised
by the prosecuting jurisdiction making
the decision to decline aggregating the
prosecution of the decision and the
reasons for the decision."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti,
Vice Chair; Klippert, Ranking Minority Member;
Hayes, Assistant Ranking Minority Member; Appleton;
Chapman; Griffey; Holy; Orwall; Pettigrew and Van
Werven.

Referred to Committee on Appropriations.

March 21, 2017
SSB 5644 Prime Sponsor, Committee on Ways &
Means: Concerning skill center facility

maintenance. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A host district of a cooperative skill center must maintain a separate minor repair and maintenance capital account for facilities constructed or renovated with state funding. Participating school districts must make annual deposits into the account to pay for future minor repair and maintenance costs of those facilities. The host district has authority to collect those deposits by charging participating districts an annual per-pupil facility fee."

Correct the title.

Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

March 28, 2017

ESB 5652 Prime Sponsor, Senator Angel: Concerning actions by the boundary review board. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 36.93.150 and 2012 c 212 s 1 are each amended to read as follows:

The board, upon review of any proposed action, shall take such of the following actions as it deems necessary to best carry out the intent of this chapter:

(1) Approve the proposal as submitted.

(2) Subject to RCW 35.02.170, modify the proposal by adjusting boundaries to add or delete territory. Subject to the requirements of this chapter, a board may modify a proposal by adding territory that would increase the total area of the proposal before the board. A board, however, may not modify a proposal for annexation of territory to a city or town by adding an amount of territory that constitutes more than one hundred percent

of the total area of the proposal before the board. Any modifications shall not interfere with the authority of a city, town, or special purpose district to require or not require preannexation agreements, covenants, or petitions. A board shall not modify the proposed incorporation of a city with an estimated population of seven thousand five hundred or more by removing territory from the proposal, or adding territory to the proposal, that constitutes ten percent or more of the total area included within the proposal before the board. However, a board shall remove territory in the proposed incorporation that is located outside of an urban growth area or is annexed by a city or town, and may remove territory in the proposed incorporation if a petition or resolution proposing the annexation is filed or adopted that has priority over the proposed incorporation, before the area is established that is subject to this ten percent restriction on removing or adding territory. A board shall not modify the proposed incorporation of a city with a population of seven thousand five hundred or more to reduce the territory in such a manner as to reduce the population below seven thousand five hundred.

(3) Determine a division of assets and liabilities between two or more governmental units where relevant.

(4) Determine whether, or the extent to which, functions of a special purpose district are to be assumed by an incorporated city or town, metropolitan municipal corporation, or another existing special purpose district.

(5) Allow all affected jurisdictions to enter into any agreements necessary to address conflicts with the board's factors and objectives prior to ruling on the annexation proposal.

(6) Disapprove the proposal except that the board shall not have jurisdiction: (a) To disapprove the dissolution or disincorporation of a special purpose district which is not providing services but shall have jurisdiction over the determination of a division of the assets and liabilities of a dissolved or disincorporated special purpose district; (b) over the division of assets and liabilities of a special purpose district that is dissolved or disincorporated pursuant to chapter 36.96 RCW; nor (c) to disapprove the incorporation of a city with an estimated population of seven thousand five hundred

or more, but the board may recommend against the proposed incorporation of a city with such an estimated population.

Unless the board disapproves a proposal, it shall be presented under the appropriate statute for approval of a public body and, if required, a vote of the people. A proposal that has been modified shall be presented under the appropriate statute for approval of a public body and if required, a vote of the people. If a proposal, other than that for a city, town, or special purpose district annexation, after modification does not contain enough signatures of persons within the modified area, as are required by law, then the initiating party, parties or governmental unit has thirty days after the modification decision to secure enough signatures to satisfy the legal requirement. If the signatures cannot be secured then the proposal may be submitted to a vote of the people, as required by law.

The addition or deletion of property by the board shall not invalidate a petition which had previously satisfied the sufficiency of signature provisions of RCW 35.13.130 or 35A.14.120. When the board, after due proceedings held, disapproves a proposed action, such proposed action shall be unavailable, the proposing agency shall be without power to initiate the same or substantially the same as determined by the board, and any succeeding acts intended to or tending to effectuate that action shall be void, but such action may be reinitiated after a period of twelve months from date of disapproval and shall again be subject to the same consideration.

The board shall not modify or deny a proposed action unless there is evidence on the record to support a conclusion that the action is inconsistent with one or more of the objectives under RCW 36.93.180. The board may not increase the area of a city or town annexation unless it holds a separate public hearing on the proposed increase and provides ten or more days' notice of the hearing to the registered voters and property owners residing within the area subject to the proposed increase. Every such determination to modify or deny a proposed action shall be made in writing pursuant to a motion, and shall be supported by appropriate written findings and conclusions, based on the record.

Sec. 2. RCW 36.93.170 and 1997 c 429 s 39 are each amended to read as follows:

In reaching a decision on a proposal or an alternative, the board shall consider the factors affecting such proposal, which shall include, but not be limited to the following:

(1) Population and territory; population density; land area and land uses; comprehensive plans and zoning, as adopted under chapter 35.63, 35A.63, or 36.70 RCW; comprehensive plans and development regulations adopted under chapter 36.70A RCW; applicable service agreements entered into under chapter 36.115 or 39.34 RCW; applicable interlocal annexation agreements between a county and its cities; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and productive agricultural uses; the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities;

(2) Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area; the effect on the ((finances)) revenues, expenses, debt structure, and contractual obligations and rights of all affected governmental units; ((and))

(3) The effect of the proposal or alternative on adjacent areas, on mutual economic, fiscal, and social interests, and on the local governmental structure of the county; and

(4) The logical and reasonable nature of the annexation boundaries to ensure that they do not create unincorporated islands or peninsulas.

The provisions of chapter 43.21C RCW, State Environmental Policy, shall not apply to incorporation proceedings covered by chapter 35.02 RCW."

Correct the title.

Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Griffey, Ranking Minority Member.

Referred to Committee on Rules for second reading.

March 27, 2017

SB 5762 Prime Sponsor, Senator Hunt: Concerning financing of the mercury-containing light stewardship program. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.275.050 and 2014 c 119 s 5 are each amended to read as follows:

(1) Each stewardship organization must recommend to the department an environmental handling charge to be added to the price of each mercury-containing light sold in or into the state of Washington for sale at retail. The environmental handling charge must be designed to provide revenue necessary and sufficient to cover all administrative and operational costs associated with the stewardship program described in the department-approved product stewardship plan for that organization, including the department's annual fee required by subsection (5) of this section, and a prudent reserve. The stewardship organization must consult with collectors, retailers, recyclers, and each of its participating producers in developing its recommended environmental handling charge. The environmental handling charge may, but is not required to, vary by the type of mercury-containing light. In developing its recommended environmental handling charge, the stewardship organization must take into consideration and report to the department:

(a) The anticipated number of mercury-containing lights that will be sold to covered entities in the state at retail during the relevant period;

(b) The number of unwanted mercury-containing lights delivered from covered entities expected to be recycled during the relevant period;

(c) The operational costs of the stewardship organization as described in RCW 70.275.030(2);

(d) The administrative costs of the stewardship organization including the department's annual fee, described in subsection (5) of this section; and

(e) The cost of other stewardship program elements including public outreach.

(2) The department must review, adjust if necessary, and approve the stewardship organization's recommended environmental handling charge within sixty days of submittal. In making its determination, the department shall review the product stewardship plan and may consult with the producers, the stewardship organization, retailers, collectors, recyclers, and other entities.

(3) No sooner than January 1, 2015:

(a) The mercury-containing light environmental handling charge must be added to the purchase price of all mercury-containing lights sold to Washington retailers for sale at retail, and each Washington retailer shall add the charge to the purchase price of all mercury-containing lights sold at retail in this state, and the producer shall remit the environmental handling charge to the stewardship organization in the manner provided for in the stewardship plan; or

(b) Each Washington retailer must add the mercury-containing light environmental handling charge to the purchase price of all mercury-containing lights sold at retail in this state, where the retailer, by voluntary binding agreement with the producer, arranges to remit the environmental handling charge to the stewardship organization on behalf of the producer in the manner provided for in the stewardship plan. Producers may not require retailers to opt for this provision via contract, marketing practice, or any other means. The stewardship organization must allow retailers to retain a portion of the environmental handling charge as reimbursement for any costs associated with the collection and remittance of the charge.

(4) At any time, a stewardship organization may submit to the department a recommendation for an adjusted environmental handling charge for the department's review, adjustment, if necessary, and approval under subsection (2) of this section to ensure that there is sufficient revenue to fund the cost of the program, current deficits, or projected needed reserves for the next year. The department must review the stewardship organization's recommended environmental handling charge and must adjust or approve the recommended charge within thirty days of submittal if the department determines that the charge is reasonably designed to meet the criteria described in subsection (1) of this section.

(5) Beginning March 1, 2015, and each year thereafter, each stewardship organization shall pay to the department an annual fee equivalent to ((five)) three thousand dollars for each participating producer to cover the department's administrative and enforcement costs. The amount paid under this section must be deposited into the product stewardship programs account created in RCW 70.275.130.

Sec. 2. RCW 70.275.040 and 2014 c 119 s 4 are each amended to read as follows:

(1) On June 1st of the year prior to implementation, each producer must ensure that a stewardship organization submits a proposed product stewardship plan on the producer's behalf to the department for approval. Plans approved by the department must be implemented by January 1st of the following calendar year.

(2) The department shall establish rules for plan content. Plans must include but are not limited to:

(a) All necessary information to inform the department about the plan operator and participating producers and their brands;

(b) The management and organization of the product stewardship program that will oversee the collection, transportation, and processing services;

(c) The identity of collection, transportation, and processing service providers, including a description of the consideration given to existing residential curbside collection infrastructure and mail-back systems as an appropriate collection mechanism;

(d) How the product stewardship program will seek to use businesses within the state, including transportation services, retailers, collection sites and services, existing curbside collection services, existing mail-back services, and processing facilities;

(e) A description of how the public will be informed about the product stewardship program, including how consumers will be provided with information describing collection opportunities for unwanted mercury-containing lights from covered entities and safe handling of mercury-containing lights, waste prevention, and recycling. The description must also include information to make consumers aware that an environmental handling charge has been added to the purchase price of mercury-containing lights sold at retail to fund the mercury-containing light stewardship programs in the state. The environmental handling charge may not be described as a department recycling fee or charge at the point of retail sale;

(f) A description of the financing system required under RCW 70.275.050;

(g) How mercury and other hazardous substances will be handled for collection through final disposition;

(h) A public review and comment process; and

(i) Any other information deemed necessary by the department to ensure an effective mercury light product stewardship program that is in compliance with all applicable laws and rules.

(3) All plans submitted to the department must be made available for public review on the department's web site and at the department's headquarters.

(4) At least two years from the start of the product stewardship program and once every four years thereafter, each stewardship organization operating a product stewardship program must update its product stewardship plan and submit the updated plan to the department for review and approval according to rules adopted by the department.

(5) By June 1, 2016, and each June 1st thereafter, each stewardship organization must submit an annual report to the department describing the results of implementing the stewardship

organization's plan for the prior calendar year, including an independent financial audit once every two years. The department may adopt rules for reporting requirements. Financial information included in the annual report must include but is not limited to:

(a) The amount of the environmental handling charge assessed on mercury-containing lights and the revenue generated;

(b) Identification of confidential information pursuant to RCW 43.21A.160 submitted in the annual report; and

(c) The cost of the mercury-containing lights product stewardship program, including line item costs for:

(i) Program operations;

(ii) Communications, including media, printing and fulfillment, public relations, and other education and outreach projects;

(iii) Administration, including administrative personnel costs, travel, compliance and auditing, legal services, banking services, insurance, and other administrative services and supplies, and stewardship organization corporate expenses; and

(iv) Amount of unallocated reserve funds.

(6) Beginning in 2023 every stewardship organization must include in its annual report an analysis of the percent of total sales of lights sold at retail to covered entities in Washington that mercury-containing lights constitute, the estimated number of mercury-containing lights in use by covered entities in the state, and the projected number of unwanted mercury-containing lights to be recycled in future years.

(7) All plans and reports submitted to the department must be made available for public review, excluding sections determined to be confidential pursuant to RCW 43.21A.160, on the department's web site and at the department's headquarters.

Sec. 3. RCW 70.275.130 and 2010 c 130 s 13 are each amended to read as follows:

The product stewardship programs account is created in the custody of the state treasurer. All funds received from producers under this chapter and penalties collected under this chapter

must be deposited in the account. Expenditures from the account may be used only for administering this chapter. The department may not retain fees in excess of the estimated amount necessary to cover the agency's administrative costs over the coming year related to the mercury light stewardship program under this chapter. Beginning with the state fiscal year 2018, by October 1st after the closing of each state fiscal year, the department shall refund any fees collected in excess of its estimated administrative costs to any approved stewardship organization under this chapter. Only the director of the department or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 4. RCW 43.131.422 and 2014 c 119 s 8 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective July 1, 2026:

(1) RCW 70.275.010 (Findings—Purpose) and 2010 c 130 s 1;

(2) RCW 70.275.020 (Definitions) and 2014 c 119 s 2 & 2010 c 130 s 2;

(3) RCW 70.275.030 (Product stewardship program) and 2014 c 119 s 3 & 2010 c 130 s 3;

(4) RCW 70.275.040 (Submission of proposed product stewardship plans—Department to establish rules—Public review—Plan update—Annual report) and 2017 c . . . s 2 (section 2 of this act), 2014 c 119 s 4, & 2010 c 130 s 4;

(5) RCW 70.275.050 (Financing the mercury-containing light recycling program) and 2017 c . . . s 1 (section 1 of this act), 2014 c 119 s 5, & 2010 c 130 s 5;

(6) RCW 70.275.060 (Collection and management of mercury) and 2010 c 130 s 6;

(7) RCW 70.275.070 (Collectors of unwanted mercury-containing lights—Duties) and 2010 c 130 s 7;

(8) RCW 70.275.090 (Producers must participate in an approved product stewardship program) and 2010 c 130 s 9;

(9) RCW 70.275.100 (Written warning—Penalty—Appeal) and 2010 c 130 s 10;

(10) RCW 70.275.110 (Department's web site to list producers participating in product stewardship plan—Required participation in a product stewardship plan—Written warning—Penalty—Rules—Exemptions) and 2010 c 130 s 11;

(11) RCW 70.275.130 (Product stewardship programs account) and 2017 c . . . s 3 (section 3 of this act) & 2010 c 130 s 13;

(12) RCW 70.275.140 (Adoption of rules—Report to the legislature—Invitation to entities to comment on issues—Estimate of statewide recycling rate for mercury-containing lights—Mercury vapor barrier packaging) and 2010 c 130 s 14;

(13) RCW 70.275.150 (Application of chapter to the Washington utilities and transportation commission) and 2010 c 130 s 15;

(14) RCW 70.275.160 (Application of chapter to entities regulated under chapter 70.105 RCW) and 2010 c 130 s 16;

(15) RCW 70.275.900 (Chapter liberally construed) and 2010 c 130 s 17;

(16) RCW 70.275.901 (Severability—2010 c 130) and 2010 c 130 s 21; and

(17) RCW 70.275.170 and 2014 c 119 s 6."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Appropriations.

March 27, 2017

ESSB 5810 Prime Sponsor, Committee on Law & Justice: Adding attempted murder to the list of offenses that may not be prosecuted more than ten years their commission. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

**REPORTS OF STANDING COMMITTEES
1st SUPPLEMENTAL**

SB 5200

March 28, 2017

Prime Sponsor, Senator Becker: Allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

March 28, 2017

SB 5325

Prime Sponsor, Senator Zeiger: Clarifying the authority of a nurse working in a school setting. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

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

(a) A registered nurse or an advanced registered nurse practitioner working in a school setting is authorized and responsible for the nursing care of students to the extent that the care is within the practice of nursing. A school administrator may supervise a registered nurse or an advanced registered nurse practitioner in aspects of employment other than the practice of nursing;

(b) Nursing is governed by specific laws and regulations and requires a unique license to practice. Clinical supervision of a nurse is based on knowledge of the laws, regulations, and rules governing nursing practice, nursing practice standards, and nursing performance standards;

(c) Student health needs have changed dramatically over the last twenty years. The number of students with special health care needs has risen exponentially;

(d) School nurses are held accountable through chapter 18.79 RCW and the uniform disciplinary act, chapter 18.130 RCW, for errors in nursing judgment and actions;

(e) Individuals who are not nurses are unqualified to make nursing judgments and assessments;

(f) The independent nature of nursing has been recognized in both statute and rule. For example, under RCW 18.79.040, "registered nursing practice" includes the "administration, supervision, delegation, and evaluation of nursing practice." Furthermore, continuing competency rules recently adopted by the nursing care quality assurance commission recognize and acknowledge the independent nature of nursing; and

(g) The ability of a nurse to practice nursing without the supervision of a nonnurse supervisor is particularly important given the primacy of the nurse-patient relationship.

(2) It is therefore the intent of the legislature to reaffirm the authority of a licensed nurse working in a school setting to practice nursing without the supervision of a person who is not a licensed nurse.

(3) It is not the intent of the legislature to:

(a) Prohibit a nonnurse from supervising a licensed nurse working in a school setting with respect to matters other than the practice of nursing, such as matters of administration, terms and conditions of employment, and employee performance; or

(b) Require a school to provide clinical supervision for a licensed nurse working in a school setting.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.210 RCW to read as follows:

(1)(a) A registered nurse or an advanced registered nurse practitioner licensed under chapter 18.79 RCW working in a school setting is authorized and responsible for the nursing care of students to the extent that the care is within the practice of nursing as defined in this section.

(b) A school administrator may supervise a registered nurse or an advanced registered nurse practitioner licensed under chapter 18.79 RCW in aspects of employment other than the practice of nursing as defined in this section.

(c) Only a registered nurse or an advanced registered nurse practitioner licensed under chapter 18.79 RCW may supervise, direct, or evaluate a licensed nurse working in a school setting with

respect to the practice of nursing as defined in this section.

(2) Nothing in this section:

(a) Prohibits a nonnurse supervisor from supervising, directing, or evaluating a licensed nurse working in a school setting with respect to matters other than the practice of nursing;

(b) Requires a registered nurse or an advanced registered nurse practitioner to be clinically supervised in a school setting; or

(c) Prohibits a nonnurse supervisor from conferring with a licensed nurse working in a school setting with respect to the practice of nursing.

(3) Within existing funds, the superintendent of public instruction shall notify each school district in this state of the requirements of this section.

(4) For purposes of this section, "practice of nursing" means:

(a) Registered nursing practice as defined in RCW 18.79.040, advanced registered nursing practice as defined in RCW 18.79.050, and licensed practical nursing practice as defined in RCW 18.79.060, including, but not limited to:

(i) The administration of medication pursuant to a medication or treatment order; and

(ii) The decision to summon emergency medical assistance; and

(b) Compliance with any state or federal statute or administrative rule specifically regulating licensed nurses, including any statute or rule defining or establishing standards of patient care or professional conduct or practice."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

March 27, 2017
 SB 5336 Prime Sponsor, Senator Miloscia:
 Criminalizing damaging, destroying,
 tampering, or removing ballot return boxes

or contents. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.48.070 and 2009 c 431 s 4 are each amended to read as follows:

(1) A person is guilty of malicious mischief in the first degree if he or she knowingly and maliciously:

(a) Causes physical damage to the property of another in an amount exceeding five thousand dollars;

(b) Causes an interruption or impairment of service rendered to the public by physically damaging or tampering with an emergency vehicle or property of the state, a political subdivision thereof, or a public utility or mode of public transportation, power, or communication; ((or))

(c) Causes an impairment of the safety, efficiency, or operation of an aircraft by physically damaging or tampering with the aircraft or aircraft equipment, fuel, lubricant, or parts; or

(d) Causes an interruption or impairment of service rendered to the public by, without lawful authority, physically damaging, destroying, or removing an official ballot deposit box or ballot drop box or, without lawful authority, damaging, destroying, removing, or tampering with the contents thereof.

(2) Malicious mischief in the first degree is a class B felony.

Sec. 2. RCW 9A.48.080 and 2009 c 431 s 5 are each amended to read as follows:

(1) A person is guilty of malicious mischief in the second degree if he or she knowingly and maliciously:

(a) Causes physical damage to the property of another in an amount exceeding seven hundred fifty dollars; ((or))

(b) Creates a substantial risk of interruption or impairment of service rendered to the public, by physically damaging or tampering with an emergency vehicle or property of the state, a political subdivision thereof, or a public utility or mode of public transportation, power, or communication; or

(c) Creates a substantial risk of interruption or impairment of service rendered to the public by, without lawful authority, physically damaging, destroying, or removing an official ballot deposit box or ballot drop box or, without lawful authority, damaging, destroying, removing, or tampering with the contents thereof.

(2) Malicious mischief in the second degree is a class C felony.

Sec. 3. RCW 29A.84.540 and 2011 c 10 s 72 are each amended to read as follows:

Any person who, without lawful authority, removes a ballot from a voting center or ballot drop location is guilty of a ((gross misdemeanor)) class C felony punishable to the same extent as a ((gross misdemeanor)) class C felony that is punishable under RCW 9A.20.021."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

March 28, 2017

SSB 5340 Prime Sponsor, Committee on Ways & Means: Concerning class B elevator work permits. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio; Frame and Pike.

Referred to Committee on Appropriations.

March 28, 2017

SB 5399 Prime Sponsor, Senator O'Ban: Concerning the use of background checks for persons who work with children, persons with developmental disabilities, and vulnerable adults. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 35.21.920 and 2010 c 47 s 2 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by city or town officials, cities or towns ((may, by ordinance, require a)) shall establish by ordinance the requirements for a:

(a) State and federal background investigation of license applicants or licensees in occupations specified by ordinance ((for the purpose of receiving criminal history record information by city or town officials));

(b) Federal background investigation of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults;

(c) State criminal background investigation of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Criminal background investigation conducted through a private organization of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this section shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. ((These))

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of

fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the city or town.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the city or town shall transmit appropriate fees for a state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the city or town, unless the city's or town's budget limits its ability to reasonably absorb such costs. Any fingerprinting costs may be borne by the applicant, although an agency may agree to absorb those costs or reimburse the applicant for those costs upon hire.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 2. RCW 35A.21.370 and 2010 c 47 s 3 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by code city officials, code cities ((may, by ordinance, require a)) shall establish by ordinance the requirements for a:

(a) State and federal background investigation of license applicants or licensees in occupations specified by ordinance ((for the purpose of receiving criminal history record information by code city officials));

(b) Federal background investigation of code city employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults;

(c) State criminal background investigation of code city employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Criminal background investigation conducted through a private organization of code city employees, applicants for

employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this section shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. ((These))

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the code city.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the code city shall transmit appropriate fees for a state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the code city, unless the code city's budget limits its ability to reasonably absorb such costs. Any fingerprinting costs may be borne by the applicant, although an agency may agree to absorb those costs or reimburse the applicant for those costs upon hire.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 3. RCW 36.01.300 and 2010 c 47 s 1 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by county officials, counties ((may, by ordinance, require a)) shall establish by ordinance the requirements for a:

(a) State and federal background investigation of license applicants or

licensees in occupations specified by ordinance ((for the purpose of receiving criminal history record information by county officials));

(b) Federal background investigation of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults;

(c) State background investigation of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Criminal background investigation conducted through a private organization of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this section shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. ((These))

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the county.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the county shall transmit appropriate fees for a

state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the county, unless the county's budget limits its ability to reasonably absorb such costs. Any fingerprinting costs may be borne by the applicant, although an agency may agree to absorb those costs or reimburse the applicant for those costs upon hire.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 4. RCW 35.61.130 and 2006 c 222 s 1 are each amended to read as follows:

(1) A metropolitan park district has the right of eminent domain, and may purchase, acquire and condemn lands lying within or without the boundaries of said park district, for public parks, parkways, boulevards, aviation landings and playgrounds, and may condemn such lands to widen, alter and extend streets, avenues, boulevards, parkways, aviation landings and playgrounds, to enlarge and extend existing parks, and to acquire lands for the establishment of new parks, boulevards, parkways, aviation landings and playgrounds. The right of eminent domain shall be exercised and instituted pursuant to resolution of the board of park commissioners and conducted in the same manner and under the same procedure as is or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the state of Washington in the acquisition of property rights: PROVIDED, HOWEVER, Funds to pay for condemnation allowed by this section shall be raised only as specified in this chapter.

(2) The board of park commissioners shall have power to employ counsel, and to regulate, manage and control the parks, parkways, boulevards, streets, avenues, aviation landings and playgrounds under its control, and to provide for park police, for a secretary of the board of park commissioners and for all necessary employees, to fix their salaries and duties.

(3) The board of park commissioners shall have power to improve, acquire, extend and maintain, open and lay out, parks, parkways, boulevards, avenues, aviation landings and playgrounds, within or without the park district, and to authorize, conduct and manage the

letting of boats, or other amusement apparatus, the operation of bath houses, the purchase and sale of foodstuffs or other merchandise, the giving of vocal or instrumental concerts or other entertainments, the establishment and maintenance of aviation landings and playgrounds, and generally the management and conduct of such forms of recreation or business as it shall judge desirable or beneficial for the public, or for the production of revenue for expenditure for park purposes; and may pay out moneys for the maintenance and improvement of any such parks, parkways, boulevards, avenues, aviation landings and playgrounds as now exist, or may hereafter be acquired, within or without the limits of said city and for the purchase of lands within or without the limits of said city, whenever it deems the purchase to be for the benefit of the public and for the interest of the park district, and for the maintenance and improvement thereof and for all expenses incidental to its duties: PROVIDED, That all parks, boulevards, parkways, aviation landings and playgrounds shall be subject to the police regulations of the city within whose limits they lie.

(4) ((For all employees, volunteers, or independent contractors, who may, in the course of their work or volunteer activity with the park district, have unsupervised access to children or vulnerable adults, or be responsible for collecting or disbursing cash or processing credit/debit card transactions,))

(a) For the purpose of receiving criminal history record information by metropolitan park districts, metropolitan park districts shall establish by resolution the requirements for a:

(i) State and federal record check of park district employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the park district, may:

(A) Have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; or

(B) Be responsible for collecting or disbursing cash or processing credit/debit card transactions; and

(ii) Criminal background check conducted through a private organization of park district employees, applicants

for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the park district, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(b) The investigation under (a)(i) of this subsection shall consist of a background check as allowed through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834, the Washington state criminal records act under RCW 10.97.030(,) and 10.97.050, and ((through)) the federal bureau of investigation((, including a fingerprint check using a complete Washington state criminal identification fingerprint card)).

(c) The background checks conducted under (a)(i) of this subsection must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the metropolitan park district.

(d) The park district shall provide a copy of the record report to the employee, volunteer, or independent contractor.

(e) When necessary, as determined by the park district, prospective employees, volunteers, vendors, or independent contractors may be employed on a conditional basis pending completion of the investigation.

(f) If the prospective employee, volunteer, vendor, or independent contractor has had a record check within the previous twelve months, the park district may waive the requirement upon receiving a copy of the record. ((The park district may in its discretion require that the prospective employee, volunteer, or independent contractor pay the costs associated with the record check.))

(g) For background checks conducted pursuant to (c) of this subsection, the metropolitan park district must transmit appropriate fees, as the Washington state patrol may require under RCW 10.97.100

and 43.43.838, to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the park district, unless the park district's budget limits its ability to reasonably absorb such costs. Any fingerprinting costs may be borne by the applicant, although an agency may agree to absorb those costs or reimburse the applicant for those costs upon hire.

(h) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law."

Correct the title.

Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

March 28, 2017

ESSB 5449 Prime Sponsor, Committee on Early Learning & K-12 Education: Concerning digital citizenship, media literacy, and internet safety in schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Springer; Steele and Stokesbary.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier; Hargrove and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Rules for second reading.

March 28, 2017

SB 5490 Prime Sponsor, Senator O'Ban: Concerning notification requirements for the department of social and health services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 13.38.070 and 2011 c 309 s 7 are each amended to read as follows:

(1) In any involuntary child custody proceeding seeking the foster care placement of, or the termination of parental rights to, a child in which the petitioning party or the court knows, or has reason to know, that the child is or may be an Indian child as defined in this chapter, the petitioning party shall notify the parent or Indian custodian and the Indian child's tribe or tribes, by certified mail, return receipt requested, and by use of a mandatory Indian child welfare act notice addressed to the tribal agent designated by the Indian child's tribe or tribes for receipt of Indian child welfare act notice, as published by the bureau of Indian affairs in the federal register. If the identity or location of the parent or Indian custodian and the tribe cannot be determined, such notice shall be given to the secretary of the interior by registered mail, return receipt requested, in accordance with the regulations of the bureau of Indian affairs. The secretary of the interior has fifteen days after receipt to provide the requisite notice to the parent or Indian custodian and the tribe. No foster care placement or termination of parental rights proceeding shall be held until at least ten days after receipt of notice by the parent or Indian custodian and the tribe. The parent or Indian custodian or the tribe shall, upon request, be granted up to twenty additional days to prepare for the proceeding.

(2) The determination of the Indian status of a child shall be made as soon as practicable in order to serve the best interests of the Indian child and protect the interests of the child's tribe.

(3)(a) A written determination by an Indian tribe that a child is a member of or eligible for membership in that tribe, or testimony by the tribe attesting to such status shall be conclusive that the child is an Indian child;

(b) A written determination by an Indian tribe that a child is not a member of or eligible for membership in that tribe, or testimony by the tribe attesting to such status shall be conclusive that the child is not a member or eligible for membership in that tribe. Such determinations are presumptively those of the tribe where submitted in the form of a tribal resolution, or signed by or testified to by the person(s)

authorized by the tribe's governing body to speak for the tribe, or by the tribe's agent designated to receive notice under the federal Indian child welfare act where such designation is published in the federal register;

(c) Where a tribe provides no response to notice under ((RCW 13.38.070)) this section, such nonresponse shall not constitute evidence that the child is not a member or eligible for membership. Provided, however, that under such circumstances the party asserting application of the federal Indian child welfare act, or this chapter, will have the burden of proving by a preponderance of the evidence that the child is an Indian child.

(4)(a) Where a child has been determined not to be an Indian child, any party to the proceeding, or an Indian tribe that subsequently determines the child is a member, may, during the pendency of any child custody proceeding to which this chapter or the federal Indian child welfare act applies, move the court for redetermination of the child's Indian status based upon new evidence, redetermination by the child's tribe, or newly conferred federal recognition of the tribe.

(b) This subsection (4) does not affect the rights afforded under 25 U.S.C. Sec. 1914.

Sec. 2. RCW 26.44.100 and 2005 c 512 s 1 are each amended to read as follows:

(1) The legislature finds parents and children often are not aware of their due process rights when agencies are investigating allegations of child abuse and neglect. The legislature reaffirms that all citizens, including parents, shall be afforded due process, that protection of children remains the priority of the legislature, and that this protection includes protecting the family unit from unnecessary disruption. To facilitate this goal, the legislature wishes to ensure that parents and children be advised in writing and orally, if feasible, of their basic rights and other specific information as set forth in this chapter, provided that nothing contained in this chapter shall cause any delay in protective custody action.

(2) The department shall notify the parent, guardian, or legal custodian of a child of any allegations of child abuse or neglect made against such person at

the initial point of contact with such person, in a manner consistent with the laws maintaining the confidentiality of the persons making the complaints or allegations. Investigations of child abuse and neglect should be conducted in a manner that will not jeopardize the safety or protection of the child or the integrity of the investigation process.

Whenever the department completes an investigation of a child abuse or neglect report under this chapter ((26.44 RCW)), the department shall notify the subject of the report of the department's investigative findings. The notice shall also advise the subject of the report that:

(a) A written response to the report may be provided to the department and that such response will be filed in the record following receipt by the department;

(b) Information in the department's record may be considered in subsequent investigations or proceedings related to child protection or child custody;

(c) Founded reports of child abuse and neglect may be considered in determining whether the person is disqualified from being licensed to provide child care, employed by a licensed child care agency, or authorized by the department to care for children; and

(d) A subject named in a founded report of child abuse or neglect has the right to seek review of the finding as provided in this chapter.

(3) The founded finding notification required by this section shall be made by certified mail, return receipt requested, to the person's last known address.

(4) The unfounded finding notification required by this section must be made by regular mail to the person's last known address or by email.

(5) The duty of notification created by this section is subject to the ability of the department to ascertain the location of the person to be notified. The department shall exercise reasonable, good-faith efforts to ascertain the location of persons entitled to notification under this section.

((5)) (6) The department shall provide training to all department personnel who conduct investigations

under this section that shall include, but is not limited to, training regarding the legal duties of the department from the initial time of contact during investigation through treatment in order to protect children and families.

Sec. 3. RCW 43.20B.430 and 1989 c 175 s 99 are each amended to read as follows:

In all cases where a determination is made that the estate of a resident of a residential habilitation center is able to pay all or any portion of the charges, ((a)) an initial notice and finding of responsibility shall be served on the guardian of the resident's estate, or if no guardian has been appointed then to the resident, the resident's spouse, or other person acting in a representative capacity and having property in his or her possession belonging to a resident. The initial notice shall set forth the amount the department has determined that such estate is able to pay, not to exceed the charge as fixed in accordance with RCW 43.20B.420, and the responsibility for payment to the department shall commence twenty-eight days after ((personal)) service of such notice and finding of responsibility. Service of the initial notice shall be in the manner prescribed for the service of a summons in a civil action or may be served by certified mail, return receipt requested. The return receipt signed by addressee only is prima facie evidence of service. An application for an adjudicative proceeding from the determination of responsibility may be made to the secretary by the guardian of the resident's estate, or if no guardian has been appointed then by the resident, the resident's spouse, or other person acting in a representative capacity and having property in his or her possession belonging to a resident of a state school, within such twenty-eight day period. The application must be written and served on the secretary by registered or certified mail, or by personal service. If no application is filed, the notice and finding of responsibility shall become final. If an application is filed, the execution of notice and finding of responsibility shall be stayed pending the final adjudicative order. The hearing shall be conducted in a local department office or other location in Washington convenient to the appellant. The proceeding is governed by the Administrative Procedure Act, chapter 34.05 RCW.

Sec. 4. RCW 43.20B.435 and 1979 c 141 s 240 are each amended to read as follows:

The secretary, upon application of the guardian of the estate of the resident, and after investigation, or upon investigation without application, may, if satisfied of the financial ability or inability of such person to make payments in accordance with the ((original)) initial finding of responsibility as provided for in RCW 43.20B.430, modify or vacate such ((original)) initial finding of responsibility, and enter a new finding of responsibility. The secretary's determination to modify or vacate findings of responsibility shall be served ((and)) by regular mail. A new finding of responsibility shall be appealable in the same manner and in accordance with the same procedure for appeals of ((original)) initial findings of responsibility.

Sec. 5. RCW 43.20B.635 and 1990 c 100 s 1 are each amended to read as follows:

(1) After service of a notice of debt for an overpayment as provided for in RCW 43.20B.630, stating the debt accrued, the secretary may issue to any person, firm, corporation, association, political subdivision, or department of the state, an order to withhold and deliver property of any kind including, but not restricted to, earnings which are due, owing, or belonging to the debtor, when the secretary has reason to believe that there is in the possession of such person, firm, corporation, association, political subdivision, or department of the state property which is due, owing, or belonging to the debtor.

(2)(a) The order to withhold and deliver shall state the amount of the debt, and shall state in summary the terms of this section, RCW 6.27.150 and 6.27.160, chapters 6.13 and 6.15 RCW, 15 U.S.C. 1673, and other state or federal exemption laws applicable generally to debtors.

(b) The order to withhold and deliver shall be served ((in the manner prescribed for the service of a summons in a civil action or by certified mail, return receipt requested)) by regular mail or, with a party's agreement, electronically.

(3)(a) Any person, firm, corporation, association, political subdivision, or department of the state upon whom service has been made shall answer the order to

withhold and deliver within twenty days, exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of therein.

(b) The secretary may require further and additional answers to be completed by the person, firm, corporation, association, political subdivision, or department of the state.

(c) If any such person, firm, corporation, association, political subdivision, or department of the state possesses any property which may be subject to the claim of the department of social and health services, such property shall be withheld immediately upon receipt of the order to withhold and deliver and shall, after the twenty-day period, upon demand, be delivered forthwith to the secretary.

(d) The secretary shall hold the property in trust for application on the indebtedness involved or for return, without interest, in accordance with final determination of liability or nonliability. In the alternative, there may be furnished to the secretary a good and sufficient bond, satisfactory to the secretary, conditioned upon final determination of liability.

(e) Where money is due and owing under any contract of employment, express or implied, or is held by any person, firm, corporation, association, political subdivision, or department of the state subject to withdrawal by the debtor, such money shall be delivered by remittance payable to the order of the secretary. Delivery to the secretary, subject to the exemptions under RCW 6.27.150 and 6.27.160, chapters 6.13 and 6.15 RCW, 15 U.S.C. 1673, and other state or federal law applicable generally to debtors, of the money or other property held or claimed satisfies the requirement of the order to withhold and deliver. Delivery to the secretary serves as full acquittance, and the state warrants and represents that it shall defend and hold harmless for such actions persons delivering money or property to the secretary pursuant to this chapter. The state also warrants and represents that it shall defend and hold harmless for such actions persons withholding money or property pursuant to this chapter.

(4)(a) The secretary shall also, on or before the date of service of the order to withhold and deliver, mail or cause to

be mailed ((by certified mail)) a copy of the order to withhold and deliver to the debtor at the debtor's last known post office address(,) or, ((in the alternative, a copy of the order to withhold and deliver shall be served on the debtor in the same manner as a summons in a civil action on or before the date of service of the order or within two days thereafter)) with a party's agreement serve the order upon the debtor electronically on or before the date of service of the order to withhold and deliver.

(b) The copy of the order shall be mailed or served together with a concise explanation of the right to petition for a hearing on any issue related to the collection. This requirement is not jurisdictional, but, if the copy is not mailed or served as provided in this section, or if any irregularity appears with respect to the mailing or service electronically, the superior court, on its discretion on motion of the debtor promptly made and supported by affidavit showing that the debtor has suffered substantial injury due to the failure to mail the copy or serve the copy electronically, may set aside the order to withhold and deliver and award to the debtor an amount equal to the damages resulting from the secretary's failure to serve on or mail to the debtor the copy.

Sec. 6. RCW 74.20A.320 and 2009 c 408 s 1 are each amended to read as follows:

(1) The department may serve upon a responsible parent a notice informing the responsible parent of the department's intent to submit the parent's name to the department of licensing and any appropriate licensing entity as a licensee who is not in compliance with a child support order. ((The department shall attach a copy of the responsible parent's child support order to the notice.))

(a) If the support order establishing or modifying the child support obligation includes a statement required under RCW 26.23.050 that the responsible parent's privileges to obtain and maintain a license may not be renewed or may be suspended if the parent is not in compliance with a support order, the department may send the notice required by this section to the responsible parent by regular mail, addressed to the responsible parent's last known mailing address on file with the department or by personal service. Notice by regular mail

is deemed served three days from the date the notice was deposited with the United States postal service.

(b) If the support order does not include a statement as required under RCW 26.23.050 that the responsible parent's privileges to obtain and maintain a license may not be renewed or may be suspended if the parent is not in compliance with a support order, service of the notice required by this section to the responsible parent must be by certified mail, return receipt requested. The department must attach a copy of the responsible parent's child support order to the notice. If service by certified mail is not successful, service shall be by personal service.

(2) The notice of noncompliance must include the following information:

(a) The address and telephone number of the department's division of child support office that issued the notice;

(b) That in order to prevent the department from certifying the parent's name to the department of licensing or any other licensing entity, the parent has twenty days from receipt of the notice to contact the department and:

(i) Pay the overdue support amount in full;

(ii) Request an adjudicative proceeding as provided in RCW 74.20A.322;

(iii) Agree to a payment schedule with the department as provided in RCW 74.20A.326; or

(iv) File an action to modify the child support order with the appropriate court or administrative forum, in which case the department will stay the certification process up to six months;

(c) That failure to contact the department within twenty days of receipt of the notice will result in certification of the responsible parent's name to the department of licensing and any other appropriate licensing entity for noncompliance with a child support order. Upon receipt of the notice:

(i) The licensing entity will suspend or not renew the parent's license and the department of licensing will suspend or not renew any driver's license that the parent holds until the parent provides the department of licensing and the licensing entity with a release from the

department stating that the responsible parent is in compliance with the child support order;

(ii) The department of fish and wildlife will suspend a fishing license, hunting license, occupational licenses, such as a commercial fishing license, or any other license issued under chapter 77.32 RCW that the responsible parent may possess, and suspension of a license by the department of fish and wildlife may also affect the parent's ability to obtain permits, such as special hunting permits, issued by the department. Notice from the department of licensing that a responsible parent's driver's license has been suspended shall serve as notice of the suspension of a license issued under chapter 77.32 RCW;

(d) That suspension of a license will affect insurability if the responsible parent's insurance policy excludes coverage for acts occurring after the suspension of a license;

(e) If the responsible parent subsequently comes into compliance with the child support order, the department will promptly provide the parent and the appropriate licensing entities with a release stating that the parent is in compliance with the order.

(3) When a responsible parent who is served notice under subsection (1) of this section subsequently complies with the child support order, a copy of a release stating that the responsible parent is in compliance with the order shall be transmitted by the department to the appropriate licensing entities.

(4) The department of licensing and a licensing entity may renew, reinstate, or otherwise extend a license in accordance with the licensing entity's or the department of licensing's rules after the licensing entity or the department of licensing receives a copy of the release specified in subsection (3) of this section. The department of licensing and a licensing entity may waive any applicable requirement for reissuance, renewal, or other extension if it determines that the imposition of that requirement places an undue burden on the person and that waiver of the requirement is consistent with the public interest."

Correct the title.

Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; Frame;

Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Rules for second reading.

March 27, 2017

3SSB 5558 Prime Sponsor, Committee on Ways & Means: Issuing a two-year identicard for offenders released from prison facilities. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

March 27, 2017

SB 5632 Prime Sponsor, Senator O'Ban: Modifying organized retail theft provisions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.56.350 and 2009 c 431 s 15 are each amended to read as follows:

(1) A person is guilty of organized retail theft if he or she:

(a) Commits theft of property with a value of at least seven hundred fifty dollars from a mercantile establishment with an accomplice;

(b) Possesses stolen property, as defined in RCW 9A.56.140, with a value of at least seven hundred fifty dollars from a mercantile establishment with an accomplice; ((or))

(c) Commits theft of property with a cumulative value of at least seven hundred fifty dollars from one or more mercantile establishments within a period of up to one hundred eighty days; or

(d) Commits theft of property with a cumulative value of at least seven hundred fifty dollars from a mercantile establishment with no less than six accomplices and makes or sends at least one electronic communication seeking participation in the theft in the course of planning or commission of the theft.

For the purposes of this subsection, "electronic communication" has the same meaning as defined in RCW 9.61.260(5).

(2) A person is guilty of organized retail theft in the first degree if the property stolen or possessed has a value of five thousand dollars or more. Organized retail theft in the first degree is a class B felony.

(3) A person is guilty of organized retail theft in the second degree if the property stolen or possessed has a value of at least seven hundred fifty dollars, but less than five thousand dollars. Organized retail theft in the second degree is a class C felony.

(4) For purposes of this section, a series of thefts committed by the same person from one or more mercantile establishments over a period of one hundred eighty days may be aggregated in one count and the sum of the value of all the property shall be the value considered in determining the degree of the organized retail theft involved. Theft committed by the same person in different counties that have been aggregated in one county may be prosecuted in any county in which any one of the thefts occurred. For purposes of subsection (1)(d) of this section, thefts committed by the principal and accomplices may be aggregated into one count and the value of all the property shall be the value considered in determining the degree of organized retail theft involved.

(5) The mercantile establishment or establishments whose property is alleged to have been stolen may request that the charge be aggregated with other thefts of property about which the mercantile establishment or establishments is aware. In the event a request to aggregate the prosecution is declined, the mercantile establishment or establishments shall be promptly advised by the prosecuting jurisdiction making the decision to decline aggregating the prosecution of the decision and the reasons for such decision."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

SB 5662 March 28, 2017
Prime Sponsor, Senator Zeiger:
Authorizing the superintendent of public instruction to designate a member of the professional educator standards board.
Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele; Stokesbary and Volz.

Referred to Committee on Rules for second reading.

SB 5674 March 28, 2017
Prime Sponsor, Senator Palumbo:
Addressing the final approval of subdivisions of land. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Griffey, Ranking Minority Member.

Referred to Committee on Rules for second reading.

SSB 5835 March 28, 2017
Prime Sponsor, Committee on Ways & Means: Promoting healthy outcomes for pregnant women and infants. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio; Frame and Pike.

Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES 2ND SUPPLEMENTAL

HB 1067 March 28, 2017
Prime Sponsor, Representative Ormsby:
Making 2017-2019 fiscal biennium operating appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Haler; Harris; Manweller; Nealey; Schmick; Taylor; Vick and Volz.

Referred to Committee on Rules for second reading.

March 28, 2017
SB 5037 Prime Sponsor, Senator Padden: Making a fourth driving offense a felony. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Appleton.

Referred to Committee on Appropriations.

March 28, 2017
SSB 5046 Prime Sponsor, Committee on Local Government: Providing public notices of public health, safety, and welfare in a language other than English. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that, as a matter of human dignity, all persons are to be informed of emergency notifications in a manner in which they can understand. It is the intent of the legislature that all persons who may be in harm's way in an emergency are informed of their peril, and informed of appropriate actions they should take to protect themselves and their families.

NEW SECTION. Sec. 2. A new section is added to chapter 38.52 RCW to read as follows:

(1) When an emergency is proclaimed by the governor, state agencies required by

law or rule to provide life safety information shall provide life safety information in a language or manner that can be understood to significant population segments as defined in RCW 38.52.070, unless technologically infeasible.

(2) When an emergency is proclaimed by a political subdivision, the proclaiming political subdivision shall provide life safety information in a language or manner that can be understood to significant population segments as defined in RCW 38.52.070, unless technologically infeasible.

Sec. 3. RCW 38.52.010 and 2015 c 61 s 1 are each reenacted and amended to read as follows:

As used in this chapter:

(1) "Communication plan," as used in RCW 38.52.070, means a section in a local comprehensive emergency management plan that addresses emergency notification of life safety information.

(2) "Continuity of operations planning" means the internal effort of an organization to assure that the capability exists to continue essential functions and services in response to a comprehensive array of potential emergencies or disasters.

((2)) (3) "Department" means the state military department.

((3)) (4) "Director" means the adjutant general.

((4)) (5) "Emergency management" or "comprehensive emergency management" means the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, technological, or human caused, and to provide support for search and rescue operations for persons and property in distress. However, "emergency management" or "comprehensive emergency management" does not mean preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack.

((5)) (6) (a) "Emergency or disaster" as used in all sections of this chapter except RCW 38.52.430 shall mean an event

or set of circumstances which: (i) Demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences, or (ii) reaches such a dimension or degree of destructiveness as to warrant the governor declaring a state of emergency pursuant to RCW 43.06.010.

(b) "Emergency" as used in RCW 38.52.430 means an incident that requires a normal police, coroner, fire, rescue, emergency medical services, or utility response as a result of a violation of one of the statutes enumerated in RCW 38.52.430.

((6)) (7) "Emergency response" as used in RCW 38.52.430 means a public agency's use of emergency services during an emergency or disaster as defined in subsection ((5)) (6)(b) of this section.

((7)) (8) "Emergency worker" means any person who is registered with a local emergency management organization or the department and holds an identification card issued by the local emergency management director or the department for the purpose of engaging in authorized emergency management activities or is an employee of the state of Washington or any political subdivision thereof who is called upon to perform emergency management activities.

((8)) (9) "Executive head" and "executive heads" means the county executive in those charter counties with an elective office of county executive, however designated, and, in the case of other counties, the county legislative authority. In the case of cities and towns, it means the mayor in those cities and towns with mayor-council or commission forms of government, where the mayor is directly elected, and it means the city manager in those cities and towns with council manager forms of government. Cities and towns may also designate an executive head for the purposes of this chapter by ordinance.

((9)) (10) "Expense of an emergency response" as used in RCW 38.52.430 means reasonable costs incurred by a public agency in reasonably making an appropriate emergency response to the incident, but shall only include those costs directly arising from the response to the particular incident. Reasonable costs shall include the costs of providing police, coroner, firefighting,

rescue, emergency medical services, or utility response at the scene of the incident, as well as the salaries of the personnel responding to the incident.

((10)) (11) "Incident command system" means: (a) An all-hazards, on-scene functional management system that establishes common standards in organization, terminology, and procedures; provides a means (unified command) for the establishment of a common set of incident objectives and strategies during multiagency/multijurisdiction operations while maintaining individual agency/jurisdiction authority, responsibility, and accountability; and is a component of the national interagency incident management system; or (b) an equivalent and compatible all-hazards, on-scene functional management system.

((11)) (12) "Injury" as used in this chapter shall mean and include accidental injuries and/or occupational diseases arising out of emergency management activities.

((12)) (13) "Life safety information" means information or instructions provided to people to reduce their risk of harm and to keep them safe in response to life-threatening events. Such information may include, but is not limited to, information regarding evacuation, sheltering, sheltering-in-place, facility lockdown, and where to obtain food and water.

(14) "Local director" means the director of a local organization of emergency management or emergency services.

((13)) (15) "Local organization for emergency services or management" means an organization created in accordance with the provisions of this chapter by state or local authority to perform local emergency management functions.

((14)) (16) "Political subdivision" means any county, city or town.

((15)) (17) "Public agency" means the state, and a city, county, municipal corporation, district, town, or public authority located, in whole or in part, within this state which provides or may provide firefighting, police, ambulance, medical, or other emergency services.

((16)) (18) "Radio communications service company" has the meaning ascribed to it in RCW 82.14B.020.

((17)) (19) "Search and rescue" means the acts of searching for, rescuing, or recovering by means of ground, marine, or air activity any person who becomes lost, injured, or is killed while outdoors or as a result of a natural, technological, or human caused disaster, including instances involving searches for downed aircraft when ground personnel are used. Nothing in this section shall affect appropriate activity by the department of transportation under chapter 47.68 RCW.

Sec. 4. RCW 38.52.070 and 1997 c 49 s 4 are each amended to read as follows:

(1) Each political subdivision of this state is hereby authorized and directed to establish a local organization or to be a member of a joint local organization for emergency management in accordance with the state comprehensive emergency management plan and program: PROVIDED, That a political subdivision proposing such establishment shall submit its plan and program for emergency management to the state director and secure his or her recommendations thereon, and verification of consistency with the state comprehensive emergency management plan, in order that the plan of the local organization for emergency management may be coordinated with the plan and program of the state. Local comprehensive emergency management plans must specify the use of the incident command system for multiagency/multijurisdiction operations. No political subdivision may be required to include in its plan provisions for the emergency evacuation or relocation of residents in anticipation of nuclear attack. If the director's recommendations are adverse to the plan as submitted, and, if the local organization does not agree to the director's recommendations for modification to the proposal, the matter shall be referred to the council for final action. The director may authorize two or more political subdivisions to join in the establishment and operation of a joint local organization for emergency management as circumstances may warrant, in which case each political subdivision shall contribute to the cost of emergency management upon such fair and equitable basis as may be determined upon by the executive heads of the constituent subdivisions. If in any case

the executive heads cannot agree upon the proper division of cost the matter shall be referred to the council for arbitration and its decision shall be final. When two or more political subdivisions join in the establishment and operation of a joint local organization for emergency management each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision, which fund shall be known as the emergency management fund. Each local organization or joint local organization for emergency management shall have a director who shall be appointed by the executive head of the political subdivision, and who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency management, subject to the direction and control of such executive officer or officers. In the case of a joint local organization for emergency management, the director shall be appointed by the joint action of the executive heads of the constituent political subdivisions. Each local organization or joint local organization for emergency management shall perform emergency management functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this chapter.

(2) In carrying out the provisions of this chapter each political subdivision, in which any disaster as described in RCW 38.52.020 occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the

rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds.

(3)(a) Each local organization or joint local organization for emergency management that produces a local comprehensive emergency management plan must include a communication plan for notifying significant population segments of life safety information during an emergency. Local organizations and joint local organizations are encouraged to consult with affected community organizations in the development of the communication plans.

(i) In developing communication plans, local organizations and joint organizations should consider, as part of their determination of the extent of the obligation to provide emergency notification to significant population segments, the following factors: The number or proportion of the limited English proficiency persons eligible to be served or likely to be encountered; the frequency with which limited English proficiency individuals come in contact with the emergency notification; the nature and importance of the emergency notification, service, or program to people's lives; and the resources available to the political subdivision to provide emergency notifications.

(ii) "Significant population segment" means, for the purposes of this subsection (3), each limited English proficiency language group that constitutes five percent or one thousand residents, whichever is less, of the population of persons eligible to be served or likely to be affected within a city, town, or county. The office of financial management forecasting division's limited English proficiency population estimates are the demographic data set for determining eligible limited English proficiency language groups.

(b) Local organizations and joint local organizations must submit the plans produced under (a) of this subsection to the Washington military department emergency management division. An initial communication plan must be submitted with the local organization or joint local organization's next local emergency management plan update following the effective date of this section, and subsequent plans must be reviewed in accordance with the director's schedule. For any instance in

which a local organization or joint local organization has deployed its communication plan since its last reporting, the information as described in (c)(ii) of this subsection must also be provided.

(c) Beginning on December 1, 2019, the Washington military department emergency management division must submit a report every five years to the relevant committees of the legislature with the following information with respect to each local organization or joint local organization:

(i) Compliance with the communication plan requirement in (a) of this subsection; and

(ii) Information describing any instance in which a communication plan was deployed, including the nature of the emergency and the efficacy of the communications.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Appleton; Chapman; Orwall and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Holy.

Referred to Committee on Appropriations.

March 28, 2017
SB 5070 Prime Sponsor, Senator Rivers:
 Concerning paraeducators. Reported by
 Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. INTENT. Paraeducators provide the majority of instruction in programs designed by the legislature to reduce the opportunity gap. By setting common statewide standards, requiring training in the standards, and offering career

development for paraeducators, as well as training for teachers and principals who work with paraeducators, students in these programs have a better chance of succeeding.

NEW SECTION. Sec. 2. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advanced paraeducator certificate" means a credential earned by a paraeducator who may have the following duties: Assisting in highly impacted classrooms, assisting in specialized instructional support and instructional technology applications, mentoring and coaching other paraeducators, and acting as a short-term emergency substitute teacher.

(2) "Board" means the paraeducator board established in section 3 of this act.

(3) "English language learner programs" means the English language learners program, the transitional bilingual instruction program, and the federal limited English proficiency program.

(4) "English language learner certificate" means a credential earned by a paraeducator working with students in English language learner programs.

(5) "Paraeducator" means a classified public school or school district employee who works under the supervision of a certificated or licensed staff member to support and assist in providing instructional and other services to students and their families. Paraeducators are not considered certificated instructional staff as that term and its meaning are used in this title.

(6) "Special education certificate" means a credential earned by a paraeducator working with students in special education programs.

NEW SECTION. Sec. 3. PARAEDUCATOR BOARD CREATED. (1)(a) The paraeducator board is created, consisting of nine members to be appointed to four-year terms.

(b) Vacancies on the board must be filled by appointment or reappointment as described in subsection (2) of this section to terms of four years.

(c) No person may serve as a member of the board for more than two consecutive full four-year terms.

(d) The governor must biennially appoint the chair of the board. No board member may serve as chair for more than four consecutive years.

(2) Appointments to the board must be made as follows, subject to confirmation by the senate:

(a) The superintendent of public instruction shall appoint a basic education paraeducator, a special education paraeducator, an English language learner paraeducator, a teacher, a principal, and a representative of the office of the superintendent of public instruction;

(b) The Washington state parent teacher association shall appoint a parent whose child receives instructional support from a paraeducator;

(c) The state board for community and technical colleges shall appoint a representative of the community and technical college system; and

(d) The student achievement council shall appoint a representative of a four-year institution of higher education as defined in RCW 28B.10.016.

(3) The professional educator standards board shall administer the board.

(4) Each member of the board must be compensated in accordance with RCW 43.03.240 and must be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(5) Members of the board may create informal advisory groups as needed to inform the board's work.

(6) The governor may remove a member of the board for neglect of duty, misconduct, malfeasance or misfeasance in office, or for incompetency or unprofessional conduct as defined in chapter 18.130 RCW. In such a case, the governor shall file with the secretary of state a statement of the causes for and the order of removal from the board, and the secretary of state shall send a certified copy of the statement of causes and order of removal to the last known post office address of the member.

NEW SECTION. Sec. 4. POWERS AND DUTIES OF PARAEDUCATOR BOARD. (1) The paraeducator board has the following powers and duties:

(a) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, adopt: (i) Minimum employment requirements for paraeducators, as described in section 5 of this act; and (ii) paraeducator standards of practice, as described in section 6 of this act;

(b) Establish requirements and policies for a general paraeducator certificate, as described in section 8 of this act;

(c) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, establish requirements and policies for subject matter certificates in English language learner and special education, as described in section 9 of this act;

(d) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, establish requirements and policies for an advanced paraeducator certificate, as described in section 10 of this act;

(e) By September 1, 2018, approve, and develop if necessary, courses required to meet the provisions of this chapter, where the courses are offered in a variety of means that will limit cost and improve access;

(f) Make policy recommendations, as necessary, for a paraeducator career ladder that will increase opportunities for paraeducator advancement through advanced education, professional learning, and increased instructional responsibility;

(g) Collaborate with the office of the superintendent of public instruction to adapt the electronic educator certification process to include paraeducator certificates; and

(h) Adopt rules under chapter 34.05 RCW that are necessary for the effective and efficient implementation of this chapter.

(2) The superintendent of public instruction shall act as the administrator of any such rules and have the power to issue any paraeducator certificates and revoke the same in accordance with board rules.

NEW SECTION. Sec. 5. PARAEDUCATOR MINIMUM EMPLOYMENT REQUIREMENTS. Effective September 1, 2017, the minimum employment requirements for paraeducators are as provided in this section. The paraeducator must:

(1) Be at least eighteen years of age and hold a high school diploma or its equivalent; and

(2)(a) Have received a passing grade on the education testing service paraeducator assessment; or

(b) Hold an associate of arts degree; or

(c) Have earned seventy-two quarter credits or forty-eight semester credits at an institution of higher education; or

(d) Have completed a registered apprenticeship program.

NEW SECTION. Sec. 6. PARAEDUCATOR STANDARDS OF PRACTICE. The board shall adopt state standards of practice for paraeducators that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014. These standards must include:

(1) Supporting instructional opportunities;

(2) Demonstrating professionalism and ethical practices;

(3) Supporting a positive and safe learning environment;

(4) Communicating effectively and participating in the team process; and

(5) Demonstrating cultural competency aligned with standards developed by the professional educator standards board under RCW 28A.410.270.

NEW SECTION. Sec. 7. FUNDAMENTAL COURSE OF STUDY. (1) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2019, school districts must provide a four-day fundamental course of study on the state standards of practice, as defined by the board, to paraeducators who have not completed the course, either in the district or in another district within the state. School districts must use best efforts to provide the fundamental course of study before the paraeducator begins to work with students and their families, and at a minimum by the deadlines provided in subsection (2) of this section.

(2) School districts must provide the fundamental course of study required in subsection (1) of this section as follows:

(a) For paraeducators hired on or before September 1st, by September 30th of that year, regardless of the size of the district; and

(b) For paraeducators hired after September 1st:

(i) For districts with ten thousand or more students, within four months of the date of hire; and

(ii) For districts with fewer than ten thousand students, no later than September 1st of the following year.

(3) School districts may collaborate with other school districts or educational service districts to meet the requirements of this section.

NEW SECTION. Sec. 8. GENERAL PARAEDUCATOR CERTIFICATE. (1) (a) Paraeducators may become eligible for a general paraeducator certificate by completing the four-day fundamental course of study, as required under section 7 of this act, and an additional ten days of general courses, as defined by the board, on the state paraeducator standards of practice, described in section 6 of this act.

(b) Paraeducators are not required to meet the general paraeducator certificate requirements under this subsection (1) unless amounts are appropriated for the specific purposes of subsection (2) of this section and section 7 of this act.

(2) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2019, school districts must:

(a) Provide paraeducators with general courses on the state paraeducator standards of practice; and

(b) Ensure all paraeducators employed by the district meet the general certification requirements of this section within three years of completing the four-day fundamental course of study.

(3) The general paraeducator certificate does not expire.

NEW SECTION. Sec. 9. PARAEDUCATOR SUBJECT MATTER CERTIFICATES. (1) The board shall adopt requirements and policies for paraeducator subject matter

certificates in special education and in English language learner that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014.

(2) The rules adopted by the board must include the following requirements:

(a) A subject matter certificate is not a prerequisite for a paraeducator working in any program;

(b) Paraeducators may become eligible for a subject matter certificate by completing twenty hours of professional development in the subject area of the certificate; and

(c) Subject matter certificates expire after five years.

NEW SECTION. Sec. 10. ADVANCED PARAEDUCATOR CERTIFICATE. (1) The board shall adopt requirements and policies for an advanced paraeducator certificate that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014.

(2) The rules adopted by the board must include the following requirements:

(a) An advanced paraeducator certificate is not a prerequisite for a paraeducator working in any program;

(b) Paraeducators may become eligible for an advanced paraeducator certificate by completing seventy-five hours of professional development in topics related to the duties of an advanced paraeducator; and

(c) Advanced paraeducator certificates expire after five years.

NEW SECTION. Sec. 11. PILOTS. (1) By September 1, 2018, and subject to the availability of amounts appropriated for this specific purpose, the board shall distribute grants to a diverse set of school districts that volunteer to pilot the state paraeducator standards of practice, the paraeducator certificates, and the courses described in this chapter.

(2) By September 1, 2019, the volunteer districts must report to the board with the outcomes of the pilot and any recommendations for implementing the paraeducator standards of practice, paraeducator certificates, and courses statewide. The outcomes reported must include:

(a) An analysis of the costs to the district to implement the state standards of practice by making available the required four-day fundamental course of study;

(b) The number of paraeducators who completed the course of study in the state standards of practice;

(c) The number of paraeducators who earned an advanced paraeducator certificate, or a special education or English language learner certificate;

(d) Any cost to the district and the paraeducator to earn a certificate; and

(e) The impact on the size and assignment of the paraeducator workforce as a result of the pilot.

(3) By November 1, 2019, and in compliance with RCW 43.01.036, the board shall submit a report to the appropriate committees of the legislature that summarizes the outcomes of the pilots and recommends any statutory changes necessary to improve the statewide standards of practice, paraeducator certificate requirements, and courses of study necessary to meet these standards and requirements, among other things.

(4) This section expires July 1, 2020.

NEW SECTION. Sec. 12. STUDY ON EFFECTIVENESS OF PARAEDUCATORS. (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington state institute for public policy shall conduct a study on the effectiveness of paraeducators in improving student outcomes in Washington state. The study must examine variation in the use of paraeducators across public schools and school districts and analyze whether and the extent that any differences in students' academic progress can be attributed to the use of paraeducators. The office of the superintendent of public instruction and the education data center shall provide the data necessary to conduct the analysis. The study must also include a review of the national research literature on the effectiveness of paraeducators in improving student outcomes.

(2) By December 15, 2017, and in compliance with RCW 43.01.036, the institute must submit a final report to the appropriate committees of the legislature.

(3) This section expires July 1, 2020.

NEW SECTION. Sec. 13. A new section is added to chapter 28A.300 RCW to read as follows:

TEACHER AND ADMINISTRATOR PROFESSIONAL LEARNING.

(1) The superintendent of public instruction, in consultation with the paraeducator board created in section 3 of this act and the professional educator standards board, shall design a training program for teachers and administrators as it relates to their role working with paraeducators. Teacher training must include how to direct a paraeducator working with students in the paraeducators' classroom. Administrator training must include how to supervise and evaluate paraeducators.

(2) Subject to the availability of amounts appropriated for this specific purpose, the training program designed under subsection (1) of this section must be made available to public schools, school districts, and educational service districts.

NEW SECTION. Sec. 14. A new section is added to chapter 28A.410 RCW to read as follows:

TEACHER AND ADMINISTRATOR PREPARATION.

The professional educator standards board, in consultation with the paraeducator board created in section 3 of this act and the office of the superintendent of public instruction, shall incorporate into the content required to complete a professional educator standards board-approved teacher or administrator preparation program the following:

(1) For teachers, information on how to direct a paraeducator working with students in the paraeducators' classroom; and

(2) For administrators, information on how to supervise and evaluate paraeducators.

Sec. 15. RCW 28A.150.203 and 2009 c 548 s 102 are each amended to read as follows:

CLASSIFIED EMPLOYEE MEANS PARAEDUCATOR.

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

(1) "Basic education goal" means the student learning goals and the student

knowledge and skills described under RCW 28A.150.210.

(2) "Certificated administrative staff" means all those persons who are chief executive officers, chief administrative officers, confidential employees, supervisors, principals, or assistant principals within the meaning of RCW 41.59.020(4).

(3) "Certificated employee" as used in this chapter and RCW 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250, 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those persons who hold certificates as authorized by rule of the Washington professional educator standards board.

(4) "Certificated instructional staff" means those persons employed by a school district who are nonsupervisory certificated employees within the meaning of RCW 41.59.020(8), except for paraeducators.

(5) "Class size" means an instructional grouping of students where, on average, the ratio of students to teacher is the number specified.

(6) "Classified employee" means a person who is employed as a paraeducator and a person who does not hold a professional education certificate or is employed in a position that does not require such a certificate.

(7) "Classroom teacher" means a person who holds a professional education certificate and is employed in a position for which such certificate is required whose primary duty is the daily educational instruction of students. In exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision, but the hiring of such classified employees shall not occur during a labor dispute, and such classified employees shall not be hired to replace certificated employees during a labor dispute.

(8) "Instructional program of basic education" means the minimum program required to be provided by school districts and includes instructional hour requirements and other components under RCW 28A.150.220.

(9) "Program of basic education" means the overall program under RCW 28A.150.200 and deemed by the legislature to comply

with the requirements of Article IX, section 1 of the state Constitution.

(10) "School day" means each day of the school year on which pupils enrolled in the common schools of a school district are engaged in academic and career and technical instruction planned by and under the direction of the school.

(11) "School year" includes the minimum number of school days required under RCW 28A.150.220 and begins on the first day of September and ends with the last day of August, except that any school district may elect to commence the annual school term in the month of August of any calendar year and in such case the operation of a school district for such period in August shall be credited by the superintendent of public instruction to the succeeding school year for the purpose of the allocation and distribution of state funds for the support of such school district.

(12) "Teacher planning period" means a period of a school day as determined by the administration and board of ((the)) directors of the district that may be used by teachers for instruction-related activities including but not limited to preparing instructional materials; reviewing student performance; recording student data; consulting with other teachers, instructional assistants, mentors, instructional coaches, administrators, and parents; or participating in professional development.

Sec. 16. RCW 28A.410.062 and 2011 1st sp.s. c 23 s 1 are each amended to read as follows:

PARAEDUCATOR CERTIFICATE FEES.

(1) The legislature finds that the current economic environment requires that the state, when appropriate, charge for some of the services provided directly to the users of those services. The office of the superintendent of public instruction is currently supported with state funds to process certification fees. In addition, the legislature finds that the processing of certifications should be moved to an online system that allows educators to manage their certifications and provides better information to policymakers. The legislature intends to assess a certification processing fee to eliminate state-funded support of the cost to issue educator certificates.

(2) In addition to the certification fee established under RCW 28A.410.060 for certificated instructional staff as defined in RCW 28A.150.203, the superintendent of public instruction shall charge an application processing fee for initial educator certificates and subsequent actions, and paraeducator certificates and subsequent actions. The superintendent of public instruction shall establish the amount of the fee by rule under chapter 34.05 RCW. The superintendent shall set the fee at a sufficient level to defray the costs of administering the educator certification program under RCW 28A.300.040(9) and the paraeducator certificate program under the chapter created in section 21 of this act. Revenue generated through the processing fee shall be deposited in the educator certification processing account.

(3) The educator certification processing account is established in the custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received from the fees collected in subsection (2) of this section. Moneys in the account may be spent only for the processing of educator certificates and subsequent actions and paraeducator certificates and subsequent actions. Disbursements from the account shall be on authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

Sec. 17. RCW 28A.630.400 and 2011 1st sp.s. c 11 s 132 are each amended to read as follows:

PARAEDUCATOR ASSOCIATE OF ARTS.

(1) The professional educator standards board and the state board for community and technical colleges, in consultation with the superintendent of public instruction, the state apprenticeship training council, and community colleges, shall adopt rules as necessary under chapter 34.05 RCW to implement the paraeducator associate of arts degree.

(2) As used in this section, a "paraeducator" is an individual who has completed an associate of arts degree for a paraeducator. The paraeducator may be hired by a school district to assist

certificated instructional staff in the direct instruction of children in small and large groups, individualized instruction, testing of children, recordkeeping, and preparation of materials. The paraeducator shall work under the direction of instructional certificated staff.

(3)(a) The training program for a paraeducator associate of arts degree shall include, but is not limited to, the general requirements for receipt of an associate of arts degree and training in the areas of introduction to childhood education, orientation to children with disabilities, fundamentals of childhood education, creative activities for children, instructional materials for children, fine art experiences for children, the psychology of learning, introduction to education, child health and safety, child development and guidance, first aid, and a practicum in a school setting.

(b) Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2018, the training program for a paraeducator associate of arts degree must incorporate the state paraeducator standards of practice adopted by the paraeducator board under section 6 of this act.

(4) Consideration shall be given to transferability of credit earned in this program to teacher preparation programs at colleges and universities.

Sec. 18. RCW 28A.660.040 and 2010 c 235 s 504 are each amended to read as follows:

TEACHER ALTERNATIVE ROUTE PROGRAMS FOR PARAEDUCATORS.

Alternative route programs under this chapter shall operate one to four specific route programs. Successful completion of the program shall make a candidate eligible for residency teacher certification. The mentor of the teacher candidate at the school and the supervisor of the teacher candidate from the teacher preparation program must both agree that the teacher candidate has successfully completed the program.

(1) Alternative route programs operating route one programs shall enroll currently employed classified instructional employees with transferable associate degrees seeking residency teacher certification with ((endorsements in special education,

bilingual education, or English as a second language)) an endorsement in subject matter shortage areas, as defined by the professional educator standards board. It is anticipated that candidates enrolled in this route will complete both their baccalaureate degree and requirements for residency certification in two years or less, including a mentored internship to be completed in the final year. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) District or building validation of qualifications, including one year of successful student interaction and leadership as a classified instructional employee;

(b) Successful passage of the statewide basic skills exam; and

(c) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers.

(2) Alternative route programs operating route two programs shall enroll currently employed classified staff with baccalaureate degrees seeking residency teacher certification in subject matter shortage areas and areas with shortages due to geographic location. Candidates enrolled in this route must complete a mentored internship complemented by flexibly scheduled training and coursework offered at a local site, such as a school or educational service district, or online or via videoconference over the K-20 network, in collaboration with the partnership program's higher education partner. In addition, partnership grant programs shall uphold entry requirements for candidates that include:

(a) District or building validation of qualifications, including one year of successful student interaction and leadership as classified staff;

(b) A baccalaureate degree from a regionally accredited institution of higher education. The individual's college or university grade point average may be considered as a selection factor;

(c) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(d) Meeting the age, good moral character, and personal fitness

requirements adopted by rule for teachers; and

(e) Successful passage of the statewide basic skills exam.

(3) Alternative route programs seeking funds to operate route three programs shall enroll individuals with baccalaureate degrees, who are not employed in the district at the time of application. When selecting candidates for certification through route three, districts and approved preparation program providers shall give priority to individuals who are seeking residency teacher certification in subject matter shortage areas or shortages due to geographic locations. Cohorts of candidates for this route shall attend an intensive summer teaching academy, followed by a full year employed by a district in a mentored internship, followed, if necessary, by a second summer teaching academy. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) A baccalaureate degree from a regionally accredited institution of higher education. The individual's grade point average may be considered as a selection factor;

(b) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(c) External validation of qualifications, including demonstrated successful experience with students or children, such as reference letters and letters of support from previous employers;

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of statewide basic skills exam.

(4) Alternative route programs operating route four programs shall enroll individuals with baccalaureate degrees, who are employed in the district at the time of application, or who hold conditional teaching certificates or emergency substitute certificates. Cohorts of candidates for this route shall attend an intensive summer teaching academy, followed by a full year employed by a district in a mentored internship. If employed on a conditional certificate,

the intern may serve as the teacher of record, supported by a well-trained mentor. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) A baccalaureate degree from a regionally accredited institution of higher education. The individual's grade point average may be considered as a selection factor;

(b) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(c) External validation of qualifications, including demonstrated successful experience with students or children, such as reference letters and letters of support from previous employers;

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of statewide basic skills exam.

(5) Applicants for alternative route programs who are eligible veterans or national guard members and who meet the entry requirements for the alternative route program for which application is made shall be given preference in admission.

Sec. 19. RCW 28A.660.042 and 2007 c 396 s 6 are each amended to read as follows:

PIPELINE FOR PARAEDUCATORS SCHOLARSHIP.

(1) The pipeline for paraeducators conditional scholarship program is created. Participation is limited to paraeducators without a college degree who have at least three years of classroom experience. It is anticipated that candidates enrolled in this program will complete their associate of arts degree at a community and technical college in two years or less and become eligible for ((a mathematics, special education, or English as a second language endorsement)) an endorsement in a subject matter shortage area, as defined by the professional educator standards board, via route one in the alternative routes to teacher certification program provided in this chapter.

(2) Entry requirements for candidates include district or building validation of qualifications, including three years of successful student interaction and leadership as a classified instructional employee.

Sec. 20. RCW 28B.50.891 and 2014 c 136 s 4 are each amended to read as follows:

PARAEDUCATOR APPRENTICESHIP AND CERTIFICATE.

Beginning with the 2015-16 academic year, any community or technical college that offers an apprenticeship program or certificate program for paraeducators must provide candidates the opportunity to earn transferable course credits within the program. The programs must also incorporate the standards for cultural competence, including multicultural education and principles of language acquisition, developed by the professional educator standards board under RCW 28A.410.270. Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2018, the paraeducator apprenticeship and certificate programs must also incorporate the state paraeducator standards of practice adopted by the paraeducator board under section 6 of this act.

NEW SECTION. Sec. 21. Sections 1 through 12 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. Sec. 22. RCW 28A.415.310 (Paraprofessional training program) and 1993 c 336 s 408 are each repealed."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier and Stokesbary.

Referred to Committee on Appropriations.

March 28, 2017

SSB 5161

Prime Sponsor, Committee on Commerce, Labor & Sports: Modifying theater license provisions. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 66.24.655 and 2013 c 237 s 1 are each amended to read as follows:

(1) There is a theater license to sell spirits, beer, including strong beer, or wine, or all, at retail, for consumption on theater premises. A spirits, beer, and wine theater license may be issued ((only)) to theaters ((that have no more than one hundred twenty seats per screen and)) that are maintained in a substantial manner as a place for preparing, cooking, and serving complete meals ((and providing tabletop accommodations for in-theater dining)). Requirements for complete meals are the same as those adopted by the board in rules pursuant to chapter 34.05 RCW for a spirits, beer, and wine restaurant license authorized by RCW 66.24.400. The annual fee for a spirits, beer, and wine theater license is ((two thousand dollars)) either a minimum fee of one thousand dollars, or four dollars per each theater seat within the licensed premises, whichever amount is greater.

(2)(a) The theater's liquor service area must be located in an area:

(i) That is accessible to a customer only after the customer has entered the lobby or other interior area within the theater and had his or her ticket collected by a theater employee; and

(ii) That is physically separated from the concession counter.

(b) For theaters with three or more screens that each have more than one hundred twenty seats per screen, liquor may be served in no more than one-third of the screening rooms within the licensed premises.

(3) If the theater premises is to be frequented by minors, an alcohol control plan must be submitted to the board at the time of application. The alcohol control plan must be approved by the board and be prominently posted on the premises, prior to minors being allowed.

((3)) (4) For the purposes of this section:

(a) "Alcohol control plan" means a written, dated, and signed plan submitted to the board by an applicant or licensee for the entire theater premises, or rooms or areas therein, that shows where and when alcohol is permitted, where and when

minors are permitted, and the control measures used to ensure that minors are not able to obtain alcohol or be exposed to environments where drinking alcohol predominates.

(b) "Theater" means a place of business where motion pictures or other primarily nonparticipatory entertainment are shown.

((4)) (5) The board must adopt rules regarding alcohol control plans and necessary control measures to ensure that minors are not able to obtain alcohol or be exposed to areas where drinking alcohol predominates. All alcohol control plans must include a requirement that any person involved in the serving of spirits, beer, and/or wine must have completed a mandatory alcohol server training program.

((5)) (6)(a) A licensee that is an entity that is exempt from taxation under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue code of 1986, as amended as of January 1, 2013, may enter into arrangements with a spirits, beer, or wine manufacturer, importer, or distributor for brand advertising at the theater or promotion of events held at the theater. The financial arrangements providing for the brand advertising or promotion of events may not be used as an inducement to purchase the products of the manufacturer, importer, or distributor entering into the arrangement and such arrangements may not result in the exclusion of brands or products of other companies.

(b) The arrangements allowed under this subsection ((5)) (6) are an exception to arrangements prohibited under RCW 66.28.305. The board must monitor the impacts of these arrangements. The board may conduct audits of a licensee and the affiliated business to determine compliance with this subsection ((5)) (6). Audits may include, but are not limited to: Product selection at the facility; purchase patterns of the licensee; contracts with the spirits, beer, or wine manufacturer, importer, or distributor; and the amount allocated or used for spirits, beer, or wine advertising by the licensee, affiliated business, manufacturer, importer, or distributor under the arrangements.

((6)) (7) The maximum penalties prescribed by the board in WAC 314-29-020 relating to fines and suspensions are

double for violations involving minors or the failure to follow the alcohol control plan with respect to theaters licensed under this section.

Sec. 2. RCW 66.24.650 and 2013 c 219 s 1 are each amended to read as follows:

(1) There is a theater license to sell beer, including strong beer, or wine, or both, at retail, for consumption on theater premises. The annual fee ((is four hundred dollars)) for a beer and wine theater license is either a minimum fee of four hundred dollars, or two dollars per each theater seat within the licensed premises, whichever amount is greater.

(2) If the theater premises is to be frequented by minors, an alcohol control plan must be submitted to the board at the time of application. The alcohol control plan must be approved by the board, and be prominently posted on the premises, prior to minors being allowed.

(3) For the purposes of this section:

(a) "Alcohol control plan" means a written, dated, and signed plan submitted to the board by an applicant or licensee for the entire theater premises, or rooms or areas therein, that shows where and when alcohol is permitted, where and when minors are permitted, and the control measures used to ensure that minors are not able to obtain alcohol or be exposed to environments where drinking alcohol predominates.

(b) "Theater" means a place of business where motion pictures or other primarily nonparticipatory entertainment are shown((, and includes only theaters with up to four screens)).

(4) The board must adopt rules regarding alcohol control plans and necessary control measures to ensure that minors are not able to obtain alcohol or be exposed to areas where drinking alcohol predominates. All alcohol control plans must include a requirement that any person involved in the serving of beer and/or wine must have completed a mandatory alcohol server training program.

(5)(a) A licensee that is an entity that is exempt from taxation under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue code of 1986, as amended as of January 1, 2013, may enter into arrangements with a beer or wine manufacturer, importer, or distributor

for brand advertising at the theater or promotion of events held at the theater. The financial arrangements providing for the brand advertising or promotion of events may not be used as an inducement to purchase the products of the manufacturer, importer, or distributor entering into the arrangement and such arrangements may not result in the exclusion of brands or products of other companies.

(b) The arrangements allowed under this subsection (5) are an exception to arrangements prohibited under RCW 66.28.305. The board must monitor the impacts of these arrangements. The board may conduct audits of a licensee and the affiliated business to determine compliance with this subsection (5). Audits may include, but are not limited to: Product selection at the facility; purchase patterns of the licensee; contracts with the beer or wine manufacturer, importer, or distributor; and the amount allocated or used for wine or beer advertising by the licensee, affiliated business, manufacturer, importer, or distributor under the arrangements.

(6) The maximum penalties prescribed by the board in WAC 314-29-020 relating to fines and suspensions are double for violations involving minors or the failure to follow the alcohol control plan with respect to theaters licensed under this section."

Correct the title.

Signed by Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Kirby; Ryu and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Barkis; Jenkin Farrell, Member.

Referred to Committee on Appropriations.

March 28, 2017

SSB 5170

Prime Sponsor, Committee on Energy, Environment & Telecommunications:
Concerning independent remedial actions under the model toxics control act.
Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.105D.090 and 2003 c 39 s 30 are each amended to read as follows:

(1) A person conducting an independent remedial action for which the person has obtained a joint voluntary remedial action plan from the department, a remedial action at a facility under a consent decree, order, or agreed order, and the department when it conducts a remedial action, are exempt from the procedural requirements of chapters 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 RCW, and the procedural requirements of any laws requiring or authorizing local government permits or approvals for the remedial action. For a remedial action conducted under a consent decree, order, or agreed order, or when the department conducts a remedial action, the department shall ensure compliance with the substantive provisions of chapters 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 RCW, and the substantive provisions of any laws requiring or authorizing local government permits ((of)) or approvals. The department shall establish procedures for ensuring that such remedial actions comply with the substantive requirements adopted pursuant to such laws, and shall consult with the state agencies and local governments charged with implementing these laws. The procedures ensuring the compliance of independent remedial actions for which a person has obtained a joint voluntary remedial action plan must be consistent with section 9 of this act. The procedures shall provide an opportunity for comment by the public and by the state agencies and local governments that would otherwise implement the laws referenced in this section. Nothing in this section is intended to prohibit implementing agencies from charging a fee to the person conducting the remedial action to defray the costs of services rendered relating to the substantive requirements for the remedial action.

(2) An exemption in this section or in RCW 70.94.335, 70.95.270, 70.105.116, ((77.55.030)) 77.55.061, 90.48.039, and 90.58.355 shall not apply if the department determines that the exemption would result in loss of approval from a federal agency necessary for the state to administer any federal law, including the federal resource conservation and recovery act, the federal clean water act, the federal clean air act, and the

federal coastal zone management act. Such a determination by the department shall not affect the applicability of the exemptions to other statutes specified in this section.

Sec. 2. RCW 70.105D.030 and 2013 2nd sp.s. c 1 s 6 are each amended to read as follows:

(1) The department may exercise the following powers in addition to any other powers granted by law:

(a) Investigate, provide for investigating, or require potentially liable persons to investigate any releases or threatened releases of hazardous substances, including but not limited to inspecting, sampling, or testing to determine the nature or extent of any release or threatened release. If there is a reasonable basis to believe that a release or threatened release of a hazardous substance may exist, the department's authorized employees, agents, or contractors may enter upon any property and conduct investigations. The department shall give reasonable notice before entering property unless an emergency prevents such notice. The department may by subpoena require the attendance or testimony of witnesses and the production of documents or other information that the department deems necessary;

(b) Conduct, provide for conducting, or require potentially liable persons to conduct remedial actions (including investigations under (a) of this subsection) to remedy releases or threatened releases of hazardous substances. In carrying out such powers, the department's authorized employees, agents, or contractors may enter upon property. The department shall give reasonable notice before entering property unless an emergency prevents such notice. In conducting, providing for, or requiring remedial action, the department shall give preference to permanent solutions to the maximum extent practicable and shall provide for or require adequate monitoring to ensure the effectiveness of the remedial action;

(c) Indemnify contractors retained by the department for carrying out investigations and remedial actions, but not for any contractor's reckless or willful misconduct;

(d) Carry out all state programs authorized under the federal cleanup law and the federal resource, conservation,

and recovery act, 42 U.S.C. Sec. 6901 et seq., as amended;

(e) Classify substances as hazardous substances for purposes of RCW 70.105D.020 and classify substances and products as hazardous substances for purposes of RCW 82.21.020(1);

(f) Issue orders or enter into consent decrees or agreed orders that include, or issue written opinions under (i) of this subsection that may be conditioned upon, environmental covenants where necessary to protect human health and the environment from a release or threatened release of a hazardous substance from a facility. Prior to establishing an environmental covenant under this subsection, the department shall consult with and seek comment from a city or county department with land use planning authority for real property subject to the environmental covenant;

(g) Enforce the application of permanent and effective institutional controls that are necessary for a remedial action to be protective of human health and the environment and the notification requirements established in RCW 70.105D.110, and impose penalties for violations of that section consistent with RCW 70.105D.050;

(h) Require holders to conduct remedial actions necessary to abate an imminent or substantial endangerment pursuant to RCW 70.105D.020(22)(b)(ii)(C);

(i) Provide informal advice and assistance to persons regarding the administrative and technical requirements of this chapter. This may include site-specific advice to persons who are conducting or otherwise interested in independent remedial actions. It may also include site-specific advice, and advice and assistance relating to the requirements of RCW 70.105D.090 and chapters 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 RCW, to persons who are conducting or otherwise interested in independent remedial actions for which the person has obtained a joint voluntary remedial action plan from the department. Any such advice or assistance shall be advisory only, and shall not be binding on the department. As a part of providing this advice and assistance for independent remedial actions, the department may prepare written opinions regarding whether the independent remedial actions

or proposals for those actions meet the substantive requirements of this chapter or whether the department believes further remedial action is necessary at the facility. Nothing in this chapter may be construed to preclude the department from issuing a written opinion on whether further remedial action is necessary at any portion of the real property located within a facility, even if further remedial action is still necessary elsewhere at the same facility. Such a written opinion on a portion of a facility must also provide an opinion on the status of the facility as a whole. The department may collect, from persons requesting advice and assistance, the costs incurred by the department in providing such advice and assistance; however, the department shall, where appropriate, waive collection of costs in order to provide an appropriate level of technical assistance in support of public participation. The state, the department, and officers and employees of the state are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing, or failing to provide, informal advice and assistance. The department must track the number of requests for reviews of planned or completed independent remedial actions and establish performance measures to track how quickly the department is able to respond to those requests((. By November 1, 2015, the department must submit to the governor and the appropriate legislative fiscal and policy committees a report on achieving the performance measures and provide recommendations for improving performance, including staffing needs));

(j) In fulfilling the objectives of this chapter, the department shall allocate staffing and financial assistance in a manner that considers both the reduction of human and environmental risks and the land reuse potential and planning for the facilities to be cleaned up. This does not preclude the department from allocating resources to a facility based solely on human or environmental risks;

(k) Establish model remedies for common categories of facilities, types of hazardous substances, types of media, or geographic areas to streamline and accelerate the selection of remedies for routine types of cleanups at facilities;

(i) When establishing a model remedy, the department shall:

(A) Identify the requirements for characterizing a facility to select a model remedy, the applicability of the model remedy for use at a facility, and monitoring requirements;

(B) Describe how the model remedy meets clean-up standards and the requirements for selecting a remedy established by the department under this chapter; and

(C) Provide public notice and an opportunity to comment on the proposed model remedy and the conditions under which it may be used at a facility;

(ii) When developing model remedies, the department shall solicit and consider proposals from qualified persons. The proposals must, in addition to describing the model remedy, provide the information required under (k) (i) (A) and (B) of this subsection;

(iii) If a facility meets the requirements for use of a model remedy, an analysis of the feasibility of alternative remedies is not required under this chapter. For department-conducted and department-supervised remedial actions, the department must provide public notice and consider public comments on the proposed use of a model remedy at a facility. The department may waive collection of its costs for providing a written opinion under (i) of this subsection on a cleanup that qualifies for and appropriately uses a model remedy; and

(1) Take any other actions necessary to carry out the provisions of this chapter, including the power to adopt rules under chapter 34.05 RCW.

(2) The department shall immediately implement all provisions of this chapter to the maximum extent practicable, including investigative and remedial actions where appropriate. The department shall adopt, and thereafter enforce, rules under chapter 34.05 RCW to:

(a) Provide for public participation, including at least (i) public notice of the development of investigative plans or remedial plans for releases or threatened releases and (ii) concurrent public notice of all compliance orders, agreed orders, enforcement orders, or notices of violation;

(b) Establish a hazard ranking system for hazardous waste sites;

(c) Provide for requiring the reporting by an owner or operator of releases of hazardous substances to the environment that may be a threat to human health or the environment within ninety days of discovery, including such exemptions from reporting as the department deems appropriate, however this requirement shall not modify any existing requirements provided for under other laws;

(d) Establish reasonable deadlines not to exceed ninety days for initiating an investigation of a hazardous waste site after the department receives notice or otherwise receives information that the site may pose a threat to human health or the environment and other reasonable deadlines for remedying releases or threatened releases at the site;

(e) Publish and periodically update minimum clean-up standards for remedial actions at least as stringent as the clean-up standards under section 121 of the federal cleanup law, 42 U.S.C. Sec. 9621, and at least as stringent as all applicable state and federal laws, including health-based standards under state and federal law; and

(f) Apply industrial clean-up standards at industrial properties. Rules adopted under this subsection shall ensure that industrial properties cleaned up to industrial standards cannot be converted to nonindustrial uses without approval from the department. The department may require that a property cleaned up to industrial standards is cleaned up to a more stringent applicable standard as a condition of conversion to a nonindustrial use. Industrial clean-up standards may not be applied to industrial properties where hazardous substances remaining at the property after remedial action pose a threat to human health or the environment in adjacent nonindustrial areas.

(3) To achieve and protect the state's long-term ecological health, the department shall plan to clean up hazardous waste sites and prevent the creation of future hazards due to improper disposal of toxic wastes at a pace that matches the estimated cash resources in the state and local toxics control accounts and the environmental legacy stewardship account created in RCW 70.105D.170. Estimated cash resources

must consider the annual cash flow requirements of major projects that receive appropriations expected to cross multiple biennia. To effectively monitor toxic accounts expenditures, the department shall develop a comprehensive ten-year financing report that identifies long-term remedial action project costs, tracks expenses, and projects future needs.

(4) By November 1, 2016, the department must submit to the governor and the appropriate legislative committees a report on the status of developing model remedies and their use under this chapter. The report must include: The number and types of model remedies identified by the department under subsection (1)(k) of this section; the number and types of model remedy proposals prepared by qualified private sector engineers, consultants, or contractors that were accepted or rejected under subsection (1)(k) of this section and the reasons for rejection; and the success of model remedies in accelerating the cleanup as measured by the number of jobs created by the cleanup, where this information is available to the department, acres of land restored, and the number and types of hazardous waste sites successfully remediated using model remedies.

(5) Before September 20th of each even-numbered year, the department shall:

(a) Develop a comprehensive ten-year financing report in coordination with all local governments with clean-up responsibilities that identifies the projected biennial hazardous waste site remedial action needs that are eligible for funding from the state and local toxics control account and the environmental legacy stewardship account;

(b) Work with local governments to develop working capital reserves to be incorporated in the ten-year financing report;

(c) Identify the projected remedial action needs for orphaned, abandoned, and other clean-up sites that are eligible for funding from the state toxics control account;

(d) Project the remedial action need, cost, revenue, and any recommended working capital reserve estimate to the next biennium's long-term remedial action needs from both the local and

state toxics control account and the environmental legacy stewardship account, and submit this information to the appropriate standing fiscal and environmental committees of the senate and house of representatives. This submittal must also include a ranked list of such remedial action projects for both accounts. The submittal must also identify separate budget estimates for large, multibiennia clean-up projects that exceed ten million dollars. The department shall prepare its ten-year capital budget plan that is submitted to the office of financial management to reflect the separate budget estimates for these large clean-up projects and include information on the anticipated private and public funding obligations for completion of the relevant projects.

(6) By December 1st of each odd-numbered year, the department must provide the legislature and the public a report of the department's activities supported by appropriations from the state and local toxics control accounts and the environmental legacy stewardship account. The report must be prepared and displayed in a manner that allows the legislature and the public to easily determine the statewide and local progress made in cleaning up hazardous waste sites under this chapter. The report must include, at a minimum:

(a) The name, location, hazardous waste ranking, and a short description of each site on the hazardous sites list, and the date the site was placed on the hazardous waste sites list; and

(b) For sites where there are state contracts, grants, loans, or direct investments by the state:

(i) The amount of money from the state and local toxics control accounts and the environmental legacy stewardship account used to conduct remedial actions at the site and the amount of that money recovered from potentially liable persons;

(ii) The actual or estimated start and end dates and the actual or estimated expenditures of funds authorized under this chapter for the following project phases:

(A) Emergency or interim actions, if needed;

(B) Remedial investigation;

(C) Feasibility study and selection of a remedy;

(D) Engineering design and construction of the selected remedy;

(E) Operation and maintenance or monitoring of the constructed remedy; and

(F) The final completion date.

(7) The department shall establish a program to identify potential hazardous waste sites and to encourage persons to provide information about hazardous waste sites.

(8) For all facilities where an environmental covenant has been required under subsection (1)(f) of this section, including all facilities where the department has required an environmental covenant under an order, agreed order, or consent decree, or as a condition of a written opinion issued under the authority of subsection (1)(i) of this section, the department shall periodically review the environmental covenant for effectiveness. Except as otherwise provided in (c) of this subsection, the department shall conduct a review at least once every five years after an environmental covenant is recorded.

(a) The review shall consist of, at a minimum:

(i) A review of the title of the real property subject to the environmental covenant to determine whether the environmental covenant was properly recorded and, if applicable, amended or terminated;

(ii) A physical inspection of the real property subject to the environmental covenant to determine compliance with the environmental covenant, including whether any development or redevelopment of the real property has violated the terms of the environmental covenant; and

(iii) A review of the effectiveness of the environmental covenant in limiting or prohibiting activities that may interfere with the integrity of the remedial action or that may result in exposure to or migration of hazardous substances. This shall include a review of available monitoring data.

(b) If an environmental covenant has been amended or terminated without proper authority, or if the terms of an environmental covenant have been violated, or if the environmental

covenant is no longer effective in limiting or prohibiting activities that may interfere with the integrity of the remedial action or that may result in exposure to or migration of hazardous substances, then the department shall take any and all appropriate actions necessary to ensure compliance with the environmental covenant and the policies and requirements of this chapter.

(c) For facilities where an environmental covenant required by the department under subsection (1)(f) of this section was required before July 1, 2007, the department shall:

(i) Enter all required information about the environmental covenant into the registry established under RCW 64.70.120 by June 30, 2008;

(ii) For those facilities where more than five years has elapsed since the environmental covenant was required and the department has yet to conduct a review, conduct an initial review according to the following schedule:

(A) By December 30, 2008, fifty facilities;

(B) By June 30, 2009, fifty additional facilities; and

(C) By June 30, 2010, the remainder of the facilities;

(iii) Once this initial review has been completed, conduct subsequent reviews at least once every five years.

Sec. 3. RCW 70.94.335 and 1994 c 257 s 15 are each amended to read as follows:

The procedural requirements of this chapter shall not apply to any person conducting an independent remedial action for which a person has obtained a joint voluntary remedial action plan, a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. Except for independent remedial actions for which a person has obtained a joint voluntary remedial action plan, the department of ecology shall ensure compliance with the substantive requirements of this chapter through the consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090.

Sec. 4. RCW 70.95.270 and 1994 c 257 s 16 are each amended to read as follows:

The procedural requirements of this chapter shall not apply to any person conducting an independent remedial action for which a person has obtained a joint voluntary remedial action plan, a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. Except for independent remedial actions for which a person has obtained a joint voluntary remedial action plan, the department of ecology shall ensure compliance with the substantive requirements of this chapter through the consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090.

Sec. 5. RCW 70.105.116 and 1994 c 257 s 17 are each amended to read as follows:

The procedural requirements of this chapter shall not apply to any person conducting an independent remedial action for which a person has obtained a joint voluntary remedial action plan, a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. Except for independent remedial actions for which a person has obtained a joint voluntary remedial action plan, the department of ecology shall ensure compliance with the substantive requirements of this chapter through the consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090.

Sec. 6. RCW 77.55.061 and 1994 c 257 s 18 are each amended to read as follows:

The procedural requirements of this chapter shall not apply to any person conducting an independent remedial action for which a person has obtained a joint voluntary remedial action plan, a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter

70.105D RCW. Except for independent remedial actions for which a person has obtained a joint voluntary remedial action plan, the department of ecology shall ensure compliance with the substantive requirements of this chapter through the consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090.

Sec. 7. RCW 90.48.039 and 1994 c 257 s 19 are each amended to read as follows:

The procedural requirements of this chapter shall not apply to any person conducting an independent remedial action for which a person has obtained a joint voluntary remedial action plan, a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. Except for independent remedial actions for which a person has obtained a joint voluntary remedial action plan, the department of ecology shall ensure compliance with the substantive requirements of this chapter through the consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090.

Sec. 8. RCW 90.58.355 and 2015 3rd sp.s. c 15 s 9 are each amended to read as follows:

Requirements to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other review conducted by a local government to implement this chapter do not apply to:

(1) Any person conducting an independent remedial action for which a person has obtained a joint voluntary remedial action plan, a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. Except for independent remedial actions for which a person has obtained a joint voluntary remedial action plan, the department must ensure compliance with the substantive requirements of this chapter through the

consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090;

(2) Any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit. The department must ensure compliance with the substantive requirements of this chapter through the review of engineering reports, site plans, and other documents related to the installation of boatyard storm water treatment facilities; or

(3) The department of transportation projects and activities that meet the conditions of RCW 90.58.356.

NEW SECTION. Sec. 9. A new section is added to chapter 70.105D RCW to read as follows:

(1) By January 1, 2019, the department shall establish a program for independent remedial action with a joint voluntary remedial action plan that addresses applicable state and local land use and environmental statutes, administrative rules, ordinances, and development regulations. Participation in such a program is voluntary on the part of the person conducting an independent remedial action.

(2) The joint voluntary remedial action plan must describe, at a minimum, the site-specific requirements associated with the following:

(a) Water discharge permits issued under chapter 90.48 RCW;

(b) Air emissions permits issued under chapter 70.94 RCW;

(c) Solid waste permits issued under chapter 70.95 RCW;

(d) Hazardous waste permits issued under chapter 70.105 RCW;

(e) Hydraulic project approval permits issued under chapter 77.55 RCW;

(f) Development permits issued under chapter 90.58 RCW; and

(g) Permits issued under any land use or environmental laws requiring or authorizing local government permits or approvals.

(3) (a) As part of the joint voluntary remedial action plan process, the department shall develop a consolidated application to be used by the person conducting the independent remedial action to communicate relevant details concerning the independent remedial action and the property that is the subject of the independent remedial action.

(b) For each joint voluntary remedial action plan, the department shall forward the information included in the consolidated application to all appropriate local governments. The local governments have thirty days in which to communicate to the department the site-specific requirements associated with any statutes, administrative rules, ordinances, or development regulations administered by the local governments.

(c) The department shall use the information included in the consolidated application to provide the person conducting the independent remedial action with a joint voluntary remedial action plan that addresses the state and local land use and environmental statutes, administrative rules, ordinances, and development regulations applicable to the property that is the subject of the independent remedial action, including the information received from local governments concerning any site-specific requirements associated with any statutes, administrative rules, ordinances, or development regulations administered by the local governments.

(4) Beginning January 1, 2019, any person wishing to conduct an independent remedial action has the option of completing a consolidated application under subsection (3) of this section and receiving from the department a joint voluntary remedial action plan.

(5) A person who obtains a joint voluntary remedial action plan from the department is exempt from the procedural requirements of chapters 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 RCW, and the procedural requirements of any laws requiring or authorizing local government permits or approvals for the remedial action.

(6) A joint voluntary remedial action plan neither reduces nor enlarges a person's legal obligations under any state and local land use and environmental statute, administrative

rule, ordinance, or development regulation applicable to the property that is the subject of the independent remedial action. A joint voluntary remedial action plan may not serve as the basis of a cause of action under this chapter or under any state or local land use or environmental statute, administrative rule, ordinance, or development regulation that may be addressed in the joint voluntary remedial action plan."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey and Kagi.

MINORITY recommendation: Do not pass. Signed by Representative McBride.

Referred to Committee on Appropriations.

March 29, 2017

ESSB 5198 Prime Sponsor, Committee on Ways & Means: Concerning fire suppression methodologies. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Pettigrew; Robinson; Springer and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt and Schmick.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh, J.

Referred to Committee on Appropriations.

March 29, 2017

2ESSB 5294 Prime Sponsor, Committee on Law & Justice: Concerning the department of corrections. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"PART 1

CREATING THE DEPARTMENT OF CORRECTIONS OMBUDS

NEW SECTION. Sec. 1. The legislature intends to create an independent and impartial office of the corrections

ombuds to assist in strengthening procedures and practices that lessen the possibility of actions occurring within the department of corrections that may adversely impact the health, safety, welfare, and rehabilitation of offenders, and that will effectively reduce the exposure of the department to litigation.

NEW SECTION. Sec. 2. Subject to the availability of amounts appropriated for this specific purpose, the office of the corrections ombuds is created for the purpose of providing information to inmates, family members, representatives of inmates, department employees, and others regarding the rights of inmates; providing technical assistance to support inmate self-advocacy; identifying systemic issues and responses for the governor and the legislature to act upon; reporting to the legislature; and ensuring compliance with relevant statutes, rules, and policies pertaining to conditions of correctional facilities, services, and treatment of inmates under the jurisdiction of the department.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Abuse" means any act or failure to act by a department employee, subcontractor, or volunteer which was performed, or which was failed to be performed, knowingly, recklessly, or intentionally, and which caused, or may have caused, injury or death to an inmate.

(2) "Corrections ombuds" or "ombuds" means the corrections ombuds, staff of the corrections ombuds, and volunteers with the office of the corrections ombuds.

(3) "Council" means the ombuds advisory council established in section 4(1) of this act.

(4) "Department" means the department of corrections.

(5) "Inmate" means a person committed to the physical custody of the department, including persons residing in a correctional institution or facility and persons received from another state, another state agency, a county, or the federal government.

(6) "Neglect" means a negligent act or omission by any department employee, subcontractor, or volunteer which caused, or may have caused, injury or death to an inmate.

(7) "Office" means the office of the corrections ombuds.

(8) "Organization" means the private nonprofit organization that operates the office of the corrections ombuds.

NEW SECTION. Sec. 4. (1) Subject to the availability of amounts appropriated for this specific purpose, no later than August 1, 2017, the governor shall convene an ombuds advisory council with several purposes in support of the ombuds function. The council shall participate in a priority setting process for the purpose of developing priority recommendations to the ombuds, review data collected by the ombuds, review reports issued by the ombuds prior to their release, and make recommendations to the ombuds regarding the accomplishment of its purposes. The council also has authority to issue its own reports and recommendations. The council must biannually review ombuds performance, reporting to the governor and the legislature regarding its findings. The council must provide the legislature with recommendations regarding the ombuds budget and changes in the law that would enhance ombuds effectiveness.

(2) The council consists of the following members, appointed by the governor:

(a) Two former inmates who have successfully reintegrated into the community and are no longer in the custody of the department;

(b) Two family members of current inmates;

(c) One expert with significant criminal justice or correctional experience who is not an employee or contractor with the state of Washington;

(d) A community member with extensive knowledge and experience in issues related to racial, ethnic, or religious diversity within the correctional system;

(e) A community member with extensive knowledge and experience in the accommodation needs of individuals with disabilities; and

(f) A community member with dispute resolution training who has experience working in the criminal justice or corrections field.

(3) The council also includes:

(a) The department staff serving as the internal ombuds, if any;

(b) A bargaining unit representative; and

(c) A representative of the governor's office.

(4) After the full membership is attained, the council shall develop a process for replacing members in case of resignation or expiration of terms.

(5) Councilmembers serve a term of two years, except that the council shall create and implement a system of staggered terms, and no member other than the department staff serving as the internal ombuds may serve more than two consecutive terms. The council shall convene at least quarterly. Councilmembers will serve without compensation, except that funds appropriated for the implementation of this chapter may be used to reimburse members who are not employees of Washington state for expenses necessary to the performance of their duties.

NEW SECTION. Sec. 5. (1) Subject to the availability of amounts appropriated for this specific purpose, the department of commerce shall designate, by a competitive bidding process, the nonprofit organization that will contract to operate the office of the corrections ombuds. The contract must last for a period of two years and may be renewed at the end of the term. The department of commerce shall select an organization that possesses, directly or through subcontracts, significant legal expertise, competence with mediation and alternative dispute resolution, and experience working within criminal justice and correctional environments. Other relevant experience may include, but is not limited to, addressing issues relating to chemical dependency treatment, disability and disability-related accommodation, respect for racial, ethnic, and religious diversity, and other civil rights and conditions issues. The selected organization must have experience and the capacity to communicate effectively regarding criminal justice issues with policymakers, stakeholders, and the

general public, and must be prepared and able to provide all program and staff support necessary, directly or through subcontracts, to carry out all duties of the office.

(2) The organization and its subcontractors, if any, are not state agencies or departments, but instead are private, independent entities operating under contract with the state.

(3) The organization must be an objective and neutral entity that will impartially investigate complaints.

(4) The organization is subject to financial and other audits by the state auditor's office, and its employees must abide by the provisions of chapter 42.52 RCW.

NEW SECTION. Sec. 6. (1) The ombuds shall:

(a) Establish priorities for use of the limited resources appropriated to implement this chapter;

(b) Develop policies for responding to records requests from the public. These policies shall be similar in scope to the requirements in the public records act except that identifying information about complainants or witnesses must be protected and nondisclosable unless the complainant or witness waives confidentiality;

(c) Maintain a statewide toll-free telephone number, a collect telephone number, a web site, and a mailing address for the receipt of complaints and inquiries;

(d) Provide information, as appropriate, to inmates, family members, representatives of inmates, department employees, and others regarding the rights of inmates;

(e) Provide technical assistance to support inmate participation in self-advocacy;

(f) Monitor department compliance with applicable federal, state, and local laws, rules, regulations, and policies with a view toward the appropriate health, safety, welfare, and rehabilitation of inmates;

(g) Monitor and participate in legislative and policy developments affecting correctional facilities;

(h) Establish a statewide uniform reporting system to collect and analyze

data related to complaints regarding the department;

(i) Establish procedures to receive, investigate, and resolve complaints;

(j) Submit annually to the council, the governor's office, and the legislature, by November 1st of each year, a report analyzing the work of the office, including any recommendations; and

(k) Adopt and comply with rules, policies, and procedures necessary to implement this chapter.

(2)(a) The ombuds may initiate and attempt to resolve an investigation upon his or her own initiative, or upon receipt of a complaint from an inmate, a family member, a representative of an inmate, a department employee, or others, regarding:

(i) Abuse or neglect;

(ii) Department decisions or administrative actions;

(iii) Inactions or omissions;

(iv) Policies, rules, or procedures; or

(v) Alleged violations of law by the department that may adversely affect the health, safety, welfare, and rights of inmates.

(b) Prior to filing a complaint with the ombuds, a person shall have reasonably pursued resolution of the complaint through the internal grievance, administrative, or appellate procedures with the department. However, in no event may an inmate be prevented from filing a complaint more than ninety business days after filing an internal grievance, regardless of whether the department has completed the grievance process. This subsection (2)(b) does not apply to complaints related to threats of bodily harm including, but not limited to, sexual or physical assaults or the denial of necessary medical treatment.

(c) The ombuds may decline to investigate any complaint as provided by the rules adopted under this chapter.

(d) If the ombuds does not investigate a complaint, the ombuds shall notify the complainant of the decision not to investigate and the reasons for the decision.

(e) The ombuds may not investigate any complaints relating to an inmate's underlying criminal conviction.

(f) The ombuds may not investigate a complaint from a department employee that relates to the employee's employment relationship with the department.

(g) The ombuds may refer complainants and others to appropriate resources, agencies, or departments.

(h) The ombuds may not levy any fees for the submission or investigation of complaints.

(i) At the conclusion of an investigation of a complaint, the ombuds must render a public decision on the merits of each complaint, except that the documents supporting the decision are subject to the confidentiality provisions of section 8 of this act. The ombuds must communicate the decision to the inmate, if any, and to the department. The ombuds must state their recommendations and reasoning if, in the ombuds' opinion, the department or any employee thereof should:

- (i) Consider the matter further;
- (ii) Modify or cancel any action;
- (iii) Alter a rule, practice, or ruling;
- (iv) Explain in detail the administrative action in question;
- (v) Rectify an omission; or
- (vi) Take any other action.

(j) If the ombuds so requests, the department must, within the time specified, inform the ombuds about any action taken on the recommendations or the reasons for not complying with the recommendations.

(k) If the ombuds believes, based on the investigation, that there has been or continues to be a significant inmate health, safety, welfare, or rehabilitation issue, the ombuds must report the finding to the governor and the appropriate committees of the legislature.

(l) Before announcing a conclusion or recommendation that expressly, or by implication, criticizes a person or the department, the ombuds shall consult with that person or the department. The ombuds may request to be notified by the department, within a specified time, of

any action taken on any recommendation presented. The ombuds must notify the inmate, if any, of the actions taken by the department in response to the ombuds' recommendations.

(3) This chapter does not require inmates to file a complaint with the ombuds in order to exhaust available administrative remedies for purposes of the prison litigation reform act of 1995, P.L. 104-134.

NEW SECTION. Sec. 7. (1) The department must permit the ombuds to enter and inspect, at any reasonable time, any correctional facility for the purpose of carrying out its duties under this chapter. The ombuds may inspect, view, photograph, and video record all areas of the facility that are used by inmates or are accessible to inmates. Before releasing any photographs or video recordings taken within a correctional facility, the ombuds must consult with the department concerning any safety or security issues.

(2) The department must allow the ombuds reasonable access to inmates, which includes the opportunity to meet and communicate privately and confidentially with individuals regularly, both formally and informally, by telephone, mail, and in person.

(3) Upon the ombuds' request, the department shall grant the ombuds the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department that the ombuds considers necessary in an investigation of a complaint filed under this chapter, and must assist the ombuds in obtaining the necessary releases of documents that are specifically restricted or privileged for use by the ombuds.

(4) Following notification from the ombuds with a written demand for access to agency records, the delegated department staff must respond to the ombuds within five business days of the department's receipt of a request by:

- (a) Making the requested documentation available; or
- (b) Acknowledging receipt of the request and providing a reasonable estimate of the time needed to respond.

(5) A state or local government agency or entity that has records that are relevant to a complaint or an

investigation conducted by the ombuds must provide the ombuds with access to such records.

(6) The department may not hinder the lawful actions of the ombuds or employees of the office, or willfully refuse to comply with lawful demands of the office.

(7) The ombuds must work with the department to minimize disruption to the operations of the department due to ombuds activities, and must comply with the department's security clearance processes, provided these processes do not impede the activities outlined in this chapter.

NEW SECTION. Sec. 8. (1) Correspondence and communication with the office is confidential and must be protected as privileged correspondence in the same manner as legal correspondence or communication.

(2) The office shall establish confidentiality rules and procedures for all information maintained by the office.

(3) The office shall preserve the confidentiality of information obtained while providing services, including general information, technical assistance, and investigations, to individuals, including inmates, family members and representatives of inmates, department employees, and others. Confidential information may not be disclosed unless the individual gives informed consent, the disclosure is impliedly authorized in order to carry out ombuds services, or the disclosure is authorized by subsection (4) of this section.

(4) To the extent the ombuds reasonably believes necessary, the ombuds:

(a) Must reveal information obtained in the course of providing ombuds services to prevent reasonably certain death or substantial bodily harm; and

(b) May reveal information obtained in the course of providing ombuds services to prevent the commission of a crime.

(5) If the ombuds receives personally identifying information about individual corrections staff during the course of an investigation that the ombuds determines is unrelated or unnecessary to the subject of the investigation or recommendation for action, the ombuds will not further disclose such information. If the ombuds determines

that such disclosure is necessary to an investigation or recommendation, the ombuds will contact the staff member as well as the bargaining unit representative before any disclosure.

NEW SECTION. Sec. 9. (1) A civil action may not be brought against any employee of the office for good faith performance of responsibilities under this chapter.

(2) No discriminatory, disciplinary, or retaliatory action may be taken against a department employee, subcontractor, or volunteer, an inmate, or a family member or representative of an inmate for any communication made, or information given or disclosed, to aid the office in carrying out its responsibilities, unless the communication or information is made, given, or disclosed maliciously or without good faith.

(3) This section is not intended to infringe on the rights of an employer to supervise, discipline, or terminate an employee for other reasons.

PART 2

DEPARTMENT OF CORRECTIONS

Sec. 10. RCW 72.09.010 and 1995 1st sp.s. c 19 s 2 are each amended to read as follows:

It is the intent of the legislature to establish a comprehensive system of corrections for convicted law violators within the state of Washington to accomplish the following objectives.

(1) The ((system should)) highest duty of the department and the secretary is to ensure the public safety. The system should be designed and managed to provide the maximum feasible safety for the persons and property of the general public, the staff, and the inmates.

(2) The system should punish the offender for violating the laws of the state of Washington. This punishment should generally be limited to the denial of liberty of the offender.

(3) The system should positively impact offenders by stressing personal responsibility and accountability and by discouraging recidivism.

(4) The system should treat all offenders fairly and equitably without regard to race, religion, sex, national origin, residence, or social condition.

(5) The system, as much as possible, should reflect the values of the community including:

(a) Avoiding idleness. Idleness is not only wasteful but destructive to the individual and to the community.

(b) Adoption of the work ethic. It is the community expectation that all individuals should work and through their efforts benefit both themselves and the community.

(c) Providing opportunities for self improvement. All individuals should have opportunities to grow and expand their skills and abilities so as to fulfill their role in the community.

(d) Linking the receipt or denial of privileges to responsible behavior and accomplishments. The individual who works to improve himself or herself and the community should be rewarded for these efforts. As a corollary, there should be no rewards for no effort.

(e) Sharing in the obligations of the community. All citizens, the public and inmates alike, have a personal and fiscal obligation in the corrections system. All communities must share in the responsibility of the corrections system.

(6) The system should provide for prudent management of resources. The avoidance of unnecessary or inefficient public expenditures on the part of offenders and the department is essential. Offenders must be accountable to the department, and the department to the public and the legislature. The human and fiscal resources of the community are limited. The management and use of these resources can be enhanced by wise investment, productive programs, the reduction of duplication and waste, and the joining together of all involved parties in a common endeavor. Since most offenders return to the community, it is wise for the state and the communities to make an investment in effective rehabilitation programs for offenders and the wise use of resources.

(7) The system should provide for restitution. Those who have damaged others, persons or property, have a responsibility to make restitution for these damages.

(8) The system should be accountable to the citizens of the state. In return, the individual citizens and local units

of government must meet their responsibilities to make the corrections system effective.

(9) The system should meet those national standards which the state determines to be appropriate.

NEW SECTION. Sec. 11. A new section is added to chapter 72.09 RCW to read as follows:

To ensure public safety and the administration of justice, if the department has actual knowledge or reason to believe that a computer calculation error is or has caused an error in the calculation of the release date for any prisoner, the department shall immediately manually calculate the release date of that prisoner as well as the release dates of any similarly sentenced prisoners.

NEW SECTION. Sec. 12. A new section is added to chapter 72.09 RCW to read as follows:

On December 1st of each year, and in compliance with RCW 43.01.036, the department must submit a report to the governor and relevant policy and fiscal committees of the legislature that details any information technology backlog at the department along with specific requirements and plans to address such backlog.

PART 3

JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

NEW SECTION. Sec. 13. (1) Pursuant to chapter 43.09 RCW, the joint legislative audit and review committee must conduct a performance audit of the information technology and records related units at the department of corrections, including:

(a) The administrative structure of the units, including whether the units should be restructured to respond efficiently to changes in sentencing laws and other emergent issues;

(b) The sufficiency of staffing levels and expertise at each of the units; and

(c) An evaluation of the advance corrections project's impact on workload and staff resources at each of the units.

(2) The joint legislative audit and review committee shall report its findings to the governor and relevant

policy and fiscal committees of the legislature by December 1, 2018.

PART 4

SENTENCING REFORM

NEW SECTION. Sec. 14. A new section is added to chapter 9.94A RCW to read as follows:

In consultation with the administrative office of the courts, superior court judges' association, Washington association of prosecuting attorneys, Washington association of criminal defense lawyers, Washington public defenders' association, and Washington association of county clerks, the department shall develop a mandatory sentencing elements worksheet. The worksheet shall be used to identify and record the elements of the court's order that are required by the department to calculate an offender's confinement term, and community custody term when ordered. The Washington administrative office of the courts must include the mandatory sentencing elements worksheet in a specific section within its felony judgment and sentence forms.

Sec. 15. RCW 9.94A.480 and 2011 1st sp.s. c 40 s 27 are each amended to read as follows:

(1) A current, newly created or reworked judgment and sentence document for each felony sentencing shall record any and all recommended sentencing agreements or plea agreements and the sentences for any and all felony crimes kept as public records under RCW 9.94A.475 shall contain the clearly printed name and legal signature of the sentencing judge. The judgment and sentence document as defined in this section shall also provide additional space for the sentencing judge's reasons for going either above or below the presumptive sentence range for any and all felony crimes covered as public records under RCW 9.94A.475. In addition, each felony judgment and sentence document must contain in a specific section the mandatory sentencing elements worksheet developed by the department of corrections in section 14 of this act. Both the sentencing judge and the prosecuting attorney's office shall each retain or receive a completed copy of each sentencing document as defined in this section for their own records.

(2) The caseload forecast council shall be sent a completed copy of the judgment and sentence document upon conviction for each felony sentencing under subsection (1) of this section.

(3) If any completed judgment and sentence document as defined in subsection (1) of this section is not sent to the caseload forecast council as required in subsection (2) of this section, the caseload forecast council shall have the authority and shall undertake reasonable and necessary steps to assure that all past, current, and future sentencing documents as defined in subsection (1) of this section are received by the caseload forecast council.

Sec. 16. RCW 9.94A.585 and 2002 c 290 s 19 are each amended to read as follows:

(1) A sentence within the standard sentence range, under RCW 9.94A.510 or 9.94A.517, for an offense shall not be appealed. For purposes of this section, a sentence imposed on a first-time offender under RCW 9.94A.650 shall also be deemed to be within the standard sentence range for the offense and shall not be appealed.

(2) A sentence outside the standard sentence range for the offense is subject to appeal by the defendant or the state. The appeal shall be to the court of appeals in accordance with rules adopted by the supreme court.

(3) Pending review of the sentence, the sentencing court or the court of appeals may order the defendant confined or placed on conditional release, including bond.

(4) To reverse a sentence which is outside the standard sentence range, the reviewing court must find: (a) Either that the reasons supplied by the sentencing court are not supported by the record which was before the judge or that those reasons do not justify a sentence outside the standard sentence range for that offense; or (b) that the sentence imposed was clearly excessive or clearly too lenient.

(5) A review under this section shall be made solely upon the record that was before the sentencing court. Written briefs shall not be required and the review and decision shall be made in an expedited manner according to rules adopted by the supreme court.

(6) The court of appeals shall issue a written opinion in support of its decision whenever the judgment of the sentencing court is reversed and may issue written opinions in any other case where the court believes that a written opinion would provide guidance to sentencing courts and others in implementing this chapter and in developing a common law of sentencing within the state.

(7) The department may petition for a review of a sentence committing an offender to the custody or jurisdiction of the department. The review shall be limited to errors of law or to address a missing, incomplete, or illegible mandatory sentencing elements section required pursuant to RCW 9.94A.480(1). Such petition shall be filed with the court of appeals no later than ninety days after the department has actual knowledge of terms of the sentence. The petition shall include a certification by the department that all reasonable efforts to resolve the dispute at the superior court level have been exhausted.

NEW SECTION. Sec. 17. (1) Subject to the availability of amounts appropriated for this specific purpose, the sentencing guidelines commission shall contract for the services of one or more external consultants to evaluate the state's sentencing laws and practices. The consultant must have demonstrated experience in conducting significant research studies and demonstrated successful experience in evaluating sentencing systems or practices. The evaluation must include:

(a) Recommendations for changing and improving sentencing laws and practices to:

- (i) Reduce complexity and implementation challenges;
 - (ii) Reduce unwarranted disparity;
 - (iii) Increase postconviction review;
 - (iv) Reduce costs to taxpayers;
 - (v) Promote fairness and equity;
 - (vi) Reduce unintended and unnecessary impacts on the community; and
 - (vii) Achieve the intended purposes of sentencing as set forth in RCW 9.94A.010;
- (b) Recommendations for:

(i) A phased prospective and retroactive implementation of any proposed changes; and

(ii) Establishing an ongoing review of sentencing laws and practices; and

(c) An assessment of:

(i) Sentence lengths among different categories of offenders;

(ii) Whether those sentences conform to current research literature on the relationship between sentence lengths and recidivism;

(iii) Sentencing changes adopted by the legislature since 1981, including frequency, nature, and impact;

(iv) Disparity in sentencing laws between similarly situated offenders, including the rationale for such disparities;

(v) The impact of the elimination of the parole system; and

(vi) The state's sentencing laws and practices as compared to other states and other sentencing models.

(2) The consultant shall work cooperatively with the sentencing guidelines commission members to obtain any additional recommendations or input consistent with the purposes of this section. Recommendations from the sentencing guidelines commission shall be included in the consultant's final report.

(3) The consultant shall complete its evaluation and submit a report to the commission, the joint legislative task force on criminal sentencing under section 18 of this act, the appropriate committees of the legislature, and the governor by September 1, 2018. The contract for services must include a requirement for three briefings before the legislature to take place during the 2018 interim and 2019 regular legislative session, including for the joint legislative task force on sentencing, the house of representatives, and the senate.

(4) This section expires July 1, 2019.

NEW SECTION. Sec. 18. (1) A joint legislative task force on criminal sentencing is established.

(2) The task force is composed of members as provided in this subsection.

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The president of the senate and the speaker of the house of representatives jointly shall appoint members representing the:

(i) Washington association of sheriffs and police chiefs;

(ii) Washington state patrol;

(iii) Caseload forecast council;

(iv) Washington association of prosecuting attorneys;

(v) Washington association of criminal defense attorneys or the Washington defender association;

(vi) Washington state association of counties;

(vii) Office of the attorney general;

(viii) American civil liberties union of Washington;

(ix) Sentencing guidelines commission;

(x) Department of corrections;

(xi) Superior court judges' association; and

(xii) Administrative office of the courts.

(3) The task force shall review sentencing laws after consideration of the study under section 17 of this act and the consultant's recommendations. The task force shall develop recommendations to reduce sentencing implementation complexities and errors, improve the effectiveness and fairness of the sentencing system, and promote public safety. The task force shall submit a report, including findings and recommendations, to the governor and the appropriate committees of the legislature by December 1, 2019.

(4) The legislative membership shall convene the initial meeting of the task force no later than September 2018. All meetings of the task force must be scheduled and conducted in accordance with the requirements of both the senate and the house of representatives.

(5) The legislative members of the task force shall choose the task force's cochair, which must include one senator and one representative from among the legislative membership of the task force.

(6) Staff support for the task force must be provided by the senate committee services and the house office of program research.

(7) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(8) The expenses of the task force shall be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house executive rules committee, or their successor committees.

(9) This section expires July 1, 2020.

PART 5

GENERAL PROVISIONS

NEW SECTION. Sec. 19. In the contract for the next regularly scheduled performance audit under RCW 42.40.110 following the effective date of this section, the office of financial management must require the audit to review the ability of department of corrections employees to use the state employee whistleblower program. The audit must include findings and recommendations, including possible changes to improve the effectiveness of the whistleblower program.

NEW SECTION. Sec. 20. Sections 1 through 9 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 21. Sections 14 through 16 of this act apply to sentences imposed on or after January 1, 2018."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton;

Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

March 28, 2017

ESSB 5312 Prime Sponsor, Committee on Commerce, Labor & Sports: Prohibiting certain employers from including any question on an application about an applicant's criminal record, inquiring either orally or in writing about an applicant's criminal records, or obtaining information from a criminal background check, until after the employer initially determines that the applicant is otherwise qualified. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

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

(1) "Criminal record" includes any record about a citation or arrest for criminal conduct, including records relating to probable cause to arrest, and includes any record about a criminal or juvenile case filed with any court, whether or not the case resulted in a finding of guilt.

(2) "Employer" includes public agencies, private individuals, businesses and corporations, contractors, temporary staffing agencies, training and apprenticeship programs, and job placement, referral, and employment agencies.

(3) "Otherwise qualified" means that the applicant meets the basic criteria for the position as set out in the advertisement or job description without consideration of a criminal record.

NEW SECTION. Sec. 2. (1) An employer may not include any question on any application for employment, inquire either orally or in writing, receive information through a criminal history background check, or otherwise obtain information about an applicant's criminal record until after the employer initially determines that the applicant is otherwise qualified for the position. Once the employer has initially determined that the applicant is otherwise qualified, the employer may

inquire into or obtain information about a criminal record and consider an applicant's criminal record in a hiring decision.

(2) An employer may not advertise employment openings in a way that excludes people with criminal records from applying. Ads that state "no felons," "no criminal background," or otherwise convey similar messages are prohibited.

(3) An employer may not implement any policy or practice that automatically or categorically excludes individuals with a criminal record from consideration prior to an initial determination that the applicant is otherwise qualified for the position. Prohibited policies and practices include rejecting an applicant for failure to disclose a criminal record prior to initially determining the applicant is otherwise qualified for the position.

(4) This section does not apply to:

(a) Any employer hiring a person who will or may have unsupervised access to children under the age of eighteen, a vulnerable adult as defined in chapter 74.34 RCW, or a vulnerable person as defined in RCW 9.96A.060;

(b) Any employer who is hiring for a position that includes:

(i) Services to be performed at or in a residential property, excluding all persons certified or licensed under Title 18 or 19 RCW;

(ii) Solicitation at or in a residential property of products or services; or

(iii) Residential delivery services;

(c) Any employer, including a financial institution, who is expressly permitted or required under any federal or state law to inquire into, consider, or rely on information about an applicant's or employee's criminal record for employment purposes;

(d) Employment by a general or limited authority Washington law enforcement agency as defined in RCW 10.93.020 or by a criminal justice agency as defined in RCW 10.97.030(5)(b); or

(e) To an employer seeking a nonemployee volunteer.

NEW SECTION. Sec. 3. (1) This chapter may not be interpreted or applied to

diminish or conflict with any requirements of state or federal law, including Title VII of the civil rights act of 1964; the federal fair credit reporting act, 15 U.S.C. Sec. 1681; the Washington state fair credit reporting act, chapter 19.182 RCW; and state laws regarding unsupervised access to children or vulnerable persons, RCW 43.43.830 through 43.43.845.

(2) This chapter may not be interpreted or applied as imposing an obligation on the part of an employer to provide accommodations or job modifications in order to facilitate the employment or continued employment of an applicant or employee with a criminal record or who is facing pending criminal charges.

(3) This chapter may not be construed to prohibit an employer from declining to hire an applicant with a criminal record or from terminating the employment of an employee with a criminal record.

(4) This chapter may not be construed to discourage or prohibit an employer from adopting employment policies that are more protective of employees and job applicants than the requirements of this chapter.

(5) This chapter may not be construed to create a private right of action to seek damages or remedies of any kind. The exclusive remedy available under this chapter is enforcement described in section 4 of this act. This chapter does not create any additional liability for employers beyond that enumerated in this chapter.

NEW SECTION. Sec. 4. (1) The state attorney general's office shall enforce this chapter. Its powers to enforce this chapter include the authority to:

(a) Investigate violations of this chapter on its own initiative;

(b) Investigate violations of this chapter in response to complaints and seek remedial relief for the complainant;

(c) Educate the public about how to comply with this chapter;

(d) Issue written civil investigative demands for pertinent documents, answers to written interrogatories, or oral testimony as required to enforce this chapter;

(e) Adopt rules implementing this chapter including rules specifying applicable penalties; and

(f) Pursue administrative sanctions or a lawsuit in the courts for penalties, costs, and attorneys' fees.

(2) In exercising its powers, the attorney general's office shall utilize a stepped enforcement approach, by first educating violators, then warning them, then taking legal, including administrative, action. Maximum penalties are as follows: A notice of violation and offer of agency assistance for the first violation, which must allow a ninety-day period to correct the violation before a second violation is assessed; a monetary penalty of up to seven hundred fifty dollars for the second violation; and a monetary penalty of up to one thousand dollars for each subsequent violation.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 7. Sections 1 through 4, 6, and 8 of this act constitute a new chapter in Title 49 RCW.

NEW SECTION. Sec. 8. This act may be known and cited as the Washington fair chance act."

Correct the title.

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member and Pike.

Referred to Committee on Appropriations.

March 29, 2017

SB 5315 Prime Sponsor, Senator King: Concerning home site leases on lands managed by the department of natural resources. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that decades ago the department of natural resources allowed agricultural lease holders to build homes on state-owned trust land. The department of natural resources issued separate, home site leases, for the residential portion of the land. Many of these leases remain, estimated at about fifty in number. In some cases, the department of natural resources has determined that continued management of particular home sites is not in the best interest of the trust. The legislature intends to promote the efficient and effective management of trust lands by providing the board of natural resources with the authority to sell the lands that are the subject of these home site leases in a manner that provides current home site lessees with an option to match the highest bid obtained during a public auction of the home site, while also reducing the likelihood that the department of natural resources will incur additional costs to dispose of improvements that may be attached to such lands.

NEW SECTION. Sec. 2. A new section is added to chapter 79.11 RCW to read as follows:

At the conclusion of any auction of state lands that are the subject of an existing home site lease, the current lessee of such lands has the right to purchase such lands for an amount equal to the final sale price obtained through the auction process, as long as the lessee participated as an active bidder during the auction."

Correct the title.

Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

March 29, 2017

ESSB 5393 Prime Sponsor, Committee on Natural Resources & Parks: Including fish passage barrier removal projects that comply with the forest practices rules in the streamlined permit process provided in RCW 77.55.181. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 77.55.181 and 2014 c 120 s 1 are each amended to read as follows:

(1) (a) In order to receive the permit review and approval process created in this section, a fish habitat enhancement project must meet the criteria under this section and must be a project to accomplish one or more of the following tasks:

(i) Elimination of human-made or caused fish passage barriers, including:

(A) Culvert repair and replacement; and

(B) Fish passage barrier removal projects that comply with the forest practices rules, as the term "forest practices rules" is defined in RCW 76.09.020;

(ii) Restoration of an eroded or unstable stream bank employing the principle of bioengineering, including limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on using native vegetation to control the erosive forces of flowing water; or

(iii) Placement of woody debris or other instream structures that benefit naturally reproducing fish stocks.

(b) The department shall develop size or scale threshold tests to determine if projects accomplishing any of these tasks should be evaluated under the process created in this section or under other project review and approval processes. A project proposal shall not be reviewed under the process created in this section if the department determines that the scale of the project raises concerns regarding public health and safety.

(c) A fish habitat enhancement project must be approved in one of the following ways in order to receive the permit review and approval process created in this section:

(i) By the department pursuant to chapter 77.95 or 77.100 RCW;

(ii) By the sponsor of a watershed restoration plan as provided in chapter 89.08 RCW;

(iii) By the department as a department-sponsored fish habitat enhancement or restoration project;

(iv) Through the review and approval process for the jobs for the environment program;

(v) Through the review and approval process for conservation district-sponsored projects, where the project complies with design standards established by the conservation commission through interagency agreement with the United States fish and wildlife service and the natural resource conservation service;

(vi) Through a formal grant program established by the legislature or the department for fish habitat enhancement or restoration;

(vii) Through the department of transportation's environmental retrofit program as a stand-alone fish passage barrier correction project;

(viii) Through a local, state, or federally approved fish barrier removal grant program designed to assist local governments in implementing stand-alone fish passage barrier corrections;

(ix) By a city or county for a stand-alone fish passage barrier correction project funded by the city or county; ((and))

(x) Through the approval process established for forest practices hydraulic projects in chapter 76.09 RCW; or

(xi) Through other formal review and approval processes established by the legislature.

(2) Fish habitat enhancement projects meeting the criteria of subsection (1) of this section are expected to result in beneficial impacts to the environment. Decisions pertaining to fish habitat enhancement projects meeting the criteria of subsection (1) of this

section and being reviewed and approved according to the provisions of this section are not subject to the requirements of RCW 43.21C.030(2)(c).

(3)(a) A permit is required for projects that meet the criteria of subsection (1) of this section and are being reviewed and approved under this section. An applicant shall use a joint aquatic resource permit application form developed by the office of regulatory assistance to apply for approval under this chapter. On the same day, the applicant shall provide copies of the completed application form to the department and to each appropriate local government.

For applicants for a forest practices hydraulic project that are not otherwise required to submit a joint aquatic resource permit application, the department of natural resources must forward a copy of the submitted forest practices application to the appropriate local government consistent with RCW 76.09.490.

(b) Local governments shall accept the application identified in this section as notice of the proposed project. ((The department)) A local government shall ((provide)) be provided with a fifteen-day comment period during which it ((will receive)) may transmit comments regarding environmental impacts to the department or, for forest practices hydraulic projects, to the department of natural resources.

(c) ((Within forty-five days)) Except for forest practices hydraulic projects, the department shall either issue a permit, with or without conditions, deny approval, or make a determination that the review and approval process created by this section is not appropriate for the proposed project within forty-five days. The department shall base this determination on identification during the comment period of adverse impacts that cannot be mitigated by the conditioning of a permit. Permitting decisions over forest practices hydraulic approvals must be made consistent with chapter 76.09 RCW.

(d) If the department determines that the review and approval process created by this section is not appropriate for the proposed project, the department shall notify the applicant and the appropriate local governments of its determination. The applicant may reapply

for approval of the project under other review and approval processes.

(e) Any person aggrieved by the approval, denial, conditioning, or modification of a permit other than a forest practices hydraulic project under this section may appeal the decision as provided in RCW 77.55.021(8). Appeals of a forest practices hydraulic project may be made as provided in chapter 76.09 RCW.

(4) No local government may require permits or charge fees for fish habitat enhancement projects that meet the criteria of subsection (1) of this section and that are reviewed and approved according to the provisions of this section.

(5) No civil liability may be imposed by any court on the state or its officers and employees for any adverse impacts resulting from a fish enhancement project permitted by the department or the department of natural resources under the criteria of this section except upon proof of gross negligence or willful or wanton misconduct.

Sec. 2. RCW 76.09.490 and 2012 1st sp.s. c 1 s 202 are each amended to read as follows:

(1) The department may request information and technical assistance from the department of fish and wildlife regarding any forest practices hydraulic project regulated under this chapter.

(2) A concurrence review process is established for certain forest practices hydraulic projects, as follow[s]:

(a) After receiving an application under RCW 76.09.050 that includes a forest practices hydraulic project involving one or more water crossing structures meeting the criteria of (b) of this subsection, the department shall provide all necessary information provided by the applicant to the department of fish and wildlife for concurrence review consistent with RCW 77.55.361(3). The required information must be transmitted by the department to the department of fish and wildlife as soon as practicable following the receipt of a complete application.

(b) The concurrence review process applies only to:

(i) Culvert installation or replacement, and repair at or below the bankfull width, as that term is defined in WAC 222-16-010 on July 10, 2012, in

fish bearing rivers and streams that exceed five percent gradient;

(ii) Bridge construction or replacement, and repair at or below the bankfull width, of fish bearing unconfined streams; or

(iii) Fill within the flood level - 100 year, as that term is defined in WAC 222-16-010, as it existed on July 10, 2012, of fish bearing unconfined streams.

(3) After receiving an application under RCW 76.09.050 that includes a forest practices hydraulic project involving one or more fish passage barrier removals, the department must provide a copy of that application to the appropriate local government for the purposes of providing notification under RCW 77.55.181. The copy of the application must be forwarded within forty-eight hours in the manner deemed most efficient by the department. This may include notification through web-based or other electronic notification systems."

Correct the title.

Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh, J..

Referred to Committee on Rules for second reading.

March 29, 2017

ESSB 5431 Prime Sponsor, Committee on Agriculture, Water, Trade & Economic Development: Concerning the protection of composting from nuisance lawsuits. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Schmick; Springer; Stanford and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Chapman, Vice Chair and Robinson.

Referred to Committee on Rules for second reading.

March 23, 2017

SB 5595 Prime Sponsor, Senator Billig: Concerning maintaining the quarterly average census method for calculating state hospital reimbursements. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Caldier; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

March 28, 2017

SSB 5633 Prime Sponsor, Committee on Law & Justice: Changing the definition of theft. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

March 28, 2017

SB 5639 Prime Sponsor, Senator Conway: Concerning alternative student assessments. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"PART I

DISCONTINUING CERTIFICATES OF ACADEMIC AND INDIVIDUAL ACHIEVEMENT AS GRADUATION REQUIREMENTS

Sec. 101. RCW 28A.155.045 and 2007 c 354 s 3 are each amended to read as follows:

Beginning with the graduating class of 2008, students served under this chapter, who are not appropriately assessed by the high school Washington assessment system ((as defined in RCW 28A.655.061)) established in accordance with RCW 28A.655.070, even with accommodations, may ((earn a certificate of individual achievement. The certificate may be earned using multiple ways to)), through multiple options, demonstrate skills and abilities commensurate with their individual education programs. The determination of whether the high school assessment system is appropriate shall be

made by the student's individual education program team. ((Except as provided in RCW 28A.655.0611, for these students, the certificate of individual achievement is required for graduation from a public high school, but need not be the only requirement for graduation.)) When measures other than the high school assessment system ((as defined in RCW 28A.655.061)) established in accordance with RCW 28A.655.070 are used, the measures shall be in agreement with the appropriate educational opportunity provided for the student as required by this chapter. The superintendent of public instruction shall develop the guidelines for determining which students should not be required to participate in the high school assessment system and which types of assessments are appropriate to use.

When measures other than the high school assessment system ((as defined in RCW 28A.655.061)) established in accordance with RCW 28A.655.070 are used for high school graduation purposes, the student's high school transcript shall note whether that student ((has earned a certificate of individual achievement)) was assessed with alternative assessments.

Nothing in this section shall be construed to deny a student the right to participation in the high school assessment system ((as defined in RCW 28A.655.061, and, upon successfully meeting the high school standard, receipt of the certificate of academic achievement)) established in accordance with RCW 28A.655.070.

Sec. 102. RCW 28A.155.170 and 2007 c 318 s 2 are each amended to read as follows:

(1) Beginning July 1, 2007, each school district that operates a high school shall establish a policy and procedures that permit any student who is receiving special education or related services under an individualized education program pursuant to state and federal law and who will continue to receive such services between the ages of eighteen and twenty-one to participate in the graduation ceremony and activities after four years of high school attendance with his or her age-appropriate peers and receive a certificate of attendance.

(2) Participation in a graduation ceremony and receipt of a certificate of

attendance under this section does not preclude a student from continuing to receive special education and related services under an individualized education program beyond the graduation ceremony.

(3) A student's participation in a graduation ceremony and receipt of a certificate of attendance under this section shall not be construed as the student's receipt of ((either:

(a)) a high school diploma pursuant to RCW 28A.230.120(; or

(b) A certificate of individual achievement pursuant to RCW 28A.155.045)).

Sec. 103. RCW 28A.230.090 and 2016 c 162 s 2 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) ((The certificate of academic achievement requirements under RCW 28A.655.061 or the certificate of individual achievement requirements under RCW 28A.155.045 are required for graduation from a public high school but are not the only requirements for graduation.

(c)) Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation.

((d)) (c)(i) The state board of education shall adopt rules to implement

the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1)((d)) (c). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the state board of education for a waiver to implement the career and college ready graduation requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The state board of education shall grant a waiver under this subsection (1)((d)) (c) to an applying school district at the next subsequent meeting of the board after receiving an application.

(2) (a) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have sufficient opportunity to ((earn a certificate of academic

achievement,)) complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review. The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not

be required to take an additional competency examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

Sec. 104. RCW 28A.230.122 and 2011 c 203 s 1 are each amended to read as follows:

(1) A student who fulfills the requirements specified in subsection (3) of this section toward completion of an international baccalaureate diploma programme is considered to have satisfied state minimum requirements for graduation from a public high school, except that(:

(a) The provisions of RCW 28A.655.061 regarding the certificate of academic achievement or RCW 28A.155.045 regarding the certificate of individual achievement apply to students under this section; and

(b)) the provisions of RCW 28A.230.170 regarding study of the United States Constitution and the Washington state Constitution apply to students under this section.

(2) School districts may require students under this section to complete local graduation requirements that are in addition to state minimum requirements before issuing a high school diploma under RCW 28A.230.120. However, school districts are encouraged to waive local requirements as necessary to encourage students to pursue an international baccalaureate diploma.

(3) To receive a high school diploma under this section, a student must complete and pass all required international baccalaureate diploma programme courses as scored at the local level; pass all internal assessments as scored at the local level; successfully complete all required projects and products as scored at the local level; and complete the final examinations administered by the international baccalaureate organization in each of the required subjects under the diploma programme.

Sec. 105. RCW 28A.230.125 and 2014 c 102 s 3 are each amended to read as follows:

(1) The superintendent of public instruction, in consultation with the

four-year institutions as defined in RCW 28B.76.020, the state board for community and technical colleges, and the workforce training and education coordinating board, shall develop for use by all public school districts a standardized high school transcript. The superintendent shall establish clear definitions for the terms "credits" and "hours" so that school programs operating on the quarter, semester, or trimester system can be compared.

(2) ((The standardized high school transcript shall include a notation of whether the student has earned a certificate of individual achievement or a certificate of academic achievement.

(3)) The standardized high school transcript may include a notation of whether the student has earned the Washington state seal of biliteracy established under RCW 28A.300.575.

Sec. 106. RCW 28A.655.070 and 2015 c 211 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop essential academic learning requirements that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements; and

(b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on

depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3) (a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.

(c) By the 2014-15 school year, the superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium, as provided in this subsection:

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year. The reading and writing assessments shall not be administered by the superintendent of

public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c)(i) of this subsection shall be used for ((the purposes of earning a certificate of academic achievement for high school graduation under the timeline established in RCW 28A.655.061 and for)) assessing student career and college readiness.

((iii) During the transition period specified in RCW 28A.655.061, the superintendent of public instruction shall use test items and other resources from the consortium assessment to develop and administer a tenth grade high school English language arts assessment, an end-of-course mathematics assessment to assess the standards common to algebra I and integrated mathematics I, and an end-of-course mathematics assessment to assess the standards common to geometry and integrated mathematics II.))

(4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the essential academic learning requirements before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment

system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(12) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(13) The superintendent shall post on the superintendent's web site lists of resources and model assessments in social studies, the arts, and health and fitness.

(14) The superintendent shall integrate financial education skills and content knowledge into the state learning standards pursuant to RCW 28A.300.460(2)(d).

PART II

MODIFICATIONS TO PROVISIONS OF EDUCATION AGENCIES

Sec. 201. RCW 28A.180.100 and 2004 c 19 s 105 are each amended to read as follows:

The office of the superintendent of public instruction and the state board for community and technical colleges shall jointly develop a program plan to provide a continuing education option for students who are eligible for the state transitional bilingual instruction program and who need more time to develop language proficiency but who are more age-appropriately suited for a postsecondary learning environment than for a high school. In developing the plan, the superintendent of public instruction shall consider options to formally recognize the accomplishments of students in the state transitional bilingual instruction program who have completed the twelfth grade but have not ((earned a certificate of academic achievement)) met all applicable graduation requirements. By December 1, 2004, the agencies shall report to the legislative education and fiscal committees with any recommendations for legislative action and any resources necessary to implement the plan.

Sec. 202. RCW 28A.195.010 and 2009 c 548 s 303 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. The state board of education shall not require private school students to meet the student learning goals, ((obtain a

certificate of academic achievement, or a certificate of individual achievement to graduate from high school,)) to master the essential academic learning requirements, or to be assessed pursuant to RCW ((28A.655.061)) 28A.655.070. However, private schools may choose, on a voluntary basis, to have their students master these essential academic learning requirements((,)) and take the assessments((, and obtain a certificate of academic achievement or a certificate of individual achievement)). Minimum requirements shall be as follows:

(1) The minimum school year for instructional purposes shall consist of no less than one hundred eighty school days or the equivalent in annual minimum instructional hour offerings, with a school-wide annual average total instructional hour offering of one thousand hours for students enrolled in grades one through twelve, and at least four hundred fifty hours for students enrolled in kindergarten.

(2) The school day shall be the same as defined in RCW 28A.150.203.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) An approved private school may operate an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody. The extension program shall require at a minimum that:

(a) The parent, guardian, or custodian be under the supervision of an employee of the approved private school who is certified under chapter 28A.410 RCW;

(b) The planning by the certified person and the parent, guardian, or person having legal custody include objectives consistent with this

subsection and subsections (1), (2), (5), (6), and (7) of this section;

(c) The certified person spend a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the approved private school extension program;

(d) Each student's progress be evaluated by the certified person; and

(e) The certified employee shall not supervise more than thirty students enrolled in the approved private school's extension program.

(5) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

(6) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements. A residential dwelling of the parent, guardian, or custodian shall be deemed to be an adequate physical facility when a parent, guardian, or person having legal custody is instructing his or her child under subsection (4) of this section.

(7) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

(8) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection (7) of this section provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

Sec. 203. RCW 28A.200.010 and 2004 c 19 s 107 are each amended to read as follows:

(1) Each parent whose child is receiving home-based instruction under

RCW 28A.225.010(4) shall have the duty to:

(a) File annually a signed declaration of intent that he or she is planning to cause his or her child to receive home-based instruction. The statement shall include the name and age of the child, shall specify whether a certificated person will be supervising the instruction, and shall be written in a format prescribed by the superintendent of public instruction. Each parent shall file the statement by September 15th of the school year or within two weeks of the beginning of any public school quarter, trimester, or semester with the superintendent of the public school district within which the parent resides or the district that accepts the transfer, and the student shall be deemed a transfer student of the nonresident district. Parents may apply for transfer under RCW 28A.225.220;

(b) Ensure that test scores or annual academic progress assessments and immunization records, together with any other records that are kept relating to the instructional and educational activities provided, are forwarded to any other public or private school to which the child transfers. At the time of a transfer to a public school, the superintendent of the local school district in which the child enrolls may require a standardized achievement test to be administered and shall have the authority to determine the appropriate grade and course level placement of the child after consultation with parents and review of the child's records; and

(c) Ensure that a standardized achievement test approved by the state board of education is administered annually to the child by a qualified individual or that an annual assessment of the student's academic progress is written by a certificated person who is currently working in the field of education. The state board of education shall not require these children to meet the student learning goals((,)) or master the essential academic learning requirements, to take the assessments((, or to obtain a certificate of academic achievement or a certificate of individual achievement pursuant to RCW 28A.655.061 and 28A.155.045)). The standardized test administered or the annual academic progress assessment written shall be made a part of the child's permanent records. If, as a

result of the annual test or assessment, it is determined that the child is not making reasonable progress consistent with his or her age or stage of development, the parent shall make a good faith effort to remedy any deficiency.

(2) Failure of a parent to comply with the duties in this section shall be deemed a failure of such parent's child to attend school without valid justification under RCW 28A.225.020. Parents who do comply with the duties set forth in this section shall be presumed to be providing home-based instruction as set forth in RCW 28A.225.010(4).

Sec. 204. RCW 28A.305.130 and 2013 2nd sp.s. c 22 s 7 are each amended to read as follows:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning.

The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b)(i) Identify the scores students must achieve in order to meet the standard on the statewide student assessment ((and, for high school students, to obtain a certificate of academic achievement)). The board shall also determine student scores that identify levels of student performance below and beyond the standard. ((The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates.)) The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose.

(ii) ((By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the tenth grade English language arts assessment and the end-of-course mathematics assessments developed in accordance with RCW 28A.655.070 to be used as the state transitions to high school assessments developed with a multistate consortium.

(iii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the high school English language arts assessment and the comprehensive mathematics assessment developed with a multistate consortium in accordance with RCW 28A.655.070. To determine the appropriate score, the state board shall review the transition experience of Washington students to the consortium-developed assessments, examine the student scores used in other states that are administering the consortium-developed assessments, and review the scores in other states that require passage of an eleventh grade assessment as a high school graduation requirement. The scores established by the state board of education for the purposes of earning a certificate of academic achievement and graduation from high school may be different from the scores used for the purpose of determining a student's career and college readiness.

(iv)) The legislature shall be advised of the initial performance standards for the high school statewide student assessment. Any changes recommended by the board in the performance standards for the high school assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature. The legislature shall be advised of the initial performance standards and any changes made to the elementary level performance standards and the middle school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's web site;

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredite, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

Sec. 205. RCW 28A.320.208 and 2013 2nd sp.s. c 22 s 8 are each amended to read as follows:

(1) At the beginning of each school year, school districts must notify parents and guardians of enrolled students from eighth through twelfth grade about each student assessment required by the state, the minimum state-level graduation requirements, and any additional school district graduation requirements. The information may be provided when the student is enrolled, contained in the student or parent handbook, or posted on the school district's web site. The notification must include the following:

(a) When each assessment will be administered;

(b) ((Which assessments will be required for graduation and what options students have to meet graduation requirements if they do not pass a given assessment;

(c)) Whether the results of the assessment will be used for program placement or grade-level advancement;

((d)) (c) When the assessment results will be released to parents or guardians and whether there will be an opportunity for parents and teachers to discuss strategic adjustments; and

((e)) (d) Whether the assessment is required by the school district, state, federal government, or more than one of these entities.

(2) The office of the superintendent of public instruction shall provide information to the school districts to enable the districts to provide the information to the parents and guardians in accordance with subsection (1) of this section.

PART III

ADDITIONAL AND REPEALED PROVISIONS

Sec. 301. RCW 28A.415.360 and 2009 c 548 s 403 are each amended to read as follows:

(1) Subject to funds appropriated for this purpose, targeted professional development programs, to be known as learning improvement days, are authorized to further the development of outstanding mathematics, science, and reading teaching and learning opportunities in the state of Washington. The intent of this section is to provide

guidance for the learning improvement days in the omnibus appropriations act. The learning improvement days authorized in this section shall not be considered part of the definition of basic education.

(2) A school district is eligible to receive funding for learning improvement days that are limited to specific activities related to student learning that contribute to the following outcomes:

(a) Provision of meaningful, targeted professional development for all teachers in mathematics, science, or reading;

(b) Increased knowledge and instructional skill for mathematics, science, or reading teachers;

(c) Increased use of curriculum materials with supporting diagnostic and supplemental materials that align with state standards;

(d) ((Skillful guidance for students participating in alternative assessment activities;

(e)) Increased rigor of course offerings especially in mathematics, science, and reading;

((f)) (e) Increased student opportunities for focused, applied mathematics and science classes;

((g)) (f) Increased student success on state achievement measures; and

((h)) (g) Increased student appreciation of the value and uses of mathematics, science, and reading knowledge and exploration of related careers.

(3) School districts receiving resources under this section shall submit reports to the superintendent of public instruction documenting how the use of the funds contributes to measurable improvement in the outcomes described under subsection (2) of this section; and how other professional development resources and programs authorized in statute or in the omnibus appropriations act contribute to the expected outcomes. The superintendent of public instruction and the office of financial management shall collaborate on required report content and format.

Sec. 302. RCW 28A.600.310 and 2015 c 202 s 4 are each amended to read as follows:

(1)(a) Eleventh and twelfth grade students or students who have not yet received the credits required for the award of a high school diploma and are eligible to be in the eleventh or twelfth grades may apply to a participating institution of higher education to enroll in courses or programs offered by the institution of higher education.

(b) The course sections and programs offered as running start courses must also be open for registration to matriculated students at the participating institution of higher education and may not be a course consisting solely of high school students offered at a high school campus.

(c) A student receiving home-based instruction enrolling in a public high school for the sole purpose of participating in courses or programs offered by institutions of higher education shall not be counted by the school district in any required state or federal accountability reporting if the student's parents or guardians filed a declaration of intent to provide home-based instruction and the student received home-based instruction during the school year before the school year in which the student intends to participate in courses or programs offered by the institution of higher education. Students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW shall not be required to meet the student learning goals(, obtain a certificate of academic achievement or a certificate of individual achievement to graduate from high school,) or to master the essential academic learning requirements. However, students are eligible to enroll in courses or programs in participating universities only if the board of directors of the student's school district has decided to participate in the program. Participating institutions of higher education, in consultation with school districts, may establish admission standards for these students. If the institution of higher education accepts a secondary school pupil for enrollment under this section, the institution of higher education shall send written notice to the pupil and the pupil's school district within ten days of acceptance. The notice shall indicate the course and hours of enrollment for that pupil.

(2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020 and 28B.15.041:

(i) Running start students shall pay to the community or technical college all other mandatory fees as established by each community or technical college and, in addition, the state board for community and technical colleges may authorize a fee of up to ten percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041; and

(ii) All other institutions of higher education operating a running start program may charge running start students a fee of up to ten percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041 in addition to technology fees.

(b) The fees charged under this subsection (2) shall be prorated based on credit load.

(c) Students may pay fees under this subsection with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.

(3)(a) The institutions of higher education must make available fee waivers for low-income running start students. Each institution must establish a written policy for the determination of low-income students before offering the fee waiver. A student shall be considered low income and eligible for a fee waiver upon proof that the student is currently qualified to receive free or reduced-price lunch. Acceptable documentation of low-income status may also include, but is not limited to, documentation that a student has been deemed eligible for free or reduced-price lunches in the last five years, or other criteria established in the institution's policy.

(b) Institutions of higher education, in collaboration with relevant student associations, shall aim to have students who can benefit from fee waivers take advantage of these waivers. Institutions shall make every effort to communicate to students and their families the benefits of the waivers and provide assistance to students and their families on how to apply. Information about waivers shall, to the greatest extent possible, be incorporated into financial aid counseling, admission information, and individual billing statements. Institutions also shall, to the greatest extent possible, use all means of

communication, including but not limited to web sites, online catalogues, admission and registration forms, mass email messaging, social media, and outside marketing to ensure that information about waivers is visible, compelling, and reaches the maximum number of students and families that can benefit.

(4) The pupil's school district shall transmit to the institution of higher education an amount per each full-time equivalent college student at statewide uniform rates for vocational and nonvocational students. The superintendent of public instruction shall separately calculate and allocate moneys appropriated for basic education under RCW 28A.150.260 to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset program related costs. The calculations and allocations shall be based upon the estimated statewide annual average per full-time equivalent high school student allocations under RCW 28A.150.260, excluding small high school enhancements, and applicable rules adopted under chapter 34.05 RCW. The superintendent of public instruction, participating institutions of higher education, and the state board for community and technical colleges shall consult on the calculation and distribution of the funds. The funds received by the institution of higher education from the school district shall not be deemed tuition or operating fees and may be retained by the institution of higher education. A student enrolled under this subsection shall be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus appropriations act.

NEW SECTION. Sec. 303. A new section is added to chapter 28A.655 RCW to read as follows:

To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district must prepare plans for and notify students and their parents or legal guardians as provided in this section. Student learning plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment during the previous

school year or who may not be on track to graduate due to credit deficiencies or absences. The parent or legal guardian must be notified about the information in the student learning plan, preferably through a parent conference and at least annually. To the extent feasible, schools serving English language learner students and their parents must translate the plan into the primary language of the family. The plan must include the following information as applicable:

(1) The student's results on the state assessment;

(2) If the student is in the transitional bilingual instruction program, the score on his or her Washington language proficiency test II;

(3) Any credit deficiencies;

(4) The student's attendance rates over the previous two years;

(5) The student's progress toward meeting state and local graduation requirements;

(6) The courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation;

(7) Remediation strategies and alternative education options available to students, including informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one;

(8) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements; and

(9) Available programs offered through skill centers or community and technical colleges, including the college high school diploma options under RCW 28B.50.535.

NEW SECTION. Sec. 304. The following acts or parts of acts are each repealed:

(1) RCW 28A.600.405 (Participation in high school completion pilot program—Eligible students—Funding allocations—Rules—Information for students and parents) and 2012 1st sp.s. c 10 s 4 & 2007 c 355 s 4;

(2) RCW 28A.655.061 (High school assessment system—Certificate of academic achievement—Exemptions—Options to retake high school assessment—

Objective alternative assessment—Student learning plans) and 2015 3rd sp.s. c 42 s 2, 2013 2nd sp.s. c 22 s 2, 2011 1st sp.s. c 22 s 2, 2010 c 244 s 1, 2009 c 524 s 5, & 2008 c 321 s 2;

(3)RCW 28A.655.063 (Objective alternative assessments—Reimbursement of costs—Testing fee waivers) and 2007 c 354 s 7 & 2006 c 115 s 5;

(4)RCW 28A.655.065 (Objective alternative assessment methods—Appeals from assessment scores—Waivers and appeals from assessment requirements—Rules) and 2009 c 556 s 19, 2008 c 170 s 205, 2007 c 354 s 6, & 2006 c 115 s 1;

(5)RCW 28A.655.066 (Statewide end-of-course assessments for high school mathematics) and 2013 2nd sp.s. c 22 s 3, 2011 c 25 s 2, 2009 c 310 s 3, & 2008 c 163 s 3; and

(6)RCW 28A.655.068 (Statewide high school assessment in science) and 2013 2nd sp.s. c 22 s 4 & 2011 1st sp.s. c 22 s 3.

NEW SECTION. Sec. 305. This act applies to students in the graduating class of 2017 and subsequent graduating classes.

NEW SECTION. Sec. 306. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Springer; Steele and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove and Stokesbary.

Referred to Committee on Appropriations.

March 28, 2017
SSB 5790 Prime Sponsor, Committee on Local Government: Concerning the economic development element of the growth management act. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This act may be known and cited as the economic revitalization act.

NEW SECTION. Sec. 2. Section 1 of the growth management act of 1990 clearly states the act is to provide for sustainable economic development, and that it is in the public interest that economic development programs be shared with communities experiencing insufficient economic growth. Through this act, it is the intent of the legislature to provide additional tools to help local governments provide family wage jobs, increase incomes, and increase economic opportunities for all taxpayers and residents in communities with deteriorating economies.

Sec. 3. RCW 36.70A.070 and 2015 c 241 s 2 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including

Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because

circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by

the local government according to RCW 36.70A.030(15). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(15). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of

this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do

not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after full payment of all impact fees is due to the county or city.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element ((shall)) may include(: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use,

transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs)) the provisions in section 4 of this act. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

NEW SECTION. Sec. 4. A new section is added to chapter 36.70A RCW to read as follows:

(1)(a) The economic development element required by RCW 36.70A.070(7) may include the following:

(i) A summary of the local economy, such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate;

(ii) A summary of the strengths and weaknesses of the local economy, including the commercial, industrial, manufacturing, natural resource, and other locally significant economic sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources;

(iii) An identification of policies, programs, and projects to foster economic growth and development and to address future needs; and

(iv) An evaluation of whether there has been economic growth of the local economy during the prior eight years, including whether the city, town, or county median household income is above or below the state average.

(b) The economic development element should include the following:

(i) Policies and programs to promote increases in family, individual, and business incomes;

(ii) An examination of whether sites planned for economic development have adequate public facilities and services, and, as appropriate, a plan for any needed public facilities and services;

(iii) Policies and programs to encourage access to education and training for family wage jobs; and

(iv) Policies and programs to address economic development opportunities including existing industries and businesses, value added manufacturing of locally produced natural resources, and the use of locally produced energy and other natural resources.

(2) Each county and city planning under RCW 36.70A.040 is encouraged to adopt comprehensive plans and development regulations that promote economic development in urban and rural areas, and evaluate economic performance in the jurisdiction in the time since the most recent update to the comprehensive plan. Each county and city planning under RCW 36.70A.040 may make findings regarding the economic condition of the jurisdiction, including whether economic deterioration exists in the county or city. If there is stagnation or economic deterioration during the period of time since the most recent update to the comprehensive plan, the comprehensive plan and development regulations may be modified to increase economic development opportunities.

(3)(a) Rural counties, as defined in RCW 82.14.370(5), that are planning under RCW 36.70A.040, and the cities within those counties, may identify policies, programs, and development opportunities to address the potential for economic deterioration and to seize economic development opportunities.

(b) Until January 1, 2019, a rural county, as defined in RCW 82.14.370(5), may designate a limited area of more intensive rural development consistent

with the requirements of RCW 36.70A.070(5) (d) (i) through (iv) and (e) if the county:

(i) Is planning under RCW 36.70A.040;

(ii) Had a population of less than fifty thousand as of January 1, 2017;

(iii) Has had a population increase of less than seventeen percent in the previous ten years; and

(iv) Has issued a finding of economic deterioration consistent with subsection (2) of this section.

(c) A limited area of more intensive rural development designated by a county under this subsection (3) must apply only to an existing area or existing use that was in existence as of July 1, 1990, or as of January 1, 2017. A limited area of more intensive rural development designated under this subsection (3) is not subject to the definitions of existing area or existing use in RCW 36.70A.070(5) (d) (v). Through the designation of a limited area of more intensive rural development under this subsection (3), a county may authorize use of a type that is different from the existing area or existing use as of July 1, 1990, or January 1, 2017.

(4) For purposes of this section, economic deterioration is exemplified by, but not limited to, any combination of the following performance outcomes:

(a) Incomes that are at least ten thousand dollars less than the statewide median household income for the same year as established by the office of financial management;

(b) A decrease in the county's household median income during any year within the prior eight years;

(c) The inability of the jurisdiction to add new full-time jobs in sufficient quantities to provide for population increases;

(d) Decreases or stagnation of economic start-ups during multiple years within the prior eight years;

(e) Unemployment rates that are higher than the national and statewide averages over multiple years within the prior eight years; and

(f) Decreases or stagnation in the issuance of commercial building permits during multiple years in the time since the comprehensive plan was last updated.

(5) A petition for review of a designation of a local area of more intense rural development under subsection (3) of this section must be directly reviewed by the superior court. The requirements of RCW 36.70A.295 (3) through (7) apply to a superior court review of a petition for review under this subsection."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys; Dye; Fey; Kagi and McBride.

Referred to Committee on Rules for second reading.

March 29, 2017
SB 5793 Prime Sponsor, Senator Warnick:
 Concerning an assessment on cattle.
 Reported by Committee on Agriculture &
 Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 16.67.120 and 2002 c 313 s 83 are each amended to read as follows:

(1) There is hereby levied an assessment of one dollar and fifty cents per head on all Washington cattle sold in this state or elsewhere to be paid by the seller at the time of sale: PROVIDED, That if such sale is accompanied by a brand inspection by the department such assessment may be collected at the same time, place and in the same manner as brand inspection fees. Such fees may be collected by the livestock services division of the department and transmitted to the commission: PROVIDED FURTHER, That, if such sale is made without a brand inspection by the department the assessment shall be paid by the seller and transmitted directly to the commission by the fifteenth day of the month following the month the transaction occurred. Fifty cents of the one dollar and fifty cent assessment under this subsection may not be collected at the first point of sale of any calf identified with a green tag as defined in RCW 16.57.160.

(2) The procedures for collecting all state and federal assessments under this chapter shall be as required by the federal order and as described by rules adopted by the commission.

NEW SECTION. Sec. 2. A new section is added to chapter 16.67 RCW to read as follows:

(1) The budget required in RCW 16.67.090(8) must set forth the complete and detailed financial program of the commission, showing the revenues and expenditures of the commission. The budget must be explanatory, describing how the funding is used to administer and implement the commission's programs and priorities, and include the reasons for salient changes from the previous fiscal period in expenditure or revenue items. The budget must explain any major changes to financial policy and contain an outline of the proposed financial policies of the commission for the ensuing fiscal period and describe performance indicators that demonstrate measurable progress toward the commission's priorities.

(2) The budget must be sufficiently detailed to provide transparency for the commission's actions on behalf of the industry.

(3) The commission must submit to the legislature a concise yet detailed report of the commission's activities and expenditures after the completion of each fiscal year."

Correct the title.

Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Springer and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick and Walsh, J..

Referred to Committee on Appropriations.

March 28, 2017
SB 5813 Prime Sponsor, Senator Padden:
 Concerning crimes against minors.
 Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

March 29, 2017

SJM 8009 Prime Sponsor, Senator Chase: Requesting Congress to provide the National Oceanic and Atmospheric Administration Fisheries with sufficient resources to expedite its endangered species act and national environmental policy act review of Puget Sound hatchery and genetic management plans and that the National Oceanic and Atmospheric Administration Fisheries prioritize and conduct immediate review and approval of Puget Sound hatchery and genetic management plans. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Springer; Stanford and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Chapman, Vice Chair; Chandler and Schmick.

Referred to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES 3RD SUPPLEMENTAL

March 29, 2017

HB 2143 Prime Sponsor, Representative Haler: Expanding opportunities for higher education students. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Haler; Orwall; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Stambaugh.

Referred to Committee on Appropriations.

March 29, 2017

SSB 5100 Prime Sponsor, Committee on Ways & Means: Requiring financial literacy seminars for students at institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Stambaugh and Tarleton.

MINORITY recommendation: Without recommendation. Signed by Representative Sells.

Referred to Committee on Appropriations.

March 29, 2017

2SSB 5201 Prime Sponsor, Committee on Ways & Means: Concerning individuals receiving both employment and community access services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes the need for person-centered services that enable developmentally disabled clients to have greater access to their community regardless of the degree of each client's disability or level of acuity. The legislature further recognizes that employment is highly effective for many and should be encouraged and offered at the outset for individuals age twenty-one and older. However, for others with significant barriers to employment the state likewise recognizes the need for the availability of community access services to enhance employment discovery prospects, provide skills development, or provide community involvement and meaningful activities.

The legislature intends to maximize the benefits that clients receive through supported employment through accountability measures. These transparency measures will allow supported employment providers to demonstrate successes and provide data on client outcomes.

Sec. 2. RCW 71A.12.290 and 2012 c 49 s 1 are each amended to read as follows:

(1) Clients age twenty-one and older who are receiving employment services must be offered the choice to transition to a community access program after nine months of enrollment in an employment program, and the option to transition from a community access program to an employment program at any time. Enrollment in an employment program begins at the time the client is authorized to receive employment.

(2) (a) Prior approval by the department shall not be required to effectuate the client's choice to transition from an employment program to community access services after

verifying nine months of participation in employment-related services.

(b) The department shall permit clients to enroll in a community access program without first engaging in nine months of employment services when:

(i) Medical or behavioral health records document a condition or a combination of conditions that prevent the client from successfully participating in, engaging in, and completing nine consecutive months of supported employment services;

(ii) Employment services were not provided to the client within ninety days of referral; or

(iii) The department otherwise determines that the client should be provided an exception to engaging in nine months of employment services.

(3) The department shall inform clients and their legal representatives of all available options for employment and day services, including the opportunity to request an exception from enrollment in an employment program. The department shall inform clients and their legal representatives of the ability to request an exception to the employment services participation requirement and describe the process for requesting such an exception to clients in writing. The department shall provide a written response to clients who have requested such an exception within sixty days. This written response from the department shall include a description of the reason or reasons why the request was granted or denied. Information provided to the client and the client's legal representative must include the types of activities each service option provides, and the amount, scope, and duration of service for which the client would be eligible under each service option. An individual client may be authorized for only one service option, either employment services or community access services. Clients may not participate in more than one of these services at any given time.

(4) The department shall work with counties and stakeholders to strengthen and expand ((the existing community access program, including the consideration of options that allow for alternative service settings outside of the client's residence. The program should emphasize support for the clients so that they are able to participate in

activities that integrate them into their community and support independent living and skills)) employment services and other community access services. Community access services shall emphasize supports and activities that increase community involvement, maintain or improve skills and independence, and meet the diversity of person-centered needs.

((5) The department shall develop rules to allow for an exception to the requirement that a client participate in an employment program for nine months prior to transitioning to a community access program)) (a) Beginning July 1, 2019, the department shall allow clients age twenty-one and older who are assessed as high acuity clients to transition into the community access program after ninety days of enrollment in an employment program and subject to federal waiver approval. The department shall inform clients assessed as high acuity of the ability to transition into the community access program no later than ten days after enrollment in an employment program. For purposes of this section, "high acuity clients" means clients of the department who are receiving developmental disability services; require support in the community at all times to maintain his or her health and safety; experience significant barriers to employment or community participation; and require frequent supervision, training, or full physical assistance with community activities most of the time.

(b) The department shall permit clients assessed as high acuity clients to enroll in a community access program without first engaging in ninety days of employment services when:

(i) Medical or behavioral health records document a condition or a combination of conditions that prevent the client from successfully participating in, engaging in, and completing ninety consecutive days of supported employment services;

(ii) Employment services were not provided to the client within ninety days of referral; or

(iii) The department otherwise determines that the client should be provided an exception to engaging in ninety days of employment services.

NEW SECTION. Sec. 3. A new section is added to chapter 71A.12 RCW to read as follows:

(1) By December 1, 2017, the department shall adopt accountability and outcome measures to determine whether supported employment providers are achieving the employment goals of the clients that they serve. At a minimum, these accountability and outcome measures must include the following information provided annually:

(a) A description of the supported employment services provided;

(b) The number of service hours billed per client;

(c) The number of clients who obtained employment; and

(d) Of those clients who obtained employment:

(i) The number of service hours provided to the client;

(ii) The number of service hours involving direct interaction with the client while employment was being secured;

(iii) The number of hours per month clients were employed;

(iv) The amount of wages earned; and

(v) The occupation types secured by clients.

(2) By July 1, 2019, the department shall require that counties entering into new contracts for supported employment services or renewing supported employment contracts include provisions in their contracts that incorporate the accountability and outcome measures adopted by the department pursuant to this section and mechanisms for reporting data to support the accountability and outcome measures.

NEW SECTION. Sec. 4. A new section is added to chapter 71A.12 RCW to read as follows:

(1) By December 1, 2017, the department shall report to the appropriate committees of the legislature and the governor the accountability measures that were adopted for ensuring that supported employment providers achieve the employment goals of the clients that they serve pursuant to section 3 of this act.

(2) This section expires July 1, 2018.

NEW SECTION. Sec. 5. A new section is added to chapter 71A.12 RCW to read as follows:

(1) Within existing resources, the department shall consult with the office of the superintendent of public instruction to identify best practices within schools for offering transition services and employment-related services to individuals with developmental disabilities. By December 1, 2017, the department shall post the results of this consultation on its web site, as appropriate.

(2) This section expires July 1, 2018."

Correct the title.

Signed by Representatives Kagi, Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; McCaslin and Muri.

MINORITY recommendation: Do not pass. Signed by Representatives Senn, Vice Chair and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representative Lovick.

Referred to Committee on Appropriations.

March 29, 2017

SB 5614

Prime Sponsor, Senator Darneille: Concerning diversion agreements and counsel and release agreements. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Frame; Goodman; Kilduff; Lovick and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey; Klippert and Muri.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member and McCaslin.

Referred to Committee on Rules for second reading.

March 29, 2017

SSB 5618

Prime Sponsor, Committee on Human Services, Mental Health & Housing: Concerning arrest of sixteen and seventeen year olds for domestic violence assault. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 10.31.100 and 2016 c 203 s 9 and 2016 c 113 s 1 are each reenacted and amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of an officer, except as provided in subsections (1) through ((12)) (11) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.92, 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint

has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is eighteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (A) The intent to protect victims of domestic violence under RCW 10.99.010; (B) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (C) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) ((A police officer shall, at the request of a parent or guardian, arrest the sixteen or seventeen year old child of that parent or guardian if the officer has probable cause to believe that the child has assaulted a family or household member as defined in RCW 10.99.020 in the preceding four hours. Nothing in this subsection removes a police officer's existing authority provided in this section to make an arrest.

(4)) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic

laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.503 or 46.25.110, relating to persons having alcohol or THC in their system;

(f) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(g) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

((5)) (4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

((6)) (5)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

((7)) (6) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

((8)) (7) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

((9)) (8) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

((10)) (9) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

((11)) (10) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

((12)) (11) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

((13)) (12) A law enforcement officer having probable cause to believe that a person has committed a violation under RCW 77.15.160(4) may issue a citation for an infraction to the person in connection with the violation.

((14)) (13) A law enforcement officer having probable cause to believe that a person has committed a criminal violation under RCW 77.15.809 or 77.15.811 may arrest the person in connection with the violation.

((15)) (14) Except as specifically provided in subsections (2), (3), (4), ((5),) and ((8)) (7) of this section,

nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

((16)) (15) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or ((10)) (9) of this section if the police officer acts in good faith and without malice.

((17)) (16) (a) Except as provided in (b) of this subsection, a police officer shall arrest and keep in custody, until release by a judicial officer on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that the person has violated RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and the police officer has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years.

(b) A police officer is not required to keep in custody a person under (a) of this subsection if the person requires immediate medical attention and is admitted to a hospital.

((18) A juvenile detention facility shall book into detention any person under age eighteen brought to that detention facility pursuant to an arrest for assaulting a family or household member as defined in RCW 10.99.020.))"

Correct the title.

Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representative McCaslin.

Referred to Committee on Rules for second reading.

March 29, 2017
SSB 5713 Prime Sponsor, Committee on Higher Education: Creating the skilled worker outreach, recruitment, and career awareness training program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The definitions in this section apply throughout this

chapter unless the context clearly requires otherwise.

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

(2) "Eligible applicant" means any government entity or any nongovernment entity, association, or organization that is not a private vocational school, that:

(a) Offers, or plans to offer, a skilled worker awareness program; and

(b) Has partnered with industry to either offer or fund a skilled worker awareness program.

(3) "Grant program" means the skilled worker outreach, recruitment, and career awareness grant program.

(4) "Grant review committee" means the skilled worker outreach, recruitment, and career awareness grant program review committee created in section 5 of this act.

(5) "Matching grant" means a grant funded by the state to match funding provided by an eligible applicant to support efforts to increase the state's skilled workforce.

(6) "Skilled worker awareness program" means a program designed to increase awareness of, and enrollment in, accredited educational, occupational, state-approved preapprenticeship, apprenticeship, and similar training programs that: (a) Train individuals to perform skills needed in the workforce; and (b) award industry or state-recognized certificates, credentials, associate degrees, professional licenses, or similar evidence of achievement but not including bachelor's or higher degrees.

NEW SECTION. Sec. 2. (1) Subject to availability of amounts appropriated for this specific purpose, the skilled worker outreach, recruitment, and career awareness grant program is created. The purpose of the grant program is to increase the state's skilled workforce by raising awareness of the state's worker training programs.

(2) (a) Under the grant program, the department must award matching grants to eligible applicants that will engage in outreach and recruiting efforts to increase enrollment in and completion of worker training programs.

(b) Recipients of the grant must provide matching cash funding. The recipient's match must be two dollars for each one dollar of the grant. The recipient's match may not be in the form of in-kind contributions.

NEW SECTION. Sec. 3. (1) The department shall administer the grant program and establish a process for accepting grant applications, including application guidelines and deadlines.

(2) By January 1, 2018, and annually no later than January 1st thereafter, the department shall start accepting grant applications.

NEW SECTION. Sec. 4. (1) To be considered for a matching grant, an eligible applicant must include, at a minimum, the following information in its application:

(a) A description of how the matching grant will be used to provide outreach, education, and recruitment for training programs;

(b) A description of the training programs the applicant plans to promote, the particular skills taught by that training program, and the number of years the training program has been in operation;

(c) Past, current, and projected enrollment in the training program the applicant plans to promote and the estimated increases in enrollment, if the training program has been in existence;

(d) If the applicant is promoting an existing training program, a comparison of the number of participants who enroll in the training program and the number of participants who complete the program over a five-year period, if available;

(e) Specific industry needs or gaps in the workforce that the training program will or does address;

(f) A description of intended or existing partnerships with industry members, including those where training program participants will have the opportunity to earn income or credit hours;

(g) Costs or the anticipated costs to implement the skilled worker awareness program;

(h) Resources that the eligible applicant will commit in matching dollars and, if the applicant already has a skilled worker awareness program,

existing resources that the applicant has invested in recruiting, outreach, and funding of its skilled worker awareness program; and

(i) Any other information the department requires.

(2) Upon receipt of an application that satisfies the requirements in this section, the department must send the application to the grant review committee for its consideration.

NEW SECTION. Sec. 5. (1) The department must establish a grant review committee to review grant applications and make recommendations on who should receive a matching grant and the amount. The grant review committee must consist of eleven members with representatives from the following:

(a) The department of labor and industries;

(b) The employment security department;

(c) The department of enterprise services;

(d) The workforce training and education coordinating board;

(e) The state board for community and technical colleges;

(f) Two representatives from business;

(g) Two representatives from labor; and

(h) Two representatives from the Washington apprenticeship and training council.

(2) The grant review committee shall designate a chair to oversee the committee's meetings.

(3) The grant review committee shall establish criteria for ranking eligible applicants for matching grant awards. The grant review committee shall consider and rank eligible applicants based on which applicants currently are able to or have the best potential to:

(a) Reach a broad diverse audience, including populations with barriers as identified in the state's comprehensive workforce training and education plan, through their recruitment and outreach efforts;

(b) Collaborate with and utilize centers of excellence within the community and technical college system;

(c) Significantly increase enrollment and completion of the training program the applicant plans to promote;

(d) Fill existing needs for skilled workers in the market; and

(e) Demonstrate the following, prioritized in the following order:

(i) That the eligible applicant will provide monetary contributions from its own resources; and

(ii) That the eligible applicant has secured:

(A) An industry partner; or

(B) Monetary contributions from an industry partner, conditional job placement guarantees, or articulation agreements.

(4) The grant review committee shall submit its recommendations to the director of the department, who shall determine to whom and in what amounts to award matching grants. Matching grants must be awarded no later than April 1st each year following the application submittal deadline.

NEW SECTION. Sec. 6. Grant recipients may not use matching grants for tuition subsidies or to reduce tuition for any training program.

NEW SECTION. Sec. 7. (1) Each eligible applicant that receives a matching grant shall submit a quarterly report and an annual report to the grant review committee on the outcomes achieved. The grant recipient shall include in the report at least the following measurable outcomes:

(a) The manner in which the grant recipient has used the matching grant for outreach and recruitment;

(b) The number of participants enrolled in and the number of participants who completed the training program being promoted, both before the matching grant was awarded and since the matching grant was received;

(c) The number of participants who obtained employment in an industry for which the participant was trained under the training program promoted by the recipient, including information about the industry in which the participants are employed;

(d) The number of participants recruited; and

(e) Any other information the grant review committee determines appropriate.

(2) By December 1, 2019, and by each December 1st thereafter, the grant review committee shall submit an annual report to the governor and appropriate committees of the legislature in accordance with the reporting requirements in RCW 43.01.036. The report must include:

(a) The number of matching grants awarded in the prior year, including the amount, recipient, and duration of each matching grant;

(b) The number of individuals who enrolled in and completed training programs promoted by each grant recipient;

(c) The number of individuals who obtained employment in a position that uses the skills for which they were trained through a training program promoted by a grant recipient; and

(d) Other information obtained from grant recipients' reports under subsection (1) of this section.

NEW SECTION. Sec. 8. To assist with implementation of the grant program, the department, in coordination with the workforce training and education coordinating board and the workforce training customer advisory committee, shall coordinate skilled worker awareness programs throughout the state. The coordination must include:

(1) Partnering with industry associations, labor-management programs, and businesses to assess and determine their workforce needs; and

(2) Coordinating with training program providers on skill sets being developed and the quality of students being trained.

NEW SECTION. Sec. 9. The skilled worker outreach, recruitment, and career awareness grant program account is created in the custody of the state treasurer. The department shall deposit in the account all money received for the program. The account shall be self-sustaining and consist of funds appropriated by the legislature for the skilled worker outreach, recruitment, and career awareness grant program and private contributions to the program. Expenditures from the account shall only be used for matching grants provided to grant recipients. Only the director of

the department or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. Sec. 10. This chapter expires July 1, 2022.

NEW SECTION. Sec. 11. Sections 1 through 10 of this act constitute a new chapter in Title 43 RCW."

Correct the title.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Haler; Orwall; Sells; Stambaugh and Tarleton.

Referred to Committee on Appropriations.

March 29, 2017

2SSB 5749 Prime Sponsor, Committee on Ways & Means: Concerning paperwork reduction in order to improve the availability of mental health services to protect children and families. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that a prioritized recommendation of the children's mental health work group, as reported in December 2016, is to reduce burdensome and duplicative paperwork requirements for providers of children's mental health services. This recommendation is consistent with the recommendations of the behavioral health workforce assessment of the workforce training and education coordinating board to reduce time-consuming documentation requirements and the behavioral and primary health regulatory alignment task force to streamline regulations and reduce the time spent responding to inefficient and excessive audits.

The legislature further finds that duplicative and overly prescriptive documentation and audit requirements negatively impact the adequacy of the provider network by reducing workforce morale and limiting the time available for patient care. Such requirements create costly barriers to the efficient provision of services for children and

their families. The legislature also finds that current state regulations are often duplicative or conflicting with research-based models and other state-mandated treatment models intended to improve the quality of services and ensure positive outcomes. These barriers can be reduced while creating a greater emphasis on quality, outcomes, and safety.

The legislature further finds that social workers serving children are encumbered by burdensome paperwork requirements which can interfere with the effective delivery of services.

Therefore, the legislature intends to require the department of social and health services to take steps to reduce paperwork, documentation, and audit requirements that are inefficient or duplicative for social workers who serve children and for providers of mental health services to children and families, and to encourage the use of effective treatment models to improve the quality of services.

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

(1) Subject to the availability of amounts appropriated for this specific purpose, the department must immediately perform a review of its rules, policies, and procedures related to the documentation requirements for behavioral health services. Rules adopted by the department relating to the provision of behavioral health services must:

(a) Identify areas in which duplicative or inefficient documentation requirements can be eliminated or streamlined for providers;

(b) Limit prescriptive requirements for individual initial assessments to allow clinicians to exercise professional judgment to conduct age-appropriate, strength-based psychosocial assessments, including current needs and relevant history according to current best practices;

(c) By April 1, 2018, provide a single set of regulations for agencies to follow that provide mental health, substance use disorder, and co-occurring treatment services;

(d) Exempt providers from duplicative state documentation requirements when

the provider is following documentation requirements of an evidence-based, research-based, or state-mandated program that provides adequate protection for patient safety; and

(e) Be clear and not unduly burdensome in order to maximize the time available for the provision of care.

(2) Subject to the availability of amounts appropriated for this specific purpose, audits conducted by the department relating to provision of behavioral health services must:

(a) Rely on a sampling methodology to conduct reviews of personnel files and clinical records based on written guidelines established by the department that are consistent with the standards of other licensing and accrediting bodies;

(b) Treat organizations with multiple locations as a single entity. The department must not require annual visits at all locations operated by a single entity when a sample of records may be reviewed from a centralized location;

(c) Share audit results with behavioral health organizations to assist with their review process and, when appropriate, take steps to coordinate and combine audit activities;

(d) Coordinate audit functions between the department and the department of health to combine audit activities into a single site visit and eliminate redundancies;

(e) Not require information to be provided in particular documents or locations when the same information is included or demonstrated elsewhere in the clinical file, except where required by federal law; and

(f) Ensure that audits involving manualized programs such as wraparound with intensive services or other evidence or research-based programs are conducted to the extent practicable by personnel familiar with the program model and in a manner consistent with the documentation requirements of the program.

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

(1) Subject to the availability of amounts appropriated for this specific purpose, the health care authority must immediately perform a review of its rules, policies, and procedures related

to the documentation requirements for behavioral health services. Rules adopted by the health care authority relating to the provision of behavioral health services must:

(a) Identify areas in which duplicative or inefficient documentation requirements can be eliminated or streamlined for providers;

(b) Limit prescriptive requirements for individual initial assessments to allow clinicians to exercise professional judgment to conduct age-appropriate, strength-based psychosocial assessments, including current needs and relevant history according to current best practices;

(c) By April 1, 2018, provide a single set of regulations for agencies to follow that provide mental health, substance use disorder, and co-occurring treatment services;

(d) Exempt providers from duplicative state documentation requirements when the provider is following documentation requirements of an evidence-based, research-based, or state-mandated program that provides adequate protection for patient safety; and

(e) Be clear and not unduly burdensome in order to maximize the time available for the provision of care.

(2) Subject to the availability of amounts appropriated for this specific purpose, audits conducted by the health care authority relating to provision of behavioral health services must:

(a) Rely on a sampling methodology to conduct reviews of personnel files and clinical records based on written guidelines established by the health care authority that are consistent with the standards of other licensing and accrediting bodies;

(b) Treat organizations with multiple locations as a single entity. The health care authority must not require annual visits at all locations operated by a single entity when a sample of records may be reviewed from a centralized location;

(c) Share audit results with behavioral health organizations to assist with their review process and, when appropriate, take steps to coordinate and combine audit activities;

(d) Coordinate audit functions between the health care authority and the department of health to combine audit activities into a single site visit and eliminate redundancies;

(e) Not require information to be provided in particular documents or locations when the same information is included or demonstrated elsewhere in the clinical file, except where required by federal law; and

(f) Ensure that audits involving manualized programs such as wraparound with intensive services or other evidence or research-based programs are conducted to the extent practicable by personnel familiar with the program model and in a manner consistent with the documentation requirements of the program.

NEW SECTION. Sec. 4. (1) Subject to the availability of amounts appropriated for this specific purpose, the department of social and health services must immediately perform a review of casework documentation and paperwork requirements for social service specialists and other direct service staff with the children's administration who provide services to children. The review must identify areas in which duplicative or inefficient documentation and paperwork requirements can be eliminated or streamlined in order to allow social workers to spend greater amounts of time and attention on direct services to children and their families. The department must complete the review by November 1, 2017. Upon completion of the review, the department must take immediate steps to amend department rules and procedures accordingly.

(2) This section expires December 31, 2018.

NEW SECTION. Sec. 5. Section 2 of this act takes effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor

Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 6. Section 3 of this act takes effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; McCaslin and Muri.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee report and on the first, second and third supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Appropriations was relieved of SUBSTITUTE SENATE BILL NO. 5035, and the bill was referred to the Committee on Rules.

There being no objection, the House adjourned until 1:30 p.m., March 30, 2017, the 81st Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTY FIRST DAY

House Chamber, Olympia, Thursday, March 30, 2017

The House was called to order at 1:30 p.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jackson Humphrey and Shiann Franklin. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Joan McBride, 48th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

**HOUSE RESOLUTION NO. 2017-4632, by
Representatives Buys and Van Werven**

WHEREAS, It is the policy of the Washington State legislature to recognize the contributions of individuals who reflect standards of excellence that enhance the well-being and quality of life of the citizens of the State of Washington; and

Whereas, Chief Gary Baar has exhibited the highest levels of excellence in service and contribution during his 35 years with the Lynden Fire Department; and

Whereas, Chief Baar began his career in 1982 serving as a volunteer firefighter with the Lynden Fire Department; and

Whereas, In October of 2000, Chief Baar was promoted to Assistant Fire Chief; and

Whereas, From 2006 until he retired in 2017, Chief Baar faithfully and loyally served his department and the citizens of Lynden as Fire Chief; and

Whereas, Chief Gary Baar is described by those in his community as living a life of ethics, integrity, character, and compassion;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor Chief Gary Baar for the excellence in service and contribution to his community; and recognize the outstanding example of hard work, integrity, and character that he has set for others.

There being no objection, HOUSE RESOLUTION NO. 4632 was adopted.

**HOUSE RESOLUTION NO. 2017-4633, by
Representatives Buys, Van Werven, Griffey, Chapman,**

Schmick, Blake, MacEwen, Nealey, Tharinger, Orwall, Kraft, Graves, Frame, Johnson, Fitzgibbon, Muri, Dye, Shea, McDonald, and J. Walsh

WHEREAS, It is the policy of the Washington state House of Representatives to honor the successes and sacrifices of commercial fishers; and

WHEREAS, The Washington state commercial fishing fleet begins leaving in March and May; and

WHEREAS, The Washington state commercial fishing fleet is one of the world's largest distant water fleets; and

WHEREAS, The commercial fishing industry directly and indirectly employs thousands of people and is one of the largest industries in Washington state; and

WHEREAS, The annual commercial fishing harvest is vital to the growth and stability of the Washington state economy; and

WHEREAS, The life of a fisher is fraught with danger and hardship most people will never face, and courage is required for anyone who chooses to work on the sea, as fishers must brave the elements in order to harvest the ocean's resources; and

WHEREAS, The men and women who work on fishing boats, often in dangerous circumstances, deserve our admiration, thanks, and, when tragedy strikes, our remembrance; and

WHEREAS, Too often, the brave men and women of our fishing fleet lose their lives, a tragedy that not only impacts the close-knit community of fishing families in our region, but also our entire state;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives extend its condolences to the families and friends of all our fishers who have lost their lives at sea, wish the entire commercial fishing fleet a safe and prosperous season, and express its hope that all of our fishers will return home safely to their families, friends, and communities.

There being no objection, HOUSE RESOLUTION NO. 4633 was adopted.

**HOUSE RESOLUTION NO. 2017-4634, by
Representatives Buys and Van Werven**

WHEREAS, It is the policy of the Washington State legislature to recognize the contributions of individuals who

reflect standards of excellence that enhance the well-being and quality of life of the citizens of the State of Washington; and

WHEREAS, Chief Michael Knapp is a proud graduate of San Jose State University and Santa Clara University School of Law; and

WHEREAS, In 1971, Chief Knapp was appointed to be a Special Agent of the Federal Bureau of Investigation; and

WHEREAS, Chief Knapp is a former police officer with the Milpitas California Police Department, Deputy Sheriff with the Santa Clara County Sheriff's Office, and Chief of Police for the City of Medina, Washington; and

WHEREAS, From September 2005 through December 2016, Chief Knapp faithfully served the citizens of Ferndale as Chief of Police; and

WHEREAS, Chief Knapp also served on several boards including the Bellingham Whatcom-County Domestic Violence Commission; the Whatcom Community College Law and Justice Advisory Committee; Whatcom County Medical Examiner Advisory Council; the Northwest Regional Drug Task Force Executive Board; the Boys and Girls Club (Ferndale Branch) Advisory Board; and the Ferndale Senior Citizens Center Board of Directors;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the sacrifices Chief Michael Knapp has made; congratulate him on his well-deserved retirement; and acknowledge the courage, hard work, and dedication with which he has carried out his service.

There being no objection, HOUSE RESOLUTION NO. 4634 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

March 30, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5086,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

March 30, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1001,

SUBSTITUTE HOUSE BILL NO. 1189,
HOUSE BILL NO. 1329,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1531,
HOUSE BILL NO. 1722,
SUBSTITUTE HOUSE BILL NO. 1765,
HOUSE BILL NO. 1832,
ENGROSSED HOUSE BILL NO. 2073,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fifth order of business.

March 29, 2017

HB 1147 Prime Sponsor, Representative Clibborn: Making transportation appropriations for the 2017-2019 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

There being no objection, the bill listed on the day's committee report under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5048, by Senate Committee on Ways & Means (originally sponsored by Senators Braun and Ranker)

Making 2017-2019 fiscal biennium operating appropriations. Revised for 1st Substitute: Making operating appropriations for the 2015-2017 and 2017-2019 fiscal biennia.

The bill was read the second time.

With the consent of the House, amendments (395), (357), (383), (386), (384), (366), (393), (355), (388), (338), (339), (370), (356), (337) and (344) were withdrawn.

Representative Robinson moved the adoption of the striking amendment (330):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2017, and ending June 30, 2019, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) "Fiscal year 2018" or "FY 2018" means the fiscal year ending June 30, 2018.

(b) "Fiscal year 2019" or "FY 2019" means the fiscal year ending June 30, 2019.

(c) "FTE" means full time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

PART I

GENERAL GOVERNMENT

NEW SECTION. Sec. 101. FOR THE HOUSE OF REPRESENTATIVES

General Fund-State Appropriation (FY 2018) \$36,796,000

General Fund-State Appropriation (FY 2019) \$37,210,000

Motor	Vehicle	Account-State
Appropriation \$1,999,000		

TOTAL APPROPRIATION \$76,005,000

The appropriation in this section is subject to the following conditions and limitations: The speaker shall designate one member from each of the major caucuses in the house of representatives as a work group to facilitate public discussions throughout the state regarding Washington's tax structure. As part of this effort, the work group may hold up to seven public meetings in geographically dispersed areas of the state throughout the 2017-2019 fiscal biennium. These discussions may include but are not limited to the advantages and disadvantages of the state's current tax structure and potential options to improve the current structure for the benefit of individuals, families, and businesses in Washington state. The work group is staffed by the office of program research. The work group may report to the house of representatives finance committee and other house of representatives committees upon request of the committee chair.

NEW SECTION. Sec. 102. FOR THE SENATE

General Fund-State Appropriation (FY 2018) \$26,219,000

General Fund-State Appropriation (FY 2019) \$27,523,000

Motor	Vehicle	Account-State
Appropriation \$1,797,000		

TOTAL APPROPRIATION \$55,539,000

NEW SECTION. Sec. 103. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

General Fund-State Appropriation (FY 2018) \$119,000

General Fund-State Appropriation (FY 2019) \$119,000

Performance Audits of Government-State Appropriation \$7,651,000

TOTAL APPROPRIATION \$7,889,000

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

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2017-2019 work plan as necessary to efficiently manage workload.

(2) The committee shall complete its analysis of fire suppression funding and costs for the department of natural resources and the state fire marshal. A report on the results of the analysis with

any findings and recommendations shall be submitted to the appropriate committees of the legislature by December 2017.

(3) \$60,000 of the general fund-state appropriation for fiscal year 2018 and \$96,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of Engrossed Substitute House Bill No. 1594 (public records administration). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 104. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Performance Audits of Government--State Appropriation \$4,318,000

NEW SECTION. Sec. 105. FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE

General Fund--State Appropriation (FY 2018) \$10,647,000

General Fund--State Appropriation (FY 2019) \$11,588,000

TOTAL APPROPRIATION \$22,235,000

NEW SECTION. Sec. 106. FOR THE OFFICE OF THE STATE ACTUARY

General Fund--State Appropriation (FY 2018) \$298,000

General Fund--State Appropriation (FY 2019) \$298,000

State Health Care Authority
Administrative Account--State
Appropriation \$398,000

Department of Retirement Systems
Expense

Account--State Appropriation
\$4,967,000

TOTAL APPROPRIATION \$5,961,000

NEW SECTION. Sec. 107. FOR THE STATUTE LAW COMMITTEE

General Fund--State Appropriation (FY 2018) \$4,844,000

General Fund--State Appropriation (FY 2019) \$5,223,000

TOTAL APPROPRIATION \$10,067,000

NEW SECTION. Sec. 108. FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES

General Fund--State Appropriation (FY 2018) \$3,964,000

General Fund--State Appropriation (FY 2019) \$4,289,000

TOTAL APPROPRIATION \$8,253,000

NEW SECTION. Sec. 109. LEGISLATIVE AGENCIES

In order to achieve operating efficiencies within the financial resources available to the legislative branch, the executive rules committee of the house of representatives and the facilities and operations committee of the senate by joint action may transfer funds among the house of representatives, senate, joint legislative audit and review committee, legislative evaluation and accountability program committee, joint transportation committee, office of the state actuary, joint legislative systems committee, statute law committee, and office of legislative support services.

NEW SECTION. Sec. 110. FOR THE SUPREME COURT

General Fund--State Appropriation (FY 2018) \$8,014,000

General Fund--State Appropriation (FY 2019) \$8,103,000

TOTAL APPROPRIATION \$16,117,000

NEW SECTION. Sec. 111. FOR THE LAW LIBRARY

General Fund--State Appropriation (FY 2018) \$1,654,000

General Fund--State Appropriation (FY 2019) \$1,646,000

TOTAL APPROPRIATION \$3,300,000

NEW SECTION. Sec. 112. FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund--State Appropriation (FY 2018) \$1,348,000

General Fund--State Appropriation (FY 2019) \$1,214,000

TOTAL APPROPRIATION \$2,562,000

NEW SECTION. Sec. 113. FOR THE COURT OF APPEALS

General Fund--State Appropriation (FY 2018) \$18,135,000

General Fund--State Appropriation (FY 2019) \$18,421,000

TOTAL APPROPRIATION \$36,556,000

NEW SECTION. Sec. 114. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund-State Appropriation (FY 2018) \$61,080,000

General Fund-State Appropriation (FY 2019) \$58,931,000

General Fund-Federal Appropriation \$2,163,000

General Fund-Private/Local Appropriation \$669,000

Judicial Information Systems Account-State

Appropriation \$58,480,000

Judicial Stabilization Trust Account-State

Appropriation \$6,691,000

TOTAL APPROPRIATION \$188,014,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this subsection and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) \$1,399,000 of the general fund-state appropriation for fiscal year 2018 and \$1,399,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

(3) (a) \$7,313,000 of the general fund-state appropriation for fiscal year 2018 and \$7,313,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the

courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula shall neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2017-2019 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

(4) \$12,000,000 of the judicial information systems account-state appropriation is provided solely for the superior court case management system.

(5) \$4,339,000 of the judicial information systems account-state appropriation is provided solely for the information network hub project.

(6) \$2,300,000 of the general fund-state appropriation for fiscal year 2018 and \$11,183,000 of the judicial information systems account-state appropriation are provided solely for other judicial branch information technology projects, including:

(a) The superior court case management system;

(b) The courts of limited jurisdiction case management system;

(c) Equipment replacement; and

(d) Support staff for information technology projects.

Expenditures from the judicial information systems account shall not exceed available resources. The office must coordinate with the steering committee for the superior court case management system and the steering committee for the courts of limited jurisdiction case management system to prioritize expenditures for judicial branch information technology projects. The office of the chief information

officer must review vendor contracts prior to final selection.

(7) \$406,000 of the general fund-state appropriation for fiscal year 2018 and \$405,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the statewide fiscal impact on Thurston county courts. The administrative office of the courts must collaborate with Thurston county to create a new fee formula that accurately represents the state's impact on Thurston county courts.

(8) \$53,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1163 (domestic violence). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(9) \$939,000 of the general fund-state appropriation for fiscal year 2018 and \$308,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1783 (legal financial obligations). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$61,000 of the general fund-state appropriation for fiscal year 2018 and \$58,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1402 (incapacitated persons/rights). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(11) \$1,170,000 of the general fund-state appropriation for fiscal year 2018 and \$1,170,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for interpreter services.

(12) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for additional court-appointed special advocates in dependency matters. The administrator for the courts, after consulting with the association of juvenile court administrators and the association of court-appointed special advocate/guardian ad litem programs, shall distribute the funds to volunteer court-appointed special advocate/guardian ad litem programs. The distribution of funding shall be based on the number of

children who need volunteer court-appointed special advocate representation and shall be equally accessible to all volunteer court-appointed special advocate/guardian ad litem programs. The administrator for the courts may not retain more than six percent of total funding to cover administrative or any other agency costs. Funding distributed in this subsection shall not be used to supplant existing state or local funding for the court-appointed special advocates program.

NEW SECTION. Sec. 115. FOR THE OFFICE OF PUBLIC DEFENSE

General Fund-State Appropriation (FY 2018) \$42,951,000

General Fund-State Appropriation (FY 2019) \$43,139,000

Judicial Stabilization Trust Account-State

Appropriation \$3,689,000

TOTAL APPROPRIATION \$89,779,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The amounts provided include funding for expert and investigative services in death penalty personal restraint petitions.

(2) \$1,101,000 of the general fund-state appropriation for fiscal year 2018 and \$1,101,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for parents representation program costs related to increased parental rights termination filings from the department of social and health services permanency initiative.

(3) \$900,000 of the general fund-state appropriation for fiscal year 2018 and \$900,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the purpose of improving the quality of trial court public defense services. The department must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(4) \$3,114,000 of the general fund-state appropriation for fiscal year 2018 and \$3,364,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office to complete the expansion of the parents

representation program in the following counties: Adams, Douglas, Island, Lewis, Lincoln, Okanogan, San Juan, Walla Walla, and the remainder of Pierce.

(5) \$490,000 of the general fund-state appropriation for fiscal year 2018 and \$490,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the parents for parents program. Funds must be used to expand services in four new sites, and maintain and improve service models for the current programs in Grays Harbor/Pacific, King, Kitsap, Pierce, Snohomish, Spokane, and Thurston/Mason counties.

NEW SECTION. Sec. 116. FOR THE OFFICE OF CIVIL LEGAL AID

General Fund-State Appropriation (FY 2018) \$15,860,000

General Fund-State Appropriation (FY 2019) \$19,335,000

Judicial Stabilization Trust Account-State

Appropriation \$1,463,000

TOTAL APPROPRIATION \$36,658,000

The appropriations in this section are subject to the following conditions and limitations:

(1) An amount not to exceed \$40,000 of the general fund-state appropriation for fiscal year 2018 and an amount not to exceed \$40,000 of the general fund-state appropriation for fiscal year 2019 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are sixty years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(2) \$648,000 of the general fund-state appropriation for fiscal year 2018 and \$648,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office to provide legal representation for foster children in Grant and Lewis counties at the initial shelter care hearing in dependency proceedings prior to termination of parental rights.

(3) (a) \$75,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the office to contract with the Washington state center for court research for a statistically reliable assessment of differential outcomes in dependency proceedings prior

to termination of parental rights. The assessment must compare foster children in Grant and Lewis counties, for whom attorneys will be appointed at the initial shelter care hearing; and foster children in Douglas and Whatcom counties, where attorneys are not generally appointed for foster children. The assessment must include impacts on the following:

(i) The time to achieve permanency; and

(ii) Educational, social and other relevant child welfare indicators. The assessment must also identify and project cost savings to the state, if any, as a result of providing legal representation for children at the shelter care hearing.

(b) The office of the superintendent of public instruction and the children's administration or a successor agency, shall provide, in compliance with the federal family education rights and privacy act, the center with necessary data including necessary personal identifiers. The office of the superintendent of public instruction shall consult with the center to ensure the validity of data elements and the interpretation of results. The Washington state center for court research shall report its findings to the legislature by December 31, 2019. The report may not include personal identifiers, or any personally identifiable information, as defined in the federal family educational rights and privacy act.

(4) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for web-based fillable forms and self-help legal products to assist the public with civil legal issues.

(5) \$1,200,000 of the general fund-state appropriation for fiscal year 2018 and \$4,075,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office to partially implement the civil legal aid reinvestment plan.

NEW SECTION. Sec. 117. FOR THE OFFICE OF THE GOVERNOR

General Fund-State Appropriation (FY 2018) \$6,299,000

General Fund-State Appropriation (FY 2019) \$5,545,000

Economic Development Strategic Reserve Account-State

Appropriation \$4,000,000
 TOTAL APPROPRIATION \$15,844,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,000,000 of the economic development strategic reserve account appropriation is provided solely for efforts to assist with industrial recruitment efforts that will bring new jobs to the state or will retain headquarter locations of major companies currently housed in the state.

(2) \$703,000 of the general fund-state appropriation for fiscal year 2018 and \$703,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the education ombuds.

(3) \$730,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families/department). The amount of state and federal funding to be transferred from the department of social and health services to the department of children, youth, and families for the working connections child care services, administration, and staff must be included in the report required by the bill on how to incorporate the staff responsible for determining eligibility for the working connections child care program into the department of children, youth, and families. If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 118. FOR THE LIEUTENANT GOVERNOR

General Fund-State Appropriation (FY 2018) \$814,000
 General Fund-State Appropriation (FY 2019) \$825,000
 General Fund-Private/Local Appropriation \$90,000
 TOTAL APPROPRIATION \$1,729,000

NEW SECTION. Sec. 119. FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund-State Appropriation (FY 2018) \$2,730,000
 General Fund-State Appropriation (FY 2019) \$2,715,000
 TOTAL APPROPRIATION \$5,445,000

NEW SECTION. Sec. 120. FOR THE SECRETARY OF STATE

General Fund-State Appropriation (FY 2018) \$14,177,000

General Fund-State Appropriation (FY 2019) \$12,350,000

General Fund-Federal Appropriation \$7,685,000

Public Records Efficiency, Preservation, and Access

Account-State Appropriation \$9,056,000

Charitable Organization Education Account-State

Appropriation \$673,000

Local Government Archives Account-State

Appropriation \$10,392,000

Election Account-Federal Appropriation \$4,387,000

Washington State Heritage Center Account-State

Appropriation \$10,092,000

TOTAL APPROPRIATION \$68,812,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,301,000 of the general fund-state appropriation for fiscal year 2018 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2) (a) \$2,982,000 of the general fund-state appropriation for fiscal year 2018 and \$3,061,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2017-2019 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution.

The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$10,000 of the general fund-state appropriation for fiscal year 2018, \$15,000 of the general fund-state appropriation for fiscal year 2019, \$4,000 of the public records efficiency, preservation and access account, and \$2,253,000 of the local government archives account appropriation are provided solely for the implementation of Engrossed Substitute House Bill No. 1594 (public records administration). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(5) \$52,000 of the general fund-state appropriation for fiscal year 2018 and

\$48,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the humanities Washington speakers bureau.

NEW SECTION. Sec. 121. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund-State Appropriation (FY 2018) \$304,000

General Fund-State Appropriation (FY 2019) \$283,000

TOTAL APPROPRIATION \$587,000

The appropriations in this section are subject to the following conditions and limitations: The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

NEW SECTION. Sec. 122. FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund-State Appropriation (FY 2018) \$356,000

General Fund-State Appropriation (FY 2019) \$265,000

TOTAL APPROPRIATION \$621,000

NEW SECTION. Sec. 123. FOR THE STATE TREASURER

State Treasurer's Service Account-State

Appropriation \$18,350,000

NEW SECTION. Sec. 124. FOR THE STATE AUDITOR

General Fund-State Appropriation (FY 2018) \$28,000

General Fund-State Appropriation (FY 2019) \$32,000

State Auditing Services Revolving Account-State

Appropriation \$9,875,000

Performance Audit of Government
Account-State

Appropriation \$1,538,000

TOTAL APPROPRIATION \$11,473,000

NEW SECTION. Sec. 125. FOR THE
CITIZENS' COMMISSION ON SALARIES FOR
ELECTED OFFICIALS

General Fund-State Appropriation (FY
2018) \$196,000

General Fund-State Appropriation (FY
2019) \$193,000

TOTAL APPROPRIATION \$389,000

NEW SECTION. Sec. 126. FOR THE
ATTORNEY GENERAL

General Fund-State Appropriation (FY
2018) \$8,314,000

General Fund-State Appropriation (FY
2019) \$13,324,000

General Fund-Federal
Appropriation \$6,969,000

New Motor Vehicle Arbitration Account-
State

Appropriation \$1,121,000

Legal Services Revolving Account-
State

Appropriation \$240,107,000

Tobacco Prevention and Control Account-
State

Appropriation \$273,000

Medicaid Fraud Penalty Account-State
Appropriation \$3,240,000

Public Service Revolving Account-
State

Appropriation \$4,068,000

Child Rescue Fund-State
Appropriation \$554,000

Local Government Archives Account-State
Appropriation \$678,000

Sexual Assault Prevention and Response
Account-State

Appropriation \$462,000

TOTAL APPROPRIATION \$279,110,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) The attorney general shall report
each fiscal year on actual legal services
expenditures and actual attorney staffing

levels for each agency receiving legal
services. The report shall be submitted to
the office of financial management and the
fiscal committees of the senate and house
of representatives no later than ninety
days after the end of each fiscal year. As
part of its by agency report to the
legislative fiscal committees and the
office of financial management, the office
of the attorney general shall include
information detailing the agency's
expenditures for its agency-wide overhead
and a breakdown by division of division
administration expenses.

(2) Prior to entering into any
negotiated settlement of a claim against
the state that exceeds five million
dollars, the attorney general shall notify
the director of financial management and
the chairs of the senate committee on ways
and means and the house of representatives
committee on appropriations.

(3) The attorney general shall annually
report to the fiscal committees of the
legislature all new cy pres awards and
settlements and all new accounts,
disclosing their intended uses, balances,
the nature of the claim or account,
proposals, and intended timeframes for the
expenditure of each amount. The report
shall be distributed electronically and
posted on the attorney general's web site.
The report shall not be printed on paper
or distributed physically.

(4) \$4,068,000 of the public service
revolving account-state appropriation is
provided solely for the work of the public
counsel section of the office of the
attorney general.

(5) \$353,000 of the general fund-state
appropriation for fiscal year 2018 and
\$353,000 of the general fund-state
appropriation for fiscal year 2019 are
provided solely for a grant to the
Washington coalition of crime victim
advocates to provide training,
certification, and technical assistance
for crime victim service center advocates.

(6) \$44,000 of the legal services
revolving account-state appropriation is
provided solely for implementation of
Engrossed House Bill No. 1506
(workplaces/gender pay equity). If the
bill is not enacted by June 30, 2017, the
amount provided in this subsection shall
lapse.

(7) \$92,000 of the general fund-state
appropriation for fiscal year 2018 and
\$92,000 of the general fund-state
appropriation for fiscal year 2019 are

provided solely for implementation of Substitute House Bill No. 1055 (military members/pro bono). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) \$49,000 of the legal services revolving account-state appropriation is provided solely for implementation of Second Substitute House Bill No. 1402 (incapacitated persons/rights). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(9) \$169,000 of the general fund-state appropriation for fiscal year 2018 and \$158,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1796 (pregnancy accommodations). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$133,000 of the legal services revolving account-state appropriation is provided solely for implementation of House Bill No. 1128 (civil arbitration). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(11) \$22,000 of the legal services revolving account-state appropriation is provided solely for implementation of Substitute House Bill No. 1258 (first responders/disability). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(12) \$78,000 of the general fund-state appropriation for fiscal year 2018 and \$62,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1298 (job applicants/arrests, etc.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$35,000 of the legal services revolving account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1714 (nursing staffing/hospitals). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(14) \$49,000 of the legal services revolving account-state appropriation and \$678,000 of the local government archives account-state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1594 (public records administration). If the bill is

not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(15) \$462,000 of the sexual assault prevention and response account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(16) \$16,000 of the general fund-state appropriation for fiscal year 2018, \$88,000 of the general fund-state appropriation for fiscal year 2019, and \$32,000 of the legal services revolving account-state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1440 (student loan assistance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(17) \$397,000 of the public service revolving account-state appropriation is provided solely for implementation of House Bill No. 1233 (distributed energy). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 127. FOR THE CASELOAD FORECAST COUNCIL

General Fund-State Appropriation (FY 2018) \$1,674,000

General Fund-State Appropriation (FY 2019) \$1,653,000

TOTAL APPROPRIATION \$3,327,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund-state appropriation for fiscal year 2018 and \$76,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement Engrossed House Bill No. 2008 (state services for children). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(2) In addition to caseload forecasts for common schools as defined in RCW 43.88C.010(7), during the 2017-2019 fiscal biennium the council must provide a separate forecast of enrollment for charter schools authorized by chapter 28A.710 RCW.

NEW SECTION. Sec. 128. FOR THE DEPARTMENT OF COMMERCE

General Fund-State Appropriation (FY 2018) \$73,585,000

General Fund-State Appropriation (FY 2019) \$76,481,000

General Fund-Federal Appropriation \$295,336,000

General Fund-Private/Local Appropriation \$8,628,000

Public Works Assistance Account-State
Appropriation \$7,714,000

Drinking Water Assistance Administrative Account-State
Appropriation \$502,000

Lead Paint Account-State
Appropriation \$600,000

Building Code Council Account-State
Appropriation \$15,000

Home Security Fund Account-State
Appropriation \$46,819,000

Affordable Housing for All Account-State
Appropriation \$13,859,000

Financial Fraud and Identity Theft Crimes

Investigation and Prosecution Account-State
Appropriation \$1,974,000

Low-Income Weatherization and Structural

Rehabilitation Assistance Account-State
Appropriation \$1,398,000

Community and Economic Development Fee Account-State
Appropriation \$4,591,000

Washington Housing Trust Account-State
Appropriation \$12,497,000

Prostitution Prevention and Intervention Account-

State Appropriation \$26,000

Public Facility Construction Loan Revolving Account-State
Appropriation \$810,000

Drinking Water Assistance Account-State
Appropriation \$20,000

Liquor Revolving Account-State
Appropriation \$5,609,000

Energy Freedom Account-State
Appropriation \$6,000

Liquor Excise Tax Account-State
Appropriation \$643,000

Economic Development Strategic Reserve Account-State
Appropriation \$8,000

Sexual Assault Prevention and Response Account-State
Appropriation \$78,000

TOTAL APPROPRIATION \$551,199,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(2) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a grant to resolution Washington to building statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(3) \$306,000 of the general fund-state appropriation for fiscal year 2018 and \$306,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(5) \$375,000 of the general fund–state appropriation for fiscal year 2018 and \$375,000 of the general fund–state appropriation for fiscal year 2019 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(6) \$2,801,000 of the general fund–state appropriation for fiscal year 2018 and \$2,801,000 of the general fund–state appropriation for fiscal year 2019 are provided solely for associate development organizations. During the 2017–2019 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086.

(7) \$5,607,000 of the liquor revolving account–state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(8) \$5,000,000 of the home security account–state appropriation is provided solely for the department of commerce to provide emergency assistance to homeless families in the temporary assistance for needy families program.

(9) \$1,145,000 of the general fund–state appropriation for fiscal year 2018 and \$1,145,000 of the general fund–state appropriation for fiscal year 2019 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. For each dollar expended the department must receive a one hundred percent match. The match may be provided by the department through nongeneral fund sources, or any partnering governments or organizations. Sector leads established by the department must include the industries of: (a) Tourism; (b) agriculture, wood products, and other natural resource industries; and (c) clean technology and renewable and nonrenewable energy. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with

partner organizations and or other agencies to serve in the role of sector lead.

(10) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(11) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(12) \$175,000 of the general fund–state appropriation for fiscal year 2018 and \$175,000 of the general fund–state appropriation for fiscal year 2019 are provided solely for the expansion of the current long-term care ombuds program to meet the immediate needs of individuals by advocating on behalf of and protecting residents of long-term care facilities from abuse, neglect, and exploitation.

(13) Within existing resources, the department of commerce shall consult with key crime victim services stakeholders to inform decisions about the funding distribution for federal fiscal years 2017–2019 victims of crime act victim assistance funding. These stakeholders must include, at a minimum, children's advocacy centers of Washington, Washington association of prosecuting attorneys, Washington association of sheriffs and police chiefs, Washington coalition against domestic violence, Washington coalition of sexual assault programs, Washington coalition of crime victim advocates, at least one representative from a child health coalition, and other organizations as determined by the department. Funding distribution considerations shall include, but are not limited to, geographic distribution of services, underserved populations, age of victims, best practices, and the unique needs of individuals, families, youth, and children who are victims of crime.

(14) \$643,000 of the liquor excise tax account–state appropriation is provided solely for the department of commerce to provide fiscal note assistance to local governments.

(15) \$300,000 of the general fund–state appropriation for fiscal year 2018 and \$300,000 of the general fund–state appropriation for fiscal year 2019 are provided solely for the northwest agriculture business center.

(16) \$1,574,000 of the home security fund-state appropriation is provided solely for the consolidated homeless grant for youth specific programs and services.

(17) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the regulatory roadmap program for the construction industry.

(18) \$802,000 of the general fund-state appropriation for fiscal year 2018 and \$898,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1169 (student loan assistance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(19) (a) \$75,000 of the general fund-state appropriation for fiscal year 2018 and \$75,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with a consultant to study the current and ongoing impacts of the international airport in the state that has the highest total annual number of arrivals and departures. The department must coordinate with local governments to collect and manage nongeneral fund state contributions for the study.

(b) The study must prioritize the completion of an analysis of the impacts of noise and vibration as a result of the airport in the surrounding municipalities within twenty miles of the airport. The study must also include, but not be limited to, the impacts that current airport operations and expansions have on public health, transportation, parking, public safety, property values, and economic development, in the surrounding municipalities within twenty miles of the airport.

(c) The department must coordinate with the department of health and the University of Washington to analyze the results of the university's study of the air quality implications of air traffic. To the extent sufficient data is available, the department must coordinate an analysis of the following:

(i) Rates of exposure to ultrafine particulate matter from air traffic in disproportionately impacted communities;

(ii) Options to mitigate public health impacts of ultrafine particulate matter from air traffic; and

(iii) Risks posed by ultrafine particulate matter from air traffic in absolute terms and relative to other air pollutant risks.

(20) \$1,000,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington new Americans program.

(21) \$94,000 of the general fund-state appropriation for fiscal year 2018 and \$253,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1402 (incapacitated persons/rights). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(22) \$60,000 of the general fund-state appropriation for fiscal year 2018 is provided solely as a grant to the Hoh Indian Tribe for critical infrastructure, including a backup electrical power generator to address recurrent power outages in the community.

(23) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for capacity-building grants through the Latino community fund to promote and improve education, economic empowerment, arts and culture, civic engagement, health, and environmental justice for Latino communities in Washington state.

(24) \$643,000 of the general fund-state appropriation for fiscal year 2018 and \$643,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(25) (a) \$200,000 of the general fund-state appropriation for fiscal year 2018 and \$175,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to administer a safe streets pilot project to foster community engagement through neighborhood organizing, law enforcement-community partnerships, neighborhood watch programs, youth mobilization, and business engagement. The pilot project must include two grant awards, one to an eligible applicant west of the crest of the Cascade mountains and one to an

eligible applicant east of the crest of the Cascade mountains. The department must select grant recipients and distribute funding by November 1, 2017.

(b) An eligible applicant:

(i) Is a public agency or nongovernmental organization, and is not a law enforcement agency;

(ii) Has prior experience with safe streets initiatives or police-community engagement; and

(iii) Has established or is willing to establish a coordinated effort with committed partners, which must include law enforcement.

(c) The grant recipient must:

(i) Lead and facilitate neighborhood organizing initiatives;

(ii) Build substantive law enforcement-community partnerships;

(iii) Educate residents on and, when appropriate, foster neighborhood watch programs aimed at providing timely and detailed information to law enforcement so they can respond quickly, and creating positive connections among neighbors and law enforcement through community engagement;

(iv) Mobilize youth in the community, especially high school and middle school age youth, by: Helping them develop knowledge and skills to serve as leaders in their communities; focusing on prevention of violence and substance abuse; and empowering youth to directly affect change through bringing youth voices to the table;

(v) Engage businesses to help prevent crimes, such as vandalism and burglaries, through safety training and other prevention initiatives;

(vi) Identify and maintain consistent, experienced, and committed leadership for managing the grant, including an administrator who acts as an available point of contact with the department; and

(vii) Collect and report data and information required by the department.

(d) The department must require grant recipients to report information to the department on the outcomes of the safe streets pilot project. The Washington state institute for public policy, in consultation with the department, must develop options for reporting guidelines.

The reporting guidelines should be reliable and valid indicators of improved criminal justice-related outcomes, which may include, but are not limited to, crime rates, community engagement with law enforcement, and community perceptions of law enforcement. The department must use the reporting guidelines developed by the Washington state institute for public policy. The department must submit a preliminary report to the legislature with details on the selected grant recipient and the reporting guidelines by January 1, 2018. The department must submit a final report on the safe streets pilot project, including an analysis of the reported data required under this subsection, by December 1, 2019.

(26) \$78,000 of the sexual assault prevention and response account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(27) \$500,000 of the general fund-state appropriation for fiscal year 2018, \$500,000 of the general fund-state appropriation for fiscal year 2019, \$1,000,000 of the home security fund-state appropriation, \$2,000,000 of the Washington housing trust account-state appropriation, and \$1,000,000 of the affordable housing for all account-state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(28) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with economic development organizations for the purpose of assisting these organizations in obtaining economic gardening certifications or economic gardening assistance.

(29) \$3,500,000 of the home security fund-state appropriation for fiscal year 2018 and \$3,500,000 of the home security fund-state appropriation for fiscal year 2019 are provided solely for consolidated homeless grants that prioritize service or assistance for unsheltered homeless families, chronically homeless families, or chronically homeless adults.

(30) \$1,500,000 of the general fund-state appropriation for fiscal year 2018,

\$1,500,000 of the general fund-state appropriation for fiscal year 2019, and \$1,000,000 of the home security fund-state appropriation are provided solely for the office of homeless youth prevention and protection programs to:

(a) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(b) Support the development of an integrated services model, increase performance outcomes, and ensure providers have the necessary skills and expertise to effectively operate youth programs.

(31) \$140,000 of the general fund-state appropriation for fiscal year 2018 and \$140,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to create a behavioral health supportive housing administrator within the department to coordinate development of effective behavioral health housing options and services statewide to aide in the discharge of individuals from the state psychiatric hospitals. This position must work closely with the health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building infrastructure capacity with ongoing supportive housing benefits, and must also develop and maintain a statewide inventory of mental health community beds by bed type.

(32) \$210,000 of the general fund-state appropriation for fiscal year 2018 and \$210,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract for services to provide shelter beds for young adults aged eighteen through twenty-four.

(33) \$1,000,000 of the home security fund-state appropriation for fiscal year 2018 and \$1,000,000 of the home security fund-state appropriation for fiscal year 2019 are provided solely to administer the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

(34) \$1,440,000 of the general fund-state appropriation for fiscal year 2018 and \$4,320,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for 300 community beds for individuals with a history of mental illness. The department must coordinate

with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (a) shared permanent supportive housing; (b) independent permanent supportive housing; and (c) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.

The department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case-management and care coordination services must be provided.

Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.

(35) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a report and analysis that models the pathways for the electricity system in Washington state and the Pacific northwest to cost-effectively meet system needs, enhance strategies to integrate variable resources, and lower risk of fuel volatility to customers while maintaining system reliability and resilience. The department must coordinate with other energy-focused organizations and actively seek additional funding for the report from public and private partners.

(36) \$75,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the department to convene and support a work group to identify barriers to, and incentives for, development of low-rent, private sector housing commensurate with demand. The work group must incorporate the progress of the governor's work group convened within the affordable housing advisory board to examine the barriers to housing availability and recommendations for how such barriers can be removed at the local, state and federal levels, including how zoning, planning, permitting, development, financing, and construction processes can be improved to increase

housing opportunities. The work group must include members with expertise in building codes, construction, real estate development, local government permitting, the growth management act, cities, counties, low-income housing and other areas of expertise the department determines appropriate.

As part of this process, the department must facilitate one or more demonstration projects to aid in identifying and overcoming barriers to, and utilizing incentives for, private sector, low rent housing.

The work group shall report its findings on barrier identification, recommendations for overcoming barriers and creating incentives, and lessons learned from demonstration projects to the legislature by September 1, 2018.

(37) \$82,000 of the general fund-state appropriation for fiscal year 2018 and \$78,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1022 (crime victim participation). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 129. FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund-State Appropriation (FY 2018) \$828,000

General Fund-State Appropriation (FY 2019) \$883,000

Lottery Administrative Account-State Appropriation \$50,000

TOTAL APPROPRIATION \$1,761,000

NEW SECTION. Sec. 130. FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund-State Appropriation (FY 2018) \$22,900,000

General Fund-State Appropriation (FY 2019) \$21,795,000

General Fund-Federal Appropriation \$39,531,000

General Fund-Private/Local Appropriation \$501,000

Economic Development Strategic Reserve Account-State

Appropriation \$313,000

Personnel Service Fund-State Appropriation \$8,622,000

Higher Education Personnel Services Account-State

Appropriation \$1,497,000

Performance Audits of Government Account-State

Appropriation \$594,000

Statewide Information Technology System Development

Revolving Account-State Appropriation \$6,503,000

Education Legacy Trust

Account-State Appropriation \$2,000,000

TOTAL APPROPRIATION \$104,256,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section represent a transfer of expenditure authority of \$4,000,000 of the general fund-federal appropriation from the health care authority to the office of financial management to implement chapter 246, Laws of 2015 (all-payer health care claims database).

(2)(a) The student achievement council and all institutions of higher education eligible to participate in the state need grant shall ensure that data needed to analyze and evaluate the effectiveness of the state need grant program are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

(i) The number of state need grant recipients;

(ii) The number of students on the unserved waiting list of the state need grant;

(iii) Persistence and completion rates of state need grant recipients and students on the state need grant unserved waiting list, disaggregated by institutions of higher education;

(iv) State need grant recipients and students on state need grant unserved waiting list grade point averages; and

(v) State need grant program costs.

(b) The student achievement council shall submit student unit record data for the state need grant program applicants

and recipients to the education data center.

(3) \$2,000,000 of the education legacy trust account—state appropriation is provided solely for the office of financial management to contract with a statewide nonprofit organization with expertise in promoting and supporting STEM education from early learning through postsecondary education for the computer science and education grant program. The computer science and education grant program is to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants, to introduce students to and engage them in computer science. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. Grant funds for the computer science and education grant program may be expended only to the extent that they are equally matched by private or other nonstate sources for the program, including gifts, grants, or endowments.

(4) \$149,000 of the general fund—state appropriation for fiscal year 2018 and \$144,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement Substitute House Bill No. 1741 (educator preparation data/PESB). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(5) \$350,000 of the general fund—state appropriation for fiscal year 2018 and \$50,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement Second Substitute House Bill No. 1789 (sentencing laws & practices). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement Second Substitute House Bill No. 1541 (prescription drug cost transparency). If the bill is not enacted by June 30, 2017,

the amounts provided in this subsection shall lapse.

(7) \$84,000 of the general fund—state appropriation for fiscal year 2018 and \$75,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement Second Substitute House Bill No. 1120 (regulatory fairness act). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) The office of financial management must perform a legal and policy review of whether the lead organization of the statewide health claims database established in chapter 43.371 RCW may collect certain data from drug manufacturers and use this data to bring greater public transparency to prescription drug prices. Specifically, the review must analyze whether the organization may collect and use manufacturer's pricing data on high-cost new and existing prescription drugs, including itemized production and sales data and Canadian pricing. The office of financial management must report by December 15, 2017, to the health care committees of the legislature the results of the study and any necessary legislation to authorize the collection of pricing data and to produce public analysis and reports that help promote prescription drug transparency.

(9) \$500,000 of the general fund—state appropriation for fiscal year 2018, \$131,000 of the general fund—state appropriation for fiscal year 2019, and \$139,000 of the personnel service account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). The cost allocation contract must include a determination of the amount of administrative funding to be transferred between appropriations in sections 222(1) and 222(2) to section 222(3) for the new department of children, youth, and families. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) The office must review the accuracy of revenue estimates in the outlooks adopted by the economic and revenue forecast council in November of even-numbered years. The office must compare: The November 2012 outlook revenue estimate for the 2015-2017 fiscal biennium to actual 2015-2017 fiscal biennium revenues; the November 2014 outlook

revenue estimate for the 2017-2019 fiscal biennium to the November 2018 forecast for 2017-2019 fiscal biennium revenues; and the November 2016 outlook revenue estimate for the 2019-2021 fiscal biennium to the November 2018 forecast for 2019-2021 fiscal biennium revenues. These comparisons must separately categorize economic changes and changes resulting from enacted legislation. The office must provide a report on its comparison to the appropriate fiscal committees of the legislature and the economic and revenue forecast committee. The office must provide the comparison for the 2012 outlook by December 1, 2017, and for the 2014 and 2016 outlooks by December 1, 2018.

NEW SECTION. Sec. 131. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Account-State

Appropriation \$37,603,000

NEW SECTION. Sec. 132. FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account-State

Appropriation \$27,715,000

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

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violates state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce by \$6,000,000 each fiscal year the total amount of compensation paid to licensed lottery sales agents. It is anticipated that the result of this action will reduce retail commissions to an average of 5.1 percent of sales.

NEW SECTION. Sec. 133. FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund-State Appropriation (FY 2018) \$361,000

General Fund-State Appropriation (FY 2019) \$270,000

TOTAL APPROPRIATION \$631,000

NEW SECTION. Sec. 134. FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund-State Appropriation (FY 2018) \$370,000

General Fund-State Appropriation (FY 2019) \$256,000

TOTAL APPROPRIATION \$626,000

NEW SECTION. Sec. 135. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS-OPERATIONS

Department of Retirement Systems Expense

Account-State Appropriation \$55,653,000

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

(1) \$226,000 of the department of retirement systems-state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 1558 (PSERS/offender nursing care). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(2) \$235,000 of the department of retirement systems-state appropriation is provided solely for the administrative costs associated with implementation of Substitute House Bill No. 1655 (Industrial insurance/stress). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) \$107,000 of the department of retirement systems-state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 1560 (retirement system defaults). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 136. FOR THE DEPARTMENT OF REVENUE

General Fund-State Appropriation (FY 2018) \$144,312,000

General Fund-State Appropriation (FY 2019) \$139,163,000

Timber Tax Distribution Account-State

Appropriation \$6,598,000

Waste Reduction/Recycling/Litter Control-State

Appropriation \$144,000

State Toxics Control Account-State Appropriation \$103,000

Business License Account-State
Appropriation \$24,056,000

Performance Audits of Government
Account-State

Appropriation \$4,000,000

TOTAL APPROPRIATION \$318,376,000

The appropriations in this section are subject to the following conditions and limitations: \$5,628,000 of the general fund-state appropriation for fiscal year 2018, \$5,628,000 of the general fund-state appropriation for fiscal year 2019, and \$11,257,000 of the business license account-state appropriation are provided solely for the taxpayer legacy system replacement project.

NEW SECTION. Sec. 137. FOR THE BOARD OF TAX APPEALS

General Fund-State Appropriation (FY 2018) \$1,391,000

General Fund-State Appropriation (FY 2019) \$1,434,000

TOTAL APPROPRIATION \$2,825,000

NEW SECTION. Sec. 138. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account-State
Appropriation \$4,703,000

NEW SECTION. Sec. 139. FOR THE INSURANCE COMMISSIONER

General Fund-Federal
Appropriation \$4,591,000

Insurance Commissioners Regulatory
Account-State

Appropriation \$58,685,000

TOTAL APPROPRIATION \$63,276,000

The appropriations in this section are subject to the following conditions and limitations: \$1,047,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 2114 (out-of-network health services). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 140. FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account-State

Appropriation \$47,636,000

NEW SECTION. Sec. 141. FOR THE LIQUOR AND CANNABIS BOARD

Dedicated Marijuana Fund-State

Appropriation (FY 2018) \$11,188,000

Dedicated Marijuana Fund-State

Appropriation (FY 2019) \$10,482,000

Liquor Revolving Account-State
Appropriation \$67,714,000

General Fund-Federal
Appropriation \$2,850,000

General Fund-State Appropriation (FY 2018) \$615,000

General Fund-State Appropriation (FY 2019) \$553,000

General Fund-Private/Local
Appropriation \$50,000

TOTAL APPROPRIATION \$93,452,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,000 of the liquor revolving account-state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1351 (sale of spirits, beer and wine). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(2) Within amounts appropriated in this section, and using information submitted to the state during the marijuana license application process for all marijuana producer, processor, and retailer licenses applied for since January 1, 2013, the state liquor and cannabis board must complete a report that contains the following: (1) The total number of applicants denied a marijuana producer, processor, or retailer license and the reasons for each license denial; (2) of the applicants thus denied, the number that requested an administrative hearing to contest the decision; (3) the number of licenses subsequently issued upon a decision reversing the initial denial; and (4) demographic information regarding all people in whose name a marijuana producer, processor, or retailer license was applied for or issued, including but not limited to each person's county of residence, age, race, and sex. The report must be submitted to the legislature by December 1, 2017.

(3) The liquor and cannabis board may require electronic payment of the

marijuana excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(4) \$1,420,000 of the dedicated marijuana account—state appropriation for fiscal year 2018 and \$885,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 are provided solely for the marijuana traceability system used to track the production, processing, and retail sale of each marijuana product as it moves through the regulated recreational and medical marketplace. The board may accept a proposal for a traceability system that is less than the amounts appropriated within this section if the proposal meets the board's requirements. The traceability system is subject to the conditions, limitations, and review provided in section 949 of this act.

(5) \$350,000 of the general fund—state appropriation for fiscal year 2018 and \$264,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement and enforce vapor products licensing, packaging, and sales regulations pursuant to chapter 38, Laws of 2016 (ESSB 6328).

NEW SECTION. Sec. 142. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

General Fund—Private/Local
Appropriation \$16,390,000

Public Service Revolving Account—
State

Appropriation \$39,456,000

Pipeline Safety Account—State
Appropriation \$3,352,000

Pipeline Safety Account—Federal
Appropriation \$3,014,000

TOTAL APPROPRIATION \$62,212,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission shall work with the Idaho public utilities commission and the public utility commission of Oregon to identify common regulatory functions that can be performed jointly, with the goal of formalizing an agreement that protects essential services while increasing regulatory effectiveness and efficiencies through economies of scale. The commission is authorized to enter into an agreement with such other state public utility

commissions to work jointly in administering specified respective regulatory functions.

(2) As needed, the commission may identify and pursue opportunities to participate in proceedings before the federal energy regulatory commission and intervene, individually or in cooperation with regional or national groups, on behalf of the state's interests in preserving and protecting state authority to regulate retail electricity distribution.

(3) By December 31, 2017, the commission shall report findings and recommendations to the energy committees of the legislature on best practices and policies for electric utilities to develop distributed energy resource plans, applying the traditional utility regulatory principles of fairness, efficiency, reliability, and revenue stability. The report must address: A review of policies and practices for distributed energy resource planning in other states, an inventory of current utility distribution planning practices and capabilities in Washington, and recommendations for using distributed energy resource planning to inform utility integrated resource plans.

(4) \$257,000 of the public service revolving account appropriation is provided solely to implement House Bill No. 1233 (distributed energy). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 143. FOR THE MILITARY DEPARTMENT

General Fund—State Appropriation (FY 2018) \$7,423,000

General Fund—State Appropriation (FY 2019) \$7,415,000

General Fund—Federal
Appropriation \$117,339,000

Enhanced 911 Account—State
Appropriation \$49,784,000

Disaster Response Account—State
Appropriation \$25,530,000

Disaster Response Account—Federal
Appropriation \$59,060,000

Military Department Rent and Lease
Account—State

Appropriation \$615,000

Worker and Community Right-to-Know
Account-State

Appropriation \$2,318,000

Oil Spill Prevention Account-State
Appropriation \$1,006,000

TOTAL APPROPRIATION \$270,490,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees on October 1st and February 1st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2017-2019 biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund-federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the conditional scholarship program pursuant to chapter 28B.103 RCW.

(4) \$5,389,000 of the enhanced 911 account-state appropriation is provided solely for transitioning to an internet protocol based next generation 911 network and increased network costs during the transition and hardware required for the new system. The department's activities and procurement is a major information technology project subject to oversight and review by the office of the chief information officer.

(5) \$784,000 of the disaster response account-state appropriation is provided solely for fire suppression training and equipment to national guard soldiers and airmen.

(6) \$38,000 of the enhanced 911 account-state appropriation is provided solely for implementation of Substitute House Bill No. 1258 (first responders/disability). If the bill is not

enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(7) \$372,000 of the disaster response account-state appropriation is provided solely for implementation of Second Substitute House Bill No. 1540 (language of public notices). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(8) Appropriations provided to the department are sufficient to fund the administrative costs associated with implementation of Engrossed Second Substitute House Bill No. 1802 (veterans/shared leave access).

(9) \$951,000 of the disaster response account-state appropriation is provided solely to Okanogan and Ferry counties to continue to address deficiencies within their communications infrastructure for 911 dispatch. Funding will be used to replace failing radio dispatching hardware within 911 dispatch centers; build interoperable communications between each county's dispatch center such that each can serve as a back-up to the other; and build upon the existing wireless microwave network for 911 calls, dispatch centers, and first responder radio operations.

NEW SECTION. Sec. 144. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund-State Appropriation (FY 2018) \$1,916,000

General Fund-State Appropriation (FY 2019) \$2,038,000

Higher Education Personnel Services
Account-State

Appropriation \$1,223,000

Personnel Service Account-State
Appropriation \$3,686,000

TOTAL APPROPRIATION \$8,863,000

NEW SECTION. Sec. 145. FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account-State

Appropriation \$2,799,000

NEW SECTION. Sec. 146. FOR THE FORENSIC INVESTIGATION COUNCIL

Death Investigations Account-State
Appropriation \$632,000

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

(1) \$250,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(2) \$210,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

NEW SECTION. Sec. 147. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund—State Appropriation (FY 2018) \$4,335,000

General Fund—State Appropriation (FY 2019) \$4,321,000

General Fund—Private/Local Appropriation \$102,000

Building Code Council Account—State Appropriation \$1,036,000

Liability Account—State Appropriation \$133,000

TOTAL APPROPRIATION \$9,927,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,998,000 of the general fund—state appropriation for fiscal year 2018 and \$3,998,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the payment of facilities and services charges, utilities and contracts charges, public and historic facilities charges, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, joint legislative systems committee, and office of support services. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to enjoy all of the same rights of occupancy and space use

on the capitol campus as historically established.

(2) In accordance with RCW 46.08.172 and 43.135.055, the department is authorized to increase parking fees in fiscal years 2018 and 2019 as necessary to meet the actual costs of conducting business.

(3) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have written approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(4) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2018 and \$1,300,000 in fiscal year 2019.

NEW SECTION. Sec. 148. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers'

Administrative Account—State Appropriation \$1,183,000

NEW SECTION. Sec. 149. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund—State Appropriation (FY 2018) \$1,561,000

General Fund—State Appropriation (FY 2019) \$1,570,000

General Fund—Federal Appropriation \$2,193,000

General Fund—Private/Local Appropriation \$264,000

TOTAL APPROPRIATION \$5,588,000

The appropriations in this section are subject to the following conditions and limitations: \$103,000 of the general fund—state appropriation for fiscal year 2018 and \$103,000 of the general fund—state appropriation for fiscal year 2019 are provided for the position of assistant state physical anthropologist.

NEW SECTION. Sec. 150. FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY

General Fund-State Appropriation (FY 2018) \$187,000

General Fund-State Appropriation (FY 2019) \$188,000

Consolidated Technology Services Revolving

Account-State Appropriation \$17,961,000

TOTAL APPROPRIATION \$18,336,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,263,000 of the consolidated technology services revolving account-state appropriation is for the office of the chief information officer.

(2) \$550,000 of the consolidated technology services revolving account-state appropriation is provided solely for implementation of Substitute House Bill No. 1787 (information technology procurement oversight). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) \$10,148,000 of the consolidated technology services revolving account-state appropriation is for the office of cyber security.

(a) \$74,000 of the consolidated technology services revolving account-state appropriation for the office of cyber security is provided solely for the implementation of Substitute House Bill No. 1421 (sensitive data/state networks). If the bill is not enacted by June 30, 2017, the amount provided in this subsection (3) (a) shall lapse.

(b) \$631,000 of the consolidated technology services revolving account-state appropriation for the office of cyber security is provided solely for the implementation of Second Substitute House Bill No. 1929 (information technology system security testing). If the bill is not enacted by June 30, 2017, the amount provided in this subsection (3) (b) shall lapse.

(4) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:

(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and

(b) Assess a customized service charge as defined in Engrossed House Bill No. 1595 (public records request costs) for costs of using WASERV to prepare data compilations in response to public records requests. The requirement to identify opportunities to assess a customized service charge shall not apply if Engrossed House Bill No. 1595 is not enacted by June 30, 2017.

(5) The consolidated technology services agency shall provide desktop support services without charging a per device fee to the following agencies: The governor's office of Indian affairs, the commission on Asian Pacific American affairs, the citizen's commission on salaries for elected officials, the commission on Hispanic affairs, and the commission on African-American affairs.

(6) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures shall include the following: The agency's priority ranking of each information technology request; the estimated cost for the current biennium; the estimated total cost of the request over all biennia; and the expected timeline to complete the request. The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

NEW SECTION. Sec. 151. FOR THE LAW ENFORCEMENT OFFICERS' AND FIREFIGHTERS' PLAN 2 RETIREMENT BOARD

Law Enforcement Officers' and Firefighters'

Retirement System Plan 2 Expense Account-State

Appropriation \$50,000

The \$50,000 appropriation in this section is for the law enforcement officers' and firefighters' retirement system plan 2 board to study the tax, legal, fiscal, policy and administrative issues related to allowing tribal law enforcement officers to become members of the law enforcement officers' and firefighters' plan 2 retirement system. This funding is in addition to other expenditures in the nonappropriated law enforcement officers' and firefighters' retirement system plan 2 expense account. In preparing this study, the department of

retirement systems, the attorney general's office, and the office of the state actuary shall provide the board with any information or assistance the board requests. The board shall also receive stakeholder input as part of its deliberation. The board shall submit a report of the results of this study to the legislature by January 8, 2018.

PART II

HUMAN SERVICES

NEW SECTION. Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable

relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for

households receiving or applying for public assistance benefits.

NEW SECTION. Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM

General Fund—State Appropriation (FY 2018) \$343,526,000

General Fund—Federal Appropriation \$264,919,000

General Fund—Private/Local Appropriation \$1,477,000

Domestic Violence Prevention Account—State

Appropriation \$1,002,000

Child and Family Reinvestment Account—State

Appropriation \$3,609,000

TOTAL APPROPRIATION \$614,533,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$668,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(2) \$253,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the costs of hub home foster families that provide a foster care delivery model that includes a licensed hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2018 and

\$55,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$990,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for services provided through children's advocacy centers.

(5) \$1,351,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(6) \$4,715,000 of the general fund—state appropriation for fiscal year 2018, \$3,609,000 of the child and family reinvestment account—state appropriation, and \$6,022,000 of the general fund—federal appropriation, are provided solely for family assessment response.

(7) \$94,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(8) \$2,498,000 of the general fund—state appropriation for fiscal year 2018 and \$746,000 of the general fund—federal appropriation are provided solely for the children's administration to reduce the caseload ratios of social workers serving children in foster care to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcome.

(9)(a) \$539,000 of the general fund—state appropriation for fiscal year 2018, \$328,000 of the general fund private/local appropriation, and \$126,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, or regions where backlogs of youth that have formerly requested educational outreach services exist. The children's administration is encouraged to use private matching funds to maintain educational advocacy services.

(b) The children's administration shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(10) The children's administration shall continue to implement policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised to unsupervised visitation prior to reunification.

(11) \$111,000 of the general fund-state appropriation for fiscal year 2018 and \$26,000 of the general fund-federal appropriation are provided solely for a base rate increase for licensed family child care providers. \$45,000 of the general fund-state appropriation for fiscal year 2018 and \$11,000 of the general fund-federal appropriation are provided for increasing paid professional days from three days to five days for licensed family child care providers. This funding is for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act.

(12) \$159,000 of the general fund-state appropriation for fiscal year 2018 and \$65,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1867 (ext. foster care transitions). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$100,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for a contract with a community-based organization that, in partnership with a national nonprofit organization and private matching funds, must provide specialized, enhanced adoption placement services for legally free children in state custody. The contract must supplement, but not supplant, the work of the children's administration to secure permanent adoptive homes for children.

(14) \$1,324,000 of the general fund-state appropriation for fiscal year 2018 and \$198,000 of the general fund-federal appropriation are provided solely for the children's administration to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation

services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The children's administration must submit an analysis of the strategies and associated outcomes no later than October 1, 2018.

(15) \$63,000 of the general fund-state appropriation for fiscal year 2018 and \$19,000 of the general fund-federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families/department). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(16) No later than September 1, 2017, the children's administration shall issue a request for qualifications or request for information to establish a network administrator on the western side of the state for performance-based contracts of family support and related services, pursuant to RCW 74.13B.020. The children's administration must submit a budget request for the costs of the second network administrator to the office of financial management for consideration in the 2018 supplemental budget. The establishment of the second network administrator is subject to the availability of amounts appropriated specifically for this purpose, but it is the intent of the legislature to give network administrators responsibility for managing all categories of family support and related services identified by the department pursuant to RCW 74.13B.020(2).

(17) \$336,000 of the general fund-state appropriation for fiscal year 2018 and \$64,000 of the general fund-federal appropriation are provided solely for a two percent base rate increase for child care center providers. \$688,000 of the general fund-state appropriation for fiscal year 2018 and \$132,000 of the general fund-federal appropriation are provided solely for the department to increase tiered reimbursement rates for child care center providers.

NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— JUVENILE REHABILITATION PROGRAM

General Fund-State Appropriation (FY 2018) \$93,706,000

General Fund-State Appropriation (FY 2019) \$93,221,000

General Fund-Federal Appropriation \$3,464,000

General Fund-Private/Local Appropriation \$1,985,000

Washington Auto Theft Prevention Authority Account-

State Appropriation \$196,000

TOTAL APPROPRIATION \$192,572,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$331,000 of the general fund-state appropriation for fiscal year 2018 and \$331,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$2,841,000 of the general fund-state appropriation for fiscal year 2018 and \$2,841,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for grants to county juvenile courts for the following juvenile justice programs identified by the Washington state institute for public policy (institute) in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(3) \$1,537,000 of the general fund-state appropriation for fiscal year 2018

and \$1,537,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for expansion of the following juvenile justice treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(4) (a) \$6,198,000 of the general fund-state appropriation for fiscal year 2018 and \$6,198,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The juvenile rehabilitation administration shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service (CJS) funds, community juvenile accountability act (CJAA) grants, chemical dependency/mental health disposition alternative (CDDA), and suspended disposition alternative (SDA). The juvenile rehabilitation administration shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi)

two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the juvenile rehabilitation administration and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) If Second Substitute House Bill No. 1280 (referred and diverted youth) is enacted, then the administration must implement a stop-loss policy when allocating funding under (b) of this subsection in the 2017-2019 fiscal biennium. Under the stop-loss policy, funding formula changes may not result in a funding loss for any juvenile court of more than two percent from one year to the next. The committee in (d) of this subsection must establish a minimum base level of funding for juvenile courts with lower numbers of at-risk youth age 10 - 17. The administration must report to the legislature by December 1, 2018, about how funding is used for referred youth and the impact of that use on overall use of funding. If the bill is not enacted by June 30, 2017, this subsection is null and void.

(d) The juvenile rehabilitation administration and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the juvenile rehabilitation administration and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the juvenile rehabilitation administration and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state,

including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(e) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the juvenile rehabilitation administration and the Washington state institute for public policy related to program and outcome data. The juvenile rehabilitation administration and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(5) \$98,000 of the general fund-state appropriation for fiscal year 2018 and \$98,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to the juvenile block grant funding formula oversight committee described in subsection (4)(d) of this section to contract with research entities to: (a) Assist juvenile justice programs identified as promising practices or research-based in undergoing the research necessary to demonstrate that the program is evidence-based; and (b) establish an annual, county-level evaluation of existing evidence-based juvenile justice programs.

(6) \$750,000 of the general fund-state appropriation for fiscal year 2018 and \$750,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for funding of the teamchild project.

(7) \$283,000 of the general fund-state appropriation for fiscal year 2018 and \$283,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the juvenile detention alternatives initiative.

(8) \$600,000 of the general fund-state appropriation for fiscal year 2018 and \$600,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a grant program focused on criminal street gang prevention and intervention. The juvenile rehabilitation administration may award grants under this subsection. The juvenile rehabilitation administration shall give priority to applicants who have

demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the juvenile rehabilitation administration on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(9) The juvenile rehabilitation institutions may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(10) \$150,000 of the general fund-state appropriation for fiscal year 2018 is provided solely to coordinate the examination of data associated with juvenile gang and firearm offenses.

(11) Within the amounts appropriated in this section, the department must prepare a report outlining the different options for housing youthful offenders in a juvenile rehabilitation facility until age twenty-five. As part of this process, the department of social and health services shall seek guidance from the department of justice office of juvenile justice and delinquency prevention regarding the ability to house youthful offenders in juvenile rehabilitation facilities until age twenty-five without violating the juvenile justice and delinquency prevention act, 42 U.S.C. Sec. 5633. The department must deliver the report to the governor and the appropriate committees of the legislature by December 1, 2017, and must include a description of the following:

(a) The communication with the department of justice office of juvenile justice and delinquency prevention and all information provided by that office regarding housing youthful offenders in juvenile rehabilitation facilities until age twenty-five without violating the juvenile justice and delinquency prevention act, 42 U.S.C. Sec. 5633;

(b) The facility or facilities that would be used to house youthful offenders in juvenile rehabilitation facilities until age twenty-five; and

(c) The fiscal implications, including potential impacts on federal funding, of housing youthful offenders in juvenile rehabilitation facilities until age twenty-five.

NEW SECTION. Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2018) \$256,091,000

General Fund-State Appropriation (FY 2019) \$241,019,000

General Fund-Federal Appropriation \$142,715,000

General Fund-Private/Local Appropriation \$52,630,000

TOTAL APPROPRIATION \$692,455,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$311,000 of the general fund-state appropriation for fiscal year 2018 and \$310,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood. The department must collect data from the city of Lakewood on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(c) \$45,000 of the general fund-state appropriation for fiscal year 2018 and \$45,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for payment to the city of Lakewood for police services provided by

the city at western state hospital and adjacent areas.

(d) \$25,049,000 of the general fund-state appropriation for fiscal year 2018 and \$25,049,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). These amounts must be used to maintain and further increase the number of forensic beds at western state hospital and eastern state hospital. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (2E2SSB 5177) (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(e) \$3,261,000 of the general fund-state appropriation for fiscal year 2018 and \$3,261,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of staff providing competency evaluation services.

(f) \$135,000 of the general fund-state appropriation for fiscal year 2018 and \$135,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to hire an on-site safety compliance officer, stationed at Western State Hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(g) \$21,086,000 of the general fund-state appropriation for fiscal year 2018 and \$21,086,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for improving patient safety and quality of care and maintaining federal certification at the state hospitals. The department must submit a financial analysis to the office of financial management and the appropriate committees of the legislature which compares current staffing levels at eastern and western state hospitals, at the ward level, with the specific staffing levels recommended in the state hospitals'

clinical model analysis project report submitted by OTB Solutions in 2016. To the extent that the financial analysis includes any differential in staffing from what was recommended in the report, the department must clearly identify these differences and the associated costs. The department must submit the financial analysis by September 1, 2017.

(h) Within these amounts, the department must hire chemical dependency professionals to provide integrated substance use disorder and mental health treatment at the state psychiatric hospitals.

(2) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2018) \$4,415,000

General Fund-State Appropriation (FY 2019) \$4,436,000

General Fund-Federal Appropriation \$5,558,000

TOTAL APPROPRIATION \$14,409,000

NEW SECTION. Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund-State Appropriation (FY 2018) \$608,732,000

General Fund-State Appropriation (FY 2019) \$655,113,000

General Fund-Federal Appropriation \$1,290,091,000

General Fund-Private/Local Appropriation \$4,070,000

TOTAL APPROPRIATION \$2,558,006,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the

department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2018 and \$225 per bed beginning in fiscal year 2019. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2018 and \$106 per bed beginning in fiscal year 2019.

(iii) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2018 and \$359 per bed beginning in fiscal year 2019.

(c) \$7,142,000 of the general fund-state appropriation for fiscal year 2018, \$18,249,000 of the general fund-state appropriation for fiscal year 2019, and \$27,336,000 of the general fund-federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2017-2019 fiscal biennium.

(d) \$787,000 of the general fund-state appropriation for fiscal year 2018, \$2,183,000 of the general fund-state appropriation for fiscal year 2019, and \$3,714,000 of the general fund-federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(e) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted

the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(f) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(g) \$650,000 of the general fund-state appropriation for fiscal year 2018, \$650,000 of the general fund-state appropriation for fiscal year 2019, and \$800,000 of the general fund-federal appropriation are provided solely for the development and implementation of eight enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her family home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(h) \$900,000 of the general fund-state appropriation for fiscal year 2018 and \$900,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the development and implementation of eight community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(i) \$62,000 of the general fund-state appropriation for fiscal year 2018, \$70,000 of the general fund-state appropriation for fiscal year 2019, and

\$132,000 of the general fund-federal appropriation are provided solely for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(j) \$1,145,000 of the general fund-state appropriation for fiscal year 2018, \$2,950,000 of the general fund-state appropriation for fiscal year 2019, and \$4,029,000 of the general fund-federal appropriation are provided solely to create new community alternative placement beds that prioritize the transition of clients ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs. Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, assisted living facility beds, community residential beds, and state operated living alternatives. In development of bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) \$738,000 of the general fund-state appropriation for fiscal year 2018, \$1,963,000 of the general fund-state appropriation for fiscal year 2019, and \$2,701,000 of the general fund-federal appropriation are provided solely for expanding the number of clients receiving services under the basic plus medicaid waiver. Approximately six hundred additional clients are anticipated to graduate from high school during the 2017-2019 fiscal biennium and will receive employment services under this expansion.

(l) \$14,127,000 of the general fund-state appropriation for fiscal year 2018, \$25,428,000 of the general fund-state appropriation for fiscal year 2019, and \$39,554,000 of the general fund-federal appropriation are provided solely to increase the benchmark rate for community residential service providers offering supported living, group home, and licensed staff residential services to individuals with development disabilities. The amounts in this subsection (l) (1) include funding to increase the benchmark rate by the following amounts:

(i) \$1.25 per hour effective July 1, 2017, and;

(ii) An additional \$1.00 per hour effective July 1, 2018.

The amounts provided in this subsection must be used to improve the recruitment and retention of quality direct care staff to better protect the health and safety of clients with developmental disabilities.

(m) Respite personal care provided by individual providers to developmental disabilities administration clients, as authorized by the department and accessed by clients through a medicaid waiver, must be funded in maintenance level of the operating budget on the basis of actual and forecasted client utilization.

(n) \$4,000 of the general fund-state appropriation for fiscal year 2018, \$11,000 of the general fund-state appropriation for fiscal year 2019, and \$13,000 of the general fund-federal appropriation are provided solely to implement House Bill No. 1772 (personal needs allowance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(o) \$3,536,000 of the general fund-private/local appropriation and \$3,538,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1792 (residential services & supports). The annual certification renewal fee for community residential service businesses shall be \$856 per client. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(p) \$42,000 of the general fund-state appropriation for fiscal year 2018, \$69,000 of the general fund-state appropriation for fiscal year 2019, and \$141,000 of the general fund-federal appropriation are provided solely to increase vendor rates for adult residential care and enhanced adult residential care providers in the 2017-2019 fiscal biennium consistent with the statewide minimum wage established in Initiative Measure No. 1433.

(2) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2018) \$97,466,000

General Fund-State Appropriation (FY 2019) \$97,563,000

General Fund-Federal
Appropriation \$180,521,000

General Fund-Private/Local
Appropriation \$25,041,000

TOTAL APPROPRIATION \$400,591,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund-state appropriation for fiscal year 2018 and \$495,000 of the general fund-state appropriation for fiscal year 2019 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) \$558,000 of the general fund-state appropriation for fiscal year 2018, \$558,000 of the general fund-state appropriation for fiscal year 2019, and \$1,074,000 of the general fund-federal appropriation are for specialized services required by the centers for medicare and medicaid services as a result of preadmission screening and resident review assessments.

(d) \$2,978,000 of the general fund-state appropriation for fiscal year 2018, \$2,978,000 of the general fund-state appropriation for fiscal year 2019, and \$5,956,000 of the general fund-federal appropriation are for additional staff to ensure compliance with centers for medicare and medicaid services requirements for habilitation, nursing care, staff safety, and client safety at the residential habilitation centers.

(e) The residential habilitation centers may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(f) \$2,000 of the general fund-state appropriation for fiscal year 2018, \$5,000 of the general fund-state appropriation for fiscal year 2019, and \$5,000 of the general fund-federal appropriation are provided solely to implement House Bill

No. 1772 (personal needs allowance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2018) \$2,378,000

General Fund-State Appropriation (FY 2019) \$2,377,000

General Fund-Federal
Appropriation \$2,892,000

TOTAL APPROPRIATION \$7,647,000

(4) SPECIAL PROJECTS

General Fund-State Appropriation (FY 2018) \$64,000

General Fund-State Appropriation (FY 2019) \$64,000

General Fund-Federal
Appropriation \$1,092,000

TOTAL APPROPRIATION \$1,220,000

NEW SECTION. Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM

General Fund-State Appropriation (FY 2018) \$1,087,758,000

General Fund-State Appropriation (FY 2019) \$1,181,392,000

General Fund-Federal
Appropriation \$2,818,169,000

General Fund-Private/Local
Appropriation \$37,000,000

Traumatic Brain Injury Account—State
Appropriation \$3,044,000

Skilled Nursing Facility Safety Net
Trust Account—

State Appropriation \$133,360,000

TOTAL APPROPRIATION \$5,260,723,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$201.58 for fiscal year 2018 and shall not exceed \$209.60 for fiscal year 2019.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a

medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2018 and \$225 per bed beginning in fiscal year 2019. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2018 and \$106 per bed beginning in fiscal year 2019.

(c) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2018 and \$359 per bed beginning in fiscal year 2019.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2018 and no new certificates of capital authorization for fiscal year 2019 and shall grant no rate add-ons to payment rates for capital improvements not requiring a certificate of need and a certificate of capital authorization for fiscal years 2018 and 2019.

(5) \$1,858,000 of the general fund-state appropriation for fiscal year 2018

and \$1,857,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(6) \$14,674,000 of the general fund-state appropriation for fiscal year 2018, \$37,239,000 of the general fund-state appropriation for fiscal year 2019, and \$55,716,000 of the general fund-federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2017-2019 fiscal biennium.

(7) \$4,833,000 of the general fund-state appropriation for fiscal year 2018, \$13,413,000 of the general fund-state appropriation for fiscal year 2019, and \$22,812,000 of the general fund-federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(8) \$5,094,000 of the general fund-state appropriation for fiscal year 2018 and \$5,094,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$1,889 for each facility.

(11) \$468,000 of the general fund-state appropriation for fiscal year 2018 and

\$468,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(12) \$42,000 of the general fund-state appropriation for fiscal year 2018, \$127,000 of the general fund-state appropriation for fiscal year 2019, and \$169,000 of the general fund-federal appropriation are provided solely to implement House Bill No. 1772 (personal needs allowance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$3,428,000 of the general fund-private/local appropriation and \$992,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1792 (residential services and supports). The annual certification renewal fee for community residential service businesses shall be \$856 per client. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(14) Within available funds, the aging and long term support administration must create a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(15) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members. Four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy options, by conducting at least, but not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(16)(a) The department of social and health services must facilitate a stakeholder work group consisting of assisted living provider associations and the state long-term care ombuds in a collaborative effort to redesign the medicaid payment methodology for contracted assisted living, adult residential care, and enhanced adult residential care. The department must submit a report with the final work group recommendations to the appropriate legislative committees by November 30, 2017. A proposed timeline for implementation of the new methodology must be included in the report. The new methodology must:

(i) Adhere to the standards of an acuity-based payment system as originally intended by the legislature, and the department will rely on the time study conducted in 2003 in establishing the acuity scale;

(ii) Create a standardized methodology that supports a reasonable medicaid payment that promotes access, choice, and quality;

(iii) Incorporate metrics such as medians, lids, floors, and other options that provide flexibility to adjust to economic conditions while maintaining the integrity of the methodology;

(iv) Be supported by relevant, reliable, verifiable, and independent data to the extent possible; and

(v) To the extent possible, repurpose and streamline data sources and modeling that the aging and long-term support

administration uses for other rate-setting processes.

(b) In developing payment metrics for medicaid-covered services, staff and service requirements must be reviewed for assisted living, adult residential care, and enhanced adult residential care as described in chapters 74.39A and 18.20 RCW. At a minimum, the proposed rate methodology must include a component that recognizes staffing for intermittent nursing and personal care services. Service area adjustments based on population density must be reviewed and compared with other options to recognize high-cost areas. The most recent and complete wage data available through the bureau of labor statistics must also be included for review and consideration. The methodology work group must consider operational requirements and indirect services in developing the model. The work group must include a rate component that recognizes statutory and regulatory physical plant requirements. The work group must review and consider physical plant requirements for assisted living as described in chapter 51.50 RCW. A fair rental valuation must be reviewed and considered as an option for the capital component. The recognition of food for medicaid residents must also be included in the work group considerations. The department's current methodology to address room and board requirements, and the appropriateness of the continued use of the 2003 time study and whether it can be reasonably adjusted or whether a new time study should be conducted, must be reviewed and considered by the work group.

(17) Within amounts appropriated in this section, the department must pay medicaid nursing facility payment rates for public hospital district providers in rural communities as defined under chapter 70.44 RCW that are no less than June 30, 2016, reimbursement levels. This action is intended to assure continued access to essential services in rural communities.

(18) \$2,607,000 of the general fund-state appropriation for fiscal year 2018, \$4,458,000 of the general fund-state appropriation for fiscal year 2019, and \$8,571,000 of the general fund-federal appropriation are provided solely to increase vendor rates for nursing homes, assisted living facilities including adult residential care and enhanced adult residential care, adult day care and adult day health providers, and home care agency administration in the 2017-2019 fiscal

biennium consistent with the statewide minimum wage established in Initiative Measure No. 1433.

(19) \$4,596,000 of the general fund-state appropriation for fiscal year 2018, \$10,215,000 of the general fund-state appropriation for fiscal year 2019, and \$13,649,000 of the general fund-federal appropriation are provided solely to create new community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, and assisted living facility beds.

(b) Of the amounts provided in this subsection, \$308,000 of the general fund-state appropriation for fiscal year 2018, \$1,519,000 of the general fund-state appropriation for fiscal year 2019, and \$1,820,000 of the general fund-federal appropriation are provided solely for establishment of one state-operated living facility for clients who are being discharged from the state psychiatric hospitals and have long-term care needs.

In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(20) \$135,000 of the general fund-state appropriation for fiscal year 2018, \$168,000 of the general fund-state appropriation for fiscal year 2019, and \$304,000 of the general fund-federal appropriation are provided solely for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(21) \$122,000 of the general fund-state appropriation for fiscal year 2018, \$143,000 of the general fund-state appropriation for fiscal year 2019, and \$264,000 of the general fund-federal appropriation are provided solely for financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to

transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(22) Within amounts appropriated in this subsection, the department of social and health services aging and long-term support administration shall convene and lead a work group that includes representatives from the office of the governor, the health care authority, and the employment security department to complete a study on implementing the long-term services and supports trust program proposed in House Bill No. 1636 (long-term services and support). The work group must:

(a) Identify the administrative start-up costs for the proposed long-term services trust program and a plan for how such costs would be reimbursed from the trust once it is operational;

(b) Determine the respective roles of the department of social and health services aging and long-term supports administration, the health care authority, and the employment security department in program administration and operations; and

(c) Identify a mechanism to capture potential medicaid savings that result from the program, and create a plan for how the state may work with the federal government to recoup medicaid savings.

The work group shall report the results of the study to the office of financial management and the appropriate committees of the legislature by November 1, 2017.

(23) \$5,007,000 of the general fund-state appropriation for fiscal year 2018, \$5,143,000 of the general fund-state appropriation for fiscal year 2019, and \$10,154,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1968 (nursing home payments). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-ECONOMIC SERVICES PROGRAM

General Fund-State Appropriation (FY 2018) \$411,422,000

General Fund-State Appropriation (FY 2019) \$440,100,000

General Fund-Federal Appropriation \$1,408,924,000

General Fund-Private/Local
Appropriation \$5,144,000

TOTAL APPROPRIATION \$2,265,590,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$167,172,000 of the general fund-state appropriation for fiscal year 2018, \$184,092,000 of the general fund-state appropriation for fiscal year 2019 and \$835,561,000 of the general fund-federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) \$281,173,000 of the amounts in (a) of this subsection are provided solely for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance.

(c) \$175,335,000 of the amounts in (a) of this subsection are provided solely for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Amounts provided in this subsection (c) include funding for implementation of Substitute

House Bill No. 1566 (WorkFirst "work activity").

(d) \$524,664,000 of the amounts in (a) of this subsection are provided solely for the working connections child care program under RCW 43.215.135. Of the amounts provided in this subsection (1)(d), \$4,620,000 of the appropriation for fiscal year 2018 and \$4,792,000 of the appropriation for fiscal year 2019 are provided for a base rate increase, a rate increase for Family Friend and Neighbor providers, covering an increase for health insurance premiums, and increasing paid professional development days from three days to five days. This funding is for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act. The department of social and health services and the department of early learning must take additional actions to identify and reduce the backlog of overpayment cases related to public assistance programs, including the working connections child care program. The departments shall collaborate and create a plan to triage overpayment cases in a manner that identifies and prioritizes cases with large overpayments and likelihood of fraudulent activity. The departments shall provide a quarterly report to the appropriate policy and fiscal committees of the legislature detailing the specific actions taken as a result of this subsection (d). Of the amounts provided in (1)(d) of this subsection, \$3,419,000 of the general fund-state appropriation for fiscal year 2018 and \$3,479,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a two percent base rate increase for child care center providers.

(e) \$34,248,000 of the general fund-federal appropriation is provided solely for child welfare services within the department of children, youth, and families.

(f) \$171,405,000 of the amounts in (a) of this subsection are provided solely for WorkFirst and working connections child care administration and overhead.

(g) The amounts in (b) through (e) of this subsection shall be expended for the programs and in the amounts specified. However, the department may transfer up to 10 percent of funding between (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate

legislative committees and the legislative-executive WorkFirst oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) Each calendar quarter, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort; and

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements.

(i) In the 2017-2019 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (b) through (f) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$1,657,000 of the general fund-state appropriation for fiscal year 2018 and \$1,657,000 of the general fund-state appropriation for fiscal year 2019 are

provided solely for naturalization services.

(3) \$2,366,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On December 1, 2017, and annually thereafter, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be one hundred percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) \$433,000 of the general fund-state appropriation for fiscal year 2018, \$451,000 of the general fund-state appropriation for fiscal year 2019, and \$6,451,000 of the general fund-federal appropriation are provided solely for ESAR Architectural Development and are subject to the conditions, limitations, and review provided in section 949 of this act.

(8) The department shall continue the interagency agreement with the department

of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(9) \$1,000,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for operational support of the Washington information network 211 organization.

(10) \$90,000 of the general fund-state appropriation for fiscal year 2018, \$8,000 of the general fund-state appropriation for fiscal year 2019, and \$36,000 of the general fund-federal appropriation are provided solely for implementation of House Bill No. 1772 (personal needs allowance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(11) \$1,643,000 of the general fund-state appropriation for fiscal year 2018 and \$4,500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1831 (public assistance/resources). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(12) \$30,000 of the general fund-state appropriation for fiscal year 2018 and \$30,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1482 (WorkFirst poverty reduction). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$415,000 of the general fund-state appropriation for fiscal year 2018 and \$903,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 2121 (TANF/nonparent caregivers). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(14) \$127,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Substitute House Bill No. 1624 (working

connections child care). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(15) \$119,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Substitute House Bill No. 1291 (Pacific Islander health care). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— VOCATIONAL REHABILITATION PROGRAM

General Fund-State Appropriation (FY 2018) \$13,546,000

General Fund-State Appropriation (FY 2019) \$13,546,000

General Fund-Federal Appropriation \$97,328,000

TOTAL APPROPRIATION \$124,420,000

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— SPECIAL COMMITMENT PROGRAM

General Fund-State Appropriation (FY 2018) \$43,304,000

General Fund-State Appropriation (FY 2019) \$42,461,000

TOTAL APPROPRIATION \$85,765,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to purchase new equipment in support of the operations and administration of the program.

(2) \$448,000 of the general fund-state appropriation for fiscal year 2018 and \$179,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for hepatitis C treatment.

(3) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund-State Appropriation (FY 2018) \$35,630,000

General Fund-State Appropriation (FY 2019) \$31,276,000

General Fund-Federal Appropriation \$38,536,000

General Fund-Private/Local Appropriation \$654,000

TOTAL APPROPRIATION \$106,096,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$425,000 of the general fund-state appropriation for fiscal year 2018 and \$425,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a Washington state mentoring organization to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

(2) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2018, and February 1, 2019. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

(3) \$3,320,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund-State Appropriation (FY 2018) \$74,313,000

General Fund-State Appropriation (FY 2019) \$35,534,000

General Fund-Federal Appropriation \$50,680,000

TOTAL APPROPRIATION \$160,527,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$39,000 of the general fund-state appropriation for fiscal year 2018 and \$11,000 of the general fund-federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(2) \$12,000 of the general fund-state appropriation for fiscal year 2018, \$12,000 of the general fund-state appropriation for fiscal year 2019, and \$24,000 of the general fund-federal appropriation are provided solely for the implementation of Second Substitute House Bill No. 1402 (incapacitated persons/rights). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 212. FOR THE STATE HEALTH CARE AUTHORITY

During the 2017-2019 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

The health care authority shall not initiate any services that require

expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(1) MEDICAL ASSISTANCE

General Fund-State Appropriation (FY 2018) \$2,625,124,000

General Fund-State Appropriation (FY 2019) \$2,740,491,000

General Fund-Federal Appropriation \$13,515,963,000

General Fund-Private/Local Appropriation \$269,449,000

Emergency Medical Services and Trauma Care Systems

Trust Account-State Appropriation \$15,086,000

Hospital Safety Net Assessment Account-State

Appropriation \$725,012,000

Medicaid Fraud Penalty Account-State Appropriation \$18,450,000

Dedicated Marijuana Account-State Appropriation

(FY 2018) \$44,117,000

Dedicated Marijuana Account-State Appropriation

(FY 2019) \$45,439,000

Medical Aid Account-State Appropriation \$528,000

Criminal Justice Treatment Account-State Appropriation \$12,978,000

Problem Gambling Account-State Appropriation \$1,453,000

TOTAL APPROPRIATION \$20,014,090,000

The appropriations in this section are subject to the following conditions and limitations:

(a) PHYSICAL HEALTH CARE

(i) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(ii) Medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(iii) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(iv) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(v) It is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(vi) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(vii) \$4,261,000 of the general fund-state appropriation for fiscal year 2018, \$4,261,000 of the general fund-state appropriation for fiscal year 2019, and \$8,522,000 of the general fund-federal appropriation are provided solely for low-income disproportionate share hospital payments.

(viii) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(ix) \$6,000,000 of the general fund-federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(x) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2017-2019 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state,

except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2017, and by November 1, 2018, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2018 and fiscal year 2019, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of: (A) The inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2017-2019 biennial operating appropriations act and in effect on July 1, 2017; (B) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005; and (C) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2017-2019 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline

amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. \$10,575,000 of the general fund-state appropriation for fiscal year 2018 and \$13,185,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for state grants for the participating hospitals.

(xi) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(xii) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(xiii) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(xiv) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(xv) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(xvi) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(xvii) \$90,000 of the general fund-state appropriation for fiscal year 2018, \$90,000 of the general fund-state appropriation for fiscal year 2019, and \$180,000 of the general fund-federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(xviii) The appropriations in this section reflect savings and efficiencies by transferring children receiving medical care provided through fee-for-service to medical care provided through managed care.

(xix) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(xx) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(xxi) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(xxii) The authority shall use revenue appropriated from the dedicated marijuana

fund for contracts with community health centers under RCW 69.50.540 in lieu of general fund-state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(xxiii) The authority shall submit reports to the governor and the legislature by September 15, 2018, and by September 15, 2019, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(xxiv) Within the amounts appropriated within this section, beginning July 1, 2017, the authority must increase facility fees for birth centers to the amount listed on page 2 of their report to the legislature dated October 15, 2016, entitled "reimbursement for births performed at birth centers." This increased rate is applicable in both fee-for-service settings and is the minimum allowable rate in a managed care setting. The authority shall report to the governor and appropriate committees of the legislature by October 15, 2018, on updated information regarding access to care, improvements to the Cesarean section rate, and savings outcomes for utilizing birth centers as an alternative to hospitals.

(xxv) Within the amounts appropriated within this section, the authority shall implement the plan to show how improved access to home health nursing reduces potentially preventable readmissions, increases access to care, reduces hospital length of stay, and prevents overall hospital admissions for clients receiving private duty nursing, medically intensive care, or home health benefits as described in their report to the legislature dated December 15, 2016, entitled "home health nursing." The authority shall report to the governor and appropriate committees of the legislature by December 31, 2017,

information regarding the effect of the ten-dollar rate increases for skilled nursing care delivered via private duty nursing or home health nursing, and how the rate changes impacted the utilization and cost of emergency room visits, reduced the length of stay for initial hospital admissions, and reduced utilization and costs of preventable hospital readmissions. The report will quantify potential cost saving opportunities that may exist through improved access to private duty and home health nursing statewide.

(xxvi) \$165,000 of the general fund-state appropriation for fiscal year 2018, \$329,000 of the general fund-state appropriation for fiscal year 2019, and \$604,000 of the general fund-federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(xxvii) \$1,813,000 of the general fund-state appropriation for fiscal year 2018, \$3,764,000 of the general fund-state appropriation for fiscal year 2019, and \$12,930,000 of the general fund-federal appropriation are provided solely for implementation of Substitute House Bill No. 1338 (state health insurance pool). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(xxviii) \$696,000 of the general fund-state appropriation for fiscal year 2018 and \$1,006,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1291 (Pacific Islander health care). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(xxix) \$347,000 of the general fund-state appropriation for fiscal year 2018, \$839,000 of the general fund-state appropriation for fiscal year 2019, and \$943,000 of the general fund-federal appropriation are provided solely for implementation of Substitute House Bill No. 1520 (hospital payment methodology). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(xxx) Sufficient amounts are appropriated in this section for the implementation of Substitute House Bill

No. 1358 (community assistance referral programs).

(xxxix) Within the amounts appropriated in this section, the authority shall reimburse for manipulative therapy services provided by chiropractors to eligible medicaid clients. Nothing in this subsection shall constitute the expansion of the current manipulative therapy benefit or its application to nonmedicaid eligible individuals.

(xxxix) \$450,000 of the general fund—state appropriation for fiscal year 2018, \$450,000 of the general fund—state appropriation for fiscal year 2019, and \$1,058,000 of the general fund—federal appropriation are provided solely for the authority to hire ten nurse case managers to coordinate medically assisted treatment and movements to medical homes for those being treated for opioid use disorder. Nurses shall be located in areas and provider settings with the highest concentration of opioid use disorder patients.

(xxxix) Sufficient amounts are appropriated in this section for the authority to provide a collaborative care benefit beginning July 1, 2017.

(xxxix) \$500,000 of the general fund—state appropriation for fiscal year 2018 and \$500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to increase payments for health home services.

(xxxix) The authority and the department of social and health services shall convene a work group consisting of representatives of skilled nursing facilities, adult family homes, assisted living facilities, managers of in-home long-term care, hospitals, and managed health care systems. The work group shall identify barriers that may prevent skilled nursing facilities from accepting and admitting clients from acute care hospitals in a timely and appropriate manner. The work group shall consider what additional resources are needed to allow for faster transfers of enrollees, including those with complex needs. By December 1, 2017, the authority shall report the work group's findings to the governor and the appropriate committees of the legislature.

(xxxix) Sufficient amounts are appropriated in this section to increase the daily rate by \$155.20 for skilled nursing performed by licensed practical nurses and registered nurses who serve

medically intensive children's program clients who reside in a group home setting.

(xxxvii) (A) Within the amounts appropriated in this section, the authority shall issue a request for information (RFI) for the administration of the medicaid dental program, pursuant to the December 2016 report to the legislature entitled "contracting out dental services administration." The RFI should be framed within the context of whole person care and support the goals of coordinated and integrated care. It shall include, but is not limited to, questions necessary to inform:

(I) Recommendations for quarterly reporting requirements including medicaid utilization and encounter data by current dental technology code;

(II) Recommendations for dental provider network requirements, including the use of denturists licensed under chapter 18.30 RCW;

(III) Identification of innovative programs that improve access and care;

(IV) Recommendations to reduce dental emergency room use;

(V) Recommendations for requirements to ensure dental and primary care coordination and integration;

(VI) Recommendations to ensure that contracting fees are sufficient to compensate county health departments and federally qualified health centers for dental care;

(VII) Estimations for managed care dental plan start-up costs and savings estimations from managed care dental as compared to the 2016 fee-for-service program; and

(VIII) Recommendations for evaluating the impact in areas where only a single plan is available.

(B) The authority shall provide an initial report to the appropriate committees of the legislature on the RFI under (A) of this subsection (1)(a)(xxxvii) by December 31, 2017, and a final report by December 31, 2018. By July 1, 2018, the authority shall issue a request for proposals (RFP) if recommended at the conclusion of the RFI process. The RFP shall be consistent with recommendations informed by the RFI.

(xxxviii) \$500,000 of the general fund—state appropriation for fiscal year 2019

and \$500,000 of the general fund-federal appropriation are provided solely for the authority to implement the oral health connections pilot project in collaboration with Washington dental service foundation. The purpose of the three-year pilot is to test the effect that enhanced dental benefits for adult medicaid clients with diabetes and pregnant women have on access to dental care, health outcomes, and medical care costs. The authority must model the pilot on the access to baby and child dentistry program. The pilot program must include enhanced reimbursement rates for participating dental providers, including denturists licensed under chapter 18.30 RCW, and an increase in the allowable number of periodontal treatments to up to four per calendar year. Diabetic or pregnant adult medicaid clients who are receiving dental care within the pilot region(s), regardless of location of the service within the pilot region(s), are eligible for the increased number of periodontal treatments. The Washington dental service foundation shall partner with the authority and provide wraparound services to link patients to care. The authority and Washington dental service foundation shall jointly develop the program. The authority and foundation shall provide a joint progress report to the appropriate committees of the legislature on December 1, 2017, and December 1, 2018.

(xxxix) Beginning no later than January 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. Managed care organizations do not have any risk for or right to the supplemental portion of the claim. Payments must be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority. By September 31, 2017, the authority shall report to the legislature on its progress implementing this subsection.

(xxxx) Within the amounts appropriated in this section, and in consultation with appropriate parties, including the rural health clinic association of Washington and the centers for medicare and medicaid services, by December 1, 2017, the authority shall submit a report to the governor and appropriate committees of the legislature evaluating legislative and administrative options to reduce or

eliminate any amounts owed by a rural health clinic under the payment reconciliation process established in the medicaid state plan.

(xxxxxi) \$2,149,267,000 of the general fund-state appropriation for fiscal year 2018, \$2,249,373,000 of the general fund-state appropriation for fiscal year 2019, and \$8,830,670,000 of the general fund-federal appropriation are provided solely for state medical assistance services and the medical assistance program. Sufficient amounts are provided in this subsection to increase managed care rates in calendar year 2018 and calendar year 2019 by 2 percent on a one-time basis.

(xxxixii) \$259,313,000 of the general fund-state appropriation for fiscal year 2018 and \$271,550,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the authority to implement a single, standard state preferred drug list to be used by all contracted medicaid managed health care systems, on or before January 1, 2018. The preferred drug list shall be developed in consultation with all contracted managed health care systems and the state pharmacy and therapeutics committee. The list shall be designed to maximize federal rebates and supplemental rebates and ensure access to clinically effective and appropriate drug therapies under each class. The authority may utilize external consultants with expertise in evidence based drug class reviews, pharmacy benefit management, and purchasing to assist with the completion of this development and implementation. To assist in the implementation of the single preferred drug list, contracted medicaid managed health care systems shall provide the authority drug specific financial information in a format and frequency determined by the authority to include: The actual amounts paid to pharmacies for prescription drugs dispensed to covered individuals compared to the cost invoiced to the health plan and individual rebates collected for prescription drugs dispensed to medicaid members. The administration of the prescription drug benefit for medicaid managed health care systems shall be carried out by a single pharmacy benefits manager under the prescription drug purchasing consortium with full transparency of all rebates, supplemental rebates, and associated administrative costs. The authority shall provide a report to the governor and appropriate committees of the legislature by November 15, 2018, and no later than November 15,

2019, including a comparison of the amount spent in the previous two fiscal years to expenditures under the new system by, at a minimum, fund source, total expenditure, drug class, and top twenty-five drugs.

(xxxxiii) \$304,000 of the general fund-state appropriation for fiscal year 2018, \$304,000 of the general fund-state appropriation for fiscal year 2019, and \$608,000 of the general fund-federal appropriation are provided solely for the authority to contract with the University of Washington tele-pain pain management program and pain management call center to advance primary care provider knowledge of complex pain management issues, including opioid addiction.

(b) BEHAVIORAL HEALTH

(i) For the purposes of this subsection, amounts provided for behavioral health organizations shall also be available for the authority to contract with entities that assume the responsibilities of behavioral health organizations in regions in which the authority is purchasing medical and behavioral health services through fully integrated contracts pursuant to RCW 71.24.380.

(ii) The authority shall evaluate adding a tele-psychiatry consultation benefit for medicaid covered individuals. The authority shall submit a report with the cost associated with adding such a benefit to the governor and appropriate committees of the legislature by October 1, 2017.

(iii) \$6,590,000 of the general fund-state appropriation for fiscal year 2018, \$6,590,000 of the general fund-state appropriation for fiscal year 2019, and \$7,620,000 of the general fund-federal appropriation are provided solely for the authority and behavioral health organizations to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health organizations with PACT teams, the authority shall consider the differences between behavioral health organizations in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health organizations which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to

supplement these funds with local dollars or funds received under section 212(1)(b)(xvi) of this act. The authority and behavioral health organizations shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(iv) From the general fund-state appropriations in this subsection, the authority shall assure that behavioral health organizations reimburse the department of social and health services aging and long term support administration for the general fund-state cost of medicaid personal care services that enrolled behavioral health organization consumers use because of their psychiatric disability.

(v) \$3,520,000 of the general fund-federal appropriation is provided solely for the authority to maintain a pilot project to put peer bridging staff into each behavioral health organization as part of the state psychiatric liaison teams to promote continuity of service as individuals return to their communities. The authority must collect data and submit a report to the office of financial management and the appropriate committees of the legislature on the impact of peer staff on state hospital discharges and community placements by December 1, 2017.

(vi) \$2,000,000 of the general fund-state appropriation for fiscal year 2018, \$4,286,000 of the general fund-state appropriation for fiscal year 2019, and \$1,726,000 of the general fund-federal appropriation are provided solely for enhancement of community mental health services. These amounts must be used for new crisis triage centers, mobile crisis teams, and housing and recovery support programs. The authority must seek proposals from behavioral health organizations for the use of these funds based on regional priorities. The authority must not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases.

(vii) \$29,134,000 of the general fund-state appropriation for fiscal year 2018 and \$29,134,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to assist behavioral health organizations with the costs of providing services to medicaid clients receiving services in psychiatric facilities classified as institutions of

mental diseases. In fiscal year 2018, the authority must distribute these amounts proportionate to the number of bed days for medicaid clients in institutions for mental diseases that were excluded from behavioral health organization fiscal year 2018 capitation rates because they exceeded the amounts allowed under federal regulations. In fiscal year 2019, the authority must distribute these funds based on a formula in which seventy-five percent are distributed proportionate to the number of bed days for medicaid clients in institutions for mental diseases that were excluded from behavioral health organization fiscal year 2019 capitation rates because they exceeded the amounts allowed under federal regulations and twenty-five percent are distributed proportionate to the estimated medicaid caseload of the behavioral health organizations. The authority must also use these amounts to directly pay for costs in institutions of mental disease facilities for American Indian and Alaska Natives who opt to receive behavioral health services on a fee for service basis. The amounts used for these individuals must be reduced from the allocation of the behavioral health organization where the individual resides. If a behavioral health organization receives more funding through this subsection than is needed to pay for the cost of their medicaid clients in institutions for mental diseases, they must use the remainder of the amounts to provide other services not covered under the medicaid program.

(viii) \$830,000 of the general fund-state appropriation for fiscal year 2018 and \$830,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for behavioral health organizations to contract with local entities to develop a street outreach program. This program will utilize peer supports to engage adults with mental health illness who may have not yet been engaged in mental health treatment with the goal of reducing jail admissions and involuntary commitments.

(ix) \$3,278,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$3,278,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for a memorandum of understanding with the department of social and health services juvenile rehabilitation administration to provide substance abuse treatment programs for

juvenile offenders. Of the amounts provided in this subsection:

(A) \$1,130,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$1,130,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for alcohol and substance abuse treatment programs for locally committed offenders. The juvenile rehabilitation administration shall award these funds as described in section 203(4) of this act.

(B) \$282,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 and \$282,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for the expansion of evidence-based treatments and therapies as described in section 203(2) of this act.

(x) During the 2017-19 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and providers rather than through contracts with behavioral health organizations.

(xi) \$81,930,000 of the general fund-state appropriation for fiscal year 2018 and \$81,930,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health organization spending shall be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health organizations proportionate to the fiscal year 2017 allocation of flexible nonmedicaid funds. The authority must include the following language in medicaid contracts with behavioral health organizations unless they are provided formal notification from the center for medicaid and medicare services that the language will result in the loss of federal medicaid participation: "The contractor may voluntarily provide services that are in addition to those covered under the state plan, although the cost of these services cannot be included when determining payment rates unless including these costs are specifically

allowed under federal law or an approved waiver."

(xii) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health organizations for children's long-term inpatient facility services.

(xiii) \$1,125,000 of the general fund-state appropriation for fiscal year 2018 and \$1,125,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Spokane county behavioral health organization to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(A) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(B) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(C) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(D) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane county behavioral health organization shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(xiv) \$1,204,000 of the general fund-state appropriation for fiscal year 2018 and \$1,204,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(xv) Behavioral health organizations may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health organizations may use a portion of the state funds allocated in accordance with (b)(x) of this subsection to earn

additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(xvi) \$2,291,000 of the general fund-state appropriation for fiscal year 2018 and \$2,291,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health organizations on their plan for using these funds, the numbers of individuals served, and the types of services provided and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(xvii) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(xviii) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health organization contracts and insert contract language that clearly states the requirements and limitations. The authority must monitor and ensure that behavioral health organization reserves do not exceed maximum levels. The authority must monitor behavioral health organization revenue and expenditure reports and must require a behavioral health organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the behavioral health organization in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the

behavioral health organization has come into substantial compliance with an approved excess reserve corrective action plan.

(xix) \$446,000 of the general fund-state appropriation for fiscal year 2018, \$446,000 of the general fund-state appropriation for fiscal year 2019, and \$178,000 of the general fund-federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(xx) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (i) Service and other outcome data must be provided to the authority by request; and (ii) indirect charges for administering the program shall not exceed ten percent of the total contract amount.

(xxi) \$3,500,000 of the general fund-federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(xxii) \$200,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$200,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for a contract with the Washington state institute for public policy to conduct cost-benefit evaluations of the implementation of chapter 3, Laws of 2013 (Initiative Measure No. 502).

(xxiii) \$500,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$500,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are

provided solely to design and administer the Washington state healthy youth survey and the Washington state young adult behavioral health survey.

(xxiv) \$396,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$396,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for maintaining increased services to pregnant and parenting women provided through the parent child assistance program.

(xxv) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for a grant to the office of superintendent of public instruction to provide life skills training to children and youth in schools that are in high needs communities.

(xxvi) \$386,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$386,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely to maintain increased prevention and treatment services provided by tribes to children and youth.

(xxvii) \$2,684,000 of the dedicated marijuana account-state appropriation for fiscal year 2018, \$2,684,000 of the dedicated marijuana account-state appropriation for fiscal year 2019, and \$1,900,000 of the general fund-federal appropriation are provided solely to maintain increased residential treatment services for children and youth.

(xxviii) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for training and technical assistance for the implementation of evidence based, research based, and promising programs which prevent or reduce substance use disorders.

(xxix) \$2,434,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$2,434,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for expenditure into the home visiting services account.

(xxx) \$2,500,000 of the dedicated marijuana account-state appropriation for

fiscal year 2018 and \$2,500,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for grants to community-based programs that provide prevention services or activities to youth, including programs for school-based resource officers. These funds must be utilized in accordance with RCW 69.50.540.

(xxxix) Within the amounts provided in this section, behavioral health organizations must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health organizations must require that behavioral health organizations include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(xxxix) \$140,000 of the general fund-state appropriation for fiscal year 2018 and \$140,000 of the general fund-federal appropriation are provided solely for the authority to incorporate long-term inpatient care as defined in RCW 71.24.025 into the psychiatric managed care capitation risk model. The model shall be submitted to the governor and appropriate committees of the legislature by October 1, 2017. The model must integrate civil inpatient psychiatric hospital services including ninety and one hundred eighty day commitments provided in state hospitals or community settings into medicaid managed care capitation rates and nonmedicaid contracts. The model should phase-in the financial risk such that managed care organizations bear full financial risk for long-term civil inpatient psychiatric hospital commitments beginning January 2020. The

model must address strategies to ensure that the state is able to maximize the state's allotment of federal disproportionate share funding.

(xxxiii) \$4,959,000 of the general fund-state appropriation for fiscal year 2018, \$4,959,000 of the general fund-state appropriation for fiscal year 2019, and \$8,202,000 of the general fund-federal appropriation are provided solely for the authority to increase rates for community hospitals which provide a minimum of 730 medicaid psychiatric days. The authority must increase both medicaid and nonmedicaid psychiatric per-diem reimbursement rates for these providers within these amounts. The rate increases for providers must be set so as not to exceed the amounts provided within this subsection. The rate increase related to nonmedicaid clients must be done to maintain the provider at the same percentage as currently required under WAC 182-550-4800. In addition, the authority is authorized to accelerate the process for establishing provider-specific per diem rates for new psychiatric hospitals and units that provide or commit to provide more than 730 medicaid psychiatric bed days per year.

(xxxiv) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the authority to collaborate with tribal governments and develop a plan for establishing an evaluation and treatment facility that will specialize in providing care specifically to the American Indian and Alaska Native population. The plan must include options for maximizing federal participation and ensuring that utilization will be based on medical necessity.

(xxxv) \$1,466,000 of the general fund-state appropriation for fiscal year 2018, \$7,103,000 of the general fund-state appropriation for fiscal year 2019, and \$9,715,000 of the general fund-federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide up to forty-eight long-term inpatient care beds as defined in RCW 71.24.025. The authority must seek proposals and contract directly for these services rather than contracting through behavioral health organizations. The authority must coordinate with the department of social and health services

in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. The authority must not use any of the amounts provided under this subsection for contracts with facilities that are subject to federal funding restrictions that apply to institutions of mental diseases.

(xxxvi) \$2,265,000 of the general fund—state appropriation for fiscal year 2019 and \$2,594,000 of the general fund—federal appropriation are provided solely to increase the number of psychiatric residential treatment beds for individuals transitioning from psychiatric inpatient settings. The authority must seek proposals from behavioral health organizations for the use of these amounts and coordinate with the department of social and health services in awarding these funds. The authority must not allow for any of the amounts provided under this subsection to be used for services in facilities that are subject to federal funding restrictions that apply to institutions of mental diseases.

(xxxvii) \$7,972,000 of the general fund—state appropriation for fiscal year 2018, \$8,093,000 of the general fund—state appropriation for fiscal year 2019, and \$34,778,000 of the general fund—federal appropriation are provided solely for the authority to increase medicaid capitation payments for behavioral health organizations. The authority must work with the actuaries responsible for certifying behavioral health capitation rates to adjust average salary assumptions in order to implement this increase. In developing further updates for medicaid managed care rates for behavioral health services, the authority must include and make available all applicable documents and analysis to legislative staff from the fiscal committees throughout the process. The authority must require the actuaries to develop and submit rate ranges for each behavioral health organization prior to certification of specific rates.

(xxxviii) \$1,125,000 of the general fund—federal appropriation is provided solely for the authority to develop a memorandum of understanding with the department of health for implementation of Engrossed Second Substitute House Bill No. 1426 (prescription monitoring program data). The authority must use these amounts to reimburse the department of health for costs incurred through the implementation of the bill.

(xxxix) In fiscal year 2018, the number of nonforensic beds allocated for use by behavioral health organizations at eastern state hospital shall be 192 per day and the number of nonforensic beds allocated for use by behavioral health organizations at western state hospital shall be 557 per day. In fiscal year 2019, the authority must reduce the number of beds allocated for use by behavioral health organizations at western state hospital by 30 beds and repurpose a civil ward to provide forensic services. The contracted beds provided under section 212(1)(b)(xxxiv) shall be allocated to the behavioral health organizations in lieu of beds at the state hospital and be incorporated in their allocation of state hospital patient days of care for the purposes of calculating reimbursements pursuant to RCW 71.24.310.

(xxxx) The authority must complete an update of the state quality strategy required under federal managed care regulations and submit to the center for medicaid and medicare services by October 1, 2017. The authority must provide a report to the office of financial management and the appropriate committees of the legislature by December 1, 2017, which includes the following: (a) A copy of the quality strategy submitted to the center for medicaid and medicare services, (b) identification of all performance measures that are currently being measured for behavioral health organizations, and managed care organizations and the variations in performance among these entities, (c) identification of any performance measures that are included in behavioral health organization and managed care organization 2018 contracts and whether these measures are connected to payment, and (d) identification of any performance measures planned for incorporation of behavioral health organization and managed care organization 2019 contracts and whether these measures will be connected to payment during that contract period.

(2) PUBLIC EMPLOYEES BENEFITS BOARD AND
EMPLOYEE BENEFITS PROGRAMS

State Health Care Authority
Administrative Account—State

Appropriation \$33,360,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The authority and the public employees' benefits board shall consult with the Washington state institute for

public policy on the cost-effectiveness of the wellness plan and any changes to the plan that can be made to increase the health care efficiency of the wellness plan.

(b) The authority and the public employees' benefits board shall ensure that procurement for employee health benefits during the 2017-2019 fiscal biennium is consistent with the funding limitations provided in part 9 of this act.

(3) HEALTH BENEFIT EXCHANGE

General Fund-State Appropriation (FY 2018) \$5,380,000

General Fund-State Appropriation (FY 2019) \$5,184,000

General Fund-Federal Appropriation \$53,237,000

Health Benefit Exchange Account-State Appropriation \$57,836,000

TOTAL APPROPRIATION \$121,637,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(b) (i) By July 15th and January 15th of each year, the authority shall make a payment of half the general fund-state appropriation and half the health benefit exchange account-state appropriation to the health benefit exchange.

(ii) For the 2017-2019 biennium, for the purpose of annually calculating issuer assessments, exchange operational costs may include up to three months of additional operating costs.

(iii) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(iv) Payments made from general fund-state appropriation and health benefit exchange account-state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When

the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(c) \$196,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Substitute House Bill No. 1291 (Pacific Islander health care). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 213. FOR THE HUMAN RIGHTS COMMISSION

General Fund-State Appropriation (FY 2018) \$2,350,000

General Fund-State Appropriation (FY 2019) \$2,248,000

General Fund-Federal Appropriation \$2,354,000

TOTAL APPROPRIATION \$6,952,000

NEW SECTION. Sec. 214. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right-to-Know Account-State

Appropriation \$10,000

Accident Account-State Appropriation \$21,704,000

Medical Aid Account-State Appropriation \$21,704,000

TOTAL APPROPRIATION \$43,418,000

NEW SECTION. Sec. 215. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund-State Appropriation (FY 2018) \$19,658,000

General Fund-State Appropriation (FY 2019) \$19,351,000

General Fund-Private/Local Appropriation \$5,503,000

Death Investigations Account-State Appropriation \$148,000

Municipal Criminal Justice Assistance Account-State

Appropriation \$460,000

Washington Auto Theft Prevention Authority Account-State

Appropriation \$8,167,000

24/7 Sobriety Account—State
Appropriation \$30,000

Sexual Assault Prevention and Response
Account—

State Appropriation \$610,000

TOTAL APPROPRIATION \$53,927,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2018 and \$5,000,000 of the general fund—state appropriation for fiscal year 2019, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) \$745,000 of the general fund—local appropriation is provided solely to purchase ammunition for the basic law enforcement academy. Jurisdictions shall reimburse to the criminal justice training commission the costs of ammunition, based on the average cost of ammunition per cadet, for cadets that they enroll in the basic law enforcement academy.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a school safety program. The commission, in collaboration with the school safety center advisory committee, shall provide the school safety training for all school administrators and school safety personnel hired after the effective date of this section.

(5) \$96,000 of the general fund—state appropriation for fiscal year 2018 and \$96,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the school safety center within the commission. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, and review and approve manuals and curricula used for school safety models and training. Through an interagency agreement, the commission shall provide funding for the office of the

superintendent of public instruction to continue to develop and maintain a school safety information web site. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety, for all school safety personnel. The commission shall provide research-related programs in school safety and security issues beneficial to both law enforcement and schools.

(6) \$146,000 of the general fund—state appropriation for fiscal year 2018 and \$146,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the costs of providing statewide advanced driving training with the use of a driving simulator.

(7) \$595,000 of the general fund—state appropriation for fiscal year 2018 and \$595,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 87, Laws of 2015.

(8) \$250,000 of the general fund—state appropriation for fiscal year 2018 and \$250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the criminal justice training commission to develop and deliver research-based programs to instruct, guide, and support local law enforcement agencies in fostering the "guardian philosophy" of policing, which emphasizes de-escalating conflicts and reducing the use of force.

(9) \$197,000 of the general fund—state appropriation for fiscal year 2018 and \$116,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1501 (attempts to obtain firearms). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$57,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of Substitute House Bill No. 1258 (first responders/disability). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(11) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$155,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the statewide protection order notification system.

(12) \$610,000 of the sexual assault prevention and response account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(13) \$1,284,000 of the general fund-state appropriation for fiscal year 2018 and \$1,283,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for seventy-five percent of the costs of providing six additional statewide basic law enforcement trainings in each fiscal year. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements.

(14) \$117,000 of the general fund-state appropriation for fiscal year 2018, \$117,000 of the general fund-state appropriation for fiscal year 2019, and \$1,000,000 of the Washington auto theft prevention account-state appropriation are provided solely for the first responder building mapping information system.

(15) \$60,000 of the general fund-state appropriation for fiscal year 2018 and \$10,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1022 (crime victim participation). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund-State Appropriation (FY 2018) \$7,207,000

General Fund-State Appropriation (FY 2019) \$8,213,000

General Fund-Federal Appropriation \$11,876,000

Asbestos Account-State Appropriation \$489,000

Electrical License Account-State Appropriation \$50,826,000

Farm Labor Contractor Account-State Appropriation \$28,000

Worker and Community Right-to-Know Account-State

Appropriation \$962,000

Public Works Administration Account-State

Appropriation \$7,587,000

Manufactured Home Installation Training

Account-State Appropriation \$363,000

Accident Account-State Appropriation \$310,834,000

Accident Account-Federal Appropriation \$16,765,000

Medical Aid Account-State Appropriation \$322,637,000

Medical Aid Account-Federal Appropriation \$3,739,000

Plumbing Certificate Account-State Appropriation \$1,829,000

Pressure Systems Safety Account-State Appropriation \$4,323,000

Construction Registration Inspection Account-State

Appropriation \$19,128,000

TOTAL APPROPRIATION \$766,806,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,124,000 of the accident account-state appropriation and \$5,989,000 of the medical aid account-state appropriation are provided solely for business transformation projects and are subject to the conditions, limitations, and review provided in section 949 of this act.

(2) \$1,524,000 of the public works administration account appropriation is provided solely to implement Substitute House Bill No. 1673 (responsible bidder criteria). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) \$792,000 of the accident account appropriation and \$454,000 of the medical aid account appropriation are provided solely to implement Engrossed House Bill No. 1506 (workplaces/gender pay equity). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(4) \$19,128,000 of the construction registration inspection account appropriation is provided solely to implement House Bill No. 1716 (construction inspection account). If the bill is not enacted by June 30, 2017, the

amounts provided in this subsection shall lapse.

(5) \$250,000 of the medical aid account-state appropriation and \$250,000 of the accident fund-state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must issue an initial report to the legislature, by June 30, 2019, assessing the physical capacity of workers in the context of the industry's economic environment and ascertain usable support tools for employers and workers to decrease risk of injury. After the initial report, the department must produce annual progress reports, beginning in 2020 through the year 2021 or until the tools are fully developed and deployed. The annual progress reports must be submitted to the legislature by December 1st of each year such reports are due.

(6) \$63,000 of the accident account-state appropriation and \$63,000 of the medical aid-state appropriation are provided solely for implementation of Substitute House Bill No. 1022 (crime victim participation). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund-State Appropriation (FY 2018) \$1,881,000

General Fund-State Appropriation (FY 2019) \$1,867,000

Charitable, Educational, Penal, and Reformatory

Institutions Account-State
Appropriation \$10,000

TOTAL APPROPRIATION \$3,758,000

(2) FIELD SERVICES

General Fund-State Appropriation (FY 2018) \$6,017,000

General Fund-State Appropriation (FY 2019) \$5,795,000

General Fund-Federal Appropriation \$3,691,000

General Fund-Private/Local
Appropriation \$4,715,000

Veteran Estate Management Account-
Private/Local

Appropriation \$645,000

TOTAL APPROPRIATION \$20,863,000

The appropriations in this subsection are subject to the following conditions and limitations:

(1) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to provide crisis and emergency relief and education, training, and employment assistance to veterans and their families in their communities through the veterans innovation program.

(2) \$199,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the implementation of House Bill No. 1571 (community care for veterans). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2018) \$1,054,000

General Fund-State Appropriation (FY 2019) \$970,000

General Fund-Federal Appropriation \$86,126,000

General Fund-Private/Local
Appropriation \$33,486,000

TOTAL APPROPRIATION \$121,636,000

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF HEALTH

General Fund-State Appropriation (FY 2018) \$88,368,000

General Fund-State Appropriation (FY 2019) \$88,962,000

General Fund—Federal Appropriation
\$537,300,000

General Fund—Private/Local
Appropriation \$188,948,000

Hospital Data Collection Account—State
Appropriation \$342,000

Health Professions Account—State
Appropriation \$124,472,000

Aquatic Lands Enhancement Account—State
Appropriation \$619,000

Emergency Medical Services and Trauma
Care Systems

Trust Account—State Appropriation
\$9,236,000

Safe Drinking Water Account—State
Appropriation \$5,505,000

Drinking Water Assistance Account—
Federal

Appropriation \$15,600,000

Waterworks Operator Certification—
State Appropriation \$1,626,000

Drinking Water Assistance
Administrative Account—State

Appropriation \$363,000

Site Closure Account—State
Appropriation \$164,000

Biotoxin Account—State Appropriation
\$1,920,000

State Toxics Control Account—State
Appropriation \$4,119,000

Medicaid Fraud Penalty Account—State
Appropriation \$938,000

Medical Test Site Licensure Account—
State

Appropriation \$2,558,000

Youth Tobacco and Vapor Products
Prevention Account—State

Appropriation \$4,963,000

Dedicated Marijuana Account—State
Appropriation

(FY 2018) \$9,754,000

Dedicated Marijuana Account—State
Appropriation

(FY 2019) \$9,754,000

Public Health Supplemental Account—
Private/Local

Appropriation \$3,247,000

Accident Account—State Appropriation
\$332,000

Medical Aid Account—State Appropriation
\$53,000

TOTAL APPROPRIATION \$1,099,143,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2017-2019 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2018 and 2019 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from

organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) In accordance with RCW 70.96A.090, 71.24.035, 43.20B.110, and 43.135.055, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2018 and 2019 as necessary to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited. To the extent that the fees charged in fiscal year 2018 are not expected to fully cover the cost of the program, the department must submit a report to the office of financial management and the appropriate fiscal committees of the legislature identifying what further increases would be required and the differential impact on providers. This report must be submitted by December 1, 2017.

(5) \$18,000,000 of the general fund-state appropriation for fiscal year 2018 and \$18,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to support the local health jurisdictions to improve their ability to address (a) communicable disease monitoring and prevention and (b) chronic disease and injury prevention. The department and

representatives of local health jurisdictions must work together to arrive at a mutually acceptable allocation and distribution of funds and to determine the best accountability measures to ensure efficient and effective use of funds, emphasizing use of shared services.

(6) \$2,099,000 of the general fund-state appropriation for fiscal year 2018 and \$1,901,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department, as part of foundational public health services, to implement strategies to control the spread of communicable diseases and other health threats, including the maintenance, updating, or replacement of equipment in the state public health laboratory; to address health inequities among state residents; for the reporting and investigation of root cause analyses of adverse events at medical facilities; to perform critical activities required to prevent adverse health consequences of hepatitis C; to assess information technology system consolidation and modernization opportunities for statewide public health data systems; and to develop a governmental public health improvement plan.

(7) \$196,000 of the health professions account-state appropriation is provided solely for the implementation of Substitute House Bill No. 1782 (dental laboratories). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(8) \$36,000 of the general fund-state appropriation for fiscal year 2018 and \$10,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of Substitute House Bill No. 1258 (first responders/disability). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(9) \$126,000 of the general fund-state appropriation for fiscal year 2018 and \$61,000 of the general fund-state appropriation for 2019 are provided solely for the implementation of Engrossed Substitute House Bill No. 1796 (pregnancy accommodations). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$6,000 of the hospital data collection account-state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1359

(charity care availability). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(11) \$496,000 of the general fund-state appropriation for fiscal year 2018 and \$480,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of Second Substitute House Bill No. 1540 (language of public notices). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(12) \$499,000 of the general fund-local appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1714 (nurse staffing plans). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(13) \$27,000 of the health professions account-state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1612 (reducing access to lethal means). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(14) \$40,000 of the general fund-state appropriation for fiscal year 2018 and \$40,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for King county to plan and implement an expanded Lok-It-Up safe storage partnership in up to five counties. The amount appropriated shall be used to include localized print materials, training on the Lok-It-Up model, identification of opportunities for public education, and educational outreach.

(15) \$350,000 of the general fund-state appropriation for fiscal year 2018 and \$350,000 of the general fund-state appropriation for fiscal year 2019 are provided to the department solely to cover costs of providing increased capacity under existing contracts with suicide prevention lines to respond to calls to the national suicide prevention lifeline.

(16) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a pilot program for treatment of inmates at the Snohomish county jail who are undergoing detoxification from heroin and other opioids and for connecting those individuals with treatment providers in the community upon their release.

(17) \$40,000 of the general fund-state appropriation for fiscal year 2018 and \$40,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(18) (a) Within amounts appropriated in this section, the department, in consultation with advocacy groups and experts that focus on hunger and poverty issues, shall produce a report regarding ongoing nutrition assistance programs funded by the United States department of agriculture and administered in Washington state. The report must be a compilation, by program, of data already collected by the department of social and health services, the department of health, the office of the superintendent of public instruction, and the Washington state department of agriculture, and it must include, where available, but is not limited to:

(i) The number of people in Washington who are eligible for the program;

(ii) The number of people in Washington who participated in the program;

(iii) The average annual participation rate in the program;

(iv) Participation rates by geographic distribution; and

(v) The annual federal funding of the program in Washington.

(b) The department shall report to the appropriate committees of the legislature and to the governor. An initial report is due by April 30, 2018, and a second report is due by April 30, 2019.

(19) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems eligibility, case management, and authorization systems within the department of health are subject to technical oversight by the office of the state chief information officer.

(20) \$2,604,000 of the health professions account-state appropriation is provided solely for the medical quality assurance commission to address increased workload.

(21) \$896,000 of the health professions account-state appropriation is provided solely for the pharmacy commission to improve research and communication to pharmacies regarding the development and implementation of new and changing rules.

(22) \$8,096,000 of the general fund-local appropriation is provided solely to allow the department to expand financial eligibility for the HIV early intervention program and to target its efforts toward populations with health disparities.

(23) \$1,880,000 of the general fund-local appropriation is provided solely for equipment, testing supplies, and materials necessary to add x-linked adrenoleukodystrophy to the mandatory newborn screening panel. The department is authorized to increase the newborn screening fee by ten dollars.

(24) \$1,198,000 of the general fund-state appropriation for fiscal year 2018 and \$1,199,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for increased screening, case management, and an electronic data reporting system to identify children who are at the highest risk of having elevated levels of lead in their blood.

(25) \$1,225,000 of the general fund-state appropriation for fiscal year 2018 and \$2,265,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for testing of water fixtures in schools across the state, with an emphasis on testing older schools first. Consistent with the United States environmental protection agency's manual, "3Ts for Reducing Lead in Drinking Water in Schools--Revised Technical Guidance," the department must develop guidance and testing protocols for the lead action level for drinking water and for testing drinking water and drinking water fixtures in public and private schools. The guidance must include:

(a) Actions to take if test results exceed the federal action level or public drinking water standard;

(b) Recommendations to schools on prioritizing fixture replacement, and options for further reducing lead, including replacement of fixtures or use of certified filters when results are below the federal action level for schools, but exceed the maximum level recommended by the American Academy of Pediatrics; and

(c) Recommendations for communicating test results and risk to parents and the community, including that there is no safe level of lead in water and that action may be warranted even if levels are below the action level.

(26) Within amounts appropriated in this section, funding is provided to implement Engrossed Second Substitute House Bill No. 1819 (paperwork reduction).

(27) \$130,000 of the general fund-state appropriation for fiscal year 2018 and \$130,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to increase the funding for the breast, cervical, and colon health program administered by the department.

(28) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to implement a pilot program to provide baby boxes to new mothers. The department shall develop criteria for eligibility for baby boxes, which may include the age of the mother, whether the infant is the mother's first-born, and whether the mother is eligible for medicaid. By December 1, 2018, the department must report to the appropriate committees of the legislature regarding outcomes related to infant mortality as a result of the pilot program.

(29) Within the amounts appropriated in this section, and in accordance with RCW 43.20B.110 and 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(30) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(31) Within amounts appropriated in this section, and no later than June 30, 2018, the state board of health shall adopt rules that permit distributing organizations, as defined in RCW 69.80.020, to accept the donation of foods prepared in a private residence.

(32) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with a nongovernmental entity

that has experience in adapting global health strategies to underserved communities for a pilot program to develop strategies to address health disparities in rural communities. The program should engage marginalized communities in order to identify barriers and social determinants that most impact health, including access to housing and food and economic stability. The department must report to the legislature by December 1, 2018, regarding identified barriers and any recommendations for interventions.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF CORRECTIONS

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund-State Appropriation (FY 2018) \$63,925,000

General Fund-State Appropriation (FY 2019) \$62,521,000

General Fund-Federal Appropriation \$4,000

TOTAL APPROPRIATION \$126,450,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$35,000 of the general fund-state appropriation for fiscal year 2018 and \$35,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council will investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(b) \$1,297,000 of the general fund-state appropriation for fiscal year 2018 and \$881,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for information technology business solutions and are subject to the conditions, limitations, and review provided in section 949 of this act.

(2) CORRECTIONAL OPERATIONS

General Fund-State Appropriation (FY 2018) \$511,526,000

General Fund-State Appropriation (FY 2019) \$512,702,000

General Fund-Federal Appropriation \$818,000

Washington Auto Theft Prevention Authority Account-State

Appropriation \$2,946,000

TOTAL APPROPRIATION \$1,027,992,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The duration of the contracts may be for up to four years. The department shall not pay a rate greater than \$80 per day per offender for all costs associated with the offender while in the local correctional facility to include programming and health care costs, or the equivalent of \$80 per day per bed including programming and health care costs for full units. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as medium or lower security offenders. Programming provided for inmates held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meet standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) \$501,000 of the general fund-state appropriation for fiscal year 2018 and \$501,000 of the general fund-state

appropriation for fiscal year 2019 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) \$1,379,000 of the general fund-state appropriation for fiscal year 2018, and \$1,379,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract for the use of inmate bed capacity in lieu of prison beds operated by the state to meet prison capacity needs.

(d) \$200,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with an independent third party to (i) provide a comprehensive review of the prison staffing model and (ii) develop an updated prison staffing model for use by the department.

(3) COMMUNITY SUPERVISION

General Fund-State Appropriation (FY 2018) \$181,043,000

General Fund-State Appropriation (FY 2019) \$187,219,000

General Fund-Federal Appropriation \$2,207,000

TOTAL APPROPRIATION \$370,469,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders who violate the terms of their community supervision. A contract shall not have a cost of incarceration in excess of \$85 per day per offender. A contract shall not have a year-to-year increase in excess of three percent per year. The contracts may include rates for the medical care of offenders which exceed the daily cost of incarceration and the limitation on year-to-year increases, provided that medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including

improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) \$4,300,000 of the general fund-state appropriation for fiscal year 2018 and \$4,300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department of corrections to contract with a non-profit organization with experience in providing work release and residential reentry services to implement a residential reentry pilot at two facilities owned or operated by that non-profit in Seattle. The pilot will follow the risk-needs-responsivity model, be evidence-based, and have measurable outcomes. The pilot must include 69 male beds and 47 female beds. A performance audit of this program is due to the legislature by December 1, 2021.

(4) CORRECTIONAL INDUSTRIES

General Fund-State Appropriation (FY 2018) \$6,932,000

General Fund-State Appropriation (FY 2019) \$6,923,000

TOTAL APPROPRIATION \$13,855,000

(5) INTERAGENCY PAYMENTS

General Fund-State Appropriation (FY 2018) \$42,002,000

General Fund-State Appropriation (FY 2019) \$38,968,000

TOTAL APPROPRIATION \$80,970,000

The appropriations in this subsection are subject to the following conditions and limitations: \$3,000 of the general fund-state appropriation for fiscal year 2018, and \$3,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for information technology business solutions and are subject to the conditions, limitations, and review provided in section 949 of this act.

(6) OFFENDER CHANGE

General Fund-State Appropriation (FY 2018) \$53,512,000

General Fund-State Appropriation (FY 2019) \$53,529,000

TOTAL APPROPRIATION \$107,041,000

The appropriations in this subsection are subject to the following conditions and limitations: The department of corrections shall use funds appropriated in this subsection (6) for offender programming. Within amounts appropriated

in this subsection, the department of corrections shall evaluate all currently funded reentry and cognitive behavioral change programs to assess whether they are reducing recidivism or readmissions to correctional institutions. The department shall develop and implement a comprehensive plan for cognitive behavioral change programs and reentry specific programs and prioritize funding for and implementation of programs that:

(a) Follow the risk needs responsibility model; (b) focus on higher risk offenders, including violent and nonviolent offenders, unless otherwise required by law; (c) are deemed evidence-based or research-based by the institute or Washington State University, or are recognized in a nationally observed repository including, but not limited to, the national institute of justice, national institute of corrections, or the substance abuse and mental health services administration's national registry of evidence-based programs and practices; and (d) have measurable outcomes including, but not limited to, reducing recidivism and readmissions to correctional institutions below current levels. The department shall discontinue all ineffective cognitive behavioral change programs and reentry specific programs and practices, and repurpose underspent funds according to the priorities in the plan. The department may not cancel or discontinue a successful program that reduces recidivism in favor of implementing a new program without empirical data showing the same or better outcomes, unless otherwise required by law. Within amounts specifically appropriated for cognitive behavioral change programs and reentry specific programs, the department may allocate up to five percent for the piloting and researching of programs deemed promising practices. The department shall report preliminary findings by December 1, 2017, and a final report by December 1, 2018, showing and detailing any changes in programming and outcomes. Reports must be submitted to the Washington statewide reentry council, the governor, and appropriate committees of the legislature.

(7) HEALTH CARE SERVICES

General Fund-State Appropriation (FY 2018) \$129,513,000

General Fund-State Appropriation (FY 2019) \$128,685,000

TOTAL APPROPRIATION \$258,198,000

The appropriations in this subsection are subject to the following conditions and limitations: The state prison medical facilities may use funds appropriated in this subsection to purchase goods and supplies through hospital or other group purchasing organizations when it is cost effective to do so.

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund-State Appropriation (FY 2018) \$4,463,000

General Fund-State Appropriation (FY 2019) \$3,628,000

General Fund-Federal Appropriation \$24,580,00

General Fund-Private/Local Appropriation \$60,000

TOTAL APPROPRIATION \$32,731,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of services for the blind are subject to technical oversight by the office of the state chief information officer.

(2) \$2,029,000 of the general fund-state appropriation for fiscal year 2018, and \$1,177,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with a vendor to develop and implement a new business management system. This project is subject to the conditions, limitations, and review provided in section 949 of this act.

NEW SECTION. Sec. 221. FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund-Federal Appropriation \$217,878,000

General Fund-Private/Local Appropriation \$34,930,000

Unemployment Compensation Administration Account-Federal

Appropriation \$263,307,000

Administrative Contingency Account-State Appropriation \$25,522,000

Employment Service Administrative
Account-State

Appropriation \$51,484,000

Family Leave Insurance Account-State
Appropriation \$82,000,000

TOTAL APPROPRIATION \$675,121,000

The appropriations in this subsection are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$4,152,000 of the unemployment compensation administration account-federal appropriation is provided solely to the unemployment tax and benefits systems and is subject to the conditions, limitations, and review provided in section 949 of this act.

(3) \$82,000,000 of the family leave insurance account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1116 (family and med leave insurance). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(4) \$240,000 of the administrative contingency account-state appropriation is provided solely for the employment security department to contract with a center for workers in King county. The amount appropriated in this subsection shall be used by the contracted center for workers to support initiatives that generate high-skill, high-wage jobs; improve workforce and training systems; improve service delivery for dislocated workers; and build alliances with community and environmental organizations.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

(1) CHILDREN AND FAMILIES SERVICES PROGRAM

General Fund-State Appropriation (FY 2019) \$351,440,000

General Fund-Federal Appropriation \$228,193,000

General Fund-Private/Local Appropriation \$1,477,000

Domestic Violence Prevention Account-State

Appropriation \$1,002,000

Child and Family Reinvestment Account-State

Appropriation \$3,609,000

TOTAL APPROPRIATION \$585,721,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$668,000 of the general fund-state appropriation for fiscal year 2019 is provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(b) \$253,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the costs of hub home foster families that provide a foster care delivery model that includes a licensed hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(c) \$579,000 of the general fund-state appropriation for fiscal year 2019 and \$55,000 of the general fund-federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(d) \$990,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for services provided through children's advocacy centers.

(e) \$1,351,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of performance-based contracts for family

support and related services pursuant to RCW 74.13B.020.

(f) \$4,715,000 of the general fund-state appropriation for fiscal year 2019, \$3,609,000 of the child and family reinvestment account-state appropriation, and \$6,022,000 of the general fund-federal appropriation, are provided solely for family assessment response.

(g) \$94,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(h) \$3,910,000 of the general fund-state appropriation for fiscal year 2019 and \$1,168,000 of the general fund-federal appropriation are provided solely for the department to reduce the caseload ratios of social workers serving children in foster care to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcome.

(i) (A) \$540,000 of the general fund-state appropriation for fiscal year 2019, \$328,000 of the general fund private/local appropriation, and \$126,000 of the general fund-federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, or regions where backlogs of youth that have formerly requested educational outreach services exist. The department is encouraged to use private matching funds to maintain educational advocacy services.

(B) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(j) The department shall continue to implement policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised

to unsupervised visitation prior to reunification.

(k) \$111,000 of the general fund-state appropriation for fiscal year 2019 and \$26,000 of the general fund-federal appropriation are provided solely for a base rate increase for licensed family child care providers. \$45,000 of the general fund-state appropriation for fiscal year 2019 and \$11,000 of the general fund-federal appropriation are provided for increasing paid professional days from three days to five days for licensed family child care providers. This funding is for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act.

(l) \$321,000 of the general fund-state appropriation for fiscal year 2019 and \$133,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1867 (ext. foster care transitions). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(m) \$400,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a contract with a community-based organization that, in partnership with a national nonprofit organization and private matching funds, must provide specialized, enhanced adoption placement services for legally free children in state custody. The contract must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children.

(n) \$1,324,000 of the general fund-state appropriation for fiscal year 2019 and \$198,000 of the general fund-federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department must submit an analysis of the strategies and associated outcomes no later than October 1, 2018.

(o) \$3,600,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for state supplemental payments for the state maintenance of effort requirement to qualify for medicaid federal financial participation.

(p) \$339,000 of the general fund-state appropriation for fiscal year 2019 and \$65,000 of the general fund-federal appropriation are provided solely for a two percent base rate increase for child care center providers. \$696,000 of the general fund-state appropriation for fiscal year 2019 and \$133,000 of the general fund-federal appropriation are provided solely for the department to increase tiered reimbursement rates for child care center providers.

(2) EARLY LEARNING PROGRAM

General Fund-State Appropriation (FY 2019) \$141,578,000

General Fund-Federal Appropriation \$143,381,000

Education Legacy Trust Account-State Appropriation \$14,175,000

Home Visiting Services Account-State Appropriation \$4,226,000

Home Visiting Services Account-Federal Appropriation \$11,693,000

WA Opportunity Pathways Account-State Appropriation \$40,000,000

TOTAL APPROPRIATION \$355,053,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$71,216,000 of the general fund-state appropriation for fiscal year 2019, \$12,125,000 of the education legacy trust account-state appropriation, and \$40,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 12,934 slots in fiscal year 2019.

(b) \$200,000 of the general fund-state appropriation for fiscal year 2019 is provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(c) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives,

agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department.

(d) \$76,650,000 of the general fund-federal appropriation is provided solely for the working connections child care program under RCW 43.215.135.

(e) In addition to groups that were given prioritized access to the working connections child care program effective March 1, 2011, the department shall also give prioritized access into the program to: (i) Families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center; and (ii) families with a child residing with a biological parent or guardian who have received child protective services, child welfare services, or a family assessment response from the department in the past six months, and has received a referral for child care as part of the family's case management.

(f) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(g) \$1,560,000 of the general fund-state appropriation for fiscal year 2019 and \$6,712,000 of the general fund-federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(h) \$2,522,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall

contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department.

(i) \$52,789,000 of the general fund-state appropriation for fiscal year 2019 and \$13,954,000 of the general fund-federal appropriation are provided solely to maintain the requirements set forth in chapter 7, Laws of 2015, 3rd sp. sess. The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In its annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements. \$5,822,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the department to increase tiered reimbursement rates for child care center providers.

(j) \$1,728,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(k) \$375,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(l) \$2,000,000 of the education legacy trust account-state appropriation is provided solely for early intervention assessment and services.

(m) \$2,969,000 of the general fund-federal appropriation for fiscal year 2019 is provided solely for the department to procure a time and attendance system and are subject to the conditions, limitations, and review provided in section 949 of this act.

(n) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management and authorization systems within the department are subject to technical oversight by the office of the chief information officer. The department must collaborate with the office of the chief

information officer to develop a strategic business and technology architecture plan for a child care attendance and billing system that supports a statewide architecture.

(o) (i) (A) The department is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(B) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(C) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(D) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data by November 2017 for the school year ending in 2016 and again in March 2018 for the school year ending in 2017.

(ii) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(p) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal

law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(q) \$2,651,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act. Of the amounts provided in this subsection:

(i) \$273,000 is for a base rate increase;

(ii) \$55,000 is for increasing paid professional development days from three days to five days;

(iii) \$1,708,000 is for the family child care providers 501c3 organization for the substitute pool, training and quality improvement support services, and administration;

(iv) \$114,000 is for increasing licensing incentive payments; and

(v) \$500,000 is for needs based grants.

(r) \$250,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the department to contract with a nonprofit entity that provides quality improvement services to participants in the early achievers program to implement a community-based training module that supports licensed child care providers who have been rated in early achievers and who are specifically interested in serving children in the early childhood education and assistance program. The module must be functionally translated into Spanish and Somali. The module must prepare trainees to administer all aspects of the early childhood education and assistance program for eligible children in their licensed program and must be offered to 300 child care providers to serve children eligible for the early childhood education and assistance program by June 30, 2019.

(s) \$750,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the implementation of the early achievers expanded learning opportunity quality initiative pursuant to RCW 43.215.100(3)(d).

(t) \$67,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Substitute House Bill No. 1445 (dual language in early learning & K-12). If the

bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(u) \$100,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2019)	\$51,235,000
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General	Fund-Federal
Appropriation	\$15,928,000

TOTAL APPROPRIATION \$67,163,000

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations provided in this subsection are provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

PART III

NATURAL RESOURCES

NEW SECTION. Sec. 301. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund-State Appropriation (FY 2018)	\$538,000
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General Fund-State Appropriation (FY 2019)	\$549,000
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General Fund-Federal Appropriation	\$32,000
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General	Fund-Private/Local
Appropriation	\$1,055,000

TOTAL APPROPRIATION \$2,174,000

NEW SECTION. Sec. 302. FOR THE DEPARTMENT OF ECOLOGY

General Fund-State Appropriation (FY 2018)	\$28,126,000
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General Fund-State Appropriation (FY 2019)	\$28,141,000
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General Fund-Federal Appropriation	\$104,720,000
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General	Fund-Private/Local
Appropriation	\$22,510,000

Reclamation Account—State
Appropriation \$4,025,000

Flood Control Assistance Account—State
Appropriation \$2,100,000

State Emergency Water Projects
Revolving Account—State
Appropriation \$40,000

Waste Reduction/Recycling/Litter
Control—State
Appropriation \$13,544,000

State Drought Preparedness Account—
State Appropriation \$204,000

State and Local Improvements Revolving
Account (Water
Supply Facilities)—State Appropriation
\$156,000

Aquatic Algae Control Account—State
Appropriation \$519,000

Water Rights Tracking System Account—
State Appropriation \$46,000

Site Closure Account—State
Appropriation \$582,000

Wood Stove Education and Enforcement
Account—State
Appropriation \$555,000

Worker and Community Right-to-Know
Account—State
Appropriation \$1,821,000

Water Rights Processing Account—State
Appropriation \$39,000

State Toxics Control Account—State
Appropriation \$128,925,000

State Toxics Control Account—
Private/Local
Appropriation \$499,000

Local Toxics Control Account—State
Appropriation \$4,715,000

Water Quality Permit Account—State
Appropriation \$43,010,000

Underground Storage Tank Account—State
Appropriation \$3,481,000

Biosolids Permit Account—State
Appropriation \$2,146,000

Environmental Legacy Stewardship
Account—State
Appropriation \$40,449,000

Hazardous Waste Assistance Account—
State

Appropriation \$6,260,000

Radioactive Mixed Waste Account—State
Appropriation \$17,324,000

Air Pollution Control Account—State
Appropriation \$3,361,000

Oil Spill Prevention Account—State
Appropriation \$8,253,000

Air Operating Permit Account—State
Appropriation \$3,712,000

Freshwater Aquatic Weeds Account—State
Appropriation \$1,447,000

Oil Spill Response Account—State
Appropriation \$7,076,000

Water Pollution Control Revolving
Administration
Account—State Appropriation
\$3,473,000

Water Pollution Control Revolving
Account—State
Appropriation \$50,000

Water Pollution Control Revolving
Account—Federal
Appropriation \$249,000

Paint Product Stewardship Account—State
Appropriation \$158,000

TOTAL APPROPRIATION \$481,716,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) \$170,000 of the oil spill
prevention account—state appropriation is
provided solely for a contract with the
University of Washington's sea grant
program to continue an educational program
targeted to small spills from commercial
fishing vessels, ferries, cruise ships,
ports, and marinas.

(2) \$199,000 of the general fund—state
appropriation for fiscal year 2018,
\$259,000 of the general fund—state
appropriation for fiscal year 2019,
\$63,000 of the waste reduction, recycling
and litter control account—state
appropriation, \$968,000 of the state
toxics control account—state
appropriation, \$37,000 of the local toxics
control account—state appropriation,
\$382,000 of the water quality permit
account—state appropriation, \$35,000 of
the underground storage tank account—state
appropriation, \$242,000 of the
environmental legacy stewardship account—
state appropriation, \$66,000 of the

hazardous waste assistance account—state appropriation, \$142,000 of the radioactive mixed waste account—state appropriation, \$30,000 of the air pollution control account—state appropriation, \$73,000 of the oil spill prevention account—state appropriation, \$30,000 of the air operating permit account—state appropriation, \$50,000 of the water pollution control revolving account—state appropriation, and \$249,000 of the water pollution control revolving account—federal appropriation are provided solely for the integrated revenue management system and are subject to the conditions, limitations, and review provided in section 949 of this act.

(3) Within existing resources and staffing, the department shall work with the Puget Sound clean air agency to conduct a technical review of the production processes of asphalt plants within the Puget Sound clean air agency's jurisdiction. The review must identify methods currently used to minimize off-site impacts, including but not limited to odor. The department and Puget Sound clean air agency must share the results of the technical review with impacted cities within the Puget Sound clean air agency's jurisdiction and the legislature.

(4) \$158,000 of the paint product stewardship account—state appropriation is provided solely for the implementation of Substitute House Bill No. 1376 (paint stewardship). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(5) The department, using its full statutory authorities in regard to the Hanford nuclear reservation under the federal facilities compliance act 42 U.S.C. Sec. 6961 and RCW 70.105.280, shall charge the United States Department of Energy all appropriate oversight costs and service charges, including for public participation, and utilize such service charges and existing funding to ensure that:

(a) Funding provided from fees and service charges to increase staffing to develop, administer and issue permits issued pursuant to chapter 70.105 RCW will provide expertise to include conditions to protect the health and safety of cleanup workers from exposure to dangerous waste vapor or other emissions from tanks and other facilities, including engineered emission controls, training, use of best available monitoring technology, medical

surveillance and removal of exposed workers;

(b) Public participation in, and knowledge of, the cleanup decisions is increased by the department by holding public meetings around the state and region at least once per fiscal year during the 2017-2019 fiscal biennium for public comment and dialogue with senior department officials. The department must seek to obtain feedback from a range of views relating to health and safety of cleanup workers and other public and tribal concerns. The department may invite senior managers of relevant federal agencies to participate;

(c) Public participation grant funding is awarded to all qualified non-profit groups pursuant to RCW 70.105D.070(7) that participate in the Hanford advisory board and that increase public participation in cleanup decisions. The department shall utilize service charges assessed the owners and operators of the Hanford nuclear reservation to achieve this level of grant funding. After the receipt of such service charges, the department may utilize any funds which are freed up to offer additional grants to individuals and organizations and increase participation in other hazardous substance release sites; and

(d) The capability of the department to issue delayed permits is addressed, including appropriate conditions to utilize commercially available, permitted treatment or new storage capacity to avoid further delay in the removal of wastes from leaking or potentially leaking high-level nuclear mixed waste tanks.

NEW SECTION. Sec. 303. FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund—State Appropriation (FY 2018) \$10,474,000

General Fund—State Appropriation (FY 2019) \$10,482,000

General Fund—Federal Appropriation \$6,934,000

Winter Recreation Program Account—State Appropriation \$3,286,000

ORV and Nonhighway Vehicle Account—State Appropriation \$229,000

Snowmobile Account—State Appropriation \$5,623,000

Aquatic Lands Enhancement Account—State Appropriation \$367,000

Outdoor Education and Recreation
Account—State

Appropriation \$2,000,000

Parks Renewal and Stewardship Account—
State

Appropriation \$121,302,000

Parks Renewal and Stewardship Account—
Private/Local

Appropriation \$318,000

TOTAL APPROPRIATION \$161,015,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$129,000 of the general fund—state appropriation for fiscal year 2018 and \$129,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the commission to pay assessments charged by local improvement districts.

NEW SECTION. Sec. 304. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

General Fund—State Appropriation (FY
2018) \$1,413,000

General Fund—State Appropriation (FY
2019) \$1,374,000

General Fund—Federal Appropriation
\$3,578,000

General Fund—Private/Local
Appropriation \$24,000

Aquatic Lands Enhancement Account—State
Appropriation \$493,000

Firearms Range Account—State
Appropriation \$37,000

Recreation Resources Account—State
Appropriation \$3,421,000

NOVA Program Account—State
Appropriation \$1,033,000

TOTAL APPROPRIATION \$11,373,000

The appropriations in this section are subject to the following conditions and limitations: \$156,000 of the general fund—state appropriation for fiscal year 2018 and \$156,000 of the general fund—state

appropriation for fiscal year 2019 are provided solely for the board to grant to the Nisqually River Foundation for implementation of the Nisqually watershed stewardship plan.

NEW SECTION. Sec. 305. FOR THE
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund—State Appropriation (FY
2018) \$2,287,000

General Fund—State Appropriation (FY
2019) \$2,296,000

TOTAL APPROPRIATION \$4,583,000

NEW SECTION. Sec. 306. FOR THE
CONSERVATION COMMISSION

General Fund—State Appropriation (FY
2018) \$7,275,000

General Fund—State Appropriation (FY
2019) \$7,207,000

General Fund—Federal Appropriation
\$2,301,000

Public Works Assistance Account—State
Appropriation \$7,602,000

State Toxics Control Account—State
Appropriation \$1,000,000

TOTAL APPROPRIATION \$25,385,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,602,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(2) \$85,000 of the general fund—state appropriation for fiscal year 2018 and \$15,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1562 (WA food policy forum). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 307. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

General Fund—State Appropriation (FY
2018) \$41,695,000

General Fund—State Appropriation (FY
2019) \$40,267,000

General Fund—Federal Appropriation
\$115,835,000

General	Fund-Private/Local	
Appropriation	\$62,393,000	
ORV and Nonhighway Vehicle Account-	State	Appropriation \$435,000
Aquatic Lands Enhancement Account-State		
Appropriation	\$9,961,000	
Recreational Fisheries Enhancement-	State	
Appropriation	\$3,022,000	
Warm Water Game Fish Account-State		
Appropriation	\$2,664,000	
Eastern Washington Pheasant Enhancement	Account-State	
Appropriation	\$675,000	
State Wildlife Account-State		
Appropriation	\$145,091,000	
Special Wildlife Account-State		
Appropriation	\$70,000	
Special Wildlife Account-Federal		
Appropriation	\$502,000	
Special Wildlife Account-Private/Local		
Appropriation	\$3,540,000	
Wildlife Rehabilitation Account-State		
Appropriation	\$361,000	
Ballast Water Management Account-State		
Appropriation	\$10,000	
Hydraulic Project Approval Account-	State	Appropriation \$1,973,000
Environmental Legacy Stewardship	Account-State	
Appropriation	\$2,728,000	
Regional Fisheries Enhancement Salmonid	Recovery Account-	
Federal Appropriation	\$5,001,000	
Oil Spill Prevention Account-State		
Appropriation	\$1,073,000	
Oyster Reserve Land Account-State		
Appropriation	\$527,000	
Aquatic Invasive Species Management	Account-State	
Appropriation	\$1,630,000	
TOTAL APPROPRIATION	\$439,453,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$467,000 of the general fund-state appropriation for fiscal year 2018 and \$467,000 of the general fund-state

appropriation for fiscal year 2019 are provided solely to pay for emergency fire suppression costs. This amount may not be used to fund agency indirect and administrative expenses.

(2) \$580,000 of the general fund-state appropriation for fiscal year 2018 and \$580,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for payments in lieu of real property taxes to counties that elect to receive the payments for department owned game lands within the county.

(3) \$415,000 of the general fund-state appropriation for fiscal year 2018, \$415,000 of the general fund-state appropriation for fiscal year 2019, and \$440,000 of the general fund-federal appropriation are provided solely for county assessments.

(4) Prior to submitting its 2019-2021 biennial operating and capital budget requests related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review the proposed requests. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost effective manner. The department shall provide a copy of the HSRG review to the office of financial management with its agency budget proposal.

(5) \$400,000 of the general fund-state appropriation for fiscal year 2018 and \$400,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers. Prior to implementation of any Puget Sound nearshore ecosystem restoration projects in Whatcom county, the department must consult with and seek, to the maximum extent practicable, consensus on those projects among appropriate landowners, federally recognized Indian tribes, agencies, and community and interest groups.

(6) Within the amounts appropriated in this section, the department shall identify additional opportunities for partnerships in order to keep fish

hatcheries operational. Such partnerships shall aim to maintain fish production and salmon recovery with less reliance on state operating funds.

(7) \$625,000 of the general fund-state appropriation for fiscal year 2018 and \$625,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for training for a work unit to engage and empower diverse stakeholders in decisions about fish and wildlife, continued conflict transformation with the wolf advisory group, and for cost share partnerships between the department and landowners and the use of contract range riders to reduce the potential for wolf-livestock conflict.

(8) \$3,112,000 of the state wildlife account-state appropriation is provided solely for information security compliance. The department shall consult with the office of cybersecurity within the office of the state chief information officer to review goods and services procured under this subsection for compliance with state information technology security policies and standards.

(9) Within the amounts appropriated in this section the department shall establish a conservation task force. This task force shall develop recommendations on mechanisms to fund fish and wildlife conservation and connecting residents and youth to the outdoors. This task force shall consist of a diverse set of representatives including, hunters, anglers, private landowners, and fish and wildlife conservation organizations. The department shall request participation from tribal representatives. The task force shall:

(a) Perform a general assessment of fish and wildlife conservation programs and funding relative to public values around natural resources.

(b) Solicit input and collect information on regional priorities and suggestions for state action.

(c) Develop recommendations for transforming conservation programs to promote relevancy to the public and better engage partners in fish and wildlife conservation.

(d) Develop recommendations for long-term sustainable funding sources for conservation of Washington's diverse game and nongame species and habitats by the department of fish and wildlife, state

parks and recreation, department of ecology, department of natural resources, other state and tribal agencies, and important partners including local governments, conservation and recreation groups, businesses, universities, schools, and others.

(e) Suggest opportunities to support and expand environmental/outdoor education for youth across the state and connect Washingtonians of all ages, ethnicities, and backgrounds to the outdoors.

(f) Offer ways to support Washington-based businesses that rely upon the natural resources that provide our state's high quality of life.

The task force shall provide draft recommendations to the governor by April 2, 2018, with a final report to the governor and legislature by June 20, 2018.

(10) \$1,145,000 of the general fund-state appropriation for fiscal year 2018, \$1,145,000 of the general fund-state appropriation for fiscal year 2019, and \$20,441,000 of the state wildlife account-state appropriation are provided solely for the fish program, including implementation of Substitute House Bill No. 1597 (commercial fishing) and House Bill No. 1647 (recreational fishing & hunting fees). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(11) \$5,430,000 of the state wildlife account-state appropriation is provided solely for activities related to hunting, including implementation of House Bill No. 1647 (recreational fishing & hunting fees). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(12) \$500,000 of the general fund-state appropriation for fiscal year 2018, \$500,000 of the general fund-state appropriation for fiscal year 2019, and \$1,295,000 of the hydraulic project approval account-state appropriation are provided solely for the hydraulic project approval program, including implementation of Substitute House Bill No. 1428 (construction in state waters). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$1,630,000 of the aquatic invasive species management account, \$600,000 of the general fund-federal appropriation, \$62,000 of the state wildlife account-

state appropriation, and \$10,000 of the ballast water management account—state appropriation are provided solely for activities related to aquatic invasive species, including implementation of Substitute House Bill No. 1429 (aquatic invasive species). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund—State Appropriation (FY 2018) \$48,026,000

General Fund—State Appropriation (FY 2019) \$50,463,000

General Fund—Federal Appropriation \$27,201,000

General Fund—Private/Local Appropriation \$2,372,000

Forest Development Account—State Appropriation \$55,145,000

ORV and Nonhighway Vehicle Account—State

Appropriation \$8,265,000

Surveys and Maps Account—State Appropriation \$3,429,000

Aquatic Lands Enhancement Account—State Appropriation \$13,034,000

Resources Management Cost Account—State Appropriation \$118,368,000

Surface Mining Reclamation Account—State

Appropriation \$4,035,000

Disaster Response Account—State Appropriation \$23,076,000

Forest and Fish Support Account—State Appropriation \$12,770,000

Aquatic Land Dredged Material Disposal Site Account—State

Appropriation \$400,000

Natural Resources Conservation Areas Stewardship Account—State

Appropriation \$34,000

Marine Resources Stewardship Trust Account—State

Appropriation \$3,000

State Toxics Control Account—State Appropriation \$5,685,000

Forest Practices Application Account—State

Appropriation \$2,113,000

Air Pollution Control Account—State Appropriation \$845,000

NOVA Program Account—State Appropriation \$714,000

Derelict Vessel Removal Account—State Appropriation \$1,938,000

Community Forest Trust Account—State Appropriation \$52,000

Agricultural College Trust Management Account—State

Appropriation \$2,969,000

TOTAL APPROPRIATION \$380,937,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,420,000 of the general fund—state appropriation for fiscal year 2018 and \$1,352,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(2) \$16,546,000 of the general fund—state appropriation for fiscal year 2018, \$16,546,000 of the general fund—state appropriation for fiscal year 2019, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency fire suppression.

(3) \$5,000,000 of the forest and fish support account—state appropriation is provided solely for outcome-based, performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse.

(4) \$1,640,000 of the general fund—state appropriation for fiscal year 2018 and \$1,640,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement

agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board. The forest practices board shall submit a report to the legislature following review, approval, and solicitation of public comment on the cooperative monitoring, evaluation, and research master project schedule, to include: Cooperative monitoring, evaluation, and research science and related adaptive management expenditure details, accomplishments, the use of cooperative monitoring, evaluation, and research science in decision-making, and funding needs for the coming biennium. The report shall be provided to the appropriate committees of the legislature by November 1, 2018.

(5) \$140,000 of the general fund-state appropriation for fiscal year 2018 and \$140,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for local capacity for wildfire suppression in any county located east of the crest of the Cascade mountain range that shares a common border with Canada and has a population of one hundred thousand or less. The funding provided in this subsection must be provided to these counties for radio communication equipment, or to fire protection service providers within these counties for residential wildfire risk reduction activities, including education and outreach, technical assistance, fuel mitigation, and other residential risk reduction measures. For the purposes of this subsection, fire protection service providers include fire departments, fire districts, emergency management services, and regional fire protection service authorities. The department must prioritize funding to counties authorized in this subsection, and fire protection service providers within those counties that serve a disproportionately higher percentage of low-income residents as defined in RCW 84.36.042, that are located in areas of higher wildfire risk, and whose fire protection service providers have a shortage of reliable equipment and resources.

(6) Sufficient funding is provided in this section and the capital appropriations act to implement Engrossed Second Substitute House Bill No. 1711 (forest health treatments).

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF AGRICULTURE

General Fund-State Appropriation (FY 2018) \$17,075,000

General Fund-State Appropriation (FY 2019) \$17,099,000

General Fund-Federal Appropriation \$31,030,000

General Fund-Private/Local Appropriation \$193,000

Aquatic Lands Enhancement Account-State Appropriation \$2,516,000

State Toxics Control Account-State Appropriation \$5,416,000

Water Quality Permit Account-State Appropriation \$73,000

TOTAL APPROPRIATION \$73,402,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,108,445 of the general fund-state appropriation for fiscal year 2018 and \$6,102,905 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementing the food assistance program as defined in RCW 43.23.290.

(2) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2018, and February 1, 2019. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

(3) \$39,000 of the general fund-state appropriation for fiscal year 2018 and \$9,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of

Engrossed Second Substitute House Bill No. 1562 (WA food policy forum). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Revolving Account—State

Appropriation \$10,000

Pollution Liability Insurance Program Trust Account—State

Appropriation \$1,281,000

TOTAL APPROPRIATION \$1,291,000

NEW SECTION. Sec. 311. FOR THE PUGET SOUND PARTNERSHIP

General Fund—State Appropriation (FY 2018) \$2,978,000

General Fund—State Appropriation (FY 2019) \$2,741,000

General Fund—Federal Appropriation \$8,026,000

Aquatic Lands Enhancement Account—State Appropriation \$1,403,000

State Toxics Control Account—State Appropriation \$713,000

TOTAL APPROPRIATION \$15,861,000

The appropriations in this section are subject to the following conditions and limitations: By October 15, 2018, the Puget Sound partnership shall provide the governor a single, prioritized list of state agency 2019-2021 capital and operating budget requests related to Puget Sound restoration.

PART IV

TRANSPORTATION

NEW SECTION. Sec. 401. FOR THE DEPARTMENT OF LICENSING

General Fund—State Appropriation (FY 2018) \$1,813,000

General Fund—State Appropriation (FY 2019) \$1,487,000

Architects' License Account—State Appropriation \$975,000

Professional Engineers' Account—State Appropriation \$3,812,000

Real Estate Commission Account—State Appropriation \$10,709,000

Uniform Commercial Code Account—State Appropriation \$3,351,000

Real Estate Education Program Account—State

Appropriation \$276,000

Real Estate Appraiser Commission Account—State

Appropriation \$1,818,000

Business and Professions Account—State Appropriation \$18,938,000

Real Estate Research Account—State Appropriation \$415,000

Geologists' Account—State Appropriation \$53,000

Derelict Vessel Removal Account—State Appropriation \$33,000

CPL Renewal Notification Account—State Appropriation \$183,000

TOTAL APPROPRIATION \$43,863,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$242,000 of the business and professions account appropriation is provided solely to implement Substitute House Bill No. 1420 (theatrical wrestling). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(2) \$183,000 of the concealed pistol license renewal notification account appropriation is provided solely to implement Substitute House Bill No. 1100 (concealed pistol license). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 402. FOR THE STATE PATROL

General Fund—State Appropriation (FY 2018) \$45,101,000

General Fund—State Appropriation (FY 2019) \$44,401,000

General Fund—Federal Appropriation \$16,142,000

General Fund—Private/Local Appropriation \$3,081,000

Death Investigations Account—State Appropriation \$6,577,000

County Criminal Justice Assistance Account—State

Appropriation \$3,572,000

Municipal Criminal Justice Assistance
Account—State

Appropriation \$1,460,000

Fire Service Trust Account—State
Appropriation \$131,000

Vehicle License Fraud Account—State
Appropriation \$64,000

Disaster Response Account—State
Appropriation \$8,000,000

Fire Service Training Account—State
Appropriation \$10,982,000

Aquatic Invasive Species Management
Account—State

Appropriation \$54,000

State Toxics Control Account—State
Appropriation \$537,000

Fingerprint Identification Account—
State Appropriation \$14,360,000

Sexual Assault Prevention and Response
Account—State

Appropriation \$1,039,000

TOTAL APPROPRIATION \$155,501,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$270,000 of the fire service training account—state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) \$8,000,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(3) \$700,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(4) \$41,000 of the general fund—state appropriation for fiscal year 2018 and \$41,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1163 (domestic violence). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(5) \$1,758,000 of the general fund—state appropriation for fiscal year 2018 and \$952,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1501 (attempts to obtain firearms). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(6) \$144,000 of the general fund—state appropriation for fiscal year 2018 and \$152,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1863 (fire incident reporting system). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(7) \$3,421,000 of the fingerprint identification account—state appropriation is provided solely for the completion of the state patrol's plan to upgrade the criminal history system.

(8) \$1,039,000 of the sexual assault prevention and response account—state appropriation is provided solely for the implementation of a sexual assault kit tracking database project.

PART V

EDUCATION

NEW SECTION. Sec. 501. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund—State Appropriation (FY 2018) \$47,289,000

General Fund—State Appropriation (FY 2019) \$44,339,000

General Fund—Federal Appropriation \$68,032,000

General Fund—Private/Local Appropriation \$8,037,000

Education Legacy Trust Account—State Appropriation \$13,000,000

Washington Opportunity Pathways Account—State

Appropriation \$584,000

Dedicated Appropriation	Marijuana	Account—State	
(FY 2018)	\$512,000		
Dedicated Appropriation	Marijuana	Account—State	
(FY 2019)	\$512,000		
Performance Account—State	Audits of Government		
Appropriation	\$210,000		
TOTAL APPROPRIATION \$182,515,000			

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,002,000 of the general fund—state appropriation for fiscal year 2018 and \$10,273,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(a) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(b) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(c) By September of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in sections 501 and 513 of this act. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(d) The superintendent of public instruction, in consultation with the secretary of state, shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for

eligible students to register to vote at school.

(e) Districts shall annually report to the office of the superintendent of public instruction on: (i) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (ii) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(f) Within amounts appropriated in this section, the director of the department of early learning and the superintendent of public instruction must provide a report to the governor and legislature on multiple options to improve the administration and delivery of early intervention services to children with disabilities from birth to three years of age pursuant to RCW 28A.155.065, as currently funded pursuant to RCW 28A.150.390(2)(a). The report must be submitted according to RCW 43.01.036 by November 1, 2017. The options included in the report must consider:

(i) Maximizing the state resources being provided for services to children;

(ii) Minimizing administrative overhead;

(iii) Creating clear accountability for expenditures;

(iv) Improving outcomes for young children who are eligible to receive services;

(v) Increasing the availability of services statewide and regionally; and

(vi) Revising statutes and rules to reflect the authority and responsibilities to accomplish the options.

(g) Within amounts appropriated in this section, the superintendent of public instruction shall convene a task force on K-12 governance and responsibilities.

(i) Membership of the task force shall include:

(A) The chair and ranking minority member of the senate early learning and K-12 education committee;

(B) The chair and ranking minority member of the house of representatives education committee;

(C) The governor or the governor's designee;

(D) The superintendent of public instruction or the superintendent's designee;

(E) The chair of the state board of education;

(F) The president of the Washington state school directors' association; and

(G) The chair of the student achievement council.

(ii) The task force shall review the following issues:

(A) Legislation introduced in 2017 relating to the responsibilities of the superintendent of public instruction and the state board of education;

(B) The constitutional and statutory provisions establishing the governance structure and associated responsibilities in the K-12 system;

(C) Options for the divisions of roles and responsibilities between the office of the superintendent of public instruction and the state board of education;

(D) Past and present provisions governing the superintendent of public instruction and the superintendent's office, including authorities and duties assigned and modified by the legislature;

(E) Past and present provisions governing the state board of education, including provisions prescribing its authorities, duties, composition, and membership qualifications; and

(F) Considerations of governance and responsibility provisions for other public partner agencies in the K-12 system.

(iii) The task force shall report its findings and recommendations, including recommendations regarding the appropriate roles and responsibilities of the superintendent of public instruction and the state board of education in the K-12 system, to the education committees of the house of representatives and the senate by November 15, 2017.

(2) \$857,000 of the general fund-state appropriation for fiscal year 2018 and \$857,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for activities associated

with the implementation of new school finance systems required by chapter 236, Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009 (state's education system), including technical staff, systems reprogramming, and work group deliberations, including the data governance working group.

(3)(a) \$911,000 of the general fund-state appropriation for fiscal year 2018 and \$911,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities.

(b) \$322,000 of the Washington opportunity pathways account-state appropriation is provided solely for the state board of education to provide assistance to public schools other than common schools authorized under chapter 28A.710 RCW.

(4) \$3,516,000 of the general fund-state appropriation for fiscal year 2018 and \$3,599,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to the professional educator standards board for the following:

(a) \$1,115,000 in fiscal year 2018 and \$1,115,000 in fiscal year 2019 are for the operation and expenses of the Washington professional educator standards board;

(b) \$2,372,000 of the general fund-state appropriation for fiscal year 2018 and \$2,372,000 of the general fund-state appropriation for fiscal year 2019 are for grants to improve preservice teacher training and for funding of alternate routes to certification programs administered by the professional educator standards board. Alternate routes programs include the pipeline for paraeducators program, the retooling to teach conditional loan programs, and the recruiting Washington teachers program. Priority shall be given to programs that support bilingual teachers and English language learners. Within this subsection (4)(b), up to \$500,000 per fiscal year is available for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs and \$250,000 is provided solely for the pipeline for paraeducators conditional scholarship program for scholarships for paraeducators to complete their associate

of arts degrees in subject matter shortage areas;

(c) \$25,000 of the general fund-state appropriation for fiscal year 2018 and \$25,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (A) Include both written assessment and performance assessment; (B) be offered by a national organization of professional sign language interpreters and transliterators; and (C) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use.

(d) \$4,000 of the general fund-state appropriation for fiscal year 2018 and \$87,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1341 (prof. certification/teachers). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(5) \$266,000 of the general fund-state appropriation for fiscal year 2018 and \$266,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(6) \$61,000 of the general fund-state appropriation for fiscal year 2018 and \$61,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(7) \$61,000 of the general fund-state appropriation for fiscal year 2018 and \$61,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(8) \$262,000 of the Washington opportunity pathways account-state

appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(9) \$1,802,000 of the general fund-state appropriation for fiscal year 2018 and \$1,802,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(10) \$25,000 of the general fund-state appropriation for fiscal year 2018 and \$25,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for project citizen, a program sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle school students.

(11) \$1,500,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for collaborative schools for innovation and success authorized under chapter 53, Laws of 2012. The office of the superintendent of public instruction shall award \$500,000 per year in funding for each collaborative school for innovation and success selected for participation in the pilot program during 2012.

(12) \$123,000 of the general fund-state appropriation for fiscal year 2018 and \$123,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(13) \$250,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(14) \$50,000 of the general fund-state appropriation for fiscal year 2018 and \$50,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for school bullying and harassment prevention activities.

(15) \$14,000 of the general fund-state appropriation for fiscal year 2018 and \$14,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 242, Laws of 2013 (state-tribal education compacts).

(16) \$62,000 of the general fund-state appropriation for fiscal year 2018 and \$62,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(a) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(b) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(17) \$10,000 of the general fund-state appropriation for fiscal year 2018 and \$10,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the superintendent of public instruction to convene a committee for the selection and recognition of Washington innovative schools. The committee shall select and recognize Washington innovative schools based on the selection criteria established by the office of the superintendent of public instruction, in accordance with chapter 202, Laws of 2011 (innovation schools-recognition) and chapter 260, Laws of 2011 (innovation schools and zones).

(18) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and

mathematics (STEM) education to students in rural, tribal, and low-income communities.

(19) \$131,000 of the general fund-state appropriation for fiscal year 2018, \$131,000 of the general fund-state appropriation for fiscal year 2019, and \$210,000 of the performance audits of government account-state appropriation are provided solely for the office of the superintendent of public instruction to perform on-going program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(20) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for youth suicide prevention activities.

(21) \$31,000 of the general fund-state appropriation for fiscal year 2018 and \$55,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(22) \$2,541,000 of the general fund-state appropriation for fiscal year 2018 and \$2,541,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(23) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state

appropriation for fiscal year 2019 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(24) \$1,221,000 of the general fund-state appropriation for fiscal year 2018 and \$1,221,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(25) \$3,940,000 of the general fund-state appropriation for fiscal year 2018 and \$3,940,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students.

(26) \$1,354,000 of the general fund-state appropriation for fiscal year 2018 and \$1,354,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007.

(27) \$410,000 of the general fund-state appropriation for fiscal year 2018, \$280,000 of the general fund-state appropriation for fiscal year 2019, \$512,000 of the dedicated marijuana account-state appropriation for fiscal year 2018, and \$512,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for the building bridges statewide program.

(28) \$2,984,000 of the general fund-state appropriation for fiscal year 2018 and \$2,590,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district

implementation of the inventory under RCW 28A.655.080.

(29) \$293,000 of the general fund-state appropriation for fiscal year 2018 and \$293,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(30) \$4,894,000 of the general fund-state appropriation for fiscal year 2018 and \$4,894,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for grants for implementation of dual credit programs and subsidized advance placement exam fees and international baccalaureate class fees and exam fees for low-income students. For expenditures related to subsidized exam fees, the superintendent shall report: The number of students served; the demographics of the students served; and how the students perform on the exams.

(31) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the superintendent of public instruction to convene a work group to build upon the work of the social emotional learning work group established under section 501(34), chapter 4, Laws of 2015 3rd sp. sess. The members of the work group must include representatives from the same organizations that were represented on the 2015 work group, as well as five representatives of diverse communities and a statewide expanded learning opportunities intermediary. The work group must identify and articulate developmental indicators for each grade level for each of the social emotional learning benchmarks, solicit feedback from stakeholders, and develop a model of best practices or guidance for schools on implementing the benchmarks and indicators. The work group shall submit recommendations to the education committees of the legislature and the office of the governor by June 30, 2019.

(32) \$117,000 of the general fund-state appropriation for fiscal year 2018 and \$117,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 3 (SHB No. 1813), Laws of 2015 1st sp. sess. (computer science).

(33) \$600,000 of the general fund-state appropriation for fiscal year 2018 and \$575,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1445 (dual language/early learning & K-12). In selecting recipients of the K-12 dual language grant, the superintendent of public instruction must prioritize districts that received grants under section 501(36), chapter 4, Laws of 2015 3rd sp. sess. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(34) \$125,000 of the general fund-state appropriation for fiscal year 2018 and \$125,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(35) \$1,000,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. Grant funds for the computer science and education grant program may be expended only to the extent that they are equally matched by private sources for the program, including gifts, grants, or endowments.

(36) \$2,145,000 of the general fund-state appropriation for fiscal year 2018 and \$2,145,000 of the general fund-state appropriation for fiscal year 2019 are

provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (Fourth Substitute House Bill No. 1999, foster youth edu. outcomes).

(a) Of the amount provided in this subsection, \$446,000 of the general fund-state appropriation for fiscal year 2018 and \$446,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(b) Of the amount provided in this subsection, \$1,015,000 of the general fund-state appropriation for fiscal year 2018 and \$1,015,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(37) \$1,000,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 157, Laws of 2016 (Third Substitute House Bill No. 1682, homeless students).

(38) \$753,000 of the general fund-state appropriation for fiscal year 2018 and \$703,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 72, Laws of 2016 (Fourth Substitute House Bill No. 1541, educational opportunity gap).

(39) \$57,000 of the general fund-state appropriation for fiscal year 2018 and \$15,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 240, Laws of 2016 (Engrossed Senate Bill No. 6620, school safety).

(40) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for staff at the office of superintendent of public instruction to support the national board certified teachers bonus program.

(41) \$237,000 of the general fund-state appropriation for fiscal year 2018 and \$213,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1170 (truancy reduction efforts). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(42) \$100,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Substitute House Bill No. 2185 (K-12 funding). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(43) \$619,000 of the general fund-state appropriation for fiscal year 2018 and \$331,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1115 (paraeducators). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(44) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to support improvements to the office's web site.

(45) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1600 (career and college readiness). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(46) \$204,000 of the general fund-state appropriation for fiscal year 2018, \$204,000 of the general fund-state appropriation for fiscal year 2019, and \$408,000 of the general fund-federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(47) \$5,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the superintendent of public instruction to contract with the Washington state school directors'

association for the creation of a model policy and procedures for school districts and industry to create a public-private partnership to support industry career preparation pipelines.

(48) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for grants to middle and high schools to support international baccalaureate programs in high poverty schools. Of these amounts:

(a) \$200,000 of the appropriation for fiscal year 2018 and \$200,000 of the appropriation for fiscal year 2019 are provided solely for grants to high schools that have an existing international baccalaureate program and enrollments of seventy percent or more students eligible for free or reduced-price meals in the prior school year to implement and sustain an international baccalaureate program; and

(b) \$100,000 of the appropriation for fiscal year 2018 and \$100,000 of the appropriation for fiscal year 2019 are provided solely for grants to middle schools with students that will attend a qualifying high poverty high school that has received a grant under (a) of this subsection to support implementation of a middle school international baccalaureate program.

(49) \$240,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for a grant to the Pacific science center to continue providing science on wheels activities in schools and other community settings. Funding is provided to assist with upgrading three planetarium computers and software and to assist with purchasing and outfitting three vans with new traveling planetarium exhibits.

(50) \$100,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the office of the superintendent of public instruction to contract for consulting services for a study of the current state pupil transportation funding formula. The study must evaluate the extent to which the formula corresponds to the actual costs of providing pupil transportation to and from school for the state's statutory program of basic education, including transportation for students who are identified as homeless under the federal McKinney-Vento act. Based on the results

of this evaluation, the superintendent must make recommendations for any necessary revisions to the state's pupil transportation formula, taking into account the statutory program of basic education, promotion of the efficient use of state and local resources, and continued local district control over the management of pupil transportation systems.

(51) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a grant to the Spokane school district to implement a program that provides hands-on education in financial literacy, work readiness, and entrepreneurship.

(52) \$7,000,000 of the education legacy trust account-state appropriation is provided solely for implementation of Substitute House Bill No. 1827 (educator workforce supply). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(53) \$6,000,000 of the education legacy trust account-state appropriation is provided solely for the office of the superintendent of public instruction to contract with a statewide nonprofit organization with expertise in promoting and supporting career-connected education from early learning through postsecondary education to establish a matching grant to support work-integrated learning projects. In consultation with the workforce training and education coordinating board, the office of the superintendent of public instruction shall include the following minimum requirements in the grant design: Measurable and accountable focus on low-income youth, homeless youth, and youth of color; accountability for increasing registered youth apprenticeships, employer internships, business mentors, career planning, and other work-integrated learning experiences; regional coordinators or business liaisons to assist with education business links for internships and other work-integrated learning experiences; and systemwide support for work-integrated learning experiences, including but not limited to awareness, explorations, career counseling, preparation and training. Work-integrated learning includes but is not limited to, engaging students in grades 5-12 and high school dropout reengagement youth in early, frequent, and

systematic learning experiences essential for preparing Washington youth for high-demand, family-wage jobs in Washington state. Expenditure of grant funds for work-integrated learning require an equal match from private or other nonstate sources for the program, including, but not limited to, gifts, grants, or endowments. The grantee must provide reports to the office of the superintendent of public instruction and the workforce training and education coordinating board, in accordance with the reporting requirements of Engrossed Substitute House Bill No. 1600 (career and college readiness). By November 15, 2019, the office of the superintendent of public instruction and the workforce training and education coordinating board must provide a final evaluation to the governor and the education and economic development committees of the house of representatives and senate.

(54) \$50,000 of the general fund-state appropriation for fiscal year 2018 and \$50,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of the legislative youth advisory council, pursuant to RCW 28A.300.801.

(55) \$338,000 of the general fund-state appropriation for fiscal year 2018 and \$28,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1377 (student mental health). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(56) \$440,000 of the general fund-state appropriation for fiscal year 2018 and \$270,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction for the procurement and implementation of a reporting and data aggregation system that will connect state- and district-level information to secure and protect district, school and student information in order to close student performance gaps by assisting school districts in data-driven implementation of strategies and supports that are responsive of student needs.

(57) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$450,000 of the general fund-state appropriation for fiscal year 2019 are provided for the superintendent of public instruction to develop and implement a

statewide accountability system to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

NEW SECTION. Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT

General Fund--State Appropriation (FY 2018) \$7,241,083,000

General Fund--State Appropriation (FY 2019) \$7,429,395,000

Education Legacy Trust Account--State Appropriation \$95,730,000

TOTAL APPROPRIATION \$14,766,208,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2017-18 and 2018-19 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 502 and 503 of this act, excluding (c) of this subsection, and in House Bill No. 2185 (K-12 funding).

(c) From July 1, 2017, to August 31, 2017, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment

of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2017-18 and 2018-19 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2017-18 and 2018-19 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260, except the allocation for guidance counselors in a middle school shall be 1.216 for the 2017-18 and 2018-19 school years. The enhancement within this subsection (2) is within the program of basic education. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic

education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

Grade	RCW 28A.150.260	2017-18	2018-19
K		17.00	17.00
1		17.00	17.00
2		17.00	17.00
3		17.00	17.00
4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53
Grades 9-12		28.74	28.74

The superintendent shall base allocations for laboratory science, career and technical education (CTE) and skill center programs average class size as provided in RCW 28A.150.260.

(ii) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

Grade	RCW 28A.150.260	2017-18	2018-19
General education class size in high poverty schools:			

	School Year	School Year
Grade K	17.00	17.00
Grade 1	17.00	17.00
Grade 2	17.00	17.00
Grade 3	17.00	17.00
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

(iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iv) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and (a) of this subsection and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2017-18	2018-19
Career and Technical Education	3.07	3.07

Skill Center	3.41	3.41
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administrative costs of operating a school district, at the following rates:

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2017-18 and 2018-19 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistance principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:
 Career and Technical Education students 1.025

Skill Center students	1.198
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(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2017-18 and 2018-19 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade, except the allocation for parent involvement coordinators in an elementary school shall be 0.0825 for the 2017-18 and 2018-19 school years, which enhancement is within the program of basic education.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2017-18 and 2018-19 school years for the central office

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 1.71 percent in the 2017-18 school year and 1.71 percent in the 2018-19 school year for career and technical education students, and 17.61 percent in the 2017-18 school year and 17.61 percent in the 2018-19 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 23.49 percent in the 2017-18 school year and 23.49 percent in the 2018-19 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 24.60 percent in the 2017-18 school year and 24.60 percent in the 2018-19 school year for classified salary allocations provided

under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1,440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE		
MSOC Component	2017-18 School Year	2018-19 School Year
Technology	\$130.76	\$132.85
Utilities and Insurance	\$355.30	\$360.98
Curriculum and Textbooks	\$140.39	\$142.64
Other Supplies and Library Materials	\$298.05	\$302.82
Instructional Professional	\$21.71	\$22.06

Development for Certificated

and Classified Staff

Facilities Maintenance	\$176.01	\$178.83
Security and Central Office	\$121.94	\$123.89
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$1,244.16	\$1,264.07

(ii) For the 2017-18 school year and 2018-19 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (A) of this subsection (8)(a)(ii) exceeds (B) of this subsection (8)(a)(ii), any proposed use of this difference and how this use will improve student achievement.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,308.87 for the 2017-18 school year and \$1,329.81 for the 2018-19 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,472.01 for the 2017-18 school year and \$1,495.56 for the 2018-19 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2017-18 School Year	2018-19 School Year
Technology	\$37.60	\$38.20
Curriculum and Textbooks	\$41.02	\$41.67
Other Supplies and Library Materials	\$85.46	\$86.82

Instructional Professional Development for Certified and Classified Staff	\$6.83	\$6.95
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$170.91	\$173.64

counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund all day kindergarten programs in all schools in the 2017-18 school year and 2018-19 school year, pursuant to RCW 28A.150.220 and 28A.150.315.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2017-18 and 2018-19 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2017, to August 31, 2017, are adjusted to reflect provisions of chapter 4, Laws of 2015 3rd sp. sess., as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll

more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (12) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2018 and 2019 as follows:

(a) \$638,000 of the general fund-state appropriation for fiscal year 2018 and \$648,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund-state appropriation for fiscal year 2018 and \$436,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) \$225,000 of the general fund-state appropriation for fiscal year 2018 and \$229,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for school district emergencies as certified by the superintendent of public instruction. Funding provided must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. At the close of the fiscal year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

(17) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at

both the high school and community and technical college system.

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (12) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (12) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed 15 percent of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

NEW SECTION. Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in House Bill No. 2185 (K-12 funding), RCW 28A.150.260, and under section 502 of this act:

(a) The per full-time equivalent ten month salary allocations for certificated

instructional staff units for each school district are \$59,183.64 in school year 2017-19 and \$64,782.22 in school year 2018-19.

(b) The per full-time equivalent twelve month salary allocations for certificated administrative staff units for each school district are \$79,801.56 in school year 2017-18 and \$98,063.96 in school year 2018-19. The per full-time equivalent twelve month salary allocations for classified staff units for each school district are \$40,060.66 in school year 2017-18 and \$46,888.93 in school year 2018-19.

(c) Salary allocations specified in this subsection (1) of this section include one day of professional learning for each of the funded full-time equivalent staff units in school year 2017-18 and two days of professional learning for each of the funded full-time equivalent staff units in school year 2018-19.

(2) Incremental fringe benefit factors are applied to salary adjustments at a rate of 22.85 percent for school year 2017-18 and 22.85 percent for school year 2018-19 for certificated instructional and certificated administrative staff and 21.10 percent for school year 2017-18 and 21.10 percent for the 2018-19 school year for classified staff.

(3) Allocations in this subsection are sufficient for the usual and customary duties of certificated instructional staff, certificated administrative staff, and classified staff necessary to provide the state's entire program of basic education.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200(2), as amended by House Bill No. 2185 (K-12 funding).

(5) For school year 2017-18 and school year 2018-19, the salary allocations for each district shall be the greater of:

(a) The salary allocations in subsection (1) of this section; or

(b) The derived salary allocations pursuant to section 503 (1) and (2), chapter 4, Laws of 2015 3rd sp. sess., as amended with salary values on LEAP Document 2 for school year 2016-17

adjusted for the one-biennium cost-of-living adjustment and increased by 2.3 percent, which is the annual cost-of-living adjustment pursuant to RCW 28A.400.205.

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

General Fund—State Appropriation (FY 2018) \$117,641,000

General Fund—State Appropriation (FY 2019) \$291,088,000

Education Legacy Trust Account—State Appropriation \$1,757,999,000

TOTAL APPROPRIATION \$2,166,728,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Appropriations in this section from the education legacy trust account—state appropriation for basic education compensation allocations include \$61,900,000 attributable to the fines accrued in *McCleary v. State* through April 23, 2017.

(2) The salary increases provided in this section are inclusive of and above the annual cost-of-living adjustments pursuant to RCW 28A.400.205.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 22.85 percent for the 2017-18 school year and 22.85 percent for the 2018-19 school year for certificated instructional and certificated administrative staff and 21.10 percent for the 2017-18 school year and 21.10 percent for the 2018-19 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 502 and 503 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 502 and 503 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The maintenance rate for insurance benefit allocations is \$780.00 per month for the 2017-18 and 2018-19 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$780.00 per month for the 2017-18 school year and \$780.00 per month for the 2018-19 school year.

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

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund—State Appropriation (FY 2018) \$499,641,000

General Fund—State Appropriation (FY 2019) \$504,606,000

Education Legacy Trust Account—State Appropriation \$1,375,000

TOTAL APPROPRIATION \$1,005,622,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(3) A maximum of \$913,000 of this fiscal year 2018 appropriation and a maximum of \$937,000 of the fiscal year 2019 appropriation may be expended for regional transportation coordinators and related activities. The transportation

coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(4) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(5) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(6) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(7) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

NEW SECTION. Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund—State Appropriation (FY 2018) \$9,645,000

General Fund—State Appropriation (FY 2019) \$7,222,000

General Fund—Federal Appropriation \$537,178,000

TOTAL APPROPRIATION \$554,045,000

The appropriations in this section are subject to the following conditions and limitations: \$7,111,000 of the general fund—state appropriation for fiscal year 2018 and \$7,111,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(1) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades kindergarten through third grade who are eligible for reduced-price lunch;

(2) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(3) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(4) Assistance to school districts in initiating and expanding school breakfast programs.

(5) \$2,534,000 of the general fund-state appropriation for fiscal year 2018 and \$111,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1508 (student meals & nutrition). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsections (1), (2), and (3) of this section.

The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2018, and February 1, 2019. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

NEW SECTION. Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS

General Fund-State Appropriation (FY 2018) \$942,565,000

General Fund-State Appropriation (FY 2019) \$970,040,000

General Fund-Federal Appropriation \$470,673,000

Education Legacy Trust Account-State Appropriation \$54,694,000

TOTAL APPROPRIATION \$2,437,972,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee

and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 502 (2) and (4) of this act, which enhancement is within the program of basic education.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund-state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) \$31,087,000 of the general fund-state appropriation for fiscal year 2018, \$31,087,000 of the general fund-state appropriation for fiscal year 2019, and \$31,024,000 of the general fund-federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent

shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2017-18 and 2018-19 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$931,000 may be expended from the general fund-state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund-state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$256,000 of the general fund-state appropriation for fiscal year 2018 and \$256,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide

training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund-state appropriation for fiscal year 2018, \$50,000 of the general fund-state appropriation for fiscal year 2019, and \$100,000 of the general fund-federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

NEW SECTION. Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR EDUCATIONAL SERVICE DISTRICTS

General Fund-State Appropriation (FY 2018) \$8,485,000

General Fund-State Appropriation (FY 2019) \$8,485,000

TOTAL APPROPRIATION \$16,970,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus

reasonable indirect costs for the purposes of this subsection.

NEW SECTION. Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR LOCAL EFFORT ASSISTANCE

General Fund-State Appropriation (FY 2018) \$389,285,000

General Fund-State Appropriation (FY 2019) \$350,116,000

Education Legacy Trust Account-State Appropriation \$117,063,000

TOTAL APPROPRIATION \$856,464,000

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 6.87 percent from the 2016-17 school year to the 2017-18 school year and 5.69 percent from the 2017-18 school year to the 2018-19 school year.

NEW SECTION. Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund-State Appropriation (FY 2018) \$13,521,000

General Fund-State Appropriation (FY 2019) \$13,598,000

TOTAL APPROPRIATION \$27,119,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund-state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or

less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund-state appropriation for fiscal year 2018 and \$701,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

NEW SECTION. Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund-State Appropriation (FY 2018) \$10,627,000

General Fund-State Appropriation (FY 2019) \$10,826,000

TOTAL APPROPRIATION \$21,453,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c). In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(3) \$85,000 of the general fund-state appropriation for fiscal year 2018 and \$85,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the centrum program at Fort Worden state park.

NEW SECTION. Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR MISCELLANEOUS-EVERY STUDENT SUCCEEDS ACT

General Fund-Federal Appropriation \$4,802,000

NEW SECTION. Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-EDUCATION REFORM PROGRAMS

General Fund-State Appropriation (FY 2018) \$115,114,000

General Fund-State Appropriation (FY 2019) \$137,049,000

General Fund-Federal Appropriation \$93,177,000

General Fund-Private/Local Appropriation \$1,435,000

Education Legacy Trust Account-State Appropriation \$1,611,000

TOTAL APPROPRIATION \$348,386,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$21,364,000 of the general fund-state appropriation for fiscal year 2018, \$23,275,000 of the general fund-state appropriation for fiscal year 2019, \$1,350,000 of the education legacy trust account-state appropriation, and \$15,868,000 of the general fund-federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(2) \$356,000 of the general fund-state appropriation for fiscal year 2018 and \$356,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities coordinated at the Pacific science center, including instructional material purchases, teacher and principal professional development,

and school and community engagement events.

(3) \$3,935,000 of the general fund-state appropriation for fiscal year 2018 and \$3,935,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(4) \$62,672,000 of the general fund-state appropriation for fiscal year 2018 and \$82,665,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(a) For national board certified teachers, a bonus of \$5,296 per teacher in the 2017-18 school year and a bonus of \$5,381 per teacher in the 2018-19 school year;

(b) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(c) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(d) During the 2017-18 and 2018-19 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have

applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after three years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(5) \$477,000 of the general fund-state appropriation for fiscal year 2018 and \$477,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(6) \$950,000 of the general fund-state appropriation for fiscal year 2018 and \$950,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(7) \$810,000 of the general fund-state appropriation for fiscal year 2018 and \$810,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent

organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(8) \$3,000,000 of the general fund-state appropriation for fiscal year 2018 and \$3,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT certification and software training opportunities for students and staff in public schools.

(9) \$1,677,000 of the general fund-state appropriation for fiscal year 2018 and \$1,677,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008. If equally matched by private donations, \$700,000 of the 2018 appropriation and \$700,000 of the 2019 appropriation shall be used to support FIRST robotics programs. Of the amounts in this subsection, \$100,000 of the fiscal year 2018 appropriation and \$100,000 of the fiscal year 2019 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(10) \$125,000 of the general fund-state appropriation for fiscal year 2018 and \$125,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(11) \$135,000 of the general fund-state appropriation for fiscal year 2018 and \$135,000 of the general fund-state appropriation for fiscal year 2019 are

provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(12) \$5,500,000 of the general fund-state appropriation for fiscal year 2018 and \$5,500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a beginning educator support program. The program shall prioritize first year teachers in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators.

(13) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2018, a high school must have offered a foundational project lead the way course during the 2016-17 school year. The 2018 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2017-18 school year. To be eligible for funding in 2019, a high school must have offered a foundational project lead the way course during the 2017-18 school year. The 2018 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2018-19 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(14) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for annual start-up, expansion, or maintenance of existing programs in aerospace and advanced manufacturing programs. To be eligible for

funding, the skills center and high schools must agree to engage in developing local business and industry partnerships for oversight and input regarding program components. Program instructors must also agree to participate in professional development leading to student employment, or certification in aerospace or advanced manufacturing industries as determined by the superintendent of public instruction. The office of the superintendent of public instruction and the education research and data center shall report annually student participation and long-term outcome data.

(15) \$9,352,000 of the general fund-state appropriation for fiscal year 2018 and \$9,352,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 159, Laws of 2013.

(16) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

(17) \$2,194,000 of the general fund-state appropriation for fiscal year 2018 and \$2,194,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement chapter 18, Laws of 2013 2nd sp. sess. (Engrossed Substitute Senate Bill No. 5946) (strengthening student educational outcomes).

(18) \$36,000 of the general fund-state appropriation for fiscal year 2018 and \$36,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for chapter 212, Laws of 2014 (Substitute Senate Bill No. 6074) (homeless student educational outcomes).

(19) \$80,000 of the general fund-state appropriation for fiscal year 2018 and \$40,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for chapter 219, Laws of 2014 (Second Substitute Senate Bill No. 6163) (expanded learning).

(20) \$10,000 of the general fund-state appropriation for fiscal year 2018 and \$10,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for chapter 102, Laws of 2014 (Senate Bill No. 6424) (biliteracy seal).

(21) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors.

(22) Within the amounts provided in this section, the superintendent of public instruction shall obtain an existing student assessment inventory tool that is free and openly licensed and distribute the tool to every school district. Each school district shall use the student assessment inventory tool to identify all state-level and district-level assessments that are required of students. The state-required assessments should include: Reading proficiency assessments used for compliance with RCW 28A.320.202; the required statewide assessments under chapter 28A.655 RCW in grades three through eight and at the high school level in English language arts, mathematics, and science, as well as the practice and training tests used to prepare for them; and the high school end-of-course exams in mathematics under RCW 28A.655.066. District-required assessments should include: The second grade reading assessment used to comply with RCW 28A.300.320; interim smarter balanced assessments, if required; the measures of academic progress assessment, if required; and other required interim, benchmark, or summative standardized assessments, including assessments used in social studies, the arts, health, and physical education in accordance with RCW 28A.230.095, and for educational technology in accordance with RCW 28A.655.075. The assessments identified should not include assessments used to determine eligibility for any categorical program including the transitional bilingual instruction program, learning assistance program, highly capable program, special education program, or any formative or diagnostic assessments used solely to inform teacher instructional practices, other than those already identified. By October 15th of each year, each district shall report to the superintendent the amount of student time in the previous school year that is spent

taking each assessment identified. By December 15th of each year, the superintendent shall summarize the information reported by the school districts and report to the education committees of the house of representatives and the senate.

NEW SECTION. Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund-State Appropriation (FY 2018) \$136,642,000

General Fund-State Appropriation (FY 2019) \$142,782,000

General Fund-Federal Appropriation \$92,244,000

TOTAL APPROPRIATION \$371,668,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through twelve in school years 2017-18 and 2018-19; (ii) additional instruction of 3.0000 hours per week in school years 2017-18 and 2018-19 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 503 and 504 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate

funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 2.81 percent for school year 2017-18 and 2.84 percent for school year 2018-19.

(4) The general fund-federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund-state appropriation for fiscal year 2018 and \$35,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to track current and former transitional bilingual program students.

NEW SECTION. Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR THE LEARNING ASSISTANCE PROGRAM

General Fund-State Appropriation (FY 2018) \$236,487,000

General Fund-State Appropriation (FY 2019) \$241,461,000

General Fund-Federal Appropriation \$505,487,000

TOTAL APPROPRIATION \$983,435,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund-state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the

basic education. In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2017-18 and 2018-19 school years; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund-federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund-state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2017-18 and 2018-19 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

NEW SECTION. Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act.

(4) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

NEW SECTION. Sec. 517. FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR CHARTER SCHOOLS

Washington Opportunity Pathways
Account-State

Appropriation \$62,830,000

The appropriation in this section is subject to the following conditions and limitations: The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond

the amounts provided under chapter 28A.710 RCW.

NEW SECTION. Sec. 518. FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION

Washington Opportunity Pathways Account—State Appropriation \$318,000

Charter Schools Oversight Account—State Appropriation \$2,019,000

TOTAL APPROPRIATION \$2,337,000

The appropriations in this section are subject to the following conditions and limitations: The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

PART VI

HIGHER EDUCATION

NEW SECTION. Sec. 601. The appropriations in sections 605 through 611 of this act are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections 605 through 611 of this act.

(2) The legislature, the office of financial management, and other state agencies need consistent and accurate personnel data from institutions of higher education for policy planning purposes. Institutions of higher education shall report personnel data to the office of financial management for inclusion in the agency's data warehouse. Uniform reporting procedures shall be established by the office of financial management's office of the state human resources director for use by the reporting institutions, including provisions for common job classifications and common definitions of full-time equivalent staff. Annual contract amounts, number of contract months, and funding sources shall be consistently reported for employees under contract.

(3) In addition to waivers granted under the authority of RCW 28B.15.910, the governing boards and the state board may waive all or a portion of operating fees for any student. State general fund appropriations shall not be provided to replace tuition and fee revenue foregone

as a result of waivers granted under this subsection.

(4) (a) For institutions receiving appropriations in section 605 of this act, the only allowable salary increases provided are those with normally occurring promotions and increases related to faculty and staff retention, except as provided in Part IX of this act. In fiscal year 2018 and fiscal year 2019, the state board for community and technical colleges may use salary and benefit savings from faculty turnover to provide salary increments and associated benefits for faculty who qualify through professional development and training.

(b) For employees under the jurisdiction of chapter 41.56 RCW, salary increases will be in accordance with the applicable collective bargaining agreement. However, an increase shall not be provided to any classified employee whose salary is above the approved salary range maximum for the class to which the employee's position is allocated.

(c) For each institution of higher education receiving appropriations under sections 606 through 611 of this act:

(i) The only allowable salary increases are those associated with normally occurring promotions and increases related to faculty and staff retention and as provided in Part IX of this act; and

(ii) Institutions may provide salary increases from other sources to instructional and research faculty at the universities and The Evergreen State College, exempt professional staff, teaching and research assistants, as classified by the office of financial management, and all other nonclassified staff, but not including employees under chapter 41.80 RCW. Any salary increase granted under the authority of this subsection (4) (c) (ii) shall not be included in an institution's salary base for future state funding. It is the intent of the legislature that state general fund support for an institution shall not increase during the current or any future biennium as a result of any salary increases authorized under this subsection (4) (c) (ii).

(5) Within funds appropriated to institutions in sections 606 through 611 of this act, teacher preparation programs shall meet the requirements of RCW 28B.10.710 to incorporate information on the culture, history, and government of American Indian people in this state by

integrating the curriculum developed and made available free of charge by the office of the superintendent of public instruction into existing programs or courses and may modify that curriculum in order to incorporate elements that have a regionally specific focus.

NEW SECTION. Sec. 602. (1) Within the amounts appropriated in this act, each institution of higher education is expected to enroll and educate at least the following numbers of full-time equivalent state-supported students per academic year:

	2017-18 Annual Average	2018-19 Annual Average
University of Washington	37,162	37,162
Washington State University	22,538	22,538
Central Washington University	9,105	9,105
Eastern Washington University	8,734	8,734
The Evergreen State College	4,213	4,213
Western Washington University	11,762	11,762
State Board for Community & Technical Colleges		
Adult Students	139,927	139,927
Running Start Students	11,558	11,558

(2) In achieving or exceeding these enrollment targets, each institution shall seek to:

(a) Maintain and to the extent possible increase enrollment opportunities at branch campuses;

(b) Maintain and to the extent possible increase enrollment opportunities at university centers and other partnership programs that enable students to earn baccalaureate degrees on community college campuses; and

(c) Eliminate and consolidate programs of study for which there is limited student or employer demand, or that are not areas of core academic strength for the institution, particularly when such programs duplicate offerings by other in-state institutions.

(3) For purposes of monitoring and reporting statewide enrollment, the University of Washington and Washington State University shall notify the office of financial management of the number of full-time student equivalent enrollments budgeted for each of their campuses.

NEW SECTION. Sec. 603. PUBLIC BACCALAUREATE INSTITUTIONS

(1) The state universities, the regional universities, and The Evergreen State College must accept the transfer of college-level courses taken by students under RCW 28A.600.290 or 28A.600.300 if a student seeking a transfer of the college-level courses has been admitted to the state university, the regional university, or The Evergreen State College, and if the college-level courses are recognized as transferrable by the admitting institution of higher education.

(2) Appropriations in part VII of this act are sufficient to implement 2017-19 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW. The institutions may also use these funds for any other purpose including increasing compensation and implementing other collective bargaining agreements.

NEW SECTION. Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Appropriations in part VII of this act are sufficient to implement 2017-19 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW. The institutions may also use these funds for any other purpose including increasing compensation, and implementing other collective bargaining agreements.

NEW SECTION. Sec. 605. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund-State Appropriation (FY 2018) \$669,896,000

General Fund-State Appropriation (FY 2019) \$680,640,000

Community/Technical College Capital Projects

Account-State Appropriation
\$17,548,000

Education Legacy Trust Account-State
Appropriation \$120,562,000

TOTAL APPROPRIATION \$1,488,646,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund-state appropriation for fiscal year 2018 and \$33,261,000 of the general fund-state appropriation for fiscal year 2019 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2018 and at least 7,170 full-time equivalent students in fiscal year 2019.

(2) \$5,450,000 of the education legacy trust account-state appropriation is provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$21,030,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at community and technical colleges in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(4) \$5,250,000 of the general fund-state appropriation for fiscal year 2018 and \$5,250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund-state appropriation for fiscal year 2018, and \$1,610,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the expansion of the mathematics, engineering, and science achievement program. The state board shall report back to the appropriate committees

of the legislature on the number of campuses and students served by December 31, 2018.

(6) \$4,250,000 of the general fund-state appropriation for fiscal year 2018 and \$4,250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of guided pathways or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(7) \$1,500,000 of the general fund-state appropriation for fiscal year 2018 and \$1,500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(8) \$389,000 of the general fund-state appropriation for fiscal year 2018 and \$389,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington state labor education and research center at south Seattle college and the labor archives of Washington.

(9) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(10) \$18,209,000 of the general fund-state appropriation for fiscal year 2018 and \$18,573,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(11) Community and technical colleges are not required to send mass mailings of

course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(12) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(13) \$157,000 of the general fund-state appropriation for fiscal year 2018 and \$157,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Wenatchee Valley college wildfire prevention program.

(14) \$380,000 of the general fund-state appropriation for fiscal year 2018 and \$381,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(15) \$884,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Second Substitute House Bill No. 1168 (ctc full-time faculty). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(16) \$41,000 of the general fund-state appropriation for fiscal year 2018 and \$42,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1375 (ctc course material costs). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(17) \$158,000 of the general fund-state appropriation for fiscal year 2018 and \$5,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1115 (paraeducators). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(18) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for Green River College to deliver programs to the Covington area and

southeast King county in response to the recommendations of the Washington student achievement council's southeast King county higher education needs assessment and operating plan.

(19) \$60,000 of the general fund-state appropriation for fiscal year 2018 and \$60,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a youth development program operated by Everett community college in conjunction with a county chapter of a national civil rights organization.

(20) \$3,500,000 of the general fund-state appropriation for fiscal year 2018 and \$3,500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 560 additional full-time equivalent enrollments annually.

NEW SECTION. Sec. 606. FOR THE UNIVERSITY OF WASHINGTON

General Fund-State Appropriation (FY 2018) \$326,563,000

General Fund-State Appropriation (FY 2019) \$327,522,000

Aquatic Lands Enhancement Account-State Appropriation \$1,350,000

Education Legacy Trust Account-State Appropriation \$51,502,000

Economic Development Strategic Reserve Account-State

Appropriation \$3,014,000

Biotoxin Account-State Appropriation \$595,000

Dedicated Marijuana Account-State Appropriation

(FY 2018) \$1,041,000

Dedicated Marijuana Account-State Appropriation

(FY 2019) \$1,041,000

Accident Account-State Appropriation \$7,197,000

Medical Aid Account-State Appropriation \$6,789,000

TOTAL APPROPRIATION \$726,614,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$15,500,000 of the education legacy trust account—state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at the University of Washington in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2018 and \$52,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the center for international trade in forest products in the college of forest resources.

(3) \$38,581,000 of the general fund—state appropriation for fiscal year 2018 and \$39,353,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$200,000 of the general fund—state appropriation for fiscal year 2018 and \$200,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

(5) \$8,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to expand the number of residency slots available in Washington.

(6) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(7) \$1,350,000 of the aquatic lands enhancement account—state is provided solely for ocean acidification monitoring, forecasting, and research and for operation of the Washington ocean acidification center. By September 1, 2015, the center must provide a biennial work plan and begin quarterly progress reports to the Washington marine resources

advisory council created under RCW 43.06.338.

(8) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(9) \$125,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Washington center for human rights.

(10) \$3,000,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

(11) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2018 and \$250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Latino health center.

(13) \$200,000 of the general fund—state appropriation for fiscal year 2018 and \$200,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the climate impacts group in the college of the environment.

(14) \$8,400,000 of the general fund—state appropriation for fiscal year 2018 and \$7,400,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(15) \$1,500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the university to host the Special Olympics USA Games in July 2018.

(16) \$5,000 of the general fund—state appropriation for fiscal year 2018 and \$80,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1612 (lethal means, reduce access). These amounts are in addition to amounts appropriated in Engrossed Second Substitute House Bill No. 1612. If the

bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(17) \$70,000 of the general fund-state appropriation for fiscal year 2018 and \$70,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(18) \$400,000 of the general fund-state appropriation for fiscal year 2018 and \$400,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a contract with the center for sensorimotor neural engineering to advance research in spinal cord injuries.

(19) \$75,000 of the general fund-state appropriation in fiscal year 2018 is provided solely for the Bothell campus, in collaboration with the state parks and recreation commission and key stakeholders, to produce a strategic plan for a Saint Edward state park environmental education and research center with the following components:

(a) Mission and vision statements, program goals, and objectives for the first three years, and priority audiences to be served.

(b) An assessment of Saint Edward state park ecological resources, including potential educational, outreach, research, monitoring, and habitat restoration opportunities as well as capacity at the Bothell campus and educational partners to optimize these opportunities.

(c) An assessment of the need and demand for K-12 science and environment education in surrounding school districts, undergraduate and graduate education and research, teacher preparation and professional development, site-based outreach and interpretation, and research, monitoring, and restoration projects that engage the public and benefit the park.

(d) Strategic program development which optimizes educational opportunities while addressing community needs and encourages collaboration with other environmental education organizations.

(e) Space design of the seminary building set-aside site and other

potential locations at Saint Edward state park which support program needs, usage by multiple age groups, and a variety of program providers.

(f) A three to five year business plan including projected capital and operating expenses, stakeholder investments, and prospective revenue streams.

(20) \$1,181,000 of the general fund-state appropriation for fiscal year 2018 and \$778,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the addition of a second year of dental curriculum to the regional initiatives in the dental education program operated in Spokane through a partnership with Eastern Washington University.

(21) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a student learning program and academic research study to address youth homelessness in the university district of Seattle. The program must involve several University of Washington colleges and departments, including a homes and services model for homeless youth. Funding is provided to bring together various research efforts between the colleges and assist the program in studying, developing, and analyzing best practices and delivering service models to address youth homelessness in the university district.

(22) \$125,000 of the general fund-state appropriation for fiscal year 2018 and \$125,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the University of Washington school of public health to study the air quality implications of air traffic at the international airport in the state that has the highest total annual number of arrivals and departures. The study must include an assessment of the concentrations of ultrafine particulate matter in areas surrounding and directly impacted by air traffic generated by the airport, including areas within ten miles of the airport in the directions of aircraft flight paths and within ten miles of the airport where public agencies operate an existing air monitoring station. The study must attempt to distinguish between aircraft and other sources of ultrafine particulate matter, and must compare concentrations of ultrafine particulate matter in areas impacted by high volumes of air traffic

with concentrations of ultrafine particulate matter in areas that are not impacted by high volumes of air traffic. The university must coordinate with local governments in areas addressed by the study to share results and inclusively solicit feedback from community members. By December 1, 2019, the university must report study findings, including any gaps and uncertainties in health information associated with ultrafine particulate matter, and recommend to the legislature whether sufficient information is available to proceed with a second phase of the study

NEW SECTION. Sec. 607. FOR WASHINGTON STATE UNIVERSITY

General Fund-State Appropriation (FY 2018) \$211,114,000

General Fund-State Appropriation (FY 2019) \$216,443,000

Education Legacy Trust Account-State Appropriation \$43,595,000

Dedicated Marijuana Account-State Appropriation

(FY 2018) \$681,000

Dedicated Marijuana Account-State Appropriation

(FY 2019) \$681,000

TOTAL APPROPRIATION \$472,514,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund-state appropriation for fiscal year 2018 and \$90,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund-state appropriation for fiscal year 2018 and

\$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$9,600,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at Washington State University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(6) \$3,000,000 of the general fund-state appropriation for fiscal year 2018 and \$7,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the continued development and operations of a medical school program in Spokane.

(7) Within the funds appropriated in this section, Washington State University is required to provide administrative support to the sustainable aviation biofuels work group authorized under RCW 28B.30.904.

(8) \$173,000 of the general fund-state appropriation for fiscal year 2018 and \$172,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a honey bee biology research position.

(9) \$27,425,000 of the general fund-state appropriation for fiscal year 2018 and \$27,973,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(10) \$95,000 of the general fund-state appropriation for fiscal year 2018 and \$95,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(11) \$230,000 of the general fund-state appropriation for fiscal year 2018 and \$376,000 of the general fund-state appropriation for fiscal year 2019 are

provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(12) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the William D. Ruckelshaus center to collaborate with groups and organizations, including associations of local governments, associations of the business, real estate and building industries, state agencies, environmental organizations, state universities, public health and planning organizations, and tribal governments, to create a "Road Map to Washington's Future." The road map shall identify areas of agreement on ways to adapt Washington's growth management framework of statutes, institutions, and policies to meet future challenges in view of robust forecasted growth and the unique circumstances and urgent priorities in the diverse regions of the state. The center shall, in conjunction with state universities and other sponsors, conduct regional workshops to:

(a) Engage Washington residents in identifying a desired statewide vision for Washington's future;

(b) Partner with state universities on targeted research to inform future alternatives;

(c) Facilitate deep and candid interviews with representatives of the above named groups and organizations; and

(d) Convene parties for collaborative conversations and potential agreement seeking.

The center must submit a final report to the appropriate committees of the legislature by June 30, 2019.

NEW SECTION. Sec. 608. FOR EASTERN WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2018) \$49,844,000

General Fund-State Appropriation (FY 2019) \$50,050,000

Education Legacy Trust Account-State Appropriation \$19,228,000

TOTAL APPROPRIATION \$119,122,000

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$200,000 of the general fund-state appropriation for fiscal year 2018 and at least \$200,000 of the general fund-state appropriation for fiscal year 2019 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$1,630,000 of the general fund-state appropriation for fiscal year 2018 and \$1,630,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student academic success and increase degree completion.

(5) \$2,630,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at Eastern Washington University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(6) \$9,851,000 of the general fund-state appropriation for fiscal year 2018 and \$10,048,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(7) \$55,000 of the general fund-state appropriation for fiscal year 2018 and \$55,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the

amounts provided in this subsection shall lapse.

(8) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the university to create and hire two new full-time tenure-track faculty positions, subject to the conditions in this subsection. To receive the funding provided in this subsection, the university must create and hire at least four qualifying additional new full-time tenure-track positions. The qualifying positions must not have existed before the fall of 2017; must not be the result of vacancies due to attrition or retirement; and require a full-time teaching load, advising, and curriculum development. To receive the full amount of funding provided in this subsection, the university must create and hire at least four qualifying new tenure-track positions by January 1, 2018. If the university has created and filled at least four such positions by January 1, 2018, then it may expend the full amounts provided in this subsection. If by January 1, 2018, the university has created and filled two or three such positions, then it may expend one half of the amount provided for fiscal year 2018, and one half of the amount provided for fiscal year 2019, and the remainder shall lapse.

NEW SECTION. Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2018) \$49,753,000

General Fund-State Appropriation (FY 2019) \$50,123,000

Education Legacy Trust Account-State Appropriation \$21,926,000

TOTAL APPROPRIATION \$121,802,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how

many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) \$1,650,000 of the general fund-state appropriation for fiscal year 2018 and \$1,650,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student academic success and increase degree completion.

(4) \$2,850,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at Central Washington University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(5) \$11,104,000 of the general fund-state appropriation for fiscal year 2018 and \$11,326,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(6) \$65,000 of the general fund-state appropriation for fiscal year 2018 and \$66,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(7) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the university to create and hire two new full-time tenure-track faculty positions, subject to the conditions in this subsection. To receive the funding provided in this subsection, the university must create and hire at least four qualifying additional new full-time tenure-track positions. The qualifying positions must not have existed before the fall of 2017; must not be the result of vacancies due to attrition or retirement; and require a full-time teaching load, advising, and curriculum development. To receive the full amount of funding provided in this subsection, the university must create and hire at least

four qualifying new tenure-track positions by January 1, 2018. If the university has created and filled at least four such positions by January 1, 2018, then it may expend the full amounts provided in this subsection. If by January 1, 2018, the university has created and filled two or three such positions, then it may expend one half of the amount provided for fiscal year 2018, and one half of the amount provided for fiscal year 2019, and the remainder shall lapse.

NEW SECTION. Sec. 610. FOR THE EVERGREEN STATE COLLEGE

General Fund-State Appropriation (FY 2018) \$26,345,000

General Fund-State Appropriation (FY 2019) \$26,076,000

Education Legacy Trust Account-State Appropriation \$6,240,000

TOTAL APPROPRIATION \$58,661,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$790,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at The Evergreen State University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(2) \$3,377,000 of the general fund-state appropriation for fiscal year 2018 and \$3,445,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(3) \$1,040,000 of the general fund-state appropriation for fiscal year 2018 and \$1,040,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student academic success and increase degree completion.

(4) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(5) Notwithstanding other provisions in this section, the board of directors for the Washington state institute for public policy may adjust due dates for projects

included on the institute's 2017-19 work plan as necessary to efficiently manage workload.

(6) The Evergreen State College shall not use funds appropriated in this section to support intercollegiate athletics programs.

(7) \$1,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) \$36,000 of the general fund-state appropriation for fiscal year 2018 and \$101,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1561 (open educational resources). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(9) \$33,000 of the general fund-state appropriation for fiscal year 2018 and \$65,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1867 (ext. foster care transitions). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$76,000 of the general fund-state appropriation for fiscal year 2018 and \$80,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed House Bill No. 2008 (state services for children). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(11) \$14,000 of the general fund-state appropriation for fiscal year 2018 and \$21,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1570 (homeless housing & assistance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(12) \$62,000 of the general fund-state appropriation for fiscal year 2018 are provided solely for implementation of Engrossed Substitute House Bill No. 1115 (paraeducators). If the bill is not

enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(13) \$17,000 of the general fund-state appropriation for fiscal year 2018 and \$34,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington institute for public policy to conduct a study regarding the implementation of certain aspects of the involuntary treatment act, pursuant to chapter 29, Laws of 2016, sp. sess. (E3SHB 1713).

(14) \$80,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the Washington state institute for public policy to conduct an outcome evaluation related to the early release of department of corrections inmates that occurred between 2002-2015. The study should evaluate the impact of the early release of inmates on recidivism rates, while accounting for reduced incapacitation, and include a benefit-cost analysis. The department of corrections shall provide access to data required for this study and consult with the institute as necessary. The institute shall submit a final report no later than June 30, 2018.

(15) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the college to create and hire two new full-time tenure-track faculty positions, subject to the conditions in this subsection. To receive the funding provided in this subsection, the college must create and hire at least four qualifying additional new full-time tenure-track positions. The qualifying positions must not have existed before the fall of 2017; must not be the result of vacancies due to attrition or retirement; and require a full-time teaching load, advising, and curriculum development. To receive the full amount of funding provided in this subsection, the college must create and hire at least four qualifying new tenure-track positions by January 1, 2018. If the college has created and filled at least four such positions by January 1, 2018, then it may expend the full amounts provided in this subsection. If by January 1, 2018, the college has created and filled two or three such positions, then it may expend one half of the amount provided for fiscal year 2018, and one half of the amount provided for fiscal year 2019, and the remainder shall lapse.

NEW SECTION. Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2018) \$69,748,000

General Fund-State Appropriation (FY 2019) \$70,082,000

Education Legacy Trust Account-State Appropriation \$17,791,000

Western Washington University Capital Projects

Account-State Appropriation (FY 2018) \$472,000

Western Washington University Capital Projects Account-State

Appropriation (FY 2019) \$471,000

TOTAL APPROPRIATION \$158,564,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) \$3,960,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at Western Washington University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(3) \$630,000 of the general fund-state appropriation for fiscal year 2018 and \$630,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the computer and information systems security program located at Olympic college - Poulsbo. The university is expected to enroll 30 students each academic year beginning in fiscal year 2017. The university must identify these students separately when providing data to the educational data centers as required in (1) of this section.

(4) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(5) \$1,180,000 of the general fund-state appropriation for fiscal year 2018 and \$1,180,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student academic success and increase degree completion.

(6) \$15,326,000 of the general fund-state appropriation for fiscal year 2018 and \$15,632,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(7) \$35,000 of the general fund-state appropriation for fiscal year 2018 and \$35,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington campus compact's statewide student civic engagement initiative.

(9) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the university to create and hire two new full-time tenure-track faculty positions, subject to the conditions in this subsection. To receive the funding provided in this subsection, the university must create and hire at least four qualifying additional new full-time tenure-track positions. The qualifying positions must not have existed before the fall of 2017; must not be the result of vacancies due to attrition or retirement; and require a full-time teaching load, advising, and curriculum development. To receive the full amount of funding provided in this subsection, the university must create and hire at least four qualifying new tenure-track positions by January 1, 2018. If the university has created and filled at least four such positions by January 1, 2018, then it may

expend the full amounts provided in this subsection. If by January 1, 2018, the university has created and filled two or three such positions, then it may expend one half of the amount provided for fiscal year 2018, and one half of the amount provided for fiscal year 2019, and the remainder shall lapse.

NEW SECTION. Sec. 612. FOR THE STUDENT ACHIEVEMENT COUNCIL-POLICY COORDINATION AND ADMINISTRATION

General Fund-State Appropriation (FY 2018) \$5,664,000

General Fund-State Appropriation (FY 2019) \$5,682,000

General Fund-Federal Appropriation \$4,871,000

TOTAL APPROPRIATION \$16,217,000

NEW SECTION. Sec. 613. FOR THE STUDENT ACHIEVEMENT COUNCIL-OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund-State Appropriation (FY 2018) \$203,720,000

General Fund-State Appropriation (FY 2019) \$203,127,000

General Fund-Federal Appropriation \$11,842,000

General Fund-Private/Local Appropriation \$300,000

Education Legacy Trust Account-State Appropriation \$208,683,000

WA Opportunity Pathways Account-State Appropriation \$111,909,000

Aerospace Training Student Loan Account-State

Appropriation \$208,000

Health Professionals Loan Repayment and Scholarship

Program Account-State Appropriation \$1,720,000

TOTAL APPROPRIATION \$741,509,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$192,760,000 of the general fund-state appropriation for fiscal year 2018, \$192,759,000 of the general fund-state appropriation for fiscal year 2019, \$175,104,000 of the education legacy trust account-state appropriation, and \$83,000,000 of the Washington opportunity pathways account-state appropriation are

provided solely for student financial aid payments under the state need grant and state work study programs, including up to four percent administrative allowance for the state work study program.

(2) Changes made to the state need grant program in the 2011-2013 fiscal biennium are continued in the 2017-2019 fiscal biennium. For the 2017-2019 fiscal biennium, awards given to private institutions shall be the same amount as the prior year.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2017-2019 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) Within the funds appropriated in this section, eligibility for the state need grant includes students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(5) Of the amounts provided in subsection (1) of this section, \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided for the council to process an alternative financial aid application system pursuant to RCW 28B.92.010.

(6) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. These eligible college bound students

whose family incomes are in the 0-70 percent median family income ranges must be awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students. The council shall provide directions to institutions to maximize the number of college bound scholarship students receiving the maximum state need grant for which they are eligible with a goal of 100 percent coordination. Institutions shall identify all college bound scholarship students to receive state need grant priority. If an institution is unable to identify all college bound scholarship students at the time of initial state aid packaging, the institution should reserve state need grant funding sufficient to cover the projected enrollments of college bound scholarship students.

(7) \$15,849,000 of the education legacy trust account-state appropriation and \$28,909,000 of the Washington opportunity pathways account-state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session.

(8) \$2,236,000 of the general fund-state appropriation for fiscal year 2018 and \$2,236,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The board shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2018 and 2019 for this purpose.

(9) \$14,730,000 of the education legacy trust account-state appropriation is provided solely to meet state match requirements associated with the opportunity scholarship program. The legislature will evaluate subsequent appropriations to the opportunity scholarship program based on the extent that additional private contributions are made, program spending patterns, and fund balance.

(10) \$3,825,000 of the general fund-state appropriation for fiscal year 2018 and \$3,825,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for expenditure into the health professionals loan repayment and scholarship program account. These amounts

and \$1,720,000 appropriated from the health professionals loan repayment and scholarship program account must be used to increase the number of licensed primary care health professionals to serve in licensed primary care health professional critical shortage areas. The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office shall coordinate with the department of social and health services to effectively incorporate three conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies. The office may use these targeted amounts for other program participants should there be any remaining amounts after eligible psychiatrists and advanced registered nurse practitioners have been served. The office shall also work to prioritize loan repayments to professionals working at health care delivery sites that demonstrate a commitment to serving uninsured clients.

(11) \$42,000 of the general fund-state appropriation for fiscal year 2018 and \$42,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the council to design and implement a program that provides customized information to high-achieving (as determined by local school districts), low-income, high school students. "Low-income" means students who are from low-income families as defined by the education data center in RCW 43.41.400. For the purposes of designing, developing, and implementing the program, the council shall partner with a national entity that offers aptitude tests and shall consult with institutions of higher education with a physical location in Washington. The council shall implement the program no later than fall 2016, giving consideration to spring mailings in order to capture early action decisions offered by institutions of higher education and nonprofit baccalaureate degree-granting institutions. The information packet for students must include at a minimum:

(a) Materials that help students to choose colleges;

(b) An application guidance booklet;

(c) Application fee waivers, if available, for four-year institutions of higher education and independent nonprofit baccalaureate degree-granting institutions in the state that enable students receiving a packet to apply without paying application fees;

(d) Information on college affordability and financial aid that includes information on the net cost of attendance for each four-year institution of higher education and each nonprofit baccalaureate degree-granting institution, and information on merit and need-based aid from federal, state, and institutional sources; and

(e) A personally addressed cover letter signed by the governor and the president of each four-year institution of higher education and nonprofit baccalaureate degree-granting institution in the state.

(12) \$149,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1439 (higher ed. student protection). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(13) Within the amounts provided in this section, funding is sufficient to implement Engrossed Second Substitute House Bill No. 1512 (college bound scholarship eligibility).

(14) \$75,000 of the general fund-state appropriation for fiscal year 2018 and \$75,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1561 (open educational resources). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(15) \$3,000,000 of the education legacy trust account-state appropriation is provided solely for implementation of House Bill No. 2143 (higher ed. financial aid) or Substitute House Bill 1452 (opportunity scholarship program), or both. If neither bill is enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 614. FOR THE
WORKFORCE TRAINING AND EDUCATION
COORDINATING BOARD

General Fund-State Appropriation (FY
2018) \$1,810,000

General Fund-State Appropriation (FY
2019) \$1,731,000

General Fund-Federal Appropriation
\$55,206,000

General Fund-Private/Local
Appropriation \$206,000

TOTAL APPROPRIATION \$58,953,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) For the 2017-2019 fiscal biennium
the board shall not designate recipients
of the Washington award for vocational
excellence or recognize them at award
ceremonies as provided in RCW 28C.04.535.

(2) \$28,000 of the general fund-state
appropriation for fiscal year 2018 are
provided solely for implementation of
Engrossed Second Substitute House Bill No.
1439 (higher ed. student protection). If
the bill is not enacted by June 30, 2017,
the amount provided in this subsection
shall lapse.

(3) \$66,000 of the general fund-state
appropriation for fiscal year 2018 and
\$46,000 of the general fund-state
appropriation for fiscal year 2019 are
provided solely for implementation of
Engrossed Substitute House Bill No. 1600
(career and college readiness). If the
bill is not enacted by June 30, 2017, the
amounts provided in this subsection shall
lapse.

NEW SECTION. Sec. 615. FOR THE
DEPARTMENT OF EARLY LEARNING

General Fund-State Appropriation (FY
2018) \$129,653,000

General Fund-Federal Appropriation
\$167,312,000

Education Legacy Trust Account-State
Appropriation \$14,083,000

Home Visiting Services Account-State
Appropriation \$3,127,000

Home Visiting Services Account-Federal
Appropriation \$12,143,000

WA Opportunity Pathways Account-State
Appropriation \$40,000,000

TOTAL APPROPRIATION \$366,318,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) \$57,237,000 of the general fund-
state appropriation for fiscal year 2018,
\$12,125,000 of the education legacy trust
account-state appropriation, and
\$40,000,000 of the opportunity pathways
account appropriation are provided solely
for the early childhood education and
assistance program. These amounts shall
support at least 12,491 slots in fiscal
year 2018.

(2) \$200,000 of the general fund-state
appropriation for fiscal year 2018 is
provided solely to develop and provide
culturally relevant supports for parents,
family, and other caregivers.

(3) The department is the lead agency
for and recipient of the federal child
care and development fund grant. Amounts
within this grant shall be used to fund
child care licensing, quality initiatives,
agency administration, and other costs
associated with child care subsidies. The
department shall transfer a portion of
this grant to the department of social and
health services to fund the child care
subsidies paid by the department of social
and health services on behalf of the
department of early learning.

(4) (a) \$76,650,000 of the general fund-
federal appropriation is provided solely
for the working connections child care
program under RCW 43.215.135.

(b) In addition to groups that were
given prioritized access to the working
connections child care program effective
March 1, 2011, the department shall also
give prioritized access into the program
to: (i) Families in which a parent of a
child in care is a minor who is not living
with a parent or guardian and who is a
full-time student in a high school that
has a school-sponsored on-site child care
center; and (ii) families with a child
residing with a biological parent or
guardian who have received child
protective services, child welfare
services, or a family assessment response
from the department of social and health
services in the past six months, and has
received a referral for child care as part
of the family's case management.

(5) Within available amounts, the
department in consultation with the office
of financial management and the department
of social and health services shall report
enrollments and active caseload for the
working connections child care program to

the legislative fiscal committees and the legislative-executive WorkFirst oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(6) \$1,560,000 of the general fund-state appropriation for fiscal year 2018 and \$6,712,000 of the general fund-federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(7) \$4,674,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department of social and health services children's administration.

(8) \$52,043,000 of the general fund-state appropriation for fiscal year 2018 and \$13,954,000 of the general fund-federal appropriation are provided solely to maintain the requirements set forth in chapter 7, Laws of 2015 3rd sp. sess. The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In its annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements. \$5,582,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the department to increase tiered reimbursement rates for child care center providers.

(9) \$1,728,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(10) \$375,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for a contract with a

nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(11) \$2,000,000 of the education legacy trust account-state appropriation is provided solely for early intervention assessment and services.

(12) \$7,622,000 of the general fund-federal appropriation for fiscal year 2018 is provided solely for the department to procure a time and attendance system and are subject to the conditions, limitations, and review provided in section 949 of this act.

(13) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management and authorization systems within the department of early learning are subject to technical oversight by the office of the chief information officer. The department must collaborate with the office of the chief information officer to develop a strategic business and technology architecture plan for a child care attendance and billing system that supports a statewide architecture.

(14) (a) (i) The department of early learning is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(ii) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(iii) The department must request federally funded head start programs to

voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(iv) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data by November 2017 for the school year ending in 2016 and again in March 2018 for the school year ending in 2017.

(b) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$2,651,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act. Of the amounts provided in this subsection:

(a) \$273,000 is for a base rate increase;

(b) \$55,000 is for increasing paid professional development days from three days to five days;

(c) \$1,708,000 is for the family child care providers 501c3 organization for the substitute pool, training and quality improvement support services, and administration;

(d) \$114,000 is for increasing licensing incentive payments; and

(e) \$500,000 is for needs based grants.

(17) \$250,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the department to contract with a nonprofit entity that provides quality improvement services to participants in the early achievers program to implement a community-based training module that supports licensed

child care providers who have been rated in early achievers and who are specifically interested in serving children in the early childhood education and assistance program. The module must be functionally translated into Spanish and Somali. The module must prepare trainees to administer all aspects of the early childhood education and assistance program for eligible children in their licensed program and must be offered to 300 child care providers to serve children eligible for the early childhood education and assistance program by June 30, 2019.

(18) Within amounts appropriated in this section, the director of the department of early learning and the superintendent of public instruction must provide a report to the governor and legislature on multiple options to improve the administration and delivery of early intervention services to children with disabilities from birth to three years of age pursuant to RCW 28A.155.065, as currently funded pursuant to RCW 28A.150.390(2)(a). The report must be submitted according to RCW 43.01.036 by November 1, 2017. The options included in the report must consider:

(a) Maximizing the state resources being provided for services to children;

(b) Minimizing administrative overhead;

(c) Creating clear accountability for expenditures;

(d) Improving outcomes for young children who are eligible to receive services;

(e) Increasing the availability of services statewide and regionally; and

(f) Revising statutes and rules to reflect the authority and responsibilities to accomplish the options.

(19) \$750,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the implementation of the early achievers expanded learning opportunity quality initiative pursuant to RCW 43.215.100(3)(d).

(20) \$597,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Substitute House Bill No. 1445 (dual language in early learning & K-12). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(21) \$100,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(22) \$15,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for a child care workforce development technical work group to develop recommendations to support increased child care workforce wages, reduce turnover, enable child care providers to recruit more qualified educators, and maintain the diversity of the current workforce.

(a) The department shall convene and provide staff support for the technical work group. The department shall consult with advocates and stakeholders of the early learning workforce when selecting members for the technical work group. Membership of the work group must consist of representatives from the following organizations and entities:

(i) The statewide child care resource and referral network;

(ii) The department;

(iii) The department of commerce;

(iv) The economic opportunity institute;

(v) A coalition of organizations representing nonprofits, professional associations, businesses, and industries in early learning;

(vi) The state board for community and technical colleges;

(vii) A union representing child care workers;

(viii) The small business administration;

(ix) A member consisting of either an economist or a representative of the workforce development councils;

(x) A representative from an early childhood education and assistance program;

(xi) A representative from a nonprofit child care center;

(xii) A representative from a private child care center; and

(xiii) A representative from an organization that provides culturally responsive services for early learning programs in communities with high numbers of families whose primary language is not English.

(b) Members of the work group may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Funding in this subsection is provided solely for travel reimbursement of work group members and other costs to conduct the meetings. Funding provided in this subsection may not be used to contract for facilitation.

(c) The work group shall issue a report with recommendations and an implementation plan to the governor and appropriate committees of the legislature by December 1, 2018.

NEW SECTION. Sec. 616. FOR THE STATE SCHOOL FOR THE BLIND

General Fund-State Appropriation (FY 2018) \$6,816,000

General Fund-State Appropriation (FY 2019) \$7,056,000

General Fund-Private/Local Appropriation \$34,000

TOTAL APPROPRIATION \$13,906,000

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

NEW SECTION. Sec. 617. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund-State Appropriation (FY 2018) \$10,835,000

General Fund-State Appropriation (FY 2019) \$11,129,000

TOTAL APPROPRIATION \$21,964,000

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the center to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of

one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

NEW SECTION. Sec. 618. FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund-State Appropriation (FY 2018) \$1,609,000

General Fund-State Appropriation (FY 2019) \$1,620,000

General Fund-Federal Appropriation \$2,112,000

General Fund-Private/Local Appropriation \$16,000

TOTAL APPROPRIATION \$5,357,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$78,000 of the general fund-state appropriation for fiscal year 2018 and \$78,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement Substitute House Bill No. 1183 (creative districts). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(2) \$30,000 of the general fund-state appropriation for fiscal year 2018 and \$30,000 of the general fund-state appropriation for fiscal year 2019 are provided for the folk arts apprenticeship program.

NEW SECTION. Sec. 619. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund-State Appropriation (FY 2018) \$2,462,000

General Fund-State Appropriation (FY 2019) \$2,515,000

TOTAL APPROPRIATION \$4,977,000

NEW SECTION. Sec. 620. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund-State Appropriation (FY 2018) \$1,925,000

General Fund-State Appropriation (FY 2019) \$1,935,000

TOTAL APPROPRIATION \$3,860,000

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION. Sec. 701. FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER

CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund-State Appropriation (FY 2018) \$1,134,941,000

General Fund-State Appropriation (FY 2019) \$1,193,207,000

State Building Construction Account-State Appropriation \$6,456,000

Columbia River Basin Water Supply-State Appropriation \$79,000

State Taxable Building Construction Account-State

Appropriation \$376,000

Debt-Limit Reimbursable Bond Retire Account-State

Appropriation \$570,000

TOTAL APPROPRIATION \$2,335,629,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

NEW SECTION. Sec. 702. FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund-State Appropriation (FY 2018) \$9,592,000

General Fund-State Appropriation (FY 2019) \$1,517,000

Nondebt-Limit Reimbursable Bond Retirement Account-State

Appropriation \$184,549,000

TOTAL APPROPRIATION \$195,658,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the nondebt-limit general fund bond retirement account.

NEW SECTION. Sec. 703. FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES

General Fund-State Appropriation (FY 2018) \$1,400,000

General Fund-State Appropriation (FY 2019) \$1,400,000

Hood Canal Aquatic Rehabilitation-State

Appropriation \$1,000

State Building Construction Account—State

Appropriation \$2,191,000

Columbia River Basin Water Supply—State Appropriation \$58,000

Columbia River Basin Taxable Bond Water Supply—State Appropriation \$14,000

State Taxable Building Construction Account—State

Appropriation \$150,000

TOTAL APPROPRIATION \$5,214,000

NEW SECTION. Sec. 704. FOR THE OFFICE OF FINANCIAL MANAGEMENT—EMERGENCY FUND

General Fund—State Appropriation (FY 2018) \$850,000

General Fund—State Appropriation (FY 2019) \$850,000

TOTAL APPROPRIATION \$1,700,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for the governor's emergency fund for the critically necessary work of any agency.

NEW SECTION. Sec. 705. FOR THE OFFICE OF FINANCIAL MANAGEMENT—EDUCATION TECHNOLOGY REVOLVING ACCOUNT

General Fund—State Appropriation (FY 2018) \$8,000,000

General Fund—State Appropriation (FY 2019) \$8,000,000

TOTAL APPROPRIATION \$16,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the education technology revolving account for the purpose of covering ongoing operational and equipment replacement costs incurred by the K-20 educational network program in providing telecommunication services to network participants.

NEW SECTION. Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT—O'BRIEN BUILDING IMPROVEMENT

General Fund—State Appropriation (FY 2018) \$2,797,000

General Fund—State Appropriation (FY 2019) \$2,798,000

TOTAL APPROPRIATION \$5,595,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the enterprise services account for payment of principal, interest, and financing expenses associated with the certificate of participation for the O'Brien building improvement, project number 20081007.

NEW SECTION. Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT—CHERBERG BUILDING REHABILITATION

General Fund—State Appropriation (FY 2018) \$552,000

General Fund—State Appropriation (FY 2019) \$554,000

TOTAL APPROPRIATION \$1,106,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the enterprise services account for payment for the principal, interest, and financing expenses associated with the certificate of participation for the Cherberg building improvements, project number 2002-1-005.

NEW SECTION. Sec. 708. FOR THE STATE TREASURER—COUNTY PUBLIC HEALTH ASSISTANCE

General Fund—State Appropriation (FY 2018) \$36,386,000

General Fund—State Appropriation (FY 2019) \$36,386,000

TOTAL APPROPRIATION \$72,772,000

The appropriations in this section are subject to the following conditions and limitations: The state treasurer shall distribute the appropriations to the following counties and health districts in the amounts designated to support public health services, including public health nursing:

Health District	FY 2018	FY 2019	2017-2019 Biennium
Adams County Health District	\$121,213	\$121,213	\$242,426
Asotin County Health District	\$159,890	\$159,890	\$319,780

Benton -Franklin Health District	\$1,614 ,337	\$1,614 ,337	\$3,228 ,674
Chelan -Douglas Health District	\$399,6 34	\$399,6 34	\$799,2 68
Clalla m County Health and Human Services Departmen t	\$291,4 01	\$291,4 01	\$582,8 02
Clark County Health District	\$1,767 ,341	\$1,767 ,341	\$3,534 ,682
Skaman ia County Health Departmen t	\$111,3 27	\$111,3 27	\$222,6 54
Columb ia County Health District	\$119,9 91	\$119,9 91	\$239,9 82
Cowlit z County Health Departmen t	\$477,9 81	\$477,9 81	\$955,9 62
Garfie ld County Health District	\$93,15 4	\$93,15 4	\$186,3 08
Grant County Health District	\$297,7 61	\$297,7 61	\$595,5 22
Grays Harbor Health Departmen t	\$335,6 66	\$335,6 66	\$671,3 32
Island County Health Departmen t	\$255,2 24	\$255,2 24	\$510,4 48
Jeffer son County Health	\$184,0 80	\$184,0 80	\$368,1 60

and Human Services			
Seattl e-King County Departmen t of Public Health	\$12,68 5,521	\$12,68 5,521	\$25,37 1,042
Bremer Kitsap County Health District	\$997,4 76	\$997,4 76	\$1,994 ,952
Kittit as County Health Departmen t	\$198,9 79	\$198,9 79	\$397,9 58
Klicki tat County Health Departmen t	\$153,7 84	\$153,7 84	\$307,5 68
Lewis County Health Departmen t	\$263,1 34	\$263,1 34	\$526,2 68
Lincol n County Health Departmen t	\$113,9 17	\$113,9 17	\$227,8 34
Mason County Departmen t of Health Services	\$227,4 48	\$227,4 48	\$454,8 96
Okanog an County Health District	\$169,8 82	\$169,8 82	\$339,7 64
Pacifi c County Health Departmen t	\$169,0 75	\$169,0 75	\$338,1 50
Tacoma -Pierce County Health Departmen t	\$4,143 ,169	\$4,143 ,169	\$8,286 ,338

San Juan County Health and Community Services	\$126,569	\$126,569	\$253,138
Skagit County Health Department	\$449,745	\$449,745	\$899,490
Snohomish Health District	\$3,433,291	\$3,433,291	\$6,866,582
Spokane County Health District	\$2,877,318	\$2,877,318	\$5,754,636
Northeast Tri-County Health District	\$249,303	\$249,303	\$498,606
Thurston County Health Department	\$1,046,897	\$1,046,897	\$2,093,794
Wahkiakum County Health Department	\$93,181	\$93,181	\$186,362
Walla Walla County-City Health Department	\$302,173	\$302,173	\$604,346
Whatcom County Health Department	\$1,214,301	\$1,214,301	\$2,428,602
Whitman County Health Department	\$189,355	\$189,355	\$378,710
Yakima Health District	\$1,052,482	\$1,052,482	\$2,104,964

TOTAL APPROPRIATIONS	\$36,386,000	\$36,386,000	\$72,772,000
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NEW SECTION. Sec. 709. FOR THE STATE TREASURER-COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS

General Fund-State Appropriation (FY 2018) \$541,000

General Fund-State Appropriation (FY 2019) \$441,000

TOTAL APPROPRIATION \$982,000

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

County Clerk	FY 2018	FY 2019
Adams County Clerk	\$2,103	\$1,714
Asotin County Clerk	\$2,935	\$2,392
Benton County Clerk	\$18,231	\$14,858
Chelan County Clerk	\$7,399	\$6,030
Clallam County Clerk	\$5,832	\$4,753
Clark County Clerk	\$32,635	\$26,597
Columbia County Clerk	\$384	\$313
Cowlitz County Clerk	\$16,923	\$13,792
Douglas County Clerk	\$3,032	\$2,471
Ferry County Clerk	\$422	\$344
Franklin County Clerk	\$5,486	\$4,471
Garfield County Clerk	\$243	\$198
Grant County Clerk	\$10,107	\$8,237
Grays Harbor County Clerk	\$8,659	\$7,057

Island County Clerk	\$3,059	\$2,493
Jefferson County Clerk	\$1,859	\$1,515
King County Court Clerk	\$119,290	\$97,266
Kitsap County Clerk	\$22,242	\$18,127
Kittitas County Clerk	\$3,551	\$2,894
Klickitat County Clerk	\$2,151	\$1,753
Lewis County Clerk	\$10,340	\$8,427
Lincoln County Clerk	\$724	\$590
Mason County Clerk	\$5,146	\$4,194
Okanogan County Clerk	\$3,978	\$3,242
Pacific County Clerk	\$2,411	\$1,965
Pend Oreille County Clerk	\$611	\$498
Pierce County Clerk	\$77,102	\$62,837
San Juan County Clerk	\$605	\$493
Skagit County Clerk	\$11,059	\$9,013
Skamania County Clerk	\$1,151	\$938
Snohomish County Clerk	\$38,143	\$31,086
Spokane County Clerk	\$44,825	\$36,578
Stevens County Clerk	\$2,984	\$2,432
Thurston County Clerk	\$22,204	\$18,096
Wahkiakum County Clerk	\$400	\$326
Walla Walla County Clerk	\$4,935	\$4,022
Whatcom County Clerk	\$20,728	\$16,893
Whitman County Clerk	\$2,048	\$1,669

Yakima County Clerk	\$25,063	\$20,426
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TOTAL APPROPRIATIONS \$541,000 \$441,000

NEW SECTION. Sec. 710. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 711. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(1) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund—State Appropriation (FY 2018)	\$70,050,000
General Fund—State Appropriation (FY 2019)	\$73,350,000

TOTAL APPROPRIATION \$143,400,000

(2) There is appropriated for contributions to the judicial retirement system:

General Fund—State Appropriation (FY 2018)	\$8,700,000
General Fund—State Appropriation (FY 2019)	\$8,400,000

TOTAL APPROPRIATION \$17,100,000

(3) There is appropriated for contributions to the judges' retirement system:

General Fund—State Appropriation (FY 2018)	\$500,000
General Fund—State Appropriation (FY 2019)	\$500,000

TOTAL APPROPRIATION \$1,000,000

NEW SECTION. Sec. 712. FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE EFFICIENCY AND RESTRUCTURING REPAYMENT

General Fund—State Appropriation (FY 2018) \$5,000,000

General Fund—State Appropriation (FY 2019) \$5,002,000

TOTAL APPROPRIATION \$10,002,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the cleanup settlement account on July 1, 2017, and July 1, 2018, as repayment of moneys that were transferred to the state efficiency and restructuring account.

NEW SECTION. Sec. 713. FOR THE OFFICE OF FINANCIAL MANAGEMENT—COMMON SCHOOL CONSTRUCTION ACCOUNT

General Fund—State Appropriation (FY 2018) \$600,000

General Fund—State Appropriation (FY 2019) \$600,000

TOTAL APPROPRIATION \$1,200,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the common school construction account—state on July 1, 2017, and July 1, 2018, for an interest payment pursuant to RCW 90.38.130.

NEW SECTION. Sec. 714. FOR THE OFFICE OF FINANCIAL MANAGEMENT—NATURAL RESOURCES REAL PROPERTY REPLACEMENT ACCOUNT

General Fund—State Appropriation (FY 2018) \$300,000

General Fund—State Appropriation (FY 2019) \$300,000

TOTAL APPROPRIATION \$600,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the natural resources real property replacement account—state on July 1, 2017, and July 1, 2018, for an interest payment pursuant to RCW 90.38.130.

NEW SECTION. Sec. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT—COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

General Fund—State Appropriation (FY 2018) \$227,000

General Fund—State Appropriation (FY 2019) \$227,000

TOTAL APPROPRIATION \$454,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section, or so much thereof as may be necessary, are provided solely for expenditure into the county criminal justice assistance account—state. The treasurer shall make quarterly distributions from the county criminal justice assistance account of the amounts provided in this section in accordance with RCW 82.14.310 for the purposes of reimbursing local jurisdictions for increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

NEW SECTION. Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

General Fund—State Appropriation (FY 2018) \$133,000

General Fund—State Appropriation (FY 2019) \$133,000

TOTAL APPROPRIATION \$266,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section, or so much thereof as may be necessary, are appropriated for expenditure into the municipal criminal justice assistance account. The treasurer shall make quarterly distributions from the municipal criminal justice assistance account of the amounts provided in this section in accordance with RCW 82.14.320 and 82.14.330, for the purposes of reimbursing local jurisdictions for increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

NEW SECTION. Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT-COMMUNICATION SERVICES REFORM

General Fund-State Appropriation (FY 2018) \$5,000,000

General Fund-State Appropriation (FY 2019) \$5,000,000

TOTAL APPROPRIATION \$10,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the universal communications services fund to fund the temporary universal communications services program.

NEW SECTION. Sec. 718. FOR THE OFFICE OF FINANCIAL MANAGEMENT-OUTDOOR EDUCATION AND RECREATION ACCOUNT

General Fund-State Appropriation (FY 2018) \$1,000,000

General Fund-State Appropriation (FY 2019) \$1,000,000

TOTAL APPROPRIATION \$2,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the outdoor education and recreation account for the state parks and recreation commission's outdoor education and recreation program purposes identified in RCW 79A.05.351.

NEW SECTION. Sec. 719. FOR THE OFFICE OF FINANCIAL MANAGEMENT-SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT

General Fund-State Appropriation (FY 2018) \$140,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account to fund grants to property owners to assist with removal of inadvertently discovered skeletal human remains when the scope of a project is too large for the department of archaeology and historic preservation staff to address.

NEW SECTION. Sec. 720. FOR THE OFFICE OF FINANCIAL MANAGEMENT-HOME VISITING SERVICES ACCOUNT

General Fund-State Appropriation (FY 2018) \$691,000

General Fund-State Appropriation (FY 2019) \$1,788,000

TOTAL APPROPRIATION \$2,479,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the home visiting services account for the home visiting program.

NEW SECTION. Sec. 721. FOR THE OFFICE OF FINANCIAL MANAGEMENT-BUILDING CODE COUNCIL ACCOUNT

General Fund-State Appropriation (FY 2018) \$116,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the building code council account.

NEW SECTION. Sec. 722. FOR THE OFFICE OF FINANCIAL MANAGEMENT-HEALTH PROFESSIONS ACCOUNT

Dedicated Marijuana Account-State Appropriation (FY 2018) \$352,000

Dedicated Marijuana Account-State Appropriation (FY 2019) \$352,000

TOTAL APPROPRIATION \$704,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the health professions account to reimburse the account for costs incurred by the department of health for the development and administration of the marijuana authorization database.

NEW SECTION. Sec. 723. FOR THE OFFICE OF FINANCIAL MANAGEMENT-SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT

General Fund-State Appropriation (FY 2018) \$92,000

General Fund-State Appropriation (FY 2019) \$125,000

General Fund-Federal Appropriation \$51,000

General Fund-Private/Local Appropriation \$6,000

Other Appropriated Funds \$93,000

TOTAL APPROPRIATION \$367,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this

section reflect adjustments in agency appropriations related to corresponding adjustments in the secretary of state's billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92C-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 724. FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE AUDITOR AUDIT SERVICES

General Fund—State Appropriation (FY 2018)	\$55,000
General Fund—State Appropriation (FY 2019)	\$129,000
General Fund—Federal Appropriation	\$71,000
General Fund—Private/Local Appropriation	\$4,000
Other Appropriated Funds	\$83,000
TOTAL APPROPRIATION	\$342,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor's billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92D-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 725. FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF ATTORNEY GENERAL LEGAL SERVICES

General Fund—State Appropriation (FY 2018)	\$4,035,000
General Fund—State Appropriation (FY 2019)	\$5,475,000
General Fund—Federal Appropriation	\$3,412,000
General Fund—Private/Local Appropriation	\$94,000
Other Appropriated Funds	\$4,108,000
TOTAL APPROPRIATION	\$17,124,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this

section reflect adjustments in agency appropriations related to corresponding adjustments in the office of attorney general's billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92E-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 726. FOR THE OFFICE OF FINANCIAL MANAGEMENT—ADMINISTRATIVE HEARINGS

General Fund—State Appropriation (FY 2018)	\$152,000
General Fund—State Appropriation (FY 2019)	\$326,000
General Fund—Federal Appropriation	\$493,000
General Fund—Private/Local Appropriation	\$5,000
Other Appropriated Funds	\$438,000
TOTAL APPROPRIATION	\$1,414,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearing's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92G-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 727. FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES

General Fund—State Appropriation (FY 2018)	\$4,140,000
General Fund—State Appropriation (FY 2019)	\$3,848,000
General Fund—Federal Appropriation	\$2,087,000
General Fund—Private/Local Appropriation	\$174,000
Other Appropriated Funds	\$3,100,000
TOTAL APPROPRIATION	\$13,349,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this

section reflect adjustments in agency appropriations related to corresponding adjustments in the central technology services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92J-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 728. FOR THE OFFICE OF FINANCIAL MANAGEMENT-DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES

General Fund-State Appropriation (FY 2018) \$3,137,000

General Fund-State Appropriation (FY 2019) \$3,046,000

General Fund-Federal Appropriation \$1,548,000

General Fund-Private/Local Appropriation \$124,000

Other Appropriated Funds \$2,414,000

TOTAL APPROPRIATION \$10,269,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92K-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 729. COLLECTIVE BARGAINING AGREEMENT-WFSE

General Fund-State Appropriation (FY 2018) \$53,500,000

General Fund-State Appropriation (FY 2019) \$89,891,000

General Fund-Federal Appropriation \$46,681,000

General Fund-Private/Local Appropriation \$2,379,000

Dedicated Funds and Accounts Appropriation \$45,692,000

TOTAL APPROPRIATION \$238,143,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington federation of state

employees general government and approved in sections 908 and 909 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G09-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 730. COLLECTIVE BARGAINING AGREEMENT-WPEA

General Fund-State Appropriation (FY 2018) \$2,492,000

General Fund-State Appropriation (FY 2019) \$4,982,000

General Fund-Federal Appropriation \$479,000

Dedicated Funds and Accounts Appropriation \$3,014,000

TOTAL APPROPRIATION \$10,967,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington public employees association general government and approved in section 910 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GL1-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 731. COLLECTIVE BARGAINING AGREEMENT-COALITION OF UNIONS

General Fund-State Appropriation (FY 2018) \$4,693,000

General Fund-State Appropriation (FY 2019) \$5,160,000

General Fund-Federal Appropriation \$4,285,000

General Fund-Private/Local Appropriation \$1,281,000

Dedicated Funds and Accounts Appropriation \$3,136,000

TOTAL APPROPRIATION \$18,555,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the coalition of unions and approved in section 911 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GL7-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 732. COLLECTIVE
BARGAINING AGREEMENT-WAFWP

General Fund-State Appropriation (FY
2018) \$414,000

General Fund-State Appropriation (FY
2019) \$998,000

General Fund-Federal Appropriation
\$1,481,000

General Fund-Private/Local
Appropriation \$586,000

Dedicated Funds and Accounts
Appropriation \$1,316,000

TOTAL APPROPRIATION \$4,795,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington association of fish and wildlife professionals and approved in section 912 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G99-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 733. COLLECTIVE
BARGAINING AGREEMENT-PTE LOCAL 17

General Fund-State Appropriation (FY
2018) \$3,000

General Fund-State Appropriation (FY
2019) \$8,000

TOTAL APPROPRIATION \$11,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the professional and technical employees local 17 and approved in section 913 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GL5-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 734. COLLECTIVE
BARGAINING AGREEMENT-SEIU HEALTHCARE
1199NW

General Fund-State Appropriation (FY
2018) \$16,467,000

General Fund-State Appropriation (FY
2019) \$16,678,000

General Fund-Federal Appropriation
\$12,198,000

General Fund-Private/Local
Appropriation \$724,000

Dedicated Funds and Accounts
Appropriation \$707,000

TOTAL APPROPRIATION \$46,774,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the service employees international union healthcare 1199nw and approved in section 914 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GLQ-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 735. COLLECTIVE
BARGAINING AGREEMENT-TEAMSTERS LOCAL 117
MASTER AGREEMENT

General Fund-State Appropriation (FY
2018) \$28,681,000

General Fund-State Appropriation (FY
2019) \$46,389,000

General Fund-Federal Appropriation
\$117,000

Washington Auto Theft Prevention
Authority-State

Appropriation \$65,000

TOTAL APPROPRIATION \$75,252,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the international brotherhood of teamsters local 117, department of corrections, and approved in sections 915 and 916 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GDE-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 736. COLLECTIVE
BARGAINING AGREEMENT-WFSE HIGHER
EDUCATION

General Fund-State Appropriation (FY
2018) \$3,242,000

General Fund-State Appropriation (FY
2019) \$7,055,000

Education Legacy Trust Account-State
Appropriation \$178,000

TOTAL APPROPRIATION \$10,475,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and institutions of higher education and the

Washington federation of state employees higher education bargaining units and approved in part IX of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G09H-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 737. COLLECTIVE BARGAINING AGREEMENT-WPEA HIGHER EDUCATION

General Fund-State Appropriation (FY 2018) \$1,400,000

General Fund-State Appropriation (FY 2019) \$3,445,000

Education Legacy Trust Account-State Appropriation \$15,000

TOTAL APPROPRIATION \$4,860,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and institutions of higher education and the Washington public employees association bargaining units and approved in part IX of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GL1H-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 738. COLLECTIVE BARGAINING AGREEMENT-WSP TROOPERS ASSOCIATION

General Fund-State Appropriation (FY 2018) \$1,111,000

General Fund-State Appropriation (FY 2019) \$1,336,000

General Fund-Federal Appropriation \$11,000

Vehicle License Fraud Account-State Appropriation \$46,000

TOTAL APPROPRIATION \$2,504,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington state patrol troopers association and approved in section 919 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G07-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 739. COLLECTIVE BARGAINING AGREEMENT-WSP LIEUTENANTS ASSOCIATION

General Fund-State Appropriation (FY 2018) \$613,000

General Fund-State Appropriation (FY 2019) \$711,000

TOTAL APPROPRIATION \$1,324,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington state patrol lieutenants association and approved in section 920 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G08-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 740. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-SEIU 925

General Fund-State Appropriation (FY 2018) \$881,000

General Fund-State Appropriation (FY 2019) \$2,777,000

Dedicated Funds and Accounts Appropriation \$70,000

TOTAL APPROPRIATION \$3,728,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the University of Washington and the service employees international union local 925 and approved in section 922 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document CBA4-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 741. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-TEAMSTERS LOCAL 117

General Fund-State Appropriation (FY 2018) \$136,000

General Fund-State Appropriation (FY 2019) \$233,000

TOTAL APPROPRIATION \$369,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the University of Washington and teamster local 117 and approved in section 923 of this act.

Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document CBA2-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 742. COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—WASHINGTON FEDERATION OF STATE EMPLOYEES POLICE MANAGEMENT

General Fund—State Appropriation (FY 2018) \$44,000

General Fund—State Appropriation (FY 2019) \$85,000

TOTAL APPROPRIATION \$129,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the University of Washington and the Washington federation of state employees police management bargaining unit and approved in part IX of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GO9P-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 743. COLLECTIVE BARGAINING AGREEMENT—PSE HIGHER EDUCATION

General Fund—State Appropriation (FY 2018) \$385,000

General Fund—State Appropriation (FY 2019) \$616,000

TOTAL APPROPRIATION \$1,001,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreements reached between the institutions of higher education and the public school employees and approved in part IX of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document CBA1-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 744. COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—WSU POLICE GUILD BARGAINING UNIT 4

General Fund—State Appropriation (FY 2018) \$114,000

General Fund—State Appropriation (FY 2019) \$114,000

TOTAL APPROPRIATION \$228,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the Washington State University and the WSU Police Guild bargaining unit 4 and approved in section 926 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document CBA3-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 745. COMPENSATION—REPRESENTED EMPLOYEES—INSURANCE BENEFITS

General Fund—State Appropriation (FY 2018) \$7,340,000

General Fund—State Appropriation (FY 2019) \$46,733,000

General Fund—Federal Appropriation \$13,944,000

General Fund—Private/Local Appropriation \$1,315,000

Dedicated Funds and Accounts Appropriation \$17,087,000

TOTAL APPROPRIATION \$86,419,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the collectively bargained health benefit provisions reached for the 2017-2019 biennium between the governor and the health care super coalition under the provisions of chapter 41.80 RCW, and are subject to the conditions and limitations in sections 936 and 937 of this act. Appropriations in this act for state agencies, including institutions of higher education, are increased by the amounts specified in LEAP omnibus document G6A-2017, dated March 25, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 746. COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS

General Fund—State Appropriation (FY 2018) \$3,527,000

General Fund—State Appropriation (FY 2019) \$22,447,000

General Fund—Federal Appropriation \$3,247,000

General Fund—Private/Local Appropriation \$299,000

Dedicated Funds and Accounts Appropriation \$24,334,000

TOTAL APPROPRIATION \$53,854,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the conditions and limitations in section 942 of this act. Appropriations in this act for state agencies, including institutions of higher education, are increased by the amounts specified in LEAP omnibus document G06-2017, dated March 25, 2017.

NEW SECTION. Sec. 747. GENERAL WAGE INCREASES

General Fund-State Appropriation (FY 2018) \$32,850,000

General Fund-State Appropriation (FY 2019) \$81,288,000

General Fund-Federal Appropriation \$9,497,000

General Fund-Private/Local Appropriation \$802,000

Dedicated Funds and Accounts Appropriation \$56,820,000

TOTAL APPROPRIATION \$181,257,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475, subject to the conditions and limitations in section 943 of this act. Appropriations in this act for state agencies, including institutions of higher education, are increased by the amounts specified in LEAP omnibus document GL9-2017, dated March 23, 2017.

NEW SECTION. Sec. 748. INITIATIVE 732 COST-OF-LIVING INCREASES

General Fund-State Appropriation (FY 2018) \$1,221,000

General Fund-State Appropriation (FY 2019) \$1,820,000

Education Legacy Trust Account-State Appropriation \$18,000

TOTAL APPROPRIATION \$3,059,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for general wage increases for state employees

covered by Initiative Measure No. 732, and coordinated with the general salary increases provided in this act. Appropriations in this act for state agencies, including institutions of higher education, are increased consistent with part IX of this act by the amounts specified in LEAP omnibus document GW-2017, dated March 23, 2017.

NEW SECTION. Sec. 749. INITIATIVE 732 COST-OF-LIVING-ADJUST DOUBLE-COUNT

General Fund-State Appropriation (FY 2018) (\$8,057,000)

General Fund-State Appropriation (FY 2019) (\$17,693,000)

Education Legacy Trust Account-State Appropriation (\$147,000)

TOTAL APPROPRIATION (\$25,897,000)

The appropriations in this section are subject to the following conditions and limitations: Funding is adjusted to coordinate increases for employees eligible under Initiative Measure No. 732, and also for general wage increases for state employees provided in this act. Appropriations in this act for state agencies, including institutions of higher education, are adjusted consistent with part IX of this act by the amounts specified in LEAP omnibus document 9B-2017, dated March 23, 2017.

NEW SECTION. Sec. 750. TARGETED COMPENSATION INCREASES

General Fund-State Appropriation (FY 2018) \$5,375,000

General Fund-State Appropriation (FY 2019) \$6,137,000

General Fund-Federal Appropriation \$4,737,000

General Fund-Private/Local Appropriation \$411,000

Dedicated Funds and Accounts Appropriation \$880,000

TOTAL APPROPRIATION \$17,540,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for salary adjustments for targeted job classifications. Appropriations in this act for state agencies, including institutions of higher education, are adjusted consistent with section 945 of this act by the amounts specified in LEAP omnibus document GLK-2017, dated March 23, 2017.

NEW SECTION. Sec. 751. MINIMUM
STARTING WAGE

General Fund-State Appropriation (FY
2018) \$136,000

General Fund-State Appropriation (FY
2019) \$135,000

Local Government Archives Accounts-
State
Appropriation \$4,000

TOTAL APPROPRIATION \$275,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for a minimum starting wage of twelve dollars an hour, effective July 1, 2017, and for increases in wages of job classes that are aligned with affected job classes, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. Appropriations in this act for state agencies, including institutions of higher education, are adjusted consistent with section 946 of this act by the amounts specified in LEAP omnibus document GLL-2017, dated March 23, 2017.

NEW SECTION. Sec. 752. VACATION LEAVE
SCHEDULE

General Fund-State Appropriation (FY
2018) \$54,000

General Fund-State Appropriation (FY
2019) \$59,000

General Fund-Federal Appropriation
\$4,000

State Toxics Control Account-State
Appropriation \$1,000

TOTAL APPROPRIATION \$118,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the cost of additional staff hours required by modification of the vacation leave accrual schedule as specified by the office of financial management for general government state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. Appropriations in this act for state agencies, including institutions of higher education, are adjusted consistent with section 947 of this act by the amounts specified in LEAP omnibus document GLX-2017, dated March 23, 2017.

NEW SECTION. Sec. 753. ORCA TRANSIT
PASSES-WASHINGTON FEDERATION OF STATE
EMPLOYEES

General Fund-State Appropriation (FY
2018) \$1,030,000

General Fund-State Appropriation (FY
2019) \$1,030,000

General Fund-Federal Appropriation
\$908,000

General Fund-Private/Local
Appropriation \$38,000

Dedicated Funds and Accounts
Appropriation \$530,000

TOTAL APPROPRIATION \$3,536,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for transit passes for state employees outside of higher education who work in King County, who are represented by the Washington Federation of State Employees. Appropriations in this act for state agencies are adjusted by the amounts specified in LEAP omnibus document GLP-2017, dated March 23, 2017.

NEW SECTION. Sec. 754. ORCA TRANSIT
PASSES

General Fund-State Appropriation (FY
2018) \$392,000

General Fund-State Appropriation (FY
2019) \$392,000

General Fund-Federal Appropriation
\$168,000

General Fund-Private/Local
Appropriation \$32,000

Dedicated Funds and Accounts
Appropriation \$436,000

TOTAL APPROPRIATION \$1,420,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for transit passes for state employees outside of higher education who work in King County, and who are not covered by a collective bargaining agreement. Appropriations in this act for state agencies are adjusted by the amounts specified in LEAP omnibus document GLR-2017, dated March 23, 2017.

NEW SECTION. Sec. 755. PUBLIC SAFETY
EMPLOYEES RETIREMENT SYSTEM MEMBERSHIP
CHANGES

General Fund-State Appropriation (FY 2018) \$2,500,000

General Fund-State Appropriation (FY 2019) \$2,900,000

Special Retirement Contribution Increase Revolving

Account-State Appropriation (\$3,400,000)

TOTAL APPROPRIATION \$2,000,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for the cost of contribution rate changes and costs related to House Bill No. 1558 (PSERS/offender nursing care). If the bill is not enacted by June 30, 2017, the amounts provided in this section shall lapse.

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER-STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance

premium distributions \$9,977,000

General Fund Appropriation for prosecuting attorney

distributions \$6,786,000

General Fund Appropriation for boating safety and

education distributions \$4,000,000

General Fund Appropriation for public utility district excise tax distributions \$58,134,000

Death Investigations Account Appropriation for

distribution to counties for publicly funded

autopsies \$3,556,000

Aquatic Lands Enhancement Account Appropriation for

harbor improvement revenue distribution \$140,000

Timber Tax Distribution Account Appropriation for

distribution to "timber" counties \$77,367,000

County Criminal Justice Assistance Appropriation \$96,145,000

Municipal Criminal Justice Assistance Appropriation \$38,126,000

City-County Assistance Appropriation \$27,160,000

Liquor Excise Tax Account Appropriation for liquor

excise tax distribution \$56,058,000

Streamlined Sales and Use Tax Mitigation Account

Appropriation for distribution to local taxing

jurisdictions to mitigate the unintended revenue

redistributions effect of sourcing law changes \$45,658,000

Columbia River Water Delivery Account Appropriation

for the Confederated Tribes of the Colville

Reservation \$8,074,000

Columbia River Water Delivery Account Appropriation

for the Spokane Tribe of Indians \$5,394,000

Liquor Revolving Account Appropriation for liquor

profits distribution \$98,876,000

General Fund Appropriation for other tax

distributions \$80,000

General Fund Appropriation for Marijuana Excise

Tax distributions \$12,000,000

General Fund Appropriation for Habitat Conservation

Program distributions \$4,340,000

TOTAL APPROPRIATION \$569,501,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

NEW SECTION. Sec. 802. FOR THE STATE TREASURER-FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driving Safety Appropriation \$2,110,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2017-2019 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

NEW SECTION. Sec. 803. FOR THE STATE
TREASURER—MUNICIPAL CRIMINAL JUSTICE
ASSISTANCE ACCOUNT

Impaired Driver Safety	
Appropriation	\$1,407,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2017-2019 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

NEW SECTION. Sec. 804. FOR THE STATE
TREASURER—FEDERAL REVENUES FOR
DISTRIBUTION

General Fund Appropriation for federal
flood control

funds distribution \$50,000

General Fund Appropriation for federal
grazing

fees distribution \$43,000

General Fund Appropriation for federal
military

fees distribution \$601,000

Forest Reserve Fund Appropriation for
federal

forest reserve fund distribution
\$4,610,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

NEW SECTION. Sec. 805. FOR THE STATE
TREASURER—TRANSFERS

Flood Control Assistance Account: For
transfer to the

state general fund, \$1,000,000 for
fiscal year

2018 and \$1,000,000 for fiscal year
2019 \$2,000,000

Criminal Justice Treatment Account: For
transfer to

the state general fund, \$4,450,000 for
fiscal

year 2018 and \$4,450,000 for fiscal
year 2019 \$8,900,000

Dedicated Marijuana Account: For
transfer to

the basic health plan trust account,
the lesser

of the amount determined pursuant to
RCW 69.50.540

or this amount for fiscal year 2018,
\$170,000,000 and

this amount for fiscal year 2019,
\$180,000,000 \$350,000,000

Dedicated Marijuana Account: For
transfer to

the state general fund, the lesser of
the amount

determined pursuant to RCW 69.50.540 or
this amount

for fiscal year 2018, \$113,718,000 and this amount

for fiscal year 2019, \$125,521,000 \$239,239,000

Aquatic Lands Enhancement Account: For transfer to

the clean up settlement account as repayment of

the loan provided in section 3022(2) chapter 2,

Laws of 2012, 2nd sp. sess. (ESB 6074 2012

supplemental capital budget), \$620,000 for fiscal

year 2018 and \$620,000 for fiscal year 2019 \$1,240,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed the

actual amount of the annual base payment to the

tobacco settlement account for fiscal year 2018 \$101,639,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed the

actual amount of the annual base payment to the

tobacco settlement account for fiscal year 2019 \$101,639,000

State Toxics Control Account: For transfer to the

cleanup settlement account as repayment of the

loan provided in section 3022(2) chapter 2,

Laws of 2012, 2nd sp. sess. (ESB 6074, 2012

supplemental capital budget), \$620,000 for

fiscal year 2018 and \$620,000 for fiscal

year 2019 \$1,240,000

General Fund: For transfer to the streamlined sales

and use tax account, \$22,904,000 for fiscal

year 2018 and \$22,774,000 for fiscal year 2019 \$45,658,000

Aerospace Training and Student Loan Account: For

transfer to the state general fund, \$750,000

for fiscal year 2018 and \$750,000 for fiscal

year 2019 \$1,500,000

Disaster Response Account: For transfer to the state

general fund, \$42,000,000 for fiscal year 2018 \$42,000,000

PART IX

MISCELLANEOUS

NEW SECTION. Sec. 901. EXPENDITURE AUTHORIZATIONS

The appropriations contained in this act are maximum expenditure authorizations. Pursuant to RCW 43.88.037, moneys disbursed from the treasury on the basis of a formal loan agreement shall be recorded as loans receivable and not as expenditures for accounting purposes. To the extent that moneys are disbursed on a loan basis, the corresponding appropriation shall be reduced by the amount of loan moneys disbursed from the treasury during the 2015-2017 fiscal biennium.

NEW SECTION. Sec. 902. EMERGENCY FUND ALLOCATIONS

Whenever allocations are made from the governor's emergency fund appropriation to an agency that is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. An appropriation is not necessary to effect such repayment.

NEW SECTION. Sec. 903. STATUTORY APPROPRIATIONS

In addition to the amounts appropriated in this act for revenues for distribution, state contributions to the law enforcement officers' and firefighters' retirement system plan 2 and bond retirement and interest, including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or

available for these purposes under any statutory formula or under chapters 39.94, 39.96, and 39.98 RCW or any proper bond covenant made under law.

NEW SECTION. Sec. 904. BOND EXPENSES

In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the applicable construction or building funds and accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

NEW SECTION. Sec. 905. VOLUNTARY RETIREMENT AND SEPARATION

(1) As a management tool to reduce costs and make more effective use of resources, while improving employee productivity and morale, agencies may implement either a voluntary retirement or separation program, or both, that is cost neutral or results in cost savings, including costs to the state pension systems, over a two-year period following the commencement of the program, provided that such a program is approved by the director of financial management. Agencies participating in this authorization may offer voluntary retirement and/or separation incentives and options according to procedures and guidelines established by the office of financial management in consultation with the department of retirement systems. The options may include, but are not limited to, financial incentives for voluntary separation or retirement. An employee does not have a contractual right to a financial incentive offered under this section. Offers shall be reviewed and monitored jointly by the office of financial management and the department of retirement systems. Agencies are required to submit a report by the date established by the office of financial management in the guidelines required in this section to the legislature and the office of financial management on the outcome of their approved incentive program. The report should include information on the details of the program, including the incentive payment amount for each participant, the total cost to the state, and the projected or actual net dollar savings over the two-year period.

(2) The department of retirement systems may collect from employers the actuarial cost of any incentive provided under this program, or any other incentive to retire provided by employers to members

of the state's pension systems, for deposit in the appropriate pension account.

NEW SECTION. Sec. 906. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 907. COLLECTIVE BARGAINING AGREEMENTS

The following sections represent the results of the 2017-2019 collective bargaining process required under the provisions of chapters 41.80, 41.56, and 74.39A RCW. Provisions of the collective bargaining agreements contained in sections 908 through 941 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in Part IX of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 908. COLLECTIVE BARGAINING AGREEMENT-WFSE

An agreement has been reached between the governor and the Washington federation of state employees general government under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 909. COLLECTIVE BARGAINING AGREEMENT-WFSE DEPARTMENT OF CORRECTION UNIQUE CLASSIFICATIONS

An agreement has been reached between the governor and the Washington federation of state employees general government for department of corrections unique classifications through an interest arbitration award as provided in a memorandum of understanding between the

parties and under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. In addition to the economic provisions applicable to all employees covered by the agreement in section 908 of this act, funding is provided for the awarded increases for targeted job classifications ranging from one and three-tenths percent to sixteen and three-tenths percent.

NEW SECTION. Sec. 910. COLLECTIVE BARGAINING AGREEMENT—WPEA

An agreement has been reached between the governor and the Washington public employees association general government under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 911. COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS

An agreement has been reached between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 912. COLLECTIVE BARGAINING AGREEMENT—WAFWP

An agreement has been reached between the governor and the Washington association of fish and wildlife professionals under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications.

NEW SECTION. Sec. 913. COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 914. COLLECTIVE BARGAINING AGREEMENT—SEIU HEALTHCARE 1199NW

An agreement has been reached between the governor and the service employees international union healthcare 1199nw under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for registered nurses targeted job classification salary adjustments in lieu of a general wage increase. The salary adjustments funded in this act vary depending on classification and location. The agreement also includes and funding is provided for continuing education and increases to vacation leave accruals.

NEW SECTION. Sec. 915. COLLECTIVE BARGAINING AGREEMENT—TEAMSTERS LOCAL 117 DEPARTMENT OF ENTERPRISE SERVICES

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 for the department of enterprise services under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019.

NEW SECTION. Sec. 916. COLLECTIVE BARGAINING AGREEMENT—TEAMSTERS LOCAL 117 DEPARTMENT OF CORRECTIONS

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 for the department of corrections through an interest arbitration award as provided in a memorandum of understanding between the parties and under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded four and one-half percent general wage increase effective July 1, 2017, a three percent general wage increase effective July 1, 2018, and a three

percent general wage increase effective January 1, 2019. Funding is also provided for targeted job classification specific increases and increases to vacation leave accruals.

NEW SECTION. Sec. 917. COLLECTIVE BARGAINING AGREEMENT-WFSE HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington federation of state employees community college coalition under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications.

NEW SECTION. Sec. 918. COLLECTIVE BARGAINING AGREEMENT-WPEA HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington public employees association community college coalition under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications.

NEW SECTION. Sec. 919. COLLECTIVE BARGAINING AGREEMENT-WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol troopers association under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a sixteen percent general wage increase for troopers effective July 1, 2017, and a three percent general wage increase for troopers effective July 1, 2018. Funding is also provided for a twenty percent general wage increase for sergeants effective July 1, 2017, and a three percent general wage increase for sergeants effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay, changes to specialty pay, and an increase to vacation leave accruals.

NEW SECTION. Sec. 920. COLLECTIVE BARGAINING AGREEMENT-WSP LIEUTENANTS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants association under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a twenty percent general wage increase effective July 1, 2017, and a three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay.

NEW SECTION. Sec. 921. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-WFSE

(1) An agreement has been reached between the University of Washington and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. For bargaining units 00, 01, 02, 03, 04, and 06, the agreement includes and funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for an increase of one dollar per hour in certification pay for certain job classifications, salary adjustments for targeted job classifications, and increases to vacation leave accruals. For bargaining unit 05, police management, the agreement includes and funding is provided for an eight percent general wage increase effective July 1, 2017, an eight percent general wage increase effective July 1, 2018, adjustments to maintain a sixteen and one-half percent differential over employees supervised, an adjustment to longevity pay, and a five hundred dollar annual clothing allowance for "plain clothes" positions.

(2) Effective September 1, 2017, \$100,000 is to be split between SEIU 925 and WFSE represented employees at Harborview Medical Center and UW Medical Center for obtaining degree or certification required for employment in a health care field within the hospital. Step values were synchronized between select WFSE and SEIU 925 pay tables.

NEW SECTION. Sec. 922. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-SEIU 925

(1) An agreement has been reached between the University of Washington and the service employees international union local 925 under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for an increase of one dollar per hour in certification pay for certain job classifications, salary adjustments for targeted job classifications, and increases to vacation leave accruals.

(2) Effective September 1, 2017, \$100,000 is to be split between SEIU 925 and WFSE represented employees at Harborview Medical Center and UW Medical Center for obtaining degree or certification required for employment in a health care field within the hospital. Step values were synchronized between select WFSE and SEIU 925 pay tables.

NEW SECTION. Sec. 923. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-TEAMSTERS LOCAL 117

An agreement has been reached between the University of Washington and teamster local 117 under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a five percent general wage increase effective July 1, 2017, to maintain increases that were not funded in the 2015-2017 budget due to missing the submission deadline, an additional ten percent general wage increase effective July 1, 2017, and a ten percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for educational incentive pay and longevity pay.

NEW SECTION. Sec. 924. COLLECTIVE BARGAINING AGREEMENT-WASHINGTON STATE UNIVERSITY-WFSE

An agreement has been reached between the Washington State University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. For bargaining units 2, 12, 13, and 15, the agreement includes and funding is provided for a two percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. If the schedule for non-represented employees yields a higher overall salary schedule or general wage increase in 2017-

2019 fiscal biennium, salary schedules of job classifications for non-represented employees are increased, or higher leave accruals are implemented, the contract must implement the provision most beneficial to the employee.

NEW SECTION. Sec. 925. COLLECTIVE BARGAINING AGREEMENT-WASHINGTON STATE UNIVERSITY-PSE

An agreement has been reached between the Washington State University and the public school employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. For bargaining units 16 and 18, the agreement includes and funding is provided for a two percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. If the schedule for non-represented employees yields a higher overall salary schedule or general wage increase in 2017-2019 fiscal biennium, salary schedules of job classifications for non-represented employees are increased, or higher leave accruals are implemented, the contract must implement the provision most beneficial to the employee.

NEW SECTION. Sec. 926. COLLECTIVE BARGAINING AGREEMENT-WASHINGTON STATE UNIVERSITY-WSU POLICE GUILD BARGAINING UNIT 4

An agreement has been reached between the Washington State University and the WSU Police Guild bargaining unit 4 under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. The agreement includes and funding is provided for the following: The university will follow the general service salary schedules for nonrepresented employees in effect July 1, 2017, through June 30, 2019, and, effective July 1, 2017, targeted job classifications will be assigned special pay range assignment on the general services salary schedule. Additionally, the agreement includes and funding is provided for wage increases equal to the general services salary schedule and higher leave accruals applicable to civil service employees.

NEW SECTION. Sec. 927. COLLECTIVE BARGAINING AGREEMENT-CENTRAL WASHINGTON UNIVERSITY-WFSE

An agreement has been reached between Central Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage

increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for additional leave accruals and a one-time payment of \$100 on July 25, 2017.

NEW SECTION. Sec. 928. COLLECTIVE BARGAINING AGREEMENT—CENTRAL WASHINGTON UNIVERSITY—PSE

An agreement has been reached between Central Washington University and the public school employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for a sixty cents per hour shift premium increase.

NEW SECTION. Sec. 929. COLLECTIVE BARGAINING AGREEMENT—THE EVERGREEN STATE COLLEGE—WFSE

An agreement has been reached between The Evergreen State College and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary range adjustments for police classifications and other targeted job classifications, a shift differential increase, salary increase for law enforcement officers while engaged in training activities, and a \$100 signing incentive.

NEW SECTION. Sec. 930. COLLECTIVE BARGAINING AGREEMENT—WESTERN WASHINGTON UNIVERSITY—WFSE

An agreement has been reached between Western Washington University and the Washington federation of state employees bargaining units A, B, and E under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is

provided for salary range adjustments for targeted job classifications, clothing and footwear allowances for specific job classification, increase in vacation leave accruals, and a \$250 signing incentive.

NEW SECTION. Sec. 931. COLLECTIVE BARGAINING AGREEMENT—WESTERN WASHINGTON UNIVERSITY—PSE

An agreement has been reached between Western Washington University and the public school employees bargaining units D and PT under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for increase in vacation leave accruals and incentive pay for specified employees.

NEW SECTION. Sec. 932. COLLECTIVE BARGAINING AGREEMENT—EASTERN WASHINGTON UNIVERSITY—WFSE

An agreement has been reached between Eastern Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary range adjustments for police officers, increase in leave accruals, and a one-time payment of \$100.

NEW SECTION. Sec. 933. COLLECTIVE BARGAINING AGREEMENT—EASTERN WASHINGTON UNIVERSITY—PSE

An agreement has been reached between Eastern Washington University and the public school employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a one and three-quarters percent general wage increase effective July 1, 2017.

NEW SECTION. Sec. 934. COLLECTIVE BARGAINING AGREEMENT—YAKIMA VALLEY COMMUNITY COLLEGE—WPEA

An agreement has been reached between Yakima Valley Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding

is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for a one dollar shift differential.

NEW SECTION. Sec. 935. COLLECTIVE BARGAINING AGREEMENT-HIGHLINE COMMUNITY COLLEGE-WPEA

An agreement has been reached between Highline Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for a one-time signing incentive of \$400 to be paid in fiscal year 2018.

NEW SECTION. Sec. 936. COMPENSATION-REPRESENTED EMPLOYEES-SUPER COALITION-INSURANCE BENEFITS

An agreement was reached for the 2017-2019 biennium between the governor and the health care super coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2017-2019 collective bargaining agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$912 per eligible employee for fiscal year 2018. For fiscal year 2019, the monthly employer funding rate shall not exceed \$1,041 per eligible employee.

(2) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065.

(3) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of

hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

NEW SECTION. Sec. 937. COMPENSATION-REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION-INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for represented employees outside the super coalition for health benefits, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed \$912 per eligible employee for fiscal year 2018. For fiscal year 2019, the monthly employer funding rate may not exceed \$1,041 per eligible employee.

(2) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065.

(3) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

NEW SECTION. Sec. 938. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES-WFSE LANGUAGE ACCESS PROVIDERS

An agreement has been reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a rate increase of fifty cents an hour for fiscal year 2018 and a rate increase of one dollar twenty-six cents an hour for fiscal year 2019. The agreement also includes and funding is provided for DSHS minimum appointment times, DSHS travel premium pilot program, increased cancellation

fees, and reimbursements for parking, ferries, and tolls.

NEW SECTION. Sec. 939. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 775 HOME CARE WORKERS

An agreement has been reached between the governor and the service employees international union local 775 under the provisions of chapters 74.39A and 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for increases to hourly wages through the term of the agreement and an additional wage step for those at the top of the wage scale. The agreement also includes and funding is provided for establishment of a health and safety benefit study and increased contributions to the retirement, health care, and training trusts.

NEW SECTION. Sec. 940. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 925 CHILDCARE WORKERS

An agreement has been reached between the governor and the service employees international union local 925 under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent rate increase for licensed providers and a three to six cent an hour per child increase for licensed-exempt providers. The agreement also includes and funding is provided for increased funding for health insurance for licensed providers, increases in training funding, professional development days, licensing incentives and need-based grants, and establishment of a family child care career development fund.

NEW SECTION. Sec. 941. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—AFHC ADULT FAMILY HOMES

An agreement has been reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for increases in the daily rates, payments to providers for providing meaningful home-based activities, payment to providers supporting clients in accessing and participating in the community integration program, and mileage reimbursement under certain circumstances.

NEW SECTION. Sec. 942. COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for nonrepresented

state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed \$912 per eligible employee for fiscal year 2018. For fiscal year 2019, the monthly employer funding rate may not exceed \$1,041 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065. All savings resulting from reduced claim costs or other factors identified after December 31, 2016, must be reserved for funding employee health benefits in the 2019-2021 fiscal biennium.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar year 2018, the subsidy shall be up to \$166 per month, for calendar year 2019, the subsidy shall be up to \$183 per month.

(3) Technical colleges, school districts, and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(a) For each full-time employee, \$65.85 per month beginning September 1, 2017, and \$70.71 beginning September 1, 2018;

(b) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$65.85 each month beginning September 1, 2017, and \$70.71 beginning September 1, 2018, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a technical college, school district, or educational service district who purchase insurance benefits through contracts with the health care authority.

NEW SECTION. Sec. 943. GENERAL WAGE INCREASES

(1) Appropriations for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

(2) Funding is provided for a two percent general wage increase effective July 1, 2017, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a two percent salary increase effective July 1, 2017, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) Funding is provided for a two percent general wage increase effective July 1, 2018, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a two percent salary increase effective July 1, 2018, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(4) Funding is provided for a two percent general wage increase effective January 1, 2019, for all classified

employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management, except for employees who receive cost-of-living adjustments under Initiative Measure No. 732. The appropriations are also sufficient to fund a two percent salary increase effective January 1, 2019, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

NEW SECTION. Sec. 944. INITIATIVE 732 COST-OF-LIVING INCREASES

Part IX of this act authorizes general wage increases for state employees covered by Initiative Measure No. 732. The general wage increases on July 1, 2017, and July 1, 2018, provide a portion of the annual cost-of-living adjustments required under Initiative Measure No. 732. Funding is also provided for additional increases of three-tenths of a percent on July 1, 2017, and seven-tenths of a percent on July 1, 2018, for cost-of-living adjustments under the initiative. Funding is provided for a salary increase on January 1, 2019, of one percent for these employees, for a nominal total of a six percent increase during the 2017-2019 fiscal biennium.

NEW SECTION. Sec. 945. TARGETED COMPENSATION INCREASES

Funding is provided for salary adjustments for targeted job classifications as specified by the office of financial management for classified state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475.

NEW SECTION. Sec. 946. MINIMUM STARTING WAGE

Funding is also provided for a minimum starting wage of twelve dollars an hour, effective July 1, 2017, and for increases in wages of job classes that are aligned with affected job classes, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. This funding is sufficient for general government agencies and higher education institutions to comply with the provisions of Initiative Measure No. 1433 with respect to state employees.

NEW SECTION. Sec. 947. VACATION LEAVE SCHEDULE

Funding is provided for the cost of additional staff hours required by modification of the vacation leave accrual schedule as specified by the office of financial management for general government state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475.

NEW SECTION. Sec. 948. COMPENSATION-REVISE PENSION CONTRIBUTION RATES

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board.

NEW SECTION. Sec. 949. INFORMATION TECHNOLOGY PROJECTS

(1) All appropriations for designated information technology projects in this act shall be placed in unallotted status and shall not be expended before the office of the chief information officer certifies that the project complies with state information technology and security policy and strategies. At a minimum, the office must certify, if the state chief information officer deems appropriate, that the project meets critical project success factors, aligns with statewide technology strategy and architecture, reuses existing technology services and solutions, minimizes custom development, complies with security and other policy requirements, and uses modularized, component based architectures. The office must evaluate the project at the appropriate stages. The office must notify the office of financial management and the legislative fiscal committees each time it certifies a project is ready to proceed with the next stage. Appropriations may then be allotted for that certified phase only.

(2) The state chief information officer may suspend or terminate a project at any time if the state chief information officer determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall not make

additional expenditures on the project without approval of the state chief information officer.

(3) The following projects are subject to the conditions, limitations, and review provided in this section:

(a) Department of Early Learning - Procure a Time and Attendance System;

(b) Department of Social and Health Services - ESAR Architectural Development;

(c) Department of Ecology - Integrated Revenue Management System;

(d) Employment Security Department - Unemployment Tax and Benefits System;

(e) Labor and Industries - Business Transformation;

(f) Liquor and Cannabis Board - Traceability System Replacement Project;

(g) Department of Services for the Blind - Business Management System;

(h) Department of Corrections - IT Business Solutions.

(4) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section other than those listed above, including projects that are not separately identified within an agency budget.

Sec. 950. RCW 15.76.115 and 2011 1st sp.s. c 50 s 926 are each amended to read as follows:

The fair fund is created in the custody of the state treasury. All moneys received by the department of agriculture for the purposes of this fund and from RCW 67.16.105(7) shall be deposited into the fund. At the beginning of fiscal year 2002 and each fiscal year thereafter, the state treasurer shall transfer into the fair fund from the general fund the sum of two million dollars, (~~except for fiscal year 2011 the state treasurer shall transfer into the fair fund from the general fund the sum of one million one hundred three thousand dollars, and~~) except during fiscal year ((2012)) 2018 and fiscal year ((2013)) 2019 the state treasurer shall make no transfers into the fair fund (~~from the general fund the sum of one million seven hundred fifty thousand dollars each fiscal year~~). It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia. Expenditures from the fund may be used only for assisting fairs in the

manner provided in this chapter. Only the director of agriculture or the director's designee may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.

Sec. 951. RCW 28B.15.067 and 2015 3rd sp.s. c 36 s 3 are each amended to read as follows:

(1) Tuition fees shall be established under the provisions of this chapter.

(2) Beginning in the 2011-12 academic year and through the 2014-15 academic year, reductions or increases in full-time tuition fees shall be as provided in the omnibus appropriations act for resident undergraduate students at community and technical colleges.

(3)(a) In the 2015-16 and 2016-17 academic years, tuition operating fees for resident undergraduates at community and technical colleges excluding applied baccalaureate degrees as defined in RCW 28B.50.030, shall be five percent less than the 2014-15 academic year tuition operating fee.

(b) In the 2017-18 and 2018-19 academic years, tuition operating fees for resident undergraduates at community and technical colleges shall remain the same as the fee set in the 2016-17 academic year.

(c) Beginning in the ~~((2017-18))~~ 2019-20 academic year, tuition operating fees for resident undergraduates at community and technical colleges excluding applied baccalaureate degrees as defined in RCW 28B.50.030, may increase by no more than the average annual percentage growth rate in the median hourly wage for Washington for the previous fourteen years as the wage is determined by the federal bureau of labor statistics.

(4) The governing boards of the state universities, regional universities, and The Evergreen State College; and the state board for community and technical colleges may reduce or increase full-time tuition fees for all students other than resident undergraduates, including nonresident students, summer school students, and students in other self-supporting degree programs. Percentage increases in full-time tuition may exceed the fiscal growth factor. Except during the 2013-2015 fiscal biennium, the state board for community and technical colleges may pilot or institute differential tuition models. The

board may define scale, scope, and rationale for the models.

(5)(a) Beginning with the 2011-12 academic year and through the end of the 2014-15 academic year, the governing boards of the state universities, the regional universities, and The Evergreen State College may reduce or increase full-time tuition fees for all students, including summer school students and students in other self-supporting degree programs. Percentage increases in full-time tuition fees may exceed the fiscal growth factor. Reductions or increases may be made for all or portions of an institution's programs, campuses, courses, or students; however, during the 2013-2015 fiscal biennium, reductions or increases in tuition must be uniform among resident undergraduate students.

(b) Prior to reducing or increasing tuition for each academic year, the governing boards of the state universities, the regional universities, and The Evergreen State College shall consult with existing student associations or organizations with student undergraduate and graduate representatives regarding the impacts of potential tuition increases. Each governing board shall make public its proposal for tuition and fee increases twenty-one days before the governing board of the institution considers adoption and allow opportunity for public comment. However, the requirement to make public a proposal for tuition and fee increases twenty-one days before the governing board considers adoption shall not apply if the omnibus appropriations act has not passed the legislature by May 15th. Governing boards shall be required to provide data regarding the percentage of students receiving financial aid, the sources of aid, and the percentage of total costs of attendance paid for by aid.

(c) Prior to reducing or increasing tuition for each academic year, the state board for community and technical college system shall consult with existing student associations or organizations with undergraduate student representation regarding the impacts of potential tuition increases. The state board for community and technical colleges shall provide data regarding the percentage of students receiving financial aid, the sources of aid, and the percentage of total costs of attendance paid for by aid.

(6)(a) In the 2015-16 academic year, full-time tuition operating fees for

resident undergraduates for state universities, regional universities, The Evergreen State College, and applied baccalaureate degrees as defined in RCW 28B.50.030 shall be five percent less than the 2014-15 academic year tuition operating fee.

(b) Beginning with the 2016-17 academic year, full-time tuition operating fees for resident undergraduates for:

(i) State universities shall be fifteen percent less than the 2014-15 academic year tuition operating fee; and

(ii) Regional universities, The Evergreen State College, and applied baccalaureate degrees as defined in RCW 28B.50.030 shall be twenty percent less than the 2014-15 academic year tuition operating fee.

(c) In the 2017-18 and 2018-19 academic years, full-time tuition operating fees for resident undergraduates in (b) of this subsection shall remain the same as the fee set in the 2016-17 academic year.

(d) Beginning with the ~~((2017-18))~~ 2019-20 academic year, full-time tuition operating fees for resident undergraduates in (b) of this subsection may increase by no more than the average annual percentage growth rate in the median hourly wage for Washington for the previous fourteen years as the wage is determined by the federal bureau of labor statistics.

(7) The tuition fees established under this chapter shall not apply to high school students enrolling in participating institutions of higher education under RCW 28A.600.300 through 28A.600.400.

(8) The tuition fees established under this chapter shall not apply to eligible students enrolling in a dropout reengagement program through an interlocal agreement between a school district and a community or technical college under RCW 28A.175.100 through 28A.175.110.

(9) The legislative advisory committee to the committee on advanced tuition payment established in RCW 28B.95.170 shall:

(a) Review the impact of differential tuition rates on the funded status and future unit price of the Washington advanced college tuition payment program; and

(b) No later than January 14, 2013, make a recommendation to the appropriate policy and fiscal committees of the legislature

regarding how differential tuition should be addressed in order to maintain the ongoing solvency of the Washington advanced college tuition payment program.

(10) As a result of any changes in tuition under section 3, chapter 36, Laws of 2015 3rd sp. sess., the governing boards of the state universities, the regional universities, and The Evergreen State College shall not reduce resident undergraduate enrollment below the 2014-15 academic year levels.

Sec. 952. RCW 28B.115.070 and 2015 3rd sp.s. c 4 s 947 are each amended to read as follows:

(1) After June 1, 1992, the department, in consultation with the office and the department of social and health services, shall:

~~((1))~~ (a) Determine eligible credentialed health care professions for the purposes of the loan repayment and scholarship program authorized by this chapter. Eligibility shall be based upon an assessment that determines that there is a shortage or insufficient availability of a credentialed profession so as to jeopardize patient care and pose a threat to the public health and safety. The department shall consider the relative degree of shortages among professions when determining eligibility. The department may add or remove professions from eligibility based upon the determination that a profession is no longer in shortage. Should a profession no longer be eligible, participants or eligible students who have received scholarships shall be eligible to continue to receive scholarships or loan repayments until they are no longer eligible or until their service obligation has been completed;

~~((2))~~ (b) Determine health professional shortage areas for each of the eligible credentialed health care professions.

~~((3))~~ (2) For the ~~((2015-2017))~~ 2017-2019 fiscal biennium, consideration for eligibility shall also be given to registered nursing students who have been accepted into an eligible nursing education program and have declared an intention to teach nursing upon completion of the nursing education program.

Sec. 953. RCW 28B.122.050 and 2016 sp.s. c 36 s 917 are each amended to read as follows:

(1) The aerospace training student loan account is created in the custody of the state treasurer. No appropriation is required for expenditures of funds from the account for student loans. An appropriation is required for expenditures of funds from the account for costs associated with program administration by the office. The account is not subject to allotment procedures under chapter 43.88 RCW.

(2) The office shall deposit into the account all moneys received for the program. The account shall be self-sustaining and consist of moneys received for the program by the office, and receipts from participant repayments, including principal and interest.

(3) Expenditures from the account may be used solely for student loans to participants in the program established by this chapter and costs associated with program administration by the office.

(4) Disbursements from the account may be made only on the authorization of the office.

(5) During the 2015-2017 and 2017-2019 fiscal (~~biennium~~) biennia, the legislature may transfer from the aerospace training student loan account to the state general fund such amounts as reflect the excess fund balance of the account.

Sec. 954. RCW 28C.04.535 and 2015 3rd sp.s. c 4 s 948 are each amended to read as follows:

Except for the (~~2015-16 and 2016-17~~) 2017-18 and 2018-19 school years, the Washington award for vocational excellence shall be granted annually. It is the intent of the legislature to continue the policy of not granting the Washington award for vocational excellence in the 2019-20 and 2020-21 school years. The workforce training and education coordinating board shall notify the students receiving the award, their vocational instructors, local chambers of commerce, the legislators of their respective districts, and the governor, after final selections have been made. The workforce training and education coordinating board, in conjunction with the governor's office, shall prepare appropriate certificates to be presented to the selected students. Awards shall be presented in public ceremonies at times and places determined by the workforce training and education coordinating board

in cooperation with the office of the governor.

Sec. 955. RCW 36.70A.725 and 2011 c 360 s 7 are each amended to read as follows:

(1) Upon receipt of a work plan submitted to the director under RCW 36.70A.720(2)(a), the director must submit the work plan to the technical panel for review.

(2) The technical panel shall review the work plan and report to the director within (~~forty-five~~) ninety days after the director receives the work plan. The technical panel shall assess whether at the end of ten years after receipt of funding, the work plan, in conjunction with other existing plans and regulations, will protect critical areas while maintaining and enhancing the viability of agriculture in the watershed.

(3)(a) If the technical panel determines the proposed work plan will protect critical areas while maintaining and enhancing the viability of agriculture in the watershed:

(i) It must recommend approval of the work plan; and

(ii) The director must approve the work plan.

(b) If the technical panel determines the proposed work plan will not protect critical areas while maintaining and enhancing the viability of agriculture in the watershed:

(i) It must identify the reasons for its determination; and

(ii) The director must advise the watershed group of the reasons for disapproval.

(4) The watershed group may modify and resubmit its work plan for review and approval consistent with this section.

(5) If the director does not approve a work plan submitted under this section within two years and nine months after receipt of funding, the director shall submit the work plan to the statewide advisory committee for resolution. If the statewide advisory committee recommends approval, the director must approve the work plan.

(6) If the director does not approve a work plan for a watershed within three years after receipt of funding, the

provisions of RCW 36.70A.735(2) apply to the watershed.

Sec. 956. RCW 41.26.450 and 2000 c 247 s 801 are each amended to read as follows:

(1) Port districts established under Title 53 RCW and institutions of higher education as defined in RCW 28B.10.016 shall contribute both the employer and state shares of the cost of the retirement system for any of their employees who are law enforcement officers.

(2) Institutions of higher education shall contribute both the employer and the state shares of the cost of the retirement system for any of their employees who are firefighters.

(3) During fiscal years 2018 and 2019:

When an employer charges a fee or recovers costs for work performed by a plan member where:

(a) The member receives compensation that is includable as basic salary under RCW 41.26.030(4)(b); and

(b) The service is provided, whether directly or indirectly, to an entity that is not an "employer" under RCW 41.26.030(14)(b);

the employer shall contribute both the employer and state shares of the cost of the retirement system contributions for that compensation. Nothing in this subsection prevents an employer from recovering the cost of the contribution from the entity receiving services from the member.

Sec. 957. RCW 41.26.802 and 2015 3rd sp.s. c 4 s 950 are each amended to read as follows:

(1) By September 30, 2011, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer five million dollars to the local public safety enhancement account.

(2) By September 30, (~~2017~~) 2019, and by September 30 of each odd-numbered year thereafter, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer the lesser of one-third of the increase, or fifty million dollars, to the local public safety enhancement account.

(3) It is the intent of the legislature to fund any distribution in 2019 and 2021 dedicated to the local law enforcement officers' and firefighters' retirement system benefits improvement account through alternate means, which may include transfers from the law enforcement officers' and firefighters' plan 2 retirement fund.

Sec. 958. RCW 43.09.475 and 2016 sp.s. c 36 s 925 are each amended to read as follows:

The performance audits of government account is hereby created in the custody of the state treasurer. Revenue identified in RCW 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money in the account shall be used to fund the performance audits and follow-up performance audits under RCW 43.09.470 and shall be expended by the state auditor in accordance with chapter 1, Laws of 2006. Only the state auditor or the state auditor's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. During the 2013-2015 (~~and~~), 2015-2017, and 2017-2019 fiscal biennia, the performance audits of government account may be appropriated for the joint legislative audit and review committee, the legislative evaluation and accountability program committee, the office of financial management, the superintendent of public instruction, and audits of school districts. In addition, during the 2013-2015 (~~and~~), 2015-2017, and 2017-2019 fiscal biennia the account may be used to fund the office of financial management's contract for the compliance audit of the state auditor and audit activities at the department of revenue. In addition, during the 2015-2017 fiscal biennium, the legislature may transfer from the performance audits of government account to the state general fund such amounts as reflect the excess fund balance of the fund.

Sec. 959. RCW 43.43.839 and 2016 sp.s. c 36 s 928 are each amended to read as follows:

The fingerprint identification account is created in the custody of the state treasurer. All receipts from incremental charges of fingerprint checks requested for noncriminal justice purposes and electronic background requests shall be deposited in the account. Receipts for fingerprint checks by the federal bureau

of investigation may also be deposited in the account. Expenditures from the account may be used only for the cost of record checks. Only the chief of the state patrol or the chief's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. No appropriation is required for expenditures prior to July 1, 1997. After June 30, 1997, the account shall be subject to appropriation. ~~((During the 2009-2011 fiscal biennium, the legislature may transfer from the fingerprint identification account to the state general fund such amounts as reflect the excess fund balance of the account. During the 2013-2015 fiscal biennium, funds in the account may be used for expenditures that support the criminal records management division of the state patrol.))~~ During the 2015-2017 and 2017-2019 fiscal ~~((biennium))~~ biennia, funds in the account may be used for expenditures related to the upgrade of the state patrol's criminal history system. During the 2015-2017 fiscal biennium, the legislature may transfer from the fingerprint identification account to the sexual assault kit account and the account may be used for building the sexual assault kit tracking system in such amounts as reflect the excess fund balance of the account.

Sec. 960. RCW 43.101.200 and 2015 3rd sp.s. c 4 s 957 are each amended to read as follows:

(1) All law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first fifteen months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment. Personnel initially employed on or after January 1, 1990, shall commence basic training during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after January 1, 1990.

(2) Except as otherwise provided in this chapter, the commission shall provide the aforementioned training together with necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during the ~~((2013-2015 and))~~ 2015-2017 and 2017-2019 fiscal biennia when the employing, county, city, or state law enforcement agency shall reimburse the commission for twenty-five percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the commission shall reimburse to participating law enforcement agencies with ten or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during his or her training period.

Sec. 961. RCW 43.155.050 and 2015 3rd sp.s. c 4 s 959 and 2015 3rd sp.s. c 3 s 7032 are each reenacted and amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such

amounts as reflect the excess fund balance of the account. (~~During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature.~~) During the 2015-2017 and 2017-2019 fiscal (~~(biennium)~~) biennia, the legislature may appropriate moneys from the account for activities related to the growth management act and the voluntary stewardship program. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the state general fund such amounts as specified by the legislature. (~~In the 2017-2019 fiscal biennium the legislature intends to allocate seventy-three million dollars of future loan repayments paid into the public works assistance account to support basic education.~~)

Sec. 962. RCW 69.50.540 and 2015 3rd sp.s. c 4 s 967 are each amended to read as follows:

The legislature must annually appropriate moneys in the dedicated marijuana account created in RCW 69.50.530 as follows:

(1) For the purposes listed in this subsection (1), the legislature must appropriate to the respective agencies amounts sufficient to make the following expenditures on a quarterly basis:

(a) Beginning July 1, 2015, one hundred twenty-five thousand dollars to the department of social and health services to design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and state liquor and cannabis board. The survey must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student

populations attending institutions of higher education in Washington;

(b) Beginning July 1, 2015, fifty thousand dollars to the department of social and health services for the purpose of contracting with the Washington state institute for public policy to conduct the cost-benefit evaluation and produce the reports described in RCW 69.50.550. This appropriation ends after production of the final report required by RCW 69.50.550;

(c) Beginning July 1, 2015, five thousand dollars to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by marijuana use;

(d)(i) An amount not less than one million two hundred fifty thousand dollars to the state liquor and cannabis board for administration of this chapter as appropriated in the omnibus appropriations act; and

(ii) Three hundred fifty-one thousand seven hundred fifty dollars for fiscal year 2018 and three hundred fifty-one thousand seven hundred fifty dollars for fiscal year 2019 to the health professions account established under RCW 43.70.320 for the development and administration of the marijuana authorization database by the department of health. It is the intent of the legislature that this policy will be continued in the 2019-2021 fiscal biennium;

(e) Twenty-three thousand seven hundred fifty dollars to the department of enterprise services provided solely for the state building code council established under RCW 19.27.070, to develop and adopt fire and building code provisions related to marijuana processing and extraction facilities. The distribution under this subsection (1)(e) is for fiscal year 2016 only;

(2) From the amounts in the dedicated marijuana account after appropriation of the amounts identified in subsection (1) of this section, the legislature must appropriate for the purposes listed in this subsection (2) as follows:

(a)(i) Up to fifteen percent to the department of social and health services division of behavioral health and recovery for the development, implementation, maintenance, and evaluation of programs

and practices aimed at the prevention or reduction of maladaptive substance use, substance use disorder, substance abuse or substance dependence, as these terms are defined in the Diagnostic and Statistical Manual of Mental Disorders, among middle school and high school-age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women; PROVIDED, That:

(A) Of the funds appropriated under (a) (i) of this subsection for new programs and new services, at least eighty-five percent must be directed to evidence-based or research-based programs and practices that produce objectively measurable results and, by September 1, 2020, are cost-beneficial; and

(B) Up to fifteen percent of the funds appropriated under (a) (i) of this subsection for new programs and new services may be directed to proven and tested practices, emerging best practices, or promising practices.

(ii) In deciding which programs and practices to fund, the secretary of the department of social and health services must consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute.

(iii) For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of twenty-seven million seven hundred eighty-six thousand dollars, and for each subsequent fiscal year thereafter, the legislature must appropriate a minimum of twenty-five million five hundred thirty-six thousand dollars under this subsection (2) (a);

(b) (i) Up to ten percent to the department of health for the following, subject to (b) (ii) of this subsection (2):

(A) Creation, implementation, operation, and management of a marijuana education and public health program that contains the following:

(I) A marijuana use public health hotline that provides referrals to substance abuse treatment providers, utilizes evidence-based or research-based public health approaches to minimizing the harms associated with marijuana use, and

does not solely advocate an abstinence-only approach;

(II) A grants program for local health departments or other local community agencies that supports development and implementation of coordinated intervention strategies for the prevention and reduction of marijuana use by youth; and

(III) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by marijuana use;

(B) The Washington poison control center; and

(C) During the 2015-2017 fiscal biennium, the funds appropriated under this subsection (2) (b) may be used for prevention activities that target youth and populations with a high incidence of tobacco use.

(ii) For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of seven million five hundred thousand dollars and for each subsequent fiscal year thereafter, the legislature must appropriate a minimum of nine million seven hundred fifty thousand dollars under this subsection (2) (b);

(c) (i) Up to six-tenths of one percent to the University of Washington and four-tenths of one percent to Washington State University for research on the short and long-term effects of marijuana use, to include but not be limited to formal and informal methods for estimating and measuring intoxication and impairment, and for the dissemination of such research.

(ii) For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of two hundred seven thousand dollars and for each subsequent fiscal year, the legislature must appropriate a minimum of one million twenty-one thousand dollars to the University of Washington. For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of one hundred thirty-eight thousand dollars and for each subsequent fiscal year thereafter, a minimum of six hundred eighty-one thousand dollars to Washington State University under this subsection (2) (c);

(d) Fifty percent to the state basic health plan trust account to be

administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(e) Five percent to the Washington state health care authority to be expended exclusively through contracts with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(f)(i) Up to three-tenths of one percent to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW.

(ii) For the fiscal year beginning July 1, 2016, and each subsequent fiscal year, the legislature must appropriate a minimum of five hundred eleven thousand dollars to the office of the superintendent of public instruction under this subsection (2)(f); and

(g) At the end of each fiscal year, the treasurer must transfer any amounts in the dedicated marijuana account that are not appropriated pursuant to subsection (1) of this section and this subsection (2) into the general fund, except as provided in (g)(i) of this subsection (2).

(i) Beginning in fiscal year 2018, if marijuana excise tax collections deposited into the general fund in the prior fiscal year exceed twenty-five million dollars, then each fiscal year the legislature must appropriate an amount equal to thirty percent of all marijuana excise taxes deposited into the general fund the prior fiscal year to the treasurer for distribution to counties, cities, and towns as follows:

(A) Thirty percent must be distributed to counties, cities, and towns where licensed marijuana retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (2)(g)(i)(A) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed marijuana retailers physically located in each jurisdiction. For purposes of this subsection (2)(g)(i)(A), one hundred percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town.

(B) Seventy percent must be distributed to counties, cities, and towns ratably on a per capita basis. Counties must receive sixty percent of the distribution, which must be disbursed based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed marijuana producer, processor, or retailer.

(ii) Distribution amounts allocated to each county, city, and town must be distributed in four installments by the last day of each fiscal quarter.

(iii) By September 15th of each year, the state liquor and cannabis board must provide the state treasurer the annual distribution amount, if any, for each county and city as determined in (g)(i) of this subsection (2).

(iv) The total share of marijuana excise tax revenues distributed to counties and cities in (g)(i) of this subsection (2) may not exceed ~~((fifteen))~~ six million dollars in fiscal years 2018 and 2019 and twenty million dollars per fiscal year thereafter. However, if forecasted state revenues for the general fund in the 2017-2019 fiscal biennium exceed the amount estimated in the March 2017 revenue forecast by over eighteen million dollars after adjusting for changes directly related to legislation adopted in the 2017 legislative session, the total share of marijuana excise tax revenue distributed to counties and cities in (g)(i) of this subsection (2) may not exceed fifteen million dollars in fiscal years 2018 and 2019. It is the intent of the legislature that the policy for the maximum distributions in the subsequent fiscal biennia will be no more than \$6 million per fiscal year.

For the purposes of this section, "marijuana products" means "useable marijuana," "marijuana concentrates," and "marijuana-infused products" as those terms are defined in RCW 69.50.101.

Sec. 963. RCW 70.105D.070 and 2016 sp.s. c 36 s 943 are each amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the

local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics control account: (i) The costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (ii) penalties collected or recovered under this chapter; and (iii) any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the state toxics control account must be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(a) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(b) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

(k) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both: (i) A substantially more expeditious or enhanced cleanup than would otherwise occur; and (ii) the prevention or mitigation of unfair economic hardship;

(l) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;

(m) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(n) Storm water pollution control projects and activities that protect or preserve existing remedial actions or prevent hazardous clean-up sites;

(o) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(p) Air quality programs and actions for reducing public exposure to toxic air pollution;

(q) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) if:

(i) The facility is located within a redevelopment opportunity zone designated under RCW 70.105D.150;

(ii) The amount and terms of the funding are established under a settlement agreement under RCW 70.105D.040(5); and

(iii) The director has found the funding meets any additional criteria established in rule by the department, will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, and will provide a public benefit in addition to cleanup commensurate with the scope of the public funding;

(r) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters;

(s) Appropriations to the local toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts;

(t) During the ~~((2013-2015 and))~~ 2015-2017 and 2017-2019 fiscal biennia, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;

(u) During the 2013-2015 fiscal biennium, actions at the state conservation commission to improve water quality for shellfish;

(v) During the 2013-2015 and 2015-2017 fiscal biennia, actions at the University of Washington for reducing ocean acidification;

(w) During the 2015-2017 fiscal biennium, for the University of Washington Tacoma soil remediation project;

(x) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be spent on projects in section 3160, chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local toxics control account;

(y) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be transferred to the radioactive mixed waste account; and

(z) For the 2015-2017 and 2017-2019 fiscal ~~((biennium))~~ biennia, forest practices regulation at the department of natural resources.

(4)(a) The department shall use moneys deposited in the local toxics control account for grants or loans to local governments for the following purposes in descending order of priority:

(i) Extended grant agreements entered into under (e)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under (e)(iv) of this subsection. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Storm water pollution source projects that: (A) Work in conjunction with a remedial action; (B) protect completed remedial actions against recontamination; or (C) prevent hazardous clean-up sites;

(iv) Hazardous waste plans and programs under chapter 70.105 RCW;

(v) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters; and

(vii) Appropriations to the state toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts.

(b) Funds for plans and programs must be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW.

(c) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(d) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund, such amounts as reflect the excess fund balance in the account.

(e) To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(i) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds twenty million dollars. The agreement is subject to the following limitations:

(A) The initial duration of such an agreement may not exceed ten years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(B) Extended grant agreements may not exceed fifty percent of the total eligible remedial action costs at the facility; and

(C) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(ii) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(iii) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(iv) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to: Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(v) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(vi) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of brownfield property under RCW 70.105D.040(5) that would not otherwise occur;

(vii) When pending grant applications under (e)(iv) and (v) of this subsection (4) exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(f) To expedite multiparty clean-up efforts, the department may purchase remedial action cost-cap insurance. For the 2013-2015 fiscal biennium, moneys in the local toxics control account may be spent on projects in sections 3024, 3035, 3036, and 3059, chapter 19, Laws of 2013 2nd sp. sess.

(5) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

(6) No moneys deposited into either the state or local toxics control account may be used for: Natural disasters where there is no hazardous substance contamination; high performance buildings; solid waste incinerator facility feasibility studies, construction, maintenance, or operation; or after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310. However, this subsection does not prevent an appropriation from the state toxics control account to the department of revenue to enforce compliance with the hazardous substance tax imposed in chapter 82.21 RCW.

(7) Except during the 2011-2013 and the 2015-2017 fiscal biennia, one percent of the moneys collected under RCW 82.21.030 shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public

interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation that are not expended at the close of any biennium revert to the state toxics control account.

(8) The department shall adopt rules for grant or loan issuance and performance. To accelerate both remedial action and economic recovery, the department may expedite the adoption of rules necessary to implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited procedures in RCW 34.05.353. The department shall initiate the award of financial assistance by August 1, 2013. To ensure the adoption of rules will not delay financial assistance, the department may administer the award of financial assistance through interpretive guidance pending the adoption of rules through July 1, 2014.

(9) Except as provided under subsection (3)(k) and (q) of this section, nothing in chapter 1, Laws of 2013 2nd sp. sess. affects the ability of a potentially liable person to receive public funding.

(10) During the 2015-2017 fiscal biennium the local toxics control account may also be used for the centennial clean water program and for the storm water financial assistance program administered by the department of ecology.

Sec. 964. RCW 71.24.580 and 2016 sp.s. c 29 s 511 are each amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance use disorder treatment and treatment support services for offenders with a substance use disorder that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; (b) the provision of substance use disorder treatment services and treatment support services for nonviolent offenders within a drug court program; and (c) the administrative and overhead costs associated with the operation of a drug court. During the

2015-2017 fiscal biennium, the legislature may transfer from the criminal justice treatment account to the state general fund amounts as reflect the state savings associated with the implementation of the medicaid expansion of the federal affordable care act and the excess fund balance of the account. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the criminal justice treatment account to the state general fund. It is the intent of the legislature that this policy be continued in future biennia. Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance use disorder treatment program, but does not include the following services: Housing other than that provided as part of an inpatient substance use disorder treatment program, vocational training, and mental health counseling; and

(b) "Treatment support" means transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the department for the purposes of subsection (5) of this section.

(5) Moneys appropriated to the department from the criminal justice treatment account shall be distributed as specified in this subsection. The department may retain up to three percent of the amount appropriated under

subsection (4)(b) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the department from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The division of alcohol and substance abuse, in consultation with the department of corrections, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance use disorder treatment providers, and any other person deemed by the department to be necessary, shall establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the department from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The department shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, substance use disorder treatment providers, and the division. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the

drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 71.24.560, treatment support services, and for the administrative and overhead costs associated with the operation of a drug court.

(a) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent on the administrative and overhead costs associated with the operation of a drug court.

(b) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) Counties must meet the criteria established in RCW 2.30.030(3).

(10) The authority under this section to use funds from the criminal justice treatment account for the administrative and overhead costs associated with the operation of a drug court expires June 30, 2015.

Sec. 965. RCW 74.13.621 and 2015 3rd sp.s. c 4 s 970 are each amended to read as follows:

(1) Within existing resources, the department shall establish an oversight committee to monitor, guide, and report on kinship care recommendations and implementation activities. The committee shall:

(a) Draft a kinship care definition that is restricted to persons related by blood, marriage, or adoption, including marriages that have been dissolved, or for a minor defined as an "Indian child" under

the federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the definition of "extended family member" under the federal Indian child welfare act, and a set of principles. If the committee concludes that one or more programs or services would be more efficiently and effectively delivered under a different definition of kin, it shall state what definition is needed, and identify the program or service in the report. It shall also provide evidence of how the program or service will be more efficiently and effectively delivered under the different definition. The department shall not adopt rules or policies changing the definition of kin without authorizing legislation;

(b) Monitor and provide consultation on the implementation of recommendations contained in the 2002 kinship care report, including but not limited to the recommendations relating to legal and respite care services and resources;

(c) Partner with nonprofit organizations and private sector businesses to guide a public education awareness campaign; and

(d) Assist with developing future recommendations on kinship care issues.

(2) The department shall consult with the oversight committee on its efforts to better collaborate and coordinate services to benefit kinship care families.

(3) The oversight committee must consist of a minimum of thirty percent kinship caregivers, who shall represent a diversity of kinship families. Statewide representation with geographic, ethnic, and gender diversity is required. Other members shall include representatives of the department, representatives of relevant state agencies, representatives of the private nonprofit and business sectors, child advocates, representatives of Washington state Indian tribes as defined under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and representatives of the legal or judicial field. Birth parents, foster parents, and others who have an interest in these issues may also be included.

(4) To the extent funding is available, the department may reimburse nondepartmental members of the oversight committee for costs incurred in participating in the meetings of the oversight committee.

(5) The kinship care oversight committee shall update the legislature and

governor annually on committee activities, with the first update due by January 1, 2006.

(6) This section expires June 30, (~~2017~~) 2019.

Sec. 966. RCW 74.39A.270 and 2016 sp.s. c 30 s 1 are each amended to read as follows:

(1) Solely for the purposes of collective bargaining and as expressly limited under subsections (2) and (3) of this section, the governor is the public employer, as defined in chapter 41.56 RCW, of individual providers, who, solely for the purposes of collective bargaining, are public employees as defined in chapter 41.56 RCW. To accommodate the role of the state as payor for the community-based services provided under this chapter and to ensure coordination with state employee collective bargaining under chapter 41.80 RCW and the coordination necessary to implement RCW 74.39A.300, the public employer shall be represented for bargaining purposes by the governor or the governor's designee appointed under chapter 41.80 RCW. The governor or governor's designee shall periodically consult with the authority during the collective bargaining process to allow the authority to communicate issues relating to the long-term in-home care services received by consumers. The department shall solicit input from the developmental disabilities council, the governor's committee on disability issues and employment, the state council on aging, and other consumer advocacy organizations to obtain informed input from consumers on their interests, including impacts on consumer choice, for all issues proposed for collective bargaining under subsections (5) and (6) of this section.

(2) Chapter 41.56 RCW governs the collective bargaining relationship between the governor and individual providers, except as otherwise expressly provided in this chapter and except as follows:

(a) The only unit appropriate for the purpose of collective bargaining under RCW 41.56.060 is a statewide unit of all individual providers;

(b) The showing of interest required to request an election under RCW 41.56.060 is ten percent of the unit, and any intervener seeking to appear on the ballot must make the same showing of interest;

(c) The mediation and interest arbitration provisions of RCW 41.56.430 through 41.56.470 and 41.56.480 apply, except that:

(i) With respect to commencement of negotiations between the governor and the bargaining representative of individual providers, negotiations shall be commenced by May 1st of any year prior to the year in which an existing collective bargaining agreement expires; and

(ii) The decision of the arbitration panel is not binding on the legislature and, if the legislature does not approve the request for funds necessary to implement the compensation and fringe benefit provisions of the arbitrated collective bargaining agreement, is not binding on the authority or the state;

(d) Individual providers do not have the right to strike; and

(e) Individual providers who are related to, or family members of, consumers or prospective consumers are not, for that reason, exempt from this chapter or chapter 41.56 RCW.

(3) Individual providers who are public employees solely for the purposes of collective bargaining under subsection (1) of this section are not, for that reason, employees of the state, its political subdivisions, or an area agency on aging for any purpose. Chapter 41.56 RCW applies only to the governance of the collective bargaining relationship between the employer and individual providers as provided in subsections (1) and (2) of this section.

(4) Consumers and prospective consumers retain the right to select, hire, supervise the work of, and terminate any individual provider providing services to them. Consumers may elect to receive long-term in-home care services from individual providers who are not referred to them by the authority.

(5) Except as expressly limited in this section and RCW 74.39A.300, the wages, hours, and working conditions of individual providers are determined solely through collective bargaining as provided in this chapter. Except as described in subsection (9) of this section, no agency or department of the state may establish policies or rules governing the wages or hours of individual providers. This subsection does not modify:

(a) The department's authority to establish a plan of care for each consumer or its core responsibility to manage long-term in-home care services under this chapter, including determination of the level of care that each consumer is eligible to receive. However, at the request of the exclusive bargaining representative, the governor or the governor's designee appointed under chapter 41.80 RCW shall engage in collective bargaining, as defined in RCW 41.56.030(4), with the exclusive bargaining representative over how the department's core responsibility affects hours of work for individual providers. This subsection shall not be interpreted to require collective bargaining over an individual consumer's plan of care;

(b)(i) The requirement that the number of hours the department may pay any single individual provider is limited to:

(A) Sixty hours each workweek if the individual provider was working an average number of hours in excess of forty hours for the workweeks during January 2016, except for fiscal years 2016 ~~((and))~~, 2017, and 2018, the limit is sixty-five hours each workweek; or

(B) Forty hours each workweek if the individual provider was not working an average number of hours in excess of forty hours for the workweeks during January 2016, or had no reported hours for the month of January 2016.

(ii) Additional hours may be authorized under criteria established by rules adopted by the department under subsection (9) of this section.

(iii) Additional hours may be authorized for required training under RCW 74.39A.074, 74.39A.076, and 74.39A.341.

(iv) An individual provider may appeal to the department for qualification for the hour limitation in (b)(i)(A) of this subsection if the average weekly hours the ~~((individual))~~ individual provider was working in January 2016 materially underrepresent the average weekly hours worked by the individual provider during the first three months of 2016.

(v) No individual provider is subject to the hour limitations in (b)(i)(A) of this subsection until the department has conducted a review of the plan of care for the consumers served by the ~~((individual))~~ individual provider. The department shall review plans of care expeditiously, starting with consumers

connected with the most individual provider overtime;

(c) The requirement that the total number of additional hours in excess of forty hours authorized under (b) of this subsection and subsection (9) of this section are limited by the total hours as provided in subsection (10) of this section;

(d) The department's authority to terminate its contracts with individual providers who are not adequately meeting the needs of a particular consumer, or to deny a contract under RCW 74.39A.095(8);

(e) The consumer's right to assign hours to one or more individual providers consistent with the rules adopted under this chapter and his or her plan of care;

(f) The consumer's right to select, hire, terminate, supervise the work of, and determine the conditions of employment for each individual provider providing services to the consumer under this chapter;

(g) The department's obligation to comply with the federal medicaid statute and regulations and the terms of any community-based waiver granted by the federal department of health and human services and to ensure federal financial participation in the provision of the services; and

(h) The legislature's right to make programmatic modifications to the delivery of state services under this title, including standards of eligibility of consumers and individual providers participating in the programs under this title, and the nature of services provided. The governor shall not enter into, extend, or renew any agreement under this chapter that does not expressly reserve the legislative rights described in this subsection (5) (h).

(6) At the request of the exclusive bargaining representative, the governor or the governor's designee appointed under chapter 41.80 RCW shall engage in collective bargaining, as defined in RCW 41.56.030(4), with the exclusive bargaining representative over employer contributions to the training partnership for the costs of: (a) Meeting all training and peer mentoring required under this chapter; and (b) other training intended to promote the career development of individual providers.

(7) The state, the department, the area agencies on aging, or their contractors under this chapter may not be held vicariously or jointly liable for the action or inaction of any individual provider or prospective individual provider, whether or not that individual provider or prospective individual provider was included on the referral registry or referred to a consumer or prospective consumer. The existence of a collective bargaining agreement, the placement of an individual provider on the referral registry, or the development or approval of a plan of care for a consumer who chooses to use the services of an individual provider and the provision of case management services to that consumer, by the department or an area agency on aging, does not constitute a special relationship with the consumer.

(8) Nothing in this section affects the state's responsibility with respect to unemployment insurance for individual providers. However, individual providers are not to be considered, as a result of the state assuming this responsibility, employees of the state.

(9) The department may not pay any single individual provider more than the hours listed in subsection (5) (b) of this section unless the department authorizes additional hours under criteria established by rule. The criteria must be limited in scope to reduce the state's exposure to payment of overtime, address travel time from worksite to worksite, and address the following needs of consumers:

(a) Ensuring that consumers are not at increased risk for institutionalization;

(b) When there is a limited number of (~~individual~~) individual providers within the geographic region of the consumer;

(c) When there is a limited number of (~~individual~~) individual providers available to support a consumer with complex medical and behavioral needs or specific language needs;

(d) Emergencies that could pose a health and safety risk for consumers; and

(e) Instances where the cost of the allowed hour is less than other alternatives to provide care to a consumer, distinct from any increased risk of institutionalization.

(10) (a) Each fiscal year, the department shall establish a spending plan

and a system to monitor the authorization and cost of hours in excess of forty hours each workweek from subsections (5)(b) and (9) of this section beginning July 1, 2016, and each fiscal year thereafter. Expenditures for hours in excess of forty hours each workweek under subsections (5)(b) and (9) of this section shall not exceed 8.75 percent of the total average authorized personal care hours for the fiscal year as projected by the caseload forecast council. The caseload forecast council may adopt a temporary adjustment to the 8.75 percent of the total average hours projection for that fiscal year, up to a maximum of 10.0 percent, if it finds a higher percentage of overtime hours is necessitated by a shortage of individual providers to provide adequate client care, taking into consideration factors including the criteria in subsection (9) of this section. If the council elects to temporarily increase the limit, it may do so only upon a majority vote of the council.

(b) The department also shall provide expenditure reports beginning September 1, 2016, and on a quarterly basis thereafter. If the department determines, based upon quarterly expenditure reports, that the annual expenditures will exceed the limitation established in (a) of this subsection, the department shall take those actions necessary to ensure compliance with the limitation.

(c) The spending plan and expenditure reports must be submitted to the legislative fiscal committees and the joint legislative-executive overtime oversight task force. The joint legislative-executive overtime oversight task force members are as follows:

(i) Two members from each of the two largest caucuses of the senate, appointed by the respective caucus leaders.

(ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives.

(iii) The governor shall appoint members representing the department of social and health services and the office of financial management.

(iv) The governor shall appoint two members representing individual providers and two members representing consumers receiving personal care or respite care services from an individual provider.

(d) The task force shall meet at least annually, but may meet more frequently as desired by the task force. The task force shall choose cochairs, one from among the legislative members and one from among the executive branch members.

(e) The department is authorized to adopt rules, including emergency rules under RCW 34.05.350, to implement this subsection.

Sec. 967. RCW 77.12.201 and 2016 sp.s. c 36 s 947 are each amended to read as follows:

The legislative authority of a county may elect, by giving written notice to the director and the treasurer prior to January 1st of any year, to obtain for the following year an amount in lieu of real property taxes on game lands as provided in RCW 77.12.203. Upon the election, the county shall keep a record of all fines, forfeitures, reimbursements, and costs assessed and collected, in whole or in part, under this title for violations of law or rules adopted pursuant to this title, with the exception of the ~~((2011-2013, 2013-2015[,] and))~~ 2015-2017 and 2017-2019 fiscal biennia, and shall monthly remit an amount equal to the amount collected to the state treasurer for deposit in the state general fund. The election shall continue until the department is notified differently prior to January 1st of any year.

Sec. 968. RCW 77.12.203 and 2015 3rd sp.s. c 4 s 971 are each amended to read as follows:

(1) Except as provided in subsection (5) of this section and notwithstanding RCW 84.36.010 or other statutes to the contrary, the director must pay by April 30th of each year on game lands, regardless of acreage, in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes equal to that amount paid on similar parcels of open space land taxable under chapter 84.34 RCW or the greater of seventy cents per acre per year or the amount paid in 1984 plus an additional amount for control of noxious weeds equal to that which would be paid if such lands were privately owned. This amount may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

(2) "Game lands," as used in this section and RCW 77.12.201, means those

tracts, regardless of acreage, owned in fee by the department and used for wildlife habitat and public recreational purposes. All lands purchased for wildlife habitat, public access, or recreation purposes with federal funds in the Snake River drainage basin are considered game lands regardless of acreage.

(3) This section does not apply to lands transferred after April 23, 1990, to the department from other state agencies.

(4) The county must distribute the amount received under this section in lieu of real property taxes to all property taxing districts except the state in appropriate tax code areas the same way it would distribute local property taxes from private property. The county must distribute the amount received under this section for weed control to the appropriate weed district.

(5) For the ((~~2013-2015 and~~) 2015-2017 and 2017-2019 fiscal biennia, the director must pay by April 30th of each year on game lands in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes and must be distributed as follows:

County	
Adams	1,909
Asotin	36,123
Chelan	24,757
Columbia	7,795
Ferry	6,781
Garfield	4,840
Grant	37,443
Kittitas	143,974
Klickitat	21,906
Lincoln	13,535
Okanogan	151,402
Pend Oreille	3,309
Yakima	126,225

These amounts may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

Sec. 969. RCW 79.64.040 and 2015 3rd sp.s. c 4 s 972 are each amended to read as follows:

(1) The board shall determine the amount deemed necessary in order to achieve the purposes of this chapter and shall provide by rule for the deduction of this amount from the moneys received from all leases, sales, contracts, licenses, permits, easements, and rights-of-way issued by the department and affecting state lands and aquatic lands, provided that no deduction shall be made from the proceeds from agricultural college lands.

(2) Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150 prior to December 1, 1981, which have not been subjected to deduction under this section are not subject to deduction under this section.

(3) Except as otherwise provided in subsection (5) of this section, the deductions authorized under this section shall not exceed twenty-five percent of the moneys received by the department in connection with any one transaction pertaining to state lands and aquatic lands other than second-class tide and shore lands and the beds of navigable waters, and fifty percent of the moneys received by the department pertaining to second-class tide and shore lands and the beds of navigable waters.

(4) In the event that the department sells logs using the contract harvesting process described in RCW 79.15.500 through 79.15.530, the moneys received subject to this section are the net proceeds from the contract harvesting sale.

(5) ((During the 2013-2015 fiscal biennium, the twenty-five percent limitation on deductions set in subsection (3) of this section may be increased up to thirty percent by the board.)) During the 2015-2017 and 2017-2019 fiscal ((biennium)) biennia, the board may increase the twenty-five percent limitation up to thirty-two percent.

Sec. 970. RCW 79.64.110 and 2015 3rd sp.s. c 4 s 973 are each amended to read as follows:

(1) Any moneys derived from the lease of state forestlands or from the sale of valuable materials, oils, gases, coal, minerals, or fossils from those lands, or the appraised value of these resources when transferred to a public agency under RCW 79.22.060, except as provided in RCW 79.22.060(4), must be distributed as follows:

(a) For state forestlands acquired through RCW 79.22.040 or by exchange for lands acquired through RCW 79.22.040:

(i) The expense incurred by the state for administration, reforestation, and protection, not to exceed twenty-five percent, which rate of percentage shall be determined by the board, must be returned to the forest development account created in RCW 79.64.100. During the 2015-2017 and 2017-2019 fiscal (~~(biennium)~~) biennia, the board may increase the twenty-five percent limitation up to twenty-seven percent.

(ii) Any balance remaining must be paid to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board. Payments made under this subsection are to be paid, distributed, and prorated, except as otherwise provided in this section, to the various funds in the same manner as general taxes are paid and distributed during the year of payment.

(iii) Any balance remaining, paid to a county with a population of less than sixteen thousand, must first be applied to the reduction of any indebtedness existing in the current expense fund of the county during the year of payment.

(iv) With regard to moneys remaining under this subsection (1)(a), within seven working days of receipt of these moneys, the department shall certify to the state treasurer the amounts to be distributed to the counties. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date.

(b) For state forestlands acquired through RCW 79.22.010 or by exchange for lands acquired through RCW 79.22.010, except as provided in RCW 79.64.120:

(i) Fifty percent shall be placed in the forest development account.

(ii) Fifty percent shall be prorated and distributed to the state general fund, to be dedicated for the benefit of the public schools, to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board, and according to the relative proportions of tax levies of all taxing districts in the county. The

portion to be distributed to the state general fund shall be based on the regular school levy rate under RCW 84.52.065 and the levy rate for any maintenance and operation special school levies. With regard to the portion to be distributed to the counties, the department shall certify to the state treasurer the amounts to be distributed within seven working days of receipt of the money. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date. The money distributed to the county must be paid, distributed, and prorated to the various other funds in the same manner as general taxes are paid and distributed during the year of payment.

(2) A school district may transfer amounts deposited in its debt service fund pursuant to this section into its capital projects fund as authorized in RCW 28A.320.330.

Sec. 971. RCW 79.70.130 and 2005 c 303 s 11 are each amended to read as follows:

The state treasurer, on behalf of the department, must distribute to counties for all lands acquired for the purposes of this chapter an amount in lieu of real property taxes equal to the amount of tax that would be due if the land were taxable as open space land under chapter 84.34 RCW except taxes levied for any state purpose, plus an additional amount equal to the amount of weed control assessment that would be due if such lands were privately owned. The county assessor and county legislative authority shall assist in determining the appropriate calculation of the amount of tax that would be due. However, in the 2017-2019 fiscal biennium, the treasurer must distribute payments under this section in the amount specified by the legislature in the omnibus operating appropriations act. The county shall distribute the amount received under this section in lieu of real property taxes to all property taxing districts except the state in appropriate tax code areas the same way it would distribute local property taxes from private property. The county shall distribute the amount received under this section for weed control to the appropriate weed district.

Sec. 972. RCW 79.71.130 and 2005 c 303 s 12 are each amended to read as follows:

The state treasurer, on behalf of the department, must distribute to counties for all lands acquired for the purposes of

this chapter an amount in lieu of real property taxes equal to the amount of tax that would be due if the land were taxable as open space land under chapter 84.34 RCW except taxes levied for any state purpose, plus an additional amount equal to the amount of weed control assessment that would be due if such lands were privately owned. The county assessor and county legislative authority shall assist in determining the appropriate calculation of the amount of tax that would be due. However, in the 2017-2019 fiscal biennium, the treasurer must distribute payments under this section in the amount specified by the legislature in the omnibus operating appropriations act. The county shall distribute the amount received under this section in lieu of real property taxes to all property taxing districts except the state in appropriate tax code areas the same way it would distribute local property taxes from private property. The county shall distribute the amount received under this section for weed control to the appropriate weed district.

Sec. 973. RCW 79.105.150 and 2015 3rd sp.s. c 4 s 974 are each amended to read as follows:

(1) After deduction for management costs as provided in RCW 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys received by the state from the sale or lease of state-owned aquatic lands and from the sale of valuable material from state-owned aquatic lands shall be deposited in the aquatic lands enhancement account which is hereby created in the state treasury. After appropriation, these funds shall be used solely for aquatic lands enhancement projects; for the purchase, improvement, or protection of aquatic lands for public purposes; for providing and improving access to the lands; and for volunteer cooperative fish and game projects. During the 2013-2015 (~~and~~), 2015-2017, and 2017-2019 fiscal biennia, the aquatic lands enhancement account may be used to support the shellfish program, the ballast water program, hatcheries, the Puget Sound toxic sampling program and steelhead mortality research at the department of fish and wildlife, the knotweed program at the department of agriculture, actions at the University of Washington for reducing ocean acidification, which may include the creation of a center on ocean acidification, (~~and~~) the Puget SoundCorps program, and support of the marine resource advisory council and the

Washington coastal marine advisory council. During the 2013-2015 fiscal biennium, the legislature may transfer from the aquatic lands enhancement account to the geoduck aquaculture research account for research related to shellfish aquaculture. During the 2015-2017 fiscal biennium, the legislature may transfer moneys from the aquatic lands enhancement account to the marine resources stewardship trust account.

(2) In providing grants for aquatic lands enhancement projects, the recreation and conservation funding board shall:

(a) Require grant recipients to incorporate the environmental benefits of the project into their grant applications;

(b) Utilize the statement of environmental benefits, consideration, except as provided in RCW 79.105.610, of whether the applicant is a Puget Sound partner, as defined in RCW 90.71.010, whether a project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, and except as otherwise provided in RCW 79.105.630, and effective one calendar year following the development and statewide availability of model evergreen community management plans and ordinances under RCW 35.105.050, whether the applicant is an entity that has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030 in its prioritization and selection process; and

(c) Develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the grants.

(3) To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270.

(4) The department shall consult with affected interest groups in implementing this section.

(5) After January 1, 2010, any project designed to address the restoration of Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

Sec. 974. RCW 82.19.040 and 2015 c 15 s 5 are each amended to read as follows:

(1) To the extent applicable, all of the definitions of chapter 82.04 RCW and all of the provisions of chapter 82.32 RCW apply to the tax imposed in this chapter.

(2) Until June 30, ~~((2017))~~ 2019, taxes collected under this chapter shall be distributed as follows: (a) Five million dollars per fiscal year must be deposited in equal monthly amounts to the state parks renewal and stewardship account under RCW 79A.05.215; and (b) the remainder to the waste reduction, recycling, and litter control account under RCW 70.93.180.

Sec. 975. RCW 82.19.040 and 2015 c 15 s 6 are each amended to read as follows:

(1) To the extent applicable, all of the definitions of chapter 82.04 RCW and all of the provisions of chapter 82.32 RCW apply to the tax imposed in this chapter.

(2) Beginning June 30, ~~((2017))~~ 2019, taxes collected under this chapter shall be deposited in the waste reduction, recycling, and litter control account under RCW 70.93.180.

Sec. 976. RCW 83.100.230 and 2015 3rd sp.s. c 4 s 977 are each amended to read as follows:

The education legacy trust account is created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for support of the common schools, and for expanding access to higher education through funding for new enrollments and financial aid, and other educational improvement efforts. During the 2015-2017 ~~((biennium))~~ and 2017-2019 fiscal biennia appropriations from the account may be made for support of early learning programs. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

Sec. 977. RCW 86.26.007 and 2015 3rd sp.s. c 4 s 978 are each amended to read as follows:

The flood control assistance account is hereby established in the state treasury. At the beginning of the 2005-2007 fiscal biennium, the state treasurer shall transfer three million dollars from the general fund to the flood control assistance account. Each biennium thereafter the state treasurer shall transfer four million dollars from the general fund to the flood control assistance account, except that during the

2011-2013 fiscal biennium, the state treasurer shall transfer one million dollars from the general fund to the flood control assistance account. Moneys in the flood control assistance account may be spent only after appropriation for purposes specified under this chapter. During the 2013-2015 fiscal biennium and the 2015-2017 fiscal biennium, the legislature may transfer from the flood control assistance account to the state general fund such amounts as reflect the excess fund balance of the account. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the flood control assistance account to the state general fund. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

Sec. 978. RCW 38.52.105 and 2016 sp.s. c 36 s 918 are each amended to read as follows:

The disaster response account is created in the state treasury. Moneys may be placed in the account from legislative appropriations and transfers, federal appropriations, or any other lawful source. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for support of state agency and local government disaster response and recovery efforts and to reimburse the workers' compensation funds and self-insured employers under RCW 51.16.220. During the 2009-2011 fiscal biennium, the legislature may transfer from the disaster response account to the state drought preparedness account such amounts as reflect the excess fund balance of the account to support expenditures related to a state drought declaration. During the 2009-2011 fiscal biennium, the legislature may transfer from the disaster response account to the state general fund such amounts as reflect the excess fund balance of the account. During the 2015-2017 fiscal biennium, expenditures from the disaster response account may be used for military department operations and to support wildland fire suppression preparedness, prevention, and restoration activities by state agencies and local governments. ~~((The legislature intends to transfer in))~~ During the 2017-2019 fiscal biennium ~~((from the disaster response account to the state general fund amounts as reflect the excess fund balance of the disaster response account from federal grants and other revenues directed into the account))~~, the legislature may direct the

treasurer to make transfers of moneys in the disaster response account to the state general fund.

Sec. 979. RCW 82.14.495 and 2010 1st sp.s. c 37 s 952 are each amended to read as follows:

(1) The streamlined sales and use tax mitigation account is created in the state treasury. The state treasurer shall transfer into the account from the general fund amounts as directed in RCW 82.14.500. Expenditures from the account may be used only for the purpose of mitigating the negative fiscal impacts to local taxing jurisdictions as a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020. During the 2009-2011 fiscal biennium, the legislature may transfer from the streamlined sales and use tax mitigation account to the state general fund such amounts as reflect the excess fund balance of the account.

(2) Beginning July 1, 2008, the state treasurer, as directed by the department, shall distribute the funds in the streamlined sales and use tax mitigation account to local taxing jurisdictions in accordance with RCW 82.14.500. During the 2019-2021 fiscal biennium, it is the intent of the legislature to suspend these distributions to all entities except for those public facilities districts that received distributions under this section during the 2015-2017 fiscal biennium.

(3) The definitions in this subsection apply throughout this section and RCW 82.14.390 and 82.14.500.

(a) "Agreement" means the same as in RCW 82.32.020.

(b) "Local taxing jurisdiction" means counties, cities, transportation authorities under RCW 82.14.045, public facilities districts under chapters 36.100 and 35.57 RCW, public transportation benefit areas under RCW 82.14.440, and regional transit authorities under chapter 81.112 RCW, that impose a sales and use tax.

(c) "Loss" or "losses" means the local sales and use tax revenue reduction to a local taxing jurisdiction resulting from the sourcing provisions in RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020.

(d) "Net loss" or "net losses" means a loss offset by any voluntary compliance revenue.

(e) "Voluntary compliance revenue" means the local sales tax revenue gain to each local taxing jurisdiction reported to the department from persons registering through the central registration system authorized under the agreement.

(f) "Working day" has the same meaning as in RCW 82.45.180.

Sec. 980. 2013 2nd sp.s. c 15 s 8 (uncodified) is amended to read as follows:

Sections 5 ((through)) and 6 of this act expire June 30, 2019. Section 7 of this act expires June 30, 2017.

Sec. 981. 2015 c 15 s 8 (uncodified) is amended to read as follows:

Sections 2 and 5 of this act expire June 30, ((2017)) 2019.

Sec. 982. 2015 c 15 s 9 (uncodified) is amended to read as follows:

Sections 3 and 6 of this act take effect June 30, ((2017)) 2019.

Sec. 983. 2015 3rd sp.s. c 4 s 981 (uncodified) is amended to read as follows:

CHILD WELFARE DISPROPORTIONALITY
ADVISORY COMMITTEE EXPIRATION

This act expires June 30, ((2017)) 2019.

Sec. 984. 2015 3rd sp.s. c 4 s 982 (uncodified) is amended to read as follows:

CHILD WELFARE DISPROPORTIONALITY
ADVISORY COMMITTEE EXPIRATION

Section 63 of this act expires June 30, ((2017)) 2019.

NEW SECTION. **Sec. 985.** Section 975 (RCW 82.19.040) of this act takes effect June 30, 2019.

NEW SECTION. **Sec. 986.** Section 974 (RCW 82.19.040) of this act expires June 30, 2019.

PART XI

GENERAL GOVERNMENT

Sec. 1101. 2016 sp.s. c 36 s 112 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund-State Appropriation (FY 2016) \$17,000,000

General Fund-State Appropriation (FY 2017) (~~(\$17,311,000)~~)

\$17,353,000

TOTAL APPROPRIATION ~~\$34,311,000~~

\$34,353,000

Sec. 1102. 2016 sp.s. c 36 s 113 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund-State Appropriation (FY 2016) \$56,244,000

General Fund-State Appropriation (FY 2017) (~~(\$56,764,000)~~)

\$57,917,000

General Fund-Federal Appropriation \$2,154,000

General Fund-Private/Local Appropriation \$667,000

Judicial Information Systems Account-State

Appropriation \$56,772,000

Judicial Stabilization Trust Account-State

Appropriation (~~(\$6,691,000)~~)

\$5,614,000

TOTAL APPROPRIATION ~~\$178,708,000~~

\$179,368,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$878,000 of the general fund-state appropriation for fiscal year 2016, \$878,000 of the general fund-state appropriation for fiscal year 2017, and \$6,784,000 of the judicial information systems account-state appropriation are provided solely for the information network hub project.

(2) \$516,000 of the judicial information systems account-state appropriation is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades.

(3) The distributions made under this subsection and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased

level of service for purposes of RCW 43.135.060.

(4) \$1,849,000 of the judicial information systems account-state appropriation is provided solely for replacing computer equipment at state courts and state judicial agencies.

(5) \$1,399,000 of the general fund-state appropriation for fiscal year 2016 and \$1,399,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

(6) (a) \$7,313,000 of the general fund-state appropriation for fiscal year 2016 and \$7,313,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula shall neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2015-2017 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports

are deemed informational in nature and are not for the purpose of distributing funds.

(7) \$584,000 of the judicial information systems account-state appropriation is provided solely for the content management system for the appellate courts.

(8) \$200,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the office of public guardianship for the purpose of providing guardianship services to low income and indigent alleged or actual incapacitated persons who were receiving services on July 10, 2013.

(9) \$118,000 of the judicial information systems account-state appropriation for fiscal year 2016 is provided solely for implementation of chapter 287, Laws of 2015 (Engrossed House Bill No. 1943).

(10) \$75,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the planning and design of a dependency court improvement demonstration program. The plan must be developed jointly with the one family one team public private partnership, with a private cash match of \$75,000. If the cash match is not available by August 1, 2015, the administrative office of the courts will not be required to complete the planning and design of a dependency court improvement demonstration program. By January 1, 2016, the public private partnership shall provide to the appropriate committees of the legislature the program design, including ongoing administrative funding, and a statement of the public and private funding required in order to provide demonstration grants to up to four counties.

(11) \$6,080,000 of the judicial information systems account-state appropriation for fiscal year 2016 is provided solely for continued implementation of the superior court case management system project.

(12) \$7,010,000 of the judicial information systems account-state appropriation for fiscal year 2017 is provided solely for continued implementation of the superior court case management system. The steering committee for the superior court case management system, the office of administrator of the courts, and county clerks shall work with the case management system vendor to develop cost estimates for modifications to the superior court case management

system to address security and document management concerns raised by county clerks. If the cost estimates are not provided to the fiscal committees of the legislature by January 1, 2016, the amounts provided in this subsection shall lapse. Furthermore, the amounts provided in this subsection shall lapse if the superior court case management system is not live and fully functional in Franklin, Thurston, and Yakima counties by February 1, 2016.

(13) The existing steering committee for the superior court case management system shall continue oversight responsibilities throughout the various phases of the project to include, but not be limited to, vendor management, contract and deliverable management, assuring reasonable satisfaction of the business and technical needs at the local level, receipt of stakeholder feedback, and communication between the various stakeholder groups and the judicial information systems committee. Issues of significant scope, schedule or budget changes, and risk mitigation strategies must be escalated to the judicial information systems committee for consideration. In the event that a majority of the steering committee members cannot reach a decision, the issue must be escalated to the judicial information systems committee for consideration. The superior court case management system project steering committee may solicit input from user groups as deemed appropriate.

(14) The courts of limited jurisdiction case management system (CLJ-CMS) replacement project shall be guided by a project steering committee to provide project oversight throughout the various phases of the project to include, but not be limited to, vendor management, contract and deliverable management, assuring reasonable satisfaction of the business and technical needs at the local level, receipt of stakeholder feedback, and communication between the various stakeholder groups and the judicial information systems committee. The project steering committee shall be comprised of three members from the administrative office of the courts, two members from the district and municipal court judges association, three members from the district and municipal court management association, and two members from the misdemeanor corrections association. Issues of significant scope, schedule or budget changes, and risk mitigation

strategies must be escalated to the judicial information systems committee for consideration. In the event that a majority of the project steering committee members cannot reach a decision, the issue must be escalated to the judicial information systems committee for consideration. The courts of limited jurisdiction case management system replacement project steering committee may solicit input from user groups as deemed appropriate.

(15) \$3,789,000 of the judicial information systems account-state appropriation is provided solely for preparation and procurement activities related to the courts of limited jurisdiction case management system (CLJ-CMS) replacement project. The appropriations are further conditioned that the CLJ-CMS replacement project be funded entirely from judicial information system account funds in future biennia. The amounts provided in this subsection for the CLJ-CMS replacement project shall not be expended prior to January 1, 2016. In addition, if the following activities are not complete by the dates provided, no further funds appropriated in this subsection shall be expended on the CLJ-CMS replacement project.

(a) Beginning April 1, 2016, and each calendar quarter thereafter, quality assurance reports for the CLJ-CMS replacement project shall be provided to the office of chief information officer for review and for posting on its information technology project dashboard.

(b) No later than July 1, 2016, the CLJ-CMS replacement project steering committee shall provide a report to the legislature on the status of the procurement process for a CLJ-CMS replacement project, including an affirmation that the project is designed to meet the business processes and requirements of all thirty-nine counties. In addition, the report shall include a statement from each court of limited jurisdiction of its intended use of the new CLJ-CMS.

(c) No later than January 1, 2017, the judicial information system committee must approve the publication of a request for proposal for the CLJ-CMS replacement project.

(d) Prior to any CLJ-CMS replacement project steering committee recommendation to the judicial information system committee of a preferred vendor and prior to the selection of an apparently

successful vendor, the office of chief information officer must be allowed to review vendor submittals in response to the request for proposal. To better inform its selection, the office of chief information officer must provide to the CLJ-CMS replacement project steering committee an evaluation each vendor's proposed technology solution assessing its architecture, security, vendor experience and qualifications, project risks and risk management, and whether the technology solution represents the best value.

Sec. 1103. 2016 sp.s. c 36 s 114 (unmodified) is amended to read as follows:

FOR THE OFFICE OF PUBLIC DEFENSE

General Fund-State Appropriation (FY 2016) \$37,558,000

General Fund-State Appropriation (FY 2017) (~~(\$37,809,000)~~)

\$38,290,000

Judicial Stabilization Trust Account-State

Appropriation \$3,648,000

TOTAL APPROPRIATION ~~\$79,015,000~~

\$79,496,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The amounts provided include funding for expert and investigative services in death penalty personal restraint petitions.

(2) \$924,000 of the general fund-state appropriation for fiscal year 2016 and \$462,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for parents representation program costs related to increased parental rights termination filings from the department of social and health services permanency initiative.

(3) \$451,000 of the general fund-state appropriation for fiscal year 2016 and \$915,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to increase payments for attorneys who contract with the office for indigent defense representation.

(4) \$900,000 of the general fund-state appropriation for fiscal year 2016 and \$900,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the purpose of

improving the quality of trial court public defense services.

(5) \$245,000 of the general fund-state appropriation for fiscal year 2016 and \$320,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement chapter 117, Laws of 2015 (Second Substitute Senate Bill No. 5486). Funds must be used to maintain the current programs in Grays Harbor/Pacific, King, Kitsap, Pierce, Snohomish, Spokane, and Thurston/Mason counties; expand services in three of these locations; provide for program administration; and to fund the first stage of an evaluation of the program to determine if the parents for parents program can be considered evidence-based.

Sec. 1104. 2016 sp.s. c 36 s 117 (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund-State Appropriation (FY 2016) \$636,000

General Fund-State Appropriation (FY 2017) (~~(\$656,000)~~)

\$721,000

General Fund-Private/Local Appropriation \$90,000

TOTAL APPROPRIATION ~~\$1,382,000~~

\$1,447,000

Sec. 1105. 2016 sp.s. c 36 s 119 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund-State Appropriation (FY 2016) \$25,956,000

General Fund-State Appropriation (FY 2017) (~~(\$12,956,000)~~)

\$13,206,000

General Fund-Federal Appropriation \$7,576,000

Public Records Efficiency, Preservation, and Access

Account-State Appropriation \$8,807,000

Charitable Organization Education Account-State

Appropriation \$671,000

Local Government Archives Account-State

Appropriation \$9,147,000

Election Account-Federal Appropriation \$4,387,000

Washington State Heritage Center Account-State

Appropriation \$9,823,000

TOTAL APPROPRIATION ~~\$79,323,000~~

\$79,573,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,301,000 of the general fund-state appropriation for fiscal year 2016 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2) (a) \$2,682,000 of the general fund-state appropriation for fiscal year 2016 and \$2,761,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2015-2017 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$11,497,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the 2016 presidential primary election.

(5) \$3,000,000 of the Washington state heritage center account-state appropriation is provided solely for state library programs. If House Bill No. 2195 (auditor's fees) is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. If the increase in auditor's fees generates less revenue than provided in this subsection, the secretary of state shall reduce expenditures so that amounts provided in this subsection do not exceed revenue generated from the increase in auditor's fees.

(6) \$771,000 of the general fund-state appropriation for fiscal year 2016 and \$772,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the state library to purchase statewide online access to the information technology academy to allow public access to online courses and learning resources through public libraries.

Sec. 1106. 2016 sp.s. c 36 s 118 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund-State Appropriation (FY 2016) \$2,416,000

General Fund-State Appropriation (FY 2017) (~~(\$2,437,000)~~)

\$2,819,000

TOTAL APPROPRIATION ~~\$4,853,000~~

\$5,235,000

Sec. 1107. 2016 sp.s. c 36 s 120 (uncodified) is amended to read as follows:

FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund-State Appropriation (FY 2016) \$266,000

General Fund-State Appropriation (FY 2017) (~~(\$274,000)~~)

\$275,000

TOTAL APPROPRIATION ~~\$540,000~~

\$541,000

The appropriations in this section are subject to the following conditions and limitations: The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

Sec. 1108. 2016 sp.s. c 36 s 121 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund-State Appropriation (FY 2016) \$235,000

General Fund-State Appropriation (FY 2017) (~~(\$231,000)~~)

\$232,000

TOTAL APPROPRIATION ~~\$466,000~~

\$467,000

Sec. 1109. 2015 3rd sp.s. c 4 s 125 (uncodified) is amended to read as follows:

FOR THE CITIZENS' COMMISSION ON
SALARIES FOR ELECTED OFFICIALS

General Fund-State Appropriation (FY
2016) \$146,000

General Fund-State Appropriation (FY
2017) (~~(\$185,000)~~)

\$186,000

TOTAL APPROPRIATION ~~\$331,000~~

\$332,000

Sec. 1110. 2016 sp.s. c 36 s 124
(uncodified) is amended to read as
follows:

FOR THE ATTORNEY GENERAL

General Fund-State Appropriation (FY
2016) \$11,420,000

General Fund-State Appropriation (FY
2017) (~~(\$8,417,000)~~)

\$8,826,000

General Fund-Federal
Appropriation \$6,930,000

New Motor Vehicle Arbitration Account-
State

Appropriation \$1,041,000

Legal Services Revolving Account-
State

Appropriation (~~(\$227,558,000)~~)

\$230,756,000

Tobacco Prevention and Control Account-
State

Appropriation \$273,000

Medicaid Fraud Penalty Account-State
Appropriation \$3,065,000

Public Service Revolving Account-
State

Appropriation \$2,220,000

Child Rescue Fund-State
Appropriation \$500,000

TOTAL APPROPRIATION ~~\$261,424,000~~

\$265,031,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) The attorney general shall report
each fiscal year on actual legal services
expenditures and actual attorney staffing
levels for each agency receiving legal
services. The report shall be submitted to
the office of financial management and the

fiscal committees of the senate and house
of representatives no later than ninety
days after the end of each fiscal year. As
part of its by agency report to the
legislative fiscal committees and the
office of financial management, the office
of the attorney general shall include
information detailing the agency's
expenditures for its agency-wide overhead
and a breakdown by division of division
administration expenses.

(2) Prior to entering into any
negotiated settlement of a claim against
the state that exceeds five million
dollars, the attorney general shall notify
the director of financial management and
the chairs of the senate committee on ways
and means and the house of representatives
committee on appropriations.

(3) The attorney general shall annually
report to the fiscal committees of the
legislature all new cy pres awards and
settlements and all new accounts,
disclosing their intended uses, balances,
the nature of the claim or account,
proposals, and intended timeframes for the
expenditure of each amount. The report
shall be distributed electronically and
posted on the attorney general's web site.
The report shall not be printed on paper
or distributed physically.

(4) \$2,218,000 of the public service
revolving account-state appropriation is
provided solely for the work of the public
counsel section of the office of the
attorney general.

(5) \$353,000 of the general fund-state
appropriation for fiscal year 2016 and
\$353,000 of the general fund-state
appropriation for fiscal year 2017 are
provided solely for a grant to the
Washington coalition of crime victim
advocates to provide training,
certification, and technical assistance
for crime victim service center advocates.

(6) \$1,196,000 of the legal services
revolving fund-state appropriation is
provided solely for the implementation of
chapter 70, Laws of 2015 (Second
Substitute Senate Bill No. 5052) (cannabis
patient protection).

(7) \$14,000 of the legal services
revolving account-state appropriation is
provided solely for implementation of
chapter 240, Laws of 2015 (Substitute
Senate Bill No. 5740) (extended foster
care).

(8) \$182,000 of the legal services
revolving account-state appropriation is

provided solely for implementation of chapter 274, Laws of 2015 (Engrossed Substitute House Bill No. 1449) (oil transportation safety).

(9) \$71,000 of the legal services revolving account-state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1472 (chemical action plans), Second Substitute Senate Bill No. 5056 (safer chemicals/action plans), Substitute Senate Bill No. 6131 (safer chemicals), or any of these. If none of these bills are enacted by July 10, 2015, the amount provided in this subsection shall lapse.

(10) Pursuant to chapter 247, Laws of 2015 (Second Substitute House Bill No. 1281) (sexual exploitation of a minor), the office of the attorney general may expend \$500,000 from the child rescue fund-state appropriation, or an amount not to exceed actual revenues into the account.

(11) \$37,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Second Substitute House Bill No. 2726 (retirement communities). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(12) Appropriations in this section include specific funds for the implementation of Substitute Senate Bill No. 6160 (regulating motor vehicle airbags).

(13) \$55,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Substitute Senate Bill No. 6360 (traffic fines consolidation). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1111. 2016 sp.s. c 36 s 125 (uncodified) is amended to read as follows:

FOR THE CASELOAD FORECAST COUNCIL

General Fund-State Appropriation (FY 2016) \$1,397,000

General Fund-State Appropriation (FY 2017) (~~\$1,460,000~~)

\$1,508,000

TOTAL APPROPRIATION ~~\$2,857,000~~

\$2,905,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$55,000 of the general fund-state appropriation for fiscal year 2016 and \$55,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for Substitute Senate Bill No. 5999 (caseload forecast council). (~~If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse.~~)

(2)(a) The caseload forecast council, in cooperation with the appropriate legislative committees and legislative staff, the office of financial management, the department of corrections, the department of social and health services, the administrative office of the courts, the minority and justice commission, the Washington state institute for public policy, the department of early learning, the student achievement council, the state board of education, the sentencing guidelines commission, and a person from communities at large deemed appropriate must develop recommendations for procedures and tools which will enable them to provide cost-effective racial and ethnic impact statements to legislative bills affecting criminal justice, human services, and education caseloads forecasted by the caseload forecast council. The recommendations for the racial and ethnic impact statements must be able to identify the positive and negative impacts on communities as a result of proposed or adopted legislation.

(b) The caseload forecast council shall submit a report to the governor and appropriate committees of the legislature on or before December 31, 2016, outlining recommendations for procedures and tools necessary to provide racial and ethnic impact statements to criminal justice, human services, and education caseloads, as well as outlining implementation cost estimates and potential funding sources.

(3) In addition to caseload forecasts for common schools as defined in RCW 43.88C.010(7), during the remainder of the 2015-2017 fiscal biennium the council must provide a separate forecast of enrollment for charter schools authorized by chapter 28A.710 RCW as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools).

Sec. 1112. 2016 sp.s. c 36 s 127 (uncodified) is amended to read as follows:

FOR THE ECONOMIC AND REVENUE FORECAST
COUNCILGeneral Fund-State Appropriation (FY
2016) \$805,000General Fund-State Appropriation (FY
2017) (~~\$888,000~~)

\$892,000

Lottery Administrative Account-State
Appropriation \$50,000TOTAL APPROPRIATION ~~\$1,743,000~~

\$1,747,000

Sec. 1113. 2016 sp.s. c 36 s 128
(uncodified) is amended to read as
follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund-State Appropriation (FY
2016) \$19,280,000General Fund-State Appropriation (FY
2017) (~~\$19,623,000~~)

\$20,594,000

General Fund-Federal
Appropriation \$38,822,000General Fund-Private/Local
Appropriation \$498,000Economic Development Strategic Reserve
Account-State

Appropriation \$310,000

Personnel Service Fund-State
Appropriation \$8,696,000Higher Education Personnel Services
Account-State

Appropriation \$1,497,000

Performance Audits of Government
Account-State

Appropriation \$534,000

Statewide Information Technology System
DevelopmentRevolving Account-State
Appropriation \$15,799,000Office of Financial Management Central
Service Account-State
Appropriation \$14,610,000TOTAL APPROPRIATION ~~\$106,237,000~~

\$120,640,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) The appropriations in this section represent a transfer of expenditure authority of \$2,333,000 of the general fund-federal appropriation for fiscal year 2016 and \$1,782,000 of the general fund-federal appropriation for fiscal year 2017 to the office of financial management to implement Engrossed Substitute Senate Bill No. 5084 (all payer claims database).

(2) \$13,799,000 of the statewide information technology system development revolving account-state appropriation is provided solely for prepayment of the debt service for the time, leave, and attendance system. The enterprise time, leave, and attendance project shall be discontinued, but the office and other state agencies may utilize acquired project assets for other purposes to the extent practicable.

(3) \$50,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1491 (early care and education system). If the bill is not enacted by July 10, 2015, the amount provided in this subsection shall lapse.

(4) \$33,000 of the general fund-state appropriation for fiscal year 2017 is provided one time solely to implement chapter 244, Laws of 2015 (college bound scholarship).

(5) \$168,000 of the general fund-state appropriation for fiscal year 2016 and \$163,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement chapter 245, Laws of 2015 (outdoor recreation).

(6)(a) Within funds appropriated in this section, the education data center created in RCW 43.41.400 shall complete an evaluation of the state need grant and submit a report to the appropriate committees of the legislature by December 1, 2016. To the extent it is not duplicative of other studies, the report shall evaluate educational outcomes emphasizing degree completion rates at the postsecondary levels. The report shall study certain aspects of the state need grant program, including but not limited to:

(i) State need grant recipient grade point average and its relationship to positive outcomes, including but not limited to:

(A) Variance between community and technical colleges and the four-year institutions of higher education;

(B) Variance between state need grant recipients and students on the state need grant unserved waiting list; and

(C) Differentials between quarter or semester grade point averages and cumulative grade point averages.

(ii) Possible outcomes of requiring a minimum grade point average, per semester or quarter or cumulatively, for state need grant renewal.

(b) Beginning July 1, 2016, the student achievement council and all institutions of higher education eligible to participate in the state need grant shall ensure that data needed to analyze and evaluate the effectiveness of the state need grant program are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

(i) The number of state need grant recipients;

(ii) The number of students on the unserved waiting list of the state need grant;

(iii) Persistence and completion rates of state need grant recipients and students on the state need grant unserved waiting list, disaggregated by institutions of higher education;

(iv) State need grant recipients and students on state need grant unserved waiting list grade point averages; and

(v) State need grant program costs.

(c) The student achievement council shall submit student unit record data for the state need grant program applicants and recipients to the education data center.

(7) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a contract with a consultant to examine the current configuration and financing of the state hospital system pursuant to Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices).

~~((+))~~ (8) \$150,000 of the general fund-state appropriation for fiscal year 2016 and \$150,000 of the general fund-

state appropriation for fiscal year 2017 are provided solely for the cost to support the blue ribbon commission on delivery of services to children and families established by the governor's executive order 16-03. The commission shall develop recommendations on whether to create a separate state department of children and families, including a mission and vision for the new department, new organization structures, estimated costs, transition plans, and benchmarks for assessing the improvements in outcomes for children and families expected to result from the reorganization, including the metrics to measure those short and long-term expected outcomes, and the expected impact on total administrative costs among the involved state agencies. The commission shall produce recommendations no later than November 1, 2016.

Sec. 1114. 2016 sp.s. c 36 s 130 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account-State

Appropriation (~~(\$28,797,000)~~)

\$29,136,000

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

(1) \$690,000 of the lottery administrative account-state appropriation is provided solely for the replacement of the lottery's gaming systems vendor contract.

(2) No portion of this appropriation may be used for acquisition of gaming system capabilities that violates state law.

(3) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce by \$6,000,000 each fiscal year the total amount of compensation paid to licensed lottery sales agents. It is anticipated that the result of this action will reduce retail commissions to an average of 5.1 percent of sales.

Sec. 1115. 2016 sp.s. c 36 s 131 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund-State Appropriation (FY 2016) \$260,000

General Fund-State Appropriation (FY 2017) (~~(\$259,000)~~)

\$260,000

TOTAL APPROPRIATION ~~\$519,000~~

\$520,000

Sec. 1116. 2016 sp.s. c 36 s 132 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund-State Appropriation (FY 2016) \$254,000

General Fund-State Appropriation (FY 2017) (~~(\$260,000)~~)

\$261,000

TOTAL APPROPRIATION ~~\$514,000~~

\$515,000

Sec. 1117. 2016 sp.s. c 36 s 134 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund-State Appropriation (FY 2016) (~~(\$119,358,000)~~)

\$119,348,000

General Fund-State Appropriation (FY 2017) (~~(\$120,551,000)~~)

\$121,623,000

Financial Services Regulation Account-State

Appropriation \$10,000,000

Timber Tax Distribution Account-State

Appropriation \$6,604,000

Waste Reduction/Recycling/Litter Control-State

Appropriation \$141,000

State Toxics Control Account-State
Appropriation \$101,000

Business License Account-State
Appropriation \$24,590,000

TOTAL APPROPRIATION ~~\$267,381,000~~

\$282,407,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,628,000 of the general fund-state appropriation for fiscal year 2017,

and \$7,890,000 of the business license account-state appropriation are provided solely for the taxpayer legacy system replacement project.

(2) \$487,000 of the general fund-state appropriation for fiscal year 2016 and \$582,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Substitute Senate Bill No. 5186 (disabled veterans and seniors). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse.

(3) \$60,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Substitute Senate Bill No. 6211 (nonprofit homeownership development). If the bill is not enacted by June 30, 2016, the amount in this subsection shall lapse.

~~((4))~~ (4) \$21,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 6328 (vapor products). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1118. 2016 sp.s. c 36 s 135 (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund-State Appropriation (FY 2016) \$1,321,000

General Fund-State Appropriation (FY 2017) (~~(\$1,303,000)~~)

\$1,360,000

TOTAL APPROPRIATION ~~\$2,624,000~~

\$2,681,000

Sec. 1119. 2016 sp.s. c 36 s 136 (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account-State
Appropriation (~~(\$4,899,000)~~)

\$4,906,000

Sec. 1120. 2016 sp.s. c 36 s 137 (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund-State Appropriation (FY 2016) \$300,000

General Fund-State Appropriation (FY 2017) \$227,000

General Fund-Federal
Appropriation \$4,571,000

Insurance Commissioners Regulatory
Account-State

Appropriation \$55,772,000

TOTAL APPROPRIATION \$60,870,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$168,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of chapter 17, Laws of 2015 (HB 1172).

(2) \$129,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of chapter 63, Laws of 2015 (HB 1077).

(3) \$272,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of chapter 122, Laws of 2015 (SB 5717).

(4) \$25,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of chapter 19, Laws of 2015 (SSB 5023).

(5) \$283,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of House Bill No. 2326 (independent review organizations). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(6) \$143,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of Senate Bill No. 5180 (life insurance reserves). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(7) \$797,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of Fifth Engrossed Substitute Senate Bill No. 5857 (pharmacy benefit managers). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

Sec. 1121. 2016 sp.s. c 36 s 139 (uncodified) is amended to read as follows:

FOR THE LIQUOR AND CANNABIS BOARD

Dedicated Marijuana Fund-State

Appropriation (FY 2016) \$7,736,000

Dedicated Marijuana Fund-State

Appropriation (FY 2017) \$8,481,000

Liquor Revolving Account-State
Appropriation \$66,830,000

General Fund-Federal
Appropriation \$2,821,000

General Fund-State Appropriation (FY 2017) \$260,000

General Fund-Private/Local
Appropriation \$25,000

TOTAL APPROPRIATION \$86,153,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,183,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$2,818,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for implementation of Substitute House Bill No. 2136 (marijuana market reforms) and Second Substitute Senate Bill No. 5052 (cannabis patient protection). ~~((If either bill is not enacted by July 10, 2015, the amount provided in this subsection shall lapse.))~~

(2) \$376,000 of the liquor revolving fund-state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5280 (beer and cider sales). ~~((If the bill is not enacted by July 10, 2015, the amount provided in this subsection shall lapse.))~~

(3) \$2,641,000 of the liquor revolving account-state appropriation is provided solely for additional cigarette and tobacco enforcement. The liquor control board must provide additional cigarette and tobacco enforcement officers and pursue strategies to reduce the amount of smuggled, contraband, and otherwise untaxed cigarette and tobacco products in the state. The liquor control board must report the amount of untaxed cigarette and tobacco taxes recovered in comparison to past years to the appropriate committees of the legislature by January 1, 2016, and January 1, 2017.

(4) \$366,000 of the liquor revolving account—state appropriation is provided solely for the implementation of Substitute House Bill No. 2831 (small business liquor sales). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(5) The appropriations in this section include sufficient funding for the implementation of Engrossed Substitute Senate Bill No. 6470 (wineries).

(6) \$260,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Substitute Senate Bill No. ~~((6238))~~ 6328 (vapor products). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(7) The liquor and cannabis board may require electronic payment of the marijuana excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

Sec. 1122. 2016 sp.s. c 36 s 141 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund—State Appropriation (FY 2016) \$3,386,000

General Fund—State Appropriation (FY 2017) \$3,654,000

General Fund—Federal Appropriation \$136,380,000

Enhanced 911 Account—State Appropriation \$56,594,000

Disaster Response Account—State Appropriation ~~((41,383,000))~~

\$40,131,000

Disaster Response Account—Federal Appropriation ~~((107,317,000))~~

\$110,862,000

Military Department Rent and Lease Account—State

Appropriation \$615,000

Worker and Community Right-to-Know Account—State

Appropriation \$2,888,000

Oil Spill Prevention Account—State Appropriation \$1,000,000

TOTAL APPROPRIATION ~~\$353,217,000~~

\$355,510,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees on October 1st and February 1st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2015-2017 biennium based on current revenue and expenditure patterns.

(2) \$60,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$1,000,000 of the oil spill prevention account—state appropriation is provided solely for implementation of chapter 274, Laws of 2015 (Engrossed Substitute House Bill No. 1449) (oil transportation safety).

(4) \$100,000 of the general fund—state appropriation for fiscal year 2016 and \$100,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for the conditional scholarship program pursuant to chapter 28B.103 RCW.

(5) \$5,000,000 of the enhanced 911 account—state appropriation is provided solely for financial assistance to counties to replace analog 911 telephone and network equipment with next generation 911 capable technology.

(6) \$1,850,000 of the disaster response account—state appropriation is provided solely to Okanogan and Ferry counties to address deficiencies within their communications infrastructure for 911 dispatch. Funds will be used to replace failing radio dispatching hardware within 911 dispatch centers; build interoperable communications between each county's dispatch center such that each can serve as a back-up to the other; and build upon the existing wireless microwave network for 911 calls, dispatch centers, and first responder radio operations. Prior to

releasing any state funds, the department will consult with the counties to determine if federal funds are available for any proposed expenditure and assist the counties with any application for such funds.

(7) \$130,000 of the enhanced 911 account-state appropriation is provided solely for the department to conduct a pilot program within King county to implement a mobile phone application that notifies persons trained in cardiopulmonary resuscitation of persons nearby who are having a cardiac emergency. The department may partner with the county, a city, a fire district, or a search and rescue organization for purposes of implementing the application and software-as-a-service in an existing computer-aided dispatch system. The department will report the results of the pilot program to the legislature by December 1, 2016.

(8) \$5,679,000 of the enhanced 911 account-state appropriation is provided solely for transitioning to an internet protocol based next generation 911 network and increased network costs during the transition and hardware required for the new system. The department's activities and procurement is a major information technology project subject to oversight and review by the office of the chief information officer.

(9) \$392,000 of the disaster response account-state appropriation is provided solely for fire suppression training and equipment to national guard soldiers and airmen.

Sec. 1123. 2016 sp.s. c 36 s 143 (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY
 Certified Public Accountants' Account-State
 Appropriation ((~~\$6,117,000~~))
 \$6,125,000

The appropriation in this section is subject to the following conditions and limitations: \$3,300,000 of the certified public accountants' account-state appropriation is provided solely for deposit into the certified public accounting transfer account to fund Washington-based colleges and universities for students pursuing degrees in accounting or taxation as provided in

chapter 215, Laws of 2015 (Substitute Senate Bill No. 5534).

Sec. 1124. 2016 sp.s. c 36 s 147 (uncodified) is amended to read as follows:

FOR THE BOARD FOR VOLUNTEER
 FIREFIGHTERS
 Volunteer Firefighters' and Reserve
 Officers'
 Administrative Account-State
 Appropriation ((~~\$1,011,000~~))
 \$1,014,000

Sec. 1125. 2016 sp.s. c 36 s 148 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND
 HISTORIC PRESERVATION
 General Fund-State Appropriation (FY
 2016) \$1,369,000
 General Fund-State Appropriation (FY
 2017) ((~~\$1,395,000~~))
 \$1,409,000
 General Fund-Federal
 Appropriation \$2,122,000
 General Fund-Private/Local
 Appropriation \$14,000
 TOTAL APPROPRIATION ~~\$4,900,000~~
 \$4,914,000

The appropriations in this section are subject to the following conditions and limitations: \$121,000 of the general fund-state appropriation for fiscal year 2016 and \$121,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington main street program.

Sec. 1126. 2016 sp.s. c 36 s 149 (uncodified) is amended to read as follows:

FOR THE CONSOLIDATED TECHNOLOGY
 SERVICES AGENCY
 General Fund-State Appropriation (FY
 2016) \$1,000,000
 General Fund-State Appropriation (FY
 2017) ((~~\$428,000~~))
 \$778,000
 Consolidated Technology Services
 Revolving
 Account-State Appropriation
 \$7,366,000

TOTAL APPROPRIATION ~~\$8,794,000~~

\$9,144,000

The appropriations in this section are subject to the following conditions and limitations:

(1) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures shall include the following: The agency's priority ranking of each information technology request; the estimated cost for the current biennium; the estimated total cost of the request over all biennia; and the expected timeline to complete the request. The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

(2) \$550,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the office of the chief information officer to develop a statewide strategic business and technology architecture plan for time capture, payroll and payment processes, and eligibility and authorization processes for the department of early learning. In collaboration with the department of early learning the plan will identify and recommend whether existing systems, or planned systems, can and should be used to meet the department of early learning's business needs. A child care attendance and billing solution must be designed or modified to align with the statewide enterprise strategy once the strategic architecture is established. The plan shall be completed and delivered to the appropriate committees of the legislature by December 1, 2015.

(3) \$450,000 of the general fund-state appropriation for fiscal year 2016 and \$428,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to the office of the chief information officer for statewide technical oversight of information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, and eligibility, case management and authorization systems within the department of social and health services, the department of health, the department of early learning, and the health care authority. As part of the

technical oversight, the office of the chief information officer shall identify where existing or proposed technology investments should be consolidated, reused, or otherwise leveraged to meet multiagency needs or increase interoperability, increase alignment with statewide policies, standards, strategies, architectures, and reduce redundant investments over time.

(4) \$7,366,000 of the consolidated technology services revolving account-state appropriation is provided solely for implementation of Second Substitute House Bill No. 1391 or Second Substitute Senate Bill No. 5315 (aligning information technology functions). If neither bill is enacted by July 10, 2015, the amount provided in this subsection shall lapse.

PART XII

HUMAN SERVICES

Sec. 1201. 2016 sp.s. c 36 s 201 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys

shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority

to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. No later than October 1, 2015, the department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(c) The department, in coordination with the health care authority, shall pursue a federal waiver to use supplemental nutrition assistance program eligibility, aged, blind, or disabled program eligibility, or temporary assistance for needy families eligibility, to enroll eligible persons into medicaid.

(7) In accordance with RCW 71.24.380, the health care authority and the department are authorized to purchase medical and behavioral health services through integrated contracts upon request of all of the county authorities in a regional service area to become an early adopter of fully integrated purchasing of medical and behavioral health services. The department may combine and transfer such amounts appropriated under sections 204, 208, and 213 of this act as may be necessary to fund early adopter contracts. The amount of medicaid funding transferred from each program may not exceed the average per capita cost assumed in this act for individuals covered by that program, actuarially adjusted for the health condition of persons enrolled, times the number of clients enrolled. The amount of non-medicaid funding transferred from sections 204 and 208 may not exceed the amount that would have been contracted with a behavioral health organization if the county authorities had not requested to become an early adopter of fully integrated purchasing. These limits do not apply to the amounts provided in section 204(1)(s) of this act. If any funding that this act provides solely for a specific purpose is transferred under this subsection, that funding must be used consistently with the provisions and conditions for which it was provided.

(8) In accordance with RCW 71.24.380, the department is authorized to purchase

mental health and substance use disorder services through integrated contracts with behavioral health organizations. The department may combine and transfer such amounts appropriated under sections 204 and 208 of this act as may be necessary to finance these behavioral health organization contracts. If any funding that this act provides solely for a specific purpose is transferred under this subsection, that funding must be used consistently with the provisions and conditions for which it was provided.

(9)(a) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, ~~((2016))~~ 2017, unless prohibited by this act, the department may transfer general fund-state appropriations for fiscal year ~~((2016))~~ 2017 among programs after approval by the director of financial management. However, the department shall not transfer state moneys that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year ~~((2016))~~ 2017 caseload forecasts and utilization assumptions in the long-term care, foster care, adoptions support, medical personal care, and child support programs, the department may transfer state moneys that are provided solely for a specified purpose. The department shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(10) To facilitate the authority provided in subsection (7) and (8) of this section, and to ensure a new accounting structure is in place as of July 1, 2017, the department is authorized to create a new program for accounting purposes only

that combines the mental health program and alcohol and substance abuse program allotments and expenditures.

Sec. 1202. 2016 sp.s. c 36 s 202 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM

General Fund—State Appropriation (FY 2016) \$324,746,000

General Fund—State Appropriation (FY 2017) (~~(\$337,124,000)~~)

\$347,453,000

General Fund—Federal Appropriation (~~(\$511,676,000)~~)

\$517,808,000

General Fund—Private/Local Appropriation (~~(\$1,354,000)~~)

\$1,854,000

Domestic Violence Prevention Account—State

Appropriation \$1,908,000

Child and Family Reinvestment Account—State

Appropriation \$6,529,000

TOTAL APPROPRIATION ~~\$1,183,337,000~~

\$1,200,298,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Amounts appropriated in this section include funding for the department to establish basic foster care rates consistent with the settlement agreement in *FPAWS v. Quigley*.

(2) \$668,000 of the general fund-state appropriation for fiscal year 2016 and \$668,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three

months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(3) \$253,000 of the general fund-state appropriation for fiscal year 2016 and \$253,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the costs of the eight existing hub home foster families that provide a foster care delivery model that includes a licensed hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(4) \$579,000 of the general fund-state appropriation for fiscal year 2016, \$579,000 of the general fund-state appropriation for fiscal year 2017, and \$109,000 of the general fund-federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(5) \$990,000 of the general fund-state appropriation for fiscal year 2016 and \$990,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for services provided through children's advocacy centers.

(6) \$1,250,000 of the general fund-state appropriation for fiscal year 2016 and \$1,351,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(7) \$4,865,000 of the general fund-state appropriation for fiscal year 2016, \$3,564,000 of the general fund-state appropriation for fiscal year 2017, \$6,529,000 of the child and family reinvestment account-state appropriation, and \$15,958,000 of the general fund-federal appropriation, are provided solely for family assessment response.

(8) \$94,000 of the general fund-state appropriation for fiscal year 2016 and \$94,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(9) \$668,000 of the domestic violence prevention account-state appropriation is provided solely for implementation of chapter 275, Laws of 2015 (SSB 5631) (domestic violence victims).

(10) \$1,996,000 of the general fund-state appropriation for fiscal year 2016, \$3,434,000 of the general fund-state appropriation for 2017, and \$844,000 of the general fund-federal appropriation are provided solely for the children's administration to:

(a) Reduce the caseload ratios of social workers serving children in foster care to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcome;

(b) Support the closure of child protective services investigations within ninety days of intake, where appropriate; and

(c) Progress towards statewide expansion and support of the child protective services family assessment response pathway.

The children's administration must, in the manner it determines appropriate, balance expenditure of amounts provided in this subsection in a way that makes substantial investments in each of the three purposes in (a) through (c) of this subsection. Of the amounts provided in this subsection, no more than \$1,600,000 may be used for the purpose of (b) of this subsection.

(11) \$819,000 of the general fund-state appropriation for fiscal year 2017 and \$373,000 of the general fund-federal appropriation are provided solely for implementation of chapter 240, Laws of 2015 (SSB 5740) (extended foster care).

(12) \$784,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for early achievers tiered reimbursement for family home and center child care providers consistent with Engrossed Second Substitute House Bill No. 1491 (early care & education system).

(13) (a) \$539,000 of the general fund-state appropriation for fiscal year 2016, \$540,000 of the general fund-state appropriation for fiscal year 2017, \$656,000 of the general fund private/local appropriation, and \$253,000 of the general fund-federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in

this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, or regions where backlogs of youth that have formerly requested educational outreach services exist. The children's administration is encouraged to use private matching funds to maintain educational advocacy services.

(b) Beginning in fiscal year 2017, the children's administration shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to Fourth Substitute House Bill No. 1999 (foster youth edu. outcomes). ~~((If the bill is not enacted by June 30, 2016, language in this subsection shall lapse.))~~

(14) The children's administration shall adopt policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised to unsupervised visitation prior to reunification. The children's administration shall submit the revised visitation policy to the appropriate policy and fiscal committees of the legislature by December 1, 2015.

(15) \$446,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for a contract with a nongovernmental entity or entities for the demonstration site to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW that was established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(a) The demonstration site in this subsection must facilitate the educational progress and graduation of dependent youth by providing individualized education services and monitoring and supporting dependent youths' remediation needs, special education needs, and completion of education milestones. The contract must be performance-based with a stated goal of improving the graduation rates of foster youth by two percent per year over five school year periods. The baseline for measurement for the existing site was established in the 2013-14 school year and

remains applicable through the 2017-18 school year.

(b) The demonstration site must develop and provide services aimed at improving the educational outcomes of foster youth. These services must include:

(i) Direct advocacy for foster youth to eliminate barriers to educational access and success;

(ii) Consultation with children's administration case workers to develop educational plans for and with participating youth;

(iii) Monitoring educational progress of participating youth;

(iv) Providing participating youth with school and local resources that may assist in educational access and success; and

(v) Coaching youth, caregivers, and social workers to advocate for dependent youth in the educational system.

(c) The contractor must report demonstration site outcomes to the department of social and health services and the office of the superintendent of public instruction by September 30, 2015, for the 2014-15 school year and by September 30, 2016, for the 2015-16 school year.

(d) The children's administration shall proactively refer all eligible students thirteen years or older within the demonstration site area to the contractor for educational services.

(e) The contractor shall report to the legislature by September 30, 2015, for the 2014-15 school year and by September 30, 2016, for the 2015-16 school year on the number of eligible youth referred by the children's administration, the number of youth served, and the effectiveness of the demonstration site in increasing graduation rates for dependent youth.

(16) The children's administration, office of the superintendent of public instruction, and student achievement council shall collaborate with the office of the attorney general, other governmental agencies, advocacy organizations, and others as needed to report to the legislature by December 1, 2015, on strategies to permit supplemental education transition planning for dependent youth to be administered by the student achievement council and the demonstration sites to be administered by the office of the superintendent of public

instruction no later than June 30, 2016. The report shall assess the feasibility of transitioning the programs and recommend strategies to resolve data and information sharing barriers through legislative policy and professional practice.

(17) \$334,000 of the general fund-state appropriation for fiscal year 2016, \$548,000 of the general fund-state appropriation for fiscal year 2017, and \$249,000 of the general fund-federal appropriation are provided solely for extended foster care services for eligible youth engaged in employment for eighty hours or more per month, pursuant to chapter 122, Laws of 2014.

(18) The children's administration is encouraged to control exceptional reimbursement decisions so that the child's needs are met without excessive costs.

(19) \$841,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a base rate increase and an increase in tiered reimbursement rates, levels three through five, for licensed family child care providers. This funding is for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 905 of this act.

(20) (a) The children's administration shall develop a plan, in consultation with providers, to improve placement stability and promote a continuum of care for children and youth who have experienced abuse and neglect and require long-term placement with behavioral supports. The plan shall include the following in regards to these children and youth:

(i) Analysis of the cost-effectiveness and outcomes of existing placement options;

(ii) Development of common and consistent assessment criteria for determining the necessary level of care;

(iii) Delineation of a continuity of care continuum;

(iv) Identification of gaps in services with recommended strategies and costs for addressing those gaps, and;

(v) Development of models for stabilizing funding, including forecasting models, for all components of the service continuum.

(b) The children's administration shall submit the plan to the appropriate legislative committees by December 1, 2016.

(21) \$10,653,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the purpose of settling all claims and meeting the terms of the settlement agreement in the lawsuit *Perez v. Department of Social and Health Services*, United States District Court Western District of Washington at Tacoma, Cause No. 3:08-cv-05479-BHS, covering the payment of overtime for eligible class members and related employer taxes, retirement contributions, and other mandatory withholdings. Of the amount appropriated in this subsection, \$9,750,000 is to pay to eligible class members back wages and statutory damages. The expenditure of this appropriation is contingent on the release of all claims in the case, and the total settlement costs paid to class members shall not exceed the designated amount provided in this subsection.

Sec. 1203. 2016 sp.s. c 36 s 203 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-JUVENILE REHABILITATION PROGRAM

General Fund-State Appropriation (FY 2016) \$92,347,000

General Fund-State Appropriation (FY 2017) (~~(\$90,892,000)~~)

\$92,319,000

General Fund-Federal Appropriation \$3,464,000

General Fund-Private/Local Appropriation \$1,985,000

Washington Auto Theft Prevention Authority Account-

State Appropriation \$196,000

Juvenile Accountability Incentive Account-Federal

Appropriation (~~(\$2,801,000)~~)

\$1,400,000

TOTAL APPROPRIATION ~~\$191,685,000~~

\$191,711,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$331,000 of the general fund-state appropriation for fiscal year 2016 and \$331,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$6,198,000 of the general fund-state appropriation for fiscal year 2016 and \$6,198,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement community juvenile accountability grants pursuant to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided in this subsection may be used solely for community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants.

(3) \$1,130,000 of the general fund-state appropriation for fiscal year 2016 is provided solely to implement alcohol and substance abuse treatment programs for locally committed offenders. Funding for this purpose in fiscal year 2017 is provided through a memorandum of understanding with the department of social and health services alcohol and substance abuse program. The juvenile rehabilitation administration shall award these moneys on a competitive basis to counties that submitted a plan for the provision of services approved by the division of alcohol and substance abuse. The juvenile rehabilitation administration shall develop criteria for evaluation of plans submitted and a timeline for awarding funding and shall assist counties in creating and submitting plans for evaluation.

(4) \$3,123,000 of the general fund-state appropriation for fiscal year 2016 and \$2,841,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for grants to county juvenile courts for the following juvenile justice programs identified by the Washington state institute for public policy (institute) in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for

Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." Additional funding for this purpose in fiscal year 2017 is provided through a memorandum of understanding with the department of social and health services alcohol and substance abuse program. County juvenile courts shall apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(5) \$1,537,000 of the general fund-state appropriation for fiscal year 2016 and \$1,537,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for expansion of the following juvenile justice treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(6)(a) The juvenile rehabilitation administration shall administer a block grant to county juvenile courts for the purpose of serving youth adjudicated in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service (CJS) funds, community juvenile accountability act (CJAA) grants, chemical dependency/mental health disposition alternative (CDDA), and suspended disposition alternative (SDA). The juvenile rehabilitation administration shall follow the following formula and will prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for moderate and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency disposition

alternative; and (vi) two percent for the mental health and sentencing dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the juvenile rehabilitation administration and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(b) The juvenile rehabilitation administration and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the juvenile rehabilitation administration and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be cochaired by the juvenile rehabilitation administration and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. Initial members will include one juvenile court representative from the finance committee, the community juvenile accountability act committee, the risk assessment quality assurance committee, the executive board of the Washington association of juvenile court administrators, the Washington state center for court research, and a representative of the superior court judges association; two representatives from the juvenile rehabilitation administration headquarters program oversight staff, two representatives of the juvenile rehabilitation administration regional office staff, one representative of the juvenile rehabilitation administration fiscal staff and a juvenile rehabilitation administration division director. The committee may make changes to the formula categories other than the evidence-based program and disposition alternative categories if it is determined the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost benefit savings to the

state. Long-term cost benefit must be considered. Percentage changes may occur in the evidence-based program or disposition alternative categories of the formula should it be determined the changes will increase evidence-based program or disposition alternative delivery and increase the cost benefit to the state. These outcomes will also be considered in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(c) The juvenile courts and administrative office of the courts shall be responsible for collecting and distributing information and providing access to the data systems to the juvenile rehabilitation administration and the Washington state institute for public policy related to program and outcome data. The juvenile rehabilitation administration and the juvenile courts will work collaboratively to develop program outcomes that reinforce the greatest cost benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(7) The juvenile courts and administrative office of the courts shall collect and distribute information related to program outcome and provide access to these data systems to the juvenile rehabilitation administration and Washington state institute for public policy. The agreements between administrative office of the courts, the juvenile courts, and the juvenile rehabilitation administration shall be executed to ensure that the juvenile rehabilitation administration receives the data that the juvenile rehabilitation administration identifies as needed to comply with this subsection. This includes, but is not limited to, information by program at the statewide aggregate level, individual court level, and individual client level for the purpose of the juvenile rehabilitation administration providing quality assurance and oversight for the locally committed youth block grant and associated funds and at times as specified by the juvenile rehabilitation administration as necessary to carry out these functions. The data shall be provided in a manner that reflects the collaborative work the juvenile rehabilitation administration and juvenile courts have developed regarding program outcomes that reinforce the greatest cost benefit to the state in

the implementation of evidence-based practices and disposition alternatives.

(8) \$445,000 of the general fund-state appropriation for fiscal year 2016 and \$445,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for funding of the teamchild project.

(9) \$178,000 of the general fund-state appropriation for fiscal year 2016 and \$178,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the juvenile detention alternatives initiative.

(10) \$500,000 of the general fund-state appropriation for fiscal year 2016 and \$500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a grant program focused on criminal street gang prevention and intervention. The juvenile rehabilitation administration may award grants under this subsection. The juvenile rehabilitation administration shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the juvenile rehabilitation administration on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(11) The juvenile rehabilitation institutions may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(12) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Engrossed Substitute House Bill No. 2746 (juvenile offender treatment). (~~If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~)

Sec. 1204. 2016 sp.s. c 36 s 204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

General Fund-State Appropriation (FY 2016) \$310,977,000

General Fund-State Appropriation (FY 2017) (~~(\$355,262,000)~~)

\$343,067,000

General Fund-Federal Appropriation (~~(\$1,011,270,000)~~)

\$986,307,000

General Fund-Private/Local Appropriation \$17,864,000

Dedicated Marijuana Account-State Appropriation

(FY 2016) \$2,778,000

Dedicated Marijuana Account-State Appropriation

(FY 2017) \$3,684,000

TOTAL APPROPRIATION ~~\$1,701,835,000~~

\$1,664,677,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) For the purposes of this subsection, the term "regional support networks," includes, effective April 1, 2016, behavioral health organizations which assume the duties of regional support networks pursuant to chapter 225, Laws of 2014 (2SSB 6312).

(b) \$12,204,000 of the general fund-state appropriation for fiscal year 2016, (~~(\$13,761,000)~~) \$8,921,000 of the general fund-state appropriation for fiscal year 2017, and (~~(\$17,918,000)~~) \$15,312,000 of the general fund-federal appropriation are provided solely to reimburse regional support networks for increased utilization costs, as compared to utilization costs in fiscal year 2014, that are incurred in order to meet statutory obligations to provide individualized mental health treatment in appropriate settings to individuals who are detained or committed under the involuntary treatment act. Prior to distributing funds to a regional support network requesting reimbursement for costs relative to increased utilization, the department must receive adequate documentation of such increased utilization and costs. Regional support networks receiving funds for community hospitals or evaluation and treatment center beds under (p) of this subsection

are only eligible for reimbursement that exceeds the total of their utilization costs in fiscal year 2014 and the costs of services provided with additional funds received under (p) of this subsection.

(c) \$2,452,000 of the general fund–state appropriation for fiscal year 2016, \$2,264,000 of the general fund–state appropriation for fiscal year 2017, and \$2,653,000 of the general fund–federal appropriation are provided solely for implementation of chapter 258, Laws of 2015 (E2SSB 5269) (involuntary treatment act). Regional support networks must use these amounts for involuntary treatment costs associated with implementation of this bill.

(d) \$3,776,000 of the general fund–state appropriation for fiscal year 2016, \$5,780,000 of the general fund–state appropriation for fiscal year 2017, and \$6,054,000 of the general fund–federal appropriation are provided solely for implementation of chapter 250, Laws of 2015 (E2SHB 1450) (involuntary outpatient treatment). Regional support networks must use these amounts for increases in community mental health treatment associated with implementation of this bill.

(e) \$81,180,000 of the general fund–state appropriation for fiscal year 2016 and \$81,180,000 of the general fund–state appropriation for fiscal year 2017 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts includes a reduction of \$4,715,000 for fiscal year 2016 and \$4,715,000 for fiscal year 2017 associated with a funding shift that allows for increased federal participation for community inpatient stays that were previously ineligible for federal matching funds. This reduction will be distributed to regional support networks based on the same proportions that were added to regional support network capitation ranges specific to the waiver that allowed for federal funds to be used for community inpatient stays that were previously ineligible for federal matching funds. The department must allow regional support networks to use medicaid capitation payments to provide services to medicaid

enrollees that are in addition to those covered under the state plan in accordance with the conditions established under federal regulations governing medicaid managed care contracts and subject to federal approval by the center for medicaid and medicare services.

(f) \$6,590,000 of the general fund–state appropriation for fiscal year 2016, \$6,590,000 of the general fund–state appropriation for fiscal year 2017, and \$7,620,000 of the general fund–federal appropriation are provided solely for the department and regional support networks to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to regional support networks with PACT teams, the department shall consider the differences between regional support networks in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The department may allow regional support networks which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under section 204(1)(e) of this act. The department and regional support networks shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(g) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by regional support networks at western state hospital shall be 587 per day in fiscal year 2016. Pursuant to Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices), the department must transition and divert enough patients with long term care needs from western state hospital by January 1, 2017, to reduce the capacity needed for this population by 30 beds and the department must reduce the number of nonforensic beds allocated for use by regional support networks at western state hospital to 557. The department may contract through a regional support network for up to 30 local community hospital beds to provide treatment to individuals on a 90 day involuntary commitment order and must lower that

regional support network's allocation of beds by the number of contracted beds.

(h) From the general fund-state appropriations in this subsection, the secretary of social and health services shall assure that regional support networks reimburse the aging and disability services administration for the general fund-state cost of medicaid personal care services that enrolled regional support network consumers use because of their psychiatric disability.

(i) The department is authorized to continue to contract directly, rather than through contracts with regional support networks, for children's long-term inpatient facility services.

(j) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$750,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to continue performance-based incentive contracts to provide appropriate community support services for individuals with severe mental illness who were discharged from the state hospitals as part of the expanding community services initiative. These funds will be used to enhance community residential and support services provided by regional support networks through other state and federal funding.

(k) \$1,125,000 of the general fund-state appropriation for fiscal year 2016 and \$1,125,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Spokane regional support network to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane regional support network shall assess the

effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(l) \$1,204,000 of the general fund-state appropriation for fiscal year 2016 and \$1,204,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(m) Regional support networks may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, regional support networks may use a portion of the state funds allocated in accordance with (e) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(n) \$2,291,000 of the general fund-state appropriation for fiscal year 2016 and \$2,291,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement.

(o) Within the amounts appropriated in this section, funding is provided for the department to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(p) \$9,184,000 of the general fund-state appropriation for fiscal year 2016, \$11,405,000 of the general fund-state appropriation for fiscal year 2017, and \$17,680,000 of the general fund-federal appropriation are provided solely for enhancement of community mental health services. The department must contract these funds for the operation of community programs in which the department determines there is a need for capacity that allows individuals to be diverted or

transitioned from the state hospitals including but not limited to: (i) Community hospital or free standing evaluation and treatment services providing short-term detention and commitment services under the involuntary treatment act to be located in the geographic areas of the King regional support network, the Spokane regional support network outside of Spokane county, and the Thurston Mason regional support network; (ii) one new full program of an assertive community treatment team in the King regional support network and two new half programs of assertive community treatment teams in the Spokane regional support network and the Pierce regional support network; and (iii) three new recovery support services programs in the Grays Harbor regional support network, the greater Columbia regional support network, and the north sound regional support network. In contracting for community evaluation and treatment services, the department may not use these resources in facilities that meet the criteria to be classified under federal law as institutions for mental diseases. If the department is unable to come to a contract agreement with a designated regional support network for any of the services identified above, it may consider contracting for that service in another regional support network that has the need for such service.

(q) The appropriations in this section include a reduction of \$16,462,000 in general fund-state and \$16,468,000 of general fund-federal expenditure authority. This reduction must be achieved by reducing regional support network medicaid rates for disabled adults, nondisabled adults, disabled children, and nondisabled children. No regional support network rate may be lowered below the low end of the rate range that is certified as actuarially sound. The department must work to develop updated minimum and maximum reserve levels that reflect the changes in the number of medicaid eligible individuals since reserve levels were originally set as well as the integration of substance use disorder services into managed care contracts funded within the amounts appropriated in this section. The department must submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2015, that includes the revised minimum and maximum reserve levels for medicaid and

nonmedicaid behavioral health organization contracts.

(r) \$300,000 of the general fund-state appropriation for fiscal year 2016, \$1,394,000 of the general fund-state appropriation for fiscal year 2017, and \$2,020,000 of the general fund-federal appropriation are provided solely for implementation of chapter 7, Laws of 2015 1st sp. sess. (2E2SSB 5177) (timeliness of competency evaluation and restoration services). Regional support networks must use the amounts for outpatient mental health treatment costs associated with implementation of the bill.

(s) \$1,500,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to support the southwest Washington region in transitioning to become an early adopter for full integration of physical and behavioral health care. These amounts must be used to provide a reserve for nonmedicaid services in the region and to stabilize the new crisis services system. The department and the health care authority must develop a memorandum of understanding on the use of these funds.

(t) By April 1, 2016, the department must establish minimum and maximum funding levels for all reserves allowed under behavioral health organization contracts and insert contract language that clearly states the requirements and limitations. The department must monitor and ensure that behavioral health organization reserves do not exceed maximum levels. The department must monitor behavioral health organization revenue and expenditure reports and must require a behavioral health organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The department must review and approve such plans and monitor to ensure compliance. If the department determines that a behavioral health organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the department must reduce payments to the behavioral health organization in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the department determines that the behavioral health organization has come into substantial compliance with an

approved excess reserve corrective action plan.

(u) \$2,000,000 of the general fund-state appropriation for fiscal year 2017 and \$762,000 of the general fund-federal appropriation for fiscal year 2017 are provided solely for four housing support and step down services teams.

(v) \$1,760,000 of the general fund-federal appropriation is provided solely for a pilot project to put peer bridging staff into each regional support network as part of the state psychiatric liaison teams to promote continuity of service as individuals return to their communities. The department must collect and make available data on the impact of peer staff on state hospital discharges and community placements.

(w) \$417,000 of the general fund-state appropriation for fiscal year 2017 and \$179,000 of the general fund-federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1448 (suicide threat response). ~~((If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(2) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2016) \$178,731,000

General Fund-State Appropriation (FY 2017) ~~((~~\$196,851,000~~))~~

\$241,822,000

General Fund-Federal Appropriation ~~((~~\$165,365,000~~))~~

\$167,693,000

General Fund-Private/Local Appropriation ~~((~~\$49,742,000~~))~~

\$51,180,000

Governor's Behavioral Health Innovation Fund-State

Appropriation \$6,777,000

TOTAL APPROPRIATION ~~\$597,466,000~~

\$646,203,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$231,000 of the general fund-state appropriation for fiscal year 2016 and \$231,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood.

(c) \$45,000 of the general fund-state appropriation for fiscal year 2016 and \$45,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$9,571,000 of the general fund-state appropriation for fiscal year 2016 and \$17,287,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). This funding must be used to increase the number of forensic beds at western state hospital to three hundred thirty and the number of forensic beds at eastern state hospital to one hundred twenty-five by June 30, 2017. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (2E2SSB 5177) (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(e) \$2,349,000 of the general fund-state appropriation for fiscal year 2016 and \$2,318,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). This funding must be used solely to increase the number of staff providing competency evaluation services.

(f) \$135,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to hire an on-site safety compliance officer, stationed at Western State Hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(g) \$600,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to contract with the University of Washington department of psychiatry and behavioral sciences. The University of Washington shall conduct an analysis and develop a plan to create a high quality forensic teaching unit in collaboration with Western State Hospital. The plan shall include an appraisal of risks, barriers, and benefits to implementation as well as an implementation timeline. The University of Washington shall report to the department, the office of financial management, and relevant policy and fiscal committees of the legislature on findings and recommendations by November 1, 2017.

(h) \$6,777,000 of the governor's behavioral health innovation fund appropriation is provided solely to improve the quality of care, patient and staff safety, and the efficiency of operations at the state hospitals pursuant to Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices). In accordance with Engrossed Second Substitute House Bill No. 2453 or Substitute Senate Bill No. 6656, the department must apply to and receive approval from the office of financial management prior to expending appropriations from this account. If neither bill is enacted by June 30, 2016, the amounts provided in this subsection shall lapse. It is the intent of the legislature that the ongoing costs of services that are implemented through these amounts be considered as maintenance level in the fiscal year 2017-2019 operating budget.

(i) \$510,000 of the general fund-state appropriation for fiscal year 2016 and \$6,256,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to increase the number of funded registered nurses at western state hospital by 51 positions by July 1, 2016. If the department is unable to fill these positions by July 1, 2016, the department may develop an alternative plan for spending the amount proportional to the

positions that are not filled. This plan must be submitted to the office of financial management following the same process established in Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices) for applying for funds in the Governor's behavioral health innovation fund. The office of financial management may, after receiving input from the select committee created in Engrossed Second Substitute House Bill No. 2453 or Substitute Senate Bill No. 6656, approve that an amount proportional to the positions that are not filled be spent on the department's alternative plan.

(j) \$791,000 of the general fund-state appropriation for fiscal year 2016, \$1,456,000 of the general fund-state appropriation for fiscal year 2017, and \$199,000 of the general fund-federal appropriation are provided solely for the unilateral implementation of targeted job classification compensation increases as set forth in section 903 of this act, effective December 1, 2015, at eastern and western state hospitals. The legislature recognizes that the compensation increases were necessitated by an emergency and an imminent jeopardy determination by the centers for medicare and medicaid services that relates to the safety and health of clients and employees.

(k) \$611,000 of the general fund-state appropriation for fiscal year 2016, \$2,264,000 of the general fund-state appropriation for fiscal year 2017, and \$250,000 of the general fund-federal appropriation are provided solely for the implementation of a memorandum of understanding between the governor and the service employees international union healthcare 1199nw amending the collective bargaining agreement under chapter 41.80 RCW for the 2015-2017 fiscal biennium as set forth in section 902 of this act, effective December 1, 2015, at eastern and western state hospitals and the child study treatment center. The legislature recognizes that the memorandum of understanding was necessitated by an emergency and an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety and health of clients and employees.

(l) (~~(\$3,789,000)~~) \$2,425,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to improve western state hospital patient and

employee safety by opening a civil ward in order to reduce the patients per ward.

(m) \$224,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to hire two staff for western state hospital dedicated to discharge planning and coordination efforts between other parts of the department and with the regional support networks to more efficiently and properly discharge patients determined ready to go back to their communities.

(n) \$1,900,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the fifteen percent assignment pay increase for psychiatrist classifications at eastern and western state hospital granted during fiscal year 2015.

(o) \$891,000 of the general fund-state appropriation for fiscal year 2016, \$1,600,000 of the general fund-state appropriation for fiscal year 2017, and \$211,000 of the general fund-federal appropriation are provided solely for implementation of a new memorandum of understanding between the state and the union of physicians of Washington to increase compensation for physician and psychiatrist classifications under chapter 41.80 RCW for the 2015-2017 fiscal biennium pursuant to section 901 of this act. The memorandum of understanding reached between the state and the union of physicians of Washington effective December 1, 2015, is not approved. The amounts provided in this subsection are contingent on the state and the union of physicians of Washington reaching an agreement by June 30, 2016, that allows psychiatric advanced registered nurse practitioners and physician assistants to perform work and tasks that are currently or have been historically performed by physicians and psychiatrists at the state hospitals.

(p) \$19,000 of the general fund-state appropriation for fiscal year 2017 and \$1,000 of the general fund-federal appropriation are provided solely for nonrepresented state employees in targeted state employee job classifications as set forth in section 906 of this act.

(3) SPECIAL PROJECTS

General Fund-State Appropriation (FY 2016) \$477,000

General Fund-State Appropriation (FY 2017) \$490,000

General Fund-Federal
Appropriation (~~(\$7,391,000)~~)

\$8,274,000

TOTAL APPROPRIATION ~~\$8,358,000~~

\$9,241,000

The appropriations in this subsection are subject to the following conditions and limitations: \$446,000 of the general fund-state appropriation for fiscal year 2016, \$446,000 of the general fund-state appropriation for fiscal year 2017, and \$178,000 of the general fund-federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the department to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds.

(4) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2016) \$9,779,000

General Fund-State Appropriation (FY 2017) (~~(\$9,120,000)~~)

\$9,874,000

General Fund-Federal
Appropriation (~~(\$12,025,000)~~)

\$12,396,000

General Fund-Private/Local
Appropriation \$502,000

TOTAL APPROPRIATION ~~\$31,426,000~~

\$32,551,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2016 and 2017 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on

accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(b) In developing the new medicaid managed care rates under which the public mental health managed care system will operate, the department must seek to estimate the reasonable and necessary cost of efficiently and effectively providing a comparable set of medically necessary mental health benefits to persons of different acuity levels regardless of where in the state they live. The department must report to the office of financial management and to the relevant fiscal and policy committees of the legislature on its proposed new mental health managed care rate-setting approach by August 1, 2015, and again at least sixty days prior to implementation of new capitation rates.

(c) Within the amounts appropriated in this section, funding is provided for the department to continue to develop the child adolescent needs and strengths assessment tool and build workforce capacity to provide evidence based wraparound services for children, consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(d) Pursuant to Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices), \$260,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to contract with an external consultant to examine the clinical role of staffing at the state hospitals. The consultant shall report to the department, the office of financial management, and relevant legislative policy and fiscal committees on the consultant's findings and recommendations in accordance with the timelines established in Engrossed Second Substitute House Bill No. 2453 or Substitute Senate Bill No. 6656.

Sec. 1205. 2016 sp.s. c 36 s 205 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund-State Appropriation (FY 2016) \$515,567,000

General Fund-State Appropriation (FY 2017) (~~(\$575,185,000)~~)

\$562,775,000

General Fund-Federal Appropriation (~~(\$1,098,035,000)~~)

\$1,085,132,000

General Fund-Private/Local Appropriation \$534,000

TOTAL APPROPRIATION ~~\$2,189,321,000~~

\$2,164,008,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2016 and \$225 per bed beginning in fiscal year 2017. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(ii) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2016 and \$106 per bed beginning in fiscal year 2017.

(iii) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2016 and \$359 per bed beginning in fiscal year 2017.

(c) \$8,571,000 of the general fund-state appropriation for fiscal year 2016,

\$18,181,000 of the general fund-state appropriation for fiscal year 2017, and \$33,427,000 of the general fund-federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2015-2017 fiscal biennium.

(d) The department shall reimburse with the exceptional care rate adult family homes that provided care solely to clients with HIV/AIDS on or before January 1, 2000, and continue to provide care solely to clients with HIV/AIDS. The department shall not reduce the exceptional care rate from the rate paid on October 1, 2013.

(e) \$774,000 of the general fund-state appropriation for fiscal year 2016, \$1,547,000 of the general fund-state appropriation for fiscal year 2017, and \$7,185,000 of the general fund-federal appropriation are provided solely for a payment system that satisfies medicaid requirements regarding time reporting for W-2 providers. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(f) \$1,184,000 of the general fund-state appropriation for fiscal year 2016, \$2,483,000 of the general fund-state appropriation for fiscal year 2017, and \$4,638,000 of the general fund-federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(g) The department is authorized to establish limited exemption criteria in rule to address RCW 74.39A.325 when a landline phone is not available to the employee.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required

residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) The department of social and health services shall increase the benchmark rates for community residential service businesses providing supported living, group home, and licensed staff residential services for people with developmental disabilities by sixty cents starting July 1, 2015, and by an additional sixty cents starting July 1, 2016.

(j) The department of social and health services shall standardize the administrative rate for community residential service businesses providing supported living, group home, and licensed staff residential services for people with developmental disabilities starting July 1, 2015.

(k) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(l) Within the amounts provided in this subsection, the developmental disabilities administration must prepare a report that describes options for modifying the current system of pre-vocational services for individuals with developmental disabilities. The developmental disabilities administration must not transition clients receiving pre-vocational services into integrated settings until the conclusion of the 2016 legislative session, unless there is a group supported employment, individual employment, or community access opportunity that is supported by the client and his or her legal representative. If a client transitions out of a congregate setting prior to December 1, 2016, then for each client, during the period before and after leaving the congregate setting, the report must describe the hours of service, hours worked, hourly wage, monthly earnings, authorized waiver services, and per capita expenditures. The report must be submitted to the appropriate fiscal and policy committees of the legislature by January 1, 2016. At a minimum, the report must describe the following options:

(i) Modify the current system to ensure compliance with rules established by the centers for medicare and medicaid services;

(ii) Continue the current system without federal matching funds; and

(iii) Transition clients out of congregate settings and into integrated settings. Under this option, the report must describe an anticipated phase-out schedule and medicaid waiver services that could be authorized to mitigate the impact for transitioning clients.

(m) The department shall establish new rules and standards to ensure that adult family homes are monitored and licensed to meet the needs of young adults with a developmental disability. These adult family homes may require a package of services including specialized care assessment and planning, personal care, specialized environmental features, and accommodations.

(n) \$650,000 of the general fund-state appropriation for fiscal year 2016, \$650,000 of the general fund-state appropriation for fiscal year 2017, and \$800,000 of the general fund-federal appropriation are provided solely for the development and implementation of eight enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her family home. The department must provide the legislature with a respite utilization report by January 2, 2016, and each year thereafter that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$550,000 of the general fund-state appropriation for fiscal year 2016, \$550,000 of the general fund-state appropriation for fiscal year 2017, and \$700,000 of the general fund-federal appropriation are provided solely for the development and implementation of eight community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January 2, 2016, and each year

thereafter that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$46,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of either Substitute Senate Bill No. 6329 (parent-to-parent) or House Bill No. 2394 (parent-to-parent program). ~~((If neither bill is enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(q) \$901,000 of the general fund-state appropriation for fiscal year 2017 and \$601,000 of the general fund-federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6564 (providing protections for persons with developmental disabilities). ~~((If this bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(r) \$5,000 of the general fund-state appropriation for fiscal year 2017 and \$7,000 of the general fund-federal appropriation are provided solely to increase vendor rates effective May 1, 2017, for adult residential care and enhanced adult residential care providers consistent with the statewide minimum wage established in Initiative Measure No. 1433.

(2) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2016) \$94,973,000

General Fund-State Appropriation (FY 2017) ~~((~~\$98,257,000~~))~~

\$97,713,000

General Fund-Federal Appropriation ~~((~~\$180,543,000~~))~~

\$180,170,000

General Fund-Private/Local Appropriation \$23,041,000

TOTAL APPROPRIATION ~~\$396,814,000~~

\$395,897,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW

74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$721,000 of the general fund-state appropriation for fiscal year 2016 and \$721,000 of the general fund-state appropriation for fiscal year 2017 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) \$558,000 of the general fund-state appropriation for fiscal year 2016, \$558,000 of the general fund-state appropriation for fiscal year 2017, and \$1,074,000 of the general fund-federal appropriation are for specialized services required by the centers for medicare and medicaid services as a result of preadmission screening and resident review assessments.

(d) \$2,978,000 of the general fund-state appropriation for fiscal year 2016, \$2,978,000 of the general fund-state appropriation for fiscal year 2017, and \$5,956,000 of the general fund-federal appropriation are for additional staff to ensure compliance with centers for medicare and medicaid services requirements for habilitation, nursing care, staff safety, and client safety at the residential habilitation centers.

(e) The residential habilitation centers may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(f) \$100,000 of the general fund-state appropriation for fiscal year 2016, \$100,000 of the general fund-state appropriation for fiscal year 2017, and \$200,000 of the general fund-federal appropriation are provided solely for respite services in an existing eight-bed cottage at Yakima valley school for individuals who are developmentally disabled and in need of crisis stabilization support.

(g) \$834,000 of the general fund-state appropriation for fiscal year 2017 and \$833,000 of the general fund-federal appropriation are provided solely for an additional eight planned respite beds at Yakima valley school.

(3) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2016) \$2,604,000

General Fund-State Appropriation (FY 2017) (~~(\$2,422,000)~~)

\$2,348,000

General Fund-Federal Appropriation (~~(\$3,164,000)~~)

\$3,148,000

TOTAL APPROPRIATION ~~\$8,190,000~~

\$8,100,000

(4) SPECIAL PROJECTS

General Fund-State Appropriation (FY 2016) \$92,000

General Fund-State Appropriation (FY 2017) (~~(\$55,000)~~)

\$201,000

General Fund-Federal Appropriation (~~(\$1,103,000)~~)

\$1,250,000

TOTAL APPROPRIATION ~~\$1,250,000~~

\$1,543,000

Sec. 1206. 2016 sp.s. c 36 s 206 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-AGING AND ADULT SERVICES PROGRAM

General Fund-State Appropriation (FY 2016) \$909,817,000

General Fund-State Appropriation (FY 2017) (~~(\$1,030,159,000)~~)

\$986,784,000

General Fund-Federal Appropriation (~~(\$2,385,151,000)~~)

\$2,345,377,000

General Fund-Private/Local Appropriation \$33,797,000

Traumatic Brain Injury Account-State Appropriation \$3,968,000

Skilled Nursing Facility Safety Net Trust Account-

State Appropriation \$133,360,000

TOTAL APPROPRIATION ~~\$4,497,252,000~~

\$4,413,103,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$178.87 for fiscal year 2016 and shall not exceed (~~(\$197.33)~~) \$196.41 for fiscal year 2017. There will be no adjustments for economic trends and conditions in fiscal years 2016 and 2017. The economic trends and conditions factor or factors defined in the biennial appropriations act shall not be compounded with the economic trends and conditions factor or factors defined in any other biennial appropriations acts before applying it to the component rate allocations established in accordance with chapter 74.46 RCW. When no economic trends and conditions factor for either fiscal year is defined in a biennial appropriations act, no economic trends and conditions factor or factors defined in any earlier biennial appropriations act shall be applied solely or compounded to the component rate allocations established in accordance with chapter 74.46 RCW.

(a) For fiscal year 2016 within the funds provided, the department shall continue to provide an add-on per medicaid resident day per facility not to exceed \$1.57. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$15 in calendar year 2008, according to cost report data. The add-on may also be used to address resulting wage compression for related job classes immediately affected by wage increases to low-wage workers. For fiscal year 2016 within funds provided, the department shall provide an additional add-on per medicaid resident day per facility not to exceed the industry weighted average rate of \$2.44. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$17 in calendar year 2012, according to cost report data. The department shall continue reporting requirements and a settlement process to ensure that the funds are spent according to this subsection.

(b) The department shall do a comparative analysis of the facility-based payment rates calculated on July 1, 2015,

using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the low wage worker add-on found in (a) of this subsection, the rate add-ons for direct care, support services, and therapy care found in (g) of this subsection, the comparative add-on, acuity add-on, and safety net reimbursement, to the facility-based payment rates in effect June 30, 2010. For fiscal year 2016, if the facility-based payment rate calculated on July 1, 2015, is smaller than the facility-based payment rate on June 30, 2010, then the difference shall be provided to the individual nursing facilities as an add-on payment per medicaid resident day.

(c) During the comparative analysis performed in subsection (b) of this section, for fiscal year 2016, if it is found that the direct care rate for any facility calculated using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the low wage worker add-on found in (a) of this subsection, the rate add-ons for direct care, support services, and therapy care found in (g) of this subsection, the comparative add-on, acuity add-on, and safety net reimbursement, is greater than the direct care rate in effect on June 30, 2010, then the facility shall receive a ten percent direct care rate add-on to compensate that facility for taking on more acute clients than they have in the past.

(d) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(e) The rate add-on provided in (c) of this subsection is subject to the reconciliation and settlement process provided in RCW 74.46.022(6).

(f) If the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment is for any reason disapproved, (b), (c), (d), (g), and the fiscal year 2016 additional add-on in (a) of this subsection do not apply.

(g) For fiscal year 2016, the department shall provide the following rate add-ons per medicaid resident day:

(i) A direct care rate add-on of \$3.63 per medicaid resident day;

(ii) A support services rate add-on of \$1.12 per medicaid resident day; and

(iii) A therapy care rate add-on of \$0.05 per patient day.

This subsection (1)(g) is subject to the reconciliation and settlement process provided in RCW 74.46.022(6).

(h) Beginning July 1, 2016, a nursing home provider's direct care rate shall be set so that it does not exceed one hundred and eighteen percent of its base year's direct care allowable costs except if the provider is below the minimum staffing standard established in RCW 74.42.360(2).

(2) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2016 and no new certificates of capital authorization for fiscal year 2017 and shall grant no rate add-ons to payment rates for capital improvements not requiring a certificate of need and a certificate of capital authorization for fiscal years 2016 and 2017.

(3) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2016 and \$225 per bed beginning in fiscal year 2017. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(b) \$193,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to the department to implement a new processing fee of \$700 when adult family home providers file a change of ownership application.

(c) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2016 and \$106 per bed beginning in fiscal year 2017.

(d) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2016 and \$359 per bed beginning in fiscal year 2017.

(4) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

(5) \$3,095,000 of the general fund-state appropriation for fiscal year 2017 and \$3,095,000 of the general fund-federal appropriation are provided within existing appropriations solely to exempt the five highest acuity resource utilization group categories (beginning with PC2 through PE2) from the adjustment to case mix index per RCW 74.46.485. Nursing homes shall be required to notify the department's identified home and community services division contact within 30 days of a medicaid resident being identified in one of the five lowest resource utilization group categories (beginning with PA1 through PC1). The department shall complete an assessment of those residents who desire to transition into a community setting. The department shall identify within 30 days whether an alternate setting of the client's choosing is available to meet the resident's needs. Nursing homes shall work collaboratively with the department to transition into the community at least ninety-six residents, assessed in the five lowest acuity resource utilization group categories (PA1 through PC1). For the first two quarters of fiscal year 2017, the downward adjustment shall be no greater than thirteen percent. If, after the first two quarters of fiscal year 2017, the department determines the nursing homes are not making sufficient progress towards moving ninety-six residents from the five lowest resource utilization group categories (PA1 through PC1) into the community, the department is authorized to increase the downward adjustment to no greater than twenty percent for the lowest four resource utilization group categories (PA1 through PB2).

(6) \$19,747,000 of the general fund-state appropriation for fiscal year 2016, \$41,807,000 of the general fund-state

appropriation for fiscal year 2017, and \$76,770,000 of the general fund–federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2015-2017 fiscal biennium.

(7) \$1,840,000 of the general fund–state appropriation for fiscal year 2016 and \$1,877,000 of the general fund–state appropriation for fiscal year 2017 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(8) \$2,447,000 of the general fund–state appropriation for fiscal year 2016, \$4,894,000 of the general fund–state appropriation for fiscal year 2017, and \$22,725,000 of the general fund–federal appropriation are provided solely for a payment system that satisfies medicaid requirements regarding time reporting for W-2 providers. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(9) The department is authorized to establish limited exemption criteria in rule to address RCW 74.39A.325 when a landline phone is not available to the employee.

(10) \$7,552,000 of the general fund–state appropriation for fiscal year 2016, \$15,974,000 of the general fund–state appropriation for fiscal year 2017, and \$29,742,000 of the general fund–federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(11) Within the amounts appropriated in this section of the general fund–state appropriation for fiscal years 2016 and 2017, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues that is established by this subsection.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members. Four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy options, by conducting at least, but not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Review the regulation of continuing care retirement communities and ways to protect those who reside in them, including the consideration of effective disclosures to residents;

(vi) Identify the needs of older people and people with disabilities for high quality public and private guardianship services and information about assisted decision-making options;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(e) At least one committee meeting must be devoted to a discussion of strategies to improve the quality of care, client safety and well-being, and staff safety within all community and institutional settings. During the meeting, committee members must receive a comprehensive review of findings since fiscal year 2010 by the centers for medicare and medicaid services, and residential care services, in community settings, nursing homes, and each of the residential habilitation centers, with an emphasis on medical errors, inconsistencies between service plans and services provided, the use of restraints, and existence of hazardous environmental conditions.

(f) The committee shall issue an addendum report to the legislature by December 10, 2015, and issue final recommendations to the governor and relevant standing committees of the legislature by December 10, 2016. The addendum report to the legislature must include the following:

(i) A description of the oversight role for residential care services, the long-term care ombuds, the centers for medicare

and medicaid services, and disability rights Washington;

(ii) From the provider perspective, and the perspective of a state agency, an overview of the process for reviewing and responding to findings by residential care services and the centers for medicare and medicaid services;

(iii) A description of the process for notifying the office of the governor and the legislature when problems with quality of care, client safety and well-being, or staff safety arise within community or institutional settings;

(iv) A compilation of findings since fiscal year 2010 by the centers for medicare and medicaid services, and residential care services, at the residential habilitation centers, nursing facilities, supported living, assisted living, group homes, companion homes, adult family homes, and all other community based providers;

(v) An annotated and detailed list of all responses to findings by the centers for medicare and medicaid services, and residential care services, specific to audits of the nursing facility at lakeland village since fiscal year 2010;

(vi) Review the regulation of continuing care retirement communities and ways to protect those who reside in them, including the consideration of effective disclosures to residents;

(vii) Identify the needs of older people and people with disabilities for high quality public and private guardianship services and information about assisted decision-making options;

(viii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(ix) A description of the method in place to ascertain the outcome of responses to findings.

(12) \$5,094,000 of the general fund-state appropriation for fiscal year 2016 and \$5,094,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(13) The department may authorize a one-time waiver of all or any portion of

the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(14) The department shall reimburse with the exceptional care rate adult family homes that provided care solely to clients with HIV/AIDS on or before January 1, 2000, and continue to provide care solely to clients with HIV/AIDS. The department shall not reduce the exceptional care rate from the rate paid on October 1, 2013.

(15) (a) \$100,000 of the general fund-state appropriation for fiscal year 2016, \$100,000 of the general fund-private/local appropriation, and \$200,000 of the general fund-federal appropriation are provided solely for the department of social and health services to contract for an independent feasibility study and actuarial modeling of public and private options for leveraging private resources to help individuals prepare for long-term services and supports needs. The study must model two options: (i) A public long-term care benefit for workers, funded through a payroll deduction that would provide a time-limited long-term care insurance benefit; and (ii) a public-private reinsurance or risk-sharing model, with the purpose of providing a stable and ongoing source of reimbursement to insurers for a portion of their catastrophic long-term services and supports losses in order to provide additional insurance capacity for the state.

(b) The report must include input from the joint committee on aging and disability and other interested stakeholders. The report must also include an analysis of each option based on: (i) The expected costs and benefits for participants; (ii) the total anticipated number of participants; (iii) the projected savings to the state medicaid program, if any; and (iv) legal and financial risks to the state.

(c) The department must provide status updates to the joint legislative executive committee on aging and disability. The feasibility study and actuarial analysis shall be completed and submitted to the department of social and health services by December 20, 2016. The department shall submit a report, including the director's findings and recommendations based on the feasibility study and actuarial analysis, to the governor and the legislature by January 1, 2017.

(16) \$6,195,000 of the general fund-state appropriation for fiscal year 2016, \$13,195,000 of the general fund-state appropriation for fiscal year 2017, and \$20,288,000 of the general fund-federal appropriation are provided solely to implement House Bill No. 1274 (nursing home payment rates).

(17) Within available funds, the aging and long term support administration must create a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(18) \$58,000 of the general fund-state appropriation for fiscal year 2016, \$58,000 of the general fund-state appropriation for fiscal year 2017, and \$114,000 of the general fund-federal appropriation are provided solely to implement Substitute Senate Bill No. 5877 (due process for adult family homes).

(19) \$468,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to expand the kinship navigator program to the Colville Indian reservation, Yakama Nation, and other tribal areas currently without kinship navigator services.

(20) \$37,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to implement Second Substitute House Bill No. 2726 (retirement communities). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(21) The department shall provide the legislature an analysis of expenditures for medicaid clients served in adult family homes and assisted living facilities by acuity level. The analysis shall include all services provided to medicaid clients in each care setting, including all services covered by the daily rate, and services provided in addition to the daily rate. The department shall submit the report to the legislature by November 15, 2016.

(22) \$308,000 of the general fund-state appropriation for fiscal year 2017 and \$77,000 of the general fund-federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6564 (providing protections for persons with developmental disabilities). ~~((If this bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(23) \$537,000 of the general fund-state appropriation for fiscal year 2017 and \$538,000 of the general fund-federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6656 (state hospital practices) ~~((~~or Engrossed Second Substitute House Bill No. 2453 (state hospital oversight)~~)).~~ The department shall contract with a nursing home facility with an enhanced staffing model able to care for patients coming out of western state hospital. The department must identify and must discharge at least thirty patients from a geriatric ward at western state hospital to alternative settings by January 1, 2017, by utilizing enhanced services facilities and enhanced community services plus nursing home beds. ~~((If neither bill is enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(24) \$307,000 of the general fund-state appropriation for fiscal year 2017 and \$376,000 of the general fund-federal appropriation are provided solely to increase vendor rates effective May 1, 2017, for nursing homes, assisted living facilities including adult residential care and enhanced adult residential care, adult day care and adult day health providers, and home care agency administration consistent with the statewide minimum wage established in Initiative Measure No. 1433.

Sec. 1207. 2016 sp.s. c 36 s 207 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-ECONOMIC SERVICES PROGRAM

General Fund-State Appropriation (FY 2016) \$396,066,000

General Fund-State Appropriation (FY 2017) ~~((~~\$418,020,000~~))~~

\$390,661,000

General Fund-Federal Appropriation ~~((~~\$1,301,431,000~~))~~

\$1,310,773,000

General Fund-Private/Local
Appropriation \$1,950,000

Administrative Contingency Account-
State Appropriation \$17,000,000

TOTAL APPROPRIATION ~~\$2,134,467,000~~

\$2,116,450,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$152,953,000 of the general fund-state appropriation for fiscal year 2016, ~~((~~\$171,299,000~~))~~ \$148,524,000 of the general fund-state appropriation for fiscal year 2017, ~~((~~\$779,366,000~~))~~ \$799,758,000 of the general fund-federal appropriation, and the administrative contingency account-state appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting the new structure and no later than December 2015.

(b) ~~((~~\$316,460,000~~))~~ \$302,276,000 of the amounts in (a) of this subsection are provided solely for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance.

(c) ~~((~~\$163,200,000~~))~~ \$160,526,000 of the amounts in (a) of this subsection are provided solely for WorkFirst job search, education and training activities, barrier removal services, limited English

proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. The department shall adopt rules to take effect July 1, 2017, to limit the working family support program at 10,000 households.

(d) (~~(\$477,029,000)~~) \$464,401,000 of the amounts in (a) of this subsection are provided solely for the working connections child care program under RCW 43.215.135. Of the amounts provided in this subsection (1)(d), \$22,040,000 of the appropriation for fiscal year 2017 is provided solely for implementation of chapter 7, Laws of 2015 3rd sp. sess. (early care and education system). Of the amounts provided in this subsection (1)(d), \$8,048,000 of the appropriation for fiscal year 2017 is provided solely for a base rate increase. This funding is for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 905 of this act. The amounts provided in this subsection (d) are provided conditioned on the department of social and health services and the department of early learning taking additional actions to identify and reduce the backlog of overpayment cases related to public assistance programs, including the working connections child care program. The departments shall collaborate and create a plan to triage overpayment cases in a manner that identifies and prioritizes cases with large overpayments and likelihood of fraudulent activity. The departments shall provide a quarterly report to the appropriate policy and fiscal committees of the legislature detailing the specific actions taken as a result of this subsection (d).

(e) (~~(\$163,929,000)~~) \$174,031,000 of the amounts in (a) of this subsection are provided solely for WorkFirst and working connections child care administration and overhead. Of amounts provided in this subsection (1)(e), \$41,000 of the appropriation for fiscal year 2016 is provided solely for implementation of chapter 7, Laws of 2015 3rd sp. sess. (early care and education system).

(f) The amounts in (b) through (~~(d)~~) (e) of this subsection shall be expended for the programs and in the amounts specified. However, the department may transfer up to 10 percent of funding between (b) through (~~(d)~~) (e) of this subsection. The department shall provide

notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(g) Beginning July 1, 2016, and each calendar quarter thereafter, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort; and

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements.

(h) In the 2017-2019 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (b) through (e) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$1,657,000 of the general fund-state appropriation for fiscal year 2016 and \$1,657,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On December 1, 2015, and annually thereafter, the department must report to the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be one hundred percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office

locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$300,000 of the general fund-federal appropriation is provided solely for implementation of Second Substitute House Bill No. 2877 (SNAP benefit distribution dates), provided that the department confirms receipt of SNAP Bonus payments sufficient for the cost of implementing the bill. (~~If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~)

Sec. 1208. 2016 sp.s. c 36 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-ALCOHOL AND SUBSTANCE ABUSE PROGRAM

General Fund-State Appropriation (FY 2016) \$64,261,000

General Fund-State Appropriation (FY 2017) (~~(\$66,185,000)~~)

\$60,811,000

General Fund-Federal Appropriation (~~(\$519,951,000)~~)

\$523,815,000

General Fund-Private/Local Appropriation \$20,211,000

Criminal Justice Treatment Account-State

Appropriation \$12,478,000

Problem Gambling Account-State Appropriation \$1,453,000

Dedicated Marijuana Account-State Appropriation

(FY 2016) \$10,736,000

Dedicated Marijuana Account-State Appropriation

(FY 2017) \$24,802,000

TOTAL APPROPRIATION ~~\$720,077,000~~

\$718,567,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within the amounts appropriated in this section, the department may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical

dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the department by request; and (b) indirect charges for administering the program shall not exceed ten percent of the total contract amount.

(2) In accordance with RCW 70.96A.090 and 43.135.055, the department is authorized to adopt fees for the review and approval of treatment programs in fiscal years 2016 and 2017 as necessary to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(3) \$3,500,000 of the general fund-federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(4) \$421,000 of the general fund-state appropriation for fiscal year 2016, \$873,000 of the general fund-state appropriation for fiscal year 2017, and \$1,787,000 of the general fund-federal appropriation are provided solely for implementation of chapter 50, Laws of 2015 (E2SHB 1450) (involuntary outpatient treatment). The department must use these amounts for increases in alcohol and substance abuse treatment associated with implementation of the bill.

(5) \$200,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$200,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for a contract with the Washington state institute for public policy to conduct cost-benefit evaluations of the implementation of chapter 3, Laws of 2013 (Initiative Measure No. 502).

(6) \$500,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$500,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely to design and administer the Washington state healthy youth survey and the Washington state young adult behavioral health survey.

(7) \$395,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$396,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for increasing services to pregnant and parenting women provided through the parent child assistance program.

(8) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for a grant to the office of superintendent of public instruction to provide life skills training to children and youth in schools that are in high needs communities.

(9) \$386,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$386,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely to increase prevention and treatment services provided by tribes to children and youth.

(10) \$683,000 of the dedicated marijuana account-state appropriation for fiscal year 2016, \$2,684,000 of the dedicated marijuana account-state appropriation for fiscal year 2017, and \$1,900,000 of the general fund-federal appropriation are provided solely to increase residential treatment services for children and youth.

(11) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for training and technical assistance for the implementation of evidence based, research based, and promising programs which prevent or reduce substance use disorders.

(12) \$1,000,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$2,434,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for expenditure into the home visiting services account.

(13) \$3,278,000 of the dedicated marijuana account—state appropriation for fiscal year 2017 is provided solely for a memorandum of understanding with the department of social and health services juvenile rehabilitation administration to provide substance abuse treatment programs for juvenile offenders. Of the amounts provided in this subsection:

(a) \$1,130,000 of the dedicated marijuana account—state appropriation for fiscal year 2017 is provided solely for alcohol and substance abuse treatment programs for locally-committed offenders. The juvenile rehabilitation administration shall award these funds as described in section 203(3) of this act.

(b) \$282,000 of the dedicated marijuana account—state appropriation for fiscal year 2017 is provided solely for the expansion of evidence-based treatments and therapies as described in section 203(4) of this act.

(14) \$2,500,000 of the dedicated marijuana account—state appropriation for fiscal year 2016 and \$2,500,000 of the dedicated marijuana account—state appropriation for fiscal year 2017 are provided solely for grants to community-based programs that provide prevention services or activities to youth, including programs for school-based resource officers. These funds must be utilized in accordance with RCW 69.50.540.

(15) Within the amounts provided in this section, regional support networks must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision beginning in April 2016. Effective April 1, 2016, contracts with regional support networks must require that regional support networks include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the department of social and health services must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for

the individuals being served. The department of social and health services must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(16) During the 2015-2017 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the department and providers rather than through contracts with behavioral health organizations. By December 1, 2016, the department must provide a report to the office of financial management and the appropriate committees of the legislature on the readiness for behavioral health organizations to assume the contracts for case management services for pregnant and parenting women.

(17) \$100,000 of the general fund—state appropriation for fiscal year 2016 and \$100,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for parenting education services focused on pregnant and parenting women.

(18) Within existing appropriations, the department shall prioritize the prevention and treatment of intravenous opiate-based drug use.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for a contract with the Washington State University for the research and development of a marijuana breathalyzer.

(20) \$438,000 of the general fund—state appropriation for fiscal year 2017 and \$185,000 of the general fund—federal appropriation are provided solely for implementation of Third Substitute House Bill No. 1713 (mental health, chemical dependency). ~~((If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(21) Within the amounts appropriated in this section, the department of social and health services and the health care authority must provide quarterly reports to the chairs of the house of representatives health care and wellness committee, the house of representatives early learning and human services committee, the senate health care committee, and the senate human services, mental health, and housing committee on the integration of mental health and

chemical dependency treatment purchasing through behavioral health organizations and the southwest Washington early adopter model. These reports must include, but are not limited to, an update on reimbursement rates and contracts for providing residential chemical dependency treatment; the numbers of referrals and length of stay for patients referred to chemical dependency treatment; the timing of authorization and payment to providers; the compatibility of patient electronic medical record data between behavioral health organizations, managed care organizations in the southwest Washington regional service area, and providers; and the status of contracted providers. Behavioral health organizations and managed care organizations in the southwest Washington regional service area must be required to immediately report when notified that a provider is in jeopardy of closure. The department and the health care authority must immediately assess whether and take actions to ensure that the behavioral health organization or managed care plans impacted by the provider closure have an adequate transition plan to maintain an adequate network and provide access to medically necessary treatment services for enrollees. These reports shall begin April 1, 2016, and end on October 31, 2016.

(22) Within existing appropriations for fiscal year 2017, the department shall conduct a two-part study of substance use provider capacity and substance use provider outcomes in the state. The provider capacity report must provide information about publicly funded providers, including their number, geographical location, populations served, and treatment methodologies employed. The provider outcome report must examine variation in client outcome for these providers using statistical models to mitigate the impact of case mix. Where possible, outcomes must be aligned with specifications developed as directed by Second Substitute Senate Bill No. 5732, (chapter 338, Laws of 2013) and Engrossed Substitute House Bill No. 1519 (chapter 320, Laws of 2013). The two reports shall be submitted to the governor and appropriate committees of the legislature by June 1, 2017.

(23) \$500,000 of the criminal justice treatment account-state appropriation is provided solely to increase funding for substance abuse treatment and support services for offenders and to support drug courts.

Sec. 1209. 2016 sp.s. c 36 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund—State Appropriation (FY 2016) \$12,866,000

General Fund—State Appropriation (FY 2017) (~~(\$13,353,000)~~)

\$13,414,000

General Fund—Federal Appropriation (~~(\$98,491,000)~~)

\$109,988,000

TOTAL APPROPRIATION ~~\$124,710,000~~

\$136,268,000

The appropriations in this section are subject to the following conditions and limitations: \$11,510,000 of the general fund-federal appropriation is provided solely for the department to spend existing federal grant dollars to meet new program demands pursuant to the working innovation and opportunity act.

Sec. 1210. 2016 sp.s. c 36 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM

General Fund—State Appropriation (FY 2016) \$39,490,000

General Fund—State Appropriation (FY 2017) (~~(\$40,823,000)~~)

\$42,488,000

TOTAL APPROPRIATION ~~\$80,313,000~~

\$81,978,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$78,000 of the general fund-state appropriation for fiscal year 2016 and \$78,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement House Bill No. 1059 (sexually violent predators).

(2) The department shall review its current food services for the special commitment center for opportunities to consolidate and centralize, emphasizing opportunities for increased efficiency. The department shall consider consolidating and centralizing the

department's institutional food service by examining: (a) Consistent daily meals across institutions; (b) off-site meal preparation and cook-chill meals; and (c) increased use of the department of correction's correctional industries institutional food service. Any food service improvements must account for special diets and consistency with established dietary intakes of the food and nutrition board of the national research council.

(3) Within the amounts provided in this section, the special commitment center must explore entering into an interagency agreement with the University of Washington. The interagency agreement would allow the department to receive drug pricing under 340B of the public health services act for drug purchases associated with treating patients with hepatitis C or other diseases, whereby the university is acting as the covered entity or safety-net provider. In cooperation with the University of Washington, the special commitment center must provide an estimate of the fiscal impact of a successful agreement of this nature, to be included in the report provided to the legislature under section 606 of this act.

(4) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(5) \$15,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of a memorandum of understanding between the governor and the service employees international union healthcare 1199nw amending the collective bargaining under chapter 41.80 RCW for the 2015-2017 fiscal biennium as set forth in section 902 of this act. The legislature recognizes that the memorandum of understanding was necessitated by an emergency and an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety and health of clients and employees.

Sec. 1211. 2016 sp.s. c 36 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund-State Appropriation (FY 2016) \$34,207,000

General Fund-State Appropriation (FY 2017) (~~(\$34,533,000)~~)

\$34,943,000

General Fund-Federal Appropriation (~~(\$41,153,000)~~)

\$41,312,000

General Fund-Private/Local Appropriation \$654,000

TOTAL APPROPRIATION ~~\$110,547,000~~

\$111,116,000

The appropriations in this section are subject to the following conditions and limitations: \$300,000 of the general fund-state appropriation for fiscal year 2016 and \$300,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a Washington state mentoring organization to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

Sec. 1212. 2016 sp.s. c 36 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund-State Appropriation (FY 2016) \$72,717,000

General Fund-State Appropriation (FY 2017) (~~(\$76,957,000)~~)

\$77,640,000

General Fund-Federal Appropriation (~~(\$58,973,000)~~)

\$59,216,000

TOTAL APPROPRIATION ~~\$208,647,000~~

\$209,573,000

The appropriations in this section are subject to the following conditions and limitations: \$8,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to implement chapter 240, Laws of 2015 (extended foster care).

Sec. 1213. 2016 sp.s. c 36 s 213 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY

During the 2015-2017 fiscal biennium, the health care authority shall provide support and data as required by the office

of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecasts and utilization assumptions, the authority, after May 1, ~~((2016))~~ 2017, may transfer general fund-state appropriations for fiscal year ~~((2016))~~ 2017 that are provided solely for a specified purpose. The authority shall not transfer funds, and the director of financial management

shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) MEDICAL ASSISTANCE

General Fund-State Appropriation (FY 2016) \$1,950,827,000

General Fund-State Appropriation (FY 2017) ~~((2,054,119,000))~~

\$2,026,008,000

General Fund-Federal Appropriation ~~((11,217,550,000))~~

\$11,179,998,000

General Fund-Private/Local Appropriation ~~((70,787,000))~~

\$82,590,000

Emergency Medical Services and Trauma Care Systems

Trust Account-State Appropriation \$15,086,000

Hospital Safety Net Assessment Account-State

Appropriation ~~((689,942,000))~~

\$686,952,000

Medicaid Fraud Penalty Account-State Appropriation \$18,491,000

Medical Aid Account-State Appropriation \$528,000

Dedicated Marijuana Account-State Appropriation

(FY 2016) \$7,791,000

Dedicated Marijuana Account-State Appropriation

(FY 2017) ~~((12,979,000))~~

\$14,133,000

State Health Care Authority Administration Account-State

Appropriation ~~((106,000))~~

\$75,000

TOTAL APPROPRIATION ~~\$16,039,206,000~~

\$15,982,479,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$35,794,000 of the general fund—state appropriation for fiscal year 2016 is provided solely for medicaid services based on the February caseload and medicaid forecasts contingent upon: (i) Transfer of the medicaid forecast function to the office of financial management, by July 1, 2016; (ii) the authority executing necessary, timely data sharing agreements with the office of the state actuary; (iii) the authority providing support and data as required by the office of the state actuary necessary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority; (iv) transfer of the administration of the managed care actuarial rate setting contract from the authority to the office of financial management; and (v) the authority consulting with the medical assistance forecast work group prior to accepting the actuarial contractor's managed care rate recommendations.

(b) \$121,599,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for holding medicaid managed care capitation rates flat at calendar year 2016 levels in state fiscal year and calendar year 2017. To achieve this target, the authority shall engage with a group composed of the office of financial management, the medicaid forecast work group, and the managed care plans on a range of strategies developed both by the authority and the group. The authority shall obtain actuarial analysis, support, and recommendations during this process, and the state actuary shall obtain independent actuarial analysis. By August 1, 2016, the authority shall present the progress made on the initiative to the joint select committee on health care, identifying any possible changes in statute needed to achieve the goal and the possible impacts on clients. The authority shall complete the plan and

report to the appropriate committees of the legislature by October 1, 2016.

(c) \$1,894,672,000 of the general fund—state appropriation for fiscal year 2016 and \$1,915,233,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for medicaid services and the medicaid program. However, the authority shall not accept or expend any federal funds received under a medicaid transformation demonstration waiver currently being sought under healthier Washington, except as described in (d) through (g) of this subsection, until specifically approved and appropriated by the legislature.

(d) No more than ~~((~~\$127,336,000~~))~~ \$121,050,000 of the general fund—federal appropriation and \$12,226,000 of the general fund—local appropriation may be expended for transformation through accountable communities of health described in initiative 1 of the medicaid transformation demonstration waiver currently being sought under healthier Washington, including preventing youth drug use. The authority shall not increase general fund—state expenditures on this initiative. The authority shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the manner, form, and time requested by the legislative fiscal committees.

(e) ((No more than \$5,223,000 of the general fund—federal appropriation may be expended for tailored support for older adults and medicaid alternative care described in initiative 2 of the medicaid transformation demonstration waiver currently being sought under healthier Washington. The authority shall not increase general fund—state expenditures on this initiative. The authority shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the manner, form, and time requested by the legislative fiscal committees.

~~(f))~~ No more than ~~((~~\$9,425,000~~))~~ \$5,392,000 of the general fund—federal appropriation may be expended for supportive housing and supportive employment services described in initiative 3 ~~((~~(a)~~))~~ of the medicaid transformation demonstration waiver currently being sought under healthier Washington. The authority shall not increase general fund—state expenditures on this initiative. The authority shall

report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the manner, form, and time requested by the legislative fiscal committees.

((g)) No more than \$5,567,000 of the general fund-federal appropriation may be expended for supportive employment services described in initiative 3(b) of the medicaid transformation demonstration waiver currently being sought under healthier Washington. The authority shall not increase general fund-state expenditures on this initiative. The authority shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the manner, form, and time requested by the legislative fiscal committees.

~~((h))~~ (f) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

~~((i))~~ (g) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

~~((j))~~ (h) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

~~((k))~~ (i) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

~~((l))~~ (j) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

~~((m))~~ (k) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

~~((n))~~ (l) \$4,261,000 of the general fund-state appropriation for fiscal year 2016, \$4,261,000 of the general fund-state appropriation for fiscal year 2017, and \$8,522,000 of the general fund-federal appropriation are provided solely for low-income disproportionate share hospital payments.

~~((o))~~ (m) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

~~((p))~~ (n) \$6,000,000 of the general fund-federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost

settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

~~((+))~~ (o) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2015-2017 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2015, and by November 1, 2016, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2016 and fiscal year 2017, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2015-2017 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment

amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2015-2017 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. \$14,014,000 of the general fund-state appropriation for fiscal year 2016 and ~~((9,700,000))~~ \$9,855,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for state grants for the participating hospitals.

~~((+))~~ (p) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

~~((+))~~ (q) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase

federal funding for maternity support services by leveraging local public funding for those services.

~~((t))~~ (r) Within the amounts appropriated in this section, the authority shall identify strategies to improve patient adherence to treatment plans for diabetes and implement these strategies as a pilot through one health home program to be identified by the authority. The authority shall report to the governor and legislature in December 2015 on patient outcomes and cost savings derived from new adherence strategies in the health home model and make recommendations for improving the strategies.

~~((u))~~ (s) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

~~((v))~~ (t) \$88,000 of the medicaid fraud penalty account-state appropriation and \$567,000 of the general fund-federal appropriation are provided solely to implement the conversion to the tenth version of the world health organization's international classification of diseases.

~~((w))~~ (u) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

~~((x))~~ (v) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

~~((y))~~ (w) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. No later than October 1, 2015, the health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

~~((z))~~ (x) \$90,000 of the general fund-state appropriation for fiscal year 2016, \$90,000 of the general fund-state

appropriation for fiscal year 2017, and \$180,000 of the general fund-federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

~~((aa))~~ (y) The appropriations in this section reflect savings and efficiencies by transferring children receiving medical care provided through fee-for-service to medical care provided through managed care.

~~((ab))~~ (z) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

~~((ac))~~ (aa) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

~~((ad))~~ (bb) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

~~((ae))~~ (cc) \$227,000 of the general fund-state appropriation for fiscal year 2016, \$461,000 of the general fund-state appropriation for fiscal year 2017, and \$734,000 of the general fund-federal appropriation are provided solely to implement Substitute Senate Bill No. 5317 (enhanced autism screening - bright futures).

~~((af))~~ (dd) \$4,278,000 of the general fund-private/local appropriation and \$9,835,000 of the general fund-federal appropriation are provided solely to implement House Bill No. 2007 (emergency medical transportation).

~~((ag))~~ (ee) Within amounts appropriated in this section, the health care authority shall conduct a review of its adult dental program in cooperation with and utilizing resources from Washington dental services foundation. The authority shall develop a plan to implement an expanded oral health care

program for adults with diabetes and pregnant women. A report summarizing the authority's implementation plan and an estimation of cost savings must be submitted to the governor and the appropriate committees of the legislature by December 1, 2015.

~~((hh))~~ (ff) No more than \$452,000 of the general fund-state appropriation for fiscal year 2016 and no more than \$723,000 of the general fund-state appropriation for fiscal year 2017 may be expended for reimbursement for nonhospital based rural health clinics auditing costs to complete annual payment reconciliations for calendar years 2011-2013 as required under 42 U.S.C. Sec. 1396a (bb) (5) (A). The department shall use the agreed-upon procedures to complete the reconciliations. Nonhospital-based clinics shall be reimbursed for the cost of auditing using the agreed-upon procedures for payment reconciliation for this time period only.

~~((ii))~~ (gg) The appropriations in this section represent a transfer of expenditure authority of \$2,333,000 of the general fund-federal appropriation for fiscal year 2016 and \$1,782,000 of the general fund-federal appropriation for fiscal year 2017 to the office of financial management to implement Engrossed Substitute Senate Bill No. 5084 (all payer claims database).

~~((jj))~~ (hh) Pursuant to RCW 41.06.142(3), the authority shall implement a pilot program within existing resources to understand the nature and depth of potential fraud, waste, and abuse and the creation of operational efficiencies within the provider and beneficiary system. The pilot program shall examine streamlining provider enrollment and compliance within the current affordable care act screening requirements and include a post-enrollment review of those currently enrolled in medicaid to determine if there have been changes in demographics, including but not limited to becoming deceased, incarcerated, or residing out of state. The pilot program shall be conducted by the authority in partnership with a third-party vendor that uses national public records data as well as provider-specific data. The authority shall prepare a report to the governor and legislative fiscal committees by December 15, 2015.

~~((kk))~~ (ii) Within amounts appropriated in this section, the health care authority shall conduct a review of

its federally qualified health center encounter rates and rural health center encounter rates in comparison to current uniform medical plan rates for the same or similar services. The authority shall consult with the centers for medicare and medicaid services to determine whether federally qualified encounter rates may be adjusted to uniform medical plan rates as a reasonable proxy to cost. The authority must submit a report to the governor and the appropriate committees of the legislature that includes which encounter rates exceed uniform medical rates, the amount by which the rates are exceeded, and the annual cost of paying above uniform medical rates. The report shall also include the steps the authority has taken with the centers for medicare and medicaid services to ensure that rates bear a reasonable relationship to costs incurred by efficiently and economically operated facilities, including whether uniform medical plan or commercial rates may be considered a reasonable proxy to cost. The report must be submitted by January 1, 2016. By September 15, 2016, the authority is directed to directly consult with the centers for medicaid and medicare services to determine whether federally qualified encounter rates may be adjusted to uniform medical plan rates as a reasonable proxy to cost and resubmit the report to include the results of this consultation.

~~((ll))~~ (jj) \$1,035,000 of the general fund-state appropriation for fiscal year 2016, \$965,000 of the general fund-state appropriation for fiscal year 2017, and \$1,846,000 of the general fund-federal appropriation are provided solely for customer service staff to reduce call wait times and improve the number of calls answered by the authority.

~~((mm))~~ (kk) \$386,000 of the general fund-state appropriation for fiscal year 2016, \$361,000 of the general fund-state appropriation for fiscal year 2017, and \$2,018,000 of the general fund-federal appropriation are provided solely for additional staff to support timely resolution of eligibility-related issues for medicaid clients.

~~((nn))~~ (ll) (i) \$123,000 of the general fund-state appropriation for fiscal year 2016, \$118,000 of the general fund-state appropriation for fiscal year 2017, \$48,000 of the state health care authority administrative account-state appropriation, and \$312,000 of the general fund-federal appropriation are provided

solely to establish the bleeding disorder collaborative for care.

(ii) The collaborative must consist of three representatives from the authority, three representatives from the largest organization in Washington representing patients with bleeding disorders, two representatives from state designated bleeding disorder centers of excellence, and two representatives of federally funded hemophilia treatment centers based in Washington. The collaborative may invite the participation of other persons with expertise that may assist the collaborative in its responsibilities. The collaborative shall adopt a transparent process that allows for public comment prior to the final adoption of any evidence-based practice.

(iii) The collaborative shall:

(A) Identify and develop evidence-based practices to improve care to patients with bleeding disorders with specific attention to health care cost reduction. To the extent that evidence-based practices are unavailable, the collaborative shall research and create the practices or compile the necessary information. In the event that research on evidence is incomplete, the collaborative may consider research-based practices or emerging best practices;

(B) Make recommendations regarding the dissemination of the evidence-based practices to relevant health care professionals and support service providers and propose options for incorporating evidence-based practices into their treatment regimens; and

(C) Assist the authority in the development of a cost-benefit analysis regarding the use of evidence-based practices for specific populations in state-purchased health care programs.

(iv) The authority shall report to the governor and the legislature by September 1, 2016, regarding the evidence-based practices that have been developed, the clinical and fiscal implications of their implementation, and a strategy for disseminating the practices and incorporating their use among health care professionals in various state-financed health care programs.

~~((oo))~~ (mm) The authority shall use revenue appropriated from the dedicated marijuana fund for contracts with community health centers under RCW 69.50.540 in lieu of general fund-state

payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

~~((pp))~~ (nn) In collaboration with the state hospital association, the authority shall develop and implement a process to review hospital cost report information for new, in-state hospital psychiatric inpatient services that have not had provider specific costs and determine the hospital-specific per diem rate as currently defined for existing providers of psychiatric inpatient services. As a result of this action, the authority shall not incur expenditures in the current biennium. The authority shall report to the office of financial management and appropriate committees of the legislature the following information no later than October 1, 2017:

(i) The number of potential new psychiatric beds;

(ii) The number of potential new psychiatric beds that were previously designated as acute beds;

(iii) The total estimated costs for all new potential psychiatric beds;

(iv) The potential savings or expenditures derived from change in bed type usage; and

(v) The state fiscal years in which potential costs and savings are likely to incur.

~~((qq))~~ (oo) To further the goals of better care, better health outcomes, and reduced per capita costs of health care, the authority shall review its reimbursement methods and rates for births performed at birth centers. The authority shall report to the governor and appropriate committees of the legislature by October 15, 2016, with recommendations for adjusting reimbursement methods and levels, improving access to care, improving the cesarean section rate, and savings options for utilizing birth centers as an alternative to hospitals.

~~((rr))~~ (pp) The authority shall submit reports to the governor and the legislature by September 15, 2016, and by September 15, 2017, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and

benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

~~((ss))~~ (qq) Within amounts appropriated in this section, the authority shall implement Substitute Senate Bill No. 6430 (continuity of care) to update the ProviderOne and HealthPlanFinder systems to allow suspension rather than termination of medical assistance benefits for persons who are incarcerated or committed to a state hospital subject to the same conditions, limitations, and review provided in section 705 (3) through (6), chapter 4, Laws of 2015 3rd sp. sess. (Engrossed Substitute Senate Bill No. 6052).

~~((tt))~~ (rr) Within amounts appropriated within this section, the authority is directed to increase reimbursement rates for licensed practical nurses and registered nurses providing skilled nursing services in a home setting by \$10.00 per hour. This increase shall be offset by decreases in inpatient hospitalization. The authority is directed to work in collaboration with the home health association and the Washington state hospital association to develop a plan to show how improved access to home health nursing reduces potentially preventable readmissions, increases access to care, reduces hospital length of stay, and prevents overall hospital admissions for clients receiving private-duty nursing, medically intensive care, or home health benefits. The authority shall submit a report to the governor and appropriate committees of the legislature by December 15, 2016, with details of this plan.

~~((uu))~~ (ss) The appropriations in this section include specific funds for the purpose of implementing Engrossed Second Substitute House Bill No. 2439 (youth mental health).

~~((vv))~~ (tt) Within the amounts appropriated in this section, the health care authority in cooperation with the Washington dental services foundation, the Washington state dental association, and other interested stakeholders shall develop a plan to increase access to care

by expanding the medicaid dental network through contracting out the administration of the medicaid dental program. This plan shall include but not be limited to engaging dental expertise in the administration, improving the provider and patient experience, aligning the benefit package with evidence-based care, and beginning to test innovative models of delivery consistent with the goals of the healthier Washington initiative. The authority shall also review options to include contracting with one or more medicaid managed care plans or a third-party administrator. The report summarizing the authority's implementation plan and an estimate of the cost to execute this plan must be submitted to the governor and the appropriate committees of the legislature by December 1, 2016. The plan shall not be implemented until specifically authorized by the legislature.

~~((ww))~~ (uu) \$608,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to implement the provider access line (PAL) plus pilot program. For purposes of the PAL plus pilot program, the authority shall work in collaboration with faculty from the University of Washington working on the integration of mental health and medical care.

(i) The PAL plus service is targeted to help children and families with medicaid coverage who have mental health concerns not already being served by the regional support network system or other local specialty care providers, and who instead receive treatment from their primary care providers. Services must be offered by regionally based and multipractice shared mental health service providers who deliver in person and over the telephone the following services upon primary care request:

- (A) Evaluation and diagnostic support;
- (B) Individual patient care progress tracking;
- (C) Behavior management coaching; and
- (D) Other evidence supported psychosocial care supports which are delivered as an early and easily accessed intervention for families.

(ii) The PAL team of child psychiatrists and psychologists shall provide mental health service providers with training and support, weekly care plan reviews and support on their

caseloads, and direct patient evaluations for selected enhanced assessments, and must utilize a shared electronic reporting and tracking system to ensure that children not improving are identified as such and helped to receive additional services. The PAL team shall promote the appropriate use of cognitive behavioral therapies and other treatments which are empirically supported or evidence-based and encourage providers to use psychotropic medications as a last resort.

(iii) The authority shall monitor PAL plus service outcomes, including, but not limited to:

(A) Characteristics of the population being served;

(B) Process measures of service utilization;

(C) Behavioral health symptom rating scale outcomes of individuals and aggregate rating scale outcomes of populations of children served;

(D) Claims data comparison of implementation versus non-implementation regions;

(E) Service referral patterns to local specialty mental health care providers; and

(F) Family and provider feedback.

(iv) By December 31, 2017, the authority shall make a preliminary evaluation of the viability of a statewide PAL plus service program and report to the appropriate committees of the legislature, with a final evaluation report due by December 31, 2018. The final report must include recommendations on sustainability and leveraging funds through behavioral health and managed care organizations.

(2) PUBLIC EMPLOYEES BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAMS

State Health Care Authority
Administration Account--

State Appropriation \$38,732,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$162,000 of the state health care authority administration account--state appropriation is for the health care authority to work with participating employers to minimize employer penalties that may be incurred by employers not providing health benefit coverage for

part-time employees that are defined as full-time employees under the employer shared responsibility provisions of the federal affordable care act.

(b) (i) The state employer contribution for state employee insurance benefits is reduced for fiscal year 2017 from \$894 per month to \$888 per month. Reductions are achieved while maintaining fully funded reserves through the use of accumulated surplus funds due to reduced claims costs, and reduced litigation costs due to the settlement of the litigation in the four *Moore, et al. v. Health Care Authority* and the state of Washington cases. The authority is required to review the effectiveness of the wellness program known as smarthealth, and report to the appropriate committees of the legislature on the effectiveness of the wellness program on a quarterly basis beginning no later than June 30, 2016. The effectiveness report shall include information on the contractors' communication strategies, rates of employee engagement, and the identification and quarterly measurement of employee wellness outcome criteria, such as the rates of sick leave use and of improvements in chronic medical conditions among wellness plan participants. Prior to procuring contracts for health insurance and services for the 2017 calendar year, the authority shall also present the findings on the effectiveness of the wellness plan, including per plan member and per wellness plan-participant costs of the wellness program at a public meeting of the public employees' benefits board.

(ii) The authority and the public employees' benefits board shall consult with the Washington state institute for public policy on the cost-effectiveness of the wellness plan and any changes to the plan that can be made to increase the health care efficiency of the wellness plan.

(iii) The authority and the public employees' benefits board shall ensure that procurement for employee health benefits during the 2017-2019 fiscal biennium is consistent with the funding limitations provided in sections 908 through 910 of this act.

(3) HEALTH BENEFIT EXCHANGE

General Fund--State Appropriation (FY 2016) \$5,942,000

General Fund--State Appropriation (FY 2017) \$5,184,000

General	Fund—Federal
Appropriation ((\$49,410,000))	
\$47,986,000	
Health Benefit Exchange Account—State	
Appropriation ((\$50,503,000))	
\$52,736,000	
TOTAL APPROPRIATION(\$111,039,000)	
\$111,848,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(b) \$4,755,000 of the health benefit exchange account—state appropriation and \$5,069,000 of the general fund—federal appropriation are provided solely for the customer service call center.

(c) \$577,000 of the general fund—state appropriation for fiscal year 2016, \$810,000 of the general fund—state appropriation for fiscal year 2017, \$3,606,000 of the health benefit exchange account—state appropriation, and \$1,389,000 of the general fund—federal appropriation are provided solely for in-person assisters and outreach to help individuals and families complete applications for health coverage.

(d) \$1,417,000 of the health benefit exchange account—state appropriation and \$8,218,000 of the general fund—federal appropriation are provided solely to fund the design, development, implementation, operation, and maintenance of the health benefit exchange's information technology systems.

(e) The authority shall require the exchange to submit to the authority and the appropriate committees of the legislature by September 30, 2015, and September 30, 2016, a detailed report including:

(i) Salaries of all current employees of the exchange, including starting salary, any increases received, and the basis for any increases; and

(ii) Salary, overtime, and compensation policies for staff of the exchange.

(f) The authority shall require the exchange to submit to the authority and the appropriate committees of the legislature on a monthly basis:

(i) A report of all expenses; and

(ii) Beginning and ending fund balances, by fund source; and

(iii) Any contracts or contract amendments signed by the exchange; and

(iv) An accounting of staff required to operate the exchange broken out by full time equivalent positions, contracted employees, temporary staff, and any other relevant designation that indicates the staffing level of the exchange.

(g)(i) By July 31, 2016, the authority shall make a payment of half the general fund—state appropriation for fiscal year 2017 and half the health benefit exchange account—state appropriation to the health benefit exchange. By January 31, 2017, the authority shall make a payment of the remaining half of the general fund—state appropriation for fiscal year 2017 and the remaining half of the health benefit exchange account—state appropriation to the health benefit exchange.

(ii) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(iii) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(iv) As the state designated medicaid agency, the authority is responsible for maximizing the recovery of federal medicaid dollars and the timely application and follow-up for obtaining federal approval of advanced planning documents (APD). The authority shall work with the exchange to submit an APD that maximizes the recovery of medicaid costs incurred by the exchange, including indirect administrative and operational

costs, no later than sixty days after the enactment of the omnibus appropriations act each year.

\$7,632,000

TOTAL APPROPRIATION ~~\$49,590,000~~

\$52,448,000

(h) \$70,000 of the general fund-state appropriation for fiscal year 2016, \$38,000 of the general fund-state appropriation for fiscal year 2017, \$204,000 of the health benefit exchange account-state appropriation, and \$110,000 of the general fund-federal appropriation are provided solely for improvements to the health benefit exchange financial system.

The appropriations in this section are subject to the following conditions and limitations:

Sec. 1214. 2016 sp.s. c 36 s 214 (uncodified) is amended to read as follows:

(1) \$5,000,000 of the general fund-state appropriation for fiscal year 2016 and \$5,000,000 of the general fund-state appropriation for fiscal year 2017, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130. The association may use no more than \$50,000 per fiscal year of the amounts provided on program management activities.

FOR THE HUMAN RIGHTS COMMISSION

General Fund-State Appropriation (FY 2016) \$2,091,000

General Fund-State Appropriation (FY 2017) (~~(\$2,092,000)~~)

\$2,301,000

General Fund-Federal Appropriation \$2,307,000

TOTAL APPROPRIATION ~~\$6,490,000~~

(2) \$605,280 of the general fund-local appropriation is provided solely to purchase ammunition for the basic law enforcement academy. Jurisdictions shall reimburse to the criminal justice training commission the costs of ammunition, based on the average cost of ammunition per cadet, for cadets that they enroll in the basic law enforcement academy.

\$6,699,000

Sec. 1215. 2016 sp.s. c 36 s 216 (uncodified) is amended to read as follows:

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund-State Appropriation (FY 2016) \$18,996,000

General Fund-State Appropriation (FY 2017) (~~(\$17,543,000)~~)

\$19,467,000

General Fund-Private/Local Appropriation (~~(\$4,745,000)~~)

(4) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a school safety program. The commission, in collaboration with the school safety center advisory committee, shall provide the school safety training for all school administrators and school safety personnel hired after the effective date of this section.

\$5,715,000

Death Investigations Account-State Appropriation \$148,000

24/7 Sobriety Account-State Appropriation \$30,000

Municipal Criminal Justice Assistance Account-

State Appropriation \$460,000

Washington Auto Theft Prevention Authority Account-

(5) \$96,000 of the general fund-state appropriation for fiscal year 2016 and \$96,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the school safety center within the commission. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, and review and approve manuals and curricula used for school safety models and training. Through an interagency agreement, the commission shall provide funding for the office of the

State Appropriation (~~(\$7,668,000)~~)

superintendent of public instruction to continue to develop and maintain a school safety information web site. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety, for all school safety personnel. The commission shall provide research-related programs in school safety and security issues beneficial to both law enforcement and schools.

(6) \$123,000 of the general fund-state appropriation for fiscal year 2016 and \$123,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the costs of providing statewide advanced driving training with the use of a driving simulator.

(7) \$644,000 of the general fund-state appropriation for fiscal year 2016 and \$595,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Second Substitute Senate Bill No. 5311 (crisis intervention training).

(8) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the criminal justice training commission to develop and deliver research-based programs to instruct, guide, and support local law enforcement agencies in fostering the "guardian philosophy" of policing, which emphasizes de-escalating conflicts and reducing the use of force.

(9) \$429,000 of the general fund-state appropriation for fiscal year 2016 and \$429,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for deposit into the nonappropriated Washington internet crimes against children account for the implementation of Second Substitute Senate Bill No. 5215 (internet crimes against children).

(10) \$300,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to the Washington association of sheriffs and police chiefs to fund pilot projects for law enforcement agencies in Spokane, Spokane Valley, and Spokane County to set up auto theft task forces in high risk locations and increase the use of teams devoted to combating residential burglary.

(11) \$5,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the purpose of

implementing House Bill No. 1448 (suicide threat response).

Sec. 1216. 2016 sp.s. c 36 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund-State Appropriation (FY 2016) \$16,307,000

General Fund-State Appropriation (FY 2017) \$17,611,000

General Fund-Federal Appropriation \$11,876,000

Asbestos Account-State Appropriation \$1,177,000

Electrical License Account-State Appropriation \$48,157,000

Farm Labor Contractor Account-State Appropriation \$28,000

Worker and Community Right-to-Know Account-

State Appropriation \$972,000

Public Works Administration Account-State

Appropriation \$7,629,000

Manufactured Home Installation Training Account-

State Appropriation \$355,000

Accident Account-State Appropriation (~~(\$281,472,000)~~)

\$282,767,000

Accident Account-Federal Appropriation (~~(\$13,626,000)~~)

\$14,501,000

Medical Aid Account-State Appropriation (~~(\$296,297,000)~~)

\$297,066,000

Medical Aid Account-Federal Appropriation (~~(\$3,186,000)~~)

\$3,341,000

Plumbing Certificate Account-State Appropriation \$1,783,000

Pressure Systems Safety Account-State

Appropriation \$4,250,000

TOTAL APPROPRIATION ~~\$704,726,000~~

\$707,820,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 100, Laws of 2015 (Substitute Senate Bill No. 5897).

(2) \$2,300,000 of the medical aid account-state appropriation is provided solely for implementation of chapter 137, Laws of 2015 (Substitute House Bill No. 1496).

(3) \$494,000 of the medical aid account-state appropriation and \$1,580,000 of the accident fund-state appropriation are provided solely for continuation of the logger safety initiative.

(4) \$4,923,000 of the medical aid account-state appropriation and \$4,924,000 of the accident fund-state appropriation are provided solely for the first phase of the department's plan to replace its labor and industries industrial insurance information technology system subject to the same conditions, limitations, and review provided in section 705 (3) through (6) of this act.

(5) \$3,548,000 of the electrical license account-state appropriation is provided solely for the department to develop a modern and mobile information technology system for its electrical inspection program subject to the same conditions, limitations, and review provided in section 705 (3) through (6) of this act.

(6) The department is directed under RCW 39.12.070 to adjust its fee schedule for statements of intent to pay prevailing wages and certification of affidavits of wages paid to remove or lower fees for contractors and subcontractors whose contract amounts are less than seven hundred fifty dollars beginning on January 1, 2016.

(7) \$140,000 of the public works administration account-state appropriation is provided solely for implementation of chapter 40, Laws of 2015 3rd sp. sess. to create an electronic option for employers to submit prevailing wage surveys.

(8) \$640,000 of the medical aid account-state appropriation is provided solely for a pilot program under which the department partners with an experienced firm or firms to manage care involving catastrophically injured workers.

(a) For each injured worker referred by the department the firm must propose a contract identifying a case outcome, the treatment needed to achieve it, and a fixed price for doing so.

(b) If the department agrees to the contract: (i) The firm must assume responsibility at the fixed price for the medical management and may include all medical costs until the outcome is achieved; (ii) the department retains the authority to approve or deny particular treatments; and (iii) the department retains the responsibility to accept and pay providers' actual bills, and the firm's compensation will be the difference between the fixed price and actual medical costs, if the firm chooses to propose a contract that includes medical costs.

(c) The department must contract with the firm or firms to manage at least twelve catastrophic cases each fiscal year, starting in fiscal year 2017, provided there is at least that many cases where: (i) An injured worker elects to be served by the firm; and (ii) the fixed price proposed by the firm is lower than the amount the department would pay to achieve the identified outcome if it did not contract with the firm.

(d) The department must provide a written report on the pilot program to the appropriate committees of the legislature in December 2016 and annually through December 2019 or the last December following termination of the contacts by the firm or firms or department.

(9) \$1,130,000 of the public works administration account-state appropriation is provided solely for the department's prevailing wage technology project subject to the same conditions, limitations, and review provided in section 705 (3) through (6), chapter 4, Laws of 2015 3rd sp. sess. (Engrossed Substitute Senate Bill No. 6052).

(10) \$738,000 of the medical aid account-state appropriation is provided solely to expand the use of evidence-based best practices to reduce the risk of long-term disabilities among injured workers. By December 1, 2016, the department must report to the appropriate committees of the legislature with performance measures

and metrics to be used to evaluate whether the funded activities are improving care and outcomes for injured workers.

Sec. 1217. 2016 sp.s. c 36 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund-State Appropriation (FY 2016) \$1,810,000

General Fund-State Appropriation (FY 2017) \$2,662,000

Charitable, Educational, Penal, and Reformatory

Institutions Account-State Appropriation \$10,000

TOTAL APPROPRIATION \$4,482,000

(2) FIELD SERVICES

General Fund-State Appropriation (FY 2016) \$5,465,000

General Fund-State Appropriation (FY 2017) \$5,526,000

General Fund-Federal Appropriation \$3,628,000

General Fund-Private/Local Appropriation \$4,622,000

Veteran Estate Management Account-Private/Local

Appropriation \$623,000

TOTAL APPROPRIATION \$19,864,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$300,000 of the general fund-state appropriation for fiscal year 2016 and \$300,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to provide crisis and emergency relief and education, training, and employment assistance to veterans and their families in their communities through the veterans innovation program.

(b) The creation of an automated exchange of information between the federal department of defense, federal veterans administration, and the Washington department of veterans affairs is the sole project for the Washington department of veterans affairs in the information technology pool. Ongoing funding may be provided for staffing, training, and subscription costs

associated with a web-based software tool that has been configured to meet the business requirements of the Washington department of veterans affairs. Additional information technology projects, such as the complete automation of the Washington department of veterans affairs business processes through an enterprise case management system, are subject to future funding decisions by the legislature. The conditions and limitations in this subsection apply only if the specified project is funded from the information technology pool.

(3) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2016) \$697,000

General Fund-State Appropriation (FY 2017) (~~(\$796,000)~~)

\$2,337,000

General Fund-Federal Appropriation \$80,104,000

General Fund-Private/Local Appropriation \$29,781,000

TOTAL APPROPRIATION ~~(\$111,378,000)~~

\$112,919,000

The appropriations in this subsection are subject to the following conditions and limitation: \$924,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the initial months of operation of the Walla Walla veterans home.

Sec. 1218. 2016 sp.s. c 36 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund-State Appropriation (FY 2016) \$57,958,000

General Fund-State Appropriation (FY 2017) \$60,149,000

General Fund-Federal Appropriation (~~(\$564,025,000)~~)

\$540,675,000

General Fund-Private/Local Appropriation (~~(\$151,242,000)~~)

\$179,242,000

Hospital Data Collection Account-State Appropriation \$331,000

Health Professions Account-State Appropriation (~~(\$120,788,000)~~)

\$124,188,000

Aquatic Lands Enhancement Account--State
Appropriation \$615,000

Emergency Medical Services and Trauma
Care Systems

Trust Account--State
Appropriation \$9,226,000

Safe Drinking Water Account--State
Appropriation \$6,934,000

Drinking Water Assistance Account--
Federal

Appropriation \$17,364,000

Waterworks Operator Certification--
State

Appropriation \$1,606,000

Drinking Water Assistance
Administrative Account--

State Appropriation (~~(\$357,000)~~)
\$610,000

Site Closure Account--State
Appropriation \$162,000

Biotoxin Account--State
Appropriation \$1,894,000

State Toxics Control Account--State
Appropriation \$4,037,000

Medical Test Site Licensure Account--
State

Appropriation \$2,516,000

Youth Tobacco Prevention Account--State
Appropriation \$2,962,000

Public Health Supplemental Account--
Private/Local

Appropriation \$3,244,000

Accident Account--State
Appropriation \$324,000

Medical Aid Account--State Appropriation
\$53,000

Medicaid Fraud Penalty Account--
State

Appropriation \$994,000

Dedicated Marijuana Account--State
Appropriation (FY 2016) \$7,500,000

Dedicated Marijuana Account--State
Appropriation (FY 2017) \$7,500,000

TOTAL APPROPRIATION ~~\$1,021,781,000~~
\$1,030,084,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) \$130,000 of the health professions state account--state appropriation is provided solely for implementation of chapter 118, Laws of 2015 (applied behavior analysis).

(3) \$38,000 of the general fund--state appropriation for fiscal year 2016 and \$38,000 of the general fund--state appropriation for fiscal year 2017 are provided solely for the department of health, the department of social and health services, and the health care authority to continue to collaborate to submit a coordinated report on diabetes to the governor and appropriate committees of the legislature by June 30, 2017. The report on diabetes must include the following:

(a) An analysis of the financial impact and reach that diabetes of all types is having on programs administered by each

agency and individuals enrolled in those programs, including:

(i) The number of individuals with diabetes that are impacted or covered by these programs;

(ii) The number of family members of individuals with diabetes that are impacted by these programs;

(iii) The financial toll or impact that diabetes and its complications places on these programs, and how the financial toll or impact compares to that of other chronic diseases and conditions;

(b) An assessment of the benefits of programs and activities implemented by the agencies to control and prevent diabetes, including documentation of the amount and source of the agencies' funding for these programs and activities;

(c) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all forms of diabetes and its complications;

(d) The development of or revision to each agency's action plan for addressing the impact of diabetes together with a range of actionable items for either each agency or consideration by the legislature, or both. The plans must, at a minimum:

(i) Identify proposed action steps to reduce the impact of diabetes, prediabetes, and related diabetes complications, especially for medicaid populations;

(ii) Identify expected outcomes in subsequent biennia; and

(iii) Establish benchmarks for controlling and preventing relevant forms of diabetes and appropriate measures for success;

(e) An estimate of the costs, return on investment, and resources required to implement the plans identified in subsection (d) of this section.

(4) \$30,000 of the medicaid fraud penalty account-state appropriation is provided solely for implementation of chapter 259, Laws of 2015 (prescription drug monitoring).

(5) \$4,015,000 of the health professions account-state appropriation is provided solely for implementation of

chapter 70, Laws of 2015 (cannabis patient protection).

(6) \$7,250,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$7,250,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for a marijuana education and public health program and for tobacco prevention activities that target youth and populations with a high incidence of tobacco use.

(7) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for a contract with the Washington poison center to help maintain national accreditation standards.

(8) \$65,000 of the general fund-state appropriation for fiscal year 2016 and \$65,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(9) During the 2015-2017 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(10)(a) Within existing resources, the department of health shall compile a report on ambulatory surgical facilities to be submitted to the appropriate committees of the legislature by January 1, 2016. The report shall determine:

(i) How many ambulatory centers are currently functioning in the state;

(ii) How many cases these centers receive annually;

(iii) How many of these centers are medicare certified;

(iv) How many of these centers are not medicare certified; and

(v) How many are also certified by an accrediting organization.

(b) The department shall not increase current annual fees for new or renewed licenses for ambulatory surgical

facilities during the 2015-2017 fiscal biennium.

(11) (a) The pharmacy quality assurance commission shall engage in a stakeholder process to develop statutory standards and protocols specific to long-term care pharmacies and shall submit the proposed statute to the senate health care committee and house health care and wellness committee no later than November 15, 2015.

(b) When inspecting and reviewing long-term care pharmacies, the pharmacy quality assurance commission and the department of health shall recognize the applicability of medication orders in long-term care facilities and recognize the essential relationship between the practitioner, the long-term care facility registered nurse, and the pharmacist in conveying chart orders to the long-term care pharmacy.

(12) \$52,000 of the health professions account-state appropriation is provided solely for implementation of chapter 159, Laws of 2015 (victim interviews training).

(13) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of health are subject to technical oversight by the office of the chief information officer.

(14) ((\$1,923,000 of the state toxics control account-state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1472 (chemical action plans), Second Substitute Senate Bill No. 5056 (safer chemicals/action plans), Substitute Senate Bill No. 6131 (safer chemicals), or any of these. Within the amount provided in this subsection, \$1,554,000 is provided solely for the department to conduct biomonitoring studies. If none of these bills is enacted by July 10, 2015, the amount provided in this subsection shall lapse.

~~(15))~~ \$123,000 of the general fund-state appropriation for fiscal year 2016 and \$123,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the department of health to support Washington's healthiest next generation efforts by partnering with the office of the superintendent of public instruction, department of early learning, and other public and private partners as appropriate.

~~((16))~~ (15) \$230,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6534 (maternal mortality review). ~~((If this bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~

~~(17))~~ (16) Within the amounts appropriated from the health professions account-state appropriation, the department must manage its pending rule-making process related to the educational and training requirements for chemical dependency professionals to complete the rule-making by June 30, 2016.

~~((18))~~ (17) Within the amounts appropriated in this section, the department must implement the 2014 Washington state hepatitis strategic plan, including but not limited to the implementation of the centers for disease control and prevention hepatitis C screening guidelines for persons born between 1945-1965 and other high risk groups, hepatitis C prevention, and hepatitis C case management.

~~((19))~~ (18) The appropriations in this section include sufficient funding for the implementation of Substitute Senate Bill No. 5778 (ambulatory surgical centers).

~~((20))~~ (19) The appropriations in this section include sufficient funding for the implementation of Senate Bill No. 5689 (diabetes epidemic).

~~((21))~~ (20) \$26,000 of the medicaid fraud penalty account-state appropriation is provided solely for the implementation of Substitute House Bill No. 2730 (prescription monitoring program). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~

~~(22))~~ (21) \$21,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Substitute Senate Bill No. 6421 (epinephrine autoinjectors). ~~((If the bill is not enacted by June 30, 2016, the amount in this subsection shall lapse.~~

~~(23))~~ (22) \$49,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to convene a task force on patient out-of-pocket costs.

(a) By July 1, 2016, the department shall convene the task force, and the

department shall coordinate the task force meetings. The task force shall include representatives from all participants with a role in determining prescription drug costs and out-of-pocket costs for patients, such as, but not limited to the following: Patient groups; insurance carriers operating in the state; pharmaceutical companies; prescribers; pharmacists; pharmacy benefit managers; hospitals; the office of the insurance commissioner; the health care authority and other purchasers; the office of financial management; unions; Taft-Hartley trusts; a business association; and biotechnology.

(b) Letters of interest from potential participants shall be submitted to the department, and the secretary, or his or her designee, shall invite representatives of interested groups to participate in the task force.

(c) The task force shall evaluate factors contributing to the out-of-pocket costs for patients, particularly in the first quarter of each year, including but not limited to prescription drug cost trends and plan benefit design.

(d) The task force shall consider patient treatment adherence and the impacts on chronic illness and acute disease, with consideration of the long-term outcomes and costs for the patient. The discussion must also consider the impact when patients cannot maintain access to their prescription drugs and the implications of adverse health impacts including the potential need for more expensive medical interventions or hospitalizations and the impact on the workforce regarding the loss of productivity. The discussion must also consider the impact of the factors on the affordability of health care coverage.

(e) The task force recommendations, or a summary of the discussions, must be provided to the appropriate committees of the legislature by December 1, 2016.

~~((24))~~ (23) Recognizing the financial challenges faced by the public health system, which comprises state and local entities, and the impact that those financial challenges have had on the system's ability to deliver essential public health services throughout the state, the legislature directs the department and local public health jurisdictions, within amounts appropriated in this section, to provide a proposal outlining a plan for

implementing foundational public health services statewide to modernize, streamline, and fund a twenty-first century public health system in Washington state. Current fees that support the work of public health should be reviewed, and the proposal should identify those fees that are not currently supplying adequate revenue to maintain compliance or enforcement. The first report regarding the proposal is due to the appropriate committees of the legislature no later than December 1, 2016, and subsequent reports shall be submitted biennially, thereafter.

~~((25))~~ (24) \$1,681,000 of the youth tobacco prevention account-state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 6328 (vapor products). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~

~~(26))~~ (25) \$160,000 of the health professions state account-state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6558 (hospital pharmacy license). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~

~~(27))~~ (26) \$100,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2793 (suicide education). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

Sec. 1219. 2016 sp.s. c 36 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, ~~((2016))~~ 2017, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund-state appropriations for fiscal year ~~((2016))~~ 2017 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall

notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund-State Appropriation (FY 2016) \$59,179,000

General Fund-State Appropriation (FY 2017) (~~(\$59,907,000)~~)

\$60,260,000

TOTAL APPROPRIATION ~~\$119,086,000~~

\$119,439,000

The appropriations in this subsection are subject to the following conditions and limitations: \$35,000 of the general fund-state appropriation for fiscal year 2016 and \$35,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council will investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(2) CORRECTIONAL OPERATIONS

General Fund-State Appropriation (FY 2016) \$607,084,000

General Fund-State Appropriation (FY 2017) (~~(\$630,422,000)~~)

\$630,538,000

General Fund-Federal Appropriation \$1,892,000

Washington Auto Theft Prevention Authority Account-

State Appropriation (~~(\$6,812,000)~~)

\$5,112,000

State Toxics Control Account-State Appropriation \$400,000

TOTAL APPROPRIATION ~~\$1,246,610,000~~

\$1,245,026,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) During the 2015-2017 fiscal biennium, when contracts are established or renewed for offender pay phone and other telephone services provided to inmates, the department shall select the contractor or contractors primarily based on the following factors: (i) The lowest rate charged to both the inmate and the person paying for the telephone call; and (ii) the lowest commission rates paid to the department, while providing reasonable compensation to cover the costs of the department to provide the telephone services to inmates and provide sufficient revenues for the activities funded from the institutional welfare betterment account.

(b) The department may contract for up to 300 beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The duration of the contracts may be for up to four years. The department shall not pay a rate greater than \$65 per day per offender for all costs associated with the offender while in the local correctional facility to include programming and health care costs, or the equivalent of \$65 per day per bed including programming and health care costs for full units. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as medium or lower security offenders. Programming provided for inmates held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meet standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at

a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(c) \$501,000 of the general fund-state appropriation for fiscal year 2016 and \$501,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester. ~~((The department may not house incarcerated offenders at the maple lane site until specifically directed to do so by the legislature.))~~

(d) \$479,000 of the general fund-state appropriation for fiscal year 2016, and ~~((1,379,000))~~ \$758,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the department to contract ~~((with Yakima county))~~ for the use of inmate bed capacity in lieu of prison beds operated by the state to meet prison capacity needs.

(e) The department shall review its policies and procedures for overtime usage throughout its prison custody system to identify efficiencies and best practices that will control costs. The department shall provide to the appropriate committees of the legislature by November 15, 2015, a report that makes recommendations to reduce the department's overtime usage and reduces overall costs for prison personnel.

(f) In an effort to reduce its need for medium security beds, the department shall review options to meet capacity needs in the most cost-efficient manner without compromising safety. The department shall at a minimum review its policies that determine custody levels, including examining other states' policies and determine costs to convert any empty prison beds to medium security and possibilities to utilize local jail beds for this purpose. The department must evaluate the options on both a short-term and long-term basis against the cost and timing of any proposal to build a new prison facility. The department shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2015.

(g) Within the amounts provided in this section, the department of corrections

shall explore entering into an interagency agreement with the University of Washington. The interagency agreement would allow the department to receive drug pricing under 340B of the public health services act for drug purchases associated with treating patients with hepatitis C or other diseases, whereby the university is acting as the covered entity or safety-net provider. In cooperation with the University of Washington, the department must provide an estimate of the fiscal impact of a successful agreement of this nature, to be included in the report provided to the legislature under section 606 of this act.

~~((i))~~ (h) \$454,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for nonrepresented state employees in targeted state employee job classifications psychiatrist, psychiatric social worker, and psychologist as set forth in section 906 of this act.

~~((j))~~ (i) \$736,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of a memorandum of understanding between the governor and the teamsters union local 117, amending the collective bargaining agreement under chapter 41.80 RCW for the 2015-2017 fiscal biennium as set forth in section 904 of this act, effective July 1, 2017. The legislature recognizes that the memorandum of understanding was necessitated by an emergency and an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety and health of clients and employees, which impacts the state employee job classifications of psychiatrist, psychiatric social worker, and psychologist at prison facilities.

(3) COMMUNITY SUPERVISION

General Fund-State Appropriation (FY 2016) \$157,176,000

General Fund-State Appropriation (FY 2017) ~~((155,532,000))~~

\$168,378,000

General Fund-Federal Appropriation \$995,000

TOTAL APPROPRIATION ~~\$313,703,000~~

\$326,549,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders who violate the terms of their community supervision. A contract shall not have a cost of incarceration in excess of \$85 per day per offender. A contract shall not have a year-to-year increase in excess of three percent per year. The contracts may include rates for the medical care of offenders which exceed the daily cost of incarceration and the limitation on year-to-year increases, provided that medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff.

(b) Within the amounts provided in this subsection, specific funding is provided to implement Senate Bill No. 5070 (supervision of domestic violence offenders).

(c) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(4) CORRECTIONAL INDUSTRIES

General Fund-State Appropriation (FY 2016) \$6,600,000

General Fund-State Appropriation (FY 2017) (~~(\$6,465,000)~~)

\$7,263,000

TOTAL APPROPRIATION ~~\$13,065,000~~

\$13,863,000

(5) INTERAGENCY PAYMENTS

General Fund-State Appropriation (FY 2016) \$44,828,000

General Fund-State Appropriation (FY 2017) \$42,246,000

TOTAL APPROPRIATION \$87,074,000

The appropriations in this subsection are subject to the following conditions and limitations: The state prison medical facilities may use funds appropriated in this subsection to purchase goods and supplies through hospital or other group purchasing organizations when it is cost effective to do so.

(6) OFFENDER CHANGE

General Fund-State Appropriation (FY 2016) \$54,480,000

General Fund-State Appropriation (FY 2017) (~~(\$53,428,000)~~)

\$53,437,000

TOTAL APPROPRIATION ~~\$107,908,000~~

\$107,917,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for offender programming. The department shall develop and implement a written comprehensive plan for offender programming that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) Effective April 1, 2016, the regional support networks must subcontract with providers that have specialized expertise in the provision of outpatient chemical dependency treatment services to offenders who have been sentenced by a superior court to a term of community supervision by the department of corrections. The department of corrections and the department of social and health services must develop a memorandum of understanding for offenders on active supervision by the department who are eligible for chemical dependency programming and to ensure that manualized evidence-based treatment services funded by these agencies are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served.

(c) The department of corrections shall implement and make necessary changes to policies and practices to assist eligible needs-assessed offenders within the community with access to outpatient chemical dependency treatment services through the behavioral health organizations and early adopters.

Sec. 1220. 2016 sp.s. c 36 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund-State Appropriation (FY 2016) \$2,294,000

General Fund-State Appropriation (FY 2017) (~~(\$2,728,000)~~)

\$2,739,000

General Fund-Federal Appropriation (~~(\$23,163,000)~~)

\$23,206,000

General Fund-Private/Local Appropriation \$60,000

TOTAL APPROPRIATION ~~\$28,245,000~~

\$28,299,000

PART XIII

NATURAL RESOURCES

Sec. 1301. 2016 sp.s. c 36 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund-State Appropriation (FY 2016) \$464,000

General Fund-State Appropriation (FY 2017) (~~(\$476,000)~~)

\$479,000

General Fund-Federal Appropriation \$32,000

General Fund-Private/Local Appropriation (~~(\$906,000)~~)

\$909,000

TOTAL APPROPRIATION ~~\$1,878,000~~

\$1,884,000

Sec. 1302. 2016 sp.s. c 36 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund-State Appropriation (FY 2016) \$24,537,000

General Fund-State Appropriation (FY 2017) (~~(\$24,623,000)~~)

\$24,552,000

General Fund-Federal Appropriation \$103,782,000

General Fund-Private/Local Appropriation \$22,396,000

Reclamation Account-State Appropriation \$4,703,000

Flood Control Assistance Account-State Appropriation (~~(\$2,069,000)~~)

\$1,989,000

State Emergency Water Projects Revolving Account-State

Appropriation \$40,000

Waste Reduction/Recycling/Litter Control-State

Appropriation (~~(\$13,290,000)~~)

\$13,284,000

State Drought Preparedness Account-State Appropriation \$872,000

State and Local Improvements Revolving Account (Water

Supply Facilities)-State Appropriation \$150,000

Aquatic Algae Control Account-State Appropriation \$518,000

Water Rights Tracking System Account-State Appropriation \$446,000

Site Closure Account-State Appropriation \$578,000

Wood Stove Education and Enforcement Account-State

Appropriation \$547,000

Worker and Community Right-to-Know Account-State

Appropriation \$1,792,000

Water Rights Processing Account-State Appropriation \$39,000

State Toxics Control Account-State Appropriation (~~(\$123,470,000)~~)

\$123,818,000

State Toxics Control Account-Private/Local

Appropriation \$499,000

Local Toxics Control Account-State Appropriation (~~(\$4,527,000)~~)

\$4,523,000

Water Quality Permit Account-State Appropriation (~~(\$44,673,000)~~)

\$44,614,000

Underground Storage Tank Account-State Appropriation (~~(\$3,546,000)~~)

\$3,493,000

Biosolids Permit Account-State Appropriation \$2,108,000

Environmental Legacy Stewardship Account-State

Appropriation (~~(\$36,091,000)~~)
 \$36,052,000

Hazardous Waste Assistance Account-State

Appropriation (~~(\$6,149,000)~~)
 \$6,138,000

Radioactive Mixed Waste Account-State
 Appropriation (~~(\$15,968,000)~~)
 \$15,944,000

Air Pollution Control Account-State
 Appropriation (~~(\$3,985,000)~~)
 \$3,605,000

Oil Spill Prevention Account-State
 Appropriation (~~(\$8,716,000)~~)
 \$8,705,000

Air Operating Permit Account-State
 Appropriation (~~(\$3,233,000)~~)
 \$3,192,000

Freshwater Aquatic Weeds Account-State
 Appropriation \$1,439,000

Oil Spill Response Account-State
 Appropriation \$7,076,000

Water Pollution Control Revolving
 Administration

Account-State Appropriation
 \$579,000

Water Pollution Control Revolving
 Account-State

Appropriation \$493,000

Water Pollution Control Revolving
 Account-Federal

Appropriation \$2,336,000

TOTAL APPROPRIATION ~~\$465,270,000~~
 \$464,839,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$170,000 of the oil spill prevention account-state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(2) \$495,000 of the state toxics control account-state appropriation and \$625,000 of the local toxics control

account-state appropriation is provided solely for the expansion of the local source control program by adding additional capacity in the Columbia River basin and Clark county.

(3) \$310,000 of the state toxics control account-state appropriation is provided solely for the Spokane river regional toxics task force to address elevated levels of polychlorinated biphenyls in the Spokane river.

(4) Within the amounts appropriated in this section, the department shall conduct a stakeholder process with the department of fish and wildlife to develop recommendations to restructure the fees under RCW 90.16.050 and report to the appropriate committees of the legislature by December 1, 2015.

(5) \$1,044,000 of the oil spill prevention account-state appropriation is provided solely for the implementation of chapter 274, Laws of 2015 (ESHB 1449).

(6) \$3,883,000 of the state toxics control account-state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1472 (chemical action plans), Second Substitute Senate Bill No. 5056 (safer chemicals/action plans), Substitute Senate Bill No. 6131 (safer chemicals), or any of these. If none of these bills are enacted by July 10, 2015, the amount provided in this subsection shall lapse.

(7) \$134,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for implementation of chapter 144, Laws of 2015 (SHB 1851).

(8) \$135,000 of the general fund-state appropriation for fiscal year 2016 and \$135,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Walla Walla watershed management partnership to address water resource and management issues in the Walla Walla watershed.

(9) (a) \$14,000,000 of the general fund-state appropriation for fiscal year 2016 and \$14,000,000 of the general fund-state appropriation for fiscal year 2017 are for activities within the water resources program.

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for processing water right permit applications only if the department of ecology issues at least

five hundred water right decisions in fiscal year 2016. If the department of ecology does not issue at least five hundred water right decisions in fiscal year 2016, the amount provided in this subsection shall lapse and remain unexpended. Permit decisions for the Columbia river basin count toward the five hundred water rights decisions under this subsection. The department of ecology shall submit a report to the office of financial management and the state treasurer by June 30, 2016, that documents whether five hundred water right decisions were issued in fiscal year 2016. For the purposes of this subsection, applications that are voluntarily withdrawn by an applicant do not count towards the five hundred water right decision requirement. For the purposes of water budget-neutral requests under chapter 173-539A WAC, multiple domestic connections authorized within a single water budget-neutral decision are considered one decision for the purposes of this subsection.

(10) Within the amounts appropriated in this section, the department must evaluate mitigation options for domestic water use in areas of the Yakima basin for which mitigation water is unavailable and access to water from water banks is unsuitable. The department must recommend solutions for providing mitigation water for domestic use in such areas. A report of the department's findings must be provided to the legislature by December 1, 2015.

(11) \$319,000 of the general fund-state appropriation for fiscal year 2017, \$56,000 of the waste reduction, recycling, and litter control account-state appropriation, \$806,000 of the state toxics control account-state appropriation, \$281,000 of the water quality permit account-state appropriation, \$188,000 of the environmental legacy stewardship account-state appropriation, \$56,000 of the hazardous waste assistance account-state appropriation, \$113,000 of the radioactive mixed waste account-state appropriation, and \$56,000 of the oil spill prevention account-state appropriation are provided solely for the attendance tracking replacement system project, and are subject to the same conditions, limitations and review provided in section 705 (4) through (6), chapter 4, Laws of 2015 3rd sp. sess. (Engrossed Substitute Senate Bill No. 6052).

(12) Within the amounts appropriated in this section, the director of the

department, working with the commissioner of public lands, shall conduct a management review of the joint federal and state dredged material management program and recommend and, as appropriate, implement actions designed to ensure that the program is functioning to facilitate the disposal of dredged material at open water disposal sites using methods that are protective of human health and in compliance with applicable federal and state environmental laws, regulations, and permit requirements. The director and commissioner shall report findings and proposed actions to the relevant committees of the legislature no later than November 1, 2016. The director and commissioner shall consider input and perspectives from tribal governments and agencies that issue permits for open water disposal of dredged material in Puget Sound, including the department of natural resources, the department of ecology, the United States environmental protection agency, and the United States army corps of engineers. This review shall include, but is not limited to: (a) The extent to which current operations, policies, and decisions of the dredged material management program provide for dredging actions necessary to maintain navigation and commerce; (b) determining what regulatory flexibility exists to allow open water disposal of dredged materials in a manner that will protect human health and the environment; and (c) an evaluation of the dredged material management program's decision-making process and policies to ensure that existing regulatory flexibility is appropriately used and that appropriate management and oversight is incorporated.

(13) \$25,000 of the reclamation account-state appropriation is provided solely for implementation of Substitute House Bill No. 1130 (water power license fees). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

~~((15))~~ (14) During the 2015-2017 fiscal biennium, the department shall not retain fees in excess of the estimated amount necessary to cover the agency's administrative costs related to the mercury light stewardship program under chapter 70.275 RCW. The department shall refund any fees collected in excess of those administrative costs to any approved stewardship organization under chapter 70.275 RCW.

~~((16))~~ (15) For the purposes of evaluating the requirements of RCW 70.95.290, the department, in consultation with the Washington materials management and financing authority, shall, within existing resources, report to the appropriate committees of the legislature on whether the department and the Washington materials management and financing authority have utilized existing infrastructure for the collection of electronics. In its report, the department, in consultation with the Washington materials management and financing authority, must report on the location and number of new programs created and depot systems developed since 2006 for the purpose of collecting electronics, how many existing collections sites have been utilized, as well as how many curbside collection companies were contracted with for collection of electronics. The department must submit the report to the appropriate committees of the legislature no later than September 1, 2016.

~~((17))~~ (16) \$22,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Engrossed Senate Bill No. 6589 (water storage/exempt wells). If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.

~~((18))~~ (17) \$300,000 of the state toxics control account-state appropriation is provided solely for the hazardous waste and toxics reduction program and is contingent on the implementation of section 3 of Engrossed Substitute House Bill No. 2545 (flame retardant chemicals). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1303. 2016 sp.s. c 36 s 303 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

- General Fund-State Appropriation (FY 2016) \$10,558,000
- General Fund-State Appropriation (FY 2017) \$11,109,000
- General Fund-Federal Appropriation \$6,920,000
- Winter Recreation Program Account-State Appropriation \$3,309,000

- ORV and Nonhighway Vehicle Account-State Appropriation \$231,000
- Snowmobile Account-State Appropriation ~~(\$5,824,000)~~
\$5,594,000
- Aquatic Lands Enhancement Account-State Appropriation \$369,000
- Recreation Access Pass Account-State Appropriation \$250,000
- Parks Renewal and Stewardship Account-State Appropriation ~~(\$131,357,000)~~
\$129,082,000
- Parks Renewal and Stewardship Account-Private/Local Appropriation \$318,000
- TOTAL APPROPRIATION ~~\$170,245,000~~
\$167,740,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$79,000 of the general fund-state appropriation for fiscal year 2016, \$79,000 of the general fund-state appropriation for fiscal year 2017, \$25,000 of the snowmobile account-state appropriation, and \$25,000 of the winter recreation program account-state appropriation are provided solely for a grant for the operation of the Northwest weather and avalanche center.
- (2) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the commission to pay assessments charged by local improvement districts.
- (3) \$250,000 of the recreation access pass account-state appropriation is provided solely for the commission, using its authority under RCW 79A.05.055(3) and in partnership with the department of fish and wildlife and the department of natural resources, to coordinate a process to develop options and recommendations to improve consistency, equity, and simplicity in recreational access fee systems while accounting for the fiscal health and stability of public land management. The process must be collaborative and include other relevant agencies and appropriate stakeholders. The commission must contract with the William

D. Ruckelshaus Center or another neutral third party to facilitate meetings and discussions with parties involved in the process and provide a report to the appropriate committees of the legislature by December 1, 2017. The process must analyze and make recommendations on:

(a) Opportunities for federal and state recreational permit fee coordination, including the potential for developing a system that allows a single pass to provide access to federal and state lands;

(b) Opportunities to enhance consistency in the way state and federal recreational access fees apply to various types of recreational users, including those that travel to public lands by motor vehicle, boat, bicycle, foot, or another method; and

(c) Opportunities to develop a comprehensive and consistent statewide approach to recreational fee discounts and exemptions to social and other groups including, but not limited to, disabled persons, seniors, disabled veterans, foster families, low-income residents, and volunteers. This analysis must examine the cost of such a program, and should consider how recreational fee discounts fit into the broader set of benefits provided by the state to these social groups. This includes a review of the efficacy, purpose, and cost of existing recreational fee discounts and exemptions, as well as opportunities for new or modified social group discounts and exemptions. The department of veterans affairs and the department of social and health services must be included in this portion of the process.

(4) \$100,000 of the parks renewal and stewardship account-state appropriation is provided solely for conducting noxious weed treatment and vegetation management on the John Wayne pioneer trail to protect adjacent land owners from noxious weeds with priority in areas where there is adjacent agricultural use. Control of noxious weeds must follow an integrated pest management approach including the use of biological, chemical, and mechanical control prescriptions in accordance with chapter 17.15 RCW and consistent with state and county weed board requirements. The commission must report on its progress in meeting this requirement to the appropriate committees of the legislature by September 30, 2016.

(5) \$14,185,000 of the parks renewal and stewardship account-state

appropriation is provided solely for expenditures related to state parks. Of this amount, \$11,614,000 is provided for maintenance and preservation activities, \$1,971,000 is provided for radio equipment and installation, \$300,000 is provided for firefighting vehicles, equipment, and supplies, and \$300,000 is provided for marketing activities.

Sec. 1304. 2016 sp.s. c 36 s 304 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION FUNDING BOARD

General Fund-State Appropriation (FY 2016) \$842,000

General Fund-State Appropriation (FY 2017) (~~(\$818,000)~~)

\$916,000

General Fund-Federal Appropriation \$3,536,000

General Fund-Private/Local Appropriation \$24,000

Aquatic Lands Enhancement Account-State Appropriation \$488,000

Firearms Range Account-State Appropriation \$37,000

Recreation Resources Account-State Appropriation (~~(\$3,263,000)~~)

\$3,414,000

NOVA Program Account-State Appropriation \$1,014,000

TOTAL APPROPRIATION ~~\$10,022,000~~

\$10,271,000

Sec. 1305. 2016 sp.s. c 36 s 305 (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund-State Appropriation (FY 2016) \$2,149,000

General Fund-State Appropriation (FY 2017) (~~(\$2,175,000)~~)

\$2,186,000

TOTAL APPROPRIATION ~~\$4,324,000~~

\$4,335,000

Sec. 1306. 2016 sp.s. c 36 s 306 (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

General Fund-State Appropriation (FY 2016) \$6,778,000

General Fund-State Appropriation (FY 2017) (~~(\$6,848,000)~~)

\$6,865,000

General Fund-Federal Appropriation \$2,301,000

Public Works Assistance Account-State Appropriation \$7,600,000

Disaster Response Account-State Appropriation \$7,800,000

State Toxics Control Account-State Appropriation \$1,000,000

TOTAL APPROPRIATION ~~\$32,327,000~~

\$32,344,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,600,000 of the public works assistance account-state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(2) \$6,800,000 of the disaster response account-state appropriation is provided solely to protect water quality, stabilize soil, prevent crop damage, replace fencing and help landowners recover from losses sustained from wildfires. \$300,000 of this amount shall be provided to the Okanogan county noxious weed control board to control weeds and revegetate lands damaged by wildfires.

(3) \$1,000,000 of the disaster response account-state appropriation is provided solely for the commission to provide to conservation districts for the firewise program.

(4)(a) \$50,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the commission to convene and facilitate a food policy forum. The director of the commission is responsible for appointing participating members of the food policy forum in consultation with the director of the department of agriculture. In making appointments, the director of the commission must attempt to ensure a diversity of knowledge, experience, and perspectives by building on the representation established by the food system roundtable initiated by executive order No. 10-02.

(b) In addition to members appointed by the director of the state conservation commission, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants must be appointed as follows:

(i) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; and

(ii) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(c) The commission shall coordinate with the office of farmland preservation and the department of agriculture to avoid duplication of effort. The commission must report to the appropriate committees of the legislature, consistent with RCW 43.01.036, with the forum's recommendations by October 31, 2017.

Sec. 1307. 2016 sp.s. c 36 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund-State Appropriation (FY 2016) \$37,599,000

General Fund-State Appropriation (FY 2017) (~~(\$39,435,000)~~)

\$39,598,000

General Fund-Federal Appropriation (~~(\$113,956,000)~~)

\$114,877,000

General Fund-Private/Local Appropriation \$61,739,000

ORV and Nonhighway Vehicle Account-State Appropriation \$425,000

Aquatic Lands Enhancement Account-State Appropriation (~~(\$11,627,000)~~)

\$11,327,000

Recreational Fisheries Enhancement-State

Appropriation \$2,997,000

Disaster Response Account-State Appropriation \$642,000

Warm Water Game Fish Account-State Appropriation (~~(\$2,738,000)~~)

\$2,538,000

Eastern Washington Pheasant Enhancement Account-State

Appropriation	\$850,000	
Aquatic Invasive Species Enforcement Account-State		
Appropriation	\$219,000	
Aquatic Invasive Species Prevention Account-State		
Appropriation	\$778,000	
State Wildlife Account-State	Appropriation	\$117,456,000
Special Wildlife Account-State	Appropriation	(\$313,000)
		\$1,801,000
Special Wildlife Account-Federal	Appropriation	\$500,000
Special Wildlife Account-Private/Local	Appropriation	\$3,517,000
Wildlife Rehabilitation Account-State	Appropriation	\$359,000
Hydraulic Project Approval Account-State	Appropriation	\$669,000
Environmental Legacy Stewardship Account-State	Appropriation	\$2,814,000
Regional Fisheries Enhancement Salmonid Recovery Account-		
Federal Appropriation		\$5,001,000
Oil Spill Prevention Account-State	Appropriation	\$1,075,000
Oyster Reserve Land Account-State	Appropriation	\$779,000
TOTAL APPROPRIATION	\$405,488,000	\$407,560,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$344,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to pay for emergency fire suppression costs. This amount may not be used to fund agency indirect and administrative expenses.

(2) \$596,000 of the general fund-state appropriation for fiscal year 2016 and \$596,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for weed assessments and for payments in lieu of real property taxes to counties that elect to receive the payments for department owned game lands within the county.

(3) \$300,000 of the aquatic lands enhancement account-state appropriation is provided solely for the aquatic invasive species and ballast water programs to address voluntary compliance and watercraft check stations and develop recommendations for future funding and the transition to new federal ballast water regulations. These recommendations shall be provided to the governor and legislature by June 1, 2016.

(4) Prior to submitting its 2017-2019 biennial operating and capital budget requests related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review the proposed requests. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost effective manner. The department shall provide a copy of the HSRG review to the office of financial management with its agency budget proposal.

(5) \$400,000 of the general fund-state appropriation for fiscal year 2016 and \$400,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers. Prior to implementation of any Puget Sound nearshore ecosystem restoration projects in Whatcom county, the department must consult with and seek, to the maximum extent practicable, consensus on those projects among appropriate landowners, federally recognized Indian tribes, agencies, and community and interest groups.

(6) Within the amounts appropriated in this section, the department shall identify additional opportunities for partnerships in order to keep fish hatcheries operational. Such partnerships shall aim to maintain fish production and salmon recovery with less reliance on state operating funds.

(7) Within the amounts appropriated in this section, the department shall conduct a stakeholder process with the department of ecology to develop recommendations to restructure the fees under RCW 90.16.050

and report to the appropriate committees of the legislature by December 1, 2015.

(8) The department shall maintain a working capital reserve in the nonrestricted portion of the state wildlife account of no more than five percent of projected expenses in the nonrestricted portion of the account.

(9) \$72,000 of the oil spill prevention account-state appropriation is provided solely for implementation of chapter 274, Laws of 2015 (ESHB 1449).

(10) \$352,000 of the general fund-state appropriation for fiscal year 2016 and \$351,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 191, Laws of 2015 (SSB 5166).

(11) \$642,000 of the disaster response account-state appropriation is provided solely for wildland fire restoration activities on state wildlife areas.

(12) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$375,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the department to establish a work unit to engage and empower diverse stakeholders in decisions about fish and wildlife.

(13) \$300,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to fund cost share partnerships between the department and landowners via livestock damage prevention cooperative agreements. The agreements are part of the department's efforts to help landowners implement measures to reduce the potential for wolf-livestock conflict.

(14) \$25,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to pay claims for confirmed cougar depredations on livestock.

(15) \$225,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for operations at Naselle Hatchery. Any increase in hatchery fish production is contingent upon hatchery reform broodstock standards being met and state fisheries being managed to conserve wild fish populations.

(16) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to the Northwest straits commission for assistance in conducting

and evaluating the forage fish surveys in Puget Sound.

(17) \$100,000 of the state wildlife account-state appropriation is provided solely for ongoing department efforts to address elk hoof disease including monitoring prevalence in affected areas, evaluating survival of affected elk, and assessing management options in affected areas.

(18) The governor shall convene a government-to-government meeting between the department and federally recognized Indian tribes to discuss and develop a protocol regarding enforcement actions related to hunting activities by tribal members on lands where the member's tribe has a treaty or other federally recognized right to hunt.

Sec. 1308. 2016 sp.s. c 36 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund-State Appropriation (FY 2016) \$30,402,000

General Fund-State Appropriation (FY 2017) (~~(\$49,478,000)~~)

\$52,255,000

General Fund-Federal Appropriation (~~(\$30,079,000)~~)

\$32,531,000

General Fund-Private/Local Appropriation \$2,372,000

Forest Development Account-State Appropriation \$53,786,000

ORV and Nonhighway Vehicle Account-State

Appropriation \$6,655,000

Surveys and Maps Account-State Appropriation \$4,502,000

Aquatic Lands Enhancement Account-State Appropriation \$8,743,000

Resources Management Cost Account-State Appropriation \$119,872,000

Surface Mining Reclamation Account-State

Appropriation \$3,960,000

Disaster Response Account-State Appropriation \$16,601,000

Forest and Fish Support Account—State
Appropriation \$10,129,000

Aquatic Land Dredged Material Disposal
Site Account—State

Appropriation \$401,000

Natural Resources Conservation Areas
Stewardship Account—State

Appropriation \$34,000

Marine Resources Stewardship Trust
Account—State

Appropriation \$925,000

State Toxics Control Account—State
Appropriation \$5,438,000

Forest Practices Application Account—
State

Appropriation ~~(\$1,971,000)~~

\$1,524,000

Environmental Legacy Stewardship
Account—State

Appropriation \$1,004,000

Air Pollution Control Account—State
Appropriation ~~(\$817,000)~~

\$717,000

NOVA Program Account—State
Appropriation \$696,000

Derelict Vessel Removal Account—State
Appropriation \$1,931,000

Community Forest Trust Account—State
Appropriation \$26,000

Agricultural College Trust Management
Account—State

Appropriation \$2,879,000

TOTAL APPROPRIATION ~~\$352,701,000~~

\$357,383,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) \$1,420,000 of the general fund—
state appropriation for fiscal year 2016
and \$1,352,000 of the general fund—state
appropriation for fiscal year 2017 are
provided solely for deposit into the
agricultural college trust management
account and are provided solely to manage
approximately 70,700 acres of Washington
State University's agricultural college
trust lands.

(2) ~~(\$15,530,000)~~ \$18,307,000 of the
general fund—state appropriation for

fiscal year 2017 and \$10,525,000 of the
disaster response account—state
appropriation are provided solely for
emergency fire suppression. The general
fund—state appropriation and disaster
response account—state appropriation
provided in this subsection may not be
used to fund agency indirect and
administrative expenses. Agency indirect
and administrative costs shall be
allocated among the agency's remaining
accounts and appropriations. The
department of natural resources shall
submit a quarterly report to the office of
financial management and the legislative
fiscal committees detailing information on
current and planned expenditures from the
disaster response account. This work shall
be done in coordination with the military
department.

(3) \$5,000,000 of the forest and fish
support account—state appropriation is
provided solely for outcome-based,
performance contracts with tribes to
participate in the implementation of the
forest practices program. Contracts
awarded may only contain indirect costs
set at or below the rate in the contracting
tribe's indirect cost agreement with the
federal government. If federal funding for
this purpose is reinstated, the amount
provided in this subsection shall lapse.

(4) \$925,000 of the marine resources
stewardship trust account—state
appropriation is provided solely for
implementation of priority marine
management planning efforts including
mapping activities, ecological
assessment, data tools, and stakeholder
engagement.

(5) \$440,000 of the state general fund—
state appropriation for fiscal year 2016
and \$440,000 of the state general fund—
state appropriation for fiscal year 2017
are provided solely for forest work crews
that support correctional camps and are
contingent upon continuing operations of
the Naselle youth camp.

(6) \$2,390,000 of the general fund—
state appropriation for fiscal year 2016
and \$2,390,000 of the general fund—state
appropriation for fiscal year 2017 are
provided solely for the department to
carry out the forest practices adaptive
management program pursuant to RCW
76.09.370 and the May 24, 2012, settlement
agreement entered into by the department
and the department of ecology. Scientific
research must be carried out according to
the master project schedule and work plan
of cooperative monitoring, evaluation, and

research priorities adopted by the forest practices board. The forest practices board shall submit a report to the legislature following review, approval, and solicitation of public comment on the cooperative monitoring, evaluation, and research master project schedule, to include: Cooperative monitoring, evaluation, and research science and related adaptive management expenditure details, accomplishments, the use of cooperative monitoring, evaluation, and research science in decision-making, and funding needs for the coming biennium. The report shall be provided to the appropriate committees of the legislature by October 1, 2016.

(7) \$155,000 of the general fund-state appropriation for fiscal year 2016 and \$127,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for ongoing law enforcement, which the department may contract with local law enforcement agencies, and for noxious weed control, forest fire protection assessment, and other management costs for the Teanaway community forest as provided in the Teanaway community forest management plan.

(8) The department shall maintain working capital reserves in the resource management cost account and the forest development account of no more than five percent of the amounts appropriated in each account.

(9) \$337,000 of the general fund-state appropriation for fiscal year 2016 and \$311,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 182, Laws of 2015 (ESHB 2093).

(10) \$1,200,000 of the disaster response account-state appropriation is provided solely for joint wildland fire training of department of natural resources, Washington national guard, local fire agency, and tribal firefighters. Of this amount, \$200,000 is provided solely to train local fire agencies on the use of firefighting equipment.

(11) \$215,000 of the disaster response account-state appropriation is provided solely for the department to develop a twenty-year strategic plan to treat areas of state forest land that have been identified by the department as being in poor health.

(12) \$629,000 of the disaster response account-state appropriation is provided

solely for the department to update the smoke management plan in consultation with the department of ecology, other relevant state and federal agencies, and relevant stakeholders.

(13) \$696,000 of the disaster response account-state appropriation is provided solely to enhance the department's capacity to respond to large wildfires using in-state resources.

(14) \$443,000 of the disaster response account-state appropriation is provided solely to enhance capacity for aerial attack of wildfires. Within this amount, the department must develop a pre-certified list of aerial contractors that may be available for fire suppression in fire-prone areas and report the list to the appropriate committees of the legislature by December 1, 2016.

(15) \$1,000,000 of the disaster response account-state appropriation is provided solely to provide firefighting equipment to local fire agencies.

(16) \$417,000 of the disaster response account-state appropriation is provided solely for wildfire prevention education, community outreach programs, technical assistance to landowners; and to ensure landowner compliance with grant and contract requirements, burn permit conditions, and industrial fire precaution levels.

(17) \$569,000 of the disaster response account-state appropriation is provided solely for portable and mobile radios.

(18) \$700,000 of the resources management cost account-state appropriation is provided solely for fuel reduction and forest health activities on state lands.

(19) \$800,000 of the disaster response account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2928 (outdoor burning). Of this amount, two percent is provided solely for the department's administrative costs, five percent is provided solely for the department to provide forest health collaboratives for burn technician costs, and ninety-three percent is provided solely for the department to provide forest health collaboratives for implementation of forest resiliency burning. The department shall direct the forest health collaboratives to complete the forest resiliency burning under this subsection by January 1, 2017. If the bill is not

enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(20) \$100,000 of the disaster response account-state appropriation is provided solely for fuel reduction and creating firebreaks in and around the city of Walla Walla's mill creek watershed.

(21) \$5,057 of the disaster response account-state appropriation is provided solely for the Asotin county sheriff's office for the grizzly bear complex fire.

Sec. 1309. 2016 sp.s. c 36 s 310 (uncodified) is amended to read as follows:

FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Pollution Liability Insurance Program Trust Account-State

Appropriation (~~(\$1,421,000)~~)

\$1,425,000

Underground Storage Tank Revolving Account-State

Appropriation \$5,000

TOTAL APPROPRIATION ~~\$1,426,000~~

\$1,430,000

The appropriations in this section are subject to the following conditions and limitations: \$5,000 of the underground storage tank revolving account-state appropriation is provided solely for implementation of Substitute House Bill No. 2357 (pollution insurance agency). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1310. 2016 sp.s. c 36 s 311 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

General Fund-State Appropriation (FY 2016) \$2,333,000

General Fund-State Appropriation (FY 2017) (~~(\$2,349,000)~~)

\$2,366,000

General Fund-Federal Appropriation (~~(\$9,955,000)~~)

\$8,964,000

Aquatic Lands Enhancement Account-State

Appropriation (~~(\$2,119,000)~~)

\$2,122,000

State Toxics Control Account-State Appropriation (~~(\$705,000)~~)

\$707,000

TOTAL APPROPRIATION ~~\$17,461,000~~

\$16,492,000

The appropriations in this section are subject to the following conditions and limitations: By October 15, 2016, the Puget Sound partnership shall provide the governor a single, prioritized list of state agency 2017-2019 capital and operating budget requests related to Puget Sound restoration.

PART XIV

TRANSPORTATION

Sec. 1401. 2016 sp.s. c 36 s 402 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund-State Appropriation (FY 2016) \$41,105,000

General Fund-State Appropriation (FY 2017) (~~(\$39,566,000)~~)

\$39,586,000

General Fund-Federal Appropriation \$16,073,000

General Fund-Private/Local Appropriation \$3,083,000

Death Investigations Account-State Appropriation \$6,439,000

Enhanced 911 Account-State Appropriation (~~(\$3,230,000)~~)

\$3,009,000

County Criminal Justice Assistance Account-State

Appropriation \$3,532,000

Municipal Criminal Justice Assistance Account-State

Appropriation \$1,443,000

Fire Service Trust Account-State Appropriation \$131,000

Vehicle License Fraud Account-State Appropriation (~~(\$264,000)~~)

\$221,000

Disaster Response Account-State Appropriation \$8,000,000

Fire Service Training Account-State Appropriation \$9,997,000

Aquatic Invasive Species Enforcement
Account-State

Appropriation \$54,000

State Toxics Control Account-State
Appropriation \$532,000

Fingerprint Identification Account-State

Appropriation ~~((14,801,000))~~

\$11,601,000

TOTAL APPROPRIATION ~~\$148,249,000~~

\$144,806,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$200,000 of the fire service training account-state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) \$8,000,000 of the disaster response account-state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(3) \$700,000 of the fire service training account-state appropriation is provided solely for the firefighter apprenticeship training program.

(4) ~~((3,230,000))~~ \$3,009,000 of the enhanced 911 account-state appropriation is provided solely for the first phase of the state patrol's plan to upgrade the criminal history system, and is subject to the same conditions, limitations and review provided in section 705 (4) through (6) of this act.

(5) \$1,375,000 of the general fund-state appropriation for fiscal year 2016 and \$1,375,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of

chapter 247, Laws of 2015 (Substitute House Bill No. 1068).

(6) ((\$3,200,000 of the fingerprint investigation account-state appropriation is provided solely for the second phase of the state patrol's plan to upgrade the criminal history system, and is subject to the same conditions, limitations and review provided in section 705 (4) through (6) of this act.

~~(7))~~ Within amounts provided in this section, the Washington state patrol shall work with the consolidated technology services agency to explore the feasibility and appropriateness of using vacant data halls in the state data center as storage facilities for evidence collected by law enforcement agencies, including but not limited to the state patrol. The state patrol and the consolidated technology services agency shall develop a cost estimate for modifying the data center halls in order to fit this purpose. The state patrol shall submit a report on its findings to the governor and the appropriate committees of the legislature by December 1, 2015.

~~((48))~~ (7) \$50,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the state patrol to pay assessments charged by local improvement districts.

~~((49))~~ (8) \$388,000 of the general fund-state appropriation for fiscal year 2017, \$9,000 of the vehicle license fraud account-state appropriation, and \$13,000 of the general fund-local appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 2872 (WSP recruitment and retention). If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.

~~((10))~~ (9) The appropriations in this section include specific funds for the purpose of implementing Second Substitute House Bill No. 2530 (protecting victims of sex crimes).

PART XV

EDUCATION

Sec. 1501. 2016 sp.s. c 36 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund-State Appropriation (FY 2016)	\$38,284,000
General Fund-State Appropriation (FY 2017)	\$46,199,000
General Fund-Federal Appropriation ((\$67,169,000))	\$70,169,000
General Fund-Private/Local Appropriation	\$9,623,000
Washington Opportunity Pathways Account-State Appropriation	\$292,000
Dedicated Marijuana Account-State Appropriation (FY 2016)	\$251,000
Dedicated Marijuana Account-State Appropriation (FY 2017)	\$511,000
Performance Audits of Government Account-State Appropriation	\$208,000
TOTAL APPROPRIATION	\$162,537,000 \$165,537,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,152,000 of the general fund-state appropriation for fiscal year 2016 and \$10,410,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(a) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(b) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(c) By September of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in sections 501 and 513 of this act. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status

of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(d) The superintendent of public instruction, in consultation with the secretary of state, shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

(e) Districts shall annually report to the office of the superintendent of public instruction on: (i) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (ii) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(2) \$1,017,000 of the general fund-state appropriation for fiscal year 2016 and \$857,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for activities associated with the implementation of new school finance systems required by chapter 236, Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009 (state's education system), including technical staff, systems reprogramming, and workgroup deliberations, including the quality education council and the data governance working group.

(3) \$1,012,000 of the general fund-state appropriation for fiscal year 2016, \$851,000 of the general fund-state appropriation for fiscal year 2017, and \$161,000 of the Washington opportunity pathways account-state appropriation are provided solely for the operation and expenses of the state board of education, including basic education assistance activities. Of these amounts, \$161,000 of the general fund-state appropriation for fiscal year 2016 and \$161,000 of the Washington opportunity pathways account-state appropriation are provided solely for implementation of RCW 28A.710 as amended by Engrossed Second Substitute

Senate Bill No. 6194 (public schools other than common schools).

(4) \$3,571,000 of the general fund-state appropriation for fiscal year 2016 and \$3,447,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to the professional educator standards board for the following:

(a) \$1,050,000 in fiscal year 2016 and \$1,050,000 in fiscal year 2017 are for the operation and expenses of the Washington professional educator standards board;

(b) \$2,372,000 of the general fund-state appropriation for fiscal year 2016 and \$2,372,000 of the general fund-state appropriation for fiscal year 2017 are for grants to improve preservice teacher training and for funding of alternative routes to certification programs administered by the professional educator standards board. Alternative routes programs include the pipeline for paraeducators program, the retooling to teach conditional loan programs, and the recruiting Washington teachers program. Within this subsection (4)(b), up to \$500,000 per fiscal year is available for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs;

(c) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (A) Include both written assessment and performance assessment; (B) be offered by a national organization of professional sign language interpreters and transliterators; and (C) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use;

(d) \$124,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for implementation of

chapter 136, Laws of 2014 (paraeducator development).

(5) \$266,000 of the general fund-state appropriation for fiscal year 2016 and \$266,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(a) \$5,000 of the amounts provided in this subsection shall be provided to the Washington state school directors association for the creation of a model policy and procedures for language access by limited-English proficient parents. In developing the model policy and procedures, the school directors association shall consider any guidance materials created by the United States department of justice, the United States department of education, and the office of the superintendent of public instruction, regarding how school districts can effectively assess their language access needs and how to develop appropriately tailored language access plans. The model policy and procedures must at a minimum address:

(i) Guidance and procedures for timely and accurate identification of limited-English proficient parents and guardians and their language access needs;

(ii) A recommended process and procedures for when and how to access an interpreter;

(iii) A prohibition on the use of students or children as interpreters for school-related communications;

(iv) Procedures to ensure appropriate staff are aware of parents' or guardians' need for language assistance, including guidance for all school administrators, teachers, and other appropriate staff regarding when and how to access an interpreter or translation services in a timely manner; and

(v) A process for communicating with parents and guardians about their rights under federal and state law to be provided with accessible information that allows them to make informed choices regarding their child's education and how to access the resources and services available to them.

(b) Within the amounts provided in this subsection, the office of the

superintendent of public instruction shall:

(i) Convene an advisory committee with representatives of parents, school administrators, school principals, classified and certificated staff, and other appropriate parties with interest in language access for limited-English parents to develop sample materials for school districts to disseminate to both school employees and parents regarding parents' rights under the model policy developed by the Washington state school directors' association and the resources available to assist parents and guardians in accessing the services available to them. The sample materials must be developed by July 1, 2016;

(ii) Maintain and have available upon request a list of school districts that have and have not adopted the Washington state school directors' association's model policy;

(iii) Adopt rules regarding school districts' communication of the language access policy and procedure to parents, students, employees, and volunteers; and

(iv) Publish to the agency web site a listing of language access services providers available to school districts, including but not limited to, the telephonic, in-person, or video-remote interpreter services vendors on contract with the state of Washington, including contact information and training programs that are available to support school districts in preparing employees for how to access and effectively use an interpreter.

(6) \$50,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(7) \$61,000 of the general fund-state appropriation for fiscal year 2016 and \$61,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(8) \$131,000 of the general fund-state appropriation for fiscal year 2016 and \$131,000 of the Washington opportunity pathways account-state appropriation are provided solely for the implementation of

RCW 28A.710 as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools).

(9) \$1,802,000 of the general fund-state appropriation for fiscal year 2016 and \$1,802,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(10) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for project citizen, a program sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle school students.

(11) \$1,500,000 of the general fund-state appropriation for fiscal year 2016 and \$1,500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for collaborative schools for innovation and success authorized under chapter 53, Laws of 2012. The office of the superintendent of public instruction shall award \$500,000 per year in funding for each collaborative school for innovation and success selected for participation in the pilot program during 2012.

(12) \$123,000 of the general fund-state appropriation for fiscal year 2016 and \$123,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(13) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(14) \$93,000 of the general fund-state appropriation for fiscal year 2016 and \$93,000 of the general fund-state appropriation for fiscal year 2017 are

provided solely for chapter 185, Laws of 2011 (bullying prevention), which requires the office of the superintendent of public instruction to convene an ongoing workgroup on school bullying and harassment prevention. Within the amounts provided, \$140,000 is for youth suicide prevention activities.

(15) \$14,000 of the general fund-state appropriation for fiscal year 2016 and \$14,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 242, Laws of 2013 (state-tribal education compacts).

(16) \$62,000 of the general fund-state appropriation for fiscal year 2016 and \$62,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(a) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as co-instructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(b) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(17) \$10,000 of the general fund-state appropriation for fiscal year 2016 and \$10,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the superintendent of public instruction to convene a committee for the selection and recognition of Washington innovative schools. The committee shall select and recognize Washington innovative schools based on the selection criteria established by the office of the superintendent of public instruction, in accordance with chapter 202, Laws of 2011 (innovation schools-

recognition) and chapter 260, Laws of 2011 (innovation schools and zones).

(18) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(19) \$59,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the office of the superintendent of public instruction to convene a task force to design a performance-based assistance and accountability system for the transitional bilingual instruction program. The office must submit a report with recommendations from the task force to the education and fiscal committees of the legislature by January 15, 2016.

(20) \$131,000 of the general fund-state appropriation for fiscal year 2016 and \$131,000 of general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to perform on-going program reviews of alternative learning experience programs and dropout reengagement programs. The amounts provided in this subsection are sufficient for the office of the superintendent of public instruction to conduct ongoing consolidated program reviews of alternative learning experience programs and dropout reengagement programs established under chapter 20, Laws of 2010. The office of the superintendent of public instruction shall include alternative learning education and dropout reengagement programs in its ongoing consolidated program reviews, as well as provide outreach and training to school districts regarding implementation of the programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(21) \$31,000 of the general fund-state appropriation for fiscal year 2016 and \$55,000 of the general fund-state

appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks. At least two of the science course frameworks must be in environmental science.

(22) \$142,000 of the general fund-state appropriation for fiscal year 2016 and \$142,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 103, Laws of 2014 (Substitute Senate Bill No. 6431) (youth suicide prevention).

(23) \$208,000 of the performance audits of government account-state appropriation is provided solely to address additional audit resolutions and appeals in the alternative learning experience programs.

(24) \$2,541,000 of the general fund-state appropriation for fiscal year 2016 and \$2,541,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(25) \$210,000 of the general fund-state appropriation for fiscal year 2016 and \$210,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a nonviolence and leadership training program provided by the institute for community leadership.

(26) \$1,221,000 of the general fund-state appropriation for fiscal year 2016 and \$1,221,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(27) \$2,549,000 of the general fund-state appropriation for fiscal year 2016

and \$3,940,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students.

(28) \$1,354,000 of the general fund-state appropriation for fiscal year 2016 and \$1,354,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007.

(29) \$1,000,000 of the general fund-state appropriation for fiscal year 2016, \$1,000,000 of the general fund-state appropriation for fiscal year 2017, and \$762,000 of the dedicated marijuana account-state appropriation are provided solely for dropout prevention, intervention, and reengagement programs, including the jobs for America's graduates (JAG) program, dropout prevention programs that provide student mentoring, and the building bridges statewide program. Starting in school year 2014-15, students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program. The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, \$251,000 of the dedicated marijuana account-state appropriation for fiscal year 2016, and \$511,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for the building bridges statewide program.

(30) \$2,654,000 of the general fund-state appropriation for fiscal year 2016 and \$2,984,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support the statewide administration of the inventory under RCW 28A.655.080(1) and the one-time implementation and training grants under RCW 28A.655.080(3) for schools

implementing the inventory for the first time in the 2015-2017 fiscal biennium.

(31) \$75,000 of the general fund-state appropriation for fiscal year 2016 and \$75,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to subsidize advanced placement exam fees and international baccalaureate class fees and exam fees for low-income students. To be eligible for the subsidy, a student must be either enrolled or eligible to participate in the federal free or reduced-price lunch program, and the student must have maximized the allowable federal contribution. The office of the superintendent of public instruction shall set the subsidy in an amount so that the advanced placement exam fee does not exceed \$15.00 and the combined class and exam fee for the international baccalaureate does not exceed \$14.50.

(32) \$293,000 of the general fund-state appropriation for fiscal year 2016 and \$293,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs consistent with RCW 28A.600.045.

(33) \$2,864,000 of the general fund-state appropriation for fiscal year 2016 and \$3,758,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1546 (dual credit education opportunities).

(34) \$161,000 of the general fund-state appropriation for fiscal year 2016 and \$54,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the superintendent of public instruction to convene a workgroup to recommend comprehensive benchmarks for developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning for grades kindergarten through high school that build upon what is being done in early learning. The workgroup shall submit recommendations to the education committees of the legislature, and the office of the governor by October 1, 2016.

(35) \$122,000 of the general fund-state appropriation for fiscal year 2016 and \$117,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of

chapter 3 (SHB No. 1813), Laws of 2015 1st sp. sess. (computer science).

(36) (a) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to implement a K-12 dual language expansion grant program to build and expand well-implemented, sustainable dual language programs and create state-level infrastructure dedicated to dual language instruction.

(b) The superintendent shall award grants to pairs of school districts for periods of two years. Each awarded pair must have one district with an established dual language program with a plan for expansion, and another district with the desire to implement a new dual language program.

(c) Grant funds may be used for professional development, supplemental materials, training, administrative staffing of the program, site visits, recruiting bilingual teachers and instructional aides, program evaluation, and coaching.

(37) \$400,000 of the general fund-state appropriation for fiscal year 2016 and \$200,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the urban school turnaround initiative as follows:

(a) The office of the superintendent of public instruction shall provide grants of equal amounts to two schools that have previously received urban school turnaround initiative grants. The purpose of these grants is to assist the schools in maintaining gains made as a result of work completed under the original program, while also phasing out state funding support of the program.

(b) The office shall allocate the funds under this subsection (~~((36))~~) (37) to the school district to be used exclusively in the selected schools. The district may not charge an overhead or indirect fee for the allocated funds or supplant other state, federal, or local funds in the selected schools. The school district shall use the funds for intensive supplemental instruction, services, and materials in the selected schools, including but not limited to professional development for school staff; updated curriculum, materials, and technology; extended learning opportunities for students;

reduced class size; summer enrichment activities; school-based health clinics; and other research-based initiatives to dramatically turn around the performance and close the achievement gap in the schools. The office shall enter into an expenditure agreement with the school district under which any funds under this subsection (~~((41))~~) (37) remaining unspent on (~~(August 31)~~) June 30, 2017, shall be returned to the state. Priorities for the expenditure of the funds shall be determined by the leadership and staff of each school.

(38) \$125,000 of the general fund-state appropriation for fiscal year 2016 and \$125,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(39) \$652,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the administration of the preliminary scholastic aptitude test to ninth and tenth grade participants in the college bound program. The superintendent of public instruction shall partner with a national nonprofit organization that offers the aptitude test and that will provide: (i) Early and annual feedback on student progress; (ii) detailed performance feedback connected to Washington's standards, instruction, and assessments; (iii) access to state-of-the-art learning tools including free, personalized practice; (iv) access to college and career planning tools; (v) personalized information packets to high-achieving, low-income students to increase the number of applications from this group of students to public four-year institutions of higher education and independent, nonprofit baccalaureate degree-granting institutions in Washington; and (vi) for income eligible students, the opportunity to take the preliminary scholastic aptitude test in eleventh grade at no cost, to take the scholastic aptitude test twice at no cost, and access to additional tools and score reports at no cost.

(40) (a) \$125,000 of the general fund-state appropriation for fiscal year 2016 and \$125,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a grant to an entity that is exempt from taxation under Title 26 U.S.C. Sec. 501(c)(3) of the federal

internal revenue code of 1986, as amended, as of the effective date of this section, that is affiliated and in good standing with a national congressionally chartered organization's standards under 36 U.S.C., subtitle II, part B, and that:

(i) Is facility-based and provides proven and tested recreational, educational, and character-building programs for children ages six to eighteen years of age;

(ii) Provides after school and summer programs in a minimum of fifty communities statewide, with youth development services available at least twenty hours weekly during the school year and for thirty hours weekly during summer programming;

(iii) Has adopted standards for care that at a minimum include staff ratios, staff training, health and safety standards, and mechanisms for assessing and enforcing the program's compliance with the standards;

(iv) Provides a process to receive and resolve parental complaints; and

(v) Conducts national criminal background checks for all employees and volunteers who work with children.

(b) The grant shall be used to pilot a program of academic, innovation, and mentoring. The purpose of the program is to enable eligible neighborhood youth development entities to provide out-of-school time programs for youth six to eighteen years of age that include educational services, mentoring, and linkages to positive, pro-social leisure and recreational activities. The programs must be designed for mentoring and academic enrichment that include at least two of the following three activity areas:

(i) Science, technology, engineering, and math (STEM);

(ii) Homework support and high-yield learning opportunities; and

(iii) Career exploration.

(c) The entity receiving the grant shall conduct the pilot in at least five communities statewide. The office of the superintendent of public instruction shall submit a report to the appropriate education and fiscal committees of the legislature by December 31, 2015, and a final report by December 31, 2016. The report shall outline the programs established, target populations, and pre- and post-testing results.

(41) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to partner with a nonprofit organization providing music curriculum for kindergarten and first grade students and establish a grant program that provides start-up costs and materials for integrated music curriculum that links together other core curriculum. Preference shall be given to Title 1 schools, head start programs, early childhood education and assistance program sites, high poverty schools, schools with high mobility, and schools with low student achievement.

(42) \$1,000,000 of the general fund-state appropriation for fiscal year 2016 and \$1,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to Substitute House Bill No. 1813 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. Grant funds for the computer science and education grant program may be expended only to the extent that they are equally matched by private sources for the program, including gifts, grants, or endowments.

(43) \$1,461,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to Fourth Substitute House Bill No. 1999 (foster youth edu. outcomes).

(a) Of the amount provided in this subsection, \$446,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(b) Of the amount provided in this subsection, \$1,015,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a second demonstration site that includes a school district or school district with a significant number of dependent students. The office of the superintendent of public instruction, in collaboration with the department of social and health services children's administration and the contracted nongovernmental entity or entities, shall select a second demonstration site for implementation after July 1, 2016.

(44) \$1,000,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Third Substitute House Bill No. 1682 (homeless students). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(45) \$1,242,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Fourth Substitute House Bill No. 1541 (educational opportunity gap). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(46) \$350,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Second Substitute House Bill No. 2449 (truancy reduction). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(47) \$50,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a skilled workforce development high school summer internship pilot project. The office of the superintendent of public instruction shall select two high schools from the largest urban school district in the state who will in turn select 10 students each, who have completed their junior year, to participate in a 5 1/2 week summer internship. The selected high schools must partner with the port of Seattle and manufacturing and maritime employers, who

are committed to fostering the development of local youth into a skilled workforce, to provide internships for the selected students. The office of the superintendent of public instruction must submit a report to the legislature by December 1, 2016, summarizing the successes and failures of the pilot project and provide recommendations for any future actions. Expenditure of the amounts in this section is contingent on receipt by the school district of a fifty percent match in funding from nonstate sources.

(48) \$1,750,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for professional development for state-funded classroom paraeducators. Training must be provided in the 2016-17 school year.

(49) \$41,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the office of the superintendent of public instruction to implement the since time immemorial program, including web site updates to accommodate video content and online teaching tools, and training for classroom certificated instructional staff.

(50) \$11,000 of the general fund-state appropriation for fiscal year 2016 and \$8,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 3, Laws of 2016 (basic education obligations).

(51) \$276,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Engrossed Senate Bill No. 6620 (school safety). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(52) \$500,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of section 1 of Engrossed Second Substitute Senate Bill No. 6455 (professional educator workforce). If section 1 of the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1502. 2016 sp.s. c 36 s 502 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR GENERAL APPORTIONMENT

General Fund-State Appropriation (FY 2016) \$6,375,707,000

General Fund-State Appropriation (FY 2017) (~~(\$6,734,241,000)~~)

\$6,751,047,000

Education Legacy Trust Account-State Appropriation \$95,730,000

TOTAL APPROPRIATION ~~\$13,205,678,000~~

\$13,222,484,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2015-16 and 2016-17 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary schedules in sections 502 and 503 of this act, excluding (c) of this subsection.

(c) From July 1, 2015, to August 31, 2015, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 4, Laws of 2013 2nd sp. sess., as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in this part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210 and to carry out the requirement specified in subsections 2(c)(i)(B) and 2(c)(ii)(B) of this section.

(g) For the 2015-16 and 2016-17 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2015-16 and 2016-17 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260, except that the allocation for guidance counselors in a middle school shall be 1.216 for the 2015-16 and 2016-17 school years, this enhancement is within the program of basic education. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i)(A) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General
1
education

class size:	RCW 28A.150.260	2015-16	2016-17
Grade 0		School Year	School Year
K		22.00	19.00
1		23.00	21.00
2		24.00	22.00
3		25.00	22.00
4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53
Grades 9-12		28.74	28.74

The superintendent shall base allocations for laboratory science, career and technical education (CTE) and skill center programs average class size as provided in RCW 28A.150.260.

(B) For grades kindergarten through three, the superintendent shall allocate funding for class size reductions to the extent of, and in proportion to, the school district's demonstrated actual weighted average class size for grades kindergarten through three, down to the weighted average class size specified in subsection 2(c)(i)(A) of this section. At a minimum, the superintendent must allocate funding sufficient to fund a weighted average class size not to exceed 25.23 full-time equivalent students per teacher in these grades.

(ii)(A) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

General education
class size in high
poverty schools:

Grade	RCW	2015-16	2016-17
	28A.150.260		
		School Year	School Year
K		18.00	17.00
1		19.00	17.00
2		22.00	18.00
3		24.00	21.00
4		27.00	27.00
5-6		27.00	27.00
7-8		28.53	28.53
9-12		28.74	28.74

(B) For grades kindergarten through three, the superintendent shall allocate funding for class size reductions to the extent of, and in proportion to, the school district's demonstrated actual weighted average class size for grades kindergarten through three, down to the weighted average class size specified in subsection 2(c)(ii)(A) of this section. At a minimum, the superintendent must allocate funding sufficient to fund a weighted average class size not to exceed 25.23 full-time equivalent students per teacher in these grades.

(iii) The enhancements in this subsection (2)(c) are within the program of basic education.

(iv) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(v) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and (a) of this subsection and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2015-16	2016-17
	School Year	School Year
Career and Technical Education	3.07	3.07
Skill Center	3.41	3.41

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2015-16 and 2016-17 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistance principals, and other certificated building level administrators:

Prototypical School Building:	
Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors: Career and Technical Education students 1.025

Skill Center students 1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2015-16 and 2016-17 school years are determined using the formula-generated staff units provided in RCW 28A.150.260, and adjusted based on each district's

annual average full-time equivalent student enrollment in each grade, except that the allocation for parent involvement coordinators in an elementary school shall be 0.0825 for the 2015-16 and 2016-17 school years, which enhancement is within the program of basic education.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2015-16 and 2016-17 school year for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260 (6) (b), by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 1.46 percent in the 2015-16 school year and 1.45 percent in the 2016-17 school year for career and technical education students, and 17.33 percent in the 2015-16 school year and 17.31 percent in the 2016-17 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 21.42 percent in the 2015-16 school year and 21.42 percent in the 2016-17 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.72 percent in the 2015-16 school year and 22.72 percent in the 2016-17 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1,440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE		
MSOC Component	2015-16 SCHOOL YEAR	2016-17 SCHOOL YEAR
Technology	\$127.17	\$128.58

Utilities and Insurance	\$345.55	\$349.35		SCHOOL YEAR
Curriculum and Textbooks	\$136.54	\$138.04	Technology	\$36.57 \$36.98
Other Supplies and Library Materials	\$289.88	\$293.07	Curriculum and Textbooks	\$39.89 \$40.33
Instructional Professional Development for Certificated and Classified Staff	\$21.12	\$21.35	Other Supplies and Library Materials	\$83.11 \$84.02
Facilities Maintenance	\$171.19	\$173.07	Instructional Professional Development for Certified and Classified Staff	\$6.65 \$6.72
Security and Central Office	\$118.60	\$119.90	TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$166.22 \$168.05
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$1,210.05	\$1,223.36	(9) SUBSTITUTE TEACHER ALLOCATIONS	

(ii) For the 2016-17 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (A) of this subsection (8) (a) (ii) exceeds (B) of this subsection (8) (a) (ii), any proposed use of this difference and how this use will improve student achievement.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,272.99 for the 2015-16 school year and \$1,286.99 for the 2016-17 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate a per student MSOC allocation of \$1,431.65 for the 2015-16 school year and \$1,447.40 for the 2016-17 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocation provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2015-16	2016-17
	SCHOOL YEAR	

For the 2015-16 and 2016-17 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2015, to August 31, 2015, are adjusted to reflect provisions of chapter 4, Laws of 2013 2nd sp. sess., as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through

28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) VOLUNTARY ALL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund voluntary all day kindergarten programs in qualifying schools in the 2015-16 school year and all schools in the 2016-17 school year, pursuant to RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls for the voluntary all-day program in a qualifying school shall count as one-half of one full-time equivalent student for purpose of making allocations under this section. Funding in this section provides all-day kindergarten programs for 71.88 percent of kindergarten enrollment in the 2015-16 school year and full funding in the 2016-17 school year, which enhancement is within the program of basic education.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-

time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (12) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic

education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2016 and 2017 as follows:

(a) \$620,000 of the general fund-state appropriation for fiscal year 2016 and \$627,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund-state appropriation for fiscal year 2016 and \$436,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) \$219,000 of the general fund-state appropriation for fiscal year 2016 and \$221,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for school district emergencies as certified by the superintendent of public instruction. Funding provided must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. At the close of the fiscal year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

(17) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE

including school district and institution of higher education enrollment consistent with the running start course requirements provided in Engrossed Second Substitute House Bill No. 1546 (dual credit education opportunities). In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (12) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (12) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed 15 percent of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate reporting for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. School districts receiving federal forest revenues shall not have their general apportionment reduced during the 2015-2017 biennium only.

Sec. 1503. 2016 sp.s. c 36 s 503 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

General Fund—State Appropriation (FY 2016) \$137,930,000

General Fund—State Appropriation (FY 2017) (~~(\$265,361,000)~~)

\$266,466,000

TOTAL APPROPRIATION ~~\$403,291,000~~

\$404,396,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding in this section is sufficient to provide a salary increase of 3.0 percent effective September 1, 2015, and 1.8 percent effective September 1, 2016. Of the salary increases provided in this section, the increases of 1.8 percent effective September 1, 2015, and of 1.2 percent effective September 1, 2016, are provided as annual cost-of-living adjustments pursuant to Initiative Measure No. 732. The remaining portions of the salary increases are provided as a one-biennium salary increase for the 2015-16 and 2016-17 school years as the state continues to review and revise state-funded salary allocations, and the increase expires August 31, 2017.

(2)(a) Additional salary adjustments as necessary to fund the base salaries for certificated instructional staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.

(b) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for certificated administrative staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.

(c) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for classified staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.

(d) The appropriations in this subsection (1) include associated incremental fringe benefit allocations at 20.78 percent for the 2015-16 school year and 20.78 percent for the 2016-17 school year for certificated instructional and certificated administrative staff and 19.22 percent for the 2015-16 school year and 19.22 percent for the 2016-17 school year for classified staff.

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

(f) The appropriations in this section include no salary adjustments for substitute teachers.

(3) The maintenance rate for insurance benefit allocations is \$768.00 per month for the 2015-16 and 2016-17 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$780.00 per month for the 2015-16 school year and \$780.00 per month for the 2016-17 school year.

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

Sec. 1504. 2016 sp.s. c 36 s 504 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund—State Appropriation (FY 2016) \$496,456,000

General Fund—State Appropriation (FY 2017) (~~(\$489,624,000)~~)

\$489,595,000

TOTAL APPROPRIATION ~~\$985,080,000~~

\$986,051,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) For the 2015-16 school year, the superintendent shall allocate funding for approved and operating charter schools as provided in RCW 28A.710.220(3) for September through November 2015. Per-student allocations for pupil transportation must be calculated using the allocation for the previous school year to the school district in which the charter school is located and the number of eligible students in the district, and must be distributed to the charter school based on the number of eligible students.

(c) From July 1, 2015 to August 31, 2015, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 4, Laws of 2013 2nd sp. sess., as amended.

(3) A maximum of \$892,000 of this fiscal year 2016 appropriation and a maximum of \$892,000 of the fiscal year 2017 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the

greatest extent practical, reflect the actual transportation activity of each district.

(4) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(5) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(6) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(7) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

Sec. 1505. 2015 3rd sp.s. c 4 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund—State Appropriation (FY 2016) \$7,111,000

General Fund—State Appropriation (FY 2017) \$7,111,000

General Fund—Federal Appropriation (~~(\$526,332,000)~~)

\$536,332,000

TOTAL APPROPRIATION ~~\$540,554,000~~

\$550,554,000

The appropriations in this section are subject to the following conditions and limitations: \$7,111,000 of the general fund-state appropriation for fiscal year 2016 and \$7,111,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for state matching money for federal child nutrition

programs, and may support the meals for kids program through the following allowable uses:

(1) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades kindergarten through third grade who are eligible for reduced-price lunch;

(2) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(3) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(4) Assistance to school districts in initiating and expanding school breakfast programs.

The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsections (1), (2), and (3) of this section.

Sec. 1506. 2016 sp.s. c 36 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2016) \$805,866,000

General Fund—State Appropriation (FY 2017) (~~(\$853,389,000)~~)

\$871,708,000

General Fund—Federal Appropriation (~~(\$483,538,000)~~)

\$487,338,000

Education Legacy Trust Account—State Appropriation \$54,694,000

TOTAL APPROPRIATION ~~\$2,197,487,000~~

\$2,219,606,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive

their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 502(4) for parent involvement coordinators in prototypical elementary schools and guidance counselors in prototypical middle schools as provided under section 502(2), which enhancement is within the program of basic education.

(b) From July 1, 2015 to August 31, 2015, the superintendent shall allocate

funding to school district programs for special education students as provided in section 507, chapter 4, Laws of 2013 2nd sp. sess., as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund-state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) \$20,691,000 of the general fund-state appropriation for fiscal year 2016, (~~(\$24,473,000)~~) \$30,999,000 of the general fund-state appropriation for fiscal year 2017, and (~~(\$27,350,000)~~) \$31,350,000 of the general fund-federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2015-16 and 2016-17 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for

the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$931,000 may be expended from the general fund-state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund-state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$255,000 of the general fund-state appropriation for fiscal year 2016 and \$256,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund-state appropriation for fiscal year 2016, \$50,000 of the general fund-state appropriation for fiscal year 2017, and \$100,000 of the general fund-federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

Sec. 1507. 2016 sp.s. c 36 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund-State Appropriation (FY 2016) \$8,208,000

General Fund-State Appropriation (FY 2017) (~~(\$8,200,000)~~)

\$8,197,000

TOTAL APPROPRIATION ~~\$16,408,000~~

\$16,405,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

Sec. 1508. 2016 sp.s. c 36 s 507 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE

General Fund-State Appropriation (FY 2016) \$375,622,000

General Fund-State Appropriation (FY 2017) (~~(\$390,801,000)~~)

\$400,207,000

TOTAL APPROPRIATION ~~\$766,423,000~~

\$775,829,000

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 4.27 percent from the 2014-15 school year to the 2015-16 school year and 1.09 percent from the 2015-16 school year to the 2016-17 school year.

Sec. 1509. 2016 sp.s. c 36 s 508 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2016) \$13,239,000

General Fund—State Appropriation (FY 2017) (~~(\$13,271,000)~~)

\$13,341,000

TOTAL APPROPRIATION ~~\$26,510,000~~

\$26,580,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$757,000 of the general fund—state appropriation for fiscal year 2016 and

(~~\$757,000~~) \$701,000 of the general fund—state appropriation for fiscal year 2017 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

Sec. 1510. 2016 sp.s. c 36 s 509 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund—State Appropriation (FY 2016) \$10,012,000

General Fund—State Appropriation (FY 2017) (~~(\$10,162,000)~~)

\$10,185,000

TOTAL APPROPRIATION ~~\$20,174,000~~

\$20,197,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c). In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the district's average staff mix and

compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2015, to August 31, 2015, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 4, Laws of 2013 2nd sp. sess., as amended.

(3) \$85,000 of the general fund-state appropriation for fiscal year 2016 and \$85,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the centrum program at Fort Worden state park.

Sec. 1511. 2016 sp.s. c 36 s 511 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-EDUCATION REFORM PROGRAMS

General Fund-State Appropriation (FY 2016) \$116,893,000

General Fund-State Appropriation (FY 2017) (~~(\$134,641,000)~~)

\$136,063,000

General Fund-Federal Appropriation \$99,278,000

General Fund-Private/Local Appropriation \$2,721,000

Education Legacy Trust Account-State Appropriation \$1,613,000

TOTAL APPROPRIATION ~~\$355,146,000~~

\$356,568,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$29,137,000 of the general fund-state appropriation for fiscal year 2016, \$36,648,000 of the general fund-state appropriation for fiscal year 2017, \$1,350,000 of the education legacy trust account-state appropriation, and \$16,268,000 of the general fund-federal appropriation are provided solely for development and implementation of the Washington state assessment system, including: (a) Development and implementation of retake assessments for high school students who are not successful in one or more content areas; and (b) development and implementation of alternative assessments or appeals procedures to implement the certificate of academic achievement. The superintendent of public instruction shall report quarterly on the progress on development

and implementation of alternative assessments or appeals procedures. Within these amounts, the superintendent of public instruction shall contract for the early return of 10th grade student assessment results, on or around June 10th of each year. State funding to districts shall be limited to one collection of evidence payment per student, per content-area assessment. Within the amounts provided in this section, the superintendent of public instruction shall administer the biology collection of evidence. The alternative assessment method that consists of an evaluation of a collection of student work samples under RCW 28A.655.065 (5) and (6) is intended to provide an alternative way for students to meet the state standards for high school graduation purposes. To ensure that students are learning the state standards, prior to the collection of work samples being submitted to the state for evaluation, a classroom teacher or other educator must review the collection of work to determine whether the sample is likely to meet the minimum required score to meet the state standard.

(2) \$356,000 of the general fund-state appropriation for fiscal year 2016 and \$356,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities coordinated at the Pacific science center, including instructional material purchases, teacher and principal professional development, and school and community engagement events.

(3) \$3,935,000 of the general fund-state appropriation for fiscal year 2016 and \$3,935,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(4) \$51,337,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$56,939,000)~~) \$58,361,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in

a Washington public school, subject to the following conditions and limitations:

(a) For national board certified teachers, a bonus of \$5,151 per teacher in the 2015-16 school year and a bonus of \$5,208 per teacher in the 2016-17 school year;

(b) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(c) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(d) During the 2015-16 and 2016-17 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary schedule and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after three years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including

applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(5) \$477,000 of the general fund-state appropriation for fiscal year 2016 and \$477,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(6) \$950,000 of the general fund-state appropriation for fiscal year 2016 and \$950,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to low-performing schools and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(7) \$810,000 of the general fund-state appropriation for fiscal year 2016 and \$810,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(8) \$3,000,000 of the general fund-state appropriation for fiscal year 2016 and \$3,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT certification and software training opportunities for students and staff in public schools.

(9) \$1,677,000 of the general fund-state appropriation for fiscal year 2016 and \$1,677,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008. If equally matched by private donations, \$700,000 of the 2016 appropriation and \$700,000 of the 2017 appropriation shall be used to support FIRST robotics programs. Of the amounts in this subsection, \$100,000 of the fiscal year 2016 appropriation and \$100,000 of the fiscal year 2017 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(10) \$125,000 of the general fund-state appropriation for fiscal year 2016 and \$125,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(11) \$135,000 of the general fund-state appropriation for fiscal year 2016 and \$135,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(12) \$5,500,000 of the general fund-state appropriation for fiscal year 2016 and \$9,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a beginning educator support program. The program shall prioritize first year teachers in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time

with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators.

(13) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2016, a high school must have offered a foundational project lead the way course during the 2014-15 school year. The 2016 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2015-16 school year. To be eligible for funding in 2016, a high school must have offered a foundational project lead the way course during the 2015-16 school year. The 2017 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2016-17 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(14) \$300,000 of the general fund-state appropriation for fiscal year 2016 and \$300,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for annual start-up or expansion grants for aerospace and manufacturing technical programs housed at skill centers. The grants are provided for equipment, professional development, and curriculum purchases. To be eligible for funding, the skill center must agree to provide regional high schools with access to a technology laboratory, expand manufacturing certificate and course offerings at the skill center, and provide a laboratory space for local high school teachers to engage in professional development in the instruction of courses leading to student employment certification in the aerospace, manufacturing industries, or other high-skill programs as determined by the superintendent of public instruction or for professional development of such programs. The office of the superintendent of public instruction shall administer the grants in consultation with the center for excellence for aerospace and advanced materials manufacturing.

(15) \$150,000 of the general fund-state appropriation for fiscal year 2016 and \$150,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for annual start-up or expansion grants to high schools to implement or expand aerospace manufacturing programs, or other high-skill programs as determined by the superintendent of public instruction or for professional development of such programs. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(16) \$5,000,000 of the general fund-state appropriation for fiscal year 2016 and \$5,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the provision of training for teachers in the performance-based teacher principal evaluation program.

(17) \$7,235,000 of the general fund-state appropriation for fiscal year 2016 and \$9,352,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 159, Laws of 2013 (Engrossed Second Substitute Senate Bill No. 5329) (persistently failing schools).

(18) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

(19) \$99,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the office of the superintendent of public instruction to implement a youth dropout prevention program that incorporates partnerships between community-based organizations, schools, food banks and farms or gardens. The office of the superintendent of public instruction shall select one school district that must partner with an organization that is operating an existing similar program and that also has the ability to serve at least 40 students. Of the amount appropriated in this subsection, up to \$10,000 may be used by the office of the superintendent of public instruction for administration of the program.

(20) \$2,194,000 of the general fund-state appropriation for fiscal year 2016 and \$2,194,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement chapter 18, Laws of 2013 2nd sp. sess. (Engrossed Substitute Senate Bill No. 5946) (strengthening student educational outcomes).

(21) \$856,000 of the general fund-state appropriation for fiscal year 2016 and \$1,061,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for chapter 184, Laws of 2013 (Second Substitute House Bill No. 1642) (academic acceleration) and other activities proven to increase K-12 student enrollment in rigorous courses.

(22) \$36,000 of the general fund-state appropriation for fiscal year 2016 and \$36,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for chapter 212, Laws of 2014 (Substitute Senate Bill No. 6074) (homeless student educational outcomes).

(23) \$80,000 of the general fund-state appropriation for fiscal year 2016 and \$80,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for chapter 219, Laws of 2014 (Second Substitute Senate Bill No. 6163) (expanded learning).

(24) \$15,000 of the general fund-state appropriation for fiscal year 2016 and \$10,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for chapter 102, Laws of 2014 (Senate Bill No. 6424) (biliteracy seal).

(25) \$500,000 of the general fund-state appropriation for fiscal year 2016 and \$500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization to integrate the state learning standards in English language arts, mathematics, and science with outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors.

(26) \$1,392,000 of general fund-state appropriation for fiscal year 2016 is provided solely for professional development and coaching for state-funded high school mathematics and science teachers. Training shall be provided in the 2015-16 school year by the science and

mathematics coordinators at each educational service district. The professional development shall include instructional strategies and curriculum-specific training to improve outcomes for the statewide high school mathematics assessment or the high school biology assessment. The professional development provided may be broken up into shorter timeframes over the course of more than one day, but the aggregate amount of professional development provided shall be one full work day.

(27) \$205,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for grants to high schools that have an existing international baccalaureate program and enrollments of seventy percent or more students eligible for free or reduced-price meals in the prior school year to implement and sustain an international baccalaureate program.

(28) Within the amounts provided in this section, the superintendent of public instruction shall obtain an existing student assessment inventory tool that is free and openly licensed and distribute the tool to every school district. Each school district shall use the student assessment inventory tool to identify all state-level and district-level assessments that are required of students. The state-required assessments should include: Reading proficiency assessments used for compliance with RCW 28A.320.202; the required statewide assessments under chapter 28A.655 RCW in grades three through eight and at the high school level in English language arts, mathematics, and science, as well as the practice and training tests used to prepare for them; and the high school end-of-course exams in mathematics under RCW 28A.655.066. District-required assessments should include: The second grade reading assessment used to comply with RCW 28A.300.320; interim smarter balanced assessments, if required; the measures of academic progress assessment, if required; and other required interim, benchmark, or summative standardized assessments, including assessments used in social studies, the arts, health, and physical education in accordance with RCW 28A.230.095, and for educational technology in accordance with RCW 28A.655.075. The assessments identified should not include assessments used to determine eligibility for any categorical program including the transitional bilingual instruction program, learning assistance program, highly capable

program, special education program, or any formative or diagnostic assessments used solely to inform teacher instructional practices, other than those already identified. By October 15, 2016, each district shall report to the superintendent the amount of student time that is spent taking each assessment identified. By December 15, 2016, the superintendent shall summarize the information reported by the school districts and report to the education committees of the house of representatives and the senate.

Sec. 1512. 2016 sp.s. c 36 s 512 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund-State Appropriation (FY 2016) \$118,648,000

General Fund-State Appropriation (FY 2017) (~~(\$124,751,000)~~)

\$129,666,000

General Fund-Federal Appropriation \$72,207,000

TOTAL APPROPRIATION ~~\$315,606,000~~

\$320,521,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through twelve in school years 2015-16 and 2016-17; (ii) additional instruction of 3.0000 hours per week in school years 2015-16 and 2016-17 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their

performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2015, to August 31, 2015, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 4, Laws of 2013, 2nd sp. sess., as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 2.40 percent for school year 2015-16 and 1.97 percent for school year 2016-17.

(4) The general fund-federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund-state appropriation for fiscal year 2016 and \$35,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to track current and former transitional bilingual program students.

(6) \$1,456,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the central provision of assessments pursuant to RCW 28A.180.090.

Sec. 1513. 2016 sp.s. c 36 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR THE LEARNING ASSISTANCE PROGRAM

General Fund-State Appropriation (FY 2016) \$224,311,000

General Fund-State Appropriation (FY 2017) ((~~\$228,865,000~~))

\$225,808,000

General Fund-Federal Appropriation \$494,468,000

TOTAL APPROPRIATION ~~\$947,644,000~~

\$944,587,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund-state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the basic education. In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2015-16 school year and the 2016-17 school year; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2015, to August 31, 2015, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 4, Laws of 2013, 2nd sp. sess., as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund-federal appropriation in this section is provided for Title I Part A allocations of the no child left behind act of 2001.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund-state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2015-16 and 2016-17 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

Sec. 1514. 2016 sp.s. c 36 s 514 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as expressly provided in subsection (4) of this section.

(4) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, (~~2016~~) 2017, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year (~~2016~~) 2017 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable; and learning assistance programs.

(5) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

(6) As required by RCW 28A.710.110 as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools), the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(7) State general fund appropriations distributed through Part V of this act for the operation and administration of charter schools as provided in chapter 28A.710 RCW shall not include state common school levy revenues collected under RCW 84.52.065.

Sec. 1515. 2016 sp.s. c 36 s 516 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR CHARTER SCHOOLS

Washington Opportunity Pathways
Account-State

Appropriation ((~~\$10,159,000~~))

\$10,527,000

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

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools).

(2) Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

Sec. 1516. 2016 sp.s. c 36 s 517 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION

General Fund-State Appropriation (FY 2016) \$497,000

Washington Opportunity Pathways Account-State

Appropriation \$546,000

Charter Schools Oversight Account-State Appropriation \$400,000

TOTAL APPROPRIATION \$1,443,000

The appropriations in this section are subject to the following conditions and limitations: The entire Washington opportunity pathways account-state appropriation in this section is provided ((to the superintendent of public instruction)) solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools).

PART XVI

HIGHER EDUCATION

Sec. 1601. 2016 sp.s. c 36 s 602 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund-State Appropriation (FY 2016) \$625,251,000

General Fund-State Appropriation (FY 2017) (~~\$666,835,000~~)

\$667,514,000

Community/Technical College Capital Projects

Account-State Appropriation \$17,548,000

Education Construction Account-State Appropriation \$7,109,000

Education Legacy Trust Account-State

Appropriation \$96,422,000

TOTAL APPROPRIATION ~~\$1,413,165,000~~

\$1,413,844,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund-state appropriation for fiscal year 2016 and \$33,261,000 of the general fund-state appropriation for fiscal year 2017 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2016 and at least 7,170 full-time equivalent students in fiscal year 2017.

(2) \$5,450,000 of the education legacy trust account-state appropriation is provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund-state appropriation for fiscal year 2016 and \$425,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for Seattle central college's expansion of allied health programs.

(4) \$17,058,000 of the general fund-state appropriation for fiscal year 2016 and (~~\$17,506,000~~) \$17,765,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college

affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the total full-time equivalent annual average resident undergraduate enrollment for all community and technical colleges increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or all community and technical colleges' total preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(5) \$5,250,000 of the general fund-state appropriation for fiscal year 2016 and \$5,250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the student achievement initiative.

(6) \$410,000 of the general fund-state appropriation for fiscal year 2016, and \$860,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the expansion of the mathematics, engineering, and science achievement program. The state board shall report back to the appropriate committees of the legislature on the number of campuses and students served by December 31, 2018.

(7) \$750,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for Bellevue college to develop a baccalaureate of science degree in computer science. Subject to approval by the state board for community and technical colleges, in fiscal year 2016 Bellevue college shall develop a baccalaureate of science degree in computer science. This degree must be directed at high school graduates who may enroll directly as freshmen and transfer-oriented degree and professional and technical degree holders. Bellevue college will develop a plan for offering this new degree by no later than fall quarter 2016. With the exception of the amounts provided in this subsection, the plan must assume funding for this new degree will come through redistribution of the college's current per full-time enrollment funding. The plan shall be delivered to the state board by June 30, 2016.

(8) Pursuant to aerospace industry appropriations (chapter 1, Laws of 2013 3rd sp. sess.), \$1,080,000 of the general fund-state appropriation for fiscal year 2016 and \$1,500,000 of the general fund-

state appropriation for fiscal year 2017 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(9) \$150,000 of the general fund-state appropriation for fiscal year 2016 and \$150,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the state board to conduct a feasibility study for a potential new community and technical college in and for program delivery through Pierce college in conjunction with the Bethel school district for the Graham, Washington area.

(10) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(11) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(12) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(13) (a) The state board must provide quality assurance reports on the ctcLink project at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(b) The state board must develop a technology budget using a method similar to the state capital budget, identifying

project costs, funding sources, and anticipated deliverables through each stage of the investment and across fiscal periods and biennia from project initiation to implementation. The budget must be updated at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(c) The state board must contract with an independent verification and validation consultant to review the software that currently exists to determine if configuration and integrations are complete and to evaluate readiness to move forward with the ctcLink project. The state board must define the consultant's scope of work in conjunction with the office of chief information officer and allow for independent reporting by the consultant to the office of chief information officer.

(d) The office of the chief information officer may suspend the ctcLink project at any time if the office of the chief information officer determines that the project is not meeting or is not expected to meet anticipated performance measures, implementation timelines, or budget estimates. Once suspension or termination occurs, the state board shall not make additional expenditures on the ctcLink project without approval of the chief information officer.

(14) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$2,250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for Bellingham Technical College to administer on-site worker training and skill enhancement training for employees of trade-impacted industrial facilities pursuant to trade adjustment assistance decision 64764.

(15) \$157,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for Wenatchee Valley college to develop a wildfire prevention program.

Sec. 1602. 2016 sp.s. c 36 s 603 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund-State Appropriation (FY 2016) \$279,934,000

General Fund-State Appropriation (FY 2017) (~~\$317,254,000~~)

\$317,739,000

Education Legacy Trust Account--State Appropriation \$28,088,000

Economic Development Strategic Reserve Account--

State Appropriation \$3,011,000

Biotoxin Account--State Appropriation \$492,000

Accident Account--State Appropriation \$7,129,000

Medical Aid Account--State Appropriation \$6,749,000

Aquatic Land Enhancement Account--State Appropriation \$1,550,000

Dedicated Marijuana Account--State Appropriation

(FY 2016) \$227,000

Dedicated Marijuana Account--State Appropriation

(FY 2017) \$227,000

TOTAL APPROPRIATION ~~\$644,661,000~~

\$645,146,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the general fund-state appropriation for fiscal year 2016 and \$52,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the center for international trade in forest products in the college of forest resources.

(2) \$200,000 of the general fund-state appropriation for fiscal year 2016 and \$200,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

(3) \$8,000,000 of the education legacy trust account-state appropriation is provided solely for the family medicine residency network at the university to expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-

income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$1,550,000 of the aquatic lands enhancement account-state is provided solely for ocean acidification monitoring, forecasting, and research and for operation of the Washington ocean acidification center. By September 1, 2015, the center must provide a biennial work plan and begin quarterly progress reports to the Washington marine resources advisory council created under RCW 43.06.338.

(6) \$6,000,000 of the education legacy trust account-state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(7) \$10,429,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$37,155,000)~~) \$37,640,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(8) \$3,000,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

(9) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(10) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the latino health center.

(11) \$200,000 of the general fund-state appropriation for fiscal year 2016 and \$200,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the climate impacts group in the college of the environment.

(12) To the extent federal or private funding is available for this purpose, the center for education data and research at the University of Washington shall examine the relationship between participation in pension systems and teacher quality and mobility patterns in the state, including changes in the patterns that have occurred since the 2009-2011 fiscal biennium. The department of retirement systems shall facilitate University of Washington researchers' access to necessary individual-level data necessary to effectively conduct the study. The University of Washington shall ensure that no individually identifiable information will be disclosed at any time. An interim report on project findings must be completed by November 15, 2015, and a final report must be submitted to the governor and to the relevant committees of the legislature by October 15, 2016.

(13) \$3,600,000 of the general fund-state appropriation for fiscal year 2016 and \$5,400,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the continued operations of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(14) Within the amounts provided in this section, the university must determine the feasibility of establishing inter-agency agreements with the department of corrections and the special commitment center within the department of social and health services to provide each entity with discount pricing on prescription hepatitis C medications or other prescription medications as allowed under section 340B of the public health services act. By January 1, 2016, the university must submit a report to the relevant policy and fiscal committees of the legislature that includes the following:

(a) Description of the steps required to achieve institutional cooperation on 340B pricing;

(b) Identification of barriers to achieving such an agreement;

(c) Where possible, possible solutions to overcoming these barriers;

(d) Estimates of the fiscal impact of this agreement in the 2015-2017 and 2017-2019 fiscal biennia; and

(e) Timeline for implementation of such an agreement.

The inter-agency agreements must be in place prior to July 1, 2016, and the agreements must not jeopardize the University of Washington's current compliance status with 340B program rules and regulations.

(15) Within the funds appropriated in this section, the University of Washington shall:

(a) Review the scholarly literature on the short-term and long-term effects of marijuana use to assess if other states or private entities are conducting marijuana research in areas that may be useful to the state.

(b) Provide as part of its budget request for the 2017-2019 biennium:

(i) A list of intended state, federal, and privately funded marijuana research, including cost, duration, and scope;

(ii) Plans for partnerships with other universities, state agencies, or private entities, including entities outside the state, for purposes related to researching short-term and long-term effects of marijuana use.

(16) \$18,000 of the general fund-state appropriation for fiscal year 2016 and \$18,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement Substitute Senate Bill No. 6519 (telemedicine). If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.

(17) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of House Bill No. 1138 (higher education mental health).

Sec. 1603. 2016 sp.s. c 36 s 604 (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund-State Appropriation (FY 2016) \$181,494,000

General Fund-State Appropriation (FY 2017) (~~\$207,738,000~~)

\$207,514,000

Education Legacy Trust Account-State
Appropriation \$33,995,000

Dedicated Marijuana Account-State
Appropriation (FY 2016) \$138,000

Dedicated Marijuana Account-State
Appropriation (FY 2017) \$138,000

TOTAL APPROPRIATION ~~\$423,503,000~~

\$423,279,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund-state appropriation for fiscal year 2016 and \$90,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$1,000,000 of the general fund-state appropriation for fiscal year 2016 and \$630,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(4) \$1,000,000 of the general fund-state appropriation for fiscal year 2016 and \$1,370,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately

when providing data to the education research data center as required in subsection (2) of this section.

(5) \$500,000 of the general fund-state appropriation for fiscal year 2016 and \$500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for state match requirements related to the federal aviation administration grant.

(6) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(7) \$8,980,000 of the general fund-state appropriation for fiscal year 2016 and (~~\$27,068,000~~) \$26,756,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(8) \$1,098,000 of the general fund-state appropriation for fiscal year 2016 and \$1,402,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for development of a medical school in Spokane. Funding must support the development of the curriculum, the courses, the faculty, and the administrative structure required by the liaison committee on medical education.

(9) Within the funds appropriated in this section, Washington State University is required to provide administrative support to the sustainable aviation biofuels work group authorized under RCW 28B.30.904.

(10) Within the funds appropriated in this section, Washington State University shall:

(a) Review the scholarly literature on the short-term and long-term effects of marijuana use to assess if other states or private entities are conducting marijuana

research in areas that may be useful to the state.

(b) Provide as part of its budget request for the 2017-2019 biennium:

(i) A list of intended state, federal, and privately funded marijuana research, including cost, duration, and scope;

(ii) Plans for partnerships with other universities, state agencies, or private entities, including entities outside the state, for purposes related to researching short-term and long-term effects of marijuana use.

(11) \$135,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a honey bee biology research position.

(12) \$580,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

Sec. 1604. 2016 sp.s. c 36 s 605 (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2016) \$38,689,000

General Fund-State Appropriation (FY 2017) (~~\$48,098,000~~)

\$48,158,000

Education Legacy Trust Account-State

Appropriation \$16,718,000

TOTAL APPROPRIATION ~~\$103,505,000~~

\$103,565,000

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$200,000 of the general fund-state appropriation for fiscal year 2016 and at least \$200,000 of the general fund-state appropriation for fiscal year 2017 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student

completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$750,000 of the general fund-state appropriation are provided solely for student success and advising programs that lead to increased degree completion.

(5) \$2,425,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$9,698,000)~~) \$9,611,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

Sec. 1605. 2016 sp.s. c 36 s 606 (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2016) \$36,958,000

General Fund-State Appropriation (FY 2017) (~~(\$47,578,000)~~)

\$47,778,000

Education Legacy Trust Account-State Appropriation \$19,140,000

TOTAL APPROPRIATION ~~\$103,676,000~~

\$103,876,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$750,000 of the general fund-state appropriation are provided solely for student success and advising programs that lead to increased degree completion.

(4) \$2,739,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$10,826,000)~~) \$10,833,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

Sec. 1606. 2016 sp.s. c 36 s 607 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund-State Appropriation (FY 2016) \$22,068,000

General Fund-State Appropriation (FY 2017) (~~(\$25,441,000)~~)

\$25,494,000

Education Legacy Trust Account-State Appropriation \$5,493,000

TOTAL APPROPRIATION ~~\$53,002,000~~

\$53,055,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$39,000 of the general fund-state appropriation for fiscal year 2016 and \$55,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 244, Laws of 2015 (college bound).

(2) \$39,000 of the general fund-state appropriation for fiscal year 2016 and \$32,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1491 (early care & education system). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse.

(3) \$837,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$3,327,000)~~) \$3,295,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the college's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the college's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(4) \$40,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the tuition metric study in Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse.

(5) \$121,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for implementation of section 15 of chapter 269, Laws of 2015 (mental health/involuntary outpatient). If the bill is not enacted by July 10, 2015, the amount provided in this subsection shall lapse.

(6) \$295,000 of the general fund-state appropriation for fiscal year 2016 and \$295,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state institute of public policy to contract with an objective, non-partisan, nationally known organization to examine policy options for increasing the availability of primary care services in rural Washington.

(7) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$750,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for student success and advising programs that lead to increased degree completion.

(8) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(9) \$50,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state institute for public policy to review existing research literature and begin a four-year study to evaluate outcomes regarding the cost effectiveness of FDA approved long-acting injectable medications that are indicated for the treatment of alcohol and opiate dependence. Any outcome evaluation will be focused on potential benefits to prison offenders being released into the community and the effects on recidivism. The institute shall submit a report summarizing cost-effectiveness findings from the existing research literature to the appropriate committees of the legislature by December 31, 2016.

(10) Notwithstanding other provisions in this section, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2015-2017 work plan as necessary to efficiently manage workload.

(11) The Evergreen State College shall not use funds appropriated in this section to support intercollegiate athletics programs.

(12) \$48,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Second Substitute House Bill No. 2449 (truancy reduction). If the bill is not

enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(13) \$32,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Second Substitute House Bill No. 2791 (Washington statewide reentry council). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(14) \$16,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6455 (professional educator workforce). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(15) \$26,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Senate Bill No. 6620 (school safety). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(16) \$30,000 of the general fund-state appropriation for fiscal year 2016 and \$120,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state institute for public policy to evaluate and report to the appropriate legislative committees on the impact and cost effectiveness of the hub home model, a model for foster care delivery. The institute shall use the most appropriate available methods to evaluate the model's impact on child safety, permanency, placement stability and, if possible, sibling connections, culturally relevant care, and caregiver retention. The report shall include an analysis of whether the model yields long-term cost savings in comparison with traditional foster care. The department of social and health services children's administration shall facilitate provision of the data necessary to conduct the evaluation. The institute shall submit an interim report by January 15, 2017, and a final report by June 30, 2017. The institute may receive additional funds from a private organization for the purpose of the evaluation.

(17) \$16,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the Washington institute for public policy to conduct a study regarding the implementation of certain aspects of the involuntary

treatment act, pursuant to chapter 29, Laws of 2016 sp. sess. (E3SHB 1713).

Sec. 1607. 2016 sp.s. c 36 s 608 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2016) \$53,447,000

General Fund-State Appropriation (FY 2017) (~~\$67,091,000~~)

\$67,234,000

Education Legacy Trust Account-State

Appropriation \$13,737,000

TOTAL APPROPRIATION ~~\$134,275,000~~

\$134,418,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) \$910,000 of the general fund-state appropriation for fiscal year 2016 and \$630,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the creation of a computer and information systems security program located at Olympic college - Poulsbo. The university is expected to enroll 30 students each academic year beginning in fiscal year 2017. The university must identify these students separately when providing data to the educational data centers as required in (1) of this section.

(3) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$3,726,000 of the general fund-state appropriation for fiscal year 2016 and (~~\$14,819,000~~) \$14,952,000 of the general fund-state appropriation for

fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(5) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the endowment of the Jaffee professorship in Jewish history and holocaust studies.

Sec. 1608. 2016 sp.s. c 36 s 609 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL-
POLICY COORDINATION AND ADMINISTRATION

General Fund-State Appropriation (FY 2016) \$5,515,000

General Fund-State Appropriation (FY 2017) (~~(\$6,217,000)~~)

\$6,289,000

General Fund-Federal
Appropriation \$4,859,000

TOTAL APPROPRIATION ~~\$16,591,000~~

\$16,663,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$182,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the student achievement council, the workforce training and education coordinating board, and the department of licensing to work together to design and oversee a study, to be administered by the council, that objectively analyzes and makes recommendations about systemic overlaps and gaps in jurisdiction regarding for-profit degree-granting institutions and private vocational schools in the state. The council may contract with a neutral third-party research organization to conduct the study. The study must be conducted in two phases, starting with an

assessment of perspectives and relevant studies. A second phase, if deemed appropriate by the council, the workforce training and education coordinating board, and other stakeholders, may consist of facilitated discussions amongst agencies, regulated entities, and stakeholders to reach agreed-upon recommendations.

(a) The study must include recommendations to improve oversight and accountability of these institutions and schools and a review of whether, and how, different standards are applied to the institutions and schools by different agencies. Specifically, the study must:

(i) Examine the data collection and reporting practices of for-profit degree-granting institutions and private vocational schools compared to the data collection and reporting of the community and technical colleges. The study must determine if there are inconsistencies and discrepancies in the practices of the for-profit degree-granting institutions and private vocational schools. The study must also make recommendations on the methods of collecting, analyzing, and reporting data, including what measurements to use, to ensure that data from for-profit degree-granting institutions and private vocational schools can be accurately compared to data from the community and technical colleges;

(ii) Study the current regulations governing these institutions and schools and recommend necessary changes to achieve consistent regulatory oversight of the entire system;

(iii) Recommend ways to implement a cohesive method for guiding and assisting current and prospective students who have questions and concerns; and

(iv) Review whether an ombuds position serving students of for-profit degree-granting institutions and private vocational schools should be created. If the recommendation is to create an ombuds position, the study must make a recommendation on which state entity should house the position.

(b) The assessment phase of the study may begin July 1, 2016. The council must issue a final report, including the result of any facilitated agreed-upon recommendations, to the appropriate committees of the legislature by January 1, 2017.

(2) \$25,000 of the general fund-state appropriation for fiscal year 2017 is

provided solely to implement Second Engrossed Substitute Senate Bill No. 6601 (Washington college savings program). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(3) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the council to complete a higher education needs assessment for southeast King county, and to prepare a program and operating plan to meet the higher education needs identified in the assessment. The needs assessment shall consider population changes, higher education participation rates, economic demand and work force needs, commute times for study area residents to existing higher education institutions, and any other items identified by the council. In completing the needs assessment and plan, the council shall consider the factors outlined in RCW 28B.77.080, enrollment trends in the study area, employer needs, existing and needed postsecondary programs, recommended strategies for promoting program participation, an estimated cost to meet the assessed need, and potential location sites. In preparing a program and operating plan, the council shall consider a variety of higher education options including, but not limited to, a branch campus, a university center, a private university, and an online learning center. The needs assessment and plan must be developed in consultation with an advisory committee of civic, business, and education leaders from southeast King county. The council shall provide a preliminary report to the appropriate committees of the legislature and the governor by November 1, 2016, and a final report by January 1, 2017. The council may contract with a consultant to complete this study.

Sec. 1609. 2016 sp.s. c 36 s 610 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL-
OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund-State Appropriation (FY 2016) \$265,978,000

General Fund-State Appropriation (FY 2017) \$234,444,000

General Fund-Federal
Appropriation \$11,801,000

General Fund-Private/Local
Appropriation \$300,000

Aerospace Training Student Loan
Account-State

Appropriation (FY 2017) \$104,000

Washington Opportunity Expansion
Account-State

Appropriation \$6,000,000

Education Legacy Trust Account-State
Appropriation \$40,671,000

Health Professional Loan Repayment
Scholarship

Program Account-State
Appropriation \$1,720,000

Washington Opportunity Pathways
Account-State

Appropriation (FY 2016) \$95,061,000

Washington Opportunity Pathways
Account-State

Appropriation (FY 2017)
(~~\$78,469,000~~)

\$77,260,000

TOTAL APPROPRIATION ~~\$734,548,000~~

\$733,339,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$235,217,000 of the general fund-state appropriation for fiscal year 2016, \$201,760,000 of the general fund-state appropriation for fiscal year 2017, \$26,000,000 of the education legacy trust account-state appropriation, \$77,500,000 of the Washington opportunity pathways account-state appropriation for fiscal year 2016, and \$67,500,000 of the Washington opportunity pathways account-state appropriation for fiscal year 2017 are provided solely for student financial aid payments under the state need grant, implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program), and state work study programs including up to four percent administrative allowance for the state work study program.

(2) Changes made to the state need grant program in the 2011-2013 fiscal biennium are continued in the 2015-2017 fiscal biennium. For the 2015-2017 fiscal biennium, awards given to private institutions shall be the same amount as the prior year.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013

fiscal biennia are continued in the 2015-2017 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) Within the funds appropriated in this section, eligibility for the state need grant includes students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(5) Of the amounts provided in subsection (1) of this section, \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided for the council to process an alternative financial aid application system pursuant to RCW 28B.92.010.

(6)(a) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. These eligible college bound students whose family incomes are in the 0-65 percent median family income ranges must be awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students. The council shall provide directions to institutions to maximize the number of college bound scholarship students receiving the maximum state need grant for which they are eligible with a goal of 100 percent coordination. Institutions shall identify all college bound scholarship

students to receive state need grant priority. If an institution is unable to identify all college bound scholarship students at the time of initial state aid packaging, the institution should reserve state need grant funding sufficient to cover the projected enrollments of college bound scholarship students.

(b) In calculating the college bound award, public institutions of higher education are subject to the conditions and limitations in RCW 28B.15.102 and shall not utilize college bound funds to offset tuition costs from rate increases in excess of levels authorized in section 603, chapter 50, Laws of 2011.

(7) \$14,670,000 of the education legacy trust account-state appropriation, \$17,561,000 of the Washington opportunity pathways account-state appropriation for fiscal year 2016, and (~~\$10,969,000~~) \$9,760,000 of the Washington opportunity pathways account-state appropriation for fiscal year 2017 are provided solely for the college bound scholarship program, implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program), and may support scholarships for summer session.

(8) \$2,236,000 of the general fund-state appropriation for fiscal year 2016 and \$2,236,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The board shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2016 and 2017 for this purpose.

(9) \$20,000,000 of the general fund-state appropriation for fiscal year 2016 and \$21,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to meet state match requirements associated with the opportunity scholarship program. The legislature will evaluate subsequent appropriations to the opportunity scholarship program based on the extent that additional private contributions are made, program spending patterns, and fund balance.

(10) \$3,825,000 of the general fund-state appropriation for fiscal year 2016 and \$3,825,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for expenditure into the

health professionals loan repayment and scholarship program account. These amounts and \$1,720,000 appropriated from the health professionals loan repayment and scholarship program account must be used to increase the number of licensed primary care health professionals to serve in licensed primary care health professional critical shortage areas. The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office shall coordinate with the department of social and health services to effectively incorporate three conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies. The office may use these targeted amounts for other program participants should there be any remaining amounts after eligible psychiatrists and advanced registered nurse practitioners have been served. The office shall also work to prioritize loan repayments to professionals working at health care delivery sites that demonstrate a commitment to serving uninsured clients.

(11) \$56,000 of the general fund-state appropriation for fiscal year 2016 and \$42,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the council to design and implement a program that provides customized information to high-achieving (as determined by local school districts), low-income, high school students. "Low-income" means students who are from low-income families as defined by the education data center in RCW 43.41.400. For the purposes of designing, developing, and implementing the program, the council shall partner with a national entity that offers aptitude tests and shall consult with institutions of higher education with a physical location in Washington. The council shall implement the program no later than fall 2016, giving consideration to spring mailings in order to capture early action decisions offered by institutions of higher education and nonprofit baccalaureate degree-granting

institutions. The information packet for students must include at a minimum:

(a) Materials that help students to choose colleges;

(b) An application guidance booklet;

(c) Application fee waivers, if available, for four-year institutions of higher education and independent nonprofit baccalaureate degree-granting institutions in the state that enable students receiving a packet to apply without paying application fees;

(d) Information on college affordability and financial aid that includes information on the net cost of attendance for each four-year institution of higher education and each nonprofit baccalaureate degree-granting institution, and information on merit and need-based aid from federal, state, and institutional sources; and

(e) A personally addressed cover letter signed by the governor and the president of each four-year institution of higher education and nonprofit baccalaureate degree-granting institution in the state.

(12) \$6,000,000 of the opportunity expansion account-state appropriation is provided solely for the opportunity expansion program in RCW 28B.145.060. At the direction of the opportunity scholarship board, the council must distribute the funding provided in this subsection to institutions of higher education to increase the number of baccalaureate degrees produced in high employer demand and other programs of study.

(13) \$1,144,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6455 (professional educator workforce). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse. Of the amount provided in this subsection:

(a) \$468,000 is for the teacher shortage conditional grant program;

(b) \$468,000 is for the student teaching residency grant program; and

(c) \$208,000 is for the development and implementation of the teacher shortage conditional grant program and the student teaching residency grant program.

(14) The council shall examine issues related to college bound scholarship

students who become income ineligible for the college bound scholarship program but maintain eligibility for the state need grant and shall report to the governor and appropriate committees of the legislature by December 1, 2016, with any recommendations.

Sec. 1610. 2016 sp.s. c 36 s 611 (uncodified) is amended to read as follows:

FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund-State Appropriation (FY 2016) \$1,648,000

General Fund-State Appropriation (FY 2017) (~~(\$1,744,000)~~)

\$1,752,000

General Fund-Federal Appropriation \$55,143,000

General Fund-Private/Local Appropriation \$72,000

TOTAL APPROPRIATION ~~\$58,607,000~~

\$58,615,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For the 2015-2017 fiscal biennium the board shall not designate recipients of the Washington award for vocational excellence or recognize them at award ceremonies as provided in RCW 28C.04.535.

(2) The health workforce council of the state workforce training and education coordinating board, in partnership with work underway with the office of the governor, shall, within resources available for such purpose, but not to exceed \$250,000, assess workforce shortages across behavioral health disciplines. The board shall create a recommended action plan to address behavioral health workforce shortages and to meet the increased demand for services now, and with the integration of behavioral health and primary care in 2020. The analysis and recommended action plan shall align with the recommendations of the adult behavioral health system task force and related work of the healthier Washington initiative. The board shall consider workforce data, gaps, distribution, pipeline, development, and infrastructure, including innovative high school, postsecondary, and postgraduate programs to evolve, align, and respond accordingly to our state's behavioral

health and related and integrated primary care workforce needs. The board will submit preliminary recommendations to the governor and appropriate committees of the legislature by October 15, 2016. The board will continue its work and submit final recommendations in 2017.

(3) \$75,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the workforce training and education coordinating board to develop a plan for a career and college ready lighthouse program that is representative of the different geographies and industries throughout the state. The plan must provide students the opportunity to: Explore and understand career opportunities through applied learning; engage with industry mentors; and, plan for career and college success. Additionally, the plan must include: Work-integrated and career-related strategies that increase college and career readiness of the students statewide; specify where and how the board will utilize mentor school districts; and identify the needs of districts to provide career and college ready opportunities. The board must convene an advisory committee to provide assistance with the development of the plan. The advisory committee must comprise: Individuals from the public and private sector with expertise in career and technical education and work-integrated training; school counselors; representatives of labor unions; representatives from professional technical organizations; representatives from career and technical colleges; and individuals from business and industry. The board shall submit its plan to the education committees of the legislature by January 1, 2017.

Sec. 1611. 2016 sp.s. c 36 s 612 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EARLY LEARNING

General Fund-State Appropriation (FY 2016) \$89,572,000

General Fund-State Appropriation (FY 2017) (~~(\$103,823,000)~~)

\$102,030,000

General Fund-Federal Appropriation \$299,956,000

Opportunity Pathways Account-State Appropriation \$80,000,000

Education Legacy Trust Account-State Appropriation \$28,250,000

Home Visiting Services Account—State
Appropriation \$4,868,000

Home Visiting Services Account—Federal
Appropriation \$25,250,000

TOTAL APPROPRIATION ~~\$624,725,000~~

\$629,926,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$44,800,000 of the general fund—state appropriation for fiscal year 2016, \$44,800,000 of the general fund—state appropriation for fiscal year 2017, \$24,250,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 11,691 slots in fiscal year 2016 and 11,691 slots in fiscal year 2017. Of these amounts, \$10,284,000 is a portion of the biennial amount of state maintenance of effort dollars required to receive federal child care and development fund grant dollars.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2016 and \$200,000 of the general fund—state appropriation for fiscal year 2017 are provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(3) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department of early learning.

(4) \$1,434,000 of the general fund—state appropriation for fiscal year 2016 is provided solely for expenditure into the home visiting services account. This funding is intended to meet federal maintenance of effort requirements and to secure private matching funds. Additional amounts are provided separately in part II of this act. The division of behavioral health and recovery must transfer these amounts into the home visiting services account.

(5) (a) \$153,244,000 of the general fund—federal appropriation is provided solely for the working connections child care program under RCW 43.215.135.

(b) In addition to groups that were given prioritized access to the working connections child care program effective March 1, 2011, the department shall also give prioritized access into the program to families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center.

(6) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(7) \$1,194,000 of the general fund—state appropriation for fiscal year 2016, \$1,926,000 of the general fund—state appropriation for fiscal year 2017, and \$13,424,000 of the general fund—federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(8) \$4,674,000 of the general fund—state appropriation for fiscal year 2016 and \$4,674,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department of social and health services children's administration. Of the amounts appropriated in this subsection, \$60,000 per fiscal year may be used by the department for administering the ECLIPSE program, if needed.

(9) \$47,000 of the general fund-state appropriation for fiscal year 2016 and \$46,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Engrossed Substitute House Bill No. 1126 (fatality review).

(10) \$23,529,000 of the general fund-state appropriation for fiscal year 2016, \$41,087,000 of the general fund-state appropriation for fiscal year 2017, and \$36,006,000 of the general fund-federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1491 (early care and education system). Of the amounts provided in this subsection:

(a) \$60,817,000 is for quality rating and improvement system activities, including but not limited to: Level two activities, technical assistance, coaching, rating, and quality improvement awards. The department shall place a 10 percent administrative overhead cap on any contract entered into with the University of Washington.

(b) \$10,895,000 is for degree and retention incentives and scholarship and tuition reimbursements.

(c) \$12,828,000 is for level 2 payments and tiers 3, 4, and 5 payments for child care licensed family home and center providers. Additional amounts for licensed family home providers are provided separately in fiscal year 2016 as part of a collective bargaining agreement part IX of this act.

(11) \$1,808,000 of the general fund-state appropriation for fiscal year 2016 and \$1,728,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for reducing barriers for low-income providers to participate in the early achievers program consistent with Engrossed Second Substitute House Bill No. 1491 (early care and education system). Of the amounts provided in this subsection:

(a) \$2,000,000 is for need-based grants. Additional amounts for child care licensed family home providers are provided separately as part of a collective bargaining agreement part IX of this act.

(b) \$1,336,000 is for the creation of a substitute pool.

(c) \$200,000 is for the development of materials and assessments in provider and family home languages.

(12) \$300,000 of the general fund-state appropriation for fiscal year 2016 and \$300,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(13) \$4,000,000 of the education legacy trust account-state appropriation is provided solely for early intervention assessment and services.

(14) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management and authorization systems within the department of early learning are subject to technical oversight by the office of the chief information officer. The department must collaborate with the office of the chief information officer to develop a strategic business and technology architecture plan for a child care attendance and billing system that supports a statewide architecture.

(15)(a)(i) The department of early learning is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(ii) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry during the 2015-16 school year. By October 2017, the department must provide updated ECEAP early learning professional data to the education research data center.

(iii) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(iv) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data by November 2015 for the school year ending in 2014 and again in March 2016 for the school year ending in 2015.

(b) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(16) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(17) \$3,777,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 905 of this act. Of the amounts provided in this subsection:

(a) \$638,000 is for a base rate increase;

(b) \$956,000 is for an increase in tiered reimbursement rates for levels three through five;

(c) \$1,315,000 is for an increase in quality improvement awards;

(d) \$478,000 is provided for training and quality improvement support services to family child care providers provided by the 501(c)(3) organization created for this purpose;

(e) \$190,000 is provided for the administration of the family child care training and quality improvement fund and participation in the joint committee on family child care providers training and quality improvement; and

(f) \$200,000 is provided for a slot-based pilot.

Sec. 1612. 2016 sp.s. c 36 s 613 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

General Fund-State Appropriation (FY 2016) \$6,419,000

General Fund-State Appropriation (FY 2017) (~~(\$6,579,000)~~)

\$6,812,000

General Fund-Private/Local Appropriation \$34,000

TOTAL APPROPRIATION ~~\$13,032,000~~

\$13,265,000

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

Sec. 1613. 2016 sp.s. c 36 s 615 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund-State Appropriation (FY 2016) \$1,143,000

General Fund-State Appropriation (FY 2017) (~~(\$1,166,000)~~)

\$1,208,000

General Fund-Federal Appropriation \$2,100,000

General Fund-Private/Local Appropriation \$18,000

TOTAL APPROPRIATION ~~\$4,427,000~~

\$4,469,000

Sec. 1614. 2016 sp.s. c 36 s 617 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund-State Appropriation (FY 2016) \$1,789,000

General Fund-State Appropriation (FY 2017) (~~(\$1,833,000)~~)

\$1,923,000

TOTAL APPROPRIATION ~~\$3,622,000~~

\$3,712,000

The appropriations in this section are subject to the following conditions and

limitations: The eastern Washington state historical society shall develop a plan for creating a performance-based partnership agreement between the state of Washington and the not-for-profit Northwest museum of arts and culture for implementation in the 2017-2019 fiscal biennium. The plan at minimum shall include strategies to increase nonstate revenues for the operation of the museum and estimate the minimum amount of state funding necessary to preserve, maintain, and protect state-owned facilities and assets. The plan shall be submitted to the office of financial management and the fiscal committees of the legislature by October 1, 2016.

PART XVII

SPECIAL APPROPRIATIONS

Sec. 1701. 2016 sp.s. c 36 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund-State Appropriation (FY 2016) \$1,059,582,000

General Fund-State Appropriation (FY 2017) (~~(\$1,108,296,000)~~)

\$1,102,296,000

State Building Construction Account-State

Appropriation (~~(\$10,011,000)~~)

\$8,011,000

Debt-Limit Reimbursable Bond Retirement Account-State

Appropriation \$1,430,000

Columbia River Basin Water Supply Development

Account-State Appropriation \$62,000

Columbia River Basin Taxable Bond Water Supply Development

Account-State Appropriation \$82,000

State Taxable Building Construction

Account-State Appropriation \$846,000

TOTAL APPROPRIATION ~~\$2,180,309,000~~

\$2,172,309,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

Sec. 1702. 2015 3rd sp.s. c 4 s 703 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund-State Appropriation (FY 2016) \$16,129,000

General Fund-State Appropriation (FY 2017) \$13,847,000

Nondebt-Limit Reimbursable Bond Retirement Account-State

Appropriation (~~(\$180,685,000)~~)

\$179,685,000

TOTAL APPROPRIATION ~~\$210,661,000~~

\$209,661,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the nondebt-limit general fund bond retirement account.

Sec. 1703. 2016 sp.s. c 36 s 706 (uncodified) is amended to read as follows:

FOR SUNDRY CLAIMS

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2016 or fiscal year 2017, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

(1) These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

(a) David Wozny, claim number 99970105 \$9,832

(b) Hugo Garibay, claim number 99970106 \$10,246

(c) Emery Christianson, claim number
99970107 \$7,445

(d) Anton Ehinger, claim number
99970108 \$6,726

(e) Alan Graham, claim number
99970109 \$5,495

(f) Joseph Compber, claim number
99970110 \$32,235

(g) Alex Hallowell, claim number
99970111 \$22,403

(h) James Clark, claim number
99970112 \$8,250

(i) David Hill, claim number
99970114 \$3,056

(j) David Maulen, claim number 99970113
\$19,726

(k) Stephen White, claim number
99970115 \$25,097

(l) Richard Brunhaver, claim number
99970116 \$14,079

(m) James Barnett, claim number
99970117 \$39,608

(n) Justin Carter, claim number
99970118 \$35,179

(o) Derrick Moore, claim number
99970119 \$23,474

(p) Joshua Bessey, claim number
99970120 \$66,600

(q) Jason Swanberg, claim number
99970121 \$7,905

(r) Max Willis, claim number
99970123 \$26,205

(s) Jesica Bush, claim number
99970124 \$22,990

(t) Rolondo Cavazos, claim number
99970125 \$32,438

(u) Jared Ha, claim number
99970127 \$45,104

(v) Eric Thompson, claim number
99970128 \$15,127

(w) Meghan Altringer, claim number
99970129 \$5,484

(x) James Wenzel, claim number 99970130
\$5,240

(y) Arturo Rodriguez Ramos, claim
number 99970131 \$12,000

(z) Joel Gentleman, claim number
99970132 \$16,173

(aa) Richard Cooper, claim number
99970133 \$17,810

(bb) Michelle Trafford, claim number
99970136 \$10,582

(cc) Linda Gipson, claim number
99970137 \$316,531

(dd) Patrick Kelly, claim number
99970126 \$8,483

(ee) Joseph Miller, claim number
99970137 \$9,818

(2) These appropriations are to be
disbursed on vouchers approved by the
director of the department of enterprise
services, except as otherwise provided,
for payment of compensation for wrongful
convictions pursuant to RCW 4.100.060, as
follows:

Michael Wheeler, claim number
99970122 \$466,711

NEW SECTION. Sec. 1704. A new section
is added to 2015 3rd sp.s. c 4 (uncodified)
to read as follows:FOR THE OFFICE OF
FINANCIAL MANAGEMENT--REPAYMENT TO FEDERAL
GOVERNMENT

General Fund--State Appropriation (FY
2017) \$425,000

The appropriation in this section is
subject to the following conditions and
limitations: The appropriation is provided
solely to repay the federal government a
percentage of the federal funds paid into
certain revolving accounts that were
transferred to the general fund in fiscal
years 2016 and 2017 as required by
Appendix V of 2 C.F.R. Part
200 (G) (4) (2013).

NEW SECTION. Sec. 1705. A new section
is added to 2015 3rd sp.s. c 4 (uncodified)
to read as follows:**FOR THE CONSOLIDATED
TECHNOLOGY SERVICES AGENCY**

Forest Development Account--State
Appropriation \$64,000

Aquatic Lands Enhancement Account--State
Appropriation \$8,000

Resources Management Cost Account--State
Appropriation \$136,000

Surface Mining Reclamation Account--
State Appropriation \$3,000

Forest Fire Protection Assessment
Account--State

Appropriation \$39,000

State Forest Nursery Revolving Account--
State Appropriation \$6,000

Access Road Revolving Account—State
Appropriation \$32,000

Park Land Trust Revolving Account—State
Appropriation \$4,000

Contract Harvesting Revolving Account—
State Appropriation \$4,000

Forest Practices Application Account—
State
Appropriation \$2,000

Agricultural College Trust Management
Account—State

Appropriation \$4,000

TOTAL APPROPRIATION \$302,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the consolidated technology services revolving account for payment of the department of natural resources' share of the debt service allocation for the state data center for the programs funded by the accounts in this section.

PART XVIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 1801. 2016 sp.s. c 36 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance

premium distributions.
((\$9,286,000))

\$9,224,000

General Fund Appropriation for public utility

district excise tax
distributions (\$57,861,000)

\$56,659,000

General Fund Appropriation for prosecuting

attorney distributions
((\$6,375,000))

\$6,396,000

General Fund Appropriation for boating safety

and education distributions
((\$4,000,000))

\$3,682,000
General Fund Appropriation for other tax

distributions ((~~\$86,000~~))

\$82,000

General Fund Appropriation for habitat conservation

program distributions
((\$3,848,000))

\$3,495,000

Death Investigations Account
Appropriation for

distribution to counties for publicly funded

autopsies \$3,135,000

Aquatic Lands Enhancement Account
Appropriation for

harbor improvement revenue distribution
\$140,000

Timber Tax Distribution Account
Appropriation for

distribution to "timber"
counties ((~~\$76,600,000~~))

\$68,914,000

County Criminal Justice Assistance
Appropriation

When making the fiscal year 2016 and 2017

distributions to Grant county, the state

treasurer shall reduce the amount by \$140,000

each year and distribute the remainder to the

county. This is the second and third of three

reductions that have been made to reimburse the

state for a nonqualifying extraordinary criminal

justice act payment made to Grant county in

fiscal year 2013 \$86,178,000

Municipal Criminal Justice
Assistance

Appropriation \$33,493,000

City-County Assistance Account
 Appropriation for local government financial
 assistance distribution (~~(\$24,899,000)~~)
 \$24,499,000

Liquor Excise Tax Account Appropriation
 for liquor excise tax distribution
 (~~(\$50,680,000)~~)
 \$48,785,000

Streamlined Sales and Use Tax
 Mitigation Account Appropriation for distribution to local
 taxing jurisdictions to mitigate the
 unintended revenue redistribution effect of the sourcing
 law changes (~~(\$46,762,000)~~)
 \$46,842,000

Columbia River Water Delivery Account
 Appropriation for the Confederated Tribes of the
 Colville Reservation \$7,907,000

Columbia River Water Delivery Account
 Appropriation for the Spokane Tribe of Indians
 \$5,167,000

Liquor Revolving Account Appropriation
 for liquor profits distribution \$98,876,000

TOTAL APPROPRIATION ~~\$515,293,000~~
 \$503,474,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

Sec. 1802. 2016 sp.s. c 36 s 804 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

State Treasurer's Service Account: For transfer to the state general fund, \$10,000,000 for fiscal

year 2016 and \$10,000,000 for fiscal year 2017 \$20,000,000

General Fund: For transfer to the streamlined sales and use tax account, \$23,398,000 for fiscal year 2016 and \$23,364,000 for fiscal year 2017 \$46,762,000

Dedicated Marijuana Account: For transfer to the state general fund in an amount not to exceed the amount determined pursuant to RCW 69.50.540, \$70,000,000 for fiscal year 2016 \$70,000,000

Dedicated Marijuana Account: For transfer to the state general fund ((in an amount not to exceed)) the lesser of the amount determined pursuant to RCW 69.50.540 (~~(\$100,000,000)~~) or this amount for fiscal year 2017 \$100,000,000

Dedicated Marijuana Fund Account for distribution to the basic health plan trust account in an amount not to exceed the amount determined pursuant to RCW 69.50.540 plus \$14,000,000, \$125,000,000 for fiscal year 2016 \$125,000,000

Dedicated Marijuana Account: For transfer to the basic health plan trust account (~~in an amount not to exceed~~) the lesser of the amount determined pursuant to RCW 69.50.540 (~~(\$150,000,000)~~) or this amount for fiscal year 2017 \$150,000,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the

actual amount of the annual base payment to the

tobacco settlement account for fiscal year

2016 \$90,000,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed

the actual amount of the 2017 annual base payment

to the tobacco settlement account \$90,000,000

Tobacco Settlement Account: For transfer to the state

general fund, in an amount not to exceed the

annual strategic contribution payment to the

tobacco settlement account for fiscal year 2016 \$26,000,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed

the annual strategic contribution payment to

the tobacco settlement account for fiscal year

2017 \$25,400,000

Life Sciences Discovery Fund: For transfer to the

state general fund for fiscal year 2016 \$11,000,000

Energy Freedom Account: For transfer to the state

general fund for fiscal year 2016, an amount

not to exceed the actual ending cash balance

of the fund \$3,300,000

State Toxics Control Account: For transfer to the

clean up settlement account as repayment of the

loan provided in section 3022(2) chapter 2,

Laws of 2012, 2nd sp. sess. (ESB 6074 2012

supplemental capital budget), \$643,000 for

fiscal year 2016 and \$643,000 for fiscal

year 2017 \$1,286,000

Aquatic Lands Enhancement Account: For transfer

to the clean up settlement account as repayment

of the loan provided in section 3022(2) chapter

2, Laws of 2012, 2nd sp. sess. (ESB 6074 2012

supplemental capital budget), \$643,000 for

fiscal year 2016 and \$643,000 for fiscal

year 2017 \$1,286,000

Home Security Fund Account: For transfer to the

transitional housing operating and rent account,

\$7,500,000 for fiscal year 2016 \$7,500,000

Public Works Assistance Account: For transfer to the

state general fund, \$36,500,000 for fiscal

year 2016 and \$52,500,000 for fiscal

year 2017 \$89,000,000

Criminal Justice Treatment Account: For transfer to

the state general fund \$5,652,000 for fiscal

year 2016 and \$5,651,000 for fiscal year 2017 \$11,303,000

Liquor Revolving Account: For transfer to the state

general fund, \$3,000,000 for fiscal year 2016

and \$3,000,000 for fiscal year 2017 \$6,000,000

Flood Control Assistance Account: For transfer

to the state general fund, \$1,350,000

for fiscal year 2016 and \$1,000,000 for fiscal year

2017 \$2,350,000

Law Enforcement Officers' and Firefighters' Plan 2

Retirement Fund: For transfer to the local law

enforcement officers' and firefighters' retirement system benefits improvement account

for fiscal year 2016 \$15,779,000

Aerospace Training Student Loan Account: For

transfer to the state general fund, \$1,000,000

for FY 2016 and \$1,000,000 for FY 2017 \$2,000,000

Water Rights Processing Account: For transfer

to the state drought preparedness account,

\$332,000 for fiscal year 2016 \$332,000

((Death Investigations Account: For transfer to

the sexual assault kit account,

\$1,732,000 for fiscal year 2017 \$1,732,000))

Fingerprint Identification Account: For

transfer to the sexual assault kit account,

((~~\$1,179,000~~) \$2,911,000 for fiscal year 2017 (~~(\$1,179,000)~~)

\$2,911,000

Charitable, Educational, Penal, and Reformatory

Institutions Account: For transfer to the state

general fund, \$1,000,000 for fiscal year 2016 \$1,000,000

Marine Resources Stewardship Trust Account: For

transfer to the aquatic lands enhancement account,

\$975,000 for fiscal year 2016 \$975,000

Vessel Response Account: For transfer to the

environmental legacy stewardship account,

\$250,000 for fiscal year 2016 \$250,000

Savings Incentive Account: For transfer to the state

general fund for fiscal year 2016, an amount attributable

to unspent agency credits excluding those

associated with legislative and judicial agencies \$1,071,000

Employment Services Administrative Account: For transfer

to the state general fund, \$750,000 for fiscal year 2016

and \$2,250,000 for fiscal year 2017 \$3,000,000

Washington Housing Trust Account: For transfer

to the home security fund account \$7,000,000

Washington Housing Trust Account: For transfer to

the state general fund for fiscal year 2017 \$3,000,000

Employment Services Administrative Account: For

transfer to the administrative contingency

fund account for fiscal year 2017 \$8,500,000

OFM Labor Relations Service Account: For transfer

to the state general fund for fiscal year 2017 \$1,000,000

Personnel Service Fund: For transfer to the state

general fund for fiscal year 2017 \$500,000

Washington Real Estate Research Account: For

transfer to the state general fund for fiscal year 2017 \$500,000

Professional Engineers' Account: For transfer

to the state general fund for fiscal year 2017 \$500,000

Real Estate Commission Account: For transfer

to the state general fund for fiscal year 2017 \$500,000

General Fund: For transfer to the disaster

response account for fiscal year 2017 \$42,000,000

It is the intent of the legislature to continue to transfer the excess balance from the criminal justice treatment account to the state general fund in the 2017-2019 fiscal biennium, consistent with policy in this omnibus appropriations act and in an amount not to exceed the projected fund balance.

It is the intent of the legislature to continue to transfer the excess balance from the state treasurer's service account to the state general fund in the 2017-2019 fiscal biennium, consistent with policy in this omnibus appropriations act and in an amount not to exceed the projected fund balance.

PART XIX

MISCELLANEOUS

NEW SECTION. Sec. 1901. A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows:

(1) By June 30, 2017, the committee on advanced tuition payment defined in RCW 28B.95.020 shall review and report to the legislative fiscal and higher education committees on:

(a) The impact of decreasing tuition rates on the funded status and future unit price of the Washington advanced college tuition payment program;

(b) The feasibility and different options of establishing a college savings program as described in RCW 28B.95.150;

(c) A list of potential alternatives and impacts for changing the advanced college tuition payment distribution policy from tuition and fees to a cost of attendance metric; and

(d) A list of potential alternatives and impacts for whether the state penalty for withdrawal should be changed.

(2) This section expires June 30, 2017.

NEW SECTION. Sec. 1902. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the

application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 1903. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Manweller moved the adoption of amendment (342) to the striking amendment (330):

On page 2, line 5, after "limitations:" insert "(1)"

On page 2, after line 18, insert the following:

"(2) At legislative sessions during the 2017-19 fiscal biennium:

(a) Appropriations for the purposes of RCW 28A.150.380 and other K-12 education purposes must be:

(i) Proposed and enacted in legislation that is separate from the omnibus operating appropriations act;

(ii) Passed by both houses of the legislature and delivered to the governor no later than February 15th, 2018, for the 2018 supplemental budget and March 31st, 2019, for the 2019-21 biennial budget; and

(iii) Based on revenue sources and rates existing in law at the time of the enactment of the appropriations and may not rely on changes to revenue laws to support the appropriations.

(b) Before either house of the legislature may take a final vote on omnibus operating appropriation legislation, appropriations for RCW 28A.150.380 and other K-12 purposes must be passed by both houses of the legislature and delivered to the governor.

(c) The house of representatives and senate, jointly or separately, may adopt rules or resolutions to implement their respective responsibilities under this section."

On page 2, after line 23, insert the following:

"The appropriations in this section are subject to the following conditions and limitations: At legislative sessions during the 2017-19 fiscal biennium:

(1) Appropriations for the purposes of RCW 28A.150.380 and other K-12 education purposes must be:

(a) Proposed and enacted in legislation that is separate from the omnibus operating appropriations act;

(b) Passed by both houses of the legislature and delivered to the governor no later than February 15th, 2018, for the 2018 supplemental budget and March 31st, 2019, for the 2019-21 biennial budget; and

(c) Based on revenue sources and rates existing in law at the time of the enactment of the appropriations and may not rely on changes to revenue laws to support the appropriations.

(2) Before either house of the legislature may take a final vote on omnibus operating appropriation legislation, appropriations for RCW 28A.150.380 and other K-12 purposes must be passed by both houses of the legislature and delivered to the governor.

(3) The house of representatives and senate, jointly or separately, may adopt rules or resolutions to implement their respective responsibilities under this section."

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (342) to the striking amendment (330) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5048.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): The bill before us is the operating budget for the 2017-19 biennium.

Amendment (342) includes provisions related to the 2019-21 biennial budget.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill and that the point of order is well taken.

Representative Taylor moved the adoption of amendment (362) to the striking amendment (330):

On page 2, line 5, after "limitations:" insert "(1)"

On page 2, after line 18, insert the following:

"(2) The legislature intends to study the feasibility of acquiring certain federal lands for possible inclusion in various trust lands managed by the department of natural resources. The study should address issues including the potential costs to the state of land management related to wildfires, forest health, invasive species management, and public access; potential revenues to the

state from timber cut-rates, mineral lease revenues, recreation and grazing fees, permanent common school account investment income and other sources; and the estimated impact of the state selling all newly acquired federal lands and all existing state-owned public lands. Research required by house of representatives in conducting the feasibility study shall be provided by the office of program research within existing resources, in coordination with research conducted by senate committee services for the senate under section 102 of this act."

On page 2, after line 23, insert the following:

"The appropriations in this section are subject to the following conditions and limitations: The legislature intends to study the feasibility of acquiring certain federal lands for possible inclusion in various trust lands managed by the department of natural resources. The study should address issues including the potential costs to the state of land management related to wildfires, forest health, invasive species management, and public access; potential revenues to the state from timber cut-rates, mineral lease revenues, recreation and grazing fees, permanent common school account investment income and other sources; and the estimated impact of the state selling all newly acquired federal lands and all existing state-owned public lands. Research required by senate in conducting the feasibility study shall be provided by senate committee services within existing resources in coordination with research conducted by the office of program research for the house of representatives under section 101 of this act."

Representative Taylor spoke in favor of the adoption of the amendment (362) to the striking amendment (330).

Representative Tharinger spoke against the adoption of the amendment (362) to the striking amendment (330).

Amendment (362) to the striking amendment (330) was not adopted.

Representative Taylor moved the adoption of amendment (358) to the striking amendment (330):

On page 10, beginning on line 15, beginning with "Economic" strike all material through "\$4,000,000" on line 16

On page 10, line 17, correct the total.

On page 10, beginning on line 20, strike all of subsection (1)

Re-number the remaining subsections consecutively.

On page 145, line 9, increase the education legacy trust account-state appropriation by \$4,000,000

On page 145, line 18, correct the total.

On page 160, after line 26, insert the following:

"(58) \$4,000,000 of the education legacy trust account-state appropriation is provided solely for the office of the superintendent of public instruction to implement state and school district accounting and information technology changes that enable districts to report programs and activities that are funded through school district maintenance and operation levies."

On page 255, after line 29, insert the following:

"Economic Development Strategic Reserve Account: For transfer to the Education Legacy Trust Account.....\$4,000,000"

On page 284, after line 21, insert the following:

"**Sec. 962.** RCW 43.330.250 and 2015 3rd sp.s. c 4 s 962 are each amended to read as follows:

(1) The economic development strategic reserve account is created in the state treasury to be used only for the purposes of this section.

(2) Only the governor, with the recommendation of the director of the department of commerce, may authorize expenditures from the account.

(3) During the 2009-2011 and 2011-2013 fiscal biennia, moneys in the account may also be transferred into the state general fund.

(4) Expenditures from the account may be made to prevent closure of a business or facility, to prevent relocation of a business or facility in the state to a location outside the state, or to recruit a business or facility to the state. Expenditures may be authorized for:

(a) Workforce development;

(b) Public infrastructure needed to support or sustain the operations of the business or facility;

(c) Other lawfully provided assistance, including, but not limited to, technical assistance, environmental analysis, relocation assistance, and planning assistance. Funding may be provided for such assistance only when it is in the public interest and may only be provided under a contractual arrangement ensuring that the state will receive appropriate consideration, such as an assurance of job creation or retention; and

(d) The joint center for aerospace technology innovation.

(5) The funds shall not be expended from the account unless:

(a) The circumstances are such that time does not permit the director of the department of commerce or the business or facility to secure funding from other state sources;

(b) The business or facility produces or will produce significant long-term economic benefits to the state, a region of the state, or a particular community in the state;

(c) The business or facility does not require continuing state support;

(d) The expenditure will result in new jobs, job retention, or higher incomes for citizens of the state;

(e) The expenditure will not supplant private investment; and

(f) The expenditure is accompanied by private investment.

(6) No more than three million dollars per year may be expended from the account for the purpose of assisting an individual business or facility pursuant to the authority specified in this section.

(7) If the account balance in the strategic reserve account exceeds fifteen million dollars at any time, the amount in excess of fifteen million dollars shall be transferred to the education construction account.

(8) During the 2015-2017 fiscal biennium, the legislature may appropriate moneys from the account to fund economic development programs at the department of commerce.

(9) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the economic development strategic reserve account to the education legacy trust account."

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

Correct the title.

Representative Taylor spoke in favor of the adoption of the amendment (358) to the striking amendment (330).

Representative Lytton spoke against the adoption of the amendment (358) to the striking amendment (330).

Amendment (358) to the striking amendment (330) was not adopted.

Representative Buys moved the adoption of amendment (348) to the striking amendment (330):

On page 17, line 27, increase the general fund-state appropriation for fiscal year 2018 by \$250,000

On page 17, line 28, increase the general fund-state appropriation for fiscal year 2019 by \$250,000

On page 18, line 26, correct the total.

On page 18, line 37, strike "\$500,000" and insert "\$750,000"

On page 18, line 38, strike "\$500,000" and insert "\$750,000"

Representative Buys spoke in favor of the adoption of the amendment (348) to the striking amendment (330).

Representative Jenkins spoke against the adoption of the amendment (348) to the striking amendment (330).

Amendment (348) to the striking amendment (330) was not adopted.

Representative Hayes moved the adoption of amendment (375) to the striking amendment (330):

On page 17, line 27, increase the general fund-state appropriation for fiscal year 2018 by \$700,000

On page 18, line 26, correct the total.

On page 27, after line 12, insert the following:

"(38) \$700,000 of the general fund-state appropriation for fiscal year 2018 is provided solely as a grant to Snohomish

County for startup and operations costs for the Snohomish county sheriff's office jail diversion program. The program shall provide crisis stabilization and intervention services to individuals referred by emergency services or police."

Representative Hayes spoke in favor of the adoption of the amendment (375) to the striking amendment (330).

Representative Robinson spoke against the adoption of the amendment (375) to the striking amendment (330).

MOTION

On motion of Representative Riccelli, Representatives Goodman and Morris were excused.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (375) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (375) to the striking amendment (330) was not adopted.

Representative Dent moved the adoption of amendment (340) to the striking amendment (330):

On page 17, line 27, increase the general fund-state appropriation for fiscal year 2018 by \$250,000

On page 17, line 28, increase the general fund-state appropriation for fiscal year 2019 by \$250,000

On page 18, line 26, correct the total.

On page 27, after line 12, after insert the following:

"(38) (a) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for department to create el nuevo camino pilot project for the purpose of addressing serious youth gang problems in midsize counties in eastern Washington. El nuevo camino pilot project must include one grant to an eligible applicant for the 2017-19 biennium. The department shall adopt policies and procedures as necessary to administer the pilot project, including the application process, disbursement of the grant award to the selected applicant, and tracking compliance and measuring outcomes.

(b) An eligible applicant:

(i) Is a county located in Washington or its designee;

(ii) Is located east of the Cascade mountain range with an estimated county population between ninety thousand and one hundred thousand as of January 1, 2017;

(iii) Has an identified gang problem;

(iv) Has established a coordinated effort with committed partners, including law enforcement, prosecutors, mental health practitioners, and schools;

(v) Has established goals, priorities, and policies in compliance with the requirements of subsection (c) of this section; and

(vi) Demonstrates a clear plan to engage in long-term antigang efforts after the conclusion of the pilot project.

(c) The grant recipient must:

(i) Work to reduce youth gang crime and violence by implementing the comprehensive gang model of the federal juvenile justice and delinquency prevention act of 1974;

(ii) Increase mental health services to unserved and underserved youth by implementing the best practice youth mental health model of the national center for mental health and juvenile justice;

(iii) Work to keep high-risk youth in school, reenroll dropouts, and improve academic performance and behavior by engaging in a grass roots team approach in schools with the most serious youth violence and mental health problems, which must include a unique and identified team

in each district participating in the project;

(iv) Hire a project manager and quality assurance coordinator;

(v) Adhere to recommended quality control standards for Washington state research-based juvenile offender programs as set forth by the Washington state institute for public policy; and

(vi) Report to the department by September 1, 2019, with the following:

(A) The number of youth and adults served through the project and the types of services accessed and received;

(B) The number of youth satisfactorily completing chemical dependency treatment in the county;

(C) The estimated change in domestic violence rates;

(D) The estimated change in gang participation and gang violence;

(E) The estimate change in dropout and graduation rates;

(F) The estimated change in overall crime rates and crimes typical of gang activity;

(G) The estimated change in recidivism for youth offenders in the county; and

(H) Other information required by the department or otherwise pertinent to the pilot project.

(d) The department shall report the information from subsection (c)(vi) of this section and other relevant data to the legislature and the governor by October 1, 2019."

Representative Dent spoke in favor of the adoption of the amendment (340) to the striking amendment (330).

Representative Ormsby spoke against the adoption of the amendment (340) to the striking amendment (330).

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 48 YEAS; 48 NAYS.

Amendment (340) to the striking amendment (330) was not adopted.

Representative Condotta moved the adoption of amendment (352) to the striking amendment (330):

On page 17, line 27, decrease the general fund-state appropriation for fiscal year 2018 by \$1,145,000

On page 17, line 28, decrease the general fund-state appropriation for fiscal year 2019 by \$1,145,000

On page 18, line 26, correct the total

On page 19, beginning on line 31 strike subsection (9)

Renumber remaining subsections consecutively and correct internal references accordingly.

On page 251, after line 9, insert the following:

"NEW SECTION. SEC. 756. FOR THE OFFICE OF FINANCIAL MANAGEMENT - STATEWIDE TOURISM MARKETING ACCOUNT.

General Fund-State Appropriation (FY 2019) \$2,290,000

The appropriation in this section is subject to the following condition and limitation: The appropriation is provided solely for expenditure into the statewide tourism marketing account created in House Bill No. 1123 (concerning tourism marketing). If House Bill No. 1123 is not enacted by June 30, 2017, the amount provided in this section shall lapse."

Representative Condotta spoke in favor of the adoption of the amendment (352) to the striking amendment (330).

Representative Tarleton spoke against the adoption of the amendment (352) to the striking amendment (330).

Amendment (352) to the striking amendment (330) was not adopted.

Representative Ormsby moved the adoption of amendment (376) to the striking amendment (330):

On page 17, line 27, decrease the general fund-state appropriation for fiscal year 2018 by \$100,000

On page 17, line 28, decrease the general fund-state appropriation for fiscal year 2019 by \$100,000

On page 18, line 26, correct the total.

On page 26, at the beginning of line 13, strike all material through "partners." on line 22

Renumber the remaining subsections consecutively and correct internal references accordingly.

Representative Ormsby spoke in favor of the adoption of the amendment (376) to the striking amendment (330).

Amendment (376) to the striking amendment (330) was adopted.

Representative J. Walsh moved the adoption of amendment (354) to the striking amendment (330):

Beginning on page 25, line 38, after "(c)" strike all material through "illness" on page 26, line 2, and insert the following:

"rapid re-housing. The department must prioritize funding for sober-living housing over low and no-barrier housing"

Representative J. Walsh spoke in favor of the adoption of the amendment (354) to the striking amendment (330).

Representative Macri spoke against the adoption of the amendment (354) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (354) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (354) to the striking amendment (330) was not adopted.

Representative Stokesbary moved the adoption of amendment (380) to the striking amendment (330):

On page 32, line 5, decrease the general fund-state appropriation for fiscal year 2018 by \$6,046,000

On page 32, line 6, decrease the general fund-state appropriation for fiscal year 2019 by \$4,945,000

On page 32, line 15, correct the total.

On page 32, line 17, after "limitations:" insert "(1)"

On page 32, line 21, after insert the following:

"(2) Funding appropriated in this section may not be used for the department to either collect a retail sales or use tax from, or enforce any notice and reporting requirement on, a person who does not have a physical presence in this state under the *Quill Corp. v. North Dakota* standard."

Representative Stokesbary spoke in favor of the adoption of the amendment (380) to the striking amendment (330).

Representative Lytton spoke against the adoption of the amendment (380) to the striking amendment (330).

Amendment (380) to the striking amendment (330) was not adopted.

Representative Stokesbary moved the adoption of amendment (379) to the striking amendment (330):

On page 32, line 5, decrease the general fund-state appropriation for fiscal year 2018 by \$1,130,000

On page 32, line 6, decrease the general fund-state appropriation for fiscal year 2019 by \$2,865,000

On page 32, line 15, correct the total.

On page 32, line 17, after "limitations:" insert "(1)"

On page 32, line 21, after insert the following:

"(2) Funding appropriated in this section may not be used to collect or enforce any tax levied on any portion of an individual's gross income that is taxable by the internal revenue service."

Representatives Stokesbary and Shea spoke in favor of the adoption of the amendment (379) to the striking amendment (330).

Representative Lytton spoke against the adoption of the amendment (379) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (379) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (379) to the striking amendment (330) was not adopted.

Representative Stokesbary moved the adoption of amendment (381) to the striking amendment (330):

On page 32, line 5, decrease the general fund-state appropriation for fiscal year 2018 by \$1,739,000

On page 32, line 6, decrease the general fund-state appropriation for fiscal year 2019 by \$527,000

On page 32, line 15, correct the total.

On page 32, line 17, after "limitations:" insert "(1)"

On page 32, line 21, after insert the following:

"(2) Funding appropriated in this section may not be used for the department to collect or enforce business and occupation tax rates in excess of the rates existing on January 1, 2017 for the following selected business activities: the business activities subject to tax under RCW [82.04.230](#); 82.04.240; 82.04.250 (1) or (2); 82.04.255; 82.04.257; 82.04.260 (3), (9), (10), or (13); 82.04.263; 82.04.270; 82.04.280; 82.04.285; 82.04.290(2), including the activities described in RCW [82.04.29001](#), [82.04.29005](#), [82.04.297](#), and [82.04.540](#); 82.04.2905; 82.04.2906; 82.04.2907; and

[82.04.298](#); and beginning July 1, 2024, the activities taxed under RCW [82.04.260](#) (14) . "

Representative Stokesbary spoke in favor of the adoption of the amendment (381) to the striking amendment (330).

Representative Lytton spoke against the adoption of the amendment (381) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (381) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (381) to the striking amendment (330) was not adopted.

Representative Stokesbary moved the adoption of amendment (382) to the striking amendment (330):

On page 32, line 5, decrease the general fund-state

appropriation for fiscal year 2018 by \$11,000 On page 32, line 15, correct the total.

On page 32, line 17, after "limitations:" insert "(1)" On page 32, line 21, after insert the following:

"(2) Funding appropriated in this section may not be used to collect or enforce a graduated real estate excise tax."

Representative Stokesbary, Stokesbary (again) spoke in favor of the adoption of the amendment (382) to the striking amendment (330).

Representative Lytton spoke against the adoption of the amendment (382) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (382) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (382) to the striking amendment (330) was not adopted.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

Representative Condotta moved the adoption of amendment (351) to the striking amendment (330):

On page 34, after line 26, insert the following:

"(6) Within existing resources, the state liquor and cannabis board shall establish a way by which any inspection or approval of a marijuana processor's professional closed loop systems, equipment, extraction operation, and facilities, may be performed by a qualified person or entity other than a local fire code official, in the event that a local fire code official does not perform such an inspection or approval as required by state liquor and cannabis board rule."

Representatives Condotta and Sawyer spoke in favor of the adoption of the amendment (351) to the striking amendment (330).

Amendment (351) to the striking amendment (330) was adopted.

Representative J. Walsh moved the adoption of amendment (353) to the striking amendment (330):

On page 35, line 28, increase the general fund-state appropriation for fiscal year 2018 by \$210,000

On page 36, line 1, correct the total.

On page 37, after line 13, insert the following:

"(10) \$210,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the military department to provide three grants in the amount of \$70,000 each to the following counties: Skagit, Island, and Cowlitz. The grants must be used to replace analog 911 telephone equipment and upgrade local E911 centers."

Representative J. Walsh spoke in favor of the adoption of the amendment (353) to the striking amendment (330).

Representative Hudgins spoke against the adoption of the amendment (353) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (353) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (353) to the striking amendment (330) was not adopted.

Representative Hayes moved the adoption of amendment (378) to the striking amendment (330):

On page 37, after line 13, after insert the following:

"(10) If funding is available within amounts provided in this section, the military department must prioritize reimbursements to upgrade 911 telephone equipment for Island, Skagit, and Cowlitz counties."

Representatives Hayes spoke in favor of the adoption of the amendment (378) to the striking amendment (330).

Representatives Hudgins spoke against the adoption of the amendment (378) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (378) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (378) to the striking amendment (330) was not adopted.

Representative Klippert moved the adoption of amendment (365) to the striking amendment (330):

On page 47, after line 21, insert the following:

"(18) Within amounts appropriated in this section, the department must provide three foster parent liaisons in each of the three regions of the department of social and health services. The foster parent liaisons will enhance the working relationship between department case workers and foster parents by providing expedited assistance for the unique needs and requirements posed by foster children in out-of-home care."

On page 122, after line 13, insert the following:

"(g) Within amounts appropriated in this section, the department must provide three foster parent liaisons in each of the three regions of the department of social and health services. The foster parent liaisons will enhance the working relationship between department case workers and foster parents by providing expedited assistance for the unique needs and requirements posed by foster children in out-of-home care."

Representative Klippert spoke in favor of the adoption of the amendment (365) to the striking amendment (330).

Representative Senn spoke against the adoption of the amendment (365) to the striking amendment (330).

Amendment (365) to the striking amendment (330) was not adopted.

Representative J. Walsh moved the adoption of amendment (332) to the striking amendment (330):

On page 47, line 24, increase the general fund-state appropriation for fiscal year 2018 by \$2,500,000

On page 47, line 25, increase the general fund-state appropriation for fiscal year 2019 by \$2,500,000

On page 47, line 30, correct the total.

Representative J. Walsh spoke in favor of the adoption of the amendment (332) to the striking amendment (330).

Representative Ormsby spoke against the adoption of the amendment (332) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (332) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri,

McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (332) to the striking amendment (330) was not adopted.

Representative Taylor moved the adoption of amendment (361) to the striking amendment (330):

On page 76, line 4, decrease the general fund-state appropriation for fiscal year 2018 by \$6,200,000

On page 76, line 5, decrease the general fund-state appropriation for fiscal year 2019 by \$6,200,000

On page 76, line 20, correct the total.

On page 87, after line 4, insert the following:

"(xxxxiv) The authority may not provide benefits or services to permit a woman to voluntarily terminate her pregnancy, except when the abortion is medically necessary, which means that, as determined by reasonable, good faith clinical judgement of the patient's primary care physician, the life of the woman seeking the abortion is in imminent danger because of a serious physical disorder, illness, or injury if the abortion is not performed."

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

On page 105, line 18, increase the general fund-state appropriation for fiscal year 2018 by \$3,700,000

On page 105, line 19, increase the general fund-state appropriation for fiscal year 2019 by \$3,700,000

On page 106, line 12, correct the total.

On page 113, after line 3, insert the following:

"(33) The department may not provide benefits or services to permit a woman to voluntarily terminate her pregnancy, except when the abortion is medically necessary, which means that, as determined by reasonable, good faith clinical judgement of the patient's primary care physician, the life of the woman seeking the abortion is in imminent danger because of a serious physical disorder, illness, or injury if the abortion is not performed."

(34) \$3,700,000 of the general fund-state appropriation for fiscal year 2018 and \$3,700,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to support organizations that provide breast and cervical cancer screenings at the county level. None of these amounts may be provided to organizations that perform abortions."

Correct any internal references accordingly.

On page 240, after line 20, insert the following:

"NEW SECTION. Sec. 729. FOR THE OFFICE OF FINANCIAL MANAGEMENT--SEXUAL ASSAULT PREVENTION AND RESPONSE

General Fund--State Appropriation (FY 2018)\$2,500,000

General Fund--State Appropriation (FY 2019)\$2,500,000

TOTAL APPROPRIATION\$5,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the sexual assault prevention and response account for the implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). If the bill is not enacted by June, 30, 2017, the amount in this section is appropriated to the office of the attorney general for the sexual assault kit initiative pilot project as described in Engrossed Substitute House Bill No. 1109 (victims of sexual assault)."

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

On page 284, after line 21, insert the following:

"Sec. 962. RCW 66.08.2601 and 2015 3rd sp.s. c 26 s 1 are each amended to read as follows:

(1) A nonrefundable additional fee is imposed on all applications and renewals of licenses and permits relating to spirits, wine, and beer required under chapters 66.20 and 66.24 RCW, with the exception of license issuance fees of seventeen percent of revenues owed by spirits retail licensees under RCW 66.24.630(4)(a), and the five to ten percent license issuance fee for spirits distributors under RCW 66.24.055(3). The fee applies to all applications and

license modifications received on or after *the effective date of this section and renewals where the date of license expiration is on or after June 30, 2015. The fee is equal to six and two tenths percent of the licensing or permit fee due under chapters 66.20 and 66.24 RCW. If the fee is not a whole dollar amount, the fee must be rounded up to the next whole dollar. This section expires June 30, 2017.

(2) This section expires June 30, 2017."

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

Correct the title.

Representative Taylor spoke in favor of the adoption of the amendment (361) to the striking amendment (330).

Representative Cody spoke against the adoption of the amendment (361) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (361) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, SchmicK, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (361) to the striking amendment (330) was not adopted.

Representative Caldier moved the adoption of amendment (389) to the striking amendment (330):

On page 84, line 24, after "(VII)" insert the following:

"Estimations of the four year costs associated with moving to a non-fee-for-service program;

(VIII) Estimations of the potential per member per month costs;

(IX) Estimations of the potential change in utilization associated with moving to a non-fee-for-service program and recommendations for increasing utilization to optimal levels;

(X) Estimations of the annual administrative costs of a non-fee-for-service program;

(XI) Identification of any potential impact on federally qualified health centers and dental schools;

(XII) "

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

Representatives Caldier and Cody spoke in favor of the adoption of the amendment (389) to the striking amendment (330).

Amendment (389) to the striking amendment (330) was adopted.

Representative Reeves moved the adoption of amendment (396) to the striking amendment (330):

On page 104, line 22, increase the general fund-state appropriation for fiscal year 2018 by \$84,500

On page 104, line 23, increase the general fund-state appropriation for fiscal year 2019 by \$84,500

On page 104, line 26, correct the total.

On page 104, after line 26, insert the following:

"The appropriations in this subsection are subject to the following conditions and limitations: \$84,500 of the general fund--state appropriation for fiscal year 2018 and \$84,500 of the general fund state appropriation for fiscal year 2019 are provided solely for the implementation of Engrossed Second Substitute House Bill 1802 (veterans/shared leave access). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse."

Representatives Reeves and McCabe spoke in favor of the adoption of the amendment (396) to the striking amendment (330).

Amendment (396) to the striking amendment (330) was not adopted.

Representative Stokesbary moved the adoption of amendment (385) to the striking amendment (330):

On page 105, line 18, increase the general fund state appropriation for fiscal year 2018 by \$100,000

On page 106, line 12, correct the total.

On page 113, after line 3, insert the following:

"(33) \$100,000 of the general fund--state appropriation for fiscal year 2018 is provided solely for the department to implement rules by December 31, 2017 regarding the siting and operation of safe-injection sites that allow the consumption or injection of federally regulated illegal controlled substances, except those substances that a person may lawfully possess under state law.

(a) The rules implemented by the department must have provisions that prohibit safe-injection sites operated within one mile of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, game arcade, or any facility where children are likely to be present.

(b) The rules must require that:

(i) Upon each visit to an injection site and prior to any injections, a person must undergo at least one hour of drug counseling by a certified chemical dependency professional; the drug counselor must meet the certification requirements pursuant to chapter 246-811 WAC;

(ii) The sites maintain an appropriate supply of drugs that prevent the effects of the illegal substance, help cure opioid substance abuse disorder, and that block the effects of the drug in the event of an overdose;

(iii) The sites meet minimum staffing ratios of at least two health professionals per visitor, one of whom must be a physician; and

(iv) Staff be allowed to take uninterrupted meal and rest periods that are not intermittent and that staff may not be required to work overtime.

(c) The rules must require bi-weekly reporting to the department regarding the number of individuals served, the services provided, and the cost of providing such services, including an apportionment of all reasonable operating expenses per person served. The report must also include the outcomes of the service, such as whether the person served returned for an injection or for other services, the number of instances where naloxone was administered, and the number of fatalities at the site.

(d) The rules may not allow for any existing-use exemptions.

(e) The rules must provide for penalties for violation of the provisions regarding the siting and the operational requirements specified by the department.

(f) The department has authority to adopt emergency rules to implement the requirements of this subsection."

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (385) to the striking amendment (330) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5048.

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding): *The bill before us is the operating budget. It makes appropriations for the 2017-19 biennium.*

The scope and object of a budget bill does not extend to permanent changes in substantive law.

Amendment 385 directs the Department of Health to adopt certain rules, but does not limit the application of those rules to the 2017-19 biennium.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill and that the point of order is well taken.

Representative Smith moved the adoption of amendment (391) to the striking amendment (330):

On page 105, line 18, increase the general fund-state appropriation for fiscal year 2018 by \$43,000

On page 105, line 19, increase the general fund-state appropriation for fiscal year 2019 by \$5000

On page 106, line 12, correct the total.

On page 113, after line 3, insert the following:

"(33) (a) \$43,000 of the general fund--state appropriation for fiscal year 2018 and \$5000 of the general fund--state appropriation for fiscal year 2019 are provided solely for the department to contract with a nongovernmental organization, with experience in reducing the likelihood of child sexual assault and misconduct, to develop a child safety policy in accordance with the guidelines published by the center for disease control to prevent child sexual abuse within youth-serving organizations. The child safety policy shall be for all organizations that provide recreational programming to individuals under age eighteen, including local government organizations and organizations that contract with local governments to provide such programming. The child safety policy must contain minimum standards that address the following: (i) screening and selection of employees and volunteers; (ii) guidelines for interactions between individuals; (iii) monitoring the behavior of employees, volunteers, and participants; (iv) ensuring safe environments; (v) responding to inappropriate behavior, breaches in policy, and allegations; and (vi) training about child sexual abuse prevention.

(b) The department shall encourage the contracted nongovernmental organization to work with organizations that provide recreational programming for individuals under age eighteen to establish the minimum standards, and these standards shall be used to approve the child safety policies of such organizations. The minimum standards must be developed and made available on the department's public web site by December 1, 2017.

(c) Beginning December 1, 2017, the department shall select a region of two contiguous counties, with a combined population between three hundred thousand and three hundred fifty thousand, for a pilot program, whereby participants are trained regarding the child safety policy developed by the nongovernmental organization. Under the pilot program, the department shall collaborate with the contracted nongovernmental organization and local governments of the two counties to ensure that, by June 30, 2018, all local government organizations within the two-county region that provide recreational programming for individuals under age eighteen have established and implemented a child safety policy that meets the minimum standards.

(d) By December 1, 2018, the department shall report the following to the appropriate committees of the legislature: (i) a description of the pilot program and of the child safety policy requirements; (ii) recommendations regarding implementation of the minimum standards statewide, in all organizations that provide recreational programming to individuals under age eighteen; and (iii) after consultation with the department of early learning, recommendations for any modifications to implement a child safety policy appropriate for child care providers."

Representative Smith spoke in favor of the adoption of the amendment (391) to the striking amendment (330).

Representative Kagi spoke against the adoption of the amendment (391) to the striking amendment (330).

Amendment (391) to the striking amendment (330) was not adopted.

Representative Muri moved the adoption of amendment (346) to the striking amendment (330):

On page 113, after line 3, insert the following:

"(33) During the 2017-19 fiscal biennium, a disciplining authority identified in RCW 18.130.040 may not take adverse licensing action against a health care professional based solely on the standards articulated in the state supreme court's 2016 ruling in *Volk v. DeMeerleer*, unless the disciplining authority determines that the professional failed to provide a warning when there was an actual threat of physical violence that posed a serious or imminent threat to the health or safety of a reasonably identifiable person or persons."

On page 251, after line 9, insert the following:

"NEW SECTION. Sec. 756. FOR THE DEPARTMENT OF ENTERPRISE SERVICES OFFICE OF RISK MANAGEMENT--VOLK LIABILITY AND INDEMNIFICATION

General Fund--State Appropriation (FY 2018)	\$. \$5,00,000
General Fund--State Appropriation (FY 2019)	\$. \$5,00,000
TOTAL APPROPRIATION	\$. \$10,000,000

(1) The legislature finds that there is an important state interest in promoting provision of behavioral health

care services in a variety of practice settings. The legislature further finds that the 2016 decision of the state supreme court in *Volk v. DeMeerleer* will impair access to these services due to broader tort liability for behavioral health care professionals who provide care in an outpatient setting, the consequent impact on these professionals' ability to secure insurance, and the resulting increased costs that will be borne by consumers and taxpayers. To mitigate these effects on access to behavioral health care, the legislature establishes the behavioral health care professionals indemnity pool. In addition, *Volk* may create new tort liability for the state, and ultimately the taxpayers, through the state's employment of, contracts with, or licensure of, behavioral health care professionals. This requires the legislature to account for these risks in the state's self-insurance liability program.

(2) Of the amounts provided in this section, \$4,500,000 of the general fund--state appropriation for fiscal year 2018 and \$4,500,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for expenditure into the behavioral health care professionals indemnity pool account for purposes of subsection (3) of this section.

(3) (a) The behavioral health care professionals indemnity pool account is created in the custody of the state treasurer. Only the director of the office of risk management of the department of enterprise services or the director's designee may authorize expenditures from the account. An appropriation is not required for expenditures.

(b) If a final judgment is entered against a behavioral health care professional, and if the director determines that all or a portion of the judgment is based on the standards established in *Volk* for a special relationship and failure to warn foreseeable victims in an outpatient setting, then the director may authorize expenditures from the behavioral health care professionals indemnity account to wholly or partially indemnify the professional. If the director determines that the judgment is partially based on *Volk* and partially on other legal bases, then the director may provide partial indemnification in proportion to the portion of the judgment that the director

determines is attributable to Volk liability. However, the director may not provide indemnification if the director determines that the judgment is based on the behavioral health professional's failure to warn when there was an actual threat of physical violence that posed a serious or imminent threat to the health or safety of a reasonably identifiable person or persons.

(4) Of the amounts provided in this section, \$500,000 of the general fund--state appropriation for fiscal year 2018 and \$500,000 of the general fund--state appropriation are provided solely for expenditure into the state self-insurance liability account. This funding is provided to account for future state liability under the Volk standard for behavioral health care professionals employed, contracted, or licensed by the state.

(5) For purposes of this section, "behavioral health care professional" means:

(a) An adviser or counselor certified under chapter 18.19 RCW;

(b) A chemical dependency professional licensed under chapter 18.205 RCW;

(c) A marriage and family therapist licensed under chapter 18.225 RCW;

(d) A mental health counselor licensed under chapter 18.225 RCW;

(e) A physician licensed under chapter 18.71 RCW who is board-certified in psychiatry;

(f) An osteopathic physician licensed under chapter 18.57 RCW who is board-certified in psychiatry;

(g) An advanced registered nurse practitioner licensed under chapter 18.79 RCW who is board certified in advanced practice psychiatric and mental health nursing;

(h) An physician assistant licensed under chapter 18.71A RCW working with a supervising psychiatrist;

(i) An osteopathic physician assistant licensed under chapter 18.57A RCW working with a supervising psychiatrist;

(j) A psychologist licensed under chapter 18.83 RCW;

(k) An advanced social worker or independent clinical social worker licensed under chapter 18.225 RCW; and

(l) A social worker associate--advanced or social worker associate--independent clinical licensed under chapter 18.225 RCW."

Renumber remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Muri, Graves and Rodne spoke in favor of the adoption of the amendment (346) to the striking amendment (330).

Representatives Jinkins and Kilduff spoke against the adoption of the amendment (346) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (346) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (346) to the striking amendment (330) was not adopted.

Representative Pike moved the adoption of amendment (372) to the striking amendment (330):

On page 116, after line 3, insert the following:

"The appropriations in this subsection are subject to the following conditions and limitations: In addition to the requirements of RCW 72.09.100, the department of corrections shall elect workers' compensation and pay any workers' compensation premiums or costs due for

offenders under the custody of the department working or performing services for a local government or nonprofit organization under a class IV or class V correctional industries work program adopted by the department. \$193,000 of the general fund-state appropriation for fiscal year 2018 and \$210,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for these purposes.

(a) In addition to the requirements of RCW 51.12.045, when an offender under the department's jurisdiction provides services to a public benefit nonprofit or local government entity, the department's payment of offender labor and industries workers' compensation premiums does not in any way establish the department as the employer for department of labor and industries purposes and statutes. Therefore, the department will not be required to behave as the employer, which includes, but is not limited to, supervising the work performed by offenders, training offenders for a specific work project, or ensuring work site compliance with department of labor and industries workplace safety standards.

(b) The legislature intends to make these changes to correctional industries practice permanent in future biennia in order to allow the department of corrections to maintain cost-effective business practices, provide cost-saving work services to local communities, and continue to effectively reduce recidivism by allowing maximum statewide participation in correctional industries work programs."

On page 284, after line 21, insert the following:

"**Sec. 961.** RCW 51.12.045 and 2002 c 175 s 40 are each amended to read as follows:

((Offenders performing community restitution pursuant to court order or under RCW 13.40.080 may be deemed employees and/or workers under this title at the option of the state, county, city, town, or nonprofit organization under whose authorization the community restitution is performed.))With the exception of an offender who is under the custody of the state, ((A))any premiums or assessments due under this title for community restitution work shall be the obligation of and be paid for by the ((state agency,)) county, city, town, or nonprofit organization for which the

offender performed the community restitution. In the case of an offender who is under the custody of the state, any premiums or assessments due under this title for community work shall be the obligation of and be paid for by the state agency that has custody of the offender. Coverage commences when ((a))the state agency, county, city, town, or nonprofit organization has given notice to the director that it ((wishes to cover)) is covering offenders performing community restitution before the occurrence of an injury or contraction of an occupational disease."

Renumber remaining sections consecutively and correct internal references.

On page 298, after line 28, insert the following:

"**Sec. 965.** RCW 72.09.100 and 2012 c 220 s 2 are each amended to read as follows:

It is the intent of the legislature to vest in the department the power to provide for a comprehensive inmate work program and to remove statutory and other restrictions which have limited work programs in the past. It is also the intent of the legislature to ensure that the department, in developing and selecting correctional industries work programs, does not encourage the development of, or provide for selection of or contracting for, or the significant expansion of, any new or existing class I correctional industries work programs that unfairly compete with Washington businesses. The legislature intends that the requirements relating to fair competition in the correctional industries work programs be liberally construed by the department to protect Washington businesses from unfair competition. For purposes of establishing such a comprehensive program, the legislature recommends that the department consider adopting any or all, or any variation of, the following classes of work programs:

(1) CLASS I: FREE VENTURE INDUSTRIES.

(a) The employer model industries in this class shall be operated and managed in total or in part by any profit or nonprofit organization pursuant to an agreement between the organization and the department. The organization shall produce goods or services for sale to both the public and private sector.

(b) The customer model industries in this class shall be operated and managed by the department to provide Washington state manufacturers or businesses with products or services currently produced or provided by out-of-state or foreign suppliers.

(c) The department shall review these proposed industries, including any potential new class I industries work program or the significant expansion of an existing class I industries work program, before the department contracts to provide such products or services. The review shall include the analysis required under RCW 72.09.115 to determine if the proposed correctional industries work program will compete with any Washington business. An agreement for a new class I correctional industries work program, or an agreement for a significant expansion of an existing class I correctional industries work program, that unfairly competes with any Washington business is prohibited.

(d) The department shall supply appropriate security and custody services without charge to the participating firms.

(e) Inmates who work in free venture industries shall do so at their own choice. They shall be paid a wage comparable to the wage paid for work of a similar nature in the locality in which the industry is located, as determined by the director of correctional industries. If the director cannot reasonably determine the comparable wage, then the pay shall not be less than the federal minimum wage.

(f) An inmate who is employed in the class I program of correctional industries shall not be eligible for unemployment compensation benefits pursuant to any of the provisions of Title 50 RCW until released on parole or discharged.

(2) CLASS II: TAX REDUCTION INDUSTRIES.

(a) Industries in this class shall be state-owned and operated enterprises designed primarily to reduce the costs for goods and services for tax-supported agencies and for nonprofit organizations.

(b)(i) The industries selected for development within this class shall, as much as possible, match the available pool of inmate work skills and aptitudes with the work opportunities in the free community. The industries shall be closely patterned after private sector industries but with the objective of reducing public support costs rather than making a profit.

(ii) Except as provided in *RCW 43.19.534(3) and this section, the products and services of this industry, including purchased products and services necessary for a complete product line, may be sold to the following:

(A) Public agencies;

(B) Nonprofit organizations;

(C) Private contractors when the goods purchased will be ultimately used by a public agency or a nonprofit organization;

(D) An employee and immediate family members of an employee of the department;

(E) A person under the supervision of the department and his or her immediate family members; and

(F) A licensed health professional for the sole purpose of providing eyeglasses to enrollees of the state medical program at no more than the health professional's cost of acquisition.

(iii) The department shall authorize the type and quantity of items that may be purchased and sold under (b)(ii)(D) and (E) of this subsection.

(iv) It is prohibited to purchase any item purchased under (b)(ii)(D) and (E) of this subsection for the purpose of resale.

(v) Clothing manufactured by an industry in this class may be donated to nonprofit organizations that provide clothing free of charge to low-income persons.

(c) Under no circumstance shall offenders under the custody of the department of corrections make or assemble uniforms to be worn by correctional officers employed with the department.

(d)(i) Class II correctional industries products and services shall be reviewed by the department before offering such products and services for sale to private contractors.

(ii) The secretary shall conduct a yearly marketing review of the products and services offered under this subsection. Such review shall include an analysis of the potential impact of the proposed products and services on the Washington state business community. To avoid waste or spoilage and consequent loss to the state, when there is no public sector market for such goods, by-products and surpluses of timber, agricultural, and animal husbandry enterprises may be sold to private persons, at private sale.

Surplus by-products and surpluses of timber, agricultural and animal husbandry enterprises that cannot be sold to public agencies or to private persons may be donated to nonprofit organizations. All sales of surplus products shall be carried out in accordance with rules prescribed by the secretary.

(e) Security and custody services shall be provided without charge by the department.

(f) Inmates working in this class of industries shall do so at their own choice and shall be paid for their work on a gratuity scale which shall not exceed the wage paid for work of a similar nature in the locality in which the industry is located and which is approved by the director of correctional industries.

(g) Provisions of RCW 41.06.142 shall not apply to contracts with Washington state businesses entered into by the department through class II industries.

(3) CLASS III: INSTITUTIONAL SUPPORT INDUSTRIES.

(a) Industries in this class shall be operated by the department. They shall be designed and managed to accomplish the following objectives:

(i) Whenever possible, to provide basic work training and experience so that the inmate will be able to qualify for better work both within correctional industries and the free community. It is not intended that an inmate's work within this class of industries should be his or her final and total work experience as an inmate.

(ii) Whenever possible, to provide forty hours of work or work training per week.

(iii) Whenever possible, to offset tax and other public support costs.

(b) Class III correctional industries shall be reviewed by the department to set policy for work crews. The department shall prepare quarterly detail statements showing where work crews worked, what correctional industry class, and the hours worked.

(c) Supervising, management, and custody staff shall be employees of the department.

(d) All able and eligible inmates who are assigned work and who are not working in other classes of industries shall work in this class.

(e) Except for inmates who work in work training programs, inmates in this class shall be paid for their work in accordance with an inmate gratuity scale. The scale shall be adopted by the secretary of corrections.

(4) CLASS IV: COMMUNITY WORK INDUSTRIES.

(a) Industries in this class shall be operated by the department. They shall be designed and managed to provide services in the inmate's resident community at a reduced cost. The services shall be provided to public agencies, to persons who are poor or infirm, or to nonprofit organizations.

(b) Class IV correctional industries shall be reviewed by the department to set policy for work crews. The department shall prepare quarterly detail statements showing where work crews worked, what correctional industry class, and the hours worked. Class IV correctional industries operated in work camps established pursuant to RCW 72.64.050 are exempt from the requirements of this subsection (4) (b).

(c) Inmates in this program shall reside in facilities owned by, contracted for, or licensed by the department. A unit of local government shall provide work supervision services without charge to the state and shall pay the inmate's wage.

(d) ((The department shall reimburse participating units of local government for liability and workers compensation insurance costs.

~~(e))~~ Inmates who work in this class of industries shall do so at their own choice and shall receive a gratuity which shall not exceed the wage paid for work of a similar nature in the locality in which the industry is located.

(5) CLASS V: COMMUNITY RESTITUTION PROGRAMS.

(a) Programs in this class shall be subject to supervision by the department. The purpose of this class of industries is to enable an inmate, placed on community supervision, to work off all or part of a community restitution order as ordered by the sentencing court.

(b) Employment shall be in a community restitution program operated by the state, local units of government, or a nonprofit agency.

((c) To the extent that funds are specifically made available for such purposes, the department shall reimburse nonprofit agencies for workers compensation insurance costs.))"

Renumber remaining sections consecutively and correct internal references.

Correct the title.

Representative Pike spoke in favor of the adoption of the amendment (372) to the striking amendment (330).

Representative Ormsby spoke against the adoption of the amendment (372) to the striking amendment (330).

Amendment (372) to the striking amendment (330) was not adopted.

Representative Nealey moved the adoption of amendment (363) to the striking amendment (330):

On page 122, line 15, increase the general fund-state appropriation for fiscal year 2019 by \$150,000

On page 122, line 21, correct the total.

On page 122, line 24, strike "\$71,216,000" and insert "\$71,366,000"

On page 122, line 29, after "2019." insert "Of the amounts provided in this subsection, \$150,000 of the general fund-state appropriation in fiscal year 2019 is provided solely for sixty summer school slots for six hour classes in a school district east of the Cascade mountains with a population of more than 17,000 but less than 19,000 students and with a high percentage of low-income and English language learner students."

Representative Nealey spoke in favor of the adoption of the amendment (363) to the striking amendment (330).

Representative Kagi spoke against the adoption of the amendment (363) to the striking amendment (330).

Amendment (363) to the striking amendment (330) was not adopted.

Representative Dye moved the adoption of amendment (335) to the striking amendment (330):

On page 131, after line 19, insert the following:

"(6) The department, in coordination with the department of natural resources, must make available for purchase water right S3-28687C, which was associated with the previous state trust land known as

"Pasco 16" that is south of Interstate 82 and west of Road 68. The department shall not charge more than market rate for the water right, and must allow the City of Pasco the opportunity to purchase the water right. The department must make the water right available for purchase no later than January 1, 2018, until January 1, 2019. If the water right is not purchased by January 1, 2019, it must remain in the State Trust Water Rights Program."

On page 139, after line 28, insert the following:

"(7) With respect to the portion of state trust land that is known as "Pasco 16" that is south of Interstate 82 and west of Road 68, the department must manage the land north of the proposed frontage road designated as commercial land use through leases negotiated by the department to be consistent with the planned commercial land use. If the department has not entered into commercial leases for this portion of state trust land by January 1, 2018, then the Department must, consistent with all applicable trust responsibilities, initiate by January 1, 2019 the process to sell the land in accordance with the requirements of chapter 79.11 RCW."

Representatives Dye and Chandler spoke in favor of the adoption of the amendment (335) to the striking amendment (330).

Representative Fitzgibbon spoke against the adoption of the amendment (335) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (335) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos,

Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (335) to the striking amendment (330) was not adopted.

Representative J. Walsh moved the adoption of amendment (336) to the striking amendment (330):

On page 131, after line 19, insert the following:

"(6) (a) The department must submit a report to the appropriate committees of the legislature by October 1, 2017, regarding the status of:

(i) The development of a supplemental environmental impact statement that builds upon the April, 2015 publication: Final Environmental Impact Statement Control of Burrowing Shrimp Using Imidacloprid on Commercial Oyster and Clam Beds in Willapa Bay and Grays Harbor, Washington, published by the department; and

(ii) The issuance of a general national pollutant discharge elimination system waste discharge permit allowing the use of Imidacloprid to control burrowing shrimp;

(b) If the Department of Ecology has not completed the supplemental environmental impact statement in (a) (i) by May 31, 2017 or issued the general permit under (a) (ii) by June 30, 2017, the report to the legislature required by (a) must include a description of the status of the supplemental environmental impact statement and general permit, and a detailed description of steps to be undertaken by the department to ensure that the supplemental environmental impact statement has been completed and the general permit has been issued in time to allow oyster growers to rely on the general permit during the 2018 season, or of the steps to be undertaken by the department to ensure that another equally viable and economically feasible option for the control of burrowing shrimp is available to oyster growers in Willapa Bay and Grays Harbor for use during the 2018 growing season."

Representatives J. Walsh and Blake spoke in favor of the adoption of the amendment (336) to the striking amendment (330).

Amendment (336) to the striking amendment (330) was adopted.

Representative Maycumber moved the adoption of amendment (377) to the striking amendment (330):

On page 133, line 16, increase the general fund--state appropriation for fiscal year 2018 by \$1,036,000

On page 133, line 17, increase the general fund--state appropriation for fiscal year 2019 by \$1,037,000

On page 133, line 18, increase the general fund--federal appropriation by \$1,382,000

On page 134, line 6, correct the total.

On page 134, line 14, after "(2)" strike "\$580,000" and insert "\$1,616,000"

On page 134, line 15, after "2018 and" strike "\$580,000" and insert "\$1,617,000"

On page 305, beginning on line 22, strike all of section 967

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

On page 305, beginning on line 37, strike all of section 968

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

Correct the title.

Representatives Maycumber and Manweller spoke in favor of the adoption of the amendment (377) to the striking amendment (330).

Representative Tharinger spoke against the adoption of the amendment (377) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (377) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 48; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Hansen, Hudgins, Jinkins,

Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Goodman and Morris.

Amendment (377) to the striking amendment (330) was not adopted.

Representative Buys moved the adoption of amendment (349) to the striking amendment (330):

On page 134, line 35, strike "\$400,000" and insert "\$300,000"

On page 134, line 36, strike "\$400,000" and insert "\$300,000"

On page 134, beginning on line 39, after "engineers" strike all material through "groups." on page 135, line 5 and insert "for activities and projects not within Whatcom county"

On page 137, after line 10, insert the following:

"(14) \$100,000 of the general fund--state appropriation for fiscal year 2018

and \$100,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for the department to provide to the south Lynden watershed improvement district to assist the portage bay partnership for activities related to water quality improvements and fecal coliform DNA speciation in Whatcom county."

Representative Buys spoke in favor of the adoption of the amendment (349) to the striking amendment (330).

Representative Tharinger spoke against the adoption of the amendment (349) to the striking amendment (330).

Amendment (349) to the striking amendment (330) was not adopted.

There being no objection, the House adjourned until 8:00 a.m., March 31, 2017, the 82nd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

HOUSE JOURNAL
OF THE
SIXTY-FIFTH LEGISLATURE
OF THE
STATE OF WASHINGTON
AT
OLYMPIA, THE STATE CAPITOL

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Adjourned Sine Die April 23, 2017
2017 First Special Session
Convened April 24, 2017
Adjourned Sine Die May 23, 2017
2017 Second Special Session
Convened May 23, 2017
Adjourned June 21, 2017
2017 Third Special Session
Convened June 21, 2017
Adjourned July 20, 2017

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Frank Chopp, Speaker
Tina Orwall, Speaker Pro Tempore
Bernard Dean, Chief Clerk

Compiled and edited by Maureen Mueller, Journal Clerk

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SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTY SECOND DAY

House Chamber, Olympia, Friday, March 31, 2017

The House was called to order at 8:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ella Nixon and Tyler King. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Amy Elizabeth Hessel, The Lutheran Church of the Good Shepherd, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2193 by Representatives Orcutt, Harmsworth, Shea, Irwin, Pike, Young, Van Werven, Koster, Muri and Schmick

AN ACT Relating to requiring the beneficiaries of the Alaskan Way viaduct project to pay for cost overruns from the project; amending RCW 46.68.090, 46.68.126, 66.08.190, 66.24.065, 69.50.540, 82.08.160, 82.14.320, 82.14.330, 82.14.410, 84.52.043, and 84.52.043; reenacting and amending RCW 84.52.010 and 84.52.010; adding a new section to chapter 82.14 RCW; adding a new section to chapter 84.52 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2194 by Representatives Maycumber, Peterson, Dye, McBride, Fey, Smith, Fitzgibbon, Orcutt, Riccelli, Caldier, Schmick, Rodne, Taylor, Manweller, Shea, Kretz, Haler, Gregerson, Chapman, Stanford, Stambaugh, Koster and J. Walsh

AN ACT Relating to use of out-of-state materials for public works projects; and amending RCW 39.04.050.

Referred to Committee on Capital Budget.

HB 2195 by Representatives Koster, Maycumber, Haler, Taylor, MacEwen, Volz, Smith, Holy, Hargrove, Shea, Kretz, Schmick, Barkis, Young, Van Werven, Steele and Buys

AN ACT Relating to requiring reevaluation of property in response to water rulings; adding a new section to chapter 84.40 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 29, 2017

HB 1147 Prime Sponsor, Representative Clibborn: Making transportation appropriations for the 2017-2019 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

There being no objection, HOUSE BILL NO. 1147 was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

The House resumed consideration of. ENGROSSED SUBSTITUTE SENATE BILL NO. 5048 on second reading.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5048, by Senate Committee on Ways & Means (originally sponsored by Senators Braun and Ranker)

Making 2017-2019 fiscal biennium operating appropriations. Revised for 1st Substitute: Making operating appropriations for the 2015-2017 and 2017-2019 fiscal biennia.

The bill was read the second time.

With the consent of the House, amendments (368) and (345) were withdrawn.

Representative Ormsby moved the adoption of amendment (330):

0.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2017, and ending June 30, 2019, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) "Fiscal year 2018" or "FY 2018" means the fiscal year ending June 30, 2018.

(b) "Fiscal year 2019" or "FY 2019" means the fiscal year ending June 30, 2019.

(c) "FTE" means full time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

PART I

GENERAL GOVERNMENT

NEW SECTION. Sec. 101. FOR THE HOUSE OF REPRESENTATIVES

General Fund-State Appropriation (FY 2018) \$36,796,000

General Fund-State Appropriation (FY 2019) \$37,210,000

Motor	Vehicle	Account-State
Appropriation \$1,999,000		

TOTAL APPROPRIATION \$76,005,000

The appropriation in this section is subject to the following conditions and limitations: The speaker shall designate one member from each of the major caucuses in the house of representatives as a work group to facilitate public discussions throughout the state regarding Washington's tax structure. As part of this effort, the work group may hold up to seven public meetings in geographically dispersed areas of the state throughout the 2017-2019 fiscal biennium. These discussions may include but are not limited to the advantages and disadvantages of the state's current tax structure and potential options to improve the current structure for the benefit of individuals, families, and businesses in Washington state. The work group is staffed by the office of program research. The work group may report to the house of representatives finance committee and other house of representatives committees upon request of the committee chair.

NEW SECTION. Sec. 102. FOR THE SENATE

General Fund-State Appropriation (FY 2018) \$26,219,000

General Fund-State Appropriation (FY 2019) \$27,523,000

Motor	Vehicle	Account-State
Appropriation \$1,797,000		

TOTAL APPROPRIATION \$55,539,000

NEW SECTION. Sec. 103. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

General Fund-State Appropriation (FY 2018) \$119,000

General Fund-State Appropriation (FY 2019) \$119,000

Performance Audits of Government-State Appropriation \$7,651,000

TOTAL APPROPRIATION \$7,889,000

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

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due

dates for projects included on the committee's 2017-2019 work plan as necessary to efficiently manage workload.

(2) The committee shall complete its analysis of fire suppression funding and costs for the department of natural resources and the state fire marshal. A report on the results of the analysis with any findings and recommendations shall be submitted to the appropriate committees of the legislature by December 2017.

(3) \$60,000 of the general fund-state appropriation for fiscal year 2018 and \$96,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of Engrossed Substitute House Bill No. 1594 (public records administration). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 104. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Performance Audits of Government--State Appropriation \$4,318,000

NEW SECTION. Sec. 105. FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE

General Fund--State Appropriation (FY 2018) \$10,647,000

General Fund--State Appropriation (FY 2019) \$11,588,000

TOTAL APPROPRIATION \$22,235,000

NEW SECTION. Sec. 106. FOR THE OFFICE OF THE STATE ACTUARY

General Fund--State Appropriation (FY 2018) \$298,000

General Fund--State Appropriation (FY 2019) \$298,000

State Health Care Authority
Administrative Account--State

Appropriation \$398,000

Department of Retirement Systems
Expense

Account--State Appropriation
\$4,967,000

TOTAL APPROPRIATION \$5,961,000

NEW SECTION. Sec. 107. FOR THE STATUTE LAW COMMITTEE

General Fund--State Appropriation (FY 2018) \$4,844,000

General Fund--State Appropriation (FY 2019) \$5,223,000

TOTAL APPROPRIATION \$10,067,000

NEW SECTION. Sec. 108. FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES

General Fund--State Appropriation (FY 2018) \$3,964,000

General Fund--State Appropriation (FY 2019) \$4,289,000

TOTAL APPROPRIATION \$8,253,000

NEW SECTION. Sec. 109. LEGISLATIVE AGENCIES

In order to achieve operating efficiencies within the financial resources available to the legislative branch, the executive rules committee of the house of representatives and the facilities and operations committee of the senate by joint action may transfer funds among the house of representatives, senate, joint legislative audit and review committee, legislative evaluation and accountability program committee, joint transportation committee, office of the state actuary, joint legislative systems committee, statute law committee, and office of legislative support services.

NEW SECTION. Sec. 110. FOR THE SUPREME COURT

General Fund--State Appropriation (FY 2018) \$8,014,000

General Fund--State Appropriation (FY 2019) \$8,103,000

TOTAL APPROPRIATION \$16,117,000

NEW SECTION. Sec. 111. FOR THE LAW LIBRARY

General Fund--State Appropriation (FY 2018) \$1,654,000

General Fund--State Appropriation (FY 2019) \$1,646,000

TOTAL APPROPRIATION \$3,300,000

NEW SECTION. Sec. 112. FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund--State Appropriation (FY 2018) \$1,348,000

General Fund--State Appropriation (FY 2019) \$1,214,000

TOTAL APPROPRIATION \$2,562,000

NEW SECTION. Sec. 113. FOR THE COURT OF APPEALS

General Fund-State Appropriation (FY 2018) \$18,135,000

General Fund-State Appropriation (FY 2019) \$18,421,000

TOTAL APPROPRIATION \$36,556,000

NEW SECTION. Sec. 114. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund-State Appropriation (FY 2018) \$61,080,000

General Fund-State Appropriation (FY 2019) \$58,931,000

General Fund-Federal Appropriation \$2,163,000

General Fund-Private/Local Appropriation \$669,000

Judicial Information Systems Account-State

Appropriation \$58,480,000

Judicial Stabilization Trust Account-State

Appropriation \$6,691,000

TOTAL APPROPRIATION \$188,014,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this subsection and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) \$1,399,000 of the general fund-state appropriation for fiscal year 2018 and \$1,399,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

(3) (a) \$7,313,000 of the general fund-state appropriation for fiscal year 2018 and \$7,313,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula shall neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2017-2019 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

(4) \$12,000,000 of the judicial information systems account-state appropriation is provided solely for the superior court case management system.

(5) \$4,339,000 of the judicial information systems account-state appropriation is provided solely for the information network hub project.

(6) \$2,300,000 of the general fund-state appropriation for fiscal year 2018 and \$11,183,000 of the judicial information systems account-state appropriation are provided solely for other judicial branch information technology projects, including:

(a) The superior court case management system;

(b) The courts of limited jurisdiction case management system;

(c) Equipment replacement; and

(d) Support staff for information technology projects.

Expenditures from the judicial information systems account shall not

exceed available resources. The office must coordinate with the steering committee for the superior court case management system and the steering committee for the courts of limited jurisdiction case management system to prioritize expenditures for judicial branch information technology projects. The office of the chief information officer must review vendor contracts prior to final selection.

(7) \$406,000 of the general fund-state appropriation for fiscal year 2018 and \$405,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the statewide fiscal impact on Thurston county courts. The administrative office of the courts must collaborate with Thurston county to create a new fee formula that accurately represents the state's impact on Thurston county courts.

(8) \$53,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1163 (domestic violence). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(9) \$939,000 of the general fund-state appropriation for fiscal year 2018 and \$308,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1783 (legal financial obligations). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$61,000 of the general fund-state appropriation for fiscal year 2018 and \$58,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1402 (incapacitated persons/rights). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(11) \$1,170,000 of the general fund-state appropriation for fiscal year 2018 and \$1,170,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for interpreter services.

(12) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for additional court-appointed special advocates in dependency

matters. The administrator for the courts, after consulting with the association of juvenile court administrators and the association of court-appointed special advocate/guardian ad litem programs, shall distribute the funds to volunteer court-appointed special advocate/guardian ad litem programs. The distribution of funding shall be based on the number of children who need volunteer court-appointed special advocate representation and shall be equally accessible to all volunteer court-appointed special advocate/guardian ad litem programs. The administrator for the courts may not retain more than six percent of total funding to cover administrative or any other agency costs. Funding distributed in this subsection shall not be used to supplant existing state or local funding for the court-appointed special advocates program.

NEW SECTION. Sec. 115. FOR THE OFFICE OF PUBLIC DEFENSE

General Fund-State Appropriation (FY 2018) \$42,951,000

General Fund-State Appropriation (FY 2019) \$43,139,000

Judicial Stabilization Trust Account-State

Appropriation \$3,689,000

TOTAL APPROPRIATION \$89,779,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The amounts provided include funding for expert and investigative services in death penalty personal restraint petitions.

(2) \$1,101,000 of the general fund-state appropriation for fiscal year 2018 and \$1,101,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for parents representation program costs related to increased parental rights termination filings from the department of social and health services permanency initiative.

(3) \$900,000 of the general fund-state appropriation for fiscal year 2018 and \$900,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the purpose of improving the quality of trial court public defense services. The department must allocate these amounts so that \$450,000 per fiscal year is distributed to

counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(4) \$3,114,000 of the general fund-state appropriation for fiscal year 2018 and \$3,364,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office to complete the expansion of the parents representation program in the following counties: Adams, Douglas, Island, Lewis, Lincoln, Okanogan, San Juan, Walla Walla, and the remainder of Pierce.

(5) \$490,000 of the general fund-state appropriation for fiscal year 2018 and \$490,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the parents for parents program. Funds must be used to expand services in four new sites, and maintain and improve service models for the current programs in Grays Harbor/Pacific, King, Kitsap, Pierce, Snohomish, Spokane, and Thurston/Mason counties.

NEW SECTION. Sec. 116. FOR THE OFFICE OF CIVIL LEGAL AID

General Fund-State Appropriation (FY 2018) \$15,860,000

General Fund-State Appropriation (FY 2019) \$19,335,000

Judicial Stabilization Trust Account-State

Appropriation \$1,463,000

TOTAL APPROPRIATION \$36,658,000

The appropriations in this section are subject to the following conditions and limitations:

(1) An amount not to exceed \$40,000 of the general fund-state appropriation for fiscal year 2018 and an amount not to exceed \$40,000 of the general fund-state appropriation for fiscal year 2019 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are sixty years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(2) \$648,000 of the general fund-state appropriation for fiscal year 2018 and \$648,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office to provide legal representation for foster children in Grant and Lewis counties at the initial shelter care hearing in dependency

proceedings prior to termination of parental rights.

(3)(a) \$75,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the office to contract with the Washington state center for court research for a statistically reliable assessment of differential outcomes in dependency proceedings prior to termination of parental rights. The assessment must compare foster children in Grant and Lewis counties, for whom attorneys will be appointed at the initial shelter care hearing; and foster children in Douglas and Whatcom counties, where attorneys are not generally appointed for foster children. The assessment must include impacts on the following:

(i) The time to achieve permanency; and

(ii) Educational, social and other relevant child welfare indicators. The assessment must also identify and project cost savings to the state, if any, as a result of providing legal representation for children at the shelter care hearing.

(b) The office of the superintendent of public instruction and the children's administration or a successor agency, shall provide, in compliance with the federal family education rights and privacy act, the center with necessary data including necessary personal identifiers. The office of the superintendent of public instruction shall consult with the center to ensure the validity of data elements and the interpretation of results. The Washington state center for court research shall report its findings to the legislature by December 31, 2019. The report may not include personal identifiers, or any personally identifiable information, as defined in the federal family educational rights and privacy act.

(4) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for web-based fillable forms and self-help legal products to assist the public with civil legal issues.

(5) \$1,200,000 of the general fund-state appropriation for fiscal year 2018 and \$4,075,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office to partially implement the civil legal aid reinvestment plan.

NEW SECTION. Sec. 117. FOR THE OFFICE OF THE GOVERNOR

General Fund-State Appropriation (FY 2018) \$6,299,000

General Fund-State Appropriation (FY 2019) \$5,545,000

Economic Development Strategic Reserve Account-State

Appropriation \$4,000,000

TOTAL APPROPRIATION \$15,844,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,000,000 of the economic development strategic reserve account appropriation is provided solely for efforts to assist with industrial recruitment efforts that will bring new jobs to the state or will retain headquarter locations of major companies currently housed in the state.

(2) \$703,000 of the general fund-state appropriation for fiscal year 2018 and \$703,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the education ombuds.

(3) \$730,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families/department). The amount of state and federal funding to be transferred from the department of social and health services to the department of children, youth, and families for the working connections child care services, administration, and staff must be included in the report required by the bill on how to incorporate the staff responsible for determining eligibility for the working connections child care program into the department of children, youth, and families. If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 118. FOR THE LIEUTENANT GOVERNOR

General Fund-State Appropriation (FY 2018) \$814,000

General Fund-State Appropriation (FY 2019) \$825,000

General Fund-Private/Local Appropriation \$90,000

TOTAL APPROPRIATION \$1,729,000

NEW SECTION. Sec. 119. FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund-State Appropriation (FY 2018) \$2,730,000

General Fund-State Appropriation (FY 2019) \$2,715,000

TOTAL APPROPRIATION \$5,445,000

NEW SECTION. Sec. 120. FOR THE SECRETARY OF STATE

General Fund-State Appropriation (FY 2018) \$14,177,000

General Fund-State Appropriation (FY 2019) \$12,350,000

General Fund-Federal Appropriation \$7,685,000

Public Records Efficiency, Preservation, and Access

Account-State Appropriation \$9,056,000

Charitable Organization Education Account-State

Appropriation \$673,000

Local Government Archives Account-State

Appropriation \$10,392,000

Election Account-Federal Appropriation \$4,387,000

Washington State Heritage Center Account-State

Appropriation \$10,092,000

TOTAL APPROPRIATION \$68,812,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,301,000 of the general fund-state appropriation for fiscal year 2018 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2) (a) \$2,982,000 of the general fund-state appropriation for fiscal year 2018 and \$3,061,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state

government deliberations and other events of statewide significance during the 2017-2019 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$10,000 of the general fund-state appropriation for fiscal year 2018, \$15,000 of the general fund-state appropriation for fiscal year 2019, \$4,000 of the public records efficiency, preservation and access account, and

\$2,253,000 of the local government archives account appropriation are provided solely for the implementation of Engrossed Substitute House Bill No. 1594 (public records administration). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(5) \$52,000 of the general fund-state appropriation for fiscal year 2018 and \$48,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the humanities Washington speakers bureau.

NEW SECTION. Sec. 121. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund-State Appropriation (FY 2018) \$304,000

General Fund-State Appropriation (FY 2019) \$283,000

TOTAL APPROPRIATION \$587,000

The appropriations in this section are subject to the following conditions and limitations: The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

NEW SECTION. Sec. 122. FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund-State Appropriation (FY 2018) \$356,000

General Fund-State Appropriation (FY 2019) \$265,000

TOTAL APPROPRIATION \$621,000

NEW SECTION. Sec. 123. FOR THE STATE TREASURER

State Treasurer's Service Account-State

Appropriation \$18,350,000

NEW SECTION. Sec. 124. FOR THE STATE AUDITOR

General Fund—State Appropriation (FY 2018) \$28,000

General Fund—State Appropriation (FY 2019) \$32,000

State Auditing Services Revolving Account—State

Appropriation \$9,875,000

Performance Audit of Government Account—State

Appropriation \$1,538,000

TOTAL APPROPRIATION \$11,473,000

NEW SECTION. Sec. 125. FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund—State Appropriation (FY 2018) \$196,000

General Fund—State Appropriation (FY 2019) \$193,000

TOTAL APPROPRIATION \$389,000

NEW SECTION. Sec. 126. FOR THE ATTORNEY GENERAL

General Fund—State Appropriation (FY 2018) \$8,314,000

General Fund—State Appropriation (FY 2019) \$13,324,000

General Fund—Federal Appropriation \$6,969,000

New Motor Vehicle Arbitration Account—State

Appropriation \$1,121,000

Legal Services Revolving Account—State

Appropriation \$240,107,000

Tobacco Prevention and Control Account—State

Appropriation \$273,000

Medicaid Fraud Penalty Account—State Appropriation \$3,240,000

Public Service Revolving Account—State

Appropriation \$4,068,000

Child Rescue Fund—State Appropriation \$554,000

Local Government Archives Account—State Appropriation \$678,000

Sexual Assault Prevention and Response Account—State

Appropriation \$462,000

TOTAL APPROPRIATION \$279,110,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of financial management and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) \$4,068,000 of the public service revolving account—state appropriation is provided solely for the work of the public counsel section of the office of the attorney general.

(5) \$353,000 of the general fund—state appropriation for fiscal year 2018 and \$353,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant to the Washington coalition of crime victim advocates to provide training, certification, and technical assistance for crime victim service center advocates.

(6) \$44,000 of the legal services revolving account—state appropriation is

provided solely for implementation of Engrossed House Bill No. 1506 (workplaces/gender pay equity). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(7) \$92,000 of the general fund-state appropriation for fiscal year 2018 and \$92,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1055 (military members/pro bono). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) \$49,000 of the legal services revolving account-state appropriation is provided solely for implementation of Second Substitute House Bill No. 1402 (incapacitated persons/rights). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(9) \$169,000 of the general fund-state appropriation for fiscal year 2018 and \$158,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1796 (pregnancy accommodations). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$133,000 of the legal services revolving account-state appropriation is provided solely for implementation of House Bill No. 1128 (civil arbitration). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(11) \$22,000 of the legal services revolving account-state appropriation is provided solely for implementation of Substitute House Bill No. 1258 (first responders/disability). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(12) \$78,000 of the general fund-state appropriation for fiscal year 2018 and \$62,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1298 (job applicants/arrests, etc.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$35,000 of the legal services revolving account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1714

(nursing staffing/hospitals). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(14) \$49,000 of the legal services revolving account-state appropriation and \$678,000 of the local government archives account-state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1594 (public records administration). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(15) \$462,000 of the sexual assault prevention and response account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(16) \$16,000 of the general fund-state appropriation for fiscal year 2018, \$88,000 of the general fund-state appropriation for fiscal year 2019, and \$32,000 of the legal services revolving account-state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1440 (student loan assistance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(17) \$397,000 of the public service revolving account-state appropriation is provided solely for implementation of House Bill No. 1233 (distributed energy). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 127. FOR THE CASELOAD FORECAST COUNCIL

General Fund-State Appropriation (FY 2018) \$1,674,000

General Fund-State Appropriation (FY 2019) \$1,653,000

TOTAL APPROPRIATION \$3,327,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund-state appropriation for fiscal year 2018 and \$76,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement Engrossed House Bill No. 2008 (state services for children). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(2) In addition to caseload forecasts for common schools as defined in RCW 43.88C.010(7), during the 2017-2019 fiscal biennium the council must provide a separate forecast of enrollment for charter schools authorized by chapter 28A.710 RCW.

NEW SECTION. Sec. 128. FOR THE DEPARTMENT OF COMMERCE

General Fund-State Appropriation (FY 2018) \$73,585,000

General Fund-State Appropriation (FY 2019) \$76,481,000

General Fund-Federal Appropriation \$295,336,000

General Fund-Private/Local Appropriation \$8,628,000

Public Works Assistance Account-State

Appropriation \$7,714,000

Drinking Water Assistance Administrative

Account-State Appropriation \$502,000

Lead Paint Account-State Appropriation \$600,000

Building Code Council Account-State Appropriation \$15,000

Home Security Fund Account-State Appropriation \$46,819,000

Affordable Housing for All Account-State

Appropriation \$13,859,000

Financial Fraud and Identity Theft Crimes

Investigation and Prosecution Account-State

Appropriation \$1,974,000

Low-Income Weatherization and Structural

Rehabilitation Assistance Account-State

Appropriation \$1,398,000

Community and Economic Development Fee Account-State

Appropriation \$4,591,000

Washington Housing Trust Account-State

Appropriation \$12,497,000

Prostitution Prevention and Intervention Account-

State Appropriation \$26,000

Public Facility Construction Loan Revolving

Account-State Appropriation \$810,000

Drinking Water Assistance Account-State Appropriation \$20,000

Liquor Revolving Account-State Appropriation \$5,609,000

Energy Freedom Account-State Appropriation \$6,000

Liquor Excise Tax Account-State Appropriation \$643,000

Economic Development Strategic Reserve Account-State

Appropriation \$8,000

Sexual Assault Prevention and Response Account-State

Appropriation \$78,000

TOTAL APPROPRIATION \$551,199,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(2) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a grant to resolution Washington to building statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(3) \$306,000 of the general fund-state appropriation for fiscal year 2018 and \$306,000 of the general fund-state appropriation for fiscal year 2019 are

provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(5) \$375,000 of the general fund-state appropriation for fiscal year 2018 and \$375,000 of the general fund-state appropriation for fiscal year 2019 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(6) \$2,801,000 of the general fund-state appropriation for fiscal year 2018 and \$2,801,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for associate development organizations. During the 2017-2019 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086.

(7) \$5,607,000 of the liquor revolving account-state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(8) \$5,000,000 of the home security account-state appropriation is provided solely for the department of commerce to provide emergency assistance to homeless families in the temporary assistance for needy families program.

(9) \$1,145,000 of the general fund-state appropriation for fiscal year 2018 and \$1,145,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. For each dollar expended the department must receive a one hundred percent match. The match may be provided by the department through nongeneral fund sources, or any partnering governments or

organizations. Sector leads established by the department must include the industries of: (a) Tourism; (b) agriculture, wood products, and other natural resource industries; and (c) clean technology and renewable and nonrenewable energy. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead.

(10) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(11) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(12) \$175,000 of the general fund-state appropriation for fiscal year 2018 and \$175,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the expansion of the current long-term care ombuds program to meet the immediate needs of individuals by advocating on behalf of and protecting residents of long-term care facilities from abuse, neglect, and exploitation.

(13) Within existing resources, the department of commerce shall consult with key crime victim services stakeholders to inform decisions about the funding distribution for federal fiscal years 2017-2019 victims of crime act victim assistance funding. These stakeholders must include, at a minimum, children's advocacy centers of Washington, Washington association of prosecuting attorneys, Washington association of sheriffs and police chiefs, Washington coalition against domestic violence, Washington coalition of sexual assault programs, Washington coalition of crime victim advocates, at least one representative from a child health coalition, and other organizations as determined by the department. Funding distribution considerations shall include, but are not limited to, geographic distribution of services, underserved populations, age of victims, best practices, and the unique needs of individuals, families, youth, and children who are victims of crime.

(14) \$643,000 of the liquor excise tax account-state appropriation is provided

solely for the department of commerce to provide fiscal note assistance to local governments.

(15) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the northwest agriculture business center.

(16) \$1,574,000 of the home security fund-state appropriation is provided solely for the consolidated homeless grant for youth specific programs and services.

(17) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the regulatory roadmap program for the construction industry.

(18) \$802,000 of the general fund-state appropriation for fiscal year 2018 and \$898,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1169 (student loan assistance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(19)(a) \$75,000 of the general fund-state appropriation for fiscal year 2018 and \$75,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with a consultant to study the current and ongoing impacts of the international airport in the state that has the highest total annual number of arrivals and departures. The department must coordinate with local governments to collect and manage nongeneral fund state contributions for the study.

(b) The study must prioritize the completion of an analysis of the impacts of noise and vibration as a result of the airport in the surrounding municipalities within twenty miles of the airport. The study must also include, but not be limited to, the impacts that current airport operations and expansions have on public health, transportation, parking, public safety, property values, and economic development, in the surrounding municipalities within twenty miles of the airport.

(c) The department must coordinate with the department of health and the University of Washington to analyze the results of the university's study of the air quality implications of air traffic.

To the extent sufficient data is available, the department must coordinate an analysis of the following:

(i) Rates of exposure to ultrafine particulate matter from air traffic in disproportionately impacted communities;

(ii) Options to mitigate public health impacts of ultrafine particulate matter from air traffic; and

(iii) Risks posed by ultrafine particulate matter from air traffic in absolute terms and relative to other air pollutant risks.

(20) \$1,000,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington new Americans program.

(21) \$94,000 of the general fund-state appropriation for fiscal year 2018 and \$253,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1402 (incapacitated persons/rights). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(22) \$60,000 of the general fund-state appropriation for fiscal year 2018 is provided solely as a grant to the Hoh Indian Tribe for critical infrastructure, including a backup electrical power generator to address recurrent power outages in the community.

(23) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for capacity-building grants through the Latino community fund to promote and improve education, economic empowerment, arts and culture, civic engagement, health, and environmental justice for Latino communities in Washington state.

(24) \$643,000 of the general fund-state appropriation for fiscal year 2018 and \$643,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(25)(a) \$200,000 of the general fund-state appropriation for fiscal year 2018 and \$175,000 of the general fund-state

appropriation for fiscal year 2019 are provided solely for the department to administer a safe streets pilot project to foster community engagement through neighborhood organizing, law enforcement-community partnerships, neighborhood watch programs, youth mobilization, and business engagement. The pilot project must include two grant awards, one to an eligible applicant west of the crest of the Cascade mountains and one to an eligible applicant east of the crest of the Cascade mountains. The department must select grant recipients and distribute funding by November 1, 2017.

(b) An eligible applicant:

(i) Is a public agency or nongovernmental organization, and is not a law enforcement agency;

(ii) Has prior experience with safe streets initiatives or police-community engagement; and

(iii) Has established or is willing to establish a coordinated effort with committed partners, which must include law enforcement.

(c) The grant recipient must:

(i) Lead and facilitate neighborhood organizing initiatives;

(ii) Build substantive law enforcement-community partnerships;

(iii) Educate residents on and, when appropriate, foster neighborhood watch programs aimed at providing timely and detailed information to law enforcement so they can respond quickly, and creating positive connections among neighbors and law enforcement through community engagement;

(iv) Mobilize youth in the community, especially high school and middle school age youth, by: Helping them develop knowledge and skills to serve as leaders in their communities; focusing on prevention of violence and substance abuse; and empowering youth to directly affect change through bringing youth voices to the table;

(v) Engage businesses to help prevent crimes, such as vandalism and burglaries, through safety training and other prevention initiatives;

(vi) Identify and maintain consistent, experienced, and committed leadership for managing the grant, including an administrator who acts as an available point of contact with the department; and

(vii) Collect and report data and information required by the department.

(d) The department must require grant recipients to report information to the department on the outcomes of the safe streets pilot project. The Washington state institute for public policy, in consultation with the department, must develop options for reporting guidelines. The reporting guidelines should be reliable and valid indicators of improved criminal justice-related outcomes, which may include, but are not limited to, crime rates, community engagement with law enforcement, and community perceptions of law enforcement. The department must use the reporting guidelines developed by the Washington state institute for public policy. The department must submit a preliminary report to the legislature with details on the selected grant recipient and the reporting guidelines by January 1, 2018. The department must submit a final report on the safe streets pilot project, including an analysis of the reported data required under this subsection, by December 1, 2019.

(26) \$78,000 of the sexual assault prevention and response account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(27) \$500,000 of the general fund-state appropriation for fiscal year 2018, \$500,000 of the general fund-state appropriation for fiscal year 2019, \$1,000,000 of the home security fund-state appropriation, \$2,000,000 of the Washington housing trust account-state appropriation, and \$1,000,000 of the affordable housing for all account-state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(28) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with economic development organizations for the purpose of assisting these organizations in obtaining economic gardening certifications or economic gardening assistance.

(29) \$3,500,000 of the home security fund-state appropriation for fiscal year

2018 and \$3,500,000 of the home security fund—state appropriation for fiscal year 2019 are provided solely for consolidated homeless grants that prioritize service or assistance for unsheltered homeless families, chronically homeless families, or chronically homeless adults.

(30) \$1,500,000 of the general fund—state appropriation for fiscal year 2018, \$1,500,000 of the general fund—state appropriation for fiscal year 2019, and \$1,000,000 of the home security fund—state appropriation are provided solely for the office of homeless youth prevention and protection programs to:

(a) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(b) Support the development of an integrated services model, increase performance outcomes, and ensure providers have the necessary skills and expertise to effectively operate youth programs.

(31) \$140,000 of the general fund—state appropriation for fiscal year 2018 and \$140,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to create a behavioral health supportive housing administrator within the department to coordinate development of effective behavioral health housing options and services statewide to aide in the discharge of individuals from the state psychiatric hospitals. This position must work closely with the health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building infrastructure capacity with ongoing supportive housing benefits, and must also develop and maintain a statewide inventory of mental health community beds by bed type.

(32) \$210,000 of the general fund—state appropriation for fiscal year 2018 and \$210,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to contract for services to provide shelter beds for young adults aged eighteen through twenty-four.

(33) \$1,000,000 of the home security fund—state appropriation for fiscal year 2018 and \$1,000,000 of the home security fund—state appropriation for fiscal year 2019 are provided solely to administer the grant program required in chapter 43.185C

RCW, linking homeless students and their families with stable housing.

(34) \$1,440,000 of the general fund—state appropriation for fiscal year 2018 and \$4,320,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for 300 community beds for individuals with a history of mental illness. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (a) shared permanent supportive housing; (b) independent permanent supportive housing; and (c) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.

The department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case-management and care coordination services must be provided.

Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.

(35) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a report and analysis that models the pathways for the electricity system in Washington state and the Pacific northwest to cost-effectively meet system needs, enhance strategies to integrate variable resources, and lower risk of fuel volatility to customers while maintaining system reliability and resilience. The department must coordinate with other energy-focused organizations and actively seek additional funding for the report from public and private partners.

(36) \$75,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the department to convene and support a work group to identify barriers to, and incentives for, development of low-rent, private sector housing commensurate with demand. The work

group must incorporate the progress of the governor's work group convened within the affordable housing advisory board to examine the barriers to housing availability and recommendations for how such barriers can be removed at the local, state and federal levels, including how zoning, planning, permitting, development, financing, and construction processes can be improved to increase housing opportunities. The work group must include members with expertise in building codes, construction, real estate development, local government permitting, the growth management act, cities, counties, low-income housing and other areas of expertise the department determines appropriate.

As part of this process, the department must facilitate one or more demonstration projects to aid in identifying and overcoming barriers to, and utilizing incentives for, private sector, low rent housing.

The work group shall report its findings on barrier identification, recommendations for overcoming barriers and creating incentives, and lessons learned from demonstration projects to the legislature by September 1, 2018.

(37) \$82,000 of the general fund-state appropriation for fiscal year 2018 and \$78,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1022 (crime victim participation). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 129. FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund-State Appropriation (FY 2018) \$828,000

General Fund-State Appropriation (FY 2019) \$883,000

Lottery Administrative Account-State Appropriation \$50,000

TOTAL APPROPRIATION \$1,761,000

NEW SECTION. Sec. 130. FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund-State Appropriation (FY 2018) \$22,900,000

General Fund-State Appropriation (FY 2019) \$21,795,000

General Fund-Federal Appropriation \$39,531,000

General Fund-Private/Local
Appropriation \$501,000

Economic Development Strategic Reserve
Account-State
Appropriation \$313,000

Personnel Service Fund-State
Appropriation \$8,622,000

Higher Education Personnel Services
Account-State
Appropriation \$1,497,000

Performance Audits of Government
Account-State
Appropriation \$594,000

Statewide Information Technology System
Development
Revolving Account-State
Appropriation \$6,503,000

Education Legacy Trust
Account-State Appropriation
\$2,000,000

TOTAL APPROPRIATION \$104,256,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section represent a transfer of expenditure authority of \$4,000,000 of the general fund-federal appropriation from the health care authority to the office of financial management to implement chapter 246, Laws of 2015 (all-payer health care claims database).

(2)(a) The student achievement council and all institutions of higher education eligible to participate in the state need grant shall ensure that data needed to analyze and evaluate the effectiveness of the state need grant program are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

(i) The number of state need grant recipients;

(ii) The number of students on the unserved waiting list of the state need grant;

(iii) Persistence and completion rates of state need grant recipients and students on the state need grant unserved waiting list, disaggregated by institutions of higher education;

(iv) State need grant recipients and students on state need grant unserved waiting list grade point averages; and

(v) State need grant program costs.

(b) The student achievement council shall submit student unit record data for the state need grant program applicants and recipients to the education data center.

(3) \$2,000,000 of the education legacy trust account—state appropriation is provided solely for the office of financial management to contract with a statewide nonprofit organization with expertise in promoting and supporting STEM education from early learning through postsecondary education for the computer science and education grant program. The computer science and education grant program is to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants, to introduce students to and engage them in computer science. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. Grant funds for the computer science and education grant program may be expended only to the extent that they are equally matched by private or other nonstate sources for the program, including gifts, grants, or endowments.

(4) \$149,000 of the general fund—state appropriation for fiscal year 2018 and \$144,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement Substitute House Bill No. 1741 (educator preparation data/PESB). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(5) \$350,000 of the general fund—state appropriation for fiscal year 2018 and \$50,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement Second Substitute House Bill No. 1789 (sentencing laws & practices). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement Second Substitute House Bill No. 1541 (prescription drug cost transparency). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(7) \$84,000 of the general fund—state appropriation for fiscal year 2018 and \$75,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement Second Substitute House Bill No. 1120 (regulatory fairness act). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) The office of financial management must perform a legal and policy review of whether the lead organization of the statewide health claims database established in chapter 43.371 RCW may collect certain data from drug manufacturers and use this data to bring greater public transparency to prescription drug prices. Specifically, the review must analyze whether the organization may collect and use manufacturer's pricing data on high-cost new and existing prescription drugs, including itemized production and sales data and Canadian pricing. The office of financial management must report by December 15, 2017, to the health care committees of the legislature the results of the study and any necessary legislation to authorize the collection of pricing data and to produce public analysis and reports that help promote prescription drug transparency.

(9) \$500,000 of the general fund—state appropriation for fiscal year 2018, \$131,000 of the general fund—state appropriation for fiscal year 2019, and \$139,000 of the personnel service account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). The cost allocation contract must include a determination of the amount of administrative funding to be transferred between appropriations in sections 222(1) and 222(2) to section 222(3) for the new department of children, youth, and families. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) The office must review the accuracy of revenue estimates in the outlooks adopted by the economic and revenue forecast council in November of even-numbered years. The office must compare: The November 2012 outlook revenue estimate for the 2015-2017 fiscal biennium to actual 2015-2017 fiscal biennium revenues; the November 2014 outlook revenue estimate for the 2017-2019 fiscal biennium to the November 2018 forecast for 2017-2019 fiscal biennium revenues; and the November 2016 outlook revenue estimate for the 2019-2021 fiscal biennium to the November 2018 forecast for 2019-2021 fiscal biennium revenues. These comparisons must separately categorize economic changes and changes resulting from enacted legislation. The office must provide a report on its comparison to the appropriate fiscal committees of the legislature and the economic and revenue forecast committee. The office must provide the comparison for the 2012 outlook by December 1, 2017, and for the 2014 and 2016 outlooks by December 1, 2018.

NEW SECTION. Sec. 131. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving
Account-State

Appropriation \$37,603,000

NEW SECTION. Sec. 132. FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account-
State

Appropriation \$27,715,000

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

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violates state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce by \$6,000,000 each fiscal year the total amount of compensation paid to licensed lottery sales agents. It is anticipated that the result of this action will reduce retail commissions to an average of 5.1 percent of sales.

NEW SECTION. Sec. 133. FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund-State Appropriation (FY 2018) \$361,000

General Fund-State Appropriation (FY 2019) \$270,000

TOTAL APPROPRIATION \$631,000

NEW SECTION. Sec. 134. FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund-State Appropriation (FY 2018) \$370,000

General Fund-State Appropriation (FY 2019) \$256,000

TOTAL APPROPRIATION \$626,000

NEW SECTION. Sec. 135. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS-OPERATIONS

Department of Retirement Systems
Expense

Account-State Appropriation
\$55,653,000

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

(1) \$226,000 of the department of retirement systems-state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 1558 (PSERS/offender nursing care). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(2) \$235,000 of the department of retirement systems-state appropriation is provided solely for the administrative costs associated with implementation of Substitute House Bill No. 1655 (Industrial insurance/stress). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) \$107,000 of the department of retirement systems-state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 1560 (retirement system defaults). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 136. FOR THE DEPARTMENT OF REVENUE

General Fund-State Appropriation (FY 2018) \$144,312,000

General Fund-State Appropriation (FY 2019) \$139,163,000

Timber Tax Distribution Account-
State

Appropriation \$6,598,000

Waste Reduction/Recycling/Litter
Control-State

Appropriation \$144,000

State Toxics Control Account-State
Appropriation \$103,000

Business License Account-State
Appropriation \$24,056,000

Performance Audits of Government
Account-State

Appropriation \$4,000,000

TOTAL APPROPRIATION \$318,376,000

The appropriations in this section are subject to the following conditions and limitations: \$5,628,000 of the general fund-state appropriation for fiscal year 2018, \$5,628,000 of the general fund-state appropriation for fiscal year 2019, and \$11,257,000 of the business license account-state appropriation are provided solely for the taxpayer legacy system replacement project.

NEW SECTION. Sec. 137. FOR THE BOARD OF TAX APPEALS

General Fund-State Appropriation (FY 2018) \$1,391,000

General Fund-State Appropriation (FY 2019) \$1,434,000

TOTAL APPROPRIATION \$2,825,000

NEW SECTION. Sec. 138. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account-State
Appropriation \$4,703,000

NEW SECTION. Sec. 139. FOR THE INSURANCE COMMISSIONER

General Fund-Federal
Appropriation \$4,591,000

Insurance Commissioners Regulatory
Account-State

Appropriation \$58,685,000

TOTAL APPROPRIATION \$63,276,000

The appropriations in this section are subject to the following conditions and limitations: \$1,047,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 2114 (out-of-network health services). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 140. FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account-State

Appropriation \$47,636,000

NEW SECTION. Sec. 141. FOR THE LIQUOR AND CANNABIS BOARD

Dedicated Marijuana Fund-State

Appropriation (FY 2018) \$11,188,000

Dedicated Marijuana Fund-State

Appropriation (FY 2019) \$10,482,000

Liquor Revolving Account-State
Appropriation \$67,714,000

General Fund-Federal
Appropriation \$2,850,000

General Fund-State Appropriation (FY 2018) \$615,000

General Fund-State Appropriation (FY 2019) \$553,000

General Fund-Private/Local
Appropriation \$50,000

TOTAL APPROPRIATION \$93,452,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,000 of the liquor revolving account-state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1351 (sale of spirits, beer and wine). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(2) Within amounts appropriated in this section, and using information submitted to the state during the marijuana license application process for all marijuana producer, processor, and retailer licenses applied for since January 1, 2013, the state liquor and cannabis board must complete a report that contains the following: (1) The total number of applicants denied a marijuana producer, processor, or retailer license and the reasons for each license denial; (2) of the applicants thus denied, the number that requested an administrative hearing to contest the decision; (3) the number of licenses subsequently issued upon a decision reversing the initial denial; and (4) demographic information regarding all people in whose name a marijuana producer, processor, or retailer license was applied for or issued, including but not limited

to each person's county of residence, age, race, and sex. The report must be submitted to the legislature by December 1, 2017.

(3) The liquor and cannabis board may require electronic payment of the marijuana excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(4) \$1,420,000 of the dedicated marijuana account—state appropriation for fiscal year 2018 and \$885,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 are provided solely for the marijuana traceability system used to track the production, processing, and retail sale of each marijuana product as it moves through the regulated recreational and medical marketplace. The board may accept a proposal for a traceability system that is less than the amounts appropriated within this section if the proposal meets the board's requirements. The traceability system is subject to the conditions, limitations, and review provided in section 949 of this act.

(5) \$350,000 of the general fund—state appropriation for fiscal year 2018 and \$264,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement and enforce vapor products licensing, packaging, and sales regulations pursuant to chapter 38, Laws of 2016 (ESSB 6328).

NEW SECTION. Sec. 142. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

General	Fund—Private/Local
Appropriation	\$16,390,000

Public Service Revolving Account—State	
Appropriation	\$39,456,000

Pipeline Safety Account—State	
Appropriation	\$3,352,000

Pipeline Safety Account—Federal	
Appropriation	\$3,014,000

TOTAL APPROPRIATION \$62,212,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission shall work with the Idaho public utilities commission and the public utility commission of Oregon to identify common regulatory functions that

can be performed jointly, with the goal of formalizing an agreement that protects essential services while increasing regulatory effectiveness and efficiencies through economies of scale. The commission is authorized to enter into an agreement with such other state public utility commissions to work jointly in administering specified respective regulatory functions.

(2) As needed, the commission may identify and pursue opportunities to participate in proceedings before the federal energy regulatory commission and intervene, individually or in cooperation with regional or national groups, on behalf of the state's interests in preserving and protecting state authority to regulate retail electricity distribution.

(3) By December 31, 2017, the commission shall report findings and recommendations to the energy committees of the legislature on best practices and policies for electric utilities to develop distributed energy resource plans, applying the traditional utility regulatory principles of fairness, efficiency, reliability, and revenue stability. The report must address: A review of policies and practices for distributed energy resource planning in other states, an inventory of current utility distribution planning practices and capabilities in Washington, and recommendations for using distributed energy resource planning to inform utility integrated resource plans.

(4) \$257,000 of the public service revolving account appropriation is provided solely to implement House Bill No. 1233 (distributed energy). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 143. FOR THE MILITARY DEPARTMENT

General Fund—State Appropriation (FY 2018)	\$7,423,000
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General Fund—State Appropriation (FY 2019)	\$7,415,000
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General	Fund—Federal
Appropriation	\$117,339,000

Enhanced 911 Account—State	
Appropriation	\$49,784,000

Disaster Response Account—State	
Appropriation	\$25,530,000

Disaster Response Account—Federal
Appropriation \$59,060,000

Military Department Rent and Lease
Account—State

Appropriation \$615,000

Worker and Community Right-to-Know
Account—State

Appropriation \$2,318,000

Oil Spill Prevention Account—State
Appropriation \$1,006,000

TOTAL APPROPRIATION \$270,490,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees on October 1st and February 1st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2017-2019 biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the conditional scholarship program pursuant to chapter 28B.103 RCW.

(4) \$5,389,000 of the enhanced 911 account—state appropriation is provided solely for transitioning to an internet protocol based next generation 911 network and increased network costs during the transition and hardware required for the new system. The department's activities and procurement is a major information technology project subject to oversight and review by the office of the chief information officer.

(5) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training and

equipment to national guard soldiers and airmen.

(6) \$38,000 of the enhanced 911 account—state appropriation is provided solely for implementation of Substitute House Bill No. 1258 (first responders/disability). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(7) \$372,000 of the disaster response account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1540 (language of public notices). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(8) Appropriations provided to the department are sufficient to fund the administrative costs associated with implementation of Engrossed Second Substitute House Bill No. 1802 (veterans/shared leave access).

(9) \$951,000 of the disaster response account—state appropriation is provided solely to Okanogan and Ferry counties to continue to address deficiencies within their communications infrastructure for 911 dispatch. Funding will be used to replace failing radio dispatching hardware within 911 dispatch centers; build interoperable communications between each county's dispatch center such that each can serve as a back-up to the other; and build upon the existing wireless microwave network for 911 calls, dispatch centers, and first responder radio operations.

NEW SECTION. Sec. 144. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund—State Appropriation (FY 2018) \$1,916,000

General Fund—State Appropriation (FY 2019) \$2,038,000

Higher Education Personnel Services
Account—State

Appropriation \$1,223,000

Personnel Service Account—State
Appropriation \$3,686,000

TOTAL APPROPRIATION \$8,863,000

NEW SECTION. Sec. 145. FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account—
State

Appropriation \$2,799,000

NEW SECTION. Sec. 146. FOR THE FORENSIC INVESTIGATION COUNCIL

Death Investigations Account—State Appropriation \$632,000

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

(1) \$250,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(2) \$210,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

NEW SECTION. Sec. 147. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund—State Appropriation (FY 2018) \$4,335,000

General Fund—State Appropriation (FY 2019) \$4,321,000

General Fund—Private/Local Appropriation \$102,000

Building Code Council Account—State Appropriation \$1,036,000

Liability Account—State Appropriation \$133,000

TOTAL APPROPRIATION \$9,927,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,998,000 of the general fund—state appropriation for fiscal year 2018 and \$3,998,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the payment of facilities and services charges, utilities and contracts charges, public and historic facilities charges, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, joint legislative systems committee, and office of support services. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an

interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to enjoy all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) In accordance with RCW 46.08.172 and 43.135.055, the department is authorized to increase parking fees in fiscal years 2018 and 2019 as necessary to meet the actual costs of conducting business.

(3) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have written approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(4) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2018 and \$1,300,000 in fiscal year 2019.

NEW SECTION. Sec. 148. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers'

Administrative Account—State Appropriation \$1,183,000

NEW SECTION. Sec. 149. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund—State Appropriation (FY 2018) \$1,561,000

General Fund—State Appropriation (FY 2019) \$1,570,000

General Fund—Federal Appropriation \$2,193,000

General Fund—Private/Local Appropriation \$264,000

TOTAL APPROPRIATION \$5,588,000

The appropriations in this section are subject to the following conditions and limitations: \$103,000 of the general fund—

state appropriation for fiscal year 2018 and \$103,000 of the general fund-state appropriation for fiscal year 2019 are provided for the position of assistant state physical anthropologist.

NEW SECTION. Sec. 150. FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY

General Fund-State Appropriation (FY 2018) \$187,000

General Fund-State Appropriation (FY 2019) \$188,000

Consolidated Technology Services Revolving

Account-State Appropriation
\$17,961,000

TOTAL APPROPRIATION \$18,336,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,263,000 of the consolidated technology services revolving account-state appropriation is for the office of the chief information officer.

(2) \$550,000 of the consolidated technology services revolving account-state appropriation is provided solely for implementation of Substitute House Bill No. 1787 (information technology procurement oversight). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) \$10,148,000 of the consolidated technology services revolving account-state appropriation is for the office of cyber security.

(a) \$74,000 of the consolidated technology services revolving account-state appropriation for the office of cyber security is provided solely for the implementation of Substitute House Bill No. 1421 (sensitive data/state networks). If the bill is not enacted by June 30, 2017, the amount provided in this subsection (3) (a) shall lapse.

(b) \$631,000 of the consolidated technology services revolving account-state appropriation for the office of cyber security is provided solely for the implementation of Second Substitute House Bill No. 1929 (information technology system security testing). If the bill is not enacted by June 30, 2017, the amount provided in this subsection (3) (b) shall lapse.

(4) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:

(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and

(b) Assess a customized service charge as defined in Engrossed House Bill No. 1595 (public records request costs) for costs of using WASERV to prepare data compilations in response to public records requests. The requirement to identify opportunities to assess a customized service charge shall not apply if Engrossed House Bill No. 1595 is not enacted by June 30, 2017.

(5) The consolidated technology services agency shall provide desktop support services without charging a per device fee to the following agencies: The governor's office of Indian affairs, the commission on Asian Pacific American affairs, the citizen's commission on salaries for elected officials, the commission on Hispanic affairs, and the commission on African-American affairs.

(6) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures shall include the following: The agency's priority ranking of each information technology request; the estimated cost for the current biennium; the estimated total cost of the request over all biennia; and the expected timeline to complete the request. The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

NEW SECTION. Sec. 151. FOR THE LAW ENFORCEMENT OFFICERS' AND FIREFIGHTERS' PLAN 2 RETIREMENT BOARD

Law Enforcement Officers' and Firefighters'

Retirement System Plan 2 Expense Account-State

Appropriation \$50,000

The \$50,000 appropriation in this section is for the law enforcement officers' and firefighters' retirement system plan 2 board to study the tax,

legal, fiscal, policy and administrative issues related to allowing tribal law enforcement officers to become members of the law enforcement officers' and firefighters' plan 2 retirement system. This funding is in addition to other expenditures in the nonappropriated law enforcement officers' and firefighters' retirement system plan 2 expense account. In preparing this study, the department of retirement systems, the attorney general's office, and the office of the state actuary shall provide the board with any information or assistance the board requests. The board shall also receive stakeholder input as part of its deliberation. The board shall submit a report of the results of this study to the legislature by January 8, 2018.

PART II

HUMAN SERVICES

NEW SECTION. Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in

this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

NEW SECTION. Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM

General Fund—State Appropriation (FY 2018) \$343,526,000

General Fund—Federal Appropriation \$264,919,000

General Fund—Private/Local Appropriation \$1,477,000

Domestic Violence Prevention Account—State

Appropriation \$1,002,000

Child and Family Reinvestment Account—State

Appropriation \$3,609,000

TOTAL APPROPRIATION \$614,533,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$668,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(2) \$253,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the costs of hub home

foster families that provide a foster care delivery model that includes a licensed hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2018 and \$55,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$990,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for services provided through children's advocacy centers.

(5) \$1,351,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(6) \$4,715,000 of the general fund—state appropriation for fiscal year 2018, \$3,609,000 of the child and family reinvestment account—state appropriation, and \$6,022,000 of the general fund—federal appropriation, are provided solely for family assessment response.

(7) \$94,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(8) \$2,498,000 of the general fund—state appropriation for fiscal year 2018 and \$746,000 of the general fund—federal appropriation are provided solely for the children's administration to reduce the caseload ratios of social workers serving children in foster care to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcome.

(9)(a) \$539,000 of the general fund—state appropriation for fiscal year 2018, \$328,000 of the general fund private/local appropriation, and \$126,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-

12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, or regions where backlogs of youth that have formerly requested educational outreach services exist. The children's administration is encouraged to use private matching funds to maintain educational advocacy services.

(b) The children's administration shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(10) The children's administration shall continue to implement policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised to unsupervised visitation prior to reunification.

(11) \$111,000 of the general fund-state appropriation for fiscal year 2018 and \$26,000 of the general fund-federal appropriation are provided solely for a base rate increase for licensed family child care providers. \$45,000 of the general fund-state appropriation for fiscal year 2018 and \$11,000 of the general fund-federal appropriation are provided for increasing paid professional days from three days to five days for licensed family child care providers. This funding is for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act.

(12) \$159,000 of the general fund-state appropriation for fiscal year 2018 and \$65,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1867 (ext. foster care transitions). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$100,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for a contract with a community-based organization that, in partnership with a national nonprofit organization and private matching funds, must provide specialized, enhanced adoption placement services for legally free children in state custody. The contract must supplement, but not

supplant, the work of the children's administration to secure permanent adoptive homes for children.

(14) \$1,324,000 of the general fund-state appropriation for fiscal year 2018 and \$198,000 of the general fund-federal appropriation are provided solely for the children's administration to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The children's administration must submit an analysis of the strategies and associated outcomes no later than October 1, 2018.

(15) \$63,000 of the general fund-state appropriation for fiscal year 2018 and \$19,000 of the general fund-federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families/department). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(16) No later than September 1, 2017, the children's administration shall issue a request for qualifications or request for information to establish a network administrator on the western side of the state for performance-based contracts of family support and related services, pursuant to RCW 74.13B.020. The children's administration must submit a budget request for the costs of the second network administrator to the office of financial management for consideration in the 2018 supplemental budget. The establishment of the second network administrator is subject to the availability of amounts appropriated specifically for this purpose, but it is the intent of the legislature to give network administrators responsibility for managing all categories of family support and related services identified by the department pursuant to RCW 74.13B.020(2).

(17) \$336,000 of the general fund-state appropriation for fiscal year 2018 and \$64,000 of the general fund-federal appropriation are provided solely for a two percent base rate increase for child care center providers. \$688,000 of the

general fund-state appropriation for fiscal year 2018 and \$132,000 of the general fund-federal appropriation are provided solely for the department to increase tiered reimbursement rates for child care center providers.

NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— JUVENILE REHABILITATION PROGRAM

General Fund-State Appropriation (FY 2018) \$93,706,000

General Fund-State Appropriation (FY 2019) \$93,221,000

General Fund-Federal Appropriation \$3,464,000

General Fund-Private/Local Appropriation \$1,985,000

Washington Auto Theft Prevention Authority Account—

State Appropriation \$196,000

TOTAL APPROPRIATION \$192,572,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$331,000 of the general fund-state appropriation for fiscal year 2018 and \$331,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$2,841,000 of the general fund-state appropriation for fiscal year 2018 and \$2,841,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for grants to county juvenile courts for the following juvenile justice programs identified by the Washington state institute for public policy (institute) in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall

apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(3) \$1,537,000 of the general fund-state appropriation for fiscal year 2018 and \$1,537,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for expansion of the following juvenile justice treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(4)(a) \$6,198,000 of the general fund-state appropriation for fiscal year 2018 and \$6,198,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The juvenile rehabilitation administration shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service (CJS) funds, community juvenile accountability act (CJAA) grants, chemical dependency/mental health disposition alternative (CDDA), and suspended disposition alternative (SDA). The juvenile rehabilitation administration shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative:

(i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the juvenile rehabilitation administration and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) If Second Substitute House Bill No. 1280 (referred and diverted youth) is enacted, then the administration must implement a stop-loss policy when allocating funding under (b) of this subsection in the 2017-2019 fiscal biennium. Under the stop-loss policy, funding formula changes may not result in a funding loss for any juvenile court of more than two percent from one year to the next. The committee in (d) of this subsection must establish a minimum base level of funding for juvenile courts with lower numbers of at-risk youth age 10 - 17. The administration must report to the legislature by December 1, 2018, about how funding is used for referred youth and the impact of that use on overall use of funding. If the bill is not enacted by June 30, 2017, this subsection is null and void.

(d) The juvenile rehabilitation administration and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the juvenile rehabilitation administration and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the juvenile rehabilitation administration and the juvenile courts,

who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(e) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the juvenile rehabilitation administration and the Washington state institute for public policy related to program and outcome data. The juvenile rehabilitation administration and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(5) \$98,000 of the general fund-state appropriation for fiscal year 2018 and \$98,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to the juvenile block grant funding formula oversight committee described in subsection (4)(d) of this section to contract with research entities to: (a) Assist juvenile justice programs identified as promising practices or research-based in undergoing the research necessary to demonstrate that the program is evidence-based; and (b) establish an annual, county-level evaluation of existing evidence-based juvenile justice programs.

(6) \$750,000 of the general fund-state appropriation for fiscal year 2018 and \$750,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for funding of the teamchild project.

(7) \$283,000 of the general fund-state appropriation for fiscal year 2018 and \$283,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the juvenile detention alternatives initiative.

(8) \$600,000 of the general fund-state appropriation for fiscal year 2018 and \$600,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a grant program focused on criminal street gang prevention and intervention. The juvenile rehabilitation administration may award grants under this subsection. The juvenile rehabilitation administration shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the juvenile rehabilitation administration on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(9) The juvenile rehabilitation institutions may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(10) \$150,000 of the general fund-state appropriation for fiscal year 2018 is provided solely to coordinate the examination of data associated with juvenile gang and firearm offenses.

(11) Within the amounts appropriated in this section, the department must prepare a report outlining the different options for housing youthful offenders in a juvenile rehabilitation facility until age twenty-five. As part of this process, the department of social and health services shall seek guidance from the department of justice office of juvenile justice and delinquency prevention regarding the ability to house youthful offenders in juvenile rehabilitation facilities until age twenty-five without violating the juvenile justice and delinquency prevention act, 42 U.S.C. Sec. 5633. The department must deliver the report to the governor and the appropriate committees of the legislature by December 1, 2017, and must include a description of the following:

(a) The communication with the department of justice office of juvenile justice and delinquency prevention and all information provided by that office

regarding housing youthful offenders in juvenile rehabilitation facilities until age twenty-five without violating the juvenile justice and delinquency prevention act, 42 U.S.C. Sec. 5633;

(b) The facility or facilities that would be used to house youthful offenders in juvenile rehabilitation facilities until age twenty-five; and

(c) The fiscal implications, including potential impacts on federal funding, of housing youthful offenders in juvenile rehabilitation facilities until age twenty-five.

NEW SECTION. Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2018) \$256,091,000

General Fund-State Appropriation (FY 2019) \$241,019,000

General Fund-Federal Appropriation \$142,715,000

General Fund-Private/Local Appropriation \$52,630,000

TOTAL APPROPRIATION \$692,455,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$311,000 of the general fund-state appropriation for fiscal year 2018 and \$310,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood. The department must collect data from the city of Lakewood on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial

management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(c) \$45,000 of the general fund-state appropriation for fiscal year 2018 and \$45,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$25,049,000 of the general fund-state appropriation for fiscal year 2018 and \$25,049,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). These amounts must be used to maintain and further increase the number of forensic beds at western state hospital and eastern state hospital. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (2E2SSB 5177) (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(e) \$3,261,000 of the general fund-state appropriation for fiscal year 2018 and \$3,261,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of staff providing competency evaluation services.

(f) \$135,000 of the general fund-state appropriation for fiscal year 2018 and \$135,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to hire an on-site safety compliance officer, stationed at Western State Hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(g) \$21,086,000 of the general fund-state appropriation for fiscal year 2018 and \$21,086,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for improving patient

safety and quality of care and maintaining federal certification at the state hospitals. The department must submit a financial analysis to the office of financial management and the appropriate committees of the legislature which compares current staffing levels at eastern and western state hospitals, at the ward level, with the specific staffing levels recommended in the state hospitals' clinical model analysis project report submitted by OTB Solutions in 2016. To the extent that the financial analysis includes any differential in staffing from what was recommended in the report, the department must clearly identify these differences and the associated costs. The department must submit the financial analysis by September 1, 2017.

(h) Within these amounts, the department must hire chemical dependency professionals to provide integrated substance use disorder and mental health treatment at the state psychiatric hospitals.

(2) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2018) \$4,415,000

General Fund-State Appropriation (FY 2019) \$4,436,000

General Fund-Federal Appropriation \$5,558,000

TOTAL APPROPRIATION \$14,409,000

NEW SECTION. Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund-State Appropriation (FY 2018) \$608,732,000

General Fund-State Appropriation (FY 2019) \$655,113,000

General Fund-Federal Appropriation \$1,290,091,000

General Fund-Private/Local Appropriation \$4,070,000

TOTAL APPROPRIATION \$2,558,006,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW

74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2018 and \$225 per bed beginning in fiscal year 2019. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2018 and \$106 per bed beginning in fiscal year 2019.

(iii) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2018 and \$359 per bed beginning in fiscal year 2019.

(c) \$7,142,000 of the general fund-state appropriation for fiscal year 2018, \$18,249,000 of the general fund-state appropriation for fiscal year 2019, and \$27,336,000 of the general fund-federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2017-2019 fiscal biennium.

(d) \$787,000 of the general fund-state appropriation for fiscal year 2018, \$2,183,000 of the general fund-state appropriation for fiscal year 2019, and \$3,714,000 of the general fund-federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(e) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(f) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(g) \$650,000 of the general fund-state appropriation for fiscal year 2018, \$650,000 of the general fund-state appropriation for fiscal year 2019, and \$800,000 of the general fund-federal appropriation are provided solely for the development and implementation of eight enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her family home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(h) \$900,000 of the general fund-state appropriation for fiscal year 2018 and \$900,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the development and implementation of eight community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The

department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(i) \$62,000 of the general fund–state appropriation for fiscal year 2018, \$70,000 of the general fund–state appropriation for fiscal year 2019, and \$132,000 of the general fund–federal appropriation are provided solely for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(j) \$1,145,000 of the general fund–state appropriation for fiscal year 2018, \$2,950,000 of the general fund–state appropriation for fiscal year 2019, and \$4,029,000 of the general fund–federal appropriation are provided solely to create new community alternative placement beds that prioritize the transition of clients ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs. Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, assisted living facility beds, community residential beds, and state operated living alternatives. In development of bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) \$738,000 of the general fund–state appropriation for fiscal year 2018, \$1,963,000 of the general fund–state appropriation for fiscal year 2019, and \$2,701,000 of the general fund–federal appropriation are provided solely for expanding the number of clients receiving services under the basic plus medicaid waiver. Approximately six hundred additional clients are anticipated to graduate from high school during the 2017–2019 fiscal biennium and will receive employment services under this expansion.

(l) \$14,127,000 of the general fund–state appropriation for fiscal year 2018, \$25,428,000 of the general fund–state

appropriation for fiscal year 2019, and \$39,554,000 of the general fund–federal appropriation are provided solely to increase the benchmark rate for community residential service providers offering supported living, group home, and licensed staff residential services to individuals with development disabilities. The amounts in this subsection (1) (l) include funding to increase the benchmark rate by the following amounts:

(i) \$1.25 per hour effective July 1, 2017, and;

(ii) An additional \$1.00 per hour effective July 1, 2018.

The amounts provided in this subsection must be used to improve the recruitment and retention of quality direct care staff to better protect the health and safety of clients with developmental disabilities.

(m) Respite personal care provided by individual providers to developmental disabilities administration clients, as authorized by the department and accessed by clients through a medicaid waiver, must be funded in maintenance level of the operating budget on the basis of actual and forecasted client utilization.

(n) \$4,000 of the general fund–state appropriation for fiscal year 2018, \$11,000 of the general fund–state appropriation for fiscal year 2019, and \$13,000 of the general fund–federal appropriation are provided solely to implement House Bill No. 1772 (personal needs allowance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(o) \$3,536,000 of the general fund–private/local appropriation and \$3,538,000 of the general fund–federal appropriation are provided solely to implement Substitute House Bill No. 1792 (residential services & supports). The annual certification renewal fee for community residential service businesses shall be \$856 per client. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(p) \$42,000 of the general fund–state appropriation for fiscal year 2018, \$69,000 of the general fund–state appropriation for fiscal year 2019, and \$141,000 of the general fund–federal appropriation are provided solely to increase vendor rates for adult

residential care and enhanced adult residential care providers in the 2017-2019 fiscal biennium consistent with the statewide minimum wage established in Initiative Measure No. 1433.

(2) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2018) \$97,466,000

General Fund-State Appropriation (FY 2019) \$97,563,000

General Fund-Federal Appropriation \$180,521,000

General Fund-Private/Local Appropriation \$25,041,000

TOTAL APPROPRIATION \$400,591,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund-state appropriation for fiscal year 2018 and \$495,000 of the general fund-state appropriation for fiscal year 2019 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) \$558,000 of the general fund-state appropriation for fiscal year 2018, \$558,000 of the general fund-state appropriation for fiscal year 2019, and \$1,074,000 of the general fund-federal appropriation are for specialized services required by the centers for medicare and medicaid services as a result of preadmission screening and resident review assessments.

(d) \$2,978,000 of the general fund-state appropriation for fiscal year 2018, \$2,978,000 of the general fund-state appropriation for fiscal year 2019, and \$5,956,000 of the general fund-federal appropriation are for additional staff to ensure compliance with centers for medicare and medicaid services requirements for habilitation, nursing care, staff safety, and client safety at the residential habilitation centers.

(e) The residential habilitation centers may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(f) \$2,000 of the general fund-state appropriation for fiscal year 2018, \$5,000 of the general fund-state appropriation for fiscal year 2019, and \$5,000 of the general fund-federal appropriation are provided solely to implement House Bill No. 1772 (personal needs allowance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2018) \$2,378,000

General Fund-State Appropriation (FY 2019) \$2,377,000

General Fund-Federal Appropriation \$2,892,000

TOTAL APPROPRIATION \$7,647,000

(4) SPECIAL PROJECTS

General Fund-State Appropriation (FY 2018) \$64,000

General Fund-State Appropriation (FY 2019) \$64,000

General Fund-Federal Appropriation \$1,092,000

TOTAL APPROPRIATION \$1,220,000

NEW SECTION. Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-AGING AND ADULT SERVICES PROGRAM

General Fund-State Appropriation (FY 2018) \$1,087,758,000

General Fund-State Appropriation (FY 2019) \$1,181,392,000

General Fund-Federal Appropriation \$2,818,169,000

General Fund-Private/Local Appropriation \$37,000,000

Traumatic Brain Injury Account-State Appropriation \$3,044,000

Skilled Nursing Facility Safety Net Trust Account-

State Appropriation \$133,360,000

TOTAL APPROPRIATION \$5,260,723,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$201.58 for fiscal year 2018 and shall not exceed \$209.60 for fiscal year 2019.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2018 and \$225 per bed beginning in fiscal year 2019. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2018 and \$106 per bed beginning in fiscal year 2019.

(c) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2018 and \$359 per bed beginning in fiscal year 2019.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2018 and no new certificates of capital authorization for fiscal year 2019 and shall grant no rate add-ons to payment rates for capital improvements not requiring a certificate of need and a certificate of capital authorization for fiscal years 2018 and 2019.

(5) \$1,858,000 of the general fund-state appropriation for fiscal year 2018 and \$1,857,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(6) \$14,674,000 of the general fund-state appropriation for fiscal year 2018, \$37,239,000 of the general fund-state appropriation for fiscal year 2019, and \$55,716,000 of the general fund-federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2017-2019 fiscal biennium.

(7) \$4,833,000 of the general fund-state appropriation for fiscal year 2018, \$13,413,000 of the general fund-state appropriation for fiscal year 2019, and \$22,812,000 of the general fund-federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(8) \$5,094,000 of the general fund-state appropriation for fiscal year 2018 and \$5,094,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for services deaf and support to individuals who are deaf, hard of hearing, or deaf-blind.

(9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a

hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$1,889 for each facility.

(11) \$468,000 of the general fund-state appropriation for fiscal year 2018 and \$468,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(12) \$42,000 of the general fund-state appropriation for fiscal year 2018, \$127,000 of the general fund-state appropriation for fiscal year 2019, and \$169,000 of the general fund-federal appropriation are provided solely to implement House Bill No. 1772 (personal needs allowance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$3,428,000 of the general fund-private/local appropriation and \$992,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1792 (residential services and supports). The annual certification renewal fee for community residential service businesses shall be \$856 per client. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(14) Within available funds, the aging and long term support administration must create a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(15) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members. Four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy options, by conducting at least, but not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship

and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(16) (a) The department of social and health services must facilitate a stakeholder work group consisting of assisted living provider associations and the state long-term care ombuds in a collaborative effort to redesign the medicaid payment methodology for contracted assisted living, adult residential care, and enhanced adult residential care. The department must submit a report with the final work group recommendations to the appropriate legislative committees by November 30, 2017. A proposed timeline for implementation of the new methodology must be included in the report. The new methodology must:

(i) Adhere to the standards of an acuity-based payment system as originally intended by the legislature, and the department will rely on the time study conducted in 2003 in establishing the acuity scale;

(ii) Create a standardized methodology that supports a reasonable medicaid

payment that promotes access, choice, and quality;

(iii) Incorporate metrics such as medians, lids, floors, and other options that provide flexibility to adjust to economic conditions while maintaining the integrity of the methodology;

(iv) Be supported by relevant, reliable, verifiable, and independent data to the extent possible; and

(v) To the extent possible, repurpose and streamline data sources and modeling that the aging and long-term support administration uses for other rate-setting processes.

(b) In developing payment metrics for medicaid-covered services, staff and service requirements must be reviewed for assisted living, adult residential care, and enhanced adult residential care as described in chapters 74.39A and 18.20 RCW. At a minimum, the proposed rate methodology must include a component that recognizes staffing for intermittent nursing and personal care services. Service area adjustments based on population density must be reviewed and compared with other options to recognize high-cost areas. The most recent and complete wage data available through the bureau of labor statistics must also be included for review and consideration. The methodology work group must consider operational requirements and indirect services in developing the model. The work group must include a rate component that recognizes statutory and regulatory physical plant requirements. The work group must review and consider physical plant requirements for assisted living as described in chapter 51.50 RCW. A fair rental valuation must be reviewed and considered as an option for the capital component. The recognition of food for medicaid residents must also be included in the work group considerations. The department's current methodology to address room and board requirements, and the appropriateness of the continued use of the 2003 time study and whether it can be reasonably adjusted or whether a new time study should be conducted, must be reviewed and considered by the work group.

(17) Within amounts appropriated in this section, the department must pay medicaid nursing facility payment rates for public hospital district providers in rural communities as defined under chapter 70.44 RCW that are no less than June 30, 2016, reimbursement levels. This action is

intended to assure continued access to essential services in rural communities.

(18) \$2,607,000 of the general fund-state appropriation for fiscal year 2018, \$4,458,000 of the general fund-state appropriation for fiscal year 2019, and \$8,571,000 of the general fund-federal appropriation are provided solely to increase vendor rates for nursing homes, assisted living facilities including adult residential care and enhanced adult residential care, adult day care and adult day health providers, and home care agency administration in the 2017-2019 fiscal biennium consistent with the statewide minimum wage established in Initiative Measure No. 1433.

(19) \$4,596,000 of the general fund-state appropriation for fiscal year 2018, \$10,215,000 of the general fund-state appropriation for fiscal year 2019, and \$13,649,000 of the general fund-federal appropriation are provided solely to create new community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, and assisted living facility beds.

(b) Of the amounts provided in this subsection, \$308,000 of the general fund-state appropriation for fiscal year 2018, \$1,519,000 of the general fund-state appropriation for fiscal year 2019, and \$1,820,000 of the general fund-federal appropriation are provided solely for establishment of one state-operated living facility for clients who are being discharged from the state psychiatric hospitals and have long-term care needs.

In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(20) \$135,000 of the general fund-state appropriation for fiscal year 2018, \$168,000 of the general fund-state appropriation for fiscal year 2019, and \$304,000 of the general fund-federal appropriation are provided solely for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less

restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(21) \$122,000 of the general fund-state appropriation for fiscal year 2018, \$143,000 of the general fund-state appropriation for fiscal year 2019, and \$264,000 of the general fund-federal appropriation are provided solely for financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(22) Within amounts appropriated in this subsection, the department of social and health services aging and long-term support administration shall convene and lead a work group that includes representatives from the office of the governor, the health care authority, and the employment security department to complete a study on implementing the long-term services and supports trust program proposed in House Bill No. 1636 (long-term services and support). The work group must:

(a) Identify the administrative start-up costs for the proposed long-term services trust program and a plan for how such costs would be reimbursed from the trust once it is operational;

(b) Determine the respective roles of the department of social and health services aging and long-term supports administration, the health care authority, and the employment security department in program administration and operations; and

(c) Identify a mechanism to capture potential medicaid savings that result from the program, and create a plan for how the state may work with the federal government to recoup medicaid savings.

The work group shall report the results of the study to the office of financial management and the appropriate committees of the legislature by November 1, 2017.

(23) \$5,007,000 of the general fund-state appropriation for fiscal year 2018, \$5,143,000 of the general fund-state appropriation for fiscal year 2019, and \$10,154,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1968

(nursing home payments). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM

General Fund—State Appropriation (FY 2018) \$411,422,000

General Fund—State Appropriation (FY 2019) \$440,100,000

General Fund—Federal Appropriation \$1,408,924,000

General Fund—Private/Local Appropriation \$5,144,000

TOTAL APPROPRIATION \$2,265,590,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$167,172,000 of the general fund—state appropriation for fiscal year 2018, \$184,092,000 of the general fund—state appropriation for fiscal year 2019 and \$835,561,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) \$281,173,000 of the amounts in (a) of this subsection are provided solely for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for

temporary assistance for needy families but otherwise not receiving cash assistance.

(c) \$175,335,000 of the amounts in (a) of this subsection are provided solely for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Amounts provided in this subsection (c) include funding for implementation of Substitute House Bill No. 1566 (WorkFirst "work activity").

(d) \$524,664,000 of the amounts in (a) of this subsection are provided solely for the working connections child care program under RCW 43.215.135. Of the amounts provided in this subsection (1)(d), \$4,620,000 of the appropriation for fiscal year 2018 and \$4,792,000 of the appropriation for fiscal year 2019 are provided for a base rate increase, a rate increase for Family Friend and Neighbor providers, covering an increase for health insurance premiums, and increasing paid professional development days from three days to five days. This funding is for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act. The department of social and health services and the department of early learning must take additional actions to identify and reduce the backlog of overpayment cases related to public assistance programs, including the working connections child care program. The departments shall collaborate and create a plan to triage overpayment cases in a manner that identifies and prioritizes cases with large overpayments and likelihood of fraudulent activity. The departments shall provide a quarterly report to the appropriate policy and fiscal committees of the legislature detailing the specific actions taken as a result of this subsection (d). Of the amounts provided in (1)(d) of this subsection, \$3,419,000 of the general fund—state appropriation for fiscal year 2018 and \$3,479,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a two percent base rate increase for child care center providers.

(e) \$34,248,000 of the general fund—federal appropriation is provided solely for child welfare services within the

department of children, youth, and families.

(f) \$171,405,000 of the amounts in (a) of this subsection are provided solely for WorkFirst and working connections child care administration and overhead.

(g) The amounts in (b) through (e) of this subsection shall be expended for the programs and in the amounts specified. However, the department may transfer up to 10 percent of funding between (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) Each calendar quarter, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort; and

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation

targets, and future reportable federal participation rate requirements.

(i) In the 2017-2019 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (b) through (f) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$1,657,000 of the general fund-state appropriation for fiscal year 2018 and \$1,657,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On December 1, 2017, and annually thereafter, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be one hundred percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive

federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) \$433,000 of the general fund-state appropriation for fiscal year 2018, \$451,000 of the general fund-state appropriation for fiscal year 2019, and \$6,451,000 of the general fund-federal appropriation are provided solely for ESAR Architectural Development and are subject to the conditions, limitations, and review provided in section 949 of this act.

(8) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(9) \$1,000,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for operational support of the Washington information network 211 organization.

(10) \$90,000 of the general fund-state appropriation for fiscal year 2018, \$8,000 of the general fund-state appropriation for fiscal year 2019, and \$36,000 of the general fund-federal appropriation are provided solely for implementation of House Bill No. 1772 (personal needs allowance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(11) \$1,643,000 of the general fund-state appropriation for fiscal year 2018 and \$4,500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1831 (public assistance/resources). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(12) \$30,000 of the general fund-state appropriation for fiscal year 2018 and \$30,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1482 (WorkFirst poverty reduction). If the bill is not enacted by June 30, 2017, the

amounts provided in this subsection shall lapse.

(13) \$415,000 of the general fund-state appropriation for fiscal year 2018 and \$903,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 2121 (TANF/nonparent caregivers). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(14) \$127,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Substitute House Bill No. 1624 (working connections child care). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(15) \$119,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Substitute House Bill No. 1291 (Pacific Islander health care). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund-State Appropriation (FY 2018) \$13,546,000

General Fund-State Appropriation (FY 2019) \$13,546,000

General Fund-Federal Appropriation \$97,328,000

TOTAL APPROPRIATION \$124,420,000

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM

General Fund-State Appropriation (FY 2018) \$43,304,000

General Fund-State Appropriation (FY 2019) \$42,461,000

TOTAL APPROPRIATION \$85,765,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to purchase new equipment in support of the operations and administration of the program.

(2) \$448,000 of the general fund-state appropriation for fiscal year 2018 and \$179,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for hepatitis C treatment.

(3) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund-State Appropriation (FY 2018) \$35,630,000

General Fund-State Appropriation (FY 2019) \$31,276,000

General	Fund-Federal
Appropriation	\$38,536,000

General	Fund-Private/Local
Appropriation	\$654,000

TOTAL APPROPRIATION \$106,096,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$425,000 of the general fund-state appropriation for fiscal year 2018 and \$425,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a Washington state mentoring organization to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

(2) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2018, and February 1, 2019. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

(3) \$3,320,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund-State Appropriation (FY 2018) \$74,313,000

General Fund-State Appropriation (FY 2019) \$35,534,000

General	Fund-Federal
Appropriation	\$50,680,000

TOTAL APPROPRIATION \$160,527,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$39,000 of the general fund-state appropriation for fiscal year 2018 and \$11,000 of the general fund-federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(2) \$12,000 of the general fund-state appropriation for fiscal year 2018, \$12,000 of the general fund-state appropriation for fiscal year 2019, and \$24,000 of the general fund-federal appropriation are provided solely for the implementation of Second Substitute House Bill No. 1402 (incapacitated persons/rights). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 212. FOR THE STATE HEALTH CARE AUTHORITY

During the 2017-2019 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities

contracting with the health care authority.

Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(1) MEDICAL ASSISTANCE

General Fund-State Appropriation (FY 2018) \$2,625,124,000

General Fund-State Appropriation (FY 2019) \$2,740,491,000

General Fund-Federal Appropriation \$13,515,963,000

General Fund-Private/Local Appropriation \$269,449,000

Emergency Medical Services and Trauma Care Systems

Trust Account-State Appropriation \$15,086,000

Hospital Safety Net Assessment Account-State

Appropriation \$725,012,000

Medicaid Fraud Penalty Account-State Appropriation \$18,450,000

Dedicated Marijuana Account-State Appropriation

(FY 2018) \$44,117,000

Dedicated Marijuana Account-State Appropriation

(FY 2019) \$45,439,000

Medical Aid Account-State Appropriation \$528,000

Criminal Justice Treatment Account-State Appropriation \$12,978,000

Problem Gambling Account-State Appropriation \$1,453,000

TOTAL APPROPRIATION \$20,014,090,000

The appropriations in this section are subject to the following conditions and limitations:

(a) PHYSICAL HEALTH CARE

(i) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(ii) Medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(iii) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(iv) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to

disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(v) It is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(vi) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(vii) \$4,261,000 of the general fund-state appropriation for fiscal year 2018, \$4,261,000 of the general fund-state appropriation for fiscal year 2019, and \$8,522,000 of the general fund-federal appropriation are provided solely for low-income disproportionate share hospital payments.

(viii) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(ix) \$6,000,000 of the general fund-federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During

either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(x) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2017-2019 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2017, and by November 1, 2018, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2018 and fiscal year 2019, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of: (A) The inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2017-2019 biennial operating appropriations act and in effect on July 1, 2017; (B) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005; and (C) all of the other

disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2017-2019 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. \$10,575,000 of the general fund-state appropriation for fiscal year 2018 and \$13,185,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for state grants for the participating hospitals.

(xi) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(xii) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase

federal funding for maternity support services by leveraging local public funding for those services.

(xiii) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(xiv) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(xv) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(xvi) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(xvii) \$90,000 of the general fund-state appropriation for fiscal year 2018, \$90,000 of the general fund-state appropriation for fiscal year 2019, and \$180,000 of the general fund-federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(xviii) The appropriations in this section reflect savings and efficiencies by transferring children receiving medical care provided through fee-for-service to medical care provided through managed care.

(xix) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(xx) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens

that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(xxi) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(xxii) The authority shall use revenue appropriated from the dedicated marijuana fund for contracts with community health centers under RCW 69.50.540 in lieu of general fund-state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(xxiii) The authority shall submit reports to the governor and the legislature by September 15, 2018, and by September 15, 2019, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(xxiv) Within the amounts appropriated within this section, beginning July 1, 2017, the authority must increase facility fees for birth centers to the amount listed on page 2 of their report to the legislature dated October 15, 2016, entitled "reimbursement for births performed at birth centers." This increased rate is applicable in both fee-for-service settings and is the minimum allowable rate in a managed care setting. The authority shall report to the governor and appropriate committees of the legislature by October 15, 2018, on updated information regarding access to care, improvements to the Cesarean section rate, and savings outcomes for utilizing

birth centers as an alternative to hospitals.

(xxv) Within the amounts appropriated within this section, the authority shall implement the plan to show how improved access to home health nursing reduces potentially preventable readmissions, increases access to care, reduces hospital length of stay, and prevents overall hospital admissions for clients receiving private duty nursing, medically intensive care, or home health benefits as described in their report to the legislature dated December 15, 2016, entitled "home health nursing." The authority shall report to the governor and appropriate committees of the legislature by December 31, 2017, information regarding the effect of the ten-dollar rate increases for skilled nursing care delivered via private duty nursing or home health nursing, and how the rate changes impacted the utilization and cost of emergency room visits, reduced the length of stay for initial hospital admissions, and reduced utilization and costs of preventable hospital readmissions. The report will quantify potential cost saving opportunities that may exist through improved access to private duty and home health nursing statewide.

(xxvi) \$165,000 of the general fund-state appropriation for fiscal year 2018, \$329,000 of the general fund-state appropriation for fiscal year 2019, and \$604,000 of the general fund-federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(xxvii) \$1,813,000 of the general fund-state appropriation for fiscal year 2018, \$3,764,000 of the general fund-state appropriation for fiscal year 2019, and \$12,930,000 of the general fund-federal appropriation are provided solely for implementation of Substitute House Bill No. 1338 (state health insurance pool). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(xxviii) \$696,000 of the general fund-state appropriation for fiscal year 2018 and \$1,006,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1291 (Pacific Islander health care). If the bill is not

enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(xxix) \$347,000 of the general fund-state appropriation for fiscal year 2018, \$839,000 of the general fund-state appropriation for fiscal year 2019, and \$943,000 of the general fund-federal appropriation are provided solely for implementation of Substitute House Bill No. 1520 (hospital payment methodology). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(xxx) Sufficient amounts are appropriated in this section for the implementation of Substitute House Bill No. 1358 (community assistance referral programs).

(xxxi) Within the amounts appropriated in this section, the authority shall reimburse for manipulative therapy services provided by chiropractors to eligible medicaid clients. Nothing in this subsection shall constitute the expansion of the current manipulative therapy benefit or its application to nonmedicaid eligible individuals.

(xxxii) \$450,000 of the general fund-state appropriation for fiscal year 2018, \$450,000 of the general fund-state appropriation for fiscal year 2019, and \$1,058,000 of the general fund-federal appropriation are provided solely for the authority to hire ten nurse case managers to coordinate medically assisted treatment and movements to medical homes for those being treated for opioid use disorder. Nurses shall be located in areas and provider settings with the highest concentration of opioid use disorder patients.

(xxxiii) Sufficient amounts are appropriated in this section for the authority to provide a collaborative care benefit beginning July 1, 2017.

(xxxiv) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to increase payments for health home services.

(xxxv) The authority and the department of social and health services shall convene a work group consisting of representatives of skilled nursing facilities, adult family homes, assisted living facilities, managers of in-home long-term care, hospitals, and managed health care systems. The work group shall

identify barriers that may prevent skilled nursing facilities from accepting and admitting clients from acute care hospitals in a timely and appropriate manner. The work group shall consider what additional resources are needed to allow for faster transfers of enrollees, including those with complex needs. By December 1, 2017, the authority shall report the work group's findings to the governor and the appropriate committees of the legislature.

(xxxvi) Sufficient amounts are appropriated in this section to increase the daily rate by \$155.20 for skilled nursing performed by licensed practical nurses and registered nurses who serve medically intensive children's program clients who reside in a group home setting.

(xxxvii) (A) Within the amounts appropriated in this section, the authority shall issue a request for information (RFI) for the administration of the medicaid dental program, pursuant to the December 2016 report to the legislature entitled "contracting out dental services administration." The RFI should be framed within the context of whole person care and support the goals of coordinated and integrated care. It shall include, but is not limited to, questions necessary to inform:

(I) Recommendations for quarterly reporting requirements including medicaid utilization and encounter data by current dental technology code;

(II) Recommendations for dental provider network requirements, including the use of denturists licensed under chapter 18.30 RCW;

(III) Identification of innovative programs that improve access and care;

(IV) Recommendations to reduce dental emergency room use;

(V) Recommendations for requirements to ensure dental and primary care coordination and integration;

(VI) Recommendations to ensure that contracting fees are sufficient to compensate county health departments and federally qualified health centers for dental care;

(VII) Estimations for managed care dental plan start-up costs and savings estimations from managed care dental as compared to the 2016 fee-for-service program; and

(VIII) Recommendations for evaluating the impact in areas where only a single plan is available.

(B) The authority shall provide an initial report to the appropriate committees of the legislature on the RFI under (A) of this subsection (1)(a)(xxxvii) by December 31, 2017, and a final report by December 31, 2018. By July 1, 2018, the authority shall issue a request for proposals (RFP) if recommended at the conclusion of the RFI process. The RFP shall be consistent with recommendations informed by the RFI.

(xxxviii) \$500,000 of the general fund—state appropriation for fiscal year 2019 and \$500,000 of the general fund—federal appropriation are provided solely for the authority to implement the oral health connections pilot project in collaboration with Washington dental service foundation. The purpose of the three-year pilot is to test the effect that enhanced dental benefits for adult medicaid clients with diabetes and pregnant women have on access to dental care, health outcomes, and medical care costs. The authority must model the pilot on the access to baby and child dentistry program. The pilot program must include enhanced reimbursement rates for participating dental providers, including denturists licensed under chapter 18.30 RCW, and an increase in the allowable number of periodontal treatments to up to four per calendar year. Diabetic or pregnant adult medicaid clients who are receiving dental care within the pilot region(s), regardless of location of the service within the pilot region(s), are eligible for the increased number of periodontal treatments. The Washington dental service foundation shall partner with the authority and provide wraparound services to link patients to care. The authority and Washington dental service foundation shall jointly develop the program. The authority and foundation shall provide a joint progress report to the appropriate committees of the legislature on December 1, 2017, and December 1, 2018.

(xxxix) Beginning no later than January 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. Managed care organizations do not have any risk for or right to the supplemental portion of the claim. Payments must be reconciled on at

least an annual basis between the managed care organization and the authority, with final review and approval by the authority. By September 31, 2017, the authority shall report to the legislature on its progress implementing this subsection.

(xxxx) Within the amounts appropriated in this section, and in consultation with appropriate parties, including the rural health clinic association of Washington and the centers for medicare and medicaid services, by December 1, 2017, the authority shall submit a report to the governor and appropriate committees of the legislature evaluating legislative and administrative options to reduce or eliminate any amounts owed by a rural health clinic under the payment reconciliation process established in the medicaid state plan.

(xxxxi) \$2,149,267,000 of the general fund—state appropriation for fiscal year 2018, \$2,249,373,000 of the general fund—state appropriation for fiscal year 2019, and \$8,830,670,000 of the general fund—federal appropriation are provided solely for state medical assistance services and the medical assistance program. Sufficient amounts are provided in this subsection to increase managed care rates in calendar year 2018 and calendar year 2019 by 2 percent on a one-time basis.

(xxxixii) \$259,313,000 of the general fund—state appropriation for fiscal year 2018 and \$271,550,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the authority to implement a single, standard state preferred drug list to be used by all contracted medicaid managed health care systems, on or before January 1, 2018. The preferred drug list shall be developed in consultation with all contracted managed health care systems and the state pharmacy and therapeutics committee. The list shall be designed to maximize federal rebates and supplemental rebates and ensure access to clinically effective and appropriate drug therapies under each class. The authority may utilize external consultants with expertise in evidence based drug class reviews, pharmacy benefit management, and purchasing to assist with the completion of this development and implementation. To assist in the implementation of the single preferred drug list, contracted medicaid managed health care systems shall provide the authority drug specific financial information in a format and frequency

determined by the authority to include: The actual amounts paid to pharmacies for prescription drugs dispensed to covered individuals compared to the cost invoiced to the health plan and individual rebates collected for prescription drugs dispensed to medicaid members. The administration of the prescription drug benefit for medicaid managed health care systems shall be carried out by a single pharmacy benefits manager under the prescription drug purchasing consortium with full transparency of all rebates, supplemental rebates, and associated administrative costs. The authority shall provide a report to the governor and appropriate committees of the legislature by November 15, 2018, and no later than November 15, 2019, including a comparison of the amount spent in the previous two fiscal years to expenditures under the new system by, at a minimum, fund source, total expenditure, drug class, and top twenty-five drugs.

(xxxxiii) \$304,000 of the general fund-state appropriation for fiscal year 2018, \$304,000 of the general fund-state appropriation for fiscal year 2019, and \$608,000 of the general fund-federal appropriation are provided solely for the authority to contract with the University of Washington tele-pain pain management program and pain management call center to advance primary care provider knowledge of complex pain management issues, including opioid addiction.

(b) BEHAVIORAL HEALTH

(i) For the purposes of this subsection, amounts provided for behavioral health organizations shall also be available for the authority to contract with entities that assume the responsibilities of behavioral health organizations in regions in which the authority is purchasing medical and behavioral health services through fully integrated contracts pursuant to RCW 71.24.380.

(ii) The authority shall evaluate adding a tele-psychiatry consultation benefit for medicaid covered individuals. The authority shall submit a report with the cost associated with adding such a benefit to the governor and appropriate committees of the legislature by October 1, 2017.

(iii) \$6,590,000 of the general fund-state appropriation for fiscal year 2018, \$6,590,000 of the general fund-state appropriation for fiscal year 2019, and \$7,620,000 of the general fund-federal

appropriation are provided solely for the authority and behavioral health organizations to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health organizations with PACT teams, the authority shall consider the differences between behavioral health organizations in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health organizations which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under section 212(1)(b)(xvi) of this act. The authority and behavioral health organizations shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(iv) From the general fund-state appropriations in this subsection, the authority shall assure that behavioral health organizations reimburse the department of social and health services aging and long term support administration for the general fund-state cost of medicaid personal care services that enrolled behavioral health organization consumers use because of their psychiatric disability.

(v) \$3,520,000 of the general fund-federal appropriation is provided solely for the authority to maintain a pilot project to put peer bridging staff into each behavioral health organization as part of the state psychiatric liaison teams to promote continuity of service as individuals return to their communities. The authority must collect data and submit a report to the office of financial management and the appropriate committees of the legislature on the impact of peer staff on state hospital discharges and community placements by December 1, 2017.

(vi) \$2,000,000 of the general fund-state appropriation for fiscal year 2018, \$4,286,000 of the general fund-state appropriation for fiscal year 2019, and \$1,726,000 of the general fund-federal appropriation are provided solely for enhancement of community mental health services. These amounts must be used for new crisis triage centers, mobile crisis teams, and housing and recovery support

programs. The authority must seek proposals from behavioral health organizations for the use of these funds based on regional priorities. The authority must not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases.

(vii) \$29,134,000 of the general fund-state appropriation for fiscal year 2018 and \$29,134,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to assist behavioral health organizations with the costs of providing services to medicaid clients receiving services in psychiatric facilities classified as institutions of mental diseases. In fiscal year 2018, the authority must distribute these amounts proportionate to the number of bed days for medicaid clients in institutions for mental diseases that were excluded from behavioral health organization fiscal year 2018 capitation rates because they exceeded the amounts allowed under federal regulations. In fiscal year 2019, the authority must distribute these funds based on a formula in which seventy-five percent are distributed proportionate to the number of bed days for medicaid clients in institutions for mental diseases that were excluded from behavioral health organization fiscal year 2019 capitation rates because they exceeded the amounts allowed under federal regulations and twenty-five percent are distributed proportionate to the estimated medicaid caseload of the behavioral health organizations. The authority must also use these amounts to directly pay for costs in institutions of mental disease facilities for American Indian and Alaska Natives who opt to receive behavioral health services on a fee for service basis. The amounts used for these individuals must be reduced from the allocation of the behavioral health organization where the individual resides. If a behavioral health organization receives more funding through this subsection than is needed to pay for the cost of their medicaid clients in institutions for mental diseases, they must use the remainder of the amounts to provide other services not covered under the medicaid program.

(viii) \$830,000 of the general fund-state appropriation for fiscal year 2018 and \$830,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for behavioral health organizations to contract with local

entities to develop a street outreach program. This program will utilize peer supports to engage adults with mental health illness who may have not yet been engaged in mental health treatment with the goal of reducing jail admissions and involuntary commitments.

(ix) \$3,278,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$3,278,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for a memorandum of understanding with the department of social and health services juvenile rehabilitation administration to provide substance abuse treatment programs for juvenile offenders. Of the amounts provided in this subsection:

(A) \$1,130,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$1,130,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for alcohol and substance abuse treatment programs for locally committed offenders. The juvenile rehabilitation administration shall award these funds as described in section 203(4) of this act.

(B) \$282,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 and \$282,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for the expansion of evidence-based treatments and therapies as described in section 203(2) of this act.

(x) During the 2017-19 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and providers rather than through contracts with behavioral health organizations.

(xi) \$81,930,000 of the general fund-state appropriation for fiscal year 2018 and \$81,930,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health organization spending shall be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be

distributed to behavioral health organizations proportionate to the fiscal year 2017 allocation of flexible nonmedicaid funds. The authority must include the following language in medicaid contracts with behavioral health organizations unless they are provided formal notification from the center for medicaid and medicare services that the language will result in the loss of federal medicaid participation: "The contractor may voluntarily provide services that are in addition to those covered under the state plan, although the cost of these services cannot be included when determining payment rates unless including these costs are specifically allowed under federal law or an approved waiver."

(xii) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health organizations for children's long-term inpatient facility services.

(xiii) \$1,125,000 of the general fund-state appropriation for fiscal year 2018 and \$1,125,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Spokane county behavioral health organization to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(A) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(B) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(C) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(D) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane county behavioral health organization shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(xiv) \$1,204,000 of the general fund-state appropriation for fiscal year 2018 and \$1,204,000 of the general fund-state

appropriation for fiscal year 2019 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(xv) Behavioral health organizations may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health organizations may use a portion of the state funds allocated in accordance with (b)(x) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(xvi) \$2,291,000 of the general fund-state appropriation for fiscal year 2018 and \$2,291,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health organizations on their plan for using these funds, the numbers of individuals served, and the types of services provided and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(xvii) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(xviii) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health organization contracts and insert contract language that clearly states the requirements and limitations. The authority must monitor and ensure that behavioral health organization reserves do not exceed maximum levels. The authority must monitor behavioral health organization revenue and expenditure reports and must require a behavioral health organization to submit a corrective

action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the behavioral health organization in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the behavioral health organization has come into substantial compliance with an approved excess reserve corrective action plan.

(xix) \$446,000 of the general fund-state appropriation for fiscal year 2018, \$446,000 of the general fund-state appropriation for fiscal year 2019, and \$178,000 of the general fund-federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(xx) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (i) Service and other outcome data must be provided to the authority by request; and (ii) indirect charges for administering the program shall not exceed ten percent of the total contract amount.

(xxi) \$3,500,000 of the general fund-federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the

continued funding of existing county drug and alcohol use prevention programs.

(xxii) \$200,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$200,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for a contract with the Washington state institute for public policy to conduct cost-benefit evaluations of the implementation of chapter 3, Laws of 2013 (Initiative Measure No. 502).

(xxiii) \$500,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$500,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely to design and administer the Washington state healthy youth survey and the Washington state young adult behavioral health survey.

(xxiv) \$396,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$396,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for maintaining increased services to pregnant and parenting women provided through the parent child assistance program.

(xxv) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for a grant to the office of superintendent of public instruction to provide life skills training to children and youth in schools that are in high needs communities.

(xxvi) \$386,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$386,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely to maintain increased prevention and treatment services provided by tribes to children and youth.

(xxvii) \$2,684,000 of the dedicated marijuana account-state appropriation for fiscal year 2018, \$2,684,000 of the dedicated marijuana account-state appropriation for fiscal year 2019, and \$1,900,000 of the general fund-federal appropriation are provided solely to maintain increased residential treatment services for children and youth.

(xxviii) \$250,000 of the dedicated marijuana account-state appropriation for

fiscal year 2018 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for training and technical assistance for the implementation of evidence based, research based, and promising programs which prevent or reduce substance use disorders.

(xxix) \$2,434,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$2,434,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for expenditure into the home visiting services account.

(xxx) \$2,500,000 of the dedicated marijuana account-state appropriation for fiscal year 2018 and \$2,500,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for grants to community-based programs that provide prevention services or activities to youth, including programs for school-based resource officers. These funds must be utilized in accordance with RCW 69.50.540.

(xxxii) Within the amounts provided in this section, behavioral health organizations must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health organizations must require that behavioral health organizations include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(xxxiii) \$140,000 of the general fund-state appropriation for fiscal year 2018 and \$140,000 of the general fund-federal appropriation are provided solely for the

authority to incorporate long-term inpatient care as defined in RCW 71.24.025 into the psychiatric managed care capitation risk model. The model shall be submitted to the governor and appropriate committees of the legislature by October 1, 2017. The model must integrate civil inpatient psychiatric hospital services including ninety and one hundred eighty day commitments provided in state hospitals or community settings into medicaid managed care capitation rates and nonmedicaid contracts. The model should phase-in the financial risk such that managed care organizations bear full financial risk for long-term civil inpatient psychiatric hospital commitments beginning January 2020. The model must address strategies to ensure that the state is able to maximize the state's allotment of federal disproportionate share funding.

(xxxiiii) \$4,959,000 of the general fund-state appropriation for fiscal year 2018, \$4,959,000 of the general fund-state appropriation for fiscal year 2019, and \$8,202,000 of the general fund-federal appropriation are provided solely for the authority to increase rates for community hospitals which provide a minimum of 730 medicaid psychiatric days. The authority must increase both medicaid and nonmedicaid psychiatric per-diem reimbursement rates for these providers within these amounts. The rate increases for providers must be set so as not to exceed the amounts provided within this subsection. The rate increase related to nonmedicaid clients must be done to maintain the provider at the same percentage as currently required under WAC 182-550-4800. In addition, the authority is authorized to accelerate the process for establishing provider-specific per diem rates for new psychiatric hospitals and units that provide or commit to provide more than 730 medicaid psychiatric bed days per year.

(xxxv) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the authority to collaborate with tribal governments and develop a plan for establishing an evaluation and treatment facility that will specialize in providing care specifically to the American Indian and Alaska Native population. The plan must include options for maximizing federal participation and ensuring that

utilization will be based on medical necessity.

(xxxv) \$1,466,000 of the general fund–state appropriation for fiscal year 2018, \$7,103,000 of the general fund–state appropriation for fiscal year 2019, and \$9,715,000 of the general fund–federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide up to forty-eight long-term inpatient care beds as defined in RCW 71.24.025. The authority must seek proposals and contract directly for these services rather than contracting through behavioral health organizations. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. The authority must not use any of the amounts provided under this subsection for contracts with facilities that are subject to federal funding restrictions that apply to institutions of mental diseases.

(xxxvi) \$2,265,000 of the general fund–state appropriation for fiscal year 2019 and \$2,594,000 of the general fund–federal appropriation are provided solely to increase the number of psychiatric residential treatment beds for individuals transitioning from psychiatric inpatient settings. The authority must seek proposals from behavioral health organizations for the use of these amounts and coordinate with the department of social and health services in awarding these funds. The authority must not allow for any of the amounts provided under this subsection to be used for services in facilities that are subject to federal funding restrictions that apply to institutions of mental diseases.

(xxxvii) \$7,972,000 of the general fund–state appropriation for fiscal year 2018, \$8,093,000 of the general fund–state appropriation for fiscal year 2019, and \$34,778,000 of the general fund–federal appropriation are provided solely for the authority to increase medicaid capitation payments for behavioral health organizations. The authority must work with the actuaries responsible for certifying behavioral health capitation rates to adjust average salary assumptions in order to implement this increase. In developing further updates for medicaid managed care rates for behavioral health services, the authority must include and

make available all applicable documents and analysis to legislative staff from the fiscal committees throughout the process. The authority must require the actuaries to develop and submit rate ranges for each behavioral health organization prior to certification of specific rates.

(xxxviii) \$1,125,000 of the general fund–federal appropriation is provided solely for the authority to develop a memorandum of understanding with the department of health for implementation of Engrossed Second Substitute House Bill No. 1426 (prescription monitoring program data). The authority must use these amounts to reimburse the department of health for costs incurred through the implementation of the bill.

(xxxix) In fiscal year 2018, the number of nonforensic beds allocated for use by behavioral health organizations at eastern state hospital shall be 192 per day and the number of nonforensic beds allocated for use by behavioral health organizations at western state hospital shall be 557 per day. In fiscal year 2019, the authority must reduce the number of beds allocated for use by behavioral health organizations at western state hospital by 30 beds and repurpose a civil ward to provide forensic services. The contracted beds provided under section 212(1)(b)(xxxiv) shall be allocated to the behavioral health organizations in lieu of beds at the state hospital and be incorporated in their allocation of state hospital patient days of care for the purposes of calculating reimbursements pursuant to RCW 71.24.310.

(xxxx) The authority must complete an update of the state quality strategy required under federal managed care regulations and submit to the center for medicaid and medicare services by October 1, 2017. The authority must provide a report to the office of financial management and the appropriate committees of the legislature by December 1, 2017, which includes the following: (a) A copy of the quality strategy submitted to the center for medicaid and medicare services, (b) identification of all performance measures that are currently being measured for behavioral health organizations, and managed care organizations and the variations in performance among these entities, (c) identification of any performance measures that are included in behavioral health organization and managed care organization 2018 contracts and whether these measures are connected to payment, and (d) identification of any

performance measures planned for incorporation of behavioral health organization and managed care organization 2019 contracts and whether these measures will be connected to payment during that contract period.

(2) PUBLIC EMPLOYEES BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAMS

State Health Care Authority
Administrative Account—State

Appropriation \$33,360,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The authority and the public employees' benefits board shall consult with the Washington state institute for public policy on the cost-effectiveness of the wellness plan and any changes to the plan that can be made to increase the health care efficiency of the wellness plan.

(b) The authority and the public employees' benefits board shall ensure that procurement for employee health benefits during the 2017-2019 fiscal biennium is consistent with the funding limitations provided in part 9 of this act.

(3) HEALTH BENEFIT EXCHANGE

General Fund—State Appropriation (FY 2018) \$5,380,000

General Fund—State Appropriation (FY 2019) \$5,184,000

General Fund—Federal Appropriation \$53,237,000

Health Benefit Exchange Account—State Appropriation \$57,836,000

TOTAL APPROPRIATION \$121,637,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(b) (i) By July 15th and January 15th of each year, the authority shall make a payment of half the general fund—state appropriation and half the health benefit

exchange account—state appropriation to the health benefit exchange.

(ii) For the 2017-2019 biennium, for the purpose of annually calculating issuer assessments, exchange operational costs may include up to three months of additional operating costs.

(iii) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(iv) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(c) \$196,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of Substitute House Bill No. 1291 (Pacific Islander health care). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 213. FOR THE HUMAN RIGHTS COMMISSION

General Fund—State Appropriation (FY 2018) \$2,350,000

General Fund—State Appropriation (FY 2019) \$2,248,000

General Fund—Federal Appropriation \$2,354,000

TOTAL APPROPRIATION \$6,952,000

NEW SECTION. Sec. 214. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right-to-Know Account—State

Appropriation \$10,000

Accident Account—State Appropriation \$21,704,000

Medical Aid Account—State Appropriation \$21,704,000

TOTAL APPROPRIATION \$43,418,000

NEW SECTION. Sec. 215. FOR THE
CRIMINAL JUSTICE TRAINING COMMISSION

General Fund-State Appropriation (FY
2018) \$19,658,000

General Fund-State Appropriation (FY
2019) \$19,351,000

General Fund-Private/Local
Appropriation \$5,503,000

Death Investigations Account-State
Appropriation \$148,000

Municipal Criminal Justice Assistance
Account-State

Appropriation \$460,000

Washington Auto Theft Prevention
Authority Account-State

Appropriation \$8,167,000

24/7 Sobriety Account-State
Appropriation \$30,000

Sexual Assault Prevention and Response
Account-

State Appropriation \$610,000

TOTAL APPROPRIATION \$53,927,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) \$5,000,000 of the general fund-
state appropriation for fiscal year 2018
and \$5,000,000 of the general fund-state
appropriation for fiscal year 2019, are
provided to the Washington association of
sheriffs and police chiefs solely to
verify the address and residency of
registered sex offenders and kidnapping
offenders under RCW 9A.44.130.

(2) \$745,000 of the general fund-local
appropriation is provided solely to
purchase ammunition for the basic law
enforcement academy. Jurisdictions shall
reimburse to the criminal justice training
commission the costs of ammunition, based
on the average cost of ammunition per
cadet, for cadets that they enroll in the
basic law enforcement academy.

(3) The criminal justice training
commission may not run a basic law
enforcement academy class of fewer than 30
students.

(4) \$100,000 of the general fund-state
appropriation for fiscal year 2018 and
\$100,000 of the general fund-state
appropriation for fiscal year 2019 are
provided solely for a school safety
program. The commission, in collaboration

with the school safety center advisory
committee, shall provide the school safety
training for all school administrators and
school safety personnel hired after the
effective date of this section.

(5) \$96,000 of the general fund-state
appropriation for fiscal year 2018 and
\$96,000 of the general fund-state
appropriation for fiscal year 2019 are
provided solely for the school safety
center within the commission. The safety
center shall act as an information
dissemination and resource center when an
incident occurs in a school district in
Washington or in another state, coordinate
activities relating to school safety, and
review and approve manuals and curricula
used for school safety models and
training. Through an interagency
agreement, the commission shall provide
funding for the office of the
superintendent of public instruction to
continue to develop and maintain a school
safety information web site. The school
safety center advisory committee shall
develop and revise the training program,
using the best practices in school safety,
for all school safety personnel. The
commission shall provide research-related
programs in school safety and security
issues beneficial to both law enforcement
and schools.

(6) \$146,000 of the general fund-state
appropriation for fiscal year 2018 and
\$146,000 of the general fund-state
appropriation for fiscal year 2019 are
provided solely for the costs of providing
statewide advanced driving training with
the use of a driving simulator.

(7) \$595,000 of the general fund-state
appropriation for fiscal year 2018 and
\$595,000 of the general fund-state
appropriation for fiscal year 2019 are
provided solely for implementation of
chapter 87, Laws of 2015.

(8) \$250,000 of the general fund-state
appropriation for fiscal year 2018 and
\$250,000 of the general fund-state
appropriation for fiscal year 2019 are
provided solely for the criminal justice
training commission to develop and deliver
research-based programs to instruct,
guide, and support local law enforcement
agencies in fostering the "guardian
philosophy" of policing, which emphasizes
de-escalating conflicts and reducing the
use of force.

(9) \$197,000 of the general fund-state
appropriation for fiscal year 2018 and
\$116,000 of the general fund-state

appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1501 (attempts to obtain firearms). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$57,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Substitute House Bill No. 1258 (first responders/disability). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(11) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$155,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the statewide protection order notification system.

(12) \$610,000 of the sexual assault prevention and response account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1109 (victims of sexual assault). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(13) \$1,284,000 of the general fund-state appropriation for fiscal year 2018 and \$1,283,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for seventy-five percent of the costs of providing six additional statewide basic law enforcement trainings in each fiscal year. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements.

(14) \$117,000 of the general fund-state appropriation for fiscal year 2018, \$117,000 of the general fund-state appropriation for fiscal year 2019, and \$1,000,000 of the Washington auto theft prevention account-state appropriation are provided solely for the first responder building mapping information system.

(15) \$60,000 of the general fund-state appropriation for fiscal year 2018 and \$10,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1022 (crime victim participation). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund-State Appropriation (FY 2018)	\$7,207,000
General Fund-State Appropriation (FY 2019)	\$8,213,000
General Fund-Federal Appropriation	\$11,876,000
Asbestos Account-State Appropriation	\$489,000
Electrical License Account-State Appropriation	\$50,826,000
Farm Labor Contractor Account-State Appropriation	\$28,000
Worker and Community Right-to-Know Account-State Appropriation	\$962,000
Public Works Administration Account-State Appropriation	\$7,587,000
Manufactured Home Installation Training Account-State Appropriation	\$363,000
Accident Account-State Appropriation	\$310,834,000
Accident Account-Federal Appropriation	\$16,765,000
Medical Aid Account-State Appropriation	\$322,637,000
Medical Aid Account-Federal Appropriation	\$3,739,000
Plumbing Certificate Account-State Appropriation	\$1,829,000
Pressure Systems Safety Account-State Appropriation	\$4,323,000
Construction Registration Inspection Account-State Appropriation	\$19,128,000
TOTAL APPROPRIATION	\$766,806,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,124,000 of the accident account-state appropriation and \$5,989,000 of the medical aid account-state appropriation are provided solely for business transformation projects and are subject to the conditions, limitations, and review provided in section 949 of this act.

(2) \$1,524,000 of the public works administration account appropriation is provided solely to implement Substitute

House Bill No. 1673 (responsible bidder criteria). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) \$792,000 of the accident account appropriation and \$454,000 of the medical aid account appropriation are provided solely to implement Engrossed House Bill No. 1506 (workplaces/gender pay equity). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(4) \$19,128,000 of the construction registration inspection account appropriation is provided solely to implement House Bill No. 1716 (construction inspection account). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(5) \$250,000 of the medical aid account-state appropriation and \$250,000 of the accident fund-state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must issue an initial report to the legislature, by June 30, 2019, assessing the physical capacity of workers in the context of the industry's economic environment and ascertain usable support tools for employers and workers to decrease risk of injury. After the initial report, the department must produce annual progress reports, beginning in 2020 through the year 2021 or until the tools are fully developed and deployed. The annual progress reports must be submitted to the legislature by December 1st of each year such reports are due.

(6) \$63,000 of the accident account-state appropriation and \$63,000 of the medical aid-state appropriation are

provided solely for implementation of Substitute House Bill No. 1022 (crime victim participation). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund-State Appropriation (FY 2018) \$1,881,000

General Fund-State Appropriation (FY 2019) \$1,867,000

Charitable, Educational, Penal, and Reformatory

Institutions Account-State Appropriation \$10,000

TOTAL APPROPRIATION \$3,758,000

(2) FIELD SERVICES

General Fund-State Appropriation (FY 2018) \$6,017,000

General Fund-State Appropriation (FY 2019) \$5,795,000

General Fund-Federal Appropriation \$3,691,000

General Fund-Private/Local Appropriation \$4,715,000

Veteran Estate Management Account-Private/Local

Appropriation \$645,000

TOTAL APPROPRIATION \$20,863,000

The appropriations in this subsection are subject to the following conditions and limitations:

(1) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to provide crisis and emergency relief and education, training, and employment assistance to veterans and their families in their communities through the veterans innovation program.

(2) \$199,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the implementation of House Bill No. 1571 (community care for veterans). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2018) \$1,054,000

General Fund-State Appropriation (FY 2019) \$970,000

General Fund-Federal Appropriation \$86,126,000

General Fund-Private/Local Appropriation \$33,486,000

TOTAL APPROPRIATION \$121,636,000

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF HEALTH

General Fund-State Appropriation (FY 2018) \$88,368,000

General Fund-State Appropriation (FY 2019) \$88,962,000

General Fund-Federal Appropriation \$537,300,000

General Fund-Private/Local Appropriation \$188,948,000

Hospital Data Collection Account-State Appropriation \$342,000

Health Professions Account-State Appropriation \$124,472,000

Aquatic Lands Enhancement Account-State Appropriation \$619,000

Emergency Medical Services and Trauma Care Systems

Trust Account-State Appropriation \$9,236,000

Safe Drinking Water Account-State Appropriation \$5,505,000

Drinking Water Assistance Account-Federal

Appropriation \$15,600,000

Waterworks Operator Certification-State Appropriation \$1,626,000

Drinking Water Assistance Administrative Account-State

Appropriation \$363,000

Site Closure Account-State Appropriation \$164,000

Biotoxin Account-State Appropriation \$1,920,000

State Toxics Control Account-State Appropriation \$4,119,000

Medicaid Fraud Penalty Account-State Appropriation \$938,000

Medical Test Site Licensure Account-State

Appropriation \$2,558,000

Youth Tobacco and Vapor Products Prevention Account-State

Appropriation \$4,963,000

Dedicated Marijuana Account-State Appropriation

(FY 2018) \$9,754,000

Dedicated Marijuana Account-State Appropriation

(FY 2019) \$9,754,000

Public Health Supplemental Account-Private/Local

Appropriation \$3,247,000

Accident Account-State Appropriation \$332,000

Medical Aid Account-State Appropriation \$53,000

TOTAL APPROPRIATION \$1,099,143,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal

moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2017-2019 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2018 and 2019 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) In accordance with RCW 70.96A.090, 71.24.035, 43.20B.110, and 43.135.055, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2018 and 2019 as necessary to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not

accredited. To the extent that the fees charged in fiscal year 2018 are not expected to fully cover the cost of the program, the department must submit a report to the office of financial management and the appropriate fiscal committees of the legislature identifying what further increases would be required and the differential impact on providers. This report must be submitted by December 1, 2017.

(5) \$18,000,000 of the general fund-state appropriation for fiscal year 2018 and \$18,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to support the local health jurisdictions to improve their ability to address (a) communicable disease monitoring and prevention and (b) chronic disease and injury prevention. The department and representatives of local health jurisdictions must work together to arrive at a mutually acceptable allocation and distribution of funds and to determine the best accountability measures to ensure efficient and effective use of funds, emphasizing use of shared services.

(6) \$2,099,000 of the general fund-state appropriation for fiscal year 2018 and \$1,901,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department, as part of foundational public health services, to implement strategies to control the spread of communicable diseases and other health threats, including the maintenance, updating, or replacement of equipment in the state public health laboratory; to address health inequities among state residents; for the reporting and investigation of root cause analyses of adverse events at medical facilities; to perform critical activities required to prevent adverse health consequences of hepatitis C; to assess information technology system consolidation and modernization opportunities for statewide public health data systems; and to develop a governmental public health improvement plan.

(7) \$196,000 of the health professions account-state appropriation is provided solely for the implementation of Substitute House Bill No. 1782 (dental laboratories). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(8) \$36,000 of the general fund-state appropriation for fiscal year 2018 and

\$10,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of Substitute House Bill No. 1258 (first responders/disability). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(9) \$126,000 of the general fund-state appropriation for fiscal year 2018 and \$61,000 of the general fund-state appropriation for 2019 are provided solely for the implementation of Engrossed Substitute House Bill No. 1796 (pregnancy accommodations). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$6,000 of the hospital data collection account-state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1359 (charity care availability). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(11) \$496,000 of the general fund-state appropriation for fiscal year 2018 and \$480,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of Second Substitute House Bill No. 1540 (language of public notices). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(12) \$499,000 of the general fund-local appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1714 (nurse staffing plans). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(13) \$27,000 of the health professions account-state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1612 (reducing access to lethal means). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(14) \$40,000 of the general fund-state appropriation for fiscal year 2018 and \$40,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for King county to plan and implement an expanded Lok-It-Up safe storage partnership in up to five counties. The amount appropriated shall be used to include localized print materials, training on the Lok-It-Up model, identification of opportunities for public education, and educational outreach.

(15) \$350,000 of the general fund-state appropriation for fiscal year 2018 and \$350,000 of the general fund-state appropriation for fiscal year 2019 are provided to the department solely to cover costs of providing increased capacity under existing contracts with suicide prevention lines to respond to calls to the national suicide prevention lifeline.

(16) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a pilot program for treatment of inmates at the Snohomish county jail who are undergoing detoxification from heroin and other opioids and for connecting those individuals with treatment providers in the community upon their release.

(17) \$40,000 of the general fund-state appropriation for fiscal year 2018 and \$40,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(18) (a) Within amounts appropriated in this section, the department, in consultation with advocacy groups and experts that focus on hunger and poverty issues, shall produce a report regarding ongoing nutrition assistance programs funded by the United States department of agriculture and administered in Washington state. The report must be a compilation, by program, of data already collected by the department of social and health services, the department of health, the office of the superintendent of public instruction, and the Washington state department of agriculture, and it must include, where available, but is not limited to:

(i) The number of people in Washington who are eligible for the program;

(ii) The number of people in Washington who participated in the program;

(iii) The average annual participation rate in the program;

(iv) Participation rates by geographic distribution; and

(v) The annual federal funding of the program in Washington.

(b) The department shall report to the appropriate committees of the legislature and to the governor. An initial report is due by April 30, 2018, and a second report is due by April 30, 2019.

(19) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems eligibility, case management, and authorization systems within the department of health are subject to technical oversight by the office of the state chief information officer.

(20) \$2,604,000 of the health professions account--state appropriation is provided solely for the medical quality assurance commission to address increased workload.

(21) \$896,000 of the health professions account--state appropriation is provided solely for the pharmacy commission to improve research and communication to pharmacies regarding the development and implementation of new and changing rules.

(22) \$8,096,000 of the general fund--local appropriation is provided solely to allow the department to expand financial eligibility for the HIV early intervention program and to target its efforts toward populations with health disparities.

(23) \$1,880,000 of the general fund--local appropriation is provided solely for equipment, testing supplies, and materials necessary to add x-linked adrenoleukodystrophy to the mandatory newborn screening panel. The department is authorized to increase the newborn screening fee by ten dollars.

(24) \$1,198,000 of the general fund--state appropriation for fiscal year 2018 and \$1,199,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for increased screening, case management, and an electronic data reporting system to identify children who are at the highest risk of having elevated levels of lead in their blood.

(25) \$1,225,000 of the general fund--state appropriation for fiscal year 2018 and \$2,265,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for testing of water fixtures in schools across the state, with an emphasis on testing older schools first. Consistent with the United States environmental protection agency's manual, "3Ts for Reducing Lead in Drinking Water in Schools--Revised Technical Guidance,"

the department must develop guidance and testing protocols for the lead action level for drinking water and for testing drinking water and drinking water fixtures in public and private schools. The guidance must include:

(a) Actions to take if test results exceed the federal action level or public drinking water standard;

(b) Recommendations to schools on prioritizing fixture replacement, and options for further reducing lead, including replacement of fixtures or use of certified filters when results are below the federal action level for schools, but exceed the maximum level recommended by the American Academy of Pediatrics; and

(c) Recommendations for communicating test results and risk to parents and the community, including that there is no safe level of lead in water and that action may be warranted even if levels are below the action level.

(26) Within amounts appropriated in this section, funding is provided to implement Engrossed Second Substitute House Bill No. 1819 (paperwork reduction).

(27) \$130,000 of the general fund--state appropriation for fiscal year 2018 and \$130,000 of the general fund--state appropriation for fiscal year 2019 are provided solely to increase the funding for the breast, cervical, and colon health program administered by the department.

(28) \$100,000 of the general fund--state appropriation for fiscal year 2018 and \$100,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for the department to implement a pilot program to provide baby boxes to new mothers. The department shall develop criteria for eligibility for baby boxes, which may include the age of the mother, whether the infant is the mother's first-born, and whether the mother is eligible for medicaid. By December 1, 2018, the department must report to the appropriate committees of the legislature regarding outcomes related to infant mortality as a result of the pilot program.

(29) Within the amounts appropriated in this section, and in accordance with RCW 43.20B.110 and 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(30) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(31) Within amounts appropriated in this section, and no later than June 30, 2018, the state board of health shall adopt rules that permit distributing organizations, as defined in RCW 69.80.020, to accept the donation of foods prepared in a private residence.

(32) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with a nongovernmental entity that has experience in adapting global health strategies to underserved communities for a pilot program to develop strategies to address health disparities in rural communities. The program should engage marginalized communities in order to identify barriers and social determinants that most impact health, including access to housing and food and economic stability. The department must report to the legislature by December 1, 2018, regarding identified barriers and any recommendations for interventions.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF CORRECTIONS

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund-State Appropriation (FY 2018) \$63,925,000

General Fund-State Appropriation (FY 2019) \$62,521,000

General Fund-Federal Appropriation \$4,000

TOTAL APPROPRIATION \$126,450,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$35,000 of the general fund-state appropriation for fiscal year 2018 and \$35,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council

will investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(b) \$1,297,000 of the general fund-state appropriation for fiscal year 2018 and \$881,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for information technology business solutions and are subject to the conditions, limitations, and review provided in section 949 of this act.

(2) CORRECTIONAL OPERATIONS

General Fund-State Appropriation (FY 2018) \$511,526,000

General Fund-State Appropriation (FY 2019) \$512,702,000

General Fund-Federal Appropriation \$818,000

Washington Auto Theft Prevention Authority Account-State

Appropriation \$2,946,000

TOTAL APPROPRIATION \$1,027,992,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The duration of the contracts may be for up to four years. The department shall not pay a rate greater than \$80 per day per offender for all costs associated with the offender while in the local correctional facility to include programming and health care costs, or the equivalent of \$80 per day per bed including programming and health care costs for full units. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as medium or lower security offenders. Programming provided for inmates held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated

with the department as part of any contract. Local jurisdictions must provide health care to offenders that meet standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) \$501,000 of the general fund-state appropriation for fiscal year 2018 and \$501,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) \$1,379,000 of the general fund-state appropriation for fiscal year 2018, and \$1,379,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract for the use of inmate bed capacity in lieu of prison beds operated by the state to meet prison capacity needs.

(d) \$200,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to contract with an independent third party to (i) provide a comprehensive review of the prison staffing model and (ii) develop an updated prison staffing model for use by the department.

(3) COMMUNITY SUPERVISION

General Fund-State Appropriation (FY 2018) \$181,043,000

General Fund-State Appropriation (FY 2019) \$187,219,000

General Fund-Federal Appropriation \$2,207,000

TOTAL APPROPRIATION \$370,469,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders who violate the terms of their community supervision. A contract shall not have a cost of incarceration in excess of \$85 per day per offender. A contract shall not have a year-to-year increase in excess of three percent per year. The contracts may include rates for the medical care of offenders which exceed the daily cost of incarceration and the limitation on year-to-year increases, provided that medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) \$4,300,000 of the general fund-state appropriation for fiscal year 2018 and \$4,300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department of corrections to contract with a non-profit organization with experience in providing work release and residential reentry services to implement a residential reentry pilot at two facilities owned or operated by that non-profit in Seattle. The pilot will follow the risk-needs-responsivity model, be evidence-based, and have measurable outcomes. The pilot must include 69 male beds and 47 female beds. A performance audit of this program is due to the legislature by December 1, 2021.

(4) CORRECTIONAL INDUSTRIES

General Fund-State Appropriation (FY 2018) \$6,932,000

General Fund-State Appropriation (FY 2019) \$6,923,000

TOTAL APPROPRIATION \$13,855,000

(5) INTERAGENCY PAYMENTS

General Fund-State Appropriation (FY 2018) \$42,002,000

General Fund-State Appropriation (FY 2019) \$38,968,000

TOTAL APPROPRIATION \$80,970,000

The appropriations in this subsection are subject to the following conditions and limitations: \$3,000 of the general

fund-state appropriation for fiscal year 2018, and \$3,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for information technology business solutions and are subject to the conditions, limitations, and review provided in section 949 of this act.

(6) OFFENDER CHANGE

General Fund-State Appropriation (FY 2018) \$53,512,000

General Fund-State Appropriation (FY 2019) \$53,529,000

TOTAL APPROPRIATION \$107,041,000

The appropriations in this subsection are subject to the following conditions and limitations: The department of corrections shall use funds appropriated in this subsection (6) for offender programming. Within amounts appropriated in this subsection, the department of corrections shall evaluate all currently funded reentry and cognitive behavioral change programs to assess whether they are reducing recidivism or readmissions to correctional institutions. The department shall develop and implement a comprehensive plan for cognitive behavioral change programs and reentry specific programs and prioritize funding for and implementation of programs that: (a) Follow the risk needs responsibility model; (b) focus on higher risk offenders, including violent and nonviolent offenders, unless otherwise required by law; (c) are deemed evidence-based or research-based by the institute or Washington State University, or are recognized in a nationally observed repository including, but not limited to, the national institute of justice, national institute of corrections, or the substance abuse and mental health services administration's national registry of evidence-based programs and practices; and (d) have measurable outcomes including, but not limited to, reducing recidivism and readmissions to correctional institutions below current levels. The department shall discontinue all ineffective cognitive behavioral change programs and reentry specific programs and practices, and repurpose underspent funds according to the priorities in the plan. The department may not cancel or discontinue a successful program that reduces recidivism in favor of implementing a new program without empirical data showing the same or better outcomes, unless otherwise required by law. Within amounts specifically

appropriated for cognitive behavioral change programs and reentry specific programs, the department may allocate up to five percent for the piloting and researching of programs deemed promising practices. The department shall report preliminary findings by December 1, 2017, and a final report by December 1, 2018, showing and detailing any changes in programming and outcomes. Reports must be submitted to the Washington statewide reentry council, the governor, and appropriate committees of the legislature.

(7) HEALTH CARE SERVICES

General Fund-State Appropriation (FY 2018) \$129,513,000

General Fund-State Appropriation (FY 2019) \$128,685,000

TOTAL APPROPRIATION \$258,198,000

The appropriations in this subsection are subject to the following conditions and limitations: The state prison medical facilities may use funds appropriated in this subsection to purchase goods and supplies through hospital or other group purchasing organizations when it is cost effective to do so.

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund-State Appropriation (FY 2018) \$4,463,000

General Fund-State Appropriation (FY 2019) \$3,628,000

General Fund-Federal Appropriation \$24,580,00

General Fund-Private/Local Appropriation \$60,000

TOTAL APPROPRIATION \$32,731,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of services for the blind are subject to technical oversight by the office of the state chief information officer.

(2) \$2,029,000 of the general fund-state appropriation for fiscal year 2018, and \$1,177,000 of the general fund-state appropriation for fiscal year 2019 are

provided solely for the department to contract with a vendor to develop and implement a new business management system. This project is subject to the conditions, limitations, and review provided in section 949 of this act.

NEW SECTION. Sec. 221. FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund-Federal Appropriation \$217,878,000

General Fund-Private/Local Appropriation \$34,930,000

Unemployment Compensation Administration Account-Federal

Appropriation \$263,307,000

Administrative Contingency Account-State Appropriation \$25,522,000

Employment Service Administrative Account-State

Appropriation \$51,484,000

Family Leave Insurance Account-State Appropriation \$82,000,000

TOTAL APPROPRIATION \$675,121,000

The appropriations in this subsection are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$4,152,000 of the unemployment compensation administration account-federal appropriation is provided solely to the unemployment tax and benefits systems and is subject to the conditions, limitations, and review provided in section 949 of this act.

(3) \$82,000,000 of the family leave insurance account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1116 (family and med leave insurance). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(4) \$240,000 of the administrative contingency account-state appropriation is provided solely for the employment security department to contract with a center for workers in King county. The amount appropriated in this subsection shall be used by the contracted center for workers to support initiatives that

generate high-skill, high-wage jobs; improve workforce and training systems; improve service delivery for dislocated workers; and build alliances with community and environmental organizations.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

(1) CHILDREN AND FAMILIES SERVICES PROGRAM

General Fund-State Appropriation (FY 2019) \$351,440,000

General Fund-Federal Appropriation \$228,193,000

General Fund-Private/Local Appropriation \$1,477,000

Domestic Violence Prevention Account-State

Appropriation \$1,002,000

Child and Family Reinvestment Account-State

Appropriation \$3,609,000

TOTAL APPROPRIATION \$585,721,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$668,000 of the general fund-state appropriation for fiscal year 2019 is provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(b) \$253,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the costs of hub home foster families that provide a foster care delivery model that includes a licensed hub home. Use of the hub home model is intended to support foster parent

retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(c) \$579,000 of the general fund-state appropriation for fiscal year 2019 and \$55,000 of the general fund-federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(d) \$990,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for services provided through children's advocacy centers.

(e) \$1,351,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(f) \$4,715,000 of the general fund-state appropriation for fiscal year 2019, \$3,609,000 of the child and family reinvestment account-state appropriation, and \$6,022,000 of the general fund-federal appropriation, are provided solely for family assessment response.

(g) \$94,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(h) \$3,910,000 of the general fund-state appropriation for fiscal year 2019 and \$1,168,000 of the general fund-federal appropriation are provided solely for the department to reduce the caseload ratios of social workers serving children in foster care to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcome.

(i)(A) \$540,000 of the general fund-state appropriation for fiscal year 2019, \$328,000 of the general fund private/local appropriation, and \$126,000 of the general fund-federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be

prioritized to regions with high numbers of foster care youth, or regions where backlogs of youth that have formerly requested educational outreach services exist. The department is encouraged to use private matching funds to maintain educational advocacy services.

(B) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(j) The department shall continue to implement policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised to unsupervised visitation prior to reunification.

(k) \$111,000 of the general fund-state appropriation for fiscal year 2019 and \$26,000 of the general fund-federal appropriation are provided solely for a base rate increase for licensed family child care providers. \$45,000 of the general fund-state appropriation for fiscal year 2019 and \$11,000 of the general fund-federal appropriation are provided for increasing paid professional days from three days to five days for licensed family child care providers. This funding is for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act.

(l) \$321,000 of the general fund-state appropriation for fiscal year 2019 and \$133,000 of the general fund-federal appropriation are provided solely to implement Substitute House Bill No. 1867 (ext. foster care transitions). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(m) \$400,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a contract with a community-based organization that, in partnership with a national nonprofit organization and private matching funds, must provide specialized, enhanced adoption placement services for legally free children in state custody. The contract must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children.

(n) \$1,324,000 of the general fund-state appropriation for fiscal year 2019

and \$198,000 of the general fund-federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department must submit an analysis of the strategies and associated outcomes no later than October 1, 2018.

(o) \$3,600,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for state supplemental payments for the state maintenance of effort requirement to qualify for medicaid federal financial participation.

(p) \$339,000 of the general fund-state appropriation for fiscal year 2019 and \$65,000 of the general fund-federal appropriation are provided solely for a two percent base rate increase for child care center providers. \$696,000 of the general fund-state appropriation for fiscal year 2019 and \$133,000 of the general fund-federal appropriation are provided solely for the department to increase tiered reimbursement rates for child care center providers.

(2) EARLY LEARNING PROGRAM

General Fund-State Appropriation (FY 2019) \$141,578,000

General Fund-Federal Appropriation \$143,381,000

Education Legacy Trust Account-State Appropriation \$14,175,000

Home Visiting Services Account-State Appropriation \$4,226,000

Home Visiting Services Account-Federal Appropriation \$11,693,000

WA Opportunity Pathways Account-State Appropriation \$40,000,000

TOTAL APPROPRIATION \$355,053,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$71,216,000 of the general fund-state appropriation for fiscal year 2019, \$12,125,000 of the education legacy trust account-state appropriation, and

\$40,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 12,934 slots in fiscal year 2019.

(b) \$200,000 of the general fund-state appropriation for fiscal year 2019 is provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(c) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department.

(d) \$76,650,000 of the general fund-federal appropriation is provided solely for the working connections child care program under RCW 43.215.135.

(e) In addition to groups that were given prioritized access to the working connections child care program effective March 1, 2011, the department shall also give prioritized access into the program to: (i) Families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center; and (ii) families with a child residing with a biological parent or guardian who have received child protective services, child welfare services, or a family assessment response from the department in the past six months, and has received a referral for child care as part of the family's case management.

(f) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department

must also report on the number of children served through contracted slots.

(g) \$1,560,000 of the general fund-state appropriation for fiscal year 2019 and \$6,712,000 of the general fund-federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(h) \$2,522,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department.

(i) \$52,789,000 of the general fund-state appropriation for fiscal year 2019 and \$13,954,000 of the general fund-federal appropriation are provided solely to maintain the requirements set forth in chapter 7, Laws of 2015, 3rd sp. sess. The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In its annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements. \$5,822,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the department to increase tiered reimbursement rates for child care center providers.

(j) \$1,728,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(k) \$375,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(l) \$2,000,000 of the education legacy trust account-state appropriation is provided solely for early intervention assessment and services.

(m) \$2,969,000 of the general fund-federal appropriation for fiscal year 2019 is provided solely for the department to procure a time and attendance system and are subject to the conditions, limitations, and review provided in section 949 of this act.

(n) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management and authorization systems within the department are subject to technical oversight by the office of the chief information officer. The department must collaborate with the office of the chief information officer to develop a strategic business and technology architecture plan for a child care attendance and billing system that supports a statewide architecture.

(o) (i) (A) The department is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(B) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(C) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(D) The education research and data center must provide an updated report on early childhood program participation and

K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data by November 2017 for the school year ending in 2016 and again in March 2018 for the school year ending in 2017.

(ii) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(p) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(q) \$2,651,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act. Of the amounts provided in this subsection:

(i) \$273,000 is for a base rate increase;

(ii) \$55,000 is for increasing paid professional development days from three days to five days;

(iii) \$1,708,000 is for the family child care providers 501c3 organization for the substitute pool, training and quality improvement support services, and administration;

(iv) \$114,000 is for increasing licensing incentive payments; and

(v) \$500,000 is for needs based grants.

(r) \$250,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the department to contract with a nonprofit entity that provides quality improvement services to participants in the early achievers program to implement a community-based training module that supports licensed child care providers who have been rated in early achievers and who are specifically interested in serving children in the early childhood education and assistance program. The module must be functionally translated into Spanish and Somali. The module must prepare trainees to administer all aspects of the early

childhood education and assistance program for eligible children in their licensed program and must be offered to 300 child care providers to serve children eligible for the early childhood education and assistance program by June 30, 2019.

(s) \$750,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the implementation of the early achievers expanded learning opportunity quality initiative pursuant to RCW 43.215.100(3)(d).

(t) \$67,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Substitute House Bill No. 1445 (dual language in early learning & K-12). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(u) \$100,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2019)	\$51,235,000
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General Appropriation	\$15,928,000	Fund-Federal
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TOTAL APPROPRIATION \$67,163,000

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations provided in this subsection are provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

PART III

NATURAL RESOURCES

NEW SECTION. Sec. 301. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund-State Appropriation (FY 2018)	\$538,000
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General Fund-State Appropriation (FY 2019)	\$549,000
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General Fund-Federal Appropriation	\$32,000
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General Fund-Private/Local
 Appropriation \$1,055,000

TOTAL APPROPRIATION \$2,174,000

NEW SECTION. Sec. 302. FOR THE
 DEPARTMENT OF ECOLOGY

General Fund-State Appropriation (FY
 2018) \$28,126,000

General Fund-State Appropriation (FY
 2019) \$28,141,000

General Fund-Federal Appropriation
 \$104,720,000

General Fund-Private/Local
 Appropriation \$22,510,000

Reclamation Account-State
 Appropriation \$4,025,000

Flood Control Assistance Account-State
 Appropriation \$2,100,000

State Emergency Water Projects
 Revolving Account-State
 Appropriation \$40,000

Waste Reduction/Recycling/Litter
 Control-State
 Appropriation \$13,544,000

State Drought Preparedness Account-
 State Appropriation \$204,000

State and Local Improvements Revolving
 Account (Water
 Supply Facilities)-State Appropriation
 \$156,000

Aquatic Algae Control Account-State
 Appropriation \$519,000

Water Rights Tracking System Account-
 State Appropriation \$46,000

Site Closure Account-State
 Appropriation \$582,000

Wood Stove Education and Enforcement
 Account-State
 Appropriation \$555,000

Worker and Community Right-to-Know
 Account-State
 Appropriation \$1,821,000

Water Rights Processing Account-State
 Appropriation \$39,000

State Toxics Control Account-State
 Appropriation \$128,925,000

State Toxics Control Account-
 Private/Local
 Appropriation \$499,000

Local Toxics Control Account-State
 Appropriation \$4,715,000

Water Quality Permit Account-State
 Appropriation \$43,010,000

Underground Storage Tank Account-State
 Appropriation \$3,481,000

Biosolids Permit Account-State
 Appropriation \$2,146,000

Environmental Legacy Stewardship
 Account-State
 Appropriation \$40,449,000

Hazardous Waste Assistance Account-
 State
 Appropriation \$6,260,000

Radioactive Mixed Waste Account-State
 Appropriation \$17,324,000

Air Pollution Control Account-State
 Appropriation \$3,361,000

Oil Spill Prevention Account-State
 Appropriation \$8,253,000

Air Operating Permit Account-State
 Appropriation \$3,712,000

Freshwater Aquatic Weeds Account-State
 Appropriation \$1,447,000

Oil Spill Response Account-State
 Appropriation \$7,076,000

Water Pollution Control Revolving
 Administration
 Account-State
 \$3,473,000
 Appropriation

Water Pollution Control Revolving
 Account-State
 Appropriation \$50,000

Water Pollution Control Revolving
 Account-Federal
 Appropriation \$249,000

Paint Product Stewardship Account-State
 Appropriation \$158,000

TOTAL APPROPRIATION \$481,716,000

The appropriations in this section are
 subject to the following conditions and
 limitations:

(1) \$170,000 of the oil spill
 prevention account-state appropriation is
 provided solely for a contract with the
 University of Washington's sea grant
 program to continue an educational program
 targeted to small spills from commercial
 fishing vessels, ferries, cruise ships,
 ports, and marinas.

(2) \$199,000 of the general fund-state appropriation for fiscal year 2018, \$259,000 of the general fund-state appropriation for fiscal year 2019, \$63,000 of the waste reduction, recycling and litter control account-state appropriation, \$968,000 of the state toxics control account-state appropriation, \$37,000 of the local toxics control account-state appropriation, \$382,000 of the water quality permit account-state appropriation, \$35,000 of the underground storage tank account-state appropriation, \$242,000 of the environmental legacy stewardship account-state appropriation, \$66,000 of the hazardous waste assistance account-state appropriation, \$142,000 of the radioactive mixed waste account-state appropriation, \$30,000 of the air pollution control account-state appropriation, \$73,000 of the oil spill prevention account-state appropriation, \$30,000 of the air operating permit account-state appropriation, \$50,000 of the water pollution control revolving account-state appropriation, and \$249,000 of the water pollution control revolving account-federal appropriation are provided solely for the integrated revenue management system and are subject to the conditions, limitations, and review provided in section 949 of this act.

(3) Within existing resources and staffing, the department shall work with the Puget Sound clean air agency to conduct a technical review of the production processes of asphalt plants within the Puget Sound clean air agency's jurisdiction. The review must identify methods currently used to minimize off-site impacts, including but not limited to odor. The department and Puget Sound clean air agency must share the results of the technical review with impacted cities within the Puget Sound clean air agency's jurisdiction and the legislature.

(4) \$158,000 of the paint product stewardship account-state appropriation is provided solely for the implementation of Substitute House Bill No. 1376 (paint stewardship). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(5) The department, using its full statutory authorities in regard to the Hanford nuclear reservation under the federal facilities compliance act 42 U.S.C. Sec. 6961 and RCW 70.105.280, shall charge the United States Department of Energy all appropriate oversight costs and

service charges, including for public participation, and utilize such service charges and existing funding to ensure that:

(a) Funding provided from fees and service charges to increase staffing to develop, administer and issue permits issued pursuant to chapter 70.105 RCW will provide expertise to include conditions to protect the health and safety of cleanup workers from exposure to dangerous waste vapor or other emissions from tanks and other facilities, including engineered emission controls, training, use of best available monitoring technology, medical surveillance and removal of exposed workers;

(b) Public participation in, and knowledge of, the cleanup decisions is increased by the department by holding public meetings around the state and region at least once per fiscal year during the 2017-2019 fiscal biennium for public comment and dialogue with senior department officials. The department must seek to obtain feedback from a range of views relating to health and safety of cleanup workers and other public and tribal concerns. The department may invite senior managers of relevant federal agencies to participate;

(c) Public participation grant funding is awarded to all qualified non-profit groups pursuant to RCW 70.105D.070(7) that participate in the Hanford advisory board and that increase public participation in cleanup decisions. The department shall utilize service charges assessed the owners and operators of the Hanford nuclear reservation to achieve this level of grant funding. After the receipt of such service charges, the department may utilize any funds which are freed up to offer additional grants to individuals and organizations and increase participation in other hazardous substance release sites; and

(d) The capability of the department to issue delayed permits is addressed, including appropriate conditions to utilize commercially available, permitted treatment or new storage capacity to avoid further delay in the removal of wastes from leaking or potentially leaking high-level nuclear mixed waste tanks.

NEW SECTION. Sec. 303. FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund-State Appropriation (FY 2018) \$10,474,000

General Fund—State Appropriation (FY 2019) \$10,482,000

General Fund—Federal Appropriation \$6,934,000

Winter Recreation Program Account—State Appropriation \$3,286,000

ORV and Nonhighway Vehicle Account—State Appropriation \$229,000

Snowmobile Account—State Appropriation \$5,623,000

Aquatic Lands Enhancement Account—State Appropriation \$367,000

Outdoor Education and Recreation Account—State

Appropriation \$2,000,000

Parks Renewal and Stewardship Account—State

Appropriation \$121,302,000

Parks Renewal and Stewardship Account—Private/Local

Appropriation \$318,000

TOTAL APPROPRIATION \$161,015,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$129,000 of the general fund—state appropriation for fiscal year 2018 and \$129,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the commission to pay assessments charged by local improvement districts.

NEW SECTION. Sec. 304. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

General Fund—State Appropriation (FY 2018) \$1,413,000

General Fund—State Appropriation (FY 2019) \$1,374,000

General Fund—Federal Appropriation \$3,578,000

General Fund—Private/Local Appropriation \$24,000

Aquatic Lands Enhancement Account—State Appropriation \$493,000

Firearms Range Account—State Appropriation \$37,000

Recreation Resources Account—State Appropriation \$3,421,000

NOVA Program Account—State Appropriation \$1,033,000

TOTAL APPROPRIATION \$11,373,000

The appropriations in this section are subject to the following conditions and limitations: \$156,000 of the general fund—state appropriation for fiscal year 2018 and \$156,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the board to grant to the Nisqually River Foundation for implementation of the Nisqually watershed stewardship plan.

NEW SECTION. Sec. 305. FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund—State Appropriation (FY 2018) \$2,287,000

General Fund—State Appropriation (FY 2019) \$2,296,000

TOTAL APPROPRIATION \$4,583,000

NEW SECTION. Sec. 306. FOR THE CONSERVATION COMMISSION

General Fund—State Appropriation (FY 2018) \$7,275,000

General Fund—State Appropriation (FY 2019) \$7,207,000

General Fund—Federal Appropriation \$2,301,000

Public Works Assistance Account—State Appropriation \$7,602,000

State Toxics Control Account—State Appropriation \$1,000,000

TOTAL APPROPRIATION \$25,385,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,602,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(2) \$85,000 of the general fund—state appropriation for fiscal year 2018 and \$15,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of Engrossed Second Substitute House Bill No.

1562 (WA food policy forum). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund-State Appropriation (FY 2018) \$41,695,000

General Fund-State Appropriation (FY 2019) \$40,267,000

General Fund-Federal Appropriation \$115,835,000

General Fund-Private/Local Appropriation \$62,393,000

ORV and Nonhighway Vehicle Account-State Appropriation \$435,000

Aquatic Lands Enhancement Account-State Appropriation \$9,961,000

Recreational Fisheries Enhancement-State Appropriation \$3,022,000

Warm Water Game Fish Account-State Appropriation \$2,664,000

Eastern Washington Pheasant Enhancement Account-State

Appropriation \$675,000

State Wildlife Account-State Appropriation \$145,091,000

Special Wildlife Account-State Appropriation \$70,000

Special Wildlife Account-Federal Appropriation \$502,000

Special Wildlife Account-Private/Local Appropriation \$3,540,000

Wildlife Rehabilitation Account-State Appropriation \$361,000

Ballast Water Management Account-State Appropriation \$10,000

Hydraulic Project Approval Account-State Appropriation \$1,973,000

Environmental Legacy Stewardship Account-State

Appropriation \$2,728,000

Regional Fisheries Enhancement Salmonid Recovery Account-

Federal Appropriation \$5,001,000

Oil Spill Prevention Account-State Appropriation \$1,073,000

Oyster Reserve Land Account-State Appropriation \$527,000

Aquatic Invasive Species Management Account-State

Appropriation \$1,630,000

TOTAL APPROPRIATION \$439,453,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$467,000 of the general fund-state appropriation for fiscal year 2018 and \$467,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to pay for emergency fire suppression costs. This amount may not be used to fund agency indirect and administrative expenses.

(2) \$580,000 of the general fund-state appropriation for fiscal year 2018 and \$580,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for payments in lieu of real property taxes to counties that elect to receive the payments for department owned game lands within the county.

(3) \$415,000 of the general fund-state appropriation for fiscal year 2018, \$415,000 of the general fund-state appropriation for fiscal year 2019, and \$440,000 of the general fund-federal appropriation are provided solely for county assessments.

(4) Prior to submitting its 2019-2021 biennial operating and capital budget requests related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review the proposed requests. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost effective manner. The department shall provide a copy of the HSRG review to the office of financial management with its agency budget proposal.

(5) \$400,000 of the general fund-state appropriation for fiscal year 2018 and \$400,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the

United States army corps of engineers. Prior to implementation of any Puget Sound nearshore ecosystem restoration projects in Whatcom county, the department must consult with and seek, to the maximum extent practicable, consensus on those projects among appropriate landowners, federally recognized Indian tribes, agencies, and community and interest groups.

(6) Within the amounts appropriated in this section, the department shall identify additional opportunities for partnerships in order to keep fish hatcheries operational. Such partnerships shall aim to maintain fish production and salmon recovery with less reliance on state operating funds.

(7) \$625,000 of the general fund-state appropriation for fiscal year 2018 and \$625,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for training for a work unit to engage and empower diverse stakeholders in decisions about fish and wildlife, continued conflict transformation with the wolf advisory group, and for cost share partnerships between the department and landowners and the use of contract range riders to reduce the potential for wolf-livestock conflict.

(8) \$3,112,000 of the state wildlife account-state appropriation is provided solely for information security compliance. The department shall consult with the office of cybersecurity within the office of the state chief information officer to review goods and services procured under this subsection for compliance with state information technology security policies and standards.

(9) Within the amounts appropriated in this section the department shall establish a conservation task force. This task force shall develop recommendations on mechanisms to fund fish and wildlife conservation and connecting residents and youth to the outdoors. This task force shall consist of a diverse set of representatives including, hunters, anglers, private landowners, and fish and wildlife conservation organizations. The department shall request participation from tribal representatives. The task force shall:

(a) Perform a general assessment of fish and wildlife conservation programs and funding relative to public values around natural resources.

(b) Solicit input and collect information on regional priorities and suggestions for state action.

(c) Develop recommendations for transforming conservation programs to promote relevancy to the public and better engage partners in fish and wildlife conservation.

(d) Develop recommendations for long-term sustainable funding sources for conservation of Washington's diverse game and nongame species and habitats by the department of fish and wildlife, state parks and recreation, department of ecology, department of natural resources, other state and tribal agencies, and important partners including local governments, conservation and recreation groups, businesses, universities, schools, and others.

(e) Suggest opportunities to support and expand environmental/outdoor education for youth across the state and connect Washingtonians of all ages, ethnicities, and backgrounds to the outdoors.

(f) Offer ways to support Washington-based businesses that rely upon the natural resources that provide our state's high quality of life.

The task force shall provide draft recommendations to the governor by April 2, 2018, with a final report to the governor and legislature by June 20, 2018.

(10) \$1,145,000 of the general fund-state appropriation for fiscal year 2018, \$1,145,000 of the general fund-state appropriation for fiscal year 2019, and \$20,441,000 of the state wildlife account-state appropriation are provided solely for the fish program, including implementation of Substitute House Bill No. 1597 (commercial fishing) and House Bill No. 1647 (recreational fishing & hunting fees). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(11) \$5,430,000 of the state wildlife account-state appropriation is provided solely for activities related to hunting, including implementation of House Bill No. 1647 (recreational fishing & hunting fees). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(12) \$500,000 of the general fund-state appropriation for fiscal year 2018, \$500,000 of the general fund-state

appropriation for fiscal year 2019, and \$1,295,000 of the hydraulic project approval account-state appropriation are provided solely for the hydraulic project approval program, including implementation of Substitute House Bill No. 1428 (construction in state waters). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(13) \$1,630,000 of the aquatic invasive species management account, \$600,000 of the general fund-federal appropriation, \$62,000 of the state wildlife account-state appropriation, and \$10,000 of the ballast water management account-state appropriation are provided solely for activities related to aquatic invasive species, including implementation of Substitute House Bill No. 1429 (aquatic invasive species). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund-State Appropriation (FY 2018) \$48,026,000

General Fund-State Appropriation (FY 2019) \$50,463,000

General Fund-Federal Appropriation \$27,201,000

General Fund-Private/Local Appropriation \$2,372,000

Forest Development Account-State Appropriation \$55,145,000

ORV and Nonhighway Vehicle Account-State

Appropriation \$8,265,000

Surveys and Maps Account-State Appropriation \$3,429,000

Aquatic Lands Enhancement Account-State Appropriation \$13,034,000

Resources Management Cost Account-State Appropriation \$118,368,000

Surface Mining Reclamation Account-State

Appropriation \$4,035,000

Disaster Response Account-State Appropriation \$23,076,000

Forest and Fish Support Account-State Appropriation \$12,770,000

Aquatic Land Dredged Material Disposal Site Account-State

Appropriation \$400,000

Natural Resources Conservation Areas Stewardship Account-State

Appropriation \$34,000

Marine Resources Stewardship Trust Account-State

Appropriation \$3,000

State Toxics Control Account-State Appropriation \$5,685,000

Forest Practices Application Account-State

Appropriation \$2,113,000

Air Pollution Control Account-State Appropriation \$845,000

NOVA Program Account-State Appropriation \$714,000

Derelict Vessel Removal Account-State Appropriation \$1,938,000

Community Forest Trust Account-State Appropriation \$52,000

Agricultural College Trust Management Account-State

Appropriation \$2,969,000

TOTAL APPROPRIATION \$380,937,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,420,000 of the general fund-state appropriation for fiscal year 2018 and \$1,352,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(2) \$16,546,000 of the general fund-state appropriation for fiscal year 2018, \$16,546,000 of the general fund-state appropriation for fiscal year 2019, and \$16,050,000 of the disaster response account-state appropriation are provided solely for emergency fire suppression.

(3) \$5,000,000 of the forest and fish support account-state appropriation is provided solely for outcome-based, performance contracts with tribes to participate in the implementation of the forest practices program. Contracts

awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse.

(4) \$1,640,000 of the general fund-state appropriation for fiscal year 2018 and \$1,640,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board. The forest practices board shall submit a report to the legislature following review, approval, and solicitation of public comment on the cooperative monitoring, evaluation, and research master project schedule, to include: Cooperative monitoring, evaluation, and research science and related adaptive management expenditure details, accomplishments, the use of cooperative monitoring, evaluation, and research science in decision-making, and funding needs for the coming biennium. The report shall be provided to the appropriate committees of the legislature by November 1, 2018.

(5) \$140,000 of the general fund-state appropriation for fiscal year 2018 and \$140,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for local capacity for wildfire suppression in any county located east of the crest of the Cascade mountain range that shares a common border with Canada and has a population of one hundred thousand or less. The funding provided in this subsection must be provided to these counties for radio communication equipment, or to fire protection service providers within these counties for residential wildfire risk reduction activities, including education and outreach, technical assistance, fuel mitigation, and other residential risk reduction measures. For the purposes of this subsection, fire protection service providers include fire departments, fire districts, emergency management services, and regional fire protection service authorities. The department must prioritize funding to counties authorized in this subsection, and fire protection

service providers within those counties that serve a disproportionately higher percentage of low-income residents as defined in RCW 84.36.042, that are located in areas of higher wildfire risk, and whose fire protection service providers have a shortage of reliable equipment and resources.

(6) Sufficient funding is provided in this section and the capital appropriations act to implement Engrossed Second Substitute House Bill No. 1711 (forest health treatments).

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF AGRICULTURE

General Fund-State Appropriation (FY 2018) \$17,075,000

General Fund-State Appropriation (FY 2019) \$17,099,000

General Fund-Federal Appropriation \$31,030,000

General Fund-Private/Local Appropriation \$193,000

Aquatic Lands Enhancement Account-State Appropriation \$2,516,000

State Toxics Control Account-State Appropriation \$5,416,000

Water Quality Permit Account-State Appropriation \$73,000

TOTAL APPROPRIATION \$73,402,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,108,445 of the general fund-state appropriation for fiscal year 2018 and \$6,102,905 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementing the food assistance program as defined in RCW 43.23.290.

(2) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2018, and February 1, 2019. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

(3) \$39,000 of the general fund-state appropriation for fiscal year 2018 and \$9,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1562 (WA food policy forum). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Revolving Account-State

Appropriation \$10,000

Pollution Liability Insurance Program Trust Account-State

Appropriation \$1,281,000

TOTAL APPROPRIATION \$1,291,000

NEW SECTION. Sec. 311. FOR THE PUGET SOUND PARTNERSHIP

General Fund-State Appropriation (FY 2018) \$2,978,000

General Fund-State Appropriation (FY 2019) \$2,741,000

General Fund-Federal Appropriation \$8,026,000

Aquatic Lands Enhancement Account-State
Appropriation \$1,403,000

State Toxics Control Account-State
Appropriation \$713,000

TOTAL APPROPRIATION \$15,861,000

The appropriations in this section are subject to the following conditions and limitations: By October 15, 2018, the Puget Sound partnership shall provide the governor a single, prioritized list of state agency 2019-2021 capital and operating budget requests related to Puget Sound restoration.

PART IV

TRANSPORTATION

NEW SECTION. Sec. 401. FOR THE DEPARTMENT OF LICENSING

General Fund-State Appropriation (FY 2018) \$1,813,000

General Fund-State Appropriation (FY 2019) \$1,487,000

Architects' License Account-State
Appropriation \$975,000

Professional Engineers' Account-State
Appropriation \$3,812,000

Real Estate Commission Account-State
Appropriation \$10,709,000

Uniform Commercial Code Account-State
Appropriation \$3,351,000

Real Estate Education Program Account-State

Appropriation \$276,000

Real Estate Appraiser Commission Account-State

Appropriation \$1,818,000

Business and Professions Account-State
Appropriation \$18,938,000

Real Estate Research Account-State
Appropriation \$415,000

Geologists' Account-State
Appropriation \$53,000

Derelict Vessel Removal Account-State
Appropriation \$33,000

CPL Renewal Notification Account-State
Appropriation \$183,000

TOTAL APPROPRIATION \$43,863,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$242,000 of the business and professions account appropriation is provided solely to implement Substitute House Bill No. 1420 (theatrical wrestling). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(2) \$183,000 of the concealed pistol license renewal notification account appropriation is provided solely to implement Substitute House Bill No. 1100 (concealed pistol license). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 402. FOR THE STATE PATROL

General Fund-State Appropriation (FY 2018) \$45,101,000

General Fund-State Appropriation (FY 2019) \$44,401,000

General Fund-Federal Appropriation \$16,142,000

General Fund-Private/Local Appropriation \$3,081,000

Death Investigations Account-State Appropriation \$6,577,000

County Criminal Justice Assistance Account-State Appropriation \$3,572,000

Municipal Criminal Justice Assistance Account-State Appropriation \$1,460,000

Fire Service Trust Account-State Appropriation \$131,000

Vehicle License Fraud Account-State Appropriation \$64,000

Disaster Response Account-State Appropriation \$8,000,000

Fire Service Training Account-State Appropriation \$10,982,000

Aquatic Invasive Species Management Account-State Appropriation \$54,000

State Toxics Control Account-State Appropriation \$537,000

Fingerprint Identification Account-State Appropriation \$14,360,000

Sexual Assault Prevention and Response Account-State Appropriation \$1,039,000

TOTAL APPROPRIATION \$155,501,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$270,000 of the fire service training account-state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) \$8,000,000 of the disaster response account-state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(3) \$700,000 of the fire service training account-state appropriation is provided solely for the firefighter apprenticeship training program.

(4) \$41,000 of the general fund-state appropriation for fiscal year 2018 and \$41,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1163 (domestic violence). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(5) \$1,758,000 of the general fund-state appropriation for fiscal year 2018 and \$952,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1501 (attempts to obtain firearms). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(6) \$144,000 of the general fund-state appropriation for fiscal year 2018 and \$152,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1863 (fire incident reporting system). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(7) \$3,421,000 of the fingerprint identification account-state appropriation is provided solely for the completion of the state patrol's plan to upgrade the criminal history system.

(8) \$1,039,000 of the sexual assault prevention and response account-state appropriation is provided solely for the implementation of a sexual assault kit tracking database project.

PART V

EDUCATION

NEW SECTION. Sec. 501. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund-State Appropriation (FY 2018) \$47,289,000

General Fund-State Appropriation (FY 2019) \$44,339,000

General Fund-Federal Appropriation \$68,032,000

General Fund-Private/Local Appropriation \$8,037,000

Education Legacy Trust Account-State Appropriation \$13,000,000

Washington Opportunity Pathways Account-State Appropriation \$584,000

Dedicated Marijuana Account-State Appropriation (FY 2018) \$512,000

Dedicated Marijuana Account-State Appropriation (FY 2019) \$512,000

Performance Audits of Government Account-State Appropriation \$210,000

TOTAL APPROPRIATION \$182,515,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,002,000 of the general fund-state appropriation for fiscal year 2018 and \$10,273,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(a) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(b) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(c) By September of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in sections 501 and 513 of this act. The status report of each proviso shall include, but not be limited to, the

following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(d) The superintendent of public instruction, in consultation with the secretary of state, shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

(e) Districts shall annually report to the office of the superintendent of public instruction on: (i) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (ii) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(f) Within amounts appropriated in this section, the director of the department of early learning and the superintendent of public instruction must provide a report to the governor and legislature on multiple options to improve the administration and delivery of early intervention services to children with disabilities from birth to three years of age pursuant to RCW 28A.155.065, as currently funded pursuant to RCW 28A.150.390(2)(a). The report must be submitted according to RCW 43.01.036 by November 1, 2017. The options included in the report must consider:

(i) Maximizing the state resources being provided for services to children;

(ii) Minimizing administrative overhead;

(iii) Creating clear accountability for expenditures;

(iv) Improving outcomes for young children who are eligible to receive services;

(v) Increasing the availability of services statewide and regionally; and

(vi) Revising statutes and rules to reflect the authority and responsibilities to accomplish the options.

(g) Within amounts appropriated in this section, the superintendent of public instruction shall convene a task force on K-12 governance and responsibilities.

(i) Membership of the task force shall include:

(A) The chair and ranking minority member of the senate early learning and K-12 education committee;

(B) The chair and ranking minority member of the house of representatives education committee;

(C) The governor or the governor's designee;

(D) The superintendent of public instruction or the superintendent's designee;

(E) The chair of the state board of education;

(F) The president of the Washington state school directors' association; and

(G) The chair of the student achievement council.

(ii) The task force shall review the following issues:

(A) Legislation introduced in 2017 relating to the responsibilities of the superintendent of public instruction and the state board of education;

(B) The constitutional and statutory provisions establishing the governance structure and associated responsibilities in the K-12 system;

(C) Options for the divisions of roles and responsibilities between the office of the superintendent of public instruction and the state board of education;

(D) Past and present provisions governing the superintendent of public instruction and the superintendent's office, including authorities and duties assigned and modified by the legislature;

(E) Past and present provisions governing the state board of education, including provisions prescribing its authorities, duties, composition, and membership qualifications; and

(F) Considerations of governance and responsibility provisions for other public partner agencies in the K-12 system.

(iii) The task force shall report its findings and recommendations, including recommendations regarding the appropriate roles and responsibilities of the superintendent of public instruction and the state board of education in the K-12 system, to the education committees of the house of representatives and the senate by November 15, 2017.

(2) \$857,000 of the general fund-state appropriation for fiscal year 2018 and \$857,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for activities associated with the implementation of new school finance systems required by chapter 236, Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009 (state's education system), including technical staff, systems reprogramming, and work group deliberations, including the data governance working group.

(3)(a) \$911,000 of the general fund-state appropriation for fiscal year 2018 and \$911,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities.

(b) \$322,000 of the Washington opportunity pathways account-state appropriation is provided solely for the state board of education to provide assistance to public schools other than common schools authorized under chapter 28A.710 RCW.

(4) \$3,516,000 of the general fund-state appropriation for fiscal year 2018 and \$3,599,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to the professional educator standards board for the following:

(a) \$1,115,000 in fiscal year 2018 and \$1,115,000 in fiscal year 2019 are for the operation and expenses of the Washington professional educator standards board;

(b) \$2,372,000 of the general fund-state appropriation for fiscal year 2018 and \$2,372,000 of the general fund-state appropriation for fiscal year 2019 are for grants to improve preservice teacher training and for funding of alternate routes to certification programs administered by the professional educator

standards board. Alternate routes programs include the pipeline for paraeducators program, the retooling to teach conditional loan programs, and the recruiting Washington teachers program. Priority shall be given to programs that support bilingual teachers and English language learners. Within this subsection (4)(b), up to \$500,000 per fiscal year is available for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs and \$250,000 is provided solely for the pipeline for paraeducators conditional scholarship program for scholarships for paraeducators to complete their associate of arts degrees in subject matter shortage areas;

(c) \$25,000 of the general fund-state appropriation for fiscal year 2018 and \$25,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (A) Include both written assessment and performance assessment; (B) be offered by a national organization of professional sign language interpreters and transliterators; and (C) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use.

(d) \$4,000 of the general fund-state appropriation for fiscal year 2018 and \$87,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1341 (prof. certification/teachers). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(5) \$266,000 of the general fund-state appropriation for fiscal year 2018 and \$266,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(6) \$61,000 of the general fund-state appropriation for fiscal year 2018 and \$61,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(7) \$61,000 of the general fund-state appropriation for fiscal year 2018 and \$61,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(8) \$262,000 of the Washington opportunity pathways account-state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(9) \$1,802,000 of the general fund-state appropriation for fiscal year 2018 and \$1,802,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(10) \$25,000 of the general fund-state appropriation for fiscal year 2018 and \$25,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for project citizen, a program sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle school students.

(11) \$1,500,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for collaborative schools for innovation and success authorized under chapter 53, Laws of 2012. The office of the superintendent of public instruction shall award \$500,000 per year in funding for each collaborative school for innovation and success selected for participation in the pilot program during 2012.

(12) \$123,000 of the general fund-state appropriation for fiscal year 2018 and \$123,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall

annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(13) \$250,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(14) \$50,000 of the general fund-state appropriation for fiscal year 2018 and \$50,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for school bullying and harassment prevention activities.

(15) \$14,000 of the general fund-state appropriation for fiscal year 2018 and \$14,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 242, Laws of 2013 (state-tribal education compacts).

(16) \$62,000 of the general fund-state appropriation for fiscal year 2018 and \$62,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(a) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(b) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(17) \$10,000 of the general fund-state appropriation for fiscal year 2018 and \$10,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the superintendent of public instruction to convene a committee

for the selection and recognition of Washington innovative schools. The committee shall select and recognize Washington innovative schools based on the selection criteria established by the office of the superintendent of public instruction, in accordance with chapter 202, Laws of 2011 (innovation schools-recognition) and chapter 260, Laws of 2011 (innovation schools and zones).

(18) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(19) \$131,000 of the general fund-state appropriation for fiscal year 2018, \$131,000 of the general fund-state appropriation for fiscal year 2019, and \$210,000 of the performance audits of government account-state appropriation are provided solely for the office of the superintendent of public instruction to perform on-going program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(20) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for youth suicide prevention activities.

(21) \$31,000 of the general fund-state appropriation for fiscal year 2018 and \$55,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional

development for districts implementing the new frameworks.

(22) \$2,541,000 of the general fund-state appropriation for fiscal year 2018 and \$2,541,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(23) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(24) \$1,221,000 of the general fund-state appropriation for fiscal year 2018 and \$1,221,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(25) \$3,940,000 of the general fund-state appropriation for fiscal year 2018 and \$3,940,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students.

(26) \$1,354,000 of the general fund-state appropriation for fiscal year 2018 and \$1,354,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007.

(27) \$410,000 of the general fund-state appropriation for fiscal year 2018,

\$280,000 of the general fund-state appropriation for fiscal year 2019, \$512,000 of the dedicated marijuana account-state appropriation for fiscal year 2018, and \$512,000 of the dedicated marijuana account-state appropriation for fiscal year 2019 are provided solely for the building bridges statewide program.

(28) \$2,984,000 of the general fund-state appropriation for fiscal year 2018 and \$2,590,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(29) \$293,000 of the general fund-state appropriation for fiscal year 2018 and \$293,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(30) \$4,894,000 of the general fund-state appropriation for fiscal year 2018 and \$4,894,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for grants for implementation of dual credit programs and subsidized advance placement exam fees and international baccalaureate class fees and exam fees for low-income students. For expenditures related to subsidized exam fees, the superintendent shall report: The number of students served; the demographics of the students served; and how the students perform on the exams.

(31) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the superintendent of public instruction to convene a work group to build upon the work of the social emotional learning work group established under section 501(34), chapter 4, Laws of 2015 3rd sp. sess. The members of the work group must include representatives from the same organizations that were represented on the 2015 work group, as well as five representatives of diverse communities and a statewide expanded learning opportunities intermediary. The work group must identify and articulate developmental indicators for each grade

level for each of the social emotional learning benchmarks, solicit feedback from stakeholders, and develop a model of best practices or guidance for schools on implementing the benchmarks and indicators. The work group shall submit recommendations to the education committees of the legislature and the office of the governor by June 30, 2019.

(32) \$117,000 of the general fund-state appropriation for fiscal year 2018 and \$117,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 3 (SHB No. 1813), Laws of 2015 1st sp. sess. (computer science).

(33) \$600,000 of the general fund-state appropriation for fiscal year 2018 and \$575,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1445 (dual language/early learning & K-12). In selecting recipients of the K-12 dual language grant, the superintendent of public instruction must prioritize districts that received grants under section 501(36), chapter 4, Laws of 2015 3rd sp. sess. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(34) \$125,000 of the general fund-state appropriation for fiscal year 2018 and \$125,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(35) \$1,000,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support

innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. Grant funds for the computer science and education grant program may be expended only to the extent that they are equally matched by private sources for the program, including gifts, grants, or endowments.

(36) \$2,145,000 of the general fund-state appropriation for fiscal year 2018 and \$2,145,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (Fourth Substitute House Bill No. 1999, foster youth edu. outcomes).

(a) Of the amount provided in this subsection, \$446,000 of the general fund-state appropriation for fiscal year 2018 and \$446,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(b) Of the amount provided in this subsection, \$1,015,000 of the general fund-state appropriation for fiscal year 2018 and \$1,015,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(37) \$1,000,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 157, Laws of 2016 (Third Substitute House Bill No. 1682, homeless students).

(38) \$753,000 of the general fund-state appropriation for fiscal year 2018 and \$703,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 72, Laws of 2016 (Fourth Substitute House Bill No. 1541, educational opportunity gap).

(39) \$57,000 of the general fund-state appropriation for fiscal year 2018 and \$15,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of chapter 240, Laws of 2016 (Engrossed Senate Bill No. 6620, school safety).

(40) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for staff at the office of superintendent of public instruction to support the national board certified teachers bonus program.

(41) \$237,000 of the general fund-state appropriation for fiscal year 2018 and \$213,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 1170 (truancy reduction efforts). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(42) \$100,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Substitute House Bill No. 2185 (K-12 funding). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(43) \$619,000 of the general fund-state appropriation for fiscal year 2018 and \$331,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1115 (paraeducators). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(44) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to support improvements to the office's web site.

(45) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1600 (career and college readiness). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(46) \$204,000 of the general fund-state appropriation for fiscal year 2018, \$204,000 of the general fund-state appropriation for fiscal year 2019, and \$408,000 of the general fund-federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(47) \$5,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the superintendent of public instruction to contract with the Washington state school directors' association for the creation of a model policy and procedures for school districts and industry to create a public-private partnership to support industry career preparation pipelines.

(48) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for grants to middle and high schools to support international baccalaureate programs in high poverty schools. Of these amounts:

(a) \$200,000 of the appropriation for fiscal year 2018 and \$200,000 of the appropriation for fiscal year 2019 are provided solely for grants to high schools that have an existing international baccalaureate program and enrollments of seventy percent or more students eligible for free or reduced-price meals in the prior school year to implement and sustain an international baccalaureate program; and

(b) \$100,000 of the appropriation for fiscal year 2018 and \$100,000 of the appropriation for fiscal year 2019 are provided solely for grants to middle schools with students that will attend a qualifying high poverty high school that has received a grant under (a) of this subsection to support implementation of a middle school international baccalaureate program.

(49) \$240,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for a grant to the Pacific science center to continue providing science on wheels activities in schools and other community settings. Funding is provided to assist with upgrading three planetarium computers and software and to assist with purchasing and outfitting

three vans with new traveling planetarium exhibits.

(50) \$100,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the office of the superintendent of public instruction to contract for consulting services for a study of the current state pupil transportation funding formula. The study must evaluate the extent to which the formula corresponds to the actual costs of providing pupil transportation to and from school for the state's statutory program of basic education, including transportation for students who are identified as homeless under the federal McKinney-Vento act. Based on the results of this evaluation, the superintendent must make recommendations for any necessary revisions to the state's pupil transportation formula, taking into account the statutory program of basic education, promotion of the efficient use of state and local resources, and continued local district control over the management of pupil transportation systems.

(51) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a grant to the Spokane school district to implement a program that provides hands-on education in financial literacy, work readiness, and entrepreneurship.

(52) \$7,000,000 of the education legacy trust account-state appropriation is provided solely for implementation of Substitute House Bill No. 1827 (educator workforce supply). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(53) \$6,000,000 of the education legacy trust account-state appropriation is provided solely for the office of the superintendent of public instruction to contract with a statewide nonprofit organization with expertise in promoting and supporting career-connected education from early learning through postsecondary education to establish a matching grant to support work-integrated learning projects. In consultation with the workforce training and education coordinating board, the office of the superintendent of public instruction shall include the following minimum requirements in the grant design: Measurable and accountable focus on low-income youth, homeless youth, and youth of color;

accountability for increasing registered youth apprenticeships, employer internships, business mentors, career planning, and other work-integrated learning experiences; regional coordinators or business liaisons to assist with education business links for internships and other work-integrated learning experiences; and systemwide support for work-integrated learning experiences, including but not limited to awareness, explorations, career counseling, preparation and training. Work-integrated learning includes but is not limited to, engaging students in grades 5-12 and high school dropout reengagement youth in early, frequent, and systematic learning experiences essential for preparing Washington youth for high-demand, family-wage jobs in Washington state. Expenditure of grant funds for work-integrated learning require an equal match from private or other nonstate sources for the program, including, but not limited to, gifts, grants, or endowments. The grantee must provide reports to the office of the superintendent of public instruction and the workforce training and education coordinating board, in accordance with the reporting requirements of Engrossed Substitute House Bill No. 1600 (career and college readiness). By November 15, 2019, the office of the superintendent of public instruction and the workforce training and education coordinating board must provide a final evaluation to the governor and the education and economic development committees of the house of representatives and senate.

(54) \$50,000 of the general fund-state appropriation for fiscal year 2018 and \$50,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of the legislative youth advisory council, pursuant to RCW 28A.300.801.

(55) \$338,000 of the general fund-state appropriation for fiscal year 2018 and \$28,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1377 (student mental health). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(56) \$440,000 of the general fund-state appropriation for fiscal year 2018 and \$270,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the

superintendent of public instruction for the procurement and implementation of a reporting and data aggregation system that will connect state- and district-level information to secure and protect district, school and student information in order to close student performance gaps by assisting school districts in data-driven implementation of strategies and supports that are responsive of student needs.

(57) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$450,000 of the general fund-state appropriation for fiscal year 2019 are provided for the superintendent of public instruction to develop and implement a statewide accountability system to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

NEW SECTION. Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT

General Fund-State Appropriation (FY 2018) \$7,241,083,000

General Fund-State Appropriation (FY 2019) \$7,429,395,000

Education Legacy Trust Account—State Appropriation \$95,730,000

TOTAL APPROPRIATION \$14,766,208,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2017-18 and 2018-19 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 502 and 503 of this act, excluding (c) of this subsection, and in House Bill No. 2185 (K-12 funding).

(c) From July 1, 2017, to August 31, 2017, the superintendent shall allocate general apportionment funding to school

districts programs as provided in sections 502 and 503, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2017-18 and 2018-19 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2017-18 and 2018-19 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided

in RCW 28A.150.260, except the allocation for guidance counselors in a middle school shall be 1.216 for the 2017-18 and 2018-19 school years. The enhancement within this subsection (2) is within the program of basic education. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

Grade	RCW 28A.150.260	2017-18 School Year	2018-19 School Year
K		17.00	17.00
1		17.00	17.00
2		17.00	17.00
3		17.00	17.00
4		27.00	27.00
5-6		27.00	27.00
7-8		28.53	28.53
9-12		28.74	28.74

The superintendent shall base allocations for laboratory science, career and technical education (CTE) and skill center programs average class size as provided in RCW 28A.150.260.

(ii) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

Grade	RCW 28A.150.260	2017-18 School Year	2018-19 School Year
K		17.00	17.00
1		17.00	17.00
2		17.00	17.00
3		17.00	17.00
4		27.00	27.00
5-6		27.00	27.00
7-8		28.53	28.53
9-12		28.74	28.74

(iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iv) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and (a) of this subsection and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for

the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2017-18	2018-19
	School Year	School Year
Career and Technical Education	3.07	3.07
Skill Center	3.41	3.41

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2017-18 and 2018-19 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistance principals, and other certificated building level administrators:

Prototypical
School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students	1.025
Skill Center students	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2017-18 and 2018-19 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade, except the

allocation for parent involvement coordinators in an elementary school shall be 0.0825 for the 2017-18 and 2018-19 school years, which enhancement is within the program of basic education.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2017-18 and 2018-19 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 1.71 percent in the 2017-18 school year and 1.71 percent in the 2018-19 school year for career and technical education students, and 17.61 percent in the 2017-18 school year and 17.61 percent in the 2018-19 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 23.49 percent in the 2017-18 school year and 23.49 percent in the 2018-19 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 24.60 percent in the 2017-18 school year and 24.60 percent in the 2018-19 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1,440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE			
MSOC Component	2017-18 School Year	2018-19 School Year	
Technology	\$130.76	\$132.85	

Utilities and Insurance	\$355.30	\$360.98
Curriculum and Textbooks	\$140.39	\$142.64
Other Supplies and Library Materials	\$298.05	\$302.82
Instructional Professional Development for Certificated and Classified Staff	\$21.71	\$22.06
Facilities Maintenance	\$176.01	\$178.83
Security and Central Office	\$121.94	\$123.89
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$1,244.16	\$1,264.07

(ii) For the 2017-18 school year and 2018-19 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (A) of this subsection (8)(a)(ii) exceeds (B) of this subsection (8)(a)(ii), any proposed use of this difference and how this use will improve student achievement.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,308.87 for the 2017-18 school year and \$1,329.81 for the 2018-19 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,472.01 for the 2017-18 school year and \$1,495.56 for the 2018-19 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2017-18	2018-19
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	School Year	School Year
Technology	\$37.60	\$38.20
Curriculum and Textbooks	\$41.02	\$41.67
Other Supplies and Library Materials	\$85.46	\$86.82
Instructional Professional Development for Certified and Classified Staff	\$6.83	\$6.95
TOTAL GRADE 9- 12 BASIC EDUCATION MSOC/STUDENT FTE	\$170.91	\$173.64

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2017-18 and 2018-19 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2017, to August 31, 2017, are adjusted to reflect provisions of chapter 4, Laws of 2015 3rd sp. sess., as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through

28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund all day kindergarten programs in all schools in the 2017-18 school year and 2018-19 school year, pursuant to RCW 28A.150.220 and 28A.150.315.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units

for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs

with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (12) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside

the basic education formula during fiscal years 2018 and 2019 as follows:

(a) \$638,000 of the general fund-state appropriation for fiscal year 2018 and \$648,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund-state appropriation for fiscal year 2018 and \$436,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) \$225,000 of the general fund-state appropriation for fiscal year 2018 and \$229,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for school district emergencies as certified by the superintendent of public instruction. Funding provided must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. At the close of the fiscal year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

(17) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher

education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (12) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (12) of this section shall be reduced in increments of twenty percent per year.

(20) (a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed 15 percent of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

NEW SECTION. Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in House Bill No. 2185 (K-12 funding), RCW 28A.150.260, and under section 502 of this act:

(a) The per full-time equivalent ten month salary allocations for certificated instructional staff units for each school district are \$59,183.64 in school year 2017-19 and \$64,782.22 in school year 2018-19.

(b) The per full-time equivalent twelve month salary allocations for certificated administrative staff units for each school district are \$79,801.56 in school year 2017-18 and \$98,063.96 in school year 2018-19. The per full-time equivalent twelve month salary allocations for classified staff units for each school district are \$40,060.66 in school year 2017-18 and \$46,888.93 in school year 2018-19.

(c) Salary allocations specified in this subsection (1) of this section include one day of professional learning for each of the funded full-time equivalent staff units in school year 2017-18 and two days of professional learning for each of the funded full-time equivalent staff units in school year 2018-19.

(2) Incremental fringe benefit factors are applied to salary adjustments at a rate of 22.85 percent for school year 2017-18 and 22.85 percent for school year 2018-19 for certificated instructional and certificated administrative staff and 21.10 percent for school year 2017-18 and 21.10 percent for the 2018-19 school year for classified staff.

(3) Allocations in this subsection are sufficient for the usual and customary duties of certificated instructional staff, certificated administrative staff, and classified staff necessary to provide the state's entire program of basic education.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200(2), as amended by House Bill No. 2185 (K-12 funding).

(5) For school year 2017-18 and school year 2018-19, the salary allocations for each district shall be the greater of:

(a) The salary allocations in subsection (1) of this section; or

(b) The derived salary allocations pursuant to section 503 (1) and (2), chapter 4, Laws of 2015 3rd sp. sess., as amended with salary values on LEAP Document 2 for school year 2016-17 adjusted for the one-biennium cost-of-living adjustment and increased by 2.3 percent, which is the annual cost-of-living adjustment pursuant to RCW 28A.400.205.

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

General Fund—State Appropriation (FY 2018) \$117,641,000

General Fund—State Appropriation (FY 2019) \$291,088,000

Education Legacy Trust Account—State Appropriation \$1,757,999,000

TOTAL APPROPRIATION \$2,166,728,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Appropriations in this section from the education legacy trust account—state appropriation for basic education compensation allocations include \$61,900,000 attributable to the fines accrued in *McCleary v. State* through April 23, 2017.

(2) The salary increases provided in this section are inclusive of and above the annual cost-of-living adjustments pursuant to RCW 28A.400.205.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 22.85 percent for the 2017-18 school year and 22.85 percent for the 2018-19 school year for certificated instructional and certificated administrative staff and 21.10 percent for the 2017-18 school year and 21.10 percent for the 2018-19 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary

allocations and methodology in sections 502 and 503 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 502 and 503 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The maintenance rate for insurance benefit allocations is \$780.00 per month for the 2017-18 and 2018-19 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$780.00 per month for the 2017-18 school year and \$780.00 per month for the 2018-19 school year.

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

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund—State Appropriation (FY 2018) \$499,641,000

General Fund—State Appropriation (FY 2019) \$504,606,000

Education Legacy Trust Account—State Appropriation \$1,375,000

TOTAL APPROPRIATION \$1,005,622,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(3) A maximum of \$913,000 of this fiscal year 2018 appropriation and a maximum of \$937,000 of the fiscal year 2019 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(4) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(5) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(6) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(7) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

NEW SECTION. Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund—State Appropriation (FY 2018) \$9,645,000

General Fund—State Appropriation (FY 2019) \$7,222,000

General Fund—Federal Appropriation \$537,178,000

TOTAL APPROPRIATION \$554,045,000

The appropriations in this section are subject to the following conditions and limitations: \$7,111,000 of the general fund-state appropriation for fiscal year 2018 and \$7,111,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(1) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades kindergarten through third grade who are eligible for reduced-price lunch;

(2) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(3) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(4) Assistance to school districts in initiating and expanding school breakfast programs.

(5) \$2,534,000 of the general fund-state appropriation for fiscal year 2018 and \$111,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1508 (student meals & nutrition). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsections (1), (2), and (3) of this section.

The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2018, and February 1, 2019. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

NEW SECTION. Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR SPECIAL EDUCATION PROGRAMS

General Fund-State Appropriation (FY 2018) \$942,565,000

General Fund-State Appropriation (FY 2019) \$970,040,000

General Fund-Federal Appropriation \$470,673,000

Education Legacy Trust Account-State Appropriation \$54,694,000

TOTAL APPROPRIATION \$2,437,972,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 502 (2) and (4) of this act, which enhancement is within the program of basic education.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund-state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) \$31,087,000 of the general fund-state appropriation for fiscal year 2018,

\$31,087,000 of the general fund-state appropriation for fiscal year 2019, and \$31,024,000 of the general fund-federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2017-18 and 2018-19 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$931,000 may be expended from the general fund-state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10

percent of the general fund-state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$256,000 of the general fund-state appropriation for fiscal year 2018 and \$256,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund-state appropriation for fiscal year 2018, \$50,000 of the general fund-state appropriation for fiscal year 2019, and \$100,000 of the general fund-federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

NEW SECTION. Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR EDUCATIONAL SERVICE DISTRICTS

General Fund-State Appropriation (FY 2018) \$8,485,000

General Fund-State Appropriation (FY 2019) \$8,485,000

TOTAL APPROPRIATION \$16,970,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

NEW SECTION. Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR LOCAL EFFORT ASSISTANCE

General Fund-State Appropriation (FY 2018) \$389,285,000

General Fund-State Appropriation (FY 2019) \$350,116,000

Education Legacy Trust Account-State Appropriation \$117,063,000

TOTAL APPROPRIATION \$856,464,000

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 6.87 percent from the 2016-17 school year to the 2017-18 school year and 5.69 percent from the 2017-18 school year to the 2018-19 school year.

NEW SECTION. Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund-State Appropriation (FY 2018) \$13,521,000

General Fund-State Appropriation (FY 2019) \$13,598,000

TOTAL APPROPRIATION \$27,119,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund-state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs

to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund-state appropriation for fiscal year 2018 and \$701,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

NEW SECTION. Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund-State Appropriation (FY 2018) \$10,627,000

General Fund-State Appropriation (FY 2019) \$10,826,000

TOTAL APPROPRIATION \$21,453,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for

highly capable students as provided in RCW 28A.150.260(10)(c). In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(3) \$85,000 of the general fund-state appropriation for fiscal year 2018 and \$85,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the centrum program at Fort Worden state park.

NEW SECTION. Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR MISCELLANEOUS-EVERY STUDENT SUCCEEDS ACT

General Fund-Federal Appropriation \$4,802,000

NEW SECTION. Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-EDUCATION REFORM PROGRAMS

General Fund-State Appropriation (FY 2018) \$115,114,000

General Fund-State Appropriation (FY 2019) \$137,049,000

General Fund-Federal Appropriation \$93,177,000

General Fund-Private/Local Appropriation \$1,435,000

Education Legacy Trust Account-State Appropriation \$1,611,000

TOTAL APPROPRIATION \$348,386,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$21,364,000 of the general fund-state appropriation for fiscal year 2018, \$23,275,000 of the general fund-state appropriation for fiscal year 2019, \$1,350,000 of the education legacy trust account-state appropriation, and \$15,868,000 of the general fund-federal appropriation are provided solely for

development and implementation of the Washington state assessment system.

(2) \$356,000 of the general fund-state appropriation for fiscal year 2018 and \$356,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities coordinated at the Pacific science center, including instructional material purchases, teacher and principal professional development, and school and community engagement events.

(3) \$3,935,000 of the general fund-state appropriation for fiscal year 2018 and \$3,935,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(4) \$62,672,000 of the general fund-state appropriation for fiscal year 2018 and \$82,665,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(a) For national board certified teachers, a bonus of \$5,296 per teacher in the 2017-18 school year and a bonus of \$5,381 per teacher in the 2018-19 school year;

(b) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(c) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one

full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(d) During the 2017-18 and 2018-19 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after three years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(5) \$477,000 of the general fund-state appropriation for fiscal year 2018 and \$477,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(6) \$950,000 of the general fund-state appropriation for fiscal year 2018 and \$950,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or

more schools may combine their Washington reading corps programs.

(7) \$810,000 of the general fund-state appropriation for fiscal year 2018 and \$810,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(8) \$3,000,000 of the general fund-state appropriation for fiscal year 2018 and \$3,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT certification and software training opportunities for students and staff in public schools.

(9) \$1,677,000 of the general fund-state appropriation for fiscal year 2018 and \$1,677,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008. If equally matched by private donations, \$700,000 of the 2018 appropriation and \$700,000 of the 2019 appropriation shall be used to support FIRST robotics programs. Of the amounts in this subsection, \$100,000 of the fiscal year 2018 appropriation and \$100,000 of the fiscal year 2019 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(10) \$125,000 of the general fund-state appropriation for fiscal year 2018 and \$125,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for (a) staff at the office of the superintendent of public

instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(11) \$135,000 of the general fund-state appropriation for fiscal year 2018 and \$135,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(12) \$5,500,000 of the general fund-state appropriation for fiscal year 2018 and \$5,500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a beginning educator support program. The program shall prioritize first year teachers in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators.

(13) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2018, a high school must have offered a foundational project lead the way course during the 2016-17 school year. The 2018 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2017-18 school year. To be eligible for funding in 2019, a high school must have offered a foundational project lead the way course during the 2017-18 school year. The 2018 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students

beginning in the 2018-19 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(14) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for annual start-up, expansion, or maintenance of existing programs in aerospace and advanced manufacturing programs. To be eligible for funding, the skills center and high schools must agree to engage in developing local business and industry partnerships for oversight and input regarding program components. Program instructors must also agree to participate in professional development leading to student employment, or certification in aerospace or advanced manufacturing industries as determined by the superintendent of public instruction. The office of the superintendent of public instruction and the education research and data center shall report annually student participation and long-term outcome data.

(15) \$9,352,000 of the general fund-state appropriation for fiscal year 2018 and \$9,352,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 159, Laws of 2013.

(16) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

(17) \$2,194,000 of the general fund-state appropriation for fiscal year 2018 and \$2,194,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement chapter 18, Laws of 2013 2nd sp. sess. (Engrossed Substitute Senate Bill No. 5946) (strengthening student educational outcomes).

(18) \$36,000 of the general fund-state appropriation for fiscal year 2018 and \$36,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for chapter 212, Laws of 2014 (Substitute Senate Bill No. 6074) (homeless student educational outcomes).

(19) \$80,000 of the general fund-state appropriation for fiscal year 2018 and

\$40,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for chapter 219, Laws of 2014 (Second Substitute Senate Bill No. 6163) (expanded learning).

(20) \$10,000 of the general fund-state appropriation for fiscal year 2018 and \$10,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for chapter 102, Laws of 2014 (Senate Bill No. 6424) (biliteracy seal).

(21) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors.

(22) Within the amounts provided in this section, the superintendent of public instruction shall obtain an existing student assessment inventory tool that is free and openly licensed and distribute the tool to every school district. Each school district shall use the student assessment inventory tool to identify all state-level and district-level assessments that are required of students. The state-required assessments should include: Reading proficiency assessments used for compliance with RCW 28A.320.202; the required statewide assessments under chapter 28A.655 RCW in grades three through eight and at the high school level in English language arts, mathematics, and science, as well as the practice and training tests used to prepare for them; and the high school end-of-course exams in mathematics under RCW 28A.655.066. District-required assessments should include: The second grade reading assessment used to comply with RCW 28A.300.320; interim smarter balanced assessments, if required; the measures of academic progress assessment, if required; and other required interim, benchmark, or summative standardized assessments, including assessments used in social studies, the arts, health, and physical education in accordance with RCW 28A.230.095, and for educational technology in accordance with RCW 28A.655.075. The assessments identified

should not include assessments used to determine eligibility for any categorical program including the transitional bilingual instruction program, learning assistance program, highly capable program, special education program, or any formative or diagnostic assessments used solely to inform teacher instructional practices, other than those already identified. By October 15th of each year, each district shall report to the superintendent the amount of student time in the previous school year that is spent taking each assessment identified. By December 15th of each year, the superintendent shall summarize the information reported by the school districts and report to the education committees of the house of representatives and the senate.

NEW SECTION. Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund-State Appropriation (FY 2018) \$136,642,000

General Fund-State Appropriation (FY 2019) \$142,782,000

General Fund-Federal Appropriation \$92,244,000

TOTAL APPROPRIATION \$371,668,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through twelve in school years 2017-18 and 2018-19; (ii) additional instruction of 3.0000 hours per week in school years 2017-18 and 2018-19 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their

performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 503 and 504 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 2.81 percent for school year 2017-18 and 2.84 percent for school year 2018-19.

(4) The general fund-federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund-state appropriation for fiscal year 2018 and \$35,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to track current and former transitional bilingual program students.

NEW SECTION. Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR THE LEARNING ASSISTANCE PROGRAM

General Fund-State Appropriation (FY 2018) \$236,487,000

General Fund-State Appropriation (FY 2019) \$241,461,000

General Fund-Federal Appropriation \$505,487,000

TOTAL APPROPRIATION \$983,435,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund-state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the basic education. In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2017-18 and 2018-19 school years; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund-federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund-state funds allocated

under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2017-18 and 2018-19 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

NEW SECTION. Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act.

(4) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

NEW SECTION. Sec. 517. FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR CHARTER SCHOOLS

Washington	Opportunity	Pathways
Account-State		
Appropriation	\$62,830,000	

The appropriation in this section is subject to the following conditions and limitations: The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

NEW SECTION. Sec. 518. FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION

Washington Opportunity Pathways Account—State Appropriation \$318,000

Charter Schools Oversight Account—State Appropriation \$2,019,000

TOTAL APPROPRIATION \$2,337,000

The appropriations in this section are subject to the following conditions and limitations: The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

PART VI

HIGHER EDUCATION

NEW SECTION. **Sec. 601.** The appropriations in sections 605 through 611 of this act are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections 605 through 611 of this act.

(2) The legislature, the office of financial management, and other state agencies need consistent and accurate personnel data from institutions of higher education for policy planning purposes. Institutions of higher education shall report personnel data to the office of financial management for inclusion in the agency's data warehouse. Uniform reporting procedures shall be established by the office of financial management's office of the state human resources director for use by the reporting institutions, including provisions for common job classifications and common definitions of full-time equivalent staff. Annual contract amounts, number of contract months, and funding

sources shall be consistently reported for employees under contract.

(3) In addition to waivers granted under the authority of RCW 28B.15.910, the governing boards and the state board may waive all or a portion of operating fees for any student. State general fund appropriations shall not be provided to replace tuition and fee revenue foregone as a result of waivers granted under this subsection.

(4) (a) For institutions receiving appropriations in section 605 of this act, the only allowable salary increases provided are those with normally occurring promotions and increases related to faculty and staff retention, except as provided in Part IX of this act. In fiscal year 2018 and fiscal year 2019, the state board for community and technical colleges may use salary and benefit savings from faculty turnover to provide salary increments and associated benefits for faculty who qualify through professional development and training.

(b) For employees under the jurisdiction of chapter 41.56 RCW, salary increases will be in accordance with the applicable collective bargaining agreement. However, an increase shall not be provided to any classified employee whose salary is above the approved salary range maximum for the class to which the employee's position is allocated.

(c) For each institution of higher education receiving appropriations under sections 606 through 611 of this act:

(i) The only allowable salary increases are those associated with normally occurring promotions and increases related to faculty and staff retention and as provided in Part IX of this act; and

(ii) Institutions may provide salary increases from other sources to instructional and research faculty at the universities and The Evergreen State College, exempt professional staff, teaching and research assistants, as classified by the office of financial management, and all other nonclassified staff, but not including employees under chapter 41.80 RCW. Any salary increase granted under the authority of this subsection (4) (c) (ii) shall not be included in an institution's salary base for future state funding. It is the intent of the legislature that state general fund support for an institution shall not increase during the current or any future biennium as a result of any salary

increases authorized under this subsection (4) (c) (ii).

(5) Within funds appropriated to institutions in sections 606 through 611 of this act, teacher preparation programs shall meet the requirements of RCW 28B.10.710 to incorporate information on the culture, history, and government of American Indian people in this state by integrating the curriculum developed and made available free of charge by the office of the superintendent of public instruction into existing programs or courses and may modify that curriculum in order to incorporate elements that have a regionally specific focus.

NEW SECTION. Sec. 602. (1) Within the amounts appropriated in this act, each institution of higher education is expected to enroll and educate at least the following numbers of full-time equivalent state-supported students per academic year:

	2017-18	2018-19
	Annual Average	Annual Average
University of Washington	37,162	37,162
Washington State University	22,538	22,538
Central Washington University	9,105	9,105
Eastern Washington University	8,734	8,734
The Evergreen State College	4,213	4,213
Western Washington University	11,762	11,762
State Board for Community & Technical Colleges		
Adult Students	139,927	139,927
Running Start Students	11,558	11,558

(2) In achieving or exceeding these enrollment targets, each institution shall seek to:

(a) Maintain and to the extent possible increase enrollment opportunities at branch campuses;

(b) Maintain and to the extent possible increase enrollment opportunities at university centers and other partnership programs that enable students to earn baccalaureate degrees on community college campuses; and

(c) Eliminate and consolidate programs of study for which there is limited student or employer demand, or that are not areas of core academic strength for the institution, particularly when such programs duplicate offerings by other in-state institutions.

(3) For purposes of monitoring and reporting statewide enrollment, the University of Washington and Washington State University shall notify the office of financial management of the number of full-time student equivalent enrollments budgeted for each of their campuses.

NEW SECTION. Sec. 603. PUBLIC BACCALAUREATE INSTITUTIONS

(1) The state universities, the regional universities, and The Evergreen State College must accept the transfer of college-level courses taken by students under RCW 28A.600.290 or 28A.600.300 if a student seeking a transfer of the college-level courses has been admitted to the state university, the regional university, or The Evergreen State College, and if the college-level courses are recognized as transferrable by the admitting institution of higher education.

(2) Appropriations in part VII of this act are sufficient to implement 2017-19 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW. The institutions may also use these funds for any other purpose including increasing compensation and implementing other collective bargaining agreements.

NEW SECTION. Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Appropriations in part VII of this act are sufficient to implement 2017-19 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW. The institutions may also use these funds for any other purpose including increasing compensation, and implementing other collective bargaining agreements.

NEW SECTION. Sec. 605. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund-State Appropriation (FY 2018) \$669,896,000

General Fund-State Appropriation (FY 2019) \$680,640,000

Community/Technical College Capital Projects

Account-State Appropriation \$17,548,000

Education Legacy Trust Account-State Appropriation \$120,562,000

TOTAL APPROPRIATION \$1,488,646,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund-state appropriation for fiscal year 2018 and \$33,261,000 of the general fund-state appropriation for fiscal year 2019 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2018 and at least 7,170 full-time equivalent students in fiscal year 2019.

(2) \$5,450,000 of the education legacy trust account-state appropriation is provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$21,030,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at community and technical colleges in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(4) \$5,250,000 of the general fund-state appropriation for fiscal year 2018 and \$5,250,000 of the general fund-state appropriation for fiscal year 2019 are

provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund-state appropriation for fiscal year 2018, and \$1,610,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the expansion of the mathematics, engineering, and science achievement program. The state board shall report back to the appropriate committees of the legislature on the number of campuses and students served by December 31, 2018.

(6) \$4,250,000 of the general fund-state appropriation for fiscal year 2018 and \$4,250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of guided pathways or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(7) \$1,500,000 of the general fund-state appropriation for fiscal year 2018 and \$1,500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(8) \$389,000 of the general fund-state appropriation for fiscal year 2018 and \$389,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington state labor education and research center at south Seattle college and the labor archives of Washington.

(9) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers

regarding education, training, and employment in the industry.

(10) \$18,209,000 of the general fund-state appropriation for fiscal year 2018 and \$18,573,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(11) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(12) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(13) \$157,000 of the general fund-state appropriation for fiscal year 2018 and \$157,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Wenatchee Valley college wildfire prevention program.

(14) \$380,000 of the general fund-state appropriation for fiscal year 2018 and \$381,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(15) \$884,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Second Substitute House Bill No. 1168 (ctc full-time faculty). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(16) \$41,000 of the general fund-state appropriation for fiscal year 2018 and \$42,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1375 (ctc course material costs). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(17) \$158,000 of the general fund-state appropriation for fiscal year 2018 and \$5,000 of the general fund-state

appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1115 (paraeducators). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(18) \$150,000 of the general fund-state appropriation for fiscal year 2018 and \$150,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for Green River College to deliver programs to the Covington area and southeast King county in response to the recommendations of the Washington student achievement council's southeast King county higher education needs assessment and operating plan.

(19) \$60,000 of the general fund-state appropriation for fiscal year 2018 and \$60,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a youth development program operated by Everett community college in conjunction with a county chapter of a national civil rights organization.

(20) \$3,500,000 of the general fund-state appropriation for fiscal year 2018 and \$3,500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 560 additional full-time equivalent enrollments annually.

NEW SECTION. Sec. 606. FOR THE UNIVERSITY OF WASHINGTON

General Fund-State Appropriation (FY 2018) \$326,563,000

General Fund-State Appropriation (FY 2019) \$327,522,000

Aquatic Lands Enhancement Account-State Appropriation \$1,350,000

Education Legacy Trust Account-State Appropriation \$51,502,000

Economic Development Strategic Reserve Account-State Appropriation \$3,014,000

Biotoxin Account-State Appropriation \$595,000

Dedicated Marijuana Account-State Appropriation

(FY 2018) \$1,041,000

Dedicated Marijuana Account-State Appropriation

(FY 2019) \$1,041,000

Accident Account—State Appropriation
\$7,197,000

Medical Aid Account—State Appropriation
\$6,789,000

TOTAL APPROPRIATION \$726,614,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$15,500,000 of the education legacy trust account—state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at the University of Washington in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2018 and \$52,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the center for international trade in forest products in the college of forest resources.

(3) \$38,581,000 of the general fund—state appropriation for fiscal year 2018 and \$39,353,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$200,000 of the general fund—state appropriation for fiscal year 2018 and \$200,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

(5) \$8,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to expand the number of residency slots available in Washington.

(6) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how

many students are enrolled in computer science and engineering programs above the prior academic year.

(7) \$1,350,000 of the aquatic lands enhancement account—state is provided solely for ocean acidification monitoring, forecasting, and research and for operation of the Washington ocean acidification center. By September 1, 2015, the center must provide a biennial work plan and begin quarterly progress reports to the Washington marine resources advisory council created under RCW 43.06.338.

(8) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(9) \$125,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Washington center for human rights.

(10) \$3,000,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

(11) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2018 and \$250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Latino health center.

(13) \$200,000 of the general fund—state appropriation for fiscal year 2018 and \$200,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the climate impacts group in the college of the environment.

(14) \$8,400,000 of the general fund—state appropriation for fiscal year 2018 and \$7,400,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(15) \$1,500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the university to

host the Special Olympics USA Games in July 2018.

(16) \$5,000 of the general fund-state appropriation for fiscal year 2018 and \$80,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1612 (lethal means, reduce access). These amounts are in addition to amounts appropriated in Engrossed Second Substitute House Bill No. 1612. If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(17) \$70,000 of the general fund-state appropriation for fiscal year 2018 and \$70,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(18) \$400,000 of the general fund-state appropriation for fiscal year 2018 and \$400,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a contract with the center for sensorimotor neural engineering to advance research in spinal cord injuries.

(19) \$75,000 of the general fund-state appropriation in fiscal year 2018 is provided solely for the Bothell campus, in collaboration with the state parks and recreation commission and key stakeholders, to produce a strategic plan for a Saint Edward state park environmental education and research center with the following components:

(a) Mission and vision statements, program goals, and objectives for the first three years, and priority audiences to be served.

(b) An assessment of Saint Edward state park ecological resources, including potential educational, outreach, research, monitoring, and habitat restoration opportunities as well as capacity at the Bothell campus and educational partners to optimize these opportunities.

(c) An assessment of the need and demand for K-12 science and environment education in surrounding school districts, undergraduate and graduate education and research, teacher preparation and

professional development, site-based outreach and interpretation, and research, monitoring, and restoration projects that engage the public and benefit the park.

(d) Strategic program development which optimizes educational opportunities while addressing community needs and encourages collaboration with other environmental education organizations.

(e) Space design of the seminary building set-aside site and other potential locations at Saint Edward state park which support program needs, usage by multiple age groups, and a variety of program providers.

(f) A three to five year business plan including projected capital and operating expenses, stakeholder investments, and prospective revenue streams.

(20) \$1,181,000 of the general fund-state appropriation for fiscal year 2018 and \$778,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the addition of a second year of dental curriculum to the regional initiatives in the dental education program operated in Spokane through a partnership with Eastern Washington University.

(21) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a student learning program and academic research study to address youth homelessness in the university district of Seattle. The program must involve several University of Washington colleges and departments, including a homes and services model for homeless youth. Funding is provided to bring together various research efforts between the colleges and assist the program in studying, developing, and analyzing best practices and delivering service models to address youth homelessness in the university district.

(22) \$125,000 of the general fund-state appropriation for fiscal year 2018 and \$125,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the University of Washington school of public health to study the air quality implications of air traffic at the international airport in the state that has the highest total annual number of arrivals and departures. The study must include an assessment of the concentrations of ultrafine particulate matter in areas surrounding

and directly impacted by air traffic generated by the airport, including areas within ten miles of the airport in the directions of aircraft flight paths and within ten miles of the airport where public agencies operate an existing air monitoring station. The study must attempt to distinguish between aircraft and other sources of ultrafine particulate matter, and must compare concentrations of ultrafine particulate matter in areas impacted by high volumes of air traffic with concentrations of ultrafine particulate matter in areas that are not impacted by high volumes of air traffic. The university must coordinate with local governments in areas addressed by the study to share results and inclusively solicit feedback from community members. By December 1, 2019, the university must report study findings, including any gaps and uncertainties in health information associated with ultrafine particulate matter, and recommend to the legislature whether sufficient information is available to proceed with a second phase of the study

NEW SECTION. Sec. 607. FOR WASHINGTON STATE UNIVERSITY

General Fund-State Appropriation (FY 2018) \$211,114,000

General Fund-State Appropriation (FY 2019) \$216,443,000

Education Legacy Trust Account-State Appropriation \$43,595,000

Dedicated Marijuana Account-State Appropriation

(FY 2018) \$681,000

Dedicated Marijuana Account-State Appropriation

(FY 2019) \$681,000

TOTAL APPROPRIATION \$472,514,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund-state appropriation for fiscal year 2018 and \$90,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university

shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund-state appropriation for fiscal year 2018 and \$500,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$9,600,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at Washington State University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(6) \$3,000,000 of the general fund-state appropriation for fiscal year 2018 and \$7,000,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the continued development and operations of a medical school program in Spokane.

(7) Within the funds appropriated in this section, Washington State University is required to provide administrative support to the sustainable aviation biofuels work group authorized under RCW 28B.30.904.

(8) \$173,000 of the general fund-state appropriation for fiscal year 2018 and \$172,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a honey bee biology research position.

(9) \$27,425,000 of the general fund-state appropriation for fiscal year 2018 and \$27,973,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(10) \$95,000 of the general fund-state appropriation for fiscal year 2018 and \$95,000 of the general fund-state

appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(11) \$230,000 of the general fund-state appropriation for fiscal year 2018 and \$376,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(12) \$300,000 of the general fund-state appropriation for fiscal year 2018 and \$300,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the William D. Ruckelshaus center to collaborate with groups and organizations, including associations of local governments, associations of the business, real estate and building industries, state agencies, environmental organizations, state universities, public health and planning organizations, and tribal governments, to create a "Road Map to Washington's Future." The road map shall identify areas of agreement on ways to adapt Washington's growth management framework of statutes, institutions, and policies to meet future challenges in view of robust forecasted growth and the unique circumstances and urgent priorities in the diverse regions of the state. The center shall, in conjunction with state universities and other sponsors, conduct regional workshops to:

(a) Engage Washington residents in identifying a desired statewide vision for Washington's future;

(b) Partner with state universities on targeted research to inform future alternatives;

(c) Facilitate deep and candid interviews with representatives of the above named groups and organizations; and

(d) Convene parties for collaborative conversations and potential agreement seeking.

The center must submit a final report to the appropriate committees of the legislature by June 30, 2019.

NEW SECTION. Sec. 608. FOR EASTERN WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2018) \$49,844,000

General Fund-State Appropriation (FY 2019) \$50,050,000

Education Legacy Trust Account-State Appropriation \$19,228,000

TOTAL APPROPRIATION \$119,122,000

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$200,000 of the general fund-state appropriation for fiscal year 2018 and at least \$200,000 of the general fund-state appropriation for fiscal year 2019 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$1,630,000 of the general fund-state appropriation for fiscal year 2018 and \$1,630,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student academic success and increase degree completion.

(5) \$2,630,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at Eastern Washington University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(6) \$9,851,000 of the general fund-state appropriation for fiscal year 2018 and \$10,048,000 of the general fund-state appropriation for fiscal year 2019 are

provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(7) \$55,000 of the general fund-state appropriation for fiscal year 2018 and \$55,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the university to create and hire two new full-time tenure-track faculty positions, subject to the conditions in this subsection. To receive the funding provided in this subsection, the university must create and hire at least four qualifying additional new full-time tenure-track positions. The qualifying positions must not have existed before the fall of 2017; must not be the result of vacancies due to attrition or retirement; and require a full-time teaching load, advising, and curriculum development. To receive the full amount of funding provided in this subsection, the university must create and hire at least four qualifying new tenure-track positions by January 1, 2018. If the university has created and filled at least four such positions by January 1, 2018, then it may expend the full amounts provided in this subsection. If by January 1, 2018, the university has created and filled two or three such positions, then it may expend one half of the amount provided for fiscal year 2018, and one half of the amount provided for fiscal year 2019, and the remainder shall lapse.

NEW SECTION. Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2018) \$49,753,000

General Fund-State Appropriation (FY 2019) \$50,123,000

Education Legacy Trust Account-State Appropriation \$21,926,000

TOTAL APPROPRIATION \$121,802,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) \$1,650,000 of the general fund-state appropriation for fiscal year 2018 and \$1,650,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student academic success and increase degree completion.

(4) \$2,850,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at Central Washington University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(5) \$11,104,000 of the general fund-state appropriation for fiscal year 2018 and \$11,326,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(6) \$65,000 of the general fund-state appropriation for fiscal year 2018 and \$66,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(7) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the university to create and hire two new full-time tenure-track faculty positions, subject to the conditions in this subsection. To receive the funding provided in this subsection,

the university must create and hire at least four qualifying additional new full-time tenure-track positions. The qualifying positions must not have existed before the fall of 2017; must not be the result of vacancies due to attrition or retirement; and require a full-time teaching load, advising, and curriculum development. To receive the full amount of funding provided in this subsection, the university must create and hire at least four qualifying new tenure-track positions by January 1, 2018. If the university has created and filled at least four such positions by January 1, 2018, then it may expend the full amounts provided in this subsection. If by January 1, 2018, the university has created and filled two or three such positions, then it may expend one half of the amount provided for fiscal year 2018, and one half of the amount provided for fiscal year 2019, and the remainder shall lapse.

NEW SECTION. Sec. 610. FOR THE EVERGREEN STATE COLLEGE

General Fund-State Appropriation (FY 2018) \$26,345,000

General Fund-State Appropriation (FY 2019) \$26,076,000

Education Legacy Trust Account-State Appropriation \$6,240,000

TOTAL APPROPRIATION \$58,661,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$790,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at The Evergreen State University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(2) \$3,377,000 of the general fund-state appropriation for fiscal year 2018 and \$3,445,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(3) \$1,040,000 of the general fund-state appropriation for fiscal year 2018 and \$1,040,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student

academic success and increase degree completion.

(4) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(5) Notwithstanding other provisions in this section, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2017-19 work plan as necessary to efficiently manage workload.

(6) The Evergreen State College shall not use funds appropriated in this section to support intercollegiate athletics programs.

(7) \$1,000 of the general fund-state appropriation for fiscal year 2018 and \$1,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) \$36,000 of the general fund-state appropriation for fiscal year 2018 and \$101,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1561 (open educational resources). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(9) \$33,000 of the general fund-state appropriation for fiscal year 2018 and \$65,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1867 (ext. foster care transitions). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(10) \$76,000 of the general fund-state appropriation for fiscal year 2018 and \$80,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed House Bill No. 2008 (state services for children). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(11) \$14,000 of the general fund-state appropriation for fiscal year 2018 and

\$21,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1570 (homeless housing & assistance). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(12) \$62,000 of the general fund-state appropriation for fiscal year 2018 are provided solely for implementation of Engrossed Substitute House Bill No. 1115 (paraeducators). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(13) \$17,000 of the general fund-state appropriation for fiscal year 2018 and \$34,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington institute for public policy to conduct a study regarding the implementation of certain aspects of the involuntary treatment act, pursuant to chapter 29, Laws of 2016, sp. sess. (E3SHB 1713).

(14) \$80,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the Washington state institute for public policy to conduct an outcome evaluation related to the early release of department of corrections inmates that occurred between 2002-2015. The study should evaluate the impact of the early release of inmates on recidivism rates, while accounting for reduced incapacitation, and include a benefit-cost analysis. The department of corrections shall provide access to data required for this study and consult with the institute as necessary. The institute shall submit a final report no later than June 30, 2018.

(15) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the college to create and hire two new full-time tenure-track faculty positions, subject to the conditions in this subsection. To receive the funding provided in this subsection, the college must create and hire at least four qualifying additional new full-time tenure-track positions. The qualifying positions must not have existed before the fall of 2017; must not be the result of vacancies due to attrition or retirement; and require a full-time teaching load, advising, and curriculum development. To receive the full amount of funding provided in this subsection, the college must create and hire at least four qualifying new tenure-track positions by

January 1, 2018. If the college has created and filled at least four such positions by January 1, 2018, then it may expend the full amounts provided in this subsection. If by January 1, 2018, the college has created and filled two or three such positions, then it may expend one half of the amount provided for fiscal year 2018, and one half of the amount provided for fiscal year 2019, and the remainder shall lapse.

NEW SECTION. Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2018) \$69,748,000

General Fund-State Appropriation (FY 2019) \$70,082,000

Education Legacy Trust Account-State Appropriation \$17,791,000

Western Washington University Capital Projects

Account-State Appropriation (FY 2018) \$472,000

Western Washington University Capital Projects Account-State

Appropriation (FY 2019) \$471,000

TOTAL APPROPRIATION \$158,564,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) \$3,960,000 of the education legacy trust account-state appropriation is provided solely for the implementation of section 951 of this act, which provides that tuition operating fees for resident undergraduates at Western Washington University in the 2017-18 and 2018-19 academic years shall remain the same as the fee set in the 2016-17 academic year.

(3) \$630,000 of the general fund-state appropriation for fiscal year 2018 and

\$630,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the computer and information systems security program located at Olympic college - Poulsbo. The university is expected to enroll 30 students each academic year beginning in fiscal year 2017. The university must identify these students separately when providing data to the educational data centers as required in (1) of this section.

(4) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(5) \$1,180,000 of the general fund-state appropriation for fiscal year 2018 and \$1,180,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student academic success and increase degree completion.

(6) \$15,326,000 of the general fund-state appropriation for fiscal year 2018 and \$15,632,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(7) \$35,000 of the general fund-state appropriation for fiscal year 2018 and \$35,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute House Bill No. 2009 (gold star families/higher ed.). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(8) \$250,000 of the general fund-state appropriation for fiscal year 2018 and \$250,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the Washington campus compact's statewide student civic engagement initiative.

(9) \$100,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the university to create and hire two new full-time tenure-track faculty positions, subject to the conditions in this subsection. To receive the funding provided in this subsection, the university must create and hire at least four qualifying additional new full-time tenure-track positions. The

qualifying positions must not have existed before the fall of 2017; must not be the result of vacancies due to attrition or retirement; and require a full-time teaching load, advising, and curriculum development. To receive the full amount of funding provided in this subsection, the university must create and hire at least four qualifying new tenure-track positions by January 1, 2018. If the university has created and filled at least four such positions by January 1, 2018, then it may expend the full amounts provided in this subsection. If by January 1, 2018, the university has created and filled two or three such positions, then it may expend one half of the amount provided for fiscal year 2018, and one half of the amount provided for fiscal year 2019, and the remainder shall lapse.

NEW SECTION. Sec. 612. FOR THE STUDENT ACHIEVEMENT COUNCIL-POLICY COORDINATION AND ADMINISTRATION

General Fund-State Appropriation (FY 2018) \$5,664,000

General Fund-State Appropriation (FY 2019) \$5,682,000

General Fund-Federal Appropriation \$4,871,000

TOTAL APPROPRIATION \$16,217,000

NEW SECTION. Sec. 613. FOR THE STUDENT ACHIEVEMENT COUNCIL-OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund-State Appropriation (FY 2018) \$203,720,000

General Fund-State Appropriation (FY 2019) \$203,127,000

General Fund-Federal Appropriation \$11,842,000

General Fund-Private/Local Appropriation \$300,000

Education Legacy Trust Account-State Appropriation \$208,683,000

WA Opportunity Pathways Account-State Appropriation \$111,909,000

Aerospace Training Student Loan Account-State Appropriation \$208,000

Health Professionals Loan Repayment and Scholarship

Program Account-State Appropriation \$1,720,000

TOTAL APPROPRIATION \$741,509,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$192,760,000 of the general fund-state appropriation for fiscal year 2018, \$192,759,000 of the general fund-state appropriation for fiscal year 2019, \$175,104,000 of the education legacy trust account-state appropriation, and \$83,000,000 of the Washington opportunity pathways account-state appropriation are provided solely for student financial aid payments under the state need grant and state work study programs, including up to four percent administrative allowance for the state work study program.

(2) Changes made to the state need grant program in the 2011-2013 fiscal biennium are continued in the 2017-2019 fiscal biennium. For the 2017-2019 fiscal biennium, awards given to private institutions shall be the same amount as the prior year.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2017-2019 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) Within the funds appropriated in this section, eligibility for the state need grant includes students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(5) Of the amounts provided in subsection (1) of this section, \$100,000

of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided for the council to process an alternative financial aid application system pursuant to RCW 28B.92.010.

(6) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. These eligible college bound students whose family incomes are in the 0-70 percent median family income ranges must be awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students. The council shall provide directions to institutions to maximize the number of college bound scholarship students receiving the maximum state need grant for which they are eligible with a goal of 100 percent coordination. Institutions shall identify all college bound scholarship students to receive state need grant priority. If an institution is unable to identify all college bound scholarship students at the time of initial state aid packaging, the institution should reserve state need grant funding sufficient to cover the projected enrollments of college bound scholarship students.

(7) \$15,849,000 of the education legacy trust account-state appropriation and \$28,909,000 of the Washington opportunity pathways account-state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session.

(8) \$2,236,000 of the general fund-state appropriation for fiscal year 2018 and \$2,236,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The board shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2018 and 2019 for this purpose.

(9) \$14,730,000 of the education legacy trust account-state appropriation is provided solely to meet state match requirements associated with the opportunity scholarship program. The legislature will evaluate subsequent appropriations to the opportunity

scholarship program based on the extent that additional private contributions are made, program spending patterns, and fund balance.

(10) \$3,825,000 of the general fund-state appropriation for fiscal year 2018 and \$3,825,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for expenditure into the health professionals loan repayment and scholarship program account. These amounts and \$1,720,000 appropriated from the health professionals loan repayment and scholarship program account must be used to increase the number of licensed primary care health professionals to serve in licensed primary care health professional critical shortage areas. The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office shall coordinate with the department of social and health services to effectively incorporate three conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies. The office may use these targeted amounts for other program participants should there be any remaining amounts after eligible psychiatrists and advanced registered nurse practitioners have been served. The office shall also work to prioritize loan repayments to professionals working at health care delivery sites that demonstrate a commitment to serving uninsured clients.

(11) \$42,000 of the general fund-state appropriation for fiscal year 2018 and \$42,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the council to design and implement a program that provides customized information to high-achieving (as determined by local school districts), low-income, high school students. "Low-income" means students who are from low-income families as defined by the education data center in RCW 43.41.400. For the purposes of designing, developing, and implementing the program, the council shall partner with a national entity that offers aptitude tests and shall consult

with institutions of higher education with a physical location in Washington. The council shall implement the program no later than fall 2016, giving consideration to spring mailings in order to capture early action decisions offered by institutions of higher education and nonprofit baccalaureate degree-granting institutions. The information packet for students must include at a minimum:

(a) Materials that help students to choose colleges;

(b) An application guidance booklet;

(c) Application fee waivers, if available, for four-year institutions of higher education and independent nonprofit baccalaureate degree-granting institutions in the state that enable students receiving a packet to apply without paying application fees;

(d) Information on college affordability and financial aid that includes information on the net cost of attendance for each four-year institution of higher education and each nonprofit baccalaureate degree-granting institution, and information on merit and need-based aid from federal, state, and institutional sources; and

(e) A personally addressed cover letter signed by the governor and the president of each four-year institution of higher education and nonprofit baccalaureate degree-granting institution in the state.

(12) \$149,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1439 (higher ed. student protection). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(13) Within the amounts provided in this section, funding is sufficient to implement Engrossed Second Substitute House Bill No. 1512 (college bound scholarship eligibility).

(14) \$75,000 of the general fund-state appropriation for fiscal year 2018 and \$75,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1561 (open educational resources). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(15) \$3,000,000 of the education legacy trust account—state appropriation is provided solely for implementation of House Bill No. 2143 (higher ed. financial aid) or Substitute House Bill 1452 (opportunity scholarship program), or both. If neither bill is enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 614. FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund—State Appropriation (FY 2018) \$1,810,000

General Fund—State Appropriation (FY 2019) \$1,731,000

General Fund—Federal Appropriation \$55,206,000

General Fund—Private/Local Appropriation \$206,000

TOTAL APPROPRIATION \$58,953,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For the 2017-2019 fiscal biennium the board shall not designate recipients of the Washington award for vocational excellence or recognize them at award ceremonies as provided in RCW 28C.04.535.

(2) \$28,000 of the general fund—state appropriation for fiscal year 2018 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1439 (higher ed. student protection). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(3) \$66,000 of the general fund—state appropriation for fiscal year 2018 and \$46,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Substitute House Bill No. 1600 (career and college readiness). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 615. FOR THE DEPARTMENT OF EARLY LEARNING

General Fund—State Appropriation (FY 2018) \$129,653,000

General Fund—Federal Appropriation \$167,312,000

Education Legacy Trust Account—State Appropriation \$14,083,000

Home Visiting Services Account—State Appropriation \$3,127,000

Home Visiting Services Account—Federal Appropriation \$12,143,000

WA Opportunity Pathways Account—State Appropriation \$40,000,000

TOTAL APPROPRIATION \$366,318,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$57,237,000 of the general fund—state appropriation for fiscal year 2018, \$12,125,000 of the education legacy trust account—state appropriation, and \$40,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 12,491 slots in fiscal year 2018.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(3) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department of early learning.

(4) (a) \$76,650,000 of the general fund—federal appropriation is provided solely for the working connections child care program under RCW 43.215.135.

(b) In addition to groups that were given prioritized access to the working connections child care program effective March 1, 2011, the department shall also give prioritized access into the program to: (i) Families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center; and (ii) families with a child residing with a biological parent or guardian who have received child protective services, child welfare services, or a family assessment response from the department of social and health

services in the past six months, and has received a referral for child care as part of the family's case management.

(5) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(6) \$1,560,000 of the general fund-state appropriation for fiscal year 2018 and \$6,712,000 of the general fund-federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(7) \$4,674,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department of social and health services children's administration.

(8) \$52,043,000 of the general fund-state appropriation for fiscal year 2018 and \$13,954,000 of the general fund-federal appropriation are provided solely to maintain the requirements set forth in chapter 7, Laws of 2015 3rd sp. sess. The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In its annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements. \$5,582,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the department to increase tiered reimbursement rates for child care center providers.

(9) \$1,728,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(10) \$375,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(11) \$2,000,000 of the education legacy trust account-state appropriation is provided solely for early intervention assessment and services.

(12) \$7,622,000 of the general fund-federal appropriation for fiscal year 2018 is provided solely for the department to procure a time and attendance system and are subject to the conditions, limitations, and review provided in section 949 of this act.

(13) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management and authorization systems within the department of early learning are subject to technical oversight by the office of the chief information officer. The department must collaborate with the office of the chief information officer to develop a strategic business and technology architecture plan for a child care attendance and billing system that supports a statewide architecture.

(14)(a)(i) The department of early learning is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(ii) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school

year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(iii) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(iv) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data by November 2017 for the school year ending in 2016 and again in March 2018 for the school year ending in 2017.

(b) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$2,651,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act. Of the amounts provided in this subsection:

(a) \$273,000 is for a base rate increase;

(b) \$55,000 is for increasing paid professional development days from three days to five days;

(c) \$1,708,000 is for the family child care providers 501c3 organization for the substitute pool, training and quality improvement support services, and administration;

(d) \$114,000 is for increasing licensing incentive payments; and

(e) \$500,000 is for needs based grants.

(17) \$250,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the department to contract with a nonprofit entity that provides quality improvement services to participants in the early achievers program to implement a community-based training module that supports licensed child care providers who have been rated in early achievers and who are specifically interested in serving children in the early childhood education and assistance program. The module must be functionally translated into Spanish and Somali. The module must prepare trainees to administer all aspects of the early childhood education and assistance program for eligible children in their licensed program and must be offered to 300 child care providers to serve children eligible for the early childhood education and assistance program by June 30, 2019.

(18) Within amounts appropriated in this section, the director of the department of early learning and the superintendent of public instruction must provide a report to the governor and legislature on multiple options to improve the administration and delivery of early intervention services to children with disabilities from birth to three years of age pursuant to RCW 28A.155.065, as currently funded pursuant to RCW 28A.150.390(2)(a). The report must be submitted according to RCW 43.01.036 by November 1, 2017. The options included in the report must consider:

(a) Maximizing the state resources being provided for services to children;

(b) Minimizing administrative overhead;

(c) Creating clear accountability for expenditures;

(d) Improving outcomes for young children who are eligible to receive services;

(e) Increasing the availability of services statewide and regionally; and

(f) Revising statutes and rules to reflect the authority and responsibilities to accomplish the options.

(19) \$750,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for the implementation of the early achievers expanded learning opportunity quality initiative pursuant to RCW 43.215.100(3)(d).

(20) \$597,000 of the general fund-state appropriation for fiscal year 2018 is

provided solely for implementation of Substitute House Bill No. 1445 (dual language in early learning & K-12). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(21) \$100,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1713 (children's mental health). If the bill is not enacted by June 30, 2017, the amount provided in this subsection shall lapse.

(22) \$15,000 of the general fund-state appropriation for fiscal year 2018 is provided solely for a child care workforce development technical work group to develop recommendations to support increased child care workforce wages, reduce turnover, enable child care providers to recruit more qualified educators, and maintain the diversity of the current workforce.

(a) The department shall convene and provide staff support for the technical work group. The department shall consult with advocates and stakeholders of the early learning workforce when selecting members for the technical work group. Membership of the work group must consist of representatives from the following organizations and entities:

(i) The statewide child care resource and referral network;

(ii) The department;

(iii) The department of commerce;

(iv) The economic opportunity institute;

(v) A coalition of organizations representing nonprofits, professional associations, businesses, and industries in early learning;

(vi) The state board for community and technical colleges;

(vii) A union representing child care workers;

(viii) The small business administration;

(ix) A member consisting of either an economist or a representative of the workforce development councils;

(x) A representative from an early childhood education and assistance program;

(xi) A representative from a nonprofit child care center;

(xii) A representative from a private child care center; and

(xiii) A representative from an organization that provides culturally responsive services for early learning programs in communities with high numbers of families whose primary language is not English.

(b) Members of the work group may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Funding in this subsection is provided solely for travel reimbursement of work group members and other costs to conduct the meetings. Funding provided in this subsection may not be used to contract for facilitation.

(c) The work group shall issue a report with recommendations and an implementation plan to the governor and appropriate committees of the legislature by December 1, 2018.

NEW SECTION. Sec. 616. FOR THE STATE SCHOOL FOR THE BLIND

General Fund-State Appropriation (FY 2018) \$6,816,000

General Fund-State Appropriation (FY 2019) \$7,056,000

General Fund-Private/Local Appropriation \$34,000

TOTAL APPROPRIATION \$13,906,000

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

NEW SECTION. Sec. 617. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund-State Appropriation (FY 2018) \$10,835,000

General Fund-State Appropriation (FY 2019) \$11,129,000

TOTAL APPROPRIATION \$21,964,000

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this

section is sufficient for the center to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

NEW SECTION. Sec. 618. FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund-State Appropriation (FY 2018) \$1,609,000

General Fund-State Appropriation (FY 2019) \$1,620,000

General Fund-Federal Appropriation \$2,112,000

General Fund-Private/Local Appropriation \$16,000

TOTAL APPROPRIATION \$5,357,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$78,000 of the general fund-state appropriation for fiscal year 2018 and \$78,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement Substitute House Bill No. 1183 (creative districts). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse.

(2) \$30,000 of the general fund-state appropriation for fiscal year 2018 and \$30,000 of the general fund-state appropriation for fiscal year 2019 are provided for the folk arts apprenticeship program.

NEW SECTION. Sec. 619. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund-State Appropriation (FY 2018) \$2,462,000

General Fund-State Appropriation (FY 2019) \$2,515,000

TOTAL APPROPRIATION \$4,977,000

NEW SECTION. Sec. 620. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund-State Appropriation (FY 2018) \$1,925,000

General Fund-State Appropriation (FY 2019) \$1,935,000

TOTAL APPROPRIATION \$3,860,000

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION. Sec. 701. FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund-State Appropriation (FY 2018) \$1,134,941,000

General Fund-State Appropriation (FY 2019) \$1,193,207,000

State Building Construction Account-State Appropriation \$6,456,000

Columbia River Basin Water Supply-State Appropriation \$79,000

State Taxable Building Construction Account-State

Appropriation \$376,000

Debt-Limit Reimbursable Bond Retirement Account-State

Appropriation \$570,000

TOTAL APPROPRIATION \$2,335,629,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

NEW SECTION. Sec. 702. FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund-State Appropriation (FY 2018) \$9,592,000

General Fund-State Appropriation (FY 2019) \$1,517,000

Nondebt-Limit Reimbursable Bond Retirement Account-State

Appropriation \$184,549,000

TOTAL APPROPRIATION \$195,658,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the nondebt-limit general fund bond retirement account.

NEW SECTION. Sec. 703. FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES

General Fund-State Appropriation (FY 2018) \$1,400,000

General Fund-State Appropriation (FY 2019) \$1,400,000

Hood Canal Aquatic Rehabilitation-State Appropriation \$1,000

State Building Construction Account-State Appropriation \$2,191,000

Columbia River Basin Water Supply-State Appropriation \$58,000

Columbia River Basin Taxable Bond Water Supply-State Appropriation \$14,000

State Taxable Building Construction Account-State Appropriation \$150,000

TOTAL APPROPRIATION \$5,214,000

NEW SECTION. Sec. 704. FOR THE OFFICE OF FINANCIAL MANAGEMENT-EMERGENCY FUND

General Fund-State Appropriation (FY 2018) \$850,000

General Fund-State Appropriation (FY 2019) \$850,000

TOTAL APPROPRIATION \$1,700,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for the governor's emergency fund for the critically necessary work of any agency.

NEW SECTION. Sec. 705. FOR THE OFFICE OF FINANCIAL MANAGEMENT-EDUCATION TECHNOLOGY REVOLVING ACCOUNT

General Fund-State Appropriation (FY 2018) \$8,000,000

General Fund-State Appropriation (FY 2019) \$8,000,000

TOTAL APPROPRIATION \$16,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the education technology revolving account for the purpose of covering ongoing operational and equipment replacement costs incurred by the K-20 educational network program in providing telecommunication services to network participants.

NEW SECTION. Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT-O'BRIEN BUILDING IMPROVEMENT

General Fund-State Appropriation (FY 2018) \$2,797,000

General Fund-State Appropriation (FY 2019) \$2,798,000

TOTAL APPROPRIATION \$5,595,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the enterprise services account for payment of principal, interest, and financing expenses associated with the certificate of participation for the O'Brien building improvement, project number 20081007.

NEW SECTION. Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT-CHERBERG BUILDING REHABILITATION

General Fund-State Appropriation (FY 2018) \$552,000

General Fund-State Appropriation (FY 2019) \$554,000

TOTAL APPROPRIATION \$1,106,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the enterprise services account for payment for the principal, interest, and financing expenses associated with the certificate of participation for the Cherberg building improvements, project number 2002-1-005.

NEW SECTION. Sec. 708. FOR THE STATE TREASURER-COUNTY PUBLIC HEALTH ASSISTANCE

General Fund-State Appropriation (FY 2018) \$36,386,000

General Fund-State Appropriation (FY 2019) \$36,386,000

TOTAL APPROPRIATION \$72,772,000

The appropriations in this section are subject to the following conditions and limitations: The state treasurer shall distribute the appropriations to the following counties and health districts in the amounts designated to support public health services, including public health nursing:

Health District	FY 2018	FY 2019	2017-2019

Bienni um

Adams County Health District	\$121,2 13	\$121,2 13	\$242,4 26	Island County Health Departmen t	\$255,2 24	\$255,2 24	\$510,4 48
Asotin County Health District	\$159,8 90	\$159,8 90	\$319,7 80	Jeffer son County Health and Human Services	\$184,0 80	\$184,0 80	\$368,1 60
Benton -Franklin Health District	\$1,614 ,337	\$1,614 ,337	\$3,228 ,674	Seattl e-King County Departmen t of Public Health	\$12,68 5,521	\$12,68 5,521	\$25,37 1,042
Chelan -Douglas Health District	\$399,6 34	\$399,6 34	\$799,2 68	Bremer ton- Kitsap County Health District	\$997,4 76	\$997,4 76	\$1,994 ,952
Clalla m County Health and Human Services Departmen t	\$291,4 01	\$291,4 01	\$582,8 02	Kittit as County Health Departmen t	\$198,9 79	\$198,9 79	\$397,9 58
Clark County Health District	\$1,767 ,341	\$1,767 ,341	\$3,534 ,682	Klicki tat County Health Departmen t	\$153,7 84	\$153,7 84	\$307,5 68
Skaman ia County Health Departmen t	\$111,3 27	\$111,3 27	\$222,6 54	Lewis County Health Departmen t	\$263,1 34	\$263,1 34	\$526,2 68
Columb ia County Health District	\$119,9 91	\$119,9 91	\$239,9 82	Lincol n County Health Departmen t	\$113,9 17	\$113,9 17	\$227,8 34
Cowlit z County Health Departmen t	\$477,9 81	\$477,9 81	\$955,9 62	Mason County Departmen t of Health Services	\$227,4 48	\$227,4 48	\$454,8 96
Garfie ld County Health District	\$93,15 4	\$93,15 4	\$186,3 08	Okanog an County Health District	\$169,8 82	\$169,8 82	\$339,7 64
Grant County Health District	\$297,7 61	\$297,7 61	\$595,5 22	Pacifi c County	\$169,0 75	\$169,0 75	\$338,1 50
Grays Harbor Health Departmen t	\$335,6 66	\$335,6 66	\$671,3 32				

Health Department			
Tacoma-Pierce County Health Department	\$4,143,169	\$4,143,169	\$8,286,338
San Juan County Health and Community Services	\$126,569	\$126,569	\$253,138
Skagit County Health Department	\$449,745	\$449,745	\$899,490
Snohomish Health District	\$3,433,291	\$3,433,291	\$6,866,582
Spokane County Health District	\$2,877,318	\$2,877,318	\$5,754,636
Northeast County Health District	\$249,303	\$249,303	\$498,606
Thurston County Health Department	\$1,046,897	\$1,046,897	\$2,093,794
Wahkiakum County Health Department	\$93,181	\$93,181	\$186,362
Walla Walla County-City Health Department	\$302,173	\$302,173	\$604,346
Whatcom County Health Department	\$1,214,301	\$1,214,301	\$2,428,602

Whitman County Health Department	\$189,355	\$189,355	\$378,710
Yakima Health District	\$1,052,482	\$1,052,482	\$2,104,964
TOTAL APPROPRIATIONS	\$36,386,000	\$36,386,000	\$72,772,000

NEW SECTION. Sec. 709. FOR THE STATE TREASURER-COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS

General Fund-State Appropriation (FY 2018)	\$541,000
General Fund-State Appropriation (FY 2019)	\$441,000
TOTAL APPROPRIATION	\$982,000

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

County Clerk	FY 2018	FY 2019
Adams County Clerk	\$2,103	\$1,714
Asotin County Clerk	\$2,935	\$2,392
Benton County Clerk	\$18,231	\$14,858
Chelan County Clerk	\$7,399	\$6,030
Clallam County Clerk	\$5,832	\$4,753
Clark County Clerk	\$32,635	\$26,597
Columbia County Clerk	\$384	\$313
Cowlitz County Clerk	\$16,923	\$13,792
Douglas County Clerk	\$3,032	\$2,471
Ferry County Clerk	\$422	\$344

Franklin County Clerk	\$5,486	\$4,471
Garfield County Clerk	\$243	\$198
Grant County Clerk	\$10,107	\$8,237
Grays Harbor County Clerk	\$8,659	\$7,057
Island County Clerk	\$3,059	\$2,493
Jefferson County Clerk	\$1,859	\$1,515
King County Court Clerk	\$119,290	\$97,266
Kitsap County Clerk	\$22,242	\$18,127
Kittitas County Clerk	\$3,551	\$2,894
Klickitat County Clerk	\$2,151	\$1,753
Lewis County Clerk	\$10,340	\$8,427
Lincoln County Clerk	\$724	\$590
Mason County Clerk	\$5,146	\$4,194
Okanogan County Clerk	\$3,978	\$3,242
Pacific County Clerk	\$2,411	\$1,965
Pend Oreille County Clerk	\$611	\$498
Pierce County Clerk	\$77,102	\$62,837
San Juan County Clerk	\$605	\$493
Skagit County Clerk	\$11,059	\$9,013
Skamania County Clerk	\$1,151	\$938
Snohomish County Clerk	\$38,143	\$31,086
Spokane County Clerk	\$44,825	\$36,578
Stevens County Clerk	\$2,984	\$2,432
Thurston County Clerk	\$22,204	\$18,096

Wahkiakum County Clerk	\$400	\$326
Walla Walla County Clerk	\$4,935	\$4,022
Whatcom County Clerk	\$20,728	\$16,893
Whitman County Clerk	\$2,048	\$1,669
Yakima County Clerk	\$25,063	\$20,426

TOTAL APPROPRIATIONS \$541,000 \$441,000

NEW SECTION. Sec. 710. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 711. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(1) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund—State Appropriation (FY 2018) \$70,050,000

General Fund—State Appropriation (FY 2019) \$73,350,000

TOTAL APPROPRIATION \$143,400,000

(2) There is appropriated for contributions to the judicial retirement system:

General Fund—State Appropriation (FY 2018) \$8,700,000

General Fund—State Appropriation (FY 2019) \$8,400,000

TOTAL APPROPRIATION \$17,100,000

(3) There is appropriated for contributions to the judges' retirement system:

General Fund-State Appropriation (FY 2018) \$500,000

General Fund-State Appropriation (FY 2019) \$500,000

TOTAL APPROPRIATION \$1,000,000

NEW SECTION. Sec. 712. FOR THE OFFICE OF FINANCIAL MANAGEMENT-STATE EFFICIENCY AND RESTRUCTURING REPAYMENT

General Fund-State Appropriation (FY 2018) \$5,000,000

General Fund-State Appropriation (FY 2019) \$5,002,000

TOTAL APPROPRIATION \$10,002,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the cleanup settlement account on July 1, 2017, and July 1, 2018, as repayment of moneys that were transferred to the state efficiency and restructuring account.

NEW SECTION. Sec. 713. FOR THE OFFICE OF FINANCIAL MANAGEMENT-COMMON SCHOOL CONSTRUCTION ACCOUNT

General Fund-State Appropriation (FY 2018) \$600,000

General Fund-State Appropriation (FY 2019) \$600,000

TOTAL APPROPRIATION \$1,200,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the common school construction account-state on July 1, 2017, and July 1, 2018, for an interest payment pursuant to RCW 90.38.130.

NEW SECTION. Sec. 714. FOR THE OFFICE OF FINANCIAL MANAGEMENT-NATURAL RESOURCES REAL PROPERTY REPLACEMENT ACCOUNT

General Fund-State Appropriation (FY 2018) \$300,000

General Fund-State Appropriation (FY 2019) \$300,000

TOTAL APPROPRIATION \$600,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this

section are provided solely for expenditure into the natural resources real property replacement account-state on July 1, 2017, and July 1, 2018, for an interest payment pursuant to RCW 90.38.130.

NEW SECTION. Sec. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT-COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

General Fund-State Appropriation (FY 2018) \$227,000

General Fund-State Appropriation (FY 2019) \$227,000

TOTAL APPROPRIATION \$454,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section, or so much thereof as may be necessary, are provided solely for expenditure into the county criminal justice assistance account-state. The treasurer shall make quarterly distributions from the county criminal justice assistance account of the amounts provided in this section in accordance with RCW 82.14.310 for the purposes of reimbursing local jurisdictions for increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

NEW SECTION. Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT-MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

General Fund-State Appropriation (FY 2018) \$133,000

General Fund-State Appropriation (FY 2019) \$133,000

TOTAL APPROPRIATION \$266,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section, or so much thereof as may be necessary, are appropriated for expenditure into the municipal criminal justice assistance account. The treasurer shall make quarterly distributions from the municipal criminal justice assistance account of the amounts provided in this section in accordance with RCW 82.14.320 and 82.14.330, for the purposes of reimbursing local jurisdictions for

increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

NEW SECTION. Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT—COMMUNICATION SERVICES REFORM

General Fund—State Appropriation (FY 2018) \$5,000,000

General Fund—State Appropriation (FY 2019) \$5,000,000

TOTAL APPROPRIATION \$10,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the universal communications services fund to fund the temporary universal communications services program.

NEW SECTION. Sec. 718. FOR THE OFFICE OF FINANCIAL MANAGEMENT—OUTDOOR EDUCATION AND RECREATION ACCOUNT

General Fund—State Appropriation (FY 2018) \$1,000,000

General Fund—State Appropriation (FY 2019) \$1,000,000

TOTAL APPROPRIATION \$2,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the outdoor education and recreation account for the state parks and recreation commission's outdoor education and recreation program purposes identified in RCW 79A.05.351.

NEW SECTION. Sec. 719. FOR THE OFFICE OF FINANCIAL MANAGEMENT—SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT

General Fund—State Appropriation (FY 2018) \$140,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account to fund grants to property owners to assist with removal of inadvertently discovered skeletal human remains when the scope of

a project is too large for the department of archaeology and historic preservation staff to address.

NEW SECTION. Sec. 720. FOR THE OFFICE OF FINANCIAL MANAGEMENT—HOME VISITING SERVICES ACCOUNT

General Fund—State Appropriation (FY 2018) \$691,000

General Fund—State Appropriation (FY 2019) \$1,788,000

TOTAL APPROPRIATION \$2,479,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the home visiting services account for the home visiting program.

NEW SECTION. Sec. 721. FOR THE OFFICE OF FINANCIAL MANAGEMENT—BUILDING CODE COUNCIL ACCOUNT

General Fund—State Appropriation (FY 2018) \$116,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the building code council account.

NEW SECTION. Sec. 722. FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH PROFESSIONS ACCOUNT

Dedicated Marijuana Account—State Appropriation (FY 2018) \$352,000

Dedicated Marijuana Account—State Appropriation (FY 2019) \$352,000

TOTAL APPROPRIATION \$704,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the health professions account to reimburse the account for costs incurred by the department of health for the development and administration of the marijuana authorization database.

NEW SECTION. Sec. 723. FOR THE OFFICE OF FINANCIAL MANAGEMENT—SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT

General Fund—State Appropriation (FY 2018) \$92,000

General Fund—State Appropriation (FY 2019) \$125,000

General Fund—Federal Appropriation \$51,000

General Fund-Private/Local
Appropriation \$6,000

Other Appropriated Funds \$93,000

TOTAL APPROPRIATION \$367,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the secretary of state's billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92C-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 724. FOR THE OFFICE OF FINANCIAL MANAGEMENT-STATE AUDITOR AUDIT SERVICES

General Fund-State Appropriation (FY 2018) \$55,000

General Fund-State Appropriation (FY 2019) \$129,000

General Fund-Federal Appropriation \$71,000

General Fund-Private/Local
Appropriation \$4,000

Other Appropriated Funds \$83,000

TOTAL APPROPRIATION \$342,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor's billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92D-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 725. FOR THE OFFICE OF FINANCIAL MANAGEMENT-OFFICE OF ATTORNEY GENERAL LEGAL SERVICES

General Fund-State Appropriation (FY 2018) \$4,035,000

General Fund-State Appropriation (FY 2019) \$5,475,000

General Fund-Federal Appropriation \$3,412,000

General Fund-Private/Local
Appropriation \$94,000

Other Appropriated Funds \$4,108,000

TOTAL APPROPRIATION \$17,124,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of attorney general's billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92E-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 726. FOR THE OFFICE OF FINANCIAL MANAGEMENT-ADMINISTRATIVE HEARINGS

General Fund-State Appropriation (FY 2018) \$152,000

General Fund-State Appropriation (FY 2019) \$326,000

General Fund-Federal Appropriation \$493,000

General Fund-Private/Local
Appropriation \$5,000

Other Appropriated Funds \$438,000

TOTAL APPROPRIATION \$1,414,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearing's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92G-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 727. FOR THE OFFICE OF FINANCIAL MANAGEMENT-CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES

General Fund-State Appropriation (FY 2018) \$4,140,000

General Fund-State Appropriation (FY 2019) \$3,848,000

General Fund-Federal Appropriation \$2,087,000

General Fund-Private/Local
Appropriation \$174,000

Other Appropriated Funds \$3,100,000

TOTAL APPROPRIATION \$13,349,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the central technology services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92J-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 728. FOR THE OFFICE OF FINANCIAL MANAGEMENT-DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES

General Fund-State Appropriation (FY 2018) \$3,137,000

General Fund-State Appropriation (FY 2019) \$3,046,000

General Fund-Federal Appropriation \$1,548,000

General Fund-Private/Local
Appropriation \$124,000

Other Appropriated Funds \$2,414,000

TOTAL APPROPRIATION \$10,269,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92K-2017, dated March 27, 2017, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 729. COLLECTIVE BARGAINING AGREEMENT-WFSE

General Fund-State Appropriation (FY 2018) \$53,500,000

General Fund-State Appropriation (FY 2019) \$89,891,000

General Fund-Federal Appropriation \$46,681,000

General Fund-Private/Local
Appropriation \$2,379,000

Dedicated Funds and Accounts
Appropriation \$45,692,000

TOTAL APPROPRIATION \$238,143,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington federation of state employees general government and approved in sections 908 and 909 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G09-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 730. COLLECTIVE BARGAINING AGREEMENT-WPEA

General Fund-State Appropriation (FY 2018) \$2,492,000

General Fund-State Appropriation (FY 2019) \$4,982,000

General Fund-Federal Appropriation \$479,000

Dedicated Funds and Accounts
Appropriation \$3,014,000

TOTAL APPROPRIATION \$10,967,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington public employees association general government and approved in section 910 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GL1-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 731. COLLECTIVE BARGAINING AGREEMENT-COALITION OF UNIONS

General Fund-State Appropriation (FY 2018) \$4,693,000

General Fund-State Appropriation (FY 2019) \$5,160,000

General Fund-Federal Appropriation \$4,285,000

General Fund-Private/Local
Appropriation \$1,281,000

Dedicated Funds and Accounts
Appropriation \$3,136,000

TOTAL APPROPRIATION \$18,555,000

The appropriations in this section are subject to the following conditions and

limitations: Funding is provided for the agreement reached between the governor and the coalition of unions and approved in section 911 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GL7-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 732. COLLECTIVE BARGAINING AGREEMENT-WAFWP

General Fund-State Appropriation (FY 2018) \$414,000

General Fund-State Appropriation (FY 2019) \$998,000

General Fund-Federal Appropriation \$1,481,000

General Fund-Private/Local Appropriation \$586,000

Dedicated Funds and Accounts Appropriation \$1,316,000

TOTAL APPROPRIATION \$4,795,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington association of fish and wildlife professionals and approved in section 912 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G99-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 733. COLLECTIVE BARGAINING AGREEMENT-PTE LOCAL 17

General Fund-State Appropriation (FY 2018) \$3,000

General Fund-State Appropriation (FY 2019) \$8,000

TOTAL APPROPRIATION \$11,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the professional and technical employees local 17 and approved in section 913 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GL5-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 734. COLLECTIVE BARGAINING AGREEMENT-SEIU HEALTHCARE 1199NW

General Fund-State Appropriation (FY 2018) \$16,467,000

General Fund-State Appropriation (FY 2019) \$16,678,000

General Fund-Federal Appropriation \$12,198,000

General Fund-Private/Local Appropriation \$724,000

Dedicated Funds and Accounts Appropriation \$707,000

TOTAL APPROPRIATION \$46,774,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the service employees international union healthcare 1199nw and approved in section 914 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GLQ-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 735. COLLECTIVE BARGAINING AGREEMENT-TEAMSTERS LOCAL 117 MASTER AGREEMENT

General Fund-State Appropriation (FY 2018) \$28,681,000

General Fund-State Appropriation (FY 2019) \$46,389,000

General Fund-Federal Appropriation \$117,000

Washington Auto Theft Prevention Authority-State

Appropriation \$65,000

TOTAL APPROPRIATION \$75,252,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the international brotherhood of teamsters local 117, department of corrections, and approved in sections 915 and 916 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GDE-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 736. COLLECTIVE BARGAINING AGREEMENT-WFSE HIGHER EDUCATION

General Fund-State Appropriation (FY 2018) \$3,242,000

General Fund-State Appropriation (FY 2019) \$7,055,000

Education Legacy Trust Account-State Appropriation \$178,000

TOTAL APPROPRIATION \$10,475,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and institutions of higher education and the Washington federation of state employees higher education bargaining units and approved in part IX of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G09H-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 737. COLLECTIVE BARGAINING AGREEMENT-WPEA HIGHER EDUCATION

General Fund-State Appropriation (FY 2018) \$1,400,000

General Fund-State Appropriation (FY 2019) \$3,445,000

Education Legacy Trust Account-State Appropriation \$15,000

TOTAL APPROPRIATION \$4,860,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and institutions of higher education and the Washington public employees association bargaining units and approved in part IX of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document GL1H-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 738. COLLECTIVE BARGAINING AGREEMENT-WSP TROOPERS ASSOCIATION

General Fund-State Appropriation (FY 2018) \$1,111,000

General Fund-State Appropriation (FY 2019) \$1,336,000

General Fund-Federal Appropriation \$11,000

Vehicle License Fraud Account-State Appropriation \$46,000

TOTAL APPROPRIATION \$2,504,000

The appropriations in this section are subject to the following conditions and

limitations: Funding is provided for the agreement reached between the governor and the Washington state patrol troopers association and approved in section 919 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G07-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 739. COLLECTIVE BARGAINING AGREEMENT-WSP LIEUTENANTS ASSOCIATION

General Fund-State Appropriation (FY 2018) \$613,000

General Fund-State Appropriation (FY 2019) \$711,000

TOTAL APPROPRIATION \$1,324,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the governor and the Washington state patrol lieutenants association and approved in section 920 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G08-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 740. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-SEIU 925

General Fund-State Appropriation (FY 2018) \$881,000

General Fund-State Appropriation (FY 2019) \$2,777,000

Dedicated Funds and Accounts Appropriation \$70,000

TOTAL APPROPRIATION \$3,728,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the University of Washington and the service employees international union local 925 and approved in section 922 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document CBA4-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 741. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-TEAMSTERS LOCAL 117

General Fund-State Appropriation (FY 2018) \$136,000

General Fund-State Appropriation (FY 2019) \$233,000

TOTAL APPROPRIATION \$369,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the University of Washington and teamster local 117 and approved in section 923 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document CBA2-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 742. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-WASHINGTON FEDERATION OF STATE EMPLOYEES POLICE MANAGEMENT

General Fund-State Appropriation (FY 2018) \$44,000

General Fund-State Appropriation (FY 2019) \$85,000

TOTAL APPROPRIATION \$129,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the University of Washington and the Washington federation of state employees police management bargaining unit and approved in part IX of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document G09P-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 743. COLLECTIVE BARGAINING AGREEMENT-PSE HIGHER EDUCATION

General Fund-State Appropriation (FY 2018) \$385,000

General Fund-State Appropriation (FY 2019) \$616,000

TOTAL APPROPRIATION \$1,001,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreements reached between the institutions of higher education and the public school employees and approved in part IX of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document CBA1-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 744. COLLECTIVE BARGAINING AGREEMENT-WASHINGTON STATE

UNIVERSITY-WSU POLICE GUILD BARGAINING UNIT 4

General Fund-State Appropriation (FY 2018) \$114,000

General Fund-State Appropriation (FY 2019) \$114,000

TOTAL APPROPRIATION \$228,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the agreement reached between the Washington State University and the WSU Police Guild bargaining unit 4 and approved in section 926 of this act. Appropriations for state agencies are increased by the amounts specified in LEAP omnibus document CBA3-2017, dated March 23, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 745. COMPENSATION-REPRESENTED EMPLOYEES-INSURANCE BENEFITS

General Fund-State Appropriation (FY 2018) \$7,340,000

General Fund-State Appropriation (FY 2019) \$46,733,000

General Fund-Federal Appropriation \$13,944,000

General Fund-Private/Local Appropriation \$1,315,000

Dedicated Funds and Accounts Appropriation \$17,087,000

TOTAL APPROPRIATION \$86,419,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the collectively bargained health benefit provisions reached for the 2017-2019 biennium between the governor and the health care super coalition under the provisions of chapter 41.80 RCW, and are subject to the conditions and limitations in sections 936 and 937 of this act. Appropriations in this act for state agencies, including institutions of higher education, are increased by the amounts specified in LEAP omnibus document G6A-2017, dated March 25, 2017, to fund the provisions of this agreement.

NEW SECTION. Sec. 746. COMPENSATION-NONREPRESENTED EMPLOYEES-INSURANCE BENEFITS

General Fund-State Appropriation (FY 2018) \$3,527,000

General Fund-State Appropriation (FY 2019) \$22,447,000

General Fund—Federal Appropriation
\$3,247,000

General Fund—Private/Local
Appropriation \$299,000

Dedicated Funds and Accounts
Appropriation \$24,334,000

TOTAL APPROPRIATION \$53,854,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the conditions and limitations in section 942 of this act. Appropriations in this act for state agencies, including institutions of higher education, are increased by the amounts specified in LEAP omnibus document G06-2017, dated March 25, 2017.

NEW SECTION. Sec. 747. GENERAL WAGE INCREASES

General Fund—State Appropriation (FY
2018) \$32,850,000

General Fund—State Appropriation (FY
2019) \$81,288,000

General Fund—Federal Appropriation
\$9,497,000

General Fund—Private/Local
Appropriation \$802,000

Dedicated Funds and Accounts
Appropriation \$56,820,000

TOTAL APPROPRIATION \$181,257,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475, subject to the conditions and limitations in section 943 of this act. Appropriations in this act for state agencies, including institutions of higher education, are increased by the amounts specified in LEAP omnibus document GL9-2017, dated March 23, 2017.

NEW SECTION. Sec. 748. INITIATIVE 732 COST-OF-LIVING INCREASES

General Fund—State Appropriation (FY
2018) \$1,221,000

General Fund—State Appropriation (FY
2019) \$1,820,000

Education Legacy Trust Account—State
Appropriation \$18,000

TOTAL APPROPRIATION \$3,059,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for general wage increases for state employees covered by Initiative Measure No. 732, and coordinated with the general salary increases provided in this act. Appropriations in this act for state agencies, including institutions of higher education, are increased consistent with part IX of this act by the amounts specified in LEAP omnibus document GW-2017, dated March 23, 2017.

NEW SECTION. Sec. 749. INITIATIVE 732 COST-OF-LIVING—ADJUST DOUBLE-COUNT

General Fund—State Appropriation (FY
2018) (\$8,057,000)

General Fund—State Appropriation (FY
2019) (\$17,693,000)

Education Legacy Trust Account—State
Appropriation (\$147,000)

TOTAL APPROPRIATION (\$25,897,000)

The appropriations in this section are subject to the following conditions and limitations: Funding is adjusted to coordinate increases for employees eligible under Initiative Measure No. 732, and also for general wage increases for state employees provided in this act. Appropriations in this act for state agencies, including institutions of higher education, are adjusted consistent with part IX of this act by the amounts specified in LEAP omnibus document 9B-2017, dated March 23, 2017.

NEW SECTION. Sec. 750. TARGETED COMPENSATION INCREASES

General Fund—State Appropriation (FY
2018) \$5,375,000

General Fund—State Appropriation (FY
2019) \$6,137,000

General Fund—Federal Appropriation
\$4,737,000

General Fund—Private/Local
Appropriation \$411,000

Dedicated Funds and Accounts
Appropriation \$880,000

TOTAL APPROPRIATION \$17,540,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for salary adjustments for targeted job classifications. Appropriations in this act for state agencies, including institutions of higher education, are adjusted consistent with section 945 of this act by the amounts specified in LEAP omnibus document GLK-2017, dated March 23, 2017.

NEW SECTION. Sec. 751. MINIMUM STARTING WAGE

General Fund-State Appropriation (FY 2018) \$136,000
 General Fund-State Appropriation (FY 2019) \$135,000
 Local Government Archives Accounts-State Appropriation \$4,000
 TOTAL APPROPRIATION \$275,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for a minimum starting wage of twelve dollars an hour, effective July 1, 2017, and for increases in wages of job classes that are aligned with affected job classes, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. Appropriations in this act for state agencies, including institutions of higher education, are adjusted consistent with section 946 of this act by the amounts specified in LEAP omnibus document GLL-2017, dated March 23, 2017.

NEW SECTION. Sec. 752. VACATION LEAVE SCHEDULE

General Fund-State Appropriation (FY 2018) \$54,000
 General Fund-State Appropriation (FY 2019) \$59,000
 General Fund-Federal Appropriation \$4,000
 State Toxics Control Account-State Appropriation \$1,000
 TOTAL APPROPRIATION \$118,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for the cost of additional staff hours required by modification of the vacation leave accrual schedule as specified by the office of financial management for general

government state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. Appropriations in this act for state agencies, including institutions of higher education, are adjusted consistent with section 947 of this act by the amounts specified in LEAP omnibus document GLX-2017, dated March 23, 2017.

NEW SECTION. Sec. 753. ORCA TRANSIT PASSES-WASHINGTON FEDERATION OF STATE EMPLOYEES

General Fund-State Appropriation (FY 2018) \$1,030,000
 General Fund-State Appropriation (FY 2019) \$1,030,000
 General Fund-Federal Appropriation \$908,000
 General Fund-Private/Local Appropriation \$38,000
 Dedicated Funds and Accounts Appropriation \$530,000
 TOTAL APPROPRIATION \$3,536,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for transit passes for state employees outside of higher education who work in King County, who are represented by the Washington Federation of State Employees. Appropriations in this act for state agencies are adjusted by the amounts specified in LEAP omnibus document GLP-2017, dated March 23, 2017.

NEW SECTION. Sec. 754. ORCA TRANSIT PASSES

General Fund-State Appropriation (FY 2018) \$392,000
 General Fund-State Appropriation (FY 2019) \$392,000
 General Fund-Federal Appropriation \$168,000
 General Fund-Private/Local Appropriation \$32,000
 Dedicated Funds and Accounts Appropriation \$436,000
 TOTAL APPROPRIATION \$1,420,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for transit passes for state employees outside of higher education who work in King County, and who are not covered by a

collective bargaining agreement. Appropriations in this act for state agencies are adjusted by the amounts specified in LEAP omnibus document GLR-2017, dated March 23, 2017.

NEW SECTION. Sec. 755. PUBLIC SAFETY EMPLOYEES RETIREMENT SYSTEM MEMBERSHIP CHANGES

General Fund—State Appropriation (FY 2018) \$2,500,000

General Fund—State Appropriation (FY 2019) \$2,900,000

Special Retirement Contribution Increase Revolving

Account—State Appropriation (\$3,400,000)

TOTAL APPROPRIATION \$2,000,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for the cost of contribution rate changes and costs related to House Bill No. 1558 (PSERS/offender nursing care). If the bill is not enacted by June 30, 2017, the amounts provided in this section shall lapse.

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance

premium distributions \$9,977,000

General Fund Appropriation for prosecuting attorney

distributions \$6,786,000

General Fund Appropriation for boating safety and

education distributions \$4,000,000

General Fund Appropriation for public utility district excise tax distributions \$58,134,000

Death Investigations Account Appropriation for

distribution to counties for publicly funded

autopsies \$3,556,000

Aquatic Lands Enhancement Account Appropriation for

harbor improvement revenue distribution \$140,000

Timber Tax Distribution Account Appropriation for

distribution to "timber" counties \$77,367,000

County Criminal Justice Assistance Appropriation \$96,145,000

Municipal Criminal Justice Assistance Appropriation \$38,126,000

City-County Assistance Appropriation \$27,160,000

Liquor Excise Tax Account Appropriation for liquor

excise tax distribution \$56,058,000

Streamlined Sales and Use Tax Mitigation Account

Appropriation for distribution to local taxing

jurisdictions to mitigate the unintended revenue

redistributions effect of sourcing law changes \$45,658,000

Columbia River Water Delivery Account Appropriation

for the Confederated Tribes of the Colville

Reservation \$8,074,000

Columbia River Water Delivery Account Appropriation

for the Spokane Tribe of Indians \$5,394,000

Liquor Revolving Account Appropriation for liquor

profits distribution \$98,876,000

General Fund Appropriation for other tax

distributions \$80,000

General Fund Appropriation for Marijuana Excise

Tax distributions \$12,000,000

General Fund Appropriation for Habitat Conservation

Program distributions \$4,340,000

TOTAL APPROPRIATION \$569,501,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds

available under statutory distributions for the stated purposes.

NEW SECTION. Sec. 802. FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired	Driving	Safety
Appropriation	\$2,110,000	

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2017-2019 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

NEW SECTION. Sec. 803. FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired	Driver	Safety
Appropriation	\$1,407,000	

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2017-2019 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998

(DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

NEW SECTION. Sec. 804. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

General Fund Appropriation for federal flood control

funds distribution \$50,000

General Fund Appropriation for federal grazing

fees distribution \$43,000

General Fund Appropriation for federal military

fees distribution \$601,000

Forest Reserve Fund Appropriation for federal

forest reserve fund distribution \$4,610,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

NEW SECTION. Sec. 805. FOR THE STATE TREASURER—TRANSFERS

Flood Control Assistance Account: For transfer to the

state general fund, \$1,000,000 for fiscal year

2018 and \$1,000,000 for fiscal year 2019 \$2,000,000

Criminal Justice Treatment Account: For transfer to

the state general fund, \$4,450,000 for fiscal

year 2018 and \$4,450,000 for fiscal year 2019 \$8,900,000

Dedicated Marijuana Account: For transfer to

the basic health plan trust account, the lesser

of the amount determined pursuant to RCW 69.50.540

or this amount for fiscal year 2018, \$170,000,000 and

this amount for fiscal year 2019, \$180,000,000 \$350,000,000

Dedicated Marijuana Account: For transfer to

the state general fund, the lesser of the amount

determined pursuant to RCW 69.50.540 or this amount

for fiscal year 2018, \$113,718,000 and this amount

for fiscal year 2019, \$125,521,000 \$239,239,000

Aquatic Lands Enhancement Account: For transfer to

the clean up settlement account as repayment of

the loan provided in section 3022(2) chapter 2,

Laws of 2012, 2nd sp. sess. (ESB 6074 2012

supplemental capital budget), \$620,000 for fiscal

year 2018 and \$620,000 for fiscal year 2019 \$1,240,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed the

actual amount of the annual base payment to the

tobacco settlement account for fiscal year 2018 \$101,639,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed the

actual amount of the annual base payment to the

tobacco settlement account for fiscal year 2019 \$101,639,000

State Toxics Control Account: For transfer to the

cleanup settlement account as repayment of the

loan provided in section 3022(2) chapter 2,

Laws of 2012, 2nd sp. sess. (ESB 6074, 2012

supplemental capital budget), \$620,000 for

fiscal year 2018 and \$620,000 for fiscal

year 2019 \$1,240,000

General Fund: For transfer to the streamlined sales

and use tax account, \$22,904,000 for fiscal

year 2018 and \$22,774,000 for fiscal year 2019 \$45,658,000

Aerospace Training and Student Loan Account: For

transfer to the state general fund, \$750,000

for fiscal year 2018 and \$750,000 for fiscal

year 2019 \$1,500,000

Disaster Response Account: For transfer to the state

general fund, \$42,000,000 for fiscal year 2018 \$42,000,000

PART IX

MISCELLANEOUS

NEW SECTION. Sec. 901. EXPENDITURE AUTHORIZATIONS

The appropriations contained in this act are maximum expenditure authorizations. Pursuant to RCW 43.88.037, moneys disbursed from the treasury on the basis of a formal loan agreement shall be recorded as loans receivable and not as expenditures for accounting purposes. To the extent that moneys are disbursed on a loan basis, the corresponding appropriation shall be reduced by the amount of loan moneys disbursed from the treasury during the 2015-2017 fiscal biennium.

NEW SECTION. Sec. 902. EMERGENCY FUND ALLOCATIONS

Whenever allocations are made from the governor's emergency fund appropriation to an agency that is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. An appropriation is not necessary to effect such repayment.

NEW SECTION. Sec. 903. STATUTORY APPROPRIATIONS

In addition to the amounts appropriated in this act for revenues for distribution, state contributions to the law enforcement officers' and firefighters' retirement system plan 2 and bond retirement and interest, including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under chapters 39.94, 39.96, and 39.98 RCW or any proper bond covenant made under law.

NEW SECTION. Sec. 904. BOND EXPENSES

In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the applicable construction or building funds and accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

NEW SECTION. Sec. 905. VOLUNTARY RETIREMENT AND SEPARATION

(1) As a management tool to reduce costs and make more effective use of resources, while improving employee productivity and morale, agencies may implement either a voluntary retirement or separation program, or both, that is cost neutral or results in cost savings, including costs to the state pension systems, over a two-year period following the commencement of the program, provided that such a program is approved by the director of financial management. Agencies participating in this authorization may offer voluntary retirement and/or separation incentives and options according to procedures and guidelines established by the office of financial management in consultation with the department of retirement systems. The options may include, but are not limited to, financial incentives for voluntary separation or retirement. An employee does not have a contractual right to a financial incentive offered under this section. Offers shall be reviewed and monitored jointly by the office of financial management and the department of retirement systems. Agencies are required to submit a report by the date established by the office of financial management in the guidelines required in this section to the legislature and the office of financial management on the outcome of their approved incentive program. The report should include information on the

details of the program, including the incentive payment amount for each participant, the total cost to the state, and the projected or actual net dollar savings over the two-year period.

(2) The department of retirement systems may collect from employers the actuarial cost of any incentive provided under this program, or any other incentive to retire provided by employers to members of the state's pension systems, for deposit in the appropriate pension account.

NEW SECTION. Sec. 906. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 907. COLLECTIVE BARGAINING AGREEMENTS

The following sections represent the results of the 2017-2019 collective bargaining process required under the provisions of chapters 41.80, 41.56, and 74.39A RCW. Provisions of the collective bargaining agreements contained in sections 908 through 941 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in Part IX of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 908. COLLECTIVE BARGAINING AGREEMENT-WFSE

An agreement has been reached between the governor and the Washington federation of state employees general government under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 909. COLLECTIVE BARGAINING AGREEMENT—WFSE DEPARTMENT OF CORRECTION UNIQUE CLASSIFICATIONS

An agreement has been reached between the governor and the Washington federation of state employees general government for department of corrections unique classifications through an interest arbitration award as provided in a memorandum of understanding between the parties and under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. In addition to the economic provisions applicable to all employees covered by the agreement in section 908 of this act, funding is provided for the awarded increases for targeted job classifications ranging from one and three-tenths percent to sixteen and three-tenths percent.

NEW SECTION. Sec. 910. COLLECTIVE BARGAINING AGREEMENT—WPEA

An agreement has been reached between the governor and the Washington public employees association general government under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 911. COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS

An agreement has been reached between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 912. COLLECTIVE BARGAINING AGREEMENT—WAFWP

An agreement has been reached between the governor and the Washington association of fish and wildlife professionals under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two

percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications.

NEW SECTION. Sec. 913. COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 914. COLLECTIVE BARGAINING AGREEMENT—SEIU HEALTHCARE 1199NW

An agreement has been reached between the governor and the service employees international union healthcare 1199nw under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for registered nurses targeted job classification salary adjustments in lieu of a general wage increase. The salary adjustments funded in this act vary depending on classification and location. The agreement also includes and funding is provided for continuing education and increases to vacation leave accruals.

NEW SECTION. Sec. 915. COLLECTIVE BARGAINING AGREEMENT—TEAMSTERS LOCAL 117 DEPARTMENT OF ENTERPRISE SERVICES

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 for the department of enterprise services under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019.

NEW SECTION. Sec. 916. COLLECTIVE BARGAINING AGREEMENT—TEAMSTERS LOCAL 117 DEPARTMENT OF CORRECTIONS

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 for the department of corrections through an interest arbitration award as provided in a memorandum of understanding between the parties and under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded four and one-half percent general wage increase effective July 1, 2017, a three percent general wage increase effective July 1, 2018, and a three percent general wage increase effective January 1, 2019. Funding is also provided for targeted job classification specific increases and increases to vacation leave accruals.

NEW SECTION. Sec. 917. COLLECTIVE BARGAINING AGREEMENT-WFSE HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington federation of state employees community college coalition under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications.

NEW SECTION. Sec. 918. COLLECTIVE BARGAINING AGREEMENT-WPEA HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington public employees association community college coalition under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications.

NEW SECTION. Sec. 919. COLLECTIVE BARGAINING AGREEMENT-WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol troopers association under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is

provided for a sixteen percent general wage increase for troopers effective July 1, 2017, and a three percent general wage increase for troopers effective July 1, 2018. Funding is also provided for a twenty percent general wage increase for sergeants effective July 1, 2017, and a three percent general wage increase for sergeants effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay, changes to specialty pay, and an increase to vacation leave accruals.

NEW SECTION. Sec. 920. COLLECTIVE BARGAINING AGREEMENT-WSP LIEUTENANTS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants association under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a twenty percent general wage increase effective July 1, 2017, and a three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay.

NEW SECTION. Sec. 921. COLLECTIVE BARGAINING AGREEMENT-UNIVERSITY OF WASHINGTON-WFSE

(1) An agreement has been reached between the University of Washington and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. For bargaining units 00, 01, 02, 03, 04, and 06, the agreement includes and funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for an increase of one dollar per hour in certification pay for certain job classifications, salary adjustments for targeted job classifications, and increases to vacation leave accruals. For bargaining unit 05, police management, the agreement includes and funding is provided for an eight percent general wage increase effective July 1, 2017, an eight percent general wage increase effective July 1, 2018, adjustments to maintain a sixteen and one-half percent differential over employees supervised, an adjustment to longevity pay, and a five hundred dollar annual clothing allowance for "plain clothes" positions.

(2) Effective September 1, 2017, \$100,000 is to be split between SEIU 925 and WFSE represented employees at Harborview Medical Center and UW Medical Center for obtaining degree or certification required for employment in a health care field within the hospital. Step values were synchronized between select WFSE and SEIU 925 pay tables.

NEW SECTION. Sec. 922. COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—SEIU 925

(1) An agreement has been reached between the University of Washington and the service employees international union local 925 under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for an increase of one dollar per hour in certification pay for certain job classifications, salary adjustments for targeted job classifications, and increases to vacation leave accruals.

(2) Effective September 1, 2017, \$100,000 is to be split between SEIU 925 and WFSE represented employees at Harborview Medical Center and UW Medical Center for obtaining degree or certification required for employment in a health care field within the hospital. Step values were synchronized between select WFSE and SEIU 925 pay tables.

NEW SECTION. Sec. 923. COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—TEAMSTERS LOCAL 117

An agreement has been reached between the University of Washington and teamster local 117 under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a five percent general wage increase effective July 1, 2017, to maintain increases that were not funded in the 2015-2017 budget due to missing the submission deadline, an additional ten percent general wage increase effective July 1, 2017, and a ten percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for educational incentive pay and longevity pay.

NEW SECTION. Sec. 924. COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—WFSE

An agreement has been reached between the Washington State University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. For bargaining units 2, 12, 13, and 15, the agreement includes and funding is provided for a two percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. If the schedule for non-represented employees yields a higher overall salary schedule or general wage increase in 2017-2019 fiscal biennium, salary schedules of job classifications for non-represented employees are increased, or higher leave accruals are implemented, the contract must implement the provision most beneficial to the employee.

NEW SECTION. Sec. 925. COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—PSE

An agreement has been reached between the Washington State University and the public school employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. For bargaining units 16 and 18, the agreement includes and funding is provided for a two percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. If the schedule for non-represented employees yields a higher overall salary schedule or general wage increase in 2017-2019 fiscal biennium, salary schedules of job classifications for non-represented employees are increased, or higher leave accruals are implemented, the contract must implement the provision most beneficial to the employee.

NEW SECTION. Sec. 926. COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—WSU POLICE GUILD BARGAINING UNIT 4

An agreement has been reached between the Washington State University and the WSU Police Guild bargaining unit 4 under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. The agreement includes and funding is provided for the following: The university will follow the general service salary schedules for nonrepresented employees in effect July 1, 2017, through June 30, 2019, and, effective July 1, 2017, targeted job classifications will be assigned special pay range assignment on the general services salary schedule. Additionally, the agreement includes and funding is provided for wage increases

equal to the general services salary schedule and higher leave accruals applicable to civil service employees.

NEW SECTION. Sec. 927. COLLECTIVE BARGAINING AGREEMENT-CENTRAL WASHINGTON UNIVERSITY-WFSE

An agreement has been reached between Central Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for additional leave accruals and a one-time payment of \$100 on July 25, 2017.

NEW SECTION. Sec. 928. COLLECTIVE BARGAINING AGREEMENT-CENTRAL WASHINGTON UNIVERSITY-PSE

An agreement has been reached between Central Washington University and the public school employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for a sixty cents per hour shift premium increase.

NEW SECTION. Sec. 929. COLLECTIVE BARGAINING AGREEMENT-THE EVERGREEN STATE COLLEGE-WFSE

An agreement has been reached between The Evergreen State College and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary range adjustments for police classifications and other targeted job classifications, a shift differential increase, salary increase for law enforcement officers while engaged in training activities, and a \$100 signing incentive.

NEW SECTION. Sec. 930. COLLECTIVE BARGAINING AGREEMENT-WESTERN WASHINGTON UNIVERSITY-WFSE

An agreement has been reached between Western Washington University and the Washington federation of state employees bargaining units A, B, and E under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary range adjustments for targeted job classifications, clothing and footwear allowances for specific job classification, increase in vacation leave accruals, and a \$250 signing incentive.

NEW SECTION. Sec. 931. COLLECTIVE BARGAINING AGREEMENT-WESTERN WASHINGTON UNIVERSITY-PSE

An agreement has been reached between Western Washington University and the public school employees bargaining units D and PT under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for increase in vacation leave accruals and incentive pay for specified employees.

NEW SECTION. Sec. 932. COLLECTIVE BARGAINING AGREEMENT-EASTERN WASHINGTON UNIVERSITY-WFSE

An agreement has been reached between Eastern Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary range adjustments for police officers, increase in leave accruals, and a one-time payment of \$100.

NEW SECTION. Sec. 933. COLLECTIVE BARGAINING AGREEMENT-EASTERN WASHINGTON UNIVERSITY-PSE

An agreement has been reached between Eastern Washington University and the

public school employees under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a one and three-quarters percent general wage increase effective July 1, 2017.

NEW SECTION. Sec. 934. COLLECTIVE BARGAINING AGREEMENT-YAKIMA VALLEY COMMUNITY COLLEGE-WPEA

An agreement has been reached between Yakima Valley Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for a one dollar shift differential.

NEW SECTION. Sec. 935. COLLECTIVE BARGAINING AGREEMENT-HIGHLINE COMMUNITY COLLEGE-WPEA

An agreement has been reached between Highline Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for a one-time signing incentive of \$400 to be paid in fiscal year 2018.

NEW SECTION. Sec. 936. COMPENSATION-REPRESENTED EMPLOYEES-SUPER COALITION-INSURANCE BENEFITS

An agreement was reached for the 2017-2019 biennium between the governor and the health care super coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2017-2019 collective bargaining agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$912 per eligible employee for fiscal year 2018. For fiscal year 2019, the monthly employer funding rate shall not exceed \$1,041 per eligible employee.

(2) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065.

(3) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

NEW SECTION. Sec. 937. COMPENSATION-REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION-INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for represented employees outside the super coalition for health benefits, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed \$912 per eligible employee for fiscal year 2018. For fiscal year 2019, the monthly employer funding rate may not exceed \$1,041 per eligible employee.

(2) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065.

(3) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

NEW SECTION. Sec. 938. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—WFSE LANGUAGE ACCESS PROVIDERS

An agreement has been reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a rate increase of fifty cents an hour for fiscal year 2018 and a rate increase of one dollar twenty-six cents an hour for fiscal year 2019. The agreement also includes and funding is provided for DSHS minimum appointment times, DSHS travel premium pilot program, increased cancellation fees, and reimbursements for parking, ferries, and tolls.

NEW SECTION. Sec. 939. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 775 HOME CARE WORKERS

An agreement has been reached between the governor and the service employees international union local 775 under the provisions of chapters 74.39A and 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for increases to hourly wages through the term of the agreement and an additional wage step for those at the top of the wage scale. The agreement also includes and funding is provided for establishment of a health and safety benefit study and increased contributions to the retirement, health care, and training trusts.

NEW SECTION. Sec. 940. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 925 CHILDCARE WORKERS

An agreement has been reached between the governor and the service employees international union local 925 under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent rate increase for licensed providers and a three to six cent an hour per child increase for licensed-exempt providers. The agreement also includes and funding is provided for increased funding for health insurance for licensed providers, increases in training funding, professional development days, licensing incentives and need-based grants, and establishment of a family child care career development fund.

NEW SECTION. Sec. 941. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—AFHC ADULT FAMILY HOMES

An agreement has been reached between the governor and the adult family home

council under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for increases in the daily rates, payments to providers for providing meaningful home-based activities, payment to providers supporting clients in accessing and participating in the community integration program, and mileage reimbursement under certain circumstances.

NEW SECTION. Sec. 942. COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed \$912 per eligible employee for fiscal year 2018. For fiscal year 2019, the monthly employer funding rate may not exceed \$1,041 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065. All savings resulting from reduced claim costs or other factors identified after December 31, 2016, must be reserved for funding employee health benefits in the 2019-2021 fiscal biennium.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar year 2018, the subsidy shall

be up to \$166 per month, for calendar year 2019, the subsidy shall be up to \$183 per month.

(3) Technical colleges, school districts, and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(a) For each full-time employee, \$65.85 per month beginning September 1, 2017, and \$70.71 beginning September 1, 2018;

(b) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$65.85 each month beginning September 1, 2017, and \$70.71 beginning September 1, 2018, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a technical college, school district, or educational service district who purchase insurance benefits through contracts with the health care authority.

NEW SECTION. Sec. 943. GENERAL WAGE INCREASES

(1) Appropriations for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

(2) Funding is provided for a two percent general wage increase effective July 1, 2017, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a two percent salary increase effective July 1, 2017, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) Funding is provided for a two percent general wage increase effective July 1, 2018, for all classified employees as specified in subsection (1) of this

section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a two percent salary increase effective July 1, 2018, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(4) Funding is provided for a two percent general wage increase effective January 1, 2019, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management, except for employees who receive cost-of-living adjustments under Initiative Measure No. 732. The appropriations are also sufficient to fund a two percent salary increase effective January 1, 2019, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

NEW SECTION. Sec. 944. INITIATIVE 732 COST-OF-LIVING INCREASES

Part IX of this act authorizes general wage increases for state employees covered by Initiative Measure No. 732. The general wage increases on July 1, 2017, and July 1, 2018, provide a portion of the annual cost-of-living adjustments required under Initiative Measure No. 732. Funding is also provided for additional increases of three-tenths of a percent on July 1, 2017, and seven-tenths of a percent on July 1, 2018, for cost-of-living adjustments under the initiative. Funding is provided for a salary increase on January 1, 2019, of one percent for these employees, for a nominal total of a six percent increase during the 2017-2019 fiscal biennium.

NEW SECTION. Sec. 945. TARGETED COMPENSATION INCREASES

Funding is provided for salary adjustments for targeted job classifications as specified by the office of financial management for classified state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475.

NEW SECTION. Sec. 946. MINIMUM STARTING WAGE

Funding is also provided for a minimum starting wage of twelve dollars an hour, effective July 1, 2017, and for increases in wages of job classes that are aligned with affected job classes, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. This funding is sufficient for general government agencies and higher education institutions to comply with the provisions of Initiative Measure No. 1433 with respect to state employees.

NEW SECTION. Sec. 947. VACATION LEAVE SCHEDULE

Funding is provided for the cost of additional staff hours required by modification of the vacation leave accrual schedule as specified by the office of financial management for general government state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475.

NEW SECTION. Sec. 948. COMPENSATION—REVISE PENSION CONTRIBUTION RATES

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board.

NEW SECTION. Sec. 949. INFORMATION TECHNOLOGY PROJECTS

(1) All appropriations for designated information technology projects in this act shall be placed in unallotted status and shall not be expended before the office of the chief information officer certifies that the project complies with state information technology and security policy and strategies. At a minimum, the office must certify, if the state chief information officer deems appropriate, that the project meets critical project success factors, aligns with statewide technology strategy and architecture, reuses existing technology services and solutions, minimizes custom development, complies with security and other policy requirements, and uses modularized, component based architectures. The office must evaluate the project at the appropriate stages. The office must notify the office of financial management and the

legislative fiscal committees each time it certifies a project is ready to proceed with the next stage. Appropriations may then be allotted for that certified phase only.

(2) The state chief information officer may suspend or terminate a project at any time if the state chief information officer determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall not make additional expenditures on the project without approval of the state chief information officer.

(3) The following projects are subject to the conditions, limitations, and review provided in this section:

(a) Department of Early Learning - Procure a Time and Attendance System;

(b) Department of Social and Health Services - ESAR Architectural Development;

(c) Department of Ecology - Integrated Revenue Management System;

(d) Employment Security Department - Unemployment Tax and Benefits System;

(e) Labor and Industries - Business Transformation;

(f) Liquor and Cannabis Board - Traceability System Replacement Project;

(g) Department of Services for the Blind - Business Management System;

(h) Department of Corrections - IT Business Solutions.

(4) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section other than those listed above, including projects that are not separately identified within an agency budget.

Sec. 950. RCW 15.76.115 and 2011 1st sp.s. c 50 s 926 are each amended to read as follows:

The fair fund is created in the custody of the state treasury. All moneys received by the department of agriculture for the purposes of this fund and from RCW 67.16.105(7) shall be deposited into the fund. At the beginning of fiscal year 2002 and each fiscal year thereafter, the state treasurer shall transfer into the fair fund from the general fund the sum of two million dollars, (~~except for fiscal year~~

~~2011 the state treasurer shall transfer into the fair fund from the general fund the sum of one million one hundred three thousand dollars, and~~) except during fiscal year ~~((2012))~~ 2018 and fiscal year ~~((2013))~~ 2019 the state treasurer shall make no transfers into the fair fund ~~((from the general fund the sum of one million seven hundred fifty thousand dollars each fiscal year))~~. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia. Expenditures from the fund may be used only for assisting fairs in the manner provided in this chapter. Only the director of agriculture or the director's designee may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.

Sec. 951. RCW 28B.15.067 and 2015 3rd sp.s. c 36 s 3 are each amended to read as follows:

(1) Tuition fees shall be established under the provisions of this chapter.

(2) Beginning in the 2011-12 academic year and through the 2014-15 academic year, reductions or increases in full-time tuition fees shall be as provided in the omnibus appropriations act for resident undergraduate students at community and technical colleges.

(3)(a) In the 2015-16 and 2016-17 academic years, tuition operating fees for resident undergraduates at community and technical colleges excluding applied baccalaureate degrees as defined in RCW 28B.50.030, shall be five percent less than the 2014-15 academic year tuition operating fee.

(b) In the 2017-18 and 2018-19 academic years, tuition operating fees for resident undergraduates at community and technical colleges shall remain the same as the fee set in the 2016-17 academic year.

(c) Beginning in the ~~((2017-18))~~ 2019-20 academic year, tuition operating fees for resident undergraduates at community and technical colleges excluding applied baccalaureate degrees as defined in RCW 28B.50.030, may increase by no more than the average annual percentage growth rate in the median hourly wage for Washington for the previous fourteen years as the wage is determined by the federal bureau of labor statistics.

(4) The governing boards of the state universities, regional universities, and

The Evergreen State College; and the state board for community and technical colleges may reduce or increase full-time tuition fees for all students other than resident undergraduates, including nonresident students, summer school students, and students in other self-supporting degree programs. Percentage increases in full-time tuition may exceed the fiscal growth factor. Except during the 2013-2015 fiscal biennium, the state board for community and technical colleges may pilot or institute differential tuition models. The board may define scale, scope, and rationale for the models.

(5)(a) Beginning with the 2011-12 academic year and through the end of the 2014-15 academic year, the governing boards of the state universities, the regional universities, and The Evergreen State College may reduce or increase full-time tuition fees for all students, including summer school students and students in other self-supporting degree programs. Percentage increases in full-time tuition fees may exceed the fiscal growth factor. Reductions or increases may be made for all or portions of an institution's programs, campuses, courses, or students; however, during the 2013-2015 fiscal biennium, reductions or increases in tuition must be uniform among resident undergraduate students.

(b) Prior to reducing or increasing tuition for each academic year, the governing boards of the state universities, the regional universities, and The Evergreen State College shall consult with existing student associations or organizations with student undergraduate and graduate representatives regarding the impacts of potential tuition increases. Each governing board shall make public its proposal for tuition and fee increases twenty-one days before the governing board of the institution considers adoption and allow opportunity for public comment. However, the requirement to make public a proposal for tuition and fee increases twenty-one days before the governing board considers adoption shall not apply if the omnibus appropriations act has not passed the legislature by May 15th. Governing boards shall be required to provide data regarding the percentage of students receiving financial aid, the sources of aid, and the percentage of total costs of attendance paid for by aid.

(c) Prior to reducing or increasing tuition for each academic year, the state

board for community and technical college system shall consult with existing student associations or organizations with undergraduate student representation regarding the impacts of potential tuition increases. The state board for community and technical colleges shall provide data regarding the percentage of students receiving financial aid, the sources of aid, and the percentage of total costs of attendance paid for by aid.

(6)(a) In the 2015-16 academic year, full-time tuition operating fees for resident undergraduates for state universities, regional universities, The Evergreen State College, and applied baccalaureate degrees as defined in RCW 28B.50.030 shall be five percent less than the 2014-15 academic year tuition operating fee.

(b) Beginning with the 2016-17 academic year, full-time tuition operating fees for resident undergraduates for:

(i) State universities shall be fifteen percent less than the 2014-15 academic year tuition operating fee; and

(ii) Regional universities, The Evergreen State College, and applied baccalaureate degrees as defined in RCW 28B.50.030 shall be twenty percent less than the 2014-15 academic year tuition operating fee.

(c) In the 2017-18 and 2018-19 academic years, full-time tuition operating fees for resident undergraduates in (b) of this subsection shall remain the same as the fee set in the 2016-17 academic year.

(d) Beginning with the ~~((2017-18))~~ 2019-20 academic year, full-time tuition operating fees for resident undergraduates in (b) of this subsection may increase by no more than the average annual percentage growth rate in the median hourly wage for Washington for the previous fourteen years as the wage is determined by the federal bureau of labor statistics.

(7) The tuition fees established under this chapter shall not apply to high school students enrolling in participating institutions of higher education under RCW 28A.600.300 through 28A.600.400.

(8) The tuition fees established under this chapter shall not apply to eligible students enrolling in a dropout reengagement program through an interlocal agreement between a school district and a community or technical college under RCW 28A.175.100 through 28A.175.110.

(9) The legislative advisory committee to the committee on advanced tuition payment established in RCW 28B.95.170 shall:

(a) Review the impact of differential tuition rates on the funded status and future unit price of the Washington advanced college tuition payment program; and

(b) No later than January 14, 2013, make a recommendation to the appropriate policy and fiscal committees of the legislature regarding how differential tuition should be addressed in order to maintain the ongoing solvency of the Washington advanced college tuition payment program.

(10) As a result of any changes in tuition under section 3, chapter 36, Laws of 2015 3rd sp. sess., the governing boards of the state universities, the regional universities, and The Evergreen State College shall not reduce resident undergraduate enrollment below the 2014-15 academic year levels.

Sec. 952. RCW 28B.115.070 and 2015 3rd sp.s. c 4 s 947 are each amended to read as follows:

(1) After June 1, 1992, the department, in consultation with the office and the department of social and health services, shall:

~~((1))~~ (a) Determine eligible credentialed health care professions for the purposes of the loan repayment and scholarship program authorized by this chapter. Eligibility shall be based upon an assessment that determines that there is a shortage or insufficient availability of a credentialed profession so as to jeopardize patient care and pose a threat to the public health and safety. The department shall consider the relative degree of shortages among professions when determining eligibility. The department may add or remove professions from eligibility based upon the determination that a profession is no longer in shortage. Should a profession no longer be eligible, participants or eligible students who have received scholarships shall be eligible to continue to receive scholarships or loan repayments until they are no longer eligible or until their service obligation has been completed;

~~((2))~~ (b) Determine health professional shortage areas for each of the eligible credentialed health care professions.

~~((3))~~ (2) For the ~~((2015-2017))~~ 2017-2019 fiscal biennium, consideration for eligibility shall also be given to registered nursing students who have been accepted into an eligible nursing education program and have declared an intention to teach nursing upon completion of the nursing education program.

Sec. 953. RCW 28B.122.050 and 2016 sp.s. c 36 s 917 are each amended to read as follows:

(1) The aerospace training student loan account is created in the custody of the state treasurer. No appropriation is required for expenditures of funds from the account for student loans. An appropriation is required for expenditures of funds from the account for costs associated with program administration by the office. The account is not subject to allotment procedures under chapter 43.88 RCW.

(2) The office shall deposit into the account all moneys received for the program. The account shall be self-sustaining and consist of moneys received for the program by the office, and receipts from participant repayments, including principal and interest.

(3) Expenditures from the account may be used solely for student loans to participants in the program established by this chapter and costs associated with program administration by the office.

(4) Disbursements from the account may be made only on the authorization of the office.

(5) During the 2015-2017 and 2017-2019 fiscal ~~((biennium))~~ biennia, the legislature may transfer from the aerospace training student loan account to the state general fund such amounts as reflect the excess fund balance of the account.

Sec. 954. RCW 28C.04.535 and 2015 3rd sp.s. c 4 s 948 are each amended to read as follows:

Except for the ~~((2015-16 and 2016-17))~~ 2017-18 and 2018-19 school years, the Washington award for vocational excellence shall be granted annually. It is the intent of the legislature to continue the policy of not granting the Washington award for vocational excellence in the 2019-20 and 2020-21 school years. The workforce training and education coordinating board shall notify the students receiving the award, their

vocational instructors, local chambers of commerce, the legislators of their respective districts, and the governor, after final selections have been made. The workforce training and education coordinating board, in conjunction with the governor's office, shall prepare appropriate certificates to be presented to the selected students. Awards shall be presented in public ceremonies at times and places determined by the workforce training and education coordinating board in cooperation with the office of the governor.

Sec. 955. RCW 36.70A.725 and 2011 c 360 s 7 are each amended to read as follows:

(1) Upon receipt of a work plan submitted to the director under RCW 36.70A.720(2)(a), the director must submit the work plan to the technical panel for review.

(2) The technical panel shall review the work plan and report to the director within ~~((forty-five))~~ ninety days after the director receives the work plan. The technical panel shall assess whether at the end of ten years after receipt of funding, the work plan, in conjunction with other existing plans and regulations, will protect critical areas while maintaining and enhancing the viability of agriculture in the watershed.

(3)(a) If the technical panel determines the proposed work plan will protect critical areas while maintaining and enhancing the viability of agriculture in the watershed:

(i) It must recommend approval of the work plan; and

(ii) The director must approve the work plan.

(b) If the technical panel determines the proposed work plan will not protect critical areas while maintaining and enhancing the viability of agriculture in the watershed:

(i) It must identify the reasons for its determination; and

(ii) The director must advise the watershed group of the reasons for disapproval.

(4) The watershed group may modify and resubmit its work plan for review and approval consistent with this section.

(5) If the director does not approve a work plan submitted under this section

within two years and nine months after receipt of funding, the director shall submit the work plan to the statewide advisory committee for resolution. If the statewide advisory committee recommends approval, the director must approve the work plan.

(6) If the director does not approve a work plan for a watershed within three years after receipt of funding, the provisions of RCW 36.70A.735(2) apply to the watershed.

Sec. 956. RCW 41.26.450 and 2000 c 247 s 801 are each amended to read as follows:

(1) Port districts established under Title 53 RCW and institutions of higher education as defined in RCW 28B.10.016 shall contribute both the employer and state shares of the cost of the retirement system for any of their employees who are law enforcement officers.

(2) Institutions of higher education shall contribute both the employer and the state shares of the cost of the retirement system for any of their employees who are firefighters.

(3) During fiscal years 2018 and 2019:

When an employer charges a fee or recovers costs for work performed by a plan member where:

(a) The member receives compensation that is includable as basic salary under RCW 41.26.030(4)(b); and

(b) The service is provided, whether directly or indirectly, to an entity that is not an "employer" under RCW 41.26.030(14)(b);

the employer shall contribute both the employer and state shares of the cost of the retirement system contributions for that compensation. Nothing in this subsection prevents an employer from recovering the cost of the contribution from the entity receiving services from the member.

Sec. 957. RCW 41.26.802 and 2015 3rd sp.s. c 4 s 950 are each amended to read as follows:

(1) By September 30, 2011, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer five million dollars to the local public safety enhancement account.

(2) By September 30, (~~2017~~) 2019, and by September 30 of each odd-numbered year thereafter, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer the lesser of one-third of the increase, or fifty million dollars, to the local public safety enhancement account.

(3) It is the intent of the legislature to fund any distribution in 2019 and 2021 dedicated to the local law enforcement officers' and firefighters' retirement system benefits improvement account through alternate means, which may include transfers from the law enforcement officers' and firefighters' plan 2 retirement fund.

Sec. 958. RCW 43.09.475 and 2016 sp.s. c 36 s 925 are each amended to read as follows:

The performance audits of government account is hereby created in the custody of the state treasurer. Revenue identified in RCW 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money in the account shall be used to fund the performance audits and follow-up performance audits under RCW 43.09.470 and shall be expended by the state auditor in accordance with chapter 1, Laws of 2006. Only the state auditor or the state auditor's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. During the 2013-2015 (~~and~~), 2015-2017, and 2017-2019 fiscal biennia, the performance audits of government account may be appropriated for the joint legislative audit and review committee, the legislative evaluation and accountability program committee, the office of financial management, the superintendent of public instruction, and audits of school districts. In addition, during the 2013-2015 (~~and~~), 2015-2017, and 2017-2019 fiscal biennia the account may be used to fund the office of financial management's contract for the compliance audit of the state auditor and audit activities at the department of revenue. In addition, during the 2015-2017 fiscal biennium, the legislature may transfer from the performance audits of government account to the state general fund such amounts as reflect the excess fund balance of the fund.

Sec. 959. RCW 43.43.839 and 2016 sp.s. c 36 s 928 are each amended to read as follows:

The fingerprint identification account is created in the custody of the state treasurer. All receipts from incremental charges of fingerprint checks requested for noncriminal justice purposes and electronic background requests shall be deposited in the account. Receipts for fingerprint checks by the federal bureau of investigation may also be deposited in the account. Expenditures from the account may be used only for the cost of record checks. Only the chief of the state patrol or the chief's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. No appropriation is required for expenditures prior to July 1, 1997. After June 30, 1997, the account shall be subject to appropriation. (~~During the 2009-2011 fiscal biennium, the legislature may transfer from the fingerprint identification account to the state general fund such amounts as reflect the excess fund balance of the account. During the 2013-2015 fiscal biennium, funds in the account may be used for expenditures that support the criminal records management division of the state patrol.~~) During the 2015-2017 and 2017-2019 fiscal (~~biennium~~) biennia, funds in the account may be used for expenditures related to the upgrade of the state patrol's criminal history system. During the 2015-2017 fiscal biennium, the legislature may transfer from the fingerprint identification account to the sexual assault kit account and the account may be used for building the sexual assault kit tracking system in such amounts as reflect the excess fund balance of the account.

Sec. 960. RCW 43.101.200 and 2015 3rd sp.s. c 4 s 957 are each amended to read as follows:

(1) All law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first fifteen months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such

employment. Personnel initially employed on or after January 1, 1990, shall commence basic training during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after January 1, 1990.

(2) Except as otherwise provided in this chapter, the commission shall provide the aforementioned training together with necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during the (~~2013-2015 and~~) 2015-2017 and 2017-2019 fiscal biennia when the employing, county, city, or state law enforcement agency shall reimburse the commission for twenty-five percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the commission shall reimburse to participating law enforcement agencies with ten or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during his or her training period.

Sec. 961. RCW 43.155.050 and 2015 3rd sp.s. c 4 s 959 and 2015 3rd sp.s. c 3 s 7032 are each reenacted and amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of

the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such amounts as reflect the excess fund balance of the account. (~~During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature.-~~) During the 2015-2017 and 2017-2019 fiscal (~~biennium~~) biennia, the legislature may appropriate moneys from the account for activities related to the growth management act and the voluntary stewardship program. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the state general fund such amounts as specified by the legislature. (~~In the 2017-2019 fiscal biennium the legislature intends to allocate seventy-three million dollars of future loan repayments paid into the public works assistance account to support basic education.-~~)

Sec. 962. RCW 69.50.540 and 2015 3rd sp.s. c 4 s 967 are each amended to read as follows:

The legislature must annually appropriate moneys in the dedicated marijuana account created in RCW 69.50.530 as follows:

(1) For the purposes listed in this subsection (1), the legislature must appropriate to the respective agencies amounts sufficient to make the following expenditures on a quarterly basis:

(a) Beginning July 1, 2015, one hundred twenty-five thousand dollars to the department of social and health services to design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and state liquor and cannabis board. The survey must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of

friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;

(b) Beginning July 1, 2015, fifty thousand dollars to the department of social and health services for the purpose of contracting with the Washington state institute for public policy to conduct the cost-benefit evaluation and produce the reports described in RCW 69.50.550. This appropriation ends after production of the final report required by RCW 69.50.550;

(c) Beginning July 1, 2015, five thousand dollars to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by marijuana use;

(d)(i) An amount not less than one million two hundred fifty thousand dollars to the state liquor and cannabis board for administration of this chapter as appropriated in the omnibus appropriations act; and

(ii) Three hundred fifty-one thousand seven hundred fifty dollars for fiscal year 2018 and three hundred fifty-one thousand seven hundred fifty dollars for fiscal year 2019 to the health professions account established under RCW 43.70.320 for the development and administration of the marijuana authorization database by the department of health. It is the intent of the legislature that this policy will be continued in the 2019-2021 fiscal biennium;

(e) Twenty-three thousand seven hundred fifty dollars to the department of enterprise services provided solely for the state building code council established under RCW 19.27.070, to develop and adopt fire and building code provisions related to marijuana processing and extraction facilities. The distribution under this subsection (1)(e) is for fiscal year 2016 only;

(2) From the amounts in the dedicated marijuana account after appropriation of the amounts identified in subsection (1) of this section, the legislature must appropriate for the purposes listed in this subsection (2) as follows:

(a)(i) Up to fifteen percent to the department of social and health services division of behavioral health and recovery for the development, implementation, maintenance, and evaluation of programs and practices aimed at the prevention or reduction of maladaptive substance use, substance use disorder, substance abuse or substance dependence, as these terms are defined in the Diagnostic and Statistical Manual of Mental Disorders, among middle school and high school-age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women; PROVIDED, That:

(A) Of the funds appropriated under (a) (i) of this subsection for new programs and new services, at least eighty-five percent must be directed to evidence-based or research-based programs and practices that produce objectively measurable results and, by September 1, 2020, are cost-beneficial; and

(B) Up to fifteen percent of the funds appropriated under (a) (i) of this subsection for new programs and new services may be directed to proven and tested practices, emerging best practices, or promising practices.

(ii) In deciding which programs and practices to fund, the secretary of the department of social and health services must consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute.

(iii) For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of twenty-seven million seven hundred eighty-six thousand dollars, and for each subsequent fiscal year thereafter, the legislature must appropriate a minimum of twenty-five million five hundred thirty-six thousand dollars under this subsection (2) (a);

(b)(i) Up to ten percent to the department of health for the following, subject to (b) (ii) of this subsection (2):

(A) Creation, implementation, operation, and management of a marijuana education and public health program that contains the following:

(I) A marijuana use public health hotline that provides referrals to substance abuse treatment providers, utilizes evidence-based or research-based public health approaches to minimizing the harms associated with marijuana use, and does not solely advocate an abstinence-only approach;

(II) A grants program for local health departments or other local community agencies that supports development and implementation of coordinated intervention strategies for the prevention and reduction of marijuana use by youth; and

(III) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by marijuana use;

(B) The Washington poison control center; and

(C) During the 2015-2017 fiscal biennium, the funds appropriated under this subsection (2) (b) may be used for prevention activities that target youth and populations with a high incidence of tobacco use.

(ii) For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of seven million five hundred thousand dollars and for each subsequent fiscal year thereafter, the legislature must appropriate a minimum of nine million seven hundred fifty thousand dollars under this subsection (2) (b);

(c)(i) Up to six-tenths of one percent to the University of Washington and four-tenths of one percent to Washington State University for research on the short and long-term effects of marijuana use, to include but not be limited to formal and informal methods for estimating and measuring intoxication and impairment, and for the dissemination of such research.

(ii) For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of two hundred seven thousand dollars and for each subsequent fiscal year, the legislature must appropriate a minimum of one million twenty-one thousand dollars to the University of Washington.

For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of one hundred thirty-eight thousand dollars and for each subsequent fiscal year thereafter, a minimum of six hundred eighty-one thousand dollars to Washington State University under this subsection (2)(c);

(d) Fifty percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(e) Five percent to the Washington state health care authority to be expended exclusively through contracts with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(f)(i) Up to three-tenths of one percent to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW.

(ii) For the fiscal year beginning July 1, 2016, and each subsequent fiscal year, the legislature must appropriate a minimum of five hundred eleven thousand dollars to the office of the superintendent of public instruction under this subsection (2)(f); and

(g) At the end of each fiscal year, the treasurer must transfer any amounts in the dedicated marijuana account that are not appropriated pursuant to subsection (1) of this section and this subsection (2) into the general fund, except as provided in (g)(i) of this subsection (2).

(i) Beginning in fiscal year 2018, if marijuana excise tax collections deposited into the general fund in the prior fiscal year exceed twenty-five million dollars, then each fiscal year the legislature must appropriate an amount equal to thirty percent of all marijuana excise taxes deposited into the general fund the prior fiscal year to the treasurer for distribution to counties, cities, and towns as follows:

(A) Thirty percent must be distributed to counties, cities, and towns where licensed marijuana retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (2)(g)(i)(A) based on the proportional share of the total revenues generated in

the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed marijuana retailers physically located in each jurisdiction. For purposes of this subsection (2)(g)(i)(A), one hundred percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town.

(B) Seventy percent must be distributed to counties, cities, and towns ratably on a per capita basis. Counties must receive sixty percent of the distribution, which must be disbursed based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed marijuana producer, processor, or retailer.

(ii) Distribution amounts allocated to each county, city, and town must be distributed in four installments by the last day of each fiscal quarter.

(iii) By September 15th of each year, the state liquor and cannabis board must provide the state treasurer the annual distribution amount, if any, for each county and city as determined in (g)(i) of this subsection (2).

(iv) The total share of marijuana excise tax revenues distributed to counties and cities in (g)(i) of this subsection (2) may not exceed ~~((fifteen))~~ six million dollars in fiscal years 2018 and 2019 and twenty million dollars per fiscal year thereafter. However, if forecasted state revenues for the general fund in the 2017-2019 fiscal biennium exceed the amount estimated in the March 2017 revenue forecast by over eighteen million dollars after adjusting for changes directly related to legislation adopted in the 2017 legislative session, the total share of marijuana excise tax revenue distributed to counties and cities in (g)(i) of this subsection (2) may not exceed fifteen million dollars in fiscal years 2018 and 2019. It is the intent of the legislature that the policy for the maximum distributions in the subsequent fiscal biennia will be no more than \$6 million per fiscal year.

For the purposes of this section, "marijuana products" means "useable marijuana," "marijuana concentrates," and "marijuana-infused products" as those terms are defined in RCW 69.50.101.

Sec. 963. RCW 70.105D.070 and 2016 sp.s. c 36 s 943 are each amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics control account: (i) The costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (ii) penalties collected or recovered under this chapter; and (iii) any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the state toxics control account must be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(a) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(b) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

(k) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both: (i) A substantially more expeditious or enhanced cleanup than would otherwise occur; and (ii) the prevention or mitigation of unfair economic hardship;

(l) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;

(m) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(n) Storm water pollution control projects and activities that protect or preserve existing remedial actions or prevent hazardous clean-up sites;

(o) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(p) Air quality programs and actions for reducing public exposure to toxic air pollution;

(q) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) if:

(i) The facility is located within a redevelopment opportunity zone designated under RCW 70.105D.150;

(ii) The amount and terms of the funding are established under a settlement agreement under RCW 70.105D.040(5); and

(iii) The director has found the funding meets any additional criteria established in rule by the department, will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, and will provide a public benefit in addition to cleanup commensurate with the scope of the public funding;

(r) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters;

(s) Appropriations to the local toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts;

(t) During the ~~((2013-2015 and))~~ 2015-2017 and 2017-2019 fiscal biennia, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;

(u) During the 2013-2015 fiscal biennium, actions at the state conservation commission to improve water quality for shellfish;

(v) During the 2013-2015 and 2015-2017 fiscal biennia, actions at the University of Washington for reducing ocean acidification;

(w) During the 2015-2017 fiscal biennium, for the University of Washington Tacoma soil remediation project;

(x) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be spent on projects in section 3160, chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local toxics control account;

(y) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be transferred to the radioactive mixed waste account; and

(z) For the 2015-2017 and 2017-2019 fiscal ~~((biennium))~~ biennia, forest practices regulation at the department of natural resources.

(4)(a) The department shall use moneys deposited in the local toxics control account for grants or loans to local governments for the following purposes in descending order of priority:

(i) Extended grant agreements entered into under (e)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under (e)(iv) of this subsection. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Storm water pollution source projects that: (A) Work in conjunction with a remedial action; (B) protect completed remedial actions against recontamination; or (C) prevent hazardous clean-up sites;

(iv) Hazardous waste plans and programs under chapter 70.105 RCW;

(v) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters; and

(vii) Appropriations to the state toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts.

(b) Funds for plans and programs must be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW.

(c) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(d) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund, such amounts as reflect the excess fund balance in the account.

(e) To expedite cleanups throughout the state, the department may use the following strategies when providing grants

to local governments under this subsection:

(i) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds twenty million dollars. The agreement is subject to the following limitations:

(A) The initial duration of such an agreement may not exceed ten years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(B) Extended grant agreements may not exceed fifty percent of the total eligible remedial action costs at the facility; and

(C) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(ii) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(iii) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(iv) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to: Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(v) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the

funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(vi) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of brownfield property under RCW 70.105D.040(5) that would not otherwise occur;

(vii) When pending grant applications under (e)(iv) and (v) of this subsection (4) exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(f) To expedite multiparty clean-up efforts, the department may purchase remedial action cost-cap insurance. For the 2013-2015 fiscal biennium, moneys in the local toxics control account may be spent on projects in sections 3024, 3035, 3036, and 3059, chapter 19, Laws of 2013 2nd sp. sess.

(5) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

(6) No moneys deposited into either the state or local toxics control account may be used for: Natural disasters where there is no hazardous substance contamination; high performance buildings; solid waste incinerator facility feasibility studies, construction, maintenance, or operation; or after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310. However, this subsection does not prevent an appropriation from the state toxics control account to the department of revenue to enforce compliance with the

hazardous substance tax imposed in chapter 82.21 RCW.

(7) Except during the 2011-2013 and the 2015-2017 fiscal biennia, one percent of the moneys collected under RCW 82.21.030 shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation that are not expended at the close of any biennium revert to the state toxics control account.

(8) The department shall adopt rules for grant or loan issuance and performance. To accelerate both remedial action and economic recovery, the department may expedite the adoption of rules necessary to implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited procedures in RCW 34.05.353. The department shall initiate the award of financial assistance by August 1, 2013. To ensure the adoption of rules will not delay financial assistance, the department may administer the award of financial assistance through interpretive guidance pending the adoption of rules through July 1, 2014.

(9) Except as provided under subsection (3)(k) and (q) of this section, nothing in chapter 1, Laws of 2013 2nd sp. sess. affects the ability of a potentially liable person to receive public funding.

(10) During the 2015-2017 fiscal biennium the local toxics control account may also be used for the centennial clean water program and for the storm water financial assistance program administered by the department of ecology.

Sec. 964. RCW 71.24.580 and 2016 sp.s. c 29 s 511 are each amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance use disorder treatment and treatment support services for offenders with a substance use

disorder that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; (b) the provision of substance use disorder treatment services and treatment support services for nonviolent offenders within a drug court program; and (c) the administrative and overhead costs associated with the operation of a drug court. During the 2015-2017 fiscal biennium, the legislature may transfer from the criminal justice treatment account to the state general fund amounts as reflect the state savings associated with the implementation of the medicaid expansion of the federal affordable care act and the excess fund balance of the account. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the criminal justice treatment account to the state general fund. It is the intent of the legislature that this policy be continued in future biennia. Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance use disorder treatment program, but does not include the following services: Housing other than that provided as part of an inpatient substance use disorder treatment program, vocational training, and mental health counseling; and

(b) "Treatment support" means transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the department for the

purposes of subsection (5) of this section.

(5) Moneys appropriated to the department from the criminal justice treatment account shall be distributed as specified in this subsection. The department may retain up to three percent of the amount appropriated under subsection (4)(b) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the department from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The division of alcohol and substance abuse, in consultation with the department of corrections, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance use disorder treatment providers, and any other person deemed by the department to be necessary, shall establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the department from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The department shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, substance use disorder treatment providers, and the division. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 71.24.560, treatment support services, and for the administrative and overhead costs associated with the operation of a drug court.

(a) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent on the administrative and overhead costs associated with the operation of a drug court.

(b) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) Counties must meet the criteria established in RCW 2.30.030(3).

(10) The authority under this section to use funds from the criminal justice treatment account for the administrative and overhead costs associated with the operation of a drug court expires June 30, 2015.

Sec. 965. RCW 74.13.621 and 2015 3rd sp.s. c 4 s 970 are each amended to read as follows:

(1) Within existing resources, the department shall establish an oversight

committee to monitor, guide, and report on kinship care recommendations and implementation activities. The committee shall:

(a) Draft a kinship care definition that is restricted to persons related by blood, marriage, or adoption, including marriages that have been dissolved, or for a minor defined as an "Indian child" under the federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the definition of "extended family member" under the federal Indian child welfare act, and a set of principles. If the committee concludes that one or more programs or services would be more efficiently and effectively delivered under a different definition of kin, it shall state what definition is needed, and identify the program or service in the report. It shall also provide evidence of how the program or service will be more efficiently and effectively delivered under the different definition. The department shall not adopt rules or policies changing the definition of kin without authorizing legislation;

(b) Monitor and provide consultation on the implementation of recommendations contained in the 2002 kinship care report, including but not limited to the recommendations relating to legal and respite care services and resources;

(c) Partner with nonprofit organizations and private sector businesses to guide a public education awareness campaign; and

(d) Assist with developing future recommendations on kinship care issues.

(2) The department shall consult with the oversight committee on its efforts to better collaborate and coordinate services to benefit kinship care families.

(3) The oversight committee must consist of a minimum of thirty percent kinship caregivers, who shall represent a diversity of kinship families. Statewide representation with geographic, ethnic, and gender diversity is required. Other members shall include representatives of the department, representatives of relevant state agencies, representatives of the private nonprofit and business sectors, child advocates, representatives of Washington state Indian tribes as defined under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and representatives of the legal or judicial field. Birth parents, foster parents, and others who have an interest in these issues may also be included.

(4) To the extent funding is available, the department may reimburse nondepartmental members of the oversight committee for costs incurred in participating in the meetings of the oversight committee.

(5) The kinship care oversight committee shall update the legislature and governor annually on committee activities, with the first update due by January 1, 2006.

(6) This section expires June 30, (~~2017~~) 2019.

Sec. 966. RCW 74.39A.270 and 2016 sp.s. c 30 s 1 are each amended to read as follows:

(1) Solely for the purposes of collective bargaining and as expressly limited under subsections (2) and (3) of this section, the governor is the public employer, as defined in chapter 41.56 RCW, of individual providers, who, solely for the purposes of collective bargaining, are public employees as defined in chapter 41.56 RCW. To accommodate the role of the state as payor for the community-based services provided under this chapter and to ensure coordination with state employee collective bargaining under chapter 41.80 RCW and the coordination necessary to implement RCW 74.39A.300, the public employer shall be represented for bargaining purposes by the governor or the governor's designee appointed under chapter 41.80 RCW. The governor or governor's designee shall periodically consult with the authority during the collective bargaining process to allow the authority to communicate issues relating to the long-term in-home care services received by consumers. The department shall solicit input from the developmental disabilities council, the governor's committee on disability issues and employment, the state council on aging, and other consumer advocacy organizations to obtain informed input from consumers on their interests, including impacts on consumer choice, for all issues proposed for collective bargaining under subsections (5) and (6) of this section.

(2) Chapter 41.56 RCW governs the collective bargaining relationship between the governor and individual providers, except as otherwise expressly provided in this chapter and except as follows:

(a) The only unit appropriate for the purpose of collective bargaining under RCW

41.56.060 is a statewide unit of all individual providers;

(b) The showing of interest required to request an election under RCW 41.56.060 is ten percent of the unit, and any intervener seeking to appear on the ballot must make the same showing of interest;

(c) The mediation and interest arbitration provisions of RCW 41.56.430 through 41.56.470 and 41.56.480 apply, except that:

(i) With respect to commencement of negotiations between the governor and the bargaining representative of individual providers, negotiations shall be commenced by May 1st of any year prior to the year in which an existing collective bargaining agreement expires; and

(ii) The decision of the arbitration panel is not binding on the legislature and, if the legislature does not approve the request for funds necessary to implement the compensation and fringe benefit provisions of the arbitrated collective bargaining agreement, is not binding on the authority or the state;

(d) Individual providers do not have the right to strike; and

(e) Individual providers who are related to, or family members of, consumers or prospective consumers are not, for that reason, exempt from this chapter or chapter 41.56 RCW.

(3) Individual providers who are public employees solely for the purposes of collective bargaining under subsection (1) of this section are not, for that reason, employees of the state, its political subdivisions, or an area agency on aging for any purpose. Chapter 41.56 RCW applies only to the governance of the collective bargaining relationship between the employer and individual providers as provided in subsections (1) and (2) of this section.

(4) Consumers and prospective consumers retain the right to select, hire, supervise the work of, and terminate any individual provider providing services to them. Consumers may elect to receive long-term in-home care services from individual providers who are not referred to them by the authority.

(5) Except as expressly limited in this section and RCW 74.39A.300, the wages, hours, and working conditions of individual providers are determined solely through collective bargaining as provided

in this chapter. Except as described in subsection (9) of this section, no agency or department of the state may establish policies or rules governing the wages or hours of individual providers. This subsection does not modify:

(a) The department's authority to establish a plan of care for each consumer or its core responsibility to manage long-term in-home care services under this chapter, including determination of the level of care that each consumer is eligible to receive. However, at the request of the exclusive bargaining representative, the governor or the governor's designee appointed under chapter 41.80 RCW shall engage in collective bargaining, as defined in RCW 41.56.030(4), with the exclusive bargaining representative over how the department's core responsibility affects hours of work for individual providers. This subsection shall not be interpreted to require collective bargaining over an individual consumer's plan of care;

(b)(i) The requirement that the number of hours the department may pay any single individual provider is limited to:

(A) Sixty hours each workweek if the individual provider was working an average number of hours in excess of forty hours for the workweeks during January 2016, except for fiscal years 2016 ~~((and))~~, 2017, and 2018, the limit is sixty-five hours each workweek; or

(B) Forty hours each workweek if the individual provider was not working an average number of hours in excess of forty hours for the workweeks during January 2016, or had no reported hours for the month of January 2016.

(ii) Additional hours may be authorized under criteria established by rules adopted by the department under subsection (9) of this section.

(iii) Additional hours may be authorized for required training under RCW 74.39A.074, 74.39A.076, and 74.39A.341.

(iv) An individual provider may appeal to the department for qualification for the hour limitation in (b)(i)(A) of this subsection if the average weekly hours the ~~((individual))~~ individual provider was working in January 2016 materially underrepresent the average weekly hours worked by the individual provider during the first three months of 2016.

(v) No individual provider is subject to the hour limitations in (b)(i)(A) of this subsection until the department has conducted a review of the plan of care for the consumers served by the ~~((individual))~~ individual provider. The department shall review plans of care expeditiously, starting with consumers connected with the most individual provider overtime;

(c) The requirement that the total number of additional hours in excess of forty hours authorized under (b) of this subsection and subsection (9) of this section are limited by the total hours as provided in subsection (10) of this section;

(d) The department's authority to terminate its contracts with individual providers who are not adequately meeting the needs of a particular consumer, or to deny a contract under RCW 74.39A.095(8);

(e) The consumer's right to assign hours to one or more individual providers consistent with the rules adopted under this chapter and his or her plan of care;

(f) The consumer's right to select, hire, terminate, supervise the work of, and determine the conditions of employment for each individual provider providing services to the consumer under this chapter;

(g) The department's obligation to comply with the federal medicaid statute and regulations and the terms of any community-based waiver granted by the federal department of health and human services and to ensure federal financial participation in the provision of the services; and

(h) The legislature's right to make programmatic modifications to the delivery of state services under this title, including standards of eligibility of consumers and individual providers participating in the programs under this title, and the nature of services provided. The governor shall not enter into, extend, or renew any agreement under this chapter that does not expressly reserve the legislative rights described in this subsection (5)(h).

(6) At the request of the exclusive bargaining representative, the governor or the governor's designee appointed under chapter 41.80 RCW shall engage in collective bargaining, as defined in RCW 41.56.030(4), with the exclusive bargaining representative over employer

contributions to the training partnership for the costs of: (a) Meeting all training and peer mentoring required under this chapter; and (b) other training intended to promote the career development of individual providers.

(7) The state, the department, the area agencies on aging, or their contractors under this chapter may not be held vicariously or jointly liable for the action or inaction of any individual provider or prospective individual provider, whether or not that individual provider or prospective individual provider was included on the referral registry or referred to a consumer or prospective consumer. The existence of a collective bargaining agreement, the placement of an individual provider on the referral registry, or the development or approval of a plan of care for a consumer who chooses to use the services of an individual provider and the provision of case management services to that consumer, by the department or an area agency on aging, does not constitute a special relationship with the consumer.

(8) Nothing in this section affects the state's responsibility with respect to unemployment insurance for individual providers. However, individual providers are not to be considered, as a result of the state assuming this responsibility, employees of the state.

(9) The department may not pay any single individual provider more than the hours listed in subsection (5)(b) of this section unless the department authorizes additional hours under criteria established by rule. The criteria must be limited in scope to reduce the state's exposure to payment of overtime, address travel time from worksite to worksite, and address the following needs of consumers:

(a) Ensuring that consumers are not at increased risk for institutionalization;

(b) When there is a limited number of ~~((individual))~~ individual providers within the geographic region of the consumer;

(c) When there is a limited number of ~~((individual))~~ individual providers available to support a consumer with complex medical and behavioral needs or specific language needs;

(d) Emergencies that could pose a health and safety risk for consumers; and

(e) Instances where the cost of the allowed hour is less than other alternatives to provide care to a consumer, distinct from any increased risk of institutionalization.

(10) (a) Each fiscal year, the department shall establish a spending plan and a system to monitor the authorization and cost of hours in excess of forty hours each workweek from subsections (5) (b) and (9) of this section beginning July 1, 2016, and each fiscal year thereafter. Expenditures for hours in excess of forty hours each workweek under subsections (5) (b) and (9) of this section shall not exceed 8.75 percent of the total average authorized personal care hours for the fiscal year as projected by the caseload forecast council. The caseload forecast council may adopt a temporary adjustment to the 8.75 percent of the total average hours projection for that fiscal year, up to a maximum of 10.0 percent, if it finds a higher percentage of overtime hours is necessitated by a shortage of individual providers to provide adequate client care, taking into consideration factors including the criteria in subsection (9) of this section. If the council elects to temporarily increase the limit, it may do so only upon a majority vote of the council.

(b) The department also shall provide expenditure reports beginning September 1, 2016, and on a quarterly basis thereafter. If the department determines, based upon quarterly expenditure reports, that the annual expenditures will exceed the limitation established in (a) of this subsection, the department shall take those actions necessary to ensure compliance with the limitation.

(c) The spending plan and expenditure reports must be submitted to the legislative fiscal committees and the joint legislative-executive overtime oversight task force. The joint legislative-executive overtime oversight task force members are as follows:

(i) Two members from each of the two largest caucuses of the senate, appointed by the respective caucus leaders.

(ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives.

(iii) The governor shall appoint members representing the department of social and health services and the office of financial management.

(iv) The governor shall appoint two members representing individual providers and two members representing consumers receiving personal care or respite care services from an individual provider.

(d) The task force shall meet at least annually, but may meet more frequently as desired by the task force. The task force shall choose cochairs, one from among the legislative members and one from among the executive branch members.

(e) The department is authorized to adopt rules, including emergency rules under RCW 34.05.350, to implement this subsection.

Sec. 967. RCW 77.12.201 and 2016 sp.s. c 36 s 947 are each amended to read as follows:

The legislative authority of a county may elect, by giving written notice to the director and the treasurer prior to January 1st of any year, to obtain for the following year an amount in lieu of real property taxes on game lands as provided in RCW 77.12.203. Upon the election, the county shall keep a record of all fines, forfeitures, reimbursements, and costs assessed and collected, in whole or in part, under this title for violations of law or rules adopted pursuant to this title, with the exception of the ((2011-2013, 2013-2015[,] and)) 2015-2017 and 2017-2019 fiscal biennia, and shall monthly remit an amount equal to the amount collected to the state treasurer for deposit in the state general fund. The election shall continue until the department is notified differently prior to January 1st of any year.

Sec. 968. RCW 77.12.203 and 2015 3rd sp.s. c 4 s 971 are each amended to read as follows:

(1) Except as provided in subsection (5) of this section and notwithstanding RCW 84.36.010 or other statutes to the contrary, the director must pay by April 30th of each year on game lands, regardless of acreage, in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes equal to that amount paid on similar parcels of open space land taxable under chapter 84.34 RCW or the greater of seventy cents per acre per year or the amount paid in 1984 plus an additional amount for control of noxious weeds equal to that which would be paid if such lands were privately owned. This amount may not be assessed or paid on department buildings, structures,

facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

(2) "Game lands," as used in this section and RCW 77.12.201, means those tracts, regardless of acreage, owned in fee by the department and used for wildlife habitat and public recreational purposes. All lands purchased for wildlife habitat, public access, or recreation purposes with federal funds in the Snake River drainage basin are considered game lands regardless of acreage.

(3) This section does not apply to lands transferred after April 23, 1990, to the department from other state agencies.

(4) The county must distribute the amount received under this section in lieu of real property taxes to all property taxing districts except the state in appropriate tax code areas the same way it would distribute local property taxes from private property. The county must distribute the amount received under this section for weed control to the appropriate weed district.

(5) For the ((~~2013-2015 and~~) 2015-2017 and 2017-2019 fiscal biennia, the director must pay by April 30th of each year on game lands in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes and must be distributed as follows:

County	
Adams	1,909
Asotin	36,123
Chelan	24,757
Columbia	7,795
Ferry	6,781
Garfield	4,840
Grant	37,443
Kittitas	143,974
Klickitat	21,906
Lincoln	13,535
Okanogan	151,402
Pend Oreille	3,309
Yakima	126,225

These amounts may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

Sec. 969. RCW 79.64.040 and 2015 3rd sp.s. c 4 s 972 are each amended to read as follows:

(1) The board shall determine the amount deemed necessary in order to achieve the purposes of this chapter and shall provide by rule for the deduction of this amount from the moneys received from all leases, sales, contracts, licenses, permits, easements, and rights-of-way issued by the department and affecting state lands and aquatic lands, provided that no deduction shall be made from the proceeds from agricultural college lands.

(2) Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150 prior to December 1, 1981, which have not been subjected to deduction under this section are not subject to deduction under this section.

(3) Except as otherwise provided in subsection (5) of this section, the deductions authorized under this section shall not exceed twenty-five percent of the moneys received by the department in connection with any one transaction pertaining to state lands and aquatic lands other than second-class tide and shore lands and the beds of navigable waters, and fifty percent of the moneys received by the department pertaining to second-class tide and shore lands and the beds of navigable waters.

(4) In the event that the department sells logs using the contract harvesting process described in RCW 79.15.500 through 79.15.530, the moneys received subject to this section are the net proceeds from the contract harvesting sale.

(5) ((During the 2013-2015 fiscal biennium, the twenty-five percent limitation on deductions set in subsection (3) of this section may be increased up to thirty percent by the board.)) During the 2015-2017 and 2017-2019 fiscal ((biennium)) biennia, the board may increase the twenty-five percent limitation up to thirty-two percent.

Sec. 970. RCW 79.64.110 and 2015 3rd sp.s. c 4 s 973 are each amended to read as follows:

(1) Any moneys derived from the lease of state forestlands or from the sale of valuable materials, oils, gases, coal, minerals, or fossils from those lands, or the appraised value of these resources when transferred to a public agency under RCW 79.22.060, except as provided in RCW

79.22.060(4), must be distributed as follows:

(a) For state forestlands acquired through RCW 79.22.040 or by exchange for lands acquired through RCW 79.22.040:

(i) The expense incurred by the state for administration, reforestation, and protection, not to exceed twenty-five percent, which rate of percentage shall be determined by the board, must be returned to the forest development account created in RCW 79.64.100. During the 2015-2017 and 2017-2019 fiscal (~~(biennium)~~) biennia, the board may increase the twenty-five percent limitation up to twenty-seven percent.

(ii) Any balance remaining must be paid to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board. Payments made under this subsection are to be paid, distributed, and prorated, except as otherwise provided in this section, to the various funds in the same manner as general taxes are paid and distributed during the year of payment.

(iii) Any balance remaining, paid to a county with a population of less than sixteen thousand, must first be applied to the reduction of any indebtedness existing in the current expense fund of the county during the year of payment.

(iv) With regard to moneys remaining under this subsection (1)(a), within seven working days of receipt of these moneys, the department shall certify to the state treasurer the amounts to be distributed to the counties. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date.

(b) For state forestlands acquired through RCW 79.22.010 or by exchange for lands acquired through RCW 79.22.010, except as provided in RCW 79.64.120:

(i) Fifty percent shall be placed in the forest development account.

(ii) Fifty percent shall be prorated and distributed to the state general fund, to be dedicated for the benefit of the public schools, to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as

determined by the board, and according to the relative proportions of tax levies of all taxing districts in the county. The portion to be distributed to the state general fund shall be based on the regular school levy rate under RCW 84.52.065 and the levy rate for any maintenance and operation special school levies. With regard to the portion to be distributed to the counties, the department shall certify to the state treasurer the amounts to be distributed within seven working days of receipt of the money. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date. The money distributed to the county must be paid, distributed, and prorated to the various other funds in the same manner as general taxes are paid and distributed during the year of payment.

(2) A school district may transfer amounts deposited in its debt service fund pursuant to this section into its capital projects fund as authorized in RCW 28A.320.330.

Sec. 971. RCW 79.70.130 and 2005 c 303 s 11 are each amended to read as follows:

The state treasurer, on behalf of the department, must distribute to counties for all lands acquired for the purposes of this chapter an amount in lieu of real property taxes equal to the amount of tax that would be due if the land were taxable as open space land under chapter 84.34 RCW except taxes levied for any state purpose, plus an additional amount equal to the amount of weed control assessment that would be due if such lands were privately owned. The county assessor and county legislative authority shall assist in determining the appropriate calculation of the amount of tax that would be due. However, in the 2017-2019 fiscal biennium, the treasurer must distribute payments under this section in the amount specified by the legislature in the omnibus operating appropriations act. The county shall distribute the amount received under this section in lieu of real property taxes to all property taxing districts except the state in appropriate tax code areas the same way it would distribute local property taxes from private property. The county shall distribute the amount received under this section for weed control to the appropriate weed district.

Sec. 972. RCW 79.71.130 and 2005 c 303 s 12 are each amended to read as follows:

The state treasurer, on behalf of the department, must distribute to counties for all lands acquired for the purposes of this chapter an amount in lieu of real property taxes equal to the amount of tax that would be due if the land were taxable as open space land under chapter 84.34 RCW except taxes levied for any state purpose, plus an additional amount equal to the amount of weed control assessment that would be due if such lands were privately owned. The county assessor and county legislative authority shall assist in determining the appropriate calculation of the amount of tax that would be due. However, in the 2017-2019 fiscal biennium, the treasurer must distribute payments under this section in the amount specified by the legislature in the omnibus operating appropriations act. The county shall distribute the amount received under this section in lieu of real property taxes to all property taxing districts except the state in appropriate tax code areas the same way it would distribute local property taxes from private property. The county shall distribute the amount received under this section for weed control to the appropriate weed district.

Sec. 973. RCW 79.105.150 and 2015 3rd sp.s. c 4 s 974 are each amended to read as follows:

(1) After deduction for management costs as provided in RCW 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys received by the state from the sale or lease of state-owned aquatic lands and from the sale of valuable material from state-owned aquatic lands shall be deposited in the aquatic lands enhancement account which is hereby created in the state treasury. After appropriation, these funds shall be used solely for aquatic lands enhancement projects; for the purchase, improvement, or protection of aquatic lands for public purposes; for providing and improving access to the lands; and for volunteer cooperative fish and game projects. During the 2013-2015 (~~and~~), 2015-2017, and 2017-2019 fiscal biennia, the aquatic lands enhancement account may be used to support the shellfish program, the ballast water program, hatcheries, the Puget Sound toxic sampling program and steelhead mortality research at the department of fish and wildlife, the knotweed program at the department of agriculture, actions at the University of Washington for reducing ocean acidification, which may include the creation of a center on ocean

acidification, (~~and~~) the Puget SoundCorps program, and support of the marine resource advisory council and the Washington coastal marine advisory council. During the 2013-2015 fiscal biennium, the legislature may transfer from the aquatic lands enhancement account to the geoduck aquaculture research account for research related to shellfish aquaculture. During the 2015-2017 fiscal biennium, the legislature may transfer moneys from the aquatic lands enhancement account to the marine resources stewardship trust account.

(2) In providing grants for aquatic lands enhancement projects, the recreation and conservation funding board shall:

(a) Require grant recipients to incorporate the environmental benefits of the project into their grant applications;

(b) Utilize the statement of environmental benefits, consideration, except as provided in RCW 79.105.610, of whether the applicant is a Puget Sound partner, as defined in RCW 90.71.010, whether a project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, and except as otherwise provided in RCW 79.105.630, and effective one calendar year following the development and statewide availability of model evergreen community management plans and ordinances under RCW 35.105.050, whether the applicant is an entity that has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030 in its prioritization and selection process; and

(c) Develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the grants.

(3) To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270.

(4) The department shall consult with affected interest groups in implementing this section.

(5) After January 1, 2010, any project designed to address the restoration of Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

Sec. 974. RCW 82.19.040 and 2015 c 15 s 5 are each amended to read as follows:

(1) To the extent applicable, all of the definitions of chapter 82.04 RCW and all of the provisions of chapter 82.32 RCW apply to the tax imposed in this chapter.

(2) Until June 30, ~~((2017))~~ 2019, taxes collected under this chapter shall be distributed as follows: (a) Five million dollars per fiscal year must be deposited in equal monthly amounts to the state parks renewal and stewardship account under RCW 79A.05.215; and (b) the remainder to the waste reduction, recycling, and litter control account under RCW 70.93.180.

Sec. 975. RCW 82.19.040 and 2015 c 15 s 6 are each amended to read as follows:

(1) To the extent applicable, all of the definitions of chapter 82.04 RCW and all of the provisions of chapter 82.32 RCW apply to the tax imposed in this chapter.

(2) Beginning June 30, ~~((2017))~~ 2019, taxes collected under this chapter shall be deposited in the waste reduction, recycling, and litter control account under RCW 70.93.180.

Sec. 976. RCW 83.100.230 and 2015 3rd sp.s. c 4 s 977 are each amended to read as follows:

The education legacy trust account is created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for support of the common schools, and for expanding access to higher education through funding for new enrollments and financial aid, and other educational improvement efforts. During the 2015-2017 ~~((biennium))~~ and 2017-2019 fiscal biennia appropriations from the account may be made for support of early learning programs. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

Sec. 977. RCW 86.26.007 and 2015 3rd sp.s. c 4 s 978 are each amended to read as follows:

The flood control assistance account is hereby established in the state treasury. At the beginning of the 2005-2007 fiscal biennium, the state treasurer shall transfer three million dollars from the general fund to the flood control assistance account. Each biennium thereafter the state treasurer shall transfer four million dollars from the

general fund to the flood control assistance account, except that during the 2011-2013 fiscal biennium, the state treasurer shall transfer one million dollars from the general fund to the flood control assistance account. Moneys in the flood control assistance account may be spent only after appropriation for purposes specified under this chapter. During the 2013-2015 fiscal biennium and the 2015-2017 fiscal biennium, the legislature may transfer from the flood control assistance account to the state general fund such amounts as reflect the excess fund balance of the account. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the flood control assistance account to the state general fund. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

Sec. 978. RCW 38.52.105 and 2016 sp.s. c 36 s 918 are each amended to read as follows:

The disaster response account is created in the state treasury. Moneys may be placed in the account from legislative appropriations and transfers, federal appropriations, or any other lawful source. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for support of state agency and local government disaster response and recovery efforts and to reimburse the workers' compensation funds and self-insured employers under RCW 51.16.220. During the 2009-2011 fiscal biennium, the legislature may transfer from the disaster response account to the state drought preparedness account such amounts as reflect the excess fund balance of the account to support expenditures related to a state drought declaration. During the 2009-2011 fiscal biennium, the legislature may transfer from the disaster response account to the state general fund such amounts as reflect the excess fund balance of the account. During the 2015-2017 fiscal biennium, expenditures from the disaster response account may be used for military department operations and to support wildland fire suppression preparedness, prevention, and restoration activities by state agencies and local governments. ~~((The legislature intends to transfer in))~~ During the 2017-2019 fiscal biennium ~~((from the disaster response account to the state general fund amounts as reflect the excess fund balance of the disaster response account from federal grants and~~

~~other revenues directed into the account)), the legislature may direct the treasurer to make transfers of moneys in the disaster response account to the state general fund.~~

Sec. 979. RCW 82.14.495 and 2010 1st sp.s. c 37 s 952 are each amended to read as follows:

(1) The streamlined sales and use tax mitigation account is created in the state treasury. The state treasurer shall transfer into the account from the general fund amounts as directed in RCW 82.14.500. Expenditures from the account may be used only for the purpose of mitigating the negative fiscal impacts to local taxing jurisdictions as a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020. During the 2009-2011 fiscal biennium, the legislature may transfer from the streamlined sales and use tax mitigation account to the state general fund such amounts as reflect the excess fund balance of the account.

(2) Beginning July 1, 2008, the state treasurer, as directed by the department, shall distribute the funds in the streamlined sales and use tax mitigation account to local taxing jurisdictions in accordance with RCW 82.14.500. During the 2019-2021 fiscal biennium, it is the intent of the legislature to suspend these distributions to all entities except for those public facilities districts that received distributions under this section during the 2015-2017 fiscal biennium.

(3) The definitions in this subsection apply throughout this section and RCW 82.14.390 and 82.14.500.

(a) "Agreement" means the same as in RCW 82.32.020.

(b) "Local taxing jurisdiction" means counties, cities, transportation authorities under RCW 82.14.045, public facilities districts under chapters 36.100 and 35.57 RCW, public transportation benefit areas under RCW 82.14.440, and regional transit authorities under chapter 81.112 RCW, that impose a sales and use tax.

(c) "Loss" or "losses" means the local sales and use tax revenue reduction to a local taxing jurisdiction resulting from the sourcing provisions in RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020.

(d) "Net loss" or "net losses" means a loss offset by any voluntary compliance revenue.

(e) "Voluntary compliance revenue" means the local sales tax revenue gain to each local taxing jurisdiction reported to the department from persons registering through the central registration system authorized under the agreement.

(f) "Working day" has the same meaning as in RCW 82.45.180.

Sec. 980. 2013 2nd sp.s. c 15 s 8 (uncodified) is amended to read as follows:

Sections 5 (~~through~~) and 6 of this act expire June 30, 2019. Section 7 of this act expires June 30, 2017.

Sec. 981. 2015 c 15 s 8 (uncodified) is amended to read as follows:

Sections 2 and 5 of this act expire June 30, (~~2017~~) 2019.

Sec. 982. 2015 c 15 s 9 (uncodified) is amended to read as follows:

Sections 3 and 6 of this act take effect June 30, (~~2017~~) 2019.

Sec. 983. 2015 3rd sp.s. c 4 s 981 (uncodified) is amended to read as follows:

CHILD WELFARE DISPROPORTIONALITY
ADVISORY COMMITTEE EXPIRATION

This act expires June 30, (~~2017~~) 2019.

Sec. 984. 2015 3rd sp.s. c 4 s 982 (uncodified) is amended to read as follows:

CHILD WELFARE DISPROPORTIONALITY
ADVISORY COMMITTEE EXPIRATION

Section 63 of this act expires June 30, (~~2017~~) 2019.

NEW SECTION. **Sec. 985.** Section 975 (RCW 82.19.040) of this act takes effect June 30, 2019.

NEW SECTION. **Sec. 986.** Section 974 (RCW 82.19.040) of this act expires June 30, 2019.

PART XI

GENERAL GOVERNMENT

Sec. 1101. 2016 sp.s. c 36 s 112 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund-State Appropriation (FY 2016) \$17,000,000

General Fund-State Appropriation (FY 2017) (~~(\$17,311,000)~~)

\$17,353,000

TOTAL APPROPRIATION ~~\$34,311,000~~

\$34,353,000

Sec. 1102. 2016 sp.s. c 36 s 113 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund-State Appropriation (FY 2016) \$56,244,000

General Fund-State Appropriation (FY 2017) (~~(\$56,764,000)~~)

\$57,917,000

General Fund-Federal Appropriation \$2,154,000

General Fund-Private/Local Appropriation \$667,000

Judicial Information Systems Account-State

Appropriation \$56,772,000

Judicial Stabilization Trust Account-State

Appropriation (~~(\$6,691,000)~~)

\$5,614,000

TOTAL APPROPRIATION ~~\$178,708,000~~

\$179,368,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$878,000 of the general fund-state appropriation for fiscal year 2016, \$878,000 of the general fund-state appropriation for fiscal year 2017, and \$6,784,000 of the judicial information systems account-state appropriation are provided solely for the information network hub project.

(2) \$516,000 of the judicial information systems account-state appropriation is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades.

(3) The distributions made under this subsection and distributions from the county criminal justice assistance account made pursuant to section 801 of this act

constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(4) \$1,849,000 of the judicial information systems account-state appropriation is provided solely for replacing computer equipment at state courts and state judicial agencies.

(5) \$1,399,000 of the general fund-state appropriation for fiscal year 2016 and \$1,399,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

(6) (a) \$7,313,000 of the general fund-state appropriation for fiscal year 2016 and \$7,313,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula shall neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2015-2017 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days

after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

(7) \$584,000 of the judicial information systems account-state appropriation is provided solely for the content management system for the appellate courts.

(8) \$200,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the office of public guardianship for the purpose of providing guardianship services to low income and indigent alleged or actual incapacitated persons who were receiving services on July 10, 2013.

(9) \$118,000 of the judicial information systems account-state appropriation for fiscal year 2016 is provided solely for implementation of chapter 287, Laws of 2015 (Engrossed House Bill No. 1943).

(10) \$75,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the planning and design of a dependency court improvement demonstration program. The plan must be developed jointly with the one family one team public private partnership, with a private cash match of \$75,000. If the cash match is not available by August 1, 2015, the administrative office of the courts will not be required to complete the planning and design of a dependency court improvement demonstration program. By January 1, 2016, the public private partnership shall provide to the appropriate committees of the legislature the program design, including ongoing administrative funding, and a statement of the public and private funding required in order to provide demonstration grants to up to four counties.

(11) \$6,080,000 of the judicial information systems account-state appropriation for fiscal year 2016 is provided solely for continued implementation of the superior court case management system project.

(12) \$7,010,000 of the judicial information systems account-state appropriation for fiscal year 2017 is provided solely for continued implementation of the superior court case management system. The steering committee for the superior court case management system, the office of administrator of the courts, and county clerks shall work with the case management system vendor to develop cost estimates for modifications

to the superior court case management system to address security and document management concerns raised by county clerks. If the cost estimates are not provided to the fiscal committees of the legislature by January 1, 2016, the amounts provided in this subsection shall lapse. Furthermore, the amounts provided in this subsection shall lapse if the superior court case management system is not live and fully functional in Franklin, Thurston, and Yakima counties by February 1, 2016.

(13) The existing steering committee for the superior court case management system shall continue oversight responsibilities throughout the various phases of the project to include, but not be limited to, vendor management, contract and deliverable management, assuring reasonable satisfaction of the business and technical needs at the local level, receipt of stakeholder feedback, and communication between the various stakeholder groups and the judicial information systems committee. Issues of significant scope, schedule or budget changes, and risk mitigation strategies must be escalated to the judicial information systems committee for consideration. In the event that a majority of the steering committee members cannot reach a decision, the issue must be escalated to the judicial information systems committee for consideration. The superior court case management system project steering committee may solicit input from user groups as deemed appropriate.

(14) The courts of limited jurisdiction case management system (CLJ-CMS) replacement project shall be guided by a project steering committee to provide project oversight throughout the various phases of the project to include, but not be limited to, vendor management, contract and deliverable management, assuring reasonable satisfaction of the business and technical needs at the local level, receipt of stakeholder feedback, and communication between the various stakeholder groups and the judicial information systems committee. The project steering committee shall be comprised of three members from the administrative office of the courts, two members from the district and municipal court judges association, three members from the district and municipal court management association, and two members from the misdemeanor corrections association. Issues of significant scope, schedule or

budget changes, and risk mitigation strategies must be escalated to the judicial information systems committee for consideration. In the event that a majority of the project steering committee members cannot reach a decision, the issue must be escalated to the judicial information systems committee for consideration. The courts of limited jurisdiction case management system replacement project steering committee may solicit input from user groups as deemed appropriate.

(15) \$3,789,000 of the judicial information systems account-state appropriation is provided solely for preparation and procurement activities related to the courts of limited jurisdiction case management system (CLJ-CMS) replacement project. The appropriations are further conditioned that the CLJ-CMS replacement project be funded entirely from judicial information system account funds in future biennia. The amounts provided in this subsection for the CLJ-CMS replacement project shall not be expended prior to January 1, 2016. In addition, if the following activities are not complete by the dates provided, no further funds appropriated in this subsection shall be expended on the CLJ-CMS replacement project.

(a) Beginning April 1, 2016, and each calendar quarter thereafter, quality assurance reports for the CLJ-CMS replacement project shall be provided to the office of chief information officer for review and for posting on its information technology project dashboard.

(b) No later than July 1, 2016, the CLJ-CMS replacement project steering committee shall provide a report to the legislature on the status of the procurement process for a CLJ-CMS replacement project, including an affirmation that the project is designed to meet the business processes and requirements of all thirty-nine counties. In addition, the report shall include a statement from each court of limited jurisdiction of its intended use of the new CLJ-CMS.

(c) No later than January 1, 2017, the judicial information system committee must approve the publication of a request for proposal for the CLJ-CMS replacement project.

(d) Prior to any CLJ-CMS replacement project steering committee recommendation to the judicial information system committee of a preferred vendor and prior

to the selection of an apparently successful vendor, the office of chief information officer must be allowed to review vendor submittals in response to the request for proposal. To better inform its selection, the office of chief information officer must provide to the CLJ-CMS replacement project steering committee an evaluation each vendor's proposed technology solution assessing its architecture, security, vendor experience and qualifications, project risks and risk management, and whether the technology solution represents the best value.

Sec. 1103. 2016 sp.s. c 36 s 114 (uncodified) is amended to read as follows:

FOR THE OFFICE OF PUBLIC DEFENSE

General Fund-State Appropriation (FY 2016) \$37,558,000

General Fund-State Appropriation (FY 2017) (~~(\$37,809,000)~~)

\$38,290,000

Judicial Stabilization Trust Account-State

Appropriation \$3,648,000

TOTAL APPROPRIATION ~~\$79,015,000~~

\$79,496,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The amounts provided include funding for expert and investigative services in death penalty personal restraint petitions.

(2) \$924,000 of the general fund-state appropriation for fiscal year 2016 and \$462,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for parents representation program costs related to increased parental rights termination filings from the department of social and health services permanency initiative.

(3) \$451,000 of the general fund-state appropriation for fiscal year 2016 and \$915,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to increase payments for attorneys who contract with the office for indigent defense representation.

(4) \$900,000 of the general fund-state appropriation for fiscal year 2016 and \$900,000 of the general fund-state appropriation for fiscal year 2017 are

provided solely for the purpose of improving the quality of trial court public defense services.

(5) \$245,000 of the general fund-state appropriation for fiscal year 2016 and \$320,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement chapter 117, Laws of 2015 (Second Substitute Senate Bill No. 5486). Funds must be used to maintain the current programs in Grays Harbor/Pacific, King, Kitsap, Pierce, Snohomish, Spokane, and Thurston/Mason counties; expand services in three of these locations; provide for program administration; and to fund the first stage of an evaluation of the program to determine if the parents for parents program can be considered evidence-based.

Sec. 1104. 2016 sp.s. c 36 s 117 (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund-State Appropriation (FY 2016) \$636,000

General Fund-State Appropriation (FY 2017) (~~(\$656,000)~~)

\$721,000

General Fund-Private/Local Appropriation \$90,000

TOTAL APPROPRIATION ~~\$1,382,000~~

\$1,447,000

Sec. 1105. 2016 sp.s. c 36 s 119 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund-State Appropriation (FY 2016) \$25,956,000

General Fund-State Appropriation (FY 2017) (~~(\$12,956,000)~~)

\$13,206,000

General Fund-Federal Appropriation \$7,576,000

Public Records Efficiency, Preservation, and Access

Account-State Appropriation \$8,807,000

Charitable Organization Education Account-State

Appropriation \$671,000

Local Government Archives Account-State

Appropriation \$9,147,000

Election Account-Federal Appropriation \$4,387,000

Washington State Heritage Center Account-State

Appropriation \$9,823,000

TOTAL APPROPRIATION ~~\$79,323,000~~

\$79,573,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,301,000 of the general fund-state appropriation for fiscal year 2016 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2) (a) \$2,682,000 of the general fund-state appropriation for fiscal year 2016 and \$2,761,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2015-2017 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure

the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$11,497,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the 2016 presidential primary election.

(5) \$3,000,000 of the Washington state heritage center account-state appropriation is provided solely for state library programs. If House Bill No. 2195 (auditor's fees) is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. If the increase in auditor's fees generates less revenue than provided in this subsection, the secretary of state shall reduce expenditures so that amounts provided in this subsection do not exceed revenue generated from the increase in auditor's fees.

(6) \$771,000 of the general fund-state appropriation for fiscal year 2016 and \$772,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the state library to purchase statewide online access to the information technology academy to allow public access to online courses and learning resources through public libraries.

Sec. 1106. 2016 sp.s. c 36 s 118 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund-State Appropriation (FY 2016) \$2,416,000

General Fund-State Appropriation (FY 2017) (~~(\$2,437,000)~~)

\$2,819,000

TOTAL APPROPRIATION ~~\$4,853,000~~

\$5,235,000

Sec. 1107. 2016 sp.s. c 36 s 120 (uncodified) is amended to read as follows:

FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund-State Appropriation (FY 2016) \$266,000

General Fund-State Appropriation (FY 2017) (~~(\$274,000)~~)

\$275,000

TOTAL APPROPRIATION ~~\$540,000~~

\$541,000

The appropriations in this section are subject to the following conditions and limitations: The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

Sec. 1108. 2016 sp.s. c 36 s 121 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund-State Appropriation (FY 2016) \$235,000

General Fund-State Appropriation (FY 2017) (~~(\$231,000)~~)

\$232,000

TOTAL APPROPRIATION ~~\$466,000~~

\$467,000

Sec. 1109. 2015 3rd sp.s. c 4 s 125 (uncodified) is amended to read as follows:

FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund-State Appropriation (FY 2016) \$146,000

General Fund-State Appropriation (FY 2017) (~~(\$185,000)~~)

\$186,000

TOTAL APPROPRIATION ~~\$331,000~~

\$332,000

Sec. 1110. 2016 sp.s. c 36 s 124 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund-State Appropriation (FY 2016) \$11,420,000

General Fund-State Appropriation (FY 2017) (~~(\$8,417,000)~~)

\$8,826,000

General Fund-Federal Appropriation \$6,930,000

New Motor Vehicle Arbitration Account-State

Appropriation \$1,041,000

Legal Services Revolving Account-State

Appropriation (~~(\$227,558,000)~~)

\$230,756,000

Tobacco Prevention and Control Account-State

Appropriation \$273,000

Medicaid Fraud Penalty Account-State Appropriation \$3,065,000

Public Service Revolving Account-State

Appropriation \$2,220,000

Child Rescue Fund-State Appropriation \$500,000

TOTAL APPROPRIATION ~~\$261,424,000~~

\$265,031,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services

expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of financial management and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) \$2,218,000 of the public service revolving account-state appropriation is provided solely for the work of the public counsel section of the office of the attorney general.

(5) \$353,000 of the general fund-state appropriation for fiscal year 2016 and \$353,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a grant to the Washington coalition of crime victim advocates to provide training, certification, and technical assistance for crime victim service center advocates.

(6) \$1,196,000 of the legal services revolving fund-state appropriation is provided solely for the implementation of chapter 70, Laws of 2015 (Second Substitute Senate Bill No. 5052) (cannabis patient protection).

(7) \$14,000 of the legal services revolving account-state appropriation is provided solely for implementation of chapter 240, Laws of 2015 (Substitute

Senate Bill No. 5740) (extended foster care).

\$2,905,000

(8) \$182,000 of the legal services revolving account—state appropriation is provided solely for implementation of chapter 274, Laws of 2015 (Engrossed Substitute House Bill No. 1449) (oil transportation safety).

(9) \$71,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1472 (chemical action plans), Second Substitute Senate Bill No. 5056 (safer chemicals/action plans), Substitute Senate Bill No. 6131 (safer chemicals), or any of these. If none of these bills are enacted by July 10, 2015, the amount provided in this subsection shall lapse.

(10) Pursuant to chapter 247, Laws of 2015 (Second Substitute House Bill No. 1281) (sexual exploitation of a minor), the office of the attorney general may expend \$500,000 from the child rescue fund—state appropriation, or an amount not to exceed actual revenues into the account.

(11) \$37,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for implementation of Second Substitute House Bill No. 2726 (retirement communities). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(12) Appropriations in this section include specific funds for the implementation of Substitute Senate Bill No. 6160 (regulating motor vehicle airbags).

(13) \$55,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for implementation of Substitute Senate Bill No. 6360 (traffic fines consolidation). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1111. 2016 sp.s. c 36 s 125 (uncodified) is amended to read as follows:

FOR THE CASELOAD FORECAST COUNCIL

General Fund—State Appropriation (FY 2016) \$1,397,000

General Fund—State Appropriation (FY 2017) (~~\$1,460,000~~)

\$1,508,000

TOTAL APPROPRIATION ~~\$2,857,000~~

The appropriations in this section are subject to the following conditions and limitations:

(1) \$55,000 of the general fund—state appropriation for fiscal year 2016 and \$55,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for Substitute Senate Bill No. 5999 (caseload forecast council). (~~If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse.~~)

(2) (a) The caseload forecast council, in cooperation with the appropriate legislative committees and legislative staff, the office of financial management, the department of corrections, the department of social and health services, the administrative office of the courts, the minority and justice commission, the Washington state institute for public policy, the department of early learning, the student achievement council, the state board of education, the sentencing guidelines commission, and a person from communities at large deemed appropriate must develop recommendations for procedures and tools which will enable them to provide cost-effective racial and ethnic impact statements to legislative bills affecting criminal justice, human services, and education caseloads forecasted by the caseload forecast council. The recommendations for the racial and ethnic impact statements must be able to identify the positive and negative impacts on communities as a result of proposed or adopted legislation.

(b) The caseload forecast council shall submit a report to the governor and appropriate committees of the legislature on or before December 31, 2016, outlining recommendations for procedures and tools necessary to provide racial and ethnic impact statements to criminal justice, human services, and education caseloads, as well as outlining implementation cost estimates and potential funding sources.

(3) In addition to caseload forecasts for common schools as defined in RCW 43.88C.010(7), during the remainder of the 2015-2017 fiscal biennium the council must provide a separate forecast of enrollment for charter schools authorized by chapter 28A.710 RCW as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools).

Sec. 1112. 2016 sp.s. c 36 s 127 (uncodified) is amended to read as follows:

FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund-State Appropriation (FY 2016) \$805,000

General Fund-State Appropriation (FY 2017) (~~(\$888,000)~~)

\$892,000

Lottery Administrative Account-State Appropriation \$50,000

TOTAL APPROPRIATION ~~\$1,743,000~~

\$1,747,000

Sec. 1113. 2016 sp.s. c 36 s 128 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund-State Appropriation (FY 2016) \$19,280,000

General Fund-State Appropriation (FY 2017) (~~(\$19,623,000)~~)

\$20,594,000

General Fund-Federal Appropriation \$38,822,000

General Fund-Private/Local Appropriation \$498,000

Economic Development Strategic Reserve Account-State

Appropriation \$310,000

Personnel Service Fund-State Appropriation \$8,696,000

Higher Education Personnel Services Account-State

Appropriation \$1,497,000

Performance Audits of Government Account-State

Appropriation \$534,000

Statewide Information Technology System Development

Revolving Account-State Appropriation \$15,799,000

Office of Financial Management Central Service Account-State Appropriation \$14,610,000

TOTAL APPROPRIATION ~~\$106,237,000~~

\$120,640,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section represent a transfer of expenditure authority of \$2,333,000 of the general fund-federal appropriation for fiscal year 2016 and \$1,782,000 of the general fund-federal appropriation for fiscal year 2017 to the office of financial management to implement Engrossed Substitute Senate Bill No. 5084 (all payer claims database).

(2) \$13,799,000 of the statewide information technology system development revolving account-state appropriation is provided solely for prepayment of the debt service for the time, leave, and attendance system. The enterprise time, leave, and attendance project shall be discontinued, but the office and other state agencies may utilize acquired project assets for other purposes to the extent practicable.

(3) \$50,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1491 (early care and education system). If the bill is not enacted by July 10, 2015, the amount provided in this subsection shall lapse.

(4) \$33,000 of the general fund-state appropriation for fiscal year 2017 is provided one time solely to implement chapter 244, Laws of 2015 (college bound scholarship).

(5) \$168,000 of the general fund-state appropriation for fiscal year 2016 and \$163,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement chapter 245, Laws of 2015 (outdoor recreation).

(6)(a) Within funds appropriated in this section, the education data center created in RCW 43.41.400 shall complete an evaluation of the state need grant and submit a report to the appropriate committees of the legislature by December 1, 2016. To the extent it is not duplicative of other studies, the report shall evaluate educational outcomes emphasizing degree completion rates at the postsecondary levels. The report shall study certain aspects of the state need grant program, including but not limited to:

(i) State need grant recipient grade point average and its relationship to

positive outcomes, including but not limited to:

(A) Variance between community and technical colleges and the four-year institutions of higher education;

(B) Variance between state need grant recipients and students on the state need grant unserved waiting list; and

(C) Differentials between quarter or semester grade point averages and cumulative grade point averages.

(ii) Possible outcomes of requiring a minimum grade point average, per semester or quarter or cumulatively, for state need grant renewal.

(b) Beginning July 1, 2016, the student achievement council and all institutions of higher education eligible to participate in the state need grant shall ensure that data needed to analyze and evaluate the effectiveness of the state need grant program are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

(i) The number of state need grant recipients;

(ii) The number of students on the unserved waiting list of the state need grant;

(iii) Persistence and completion rates of state need grant recipients and students on the state need grant unserved waiting list, disaggregated by institutions of higher education;

(iv) State need grant recipients and students on state need grant unserved waiting list grade point averages; and

(v) State need grant program costs.

(c) The student achievement council shall submit student unit record data for the state need grant program applicants and recipients to the education data center.

(7) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a contract with a consultant to examine the current configuration and financing of the state hospital pursuant to Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices).

~~((49))~~ (8) \$150,000 of the general fund-state appropriation for fiscal year 2016 and \$150,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the cost to support the blue ribbon commission on delivery of services to children and families established by the governor's executive order 16-03. The commission shall develop recommendations on whether to create a separate state department of children and families, including a mission and vision for the new department, new organization structures, estimated costs, transition plans, and benchmarks for assessing the improvements in outcomes for children and families expected to result from the reorganization, including the metrics to measure those short and long-term expected outcomes, and the expected impact on total administrative costs among the involved state agencies. The commission shall produce recommendations no later than November 1, 2016.

Sec. 1114. 2016 sp.s. c 36 s 130 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account-State

Appropriation (~~(\$28,797,000)~~)

\$29,136,000

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

(1) \$690,000 of the lottery administrative account-state appropriation is provided solely for the replacement of the lottery's gaming systems vendor contract.

(2) No portion of this appropriation may be used for acquisition of gaming system capabilities that violates state law.

(3) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce by \$6,000,000 each fiscal year the total amount of compensation paid to licensed lottery sales agents. It is anticipated that the result of this action will reduce retail commissions to an average of 5.1 percent of sales.

Sec. 1115. 2016 sp.s. c 36 s 131 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund-State Appropriation (FY 2016) \$260,000

General Fund-State Appropriation (FY 2017) (~~(\$259,000)~~)

\$260,000

TOTAL APPROPRIATION ~~\$519,000~~

\$520,000

Sec. 1116. 2016 sp.s. c 36 s 132 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund-State Appropriation (FY 2016) \$254,000

General Fund-State Appropriation (FY 2017) (~~(\$260,000)~~)

\$261,000

TOTAL APPROPRIATION ~~\$514,000~~

\$515,000

Sec. 1117. 2016 sp.s. c 36 s 134 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund-State Appropriation (FY 2016) (~~(\$119,358,000)~~)

\$119,348,000

General Fund-State Appropriation (FY 2017) (~~(\$120,551,000)~~)

\$121,623,000

Financial Services Regulation Account-State

Appropriation \$10,000,000

Timber Tax Distribution Account-State

Appropriation \$6,604,000

Waste Reduction/Recycling/Litter Control-State

Appropriation \$141,000

State Toxics Control Account-State Appropriation \$101,000

Business License Account-State Appropriation \$24,590,000

TOTAL APPROPRIATION ~~\$267,381,000~~

\$282,407,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,628,000 of the general fund-state appropriation for fiscal year 2017, and \$7,890,000 of the business license account-state appropriation are provided solely for the taxpayer legacy system replacement project.

(2) \$487,000 of the general fund-state appropriation for fiscal year 2016 and \$582,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Substitute Senate Bill No. 5186 (disabled veterans and seniors). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse.

(3) \$60,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Substitute Senate Bill No. 6211 (nonprofit homeownership development). If the bill is not enacted by June 30, 2016, the amount in this subsection shall lapse.

~~((4))~~ (4) \$21,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 6328 (vapor products). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1118. 2016 sp.s. c 36 s 135 (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund-State Appropriation (FY 2016) \$1,321,000

General Fund-State Appropriation (FY 2017) (~~(\$1,303,000)~~)

\$1,360,000

TOTAL APPROPRIATION ~~\$2,624,000~~

\$2,681,000

Sec. 1119. 2016 sp.s. c 36 s 136 (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account-State Appropriation (~~(\$4,889,000)~~)

\$4,906,000

Sec. 1120. 2016 sp.s. c 36 s 137 (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund-State Appropriation (FY 2016) \$300,000

General Fund-State Appropriation (FY 2017) \$227,000

General Fund-Federal Appropriation \$4,571,000

Insurance Commissioners Regulatory Account-State

Appropriation \$55,772,000

TOTAL APPROPRIATION \$60,870,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$168,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of chapter 17, Laws of 2015 (HB 1172).

(2) \$129,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of chapter 63, Laws of 2015 (HB 1077).

(3) \$272,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of chapter 122, Laws of 2015 (SB 5717).

(4) \$25,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of chapter 19, Laws of 2015 (SSB 5023).

(5) \$283,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of House Bill No. 2326 (independent review organizations). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(6) \$143,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of Senate Bill No. 5180 (life insurance reserves). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(7) \$797,000 of the insurance commissioners regulatory account-state appropriation is provided solely for the implementation of Fifth Engrossed Substitute Senate Bill No. 5857 (pharmacy benefit managers). ~~((If the bill is not~~

~~enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

Sec. 1121. 2016 sp.s. c 36 s 139 (uncodified) is amended to read as follows:

FOR THE LIQUOR AND CANNABIS BOARD

Dedicated Marijuana Fund-State

Appropriation (FY 2016) \$7,736,000

Dedicated Marijuana Fund-State

Appropriation (FY 2017) \$8,481,000

Liquor Revolving Account-State Appropriation \$66,830,000

General Fund-Federal Appropriation \$2,821,000

General Fund-State Appropriation (FY 2017) \$260,000

General Fund-Private/Local Appropriation \$25,000

TOTAL APPROPRIATION \$86,153,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,183,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$2,818,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for implementation of Substitute House Bill No. 2136 (marijuana market reforms) and Second Substitute Senate Bill No. 5052 (cannabis patient protection). ~~((If either bill is not enacted by July 10, 2015, the amount provided in this subsection shall lapse.))~~

(2) \$376,000 of the liquor revolving fund-state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5280 (beer and cider sales). ~~((If the bill is not enacted by July 10, 2015, the amount provided in this subsection shall lapse.))~~

(3) \$2,641,000 of the liquor revolving account-state appropriation is provided solely for additional cigarette and tobacco enforcement. The liquor control board must provide additional cigarette and tobacco enforcement officers and pursue strategies to reduce the amount of smuggled, contraband, and otherwise untaxed cigarette and tobacco products in the state. The liquor control board must report the amount of untaxed cigarette and tobacco taxes recovered in comparison to past years to the appropriate committees

of the legislature by January 1, 2016, and January 1, 2017.

(4) \$366,000 of the liquor revolving account-state appropriation is provided solely for the implementation of Substitute House Bill No. 2831 (small business liquor sales). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(5) The appropriations in this section include sufficient funding for the implementation of Engrossed Substitute Senate Bill No. 6470 (wineries).

(6) \$260,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Substitute Senate Bill No. ~~((6238))~~ 6328 (vapor products). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(7) The liquor and cannabis board may require electronic payment of the marijuana excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

Sec. 1122. 2016 sp.s. c 36 s 141 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund-State Appropriation (FY 2016) \$3,386,000

General Fund-State Appropriation (FY 2017) \$3,654,000

General Fund-Federal Appropriation \$136,380,000

Enhanced 911 Account-State Appropriation \$56,594,000

Disaster Response Account-State Appropriation ~~(((\$41,383,000))~~

\$40,131,000

Disaster Response Account-Federal Appropriation ~~(((\$107,317,000))~~

\$110,862,000

Military Department Rent and Lease Account-State

Appropriation \$615,000

Worker and Community Right-to-Know Account-State

Appropriation \$2,888,000

Oil Spill Prevention Account-State Appropriation \$1,000,000

TOTAL APPROPRIATION ~~\$353,217,000~~

\$355,510,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees on October 1st and February 1st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2015-2017 biennium based on current revenue and expenditure patterns.

(2) \$60,000,000 of the general fund-federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$1,000,000 of the oil spill prevention account-state appropriation is provided solely for implementation of chapter 274, Laws of 2015 (Engrossed Substitute House Bill No. 1449) (oil transportation safety).

(4) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the conditional scholarship program pursuant to chapter 28B.103 RCW.

(5) \$5,000,000 of the enhanced 911 account-state appropriation is provided solely for financial assistance to counties to replace analog 911 telephone and network equipment with next generation 911 capable technology.

(6) \$1,850,000 of the disaster response account-state appropriation is provided solely to Okanogan and Ferry counties to address deficiencies within their communications infrastructure for 911 dispatch. Funds will be used to replace failing radio dispatching hardware within 911 dispatch centers; build interoperable communications between each county's dispatch center such that each can serve as a back-up to the other; and build upon the existing wireless microwave network

for 911 calls, dispatch centers, and first responder radio operations. Prior to releasing any state funds, the department will consult with the counties to determine if federal funds are available for any proposed expenditure and assist the counties with any application for such funds.

(7) \$130,000 of the enhanced 911 account—state appropriation is provided solely for the department to conduct a pilot program within King county to implement a mobile phone application that notifies persons trained in cardiopulmonary resuscitation of persons nearby who are having a cardiac emergency. The department may partner with the county, a city, a fire district, or a search and rescue organization for purposes of implementing the application and software-as-a-service in an existing computer-aided dispatch system. The department will report the results of the pilot program to the legislature by December 1, 2016.

(8) \$5,679,000 of the enhanced 911 account—state appropriation is provided solely for transitioning to an internet protocol based next generation 911 network and increased network costs during the transition and hardware required for the new system. The department's activities and procurement is a major information technology project subject to oversight and review by the office of the chief information officer.

(9) \$392,000 of the disaster response account—state appropriation is provided solely for fire suppression training and equipment to national guard soldiers and airmen.

Sec. 1123. 2016 sp.s. c 36 s 143 (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account—State

Appropriation (~~(\$6,117,000)~~)

\$6,125,000

The appropriation in this section is subject to the following conditions and limitations: \$3,300,000 of the certified public accountants' account—state appropriation is provided solely for deposit into the certified public accounting transfer account to fund Washington-based colleges and universities for students pursuing degrees

in accounting or taxation as provided in chapter 215, Laws of 2015 (Substitute Senate Bill No. 5534).

Sec. 1124. 2016 sp.s. c 36 s 147 (uncodified) is amended to read as follows:

FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers'

Administrative Account—State Appropriation (~~(\$1,011,000)~~)

\$1,014,000

Sec. 1125. 2016 sp.s. c 36 s 148 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund—State Appropriation (FY 2016) \$1,369,000

General Fund—State Appropriation (FY 2017) (~~(\$1,395,000)~~)

\$1,409,000

General Fund—Federal Appropriation \$2,122,000

General Fund—Private/Local Appropriation \$14,000

TOTAL APPROPRIATION ~~\$4,900,000~~

\$4,914,000

The appropriations in this section are subject to the following conditions and limitations: \$121,000 of the general fund—state appropriation for fiscal year 2016 and \$121,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for the Washington main street program.

Sec. 1126. 2016 sp.s. c 36 s 149 (uncodified) is amended to read as follows:

FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY

General Fund—State Appropriation (FY 2016) \$1,000,000

General Fund—State Appropriation (FY 2017) (~~(\$428,000)~~)

\$778,000

Consolidated Technology Services Revolving

Account-State	Appropriation
\$7,366,000	
TOTAL APPROPRIATION	\$8,794,000
	\$9,144,000

The appropriations in this section are subject to the following conditions and limitations:

(1) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures shall include the following: The agency's priority ranking of each information technology request; the estimated cost for the current biennium; the estimated total cost of the request over all biennia; and the expected timeline to complete the request. The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

(2) \$550,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the office of the chief information officer to develop a statewide strategic business and technology architecture plan for time capture, payroll and payment processes, and eligibility and authorization processes for the department of early learning. In collaboration with the department of early learning the plan will identify and recommend whether existing systems, or planned systems, can and should be used to meet the department of early learning's business needs. A child care attendance and billing solution must be designed or modified to align with the statewide enterprise strategy once the strategic architecture is established. The plan shall be completed and delivered to the appropriate committees of the legislature by December 1, 2015.

(3) \$450,000 of the general fund-state appropriation for fiscal year 2016 and \$428,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to the office of the chief information officer for statewide technical oversight of information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, and eligibility, case management and authorization systems within the department of social and health services, the department of health, the

department of early learning, and the health care authority. As part of the technical oversight, the office of the chief information officer shall identify where existing or proposed technology investments should be consolidated, reused, or otherwise leveraged to meet multiagency needs or increase interoperability, increase alignment with statewide policies, standards, strategies, architectures, and reduce redundant investments over time.

(4) \$7,366,000 of the consolidated technology services revolving account-state appropriation is provided solely for implementation of Second Substitute House Bill No. 1391 or Second Substitute Senate Bill No. 5315 (aligning information technology functions). If neither bill is enacted by July 10, 2015, the amount provided in this subsection shall lapse.

PART XII

HUMAN SERVICES

Sec. 1201. 2016 sp.s. c 36 s 201 (unmodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation

authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open

enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. No later than October 1, 2015, the department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(c) The department, in coordination with the health care authority, shall pursue a federal waiver to use supplemental nutrition assistance program eligibility, aged, blind, or disabled program eligibility, or temporary assistance for needy families eligibility, to enroll eligible persons into medicaid.

(7) In accordance with RCW 71.24.380, the health care authority and the department are authorized to purchase medical and behavioral health services through integrated contracts upon request of all of the county authorities in a regional service area to become an early adopter of fully integrated purchasing of medical and behavioral health services. The department may combine and transfer such amounts appropriated under sections 204, 208, and 213 of this act as may be necessary to fund early adopter contracts. The amount of medicaid funding transferred from each program may not exceed the average per capita cost assumed in this act for individuals covered by that program, actuarially adjusted for the health condition of persons enrolled, times the number of clients enrolled. The amount of non-medicaid funding transferred from sections 204 and 208 may not exceed the amount that would have been contracted with a behavioral health organization if the county authorities had not requested to become an early adopter of fully integrated purchasing. These limits do not apply to the amounts provided in section 204(1)(s) of this act. If any funding that this act provides solely for a specific purpose is transferred under this subsection, that funding must be used consistently with the provisions and conditions for which it was provided.

(8) In accordance with RCW 71.24.380, the department is authorized to purchase mental health and substance use disorder services through integrated contracts with behavioral health organizations. The department may combine and transfer such amounts appropriated under sections 204 and 208 of this act as may be necessary to finance these behavioral health organization contracts. If any funding that this act provides solely for a specific purpose is transferred under this subsection, that funding must be used consistently with the provisions and conditions for which it was provided.

(9)(a) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, ~~((2016)) 2017~~, unless prohibited by this act, the department may transfer general fund-state appropriations for fiscal year ~~((2016)) 2017~~ among programs after approval by the director of financial management. However, the department shall not transfer state moneys that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year ~~((2016)) 2017~~ caseload forecasts and utilization assumptions in the long-term care, foster care, adoptions support, medical personal care, and child support programs, the department may transfer state moneys that are provided solely for a specified purpose. The department shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(10) To facilitate the authority provided in subsection (7) and (8) of this section, and to ensure a new accounting structure is in place as of July 1, 2017,

the department is authorized to create a new program for accounting purposes only that combines the mental health program and alcohol and substance abuse program allotments and expenditures.

Sec. 1202. 2016 sp.s. c 36 s 202 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-CHILDREN AND FAMILY SERVICES PROGRAM

General Fund-State Appropriation (FY 2016) \$324,746,000

General Fund-State Appropriation (FY 2017) (~~(\$337,124,000)~~)

\$347,453,000

General Fund-Federal Appropriation (~~(\$511,676,000)~~)

\$517,808,000

General Fund-Private/Local Appropriation (~~(\$1,354,000)~~)

\$1,854,000

Domestic Violence Prevention Account-State

Appropriation \$1,908,000

Child and Family Reinvestment Account-State

Appropriation \$6,529,000

TOTAL APPROPRIATION ~~\$1,193,337,000~~

\$1,200,298,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Amounts appropriated in this section include funding for the department to establish basic foster care rates consistent with the settlement agreement in *FPAWS v. Quigley*.

(2) \$668,000 of the general fund-state appropriation for fiscal year 2016 and \$668,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to

biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(3) \$253,000 of the general fund–state appropriation for fiscal year 2016 and \$253,000 of the general fund–state appropriation for fiscal year 2017 are provided solely for the costs of the eight existing hub home foster families that provide a foster care delivery model that includes a licensed hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(4) \$579,000 of the general fund–state appropriation for fiscal year 2016, \$579,000 of the general fund–state appropriation for fiscal year 2017, and \$109,000 of the general fund–federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(5) \$990,000 of the general fund–state appropriation for fiscal year 2016 and \$990,000 of the general fund–state appropriation for fiscal year 2017 are provided solely for services provided through children's advocacy centers.

(6) \$1,250,000 of the general fund–state appropriation for fiscal year 2016 and \$1,351,000 of the general fund–state appropriation for fiscal year 2017 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(7) \$4,865,000 of the general fund–state appropriation for fiscal year 2016, \$3,564,000 of the general fund–state appropriation for fiscal year 2017, \$6,529,000 of the child and family reinvestment account–state appropriation, and \$15,958,000 of the general fund–federal appropriation, are provided solely for family assessment response.

(8) \$94,000 of the general fund–state appropriation for fiscal year 2016 and \$94,000 of the general fund–state appropriation for fiscal year 2017 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for

children who have experienced abuse or neglect and their families.

(9) \$668,000 of the domestic violence prevention account–state appropriation is provided solely for implementation of chapter 275, Laws of 2015 (SSB 5631) (domestic violence victims).

(10) \$1,996,000 of the general fund–state appropriation for fiscal year 2016, \$3,434,000 of the general fund–state appropriation for 2017, and \$844,000 of the general fund–federal appropriation are provided solely for the children's administration to:

(a) Reduce the caseload ratios of social workers serving children in foster care to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcome;

(b) Support the closure of child protective services investigations within ninety days of intake, where appropriate; and

(c) Progress towards statewide expansion and support of the child protective services family assessment response pathway.

The children's administration must, in the manner it determines appropriate, balance expenditure of amounts provided in this subsection in a way that makes substantial investments in each of the three purposes in (a) through (c) of this subsection. Of the amounts provided in this subsection, no more than \$1,600,000 may be used for the purpose of (b) of this subsection.

(11) \$819,000 of the general fund–state appropriation for fiscal year 2017 and \$373,000 of the general fund–federal appropriation are provided solely for implementation of chapter 240, Laws of 2015 (SSB 5740) (extended foster care).

(12) \$784,000 of the general fund–state appropriation for fiscal year 2017 is provided solely for early achievers tiered reimbursement for family home and center child care providers consistent with Engrossed Second Substitute House Bill No. 1491 (early care & education system).

(13) (a) \$539,000 of the general fund–state appropriation for fiscal year 2016, \$540,000 of the general fund–state appropriation for fiscal year 2017, \$656,000 of the general fund private/local appropriation, and \$253,000 of the general fund–federal appropriation are provided solely for a contract with an educational

advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, or regions where backlogs of youth that have formerly requested educational outreach services exist. The children's administration is encouraged to use private matching funds to maintain educational advocacy services.

(b) Beginning in fiscal year 2017, the children's administration shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to Fourth Substitute House Bill No. 1999 (foster youth edu. outcomes). ~~((If the bill is not enacted by June 30, 2016, language in this subsection shall lapse.))~~

(14) The children's administration shall adopt policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised to unsupervised visitation prior to reunification. The children's administration shall submit the revised visitation policy to the appropriate policy and fiscal committees of the legislature by December 1, 2015.

(15) \$446,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for a contract with a nongovernmental entity or entities for the demonstration site to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW that was established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(a) The demonstration site in this subsection must facilitate the educational progress and graduation of dependent youth by providing individualized education services and monitoring and supporting dependent youths' remediation needs, special education needs, and completion of education milestones. The contract must be performance-based with a stated goal of improving the graduation rates of foster youth by two percent per year over five school year periods. The baseline for

measurement for the existing site was established in the 2013-14 school year and remains applicable through the 2017-18 school year.

(b) The demonstration site must develop and provide services aimed at improving the educational outcomes of foster youth. These services must include:

(i) Direct advocacy for foster youth to eliminate barriers to educational access and success;

(ii) Consultation with children's administration case workers to develop educational plans for and with participating youth;

(iii) Monitoring educational progress of participating youth;

(iv) Providing participating youth with school and local resources that may assist in educational access and success; and

(v) Coaching youth, caregivers, and social workers to advocate for dependent youth in the educational system.

(c) The contractor must report demonstration site outcomes to the department of social and health services and the office of the superintendent of public instruction by September 30, 2015, for the 2014-15 school year and by September 30, 2016, for the 2015-16 school year.

(d) The children's administration shall proactively refer all eligible students thirteen years or older within the demonstration site area to the contractor for educational services.

(e) The contractor shall report to the legislature by September 30, 2015, for the 2014-15 school year and by September 30, 2016, for the 2015-16 school year on the number of eligible youth referred by the children's administration, the number of youth served, and the effectiveness of the demonstration site in increasing graduation rates for dependent youth.

(16) The children's administration, office of the superintendent of public instruction, and student achievement council shall collaborate with the office of the attorney general, other governmental agencies, advocacy organizations, and others as needed to report to the legislature by December 1, 2015, on strategies to permit supplemental education transition planning for dependent youth to be administered by the student achievement council and the

demonstration sites to be administered by the office of the superintendent of public instruction no later than June 30, 2016. The report shall assess the feasibility of transitioning the programs and recommend strategies to resolve data and information sharing barriers through legislative policy and professional practice.

(17) \$334,000 of the general fund-state appropriation for fiscal year 2016, \$548,000 of the general fund-state appropriation for fiscal year 2017, and \$249,000 of the general fund-federal appropriation are provided solely for extended foster care services for eligible youth engaged in employment for eighty hours or more per month, pursuant to chapter 122, Laws of 2014.

(18) The children's administration is encouraged to control exceptional reimbursement decisions so that the child's needs are met without excessive costs.

(19) \$841,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a base rate increase and an increase in tiered reimbursement rates, levels three through five, for licensed family child care providers. This funding is for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 905 of this act.

(20) (a) The children's administration shall develop a plan, in consultation with providers, to improve placement stability and promote a continuum of care for children and youth who have experienced abuse and neglect and require long-term placement with behavioral supports. The plan shall include the following in regards to these children and youth:

(i) Analysis of the cost-effectiveness and outcomes of existing placement options;

(ii) Development of common and consistent assessment criteria for determining the necessary level of care;

(iii) Delineation of a continuity of care continuum;

(iv) Identification of gaps in services with recommended strategies and costs for addressing those gaps, and;

(v) Development of models for stabilizing funding, including forecasting models, for all components of the service continuum.

(b) The children's administration shall submit the plan to the appropriate legislative committees by December 1, 2016.

(21) \$10,653,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the purpose of settling all claims and meeting the terms of the settlement agreement in the lawsuit *Perez v. Department of Social and Health Services*, United States District Court Western District of Washington at Tacoma, Cause No. 3:08-cv-05479-BHS, covering the payment of overtime for eligible class members and related employer taxes, retirement contributions, and other mandatory withholdings. Of the amount appropriated in this subsection, \$9,750,000 is to pay to eligible class members back wages and statutory damages. The expenditure of this appropriation is contingent on the release of all claims in the case, and the total settlement costs paid to class members shall not exceed the designated amount provided in this subsection.

Sec. 1203. 2016 sp.s. c 36 s 203 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

General Fund-State Appropriation (FY 2016) \$92,347,000

General Fund-State Appropriation (FY 2017) (~~(\$90,892,000)~~)

\$92,319,000

General Fund-Federal Appropriation \$3,464,000

General Fund-Private/Local Appropriation \$1,985,000

Washington Auto Theft Prevention Authority Account—

State Appropriation \$196,000

Juvenile Accountability Incentive Account—Federal

Appropriation (~~(\$2,801,000)~~)

\$1,400,000

TOTAL APPROPRIATION ~~\$191,685,000~~

\$191,711,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$331,000 of the general fund-state appropriation for fiscal year 2016 and \$331,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$6,198,000 of the general fund-state appropriation for fiscal year 2016 and \$6,198,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement community juvenile accountability grants pursuant to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided in this subsection may be used solely for community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants.

(3) \$1,130,000 of the general fund-state appropriation for fiscal year 2016 is provided solely to implement alcohol and substance abuse treatment programs for locally committed offenders. Funding for this purpose in fiscal year 2017 is provided through a memorandum of understanding with the department of social and health services alcohol and substance abuse program. The juvenile rehabilitation administration shall award these moneys on a competitive basis to counties that submitted a plan for the provision of services approved by the division of alcohol and substance abuse. The juvenile rehabilitation administration shall develop criteria for evaluation of plans submitted and a timeline for awarding funding and shall assist counties in creating and submitting plans for evaluation.

(4) \$3,123,000 of the general fund-state appropriation for fiscal year 2016 and \$2,841,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for grants to county juvenile courts for the following juvenile justice programs identified by the Washington state institute for public policy (institute) in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for

Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." Additional funding for this purpose in fiscal year 2017 is provided through a memorandum of understanding with the department of social and health services alcohol and substance abuse program. County juvenile courts shall apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(5) \$1,537,000 of the general fund-state appropriation for fiscal year 2016 and \$1,537,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for expansion of the following juvenile justice treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(6)(a) The juvenile rehabilitation administration shall administer a block grant to county juvenile courts for the purpose of serving youth adjudicated in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service (CJS) funds, community juvenile accountability act (CJAA) grants, chemical dependency/mental health disposition alternative (CDDA), and suspended disposition alternative (SDA). The juvenile rehabilitation administration shall follow the following formula and will prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for moderate and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency disposition

alternative; and (vi) two percent for the mental health and sentencing dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the juvenile rehabilitation administration and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(b) The juvenile rehabilitation administration and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the juvenile rehabilitation administration and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be cochaired by the juvenile rehabilitation administration and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. Initial members will include one juvenile court representative from the finance committee, the community juvenile accountability act committee, the risk assessment quality assurance committee, the executive board of the Washington association of juvenile court administrators, the Washington state center for court research, and a representative of the superior court judges association; two representatives from the juvenile rehabilitation administration headquarters program oversight staff, two representatives of the juvenile rehabilitation administration regional office staff, one representative of the juvenile rehabilitation administration fiscal staff and a juvenile rehabilitation administration division director. The committee may make changes to the formula categories other than the evidence-based program and disposition alternative categories if it is determined the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost benefit savings to the

state. Long-term cost benefit must be considered. Percentage changes may occur in the evidence-based program or disposition alternative categories of the formula should it be determined the changes will increase evidence-based program or disposition alternative delivery and increase the cost benefit to the state. These outcomes will also be considered in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(c) The juvenile courts and administrative office of the courts shall be responsible for collecting and distributing information and providing access to the data systems to the juvenile rehabilitation administration and the Washington state institute for public policy related to program and outcome data. The juvenile rehabilitation administration and the juvenile courts will work collaboratively to develop program outcomes that reinforce the greatest cost benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(7) The juvenile courts and administrative office of the courts shall collect and distribute information related to program outcome and provide access to these data systems to the juvenile rehabilitation administration and Washington state institute for public policy. The agreements between administrative office of the courts, the juvenile courts, and the juvenile rehabilitation administration shall be executed to ensure that the juvenile rehabilitation administration receives the data that the juvenile rehabilitation administration identifies as needed to comply with this subsection. This includes, but is not limited to, information by program at the statewide aggregate level, individual court level, and individual client level for the purpose of the juvenile rehabilitation administration providing quality assurance and oversight for the locally committed youth block grant and associated funds and at times as specified by the juvenile rehabilitation administration as necessary to carry out these functions. The data shall be provided in a manner that reflects the collaborative work the juvenile rehabilitation administration and juvenile courts have developed regarding program outcomes that reinforce the greatest cost benefit to the state in

the implementation of evidence-based practices and disposition alternatives.

(8) \$445,000 of the general fund-state appropriation for fiscal year 2016 and \$445,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for funding of the teamchild project.

(9) \$178,000 of the general fund-state appropriation for fiscal year 2016 and \$178,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the juvenile detention alternatives initiative.

(10) \$500,000 of the general fund-state appropriation for fiscal year 2016 and \$500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a grant program focused on criminal street gang prevention and intervention. The juvenile rehabilitation administration may award grants under this subsection. The juvenile rehabilitation administration shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the juvenile rehabilitation administration on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(11) The juvenile rehabilitation institutions may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(12) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Engrossed Substitute House Bill No. 2746 (juvenile offender treatment). (~~If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~)

Sec. 1204. 2016 sp.s. c 36 s 204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

General Fund-State Appropriation (FY 2016) \$310,977,000

General Fund-State Appropriation (FY 2017) (~~(\$355,262,000)~~)

\$343,067,000

General Fund-Federal Appropriation (~~(\$1,011,270,000)~~)

\$986,307,000

General Fund-Private/Local Appropriation \$17,864,000

Dedicated Marijuana Account-State Appropriation

(FY 2016) \$2,778,000

Dedicated Marijuana Account-State Appropriation

(FY 2017) \$3,684,000

TOTAL APPROPRIATION ~~\$1,701,835,000~~

\$1,664,677,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) For the purposes of this subsection, the term "regional support networks," includes, effective April 1, 2016, behavioral health organizations which assume the duties of regional support networks pursuant to chapter 225, Laws of 2014 (2SSB 6312).

(b) \$12,204,000 of the general fund-state appropriation for fiscal year 2016, (~~(\$13,761,000)~~) \$8,921,000 of the general fund-state appropriation for fiscal year 2017, and (~~(\$17,918,000)~~) \$15,312,000 of the general fund-federal appropriation are provided solely to reimburse regional support networks for increased utilization costs, as compared to utilization costs in fiscal year 2014, that are incurred in order to meet statutory obligations to provide individualized mental health treatment in appropriate settings to individuals who are detained or committed under the involuntary treatment act. Prior to distributing funds to a regional support network requesting reimbursement for costs relative to increased utilization, the department must receive adequate documentation of such increased utilization and costs. Regional support networks receiving funds for community hospitals or evaluation and treatment center beds under (p) of this subsection

are only eligible for reimbursement that exceeds the total of their utilization costs in fiscal year 2014 and the costs of services provided with additional funds received under (p) of this subsection.

(c) \$2,452,000 of the general fund–state appropriation for fiscal year 2016, \$2,264,000 of the general fund–state appropriation for fiscal year 2017, and \$2,653,000 of the general fund–federal appropriation are provided solely for implementation of chapter 258, Laws of 2015 (E2SSB 5269) (involuntary treatment act). Regional support networks must use these amounts for involuntary treatment costs associated with implementation of this bill.

(d) \$3,776,000 of the general fund–state appropriation for fiscal year 2016, \$5,780,000 of the general fund–state appropriation for fiscal year 2017, and \$6,054,000 of the general fund–federal appropriation are provided solely for implementation of chapter 250, Laws of 2015 (E2SHB 1450) (involuntary outpatient treatment). Regional support networks must use these amounts for increases in community mental health treatment associated with implementation of this bill.

(e) \$81,180,000 of the general fund–state appropriation for fiscal year 2016 and \$81,180,000 of the general fund–state appropriation for fiscal year 2017 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts includes a reduction of \$4,715,000 for fiscal year 2016 and \$4,715,000 for fiscal year 2017 associated with a funding shift that allows for increased federal participation for community inpatient stays that were previously ineligible for federal matching funds. This reduction will be distributed to regional support networks based on the same proportions that were added to regional support network capitation ranges specific to the waiver that allowed for federal funds to be used for community inpatient stays that were previously ineligible for federal matching funds. The department must allow regional support networks to use medicaid capitation payments to provide services to medicaid

enrollees that are in addition to those covered under the state plan in accordance with the conditions established under federal regulations governing medicaid managed care contracts and subject to federal approval by the center for medicaid and medicare services.

(f) \$6,590,000 of the general fund–state appropriation for fiscal year 2016, \$6,590,000 of the general fund–state appropriation for fiscal year 2017, and \$7,620,000 of the general fund–federal appropriation are provided solely for the department and regional support networks to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to regional support networks with PACT teams, the department shall consider the differences between regional support networks in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The department may allow regional support networks which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under section 204(1)(e) of this act. The department and regional support networks shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(g) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by regional support networks at western state hospital shall be 587 per day in fiscal year 2016. Pursuant to Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices), the department must transition and divert enough patients with long term care needs from western state hospital by January 1, 2017, to reduce the capacity needed for this population by 30 beds and the department must reduce the number of nonforensic beds allocated for use by regional support networks at western state hospital to 557. The department may contract through a regional support network for up to 30 local community hospital beds to provide treatment to individuals on a 90 day involuntary commitment order and must lower that

regional support network's allocation of beds by the number of contracted beds.

(h) From the general fund-state appropriations in this subsection, the secretary of social and health services shall assure that regional support networks reimburse the aging and disability services administration for the general fund-state cost of medicaid personal care services that enrolled regional support network consumers use because of their psychiatric disability.

(i) The department is authorized to continue to contract directly, rather than through contracts with regional support networks, for children's long-term inpatient facility services.

(j) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$750,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to continue performance-based incentive contracts to provide appropriate community support services for individuals with severe mental illness who were discharged from the state hospitals as part of the expanding community services initiative. These funds will be used to enhance community residential and support services provided by regional support networks through other state and federal funding.

(k) \$1,125,000 of the general fund-state appropriation for fiscal year 2016 and \$1,125,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Spokane regional support network to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane regional support network shall assess the

effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(l) \$1,204,000 of the general fund-state appropriation for fiscal year 2016 and \$1,204,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(m) Regional support networks may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, regional support networks may use a portion of the state funds allocated in accordance with (e) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(n) \$2,291,000 of the general fund-state appropriation for fiscal year 2016 and \$2,291,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement.

(o) Within the amounts appropriated in this section, funding is provided for the department to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(p) \$9,184,000 of the general fund-state appropriation for fiscal year 2016, \$11,405,000 of the general fund-state appropriation for fiscal year 2017, and \$17,680,000 of the general fund-federal appropriation are provided solely for enhancement of community mental health services. The department must contract these funds for the operation of community programs in which the department determines there is a need for capacity that allows individuals to be diverted or

transitioned from the state hospitals including but not limited to: (i) Community hospital or free standing evaluation and treatment services providing short-term detention and commitment services under the involuntary treatment act to be located in the geographic areas of the King regional support network, the Spokane regional support network outside of Spokane county, and the Thurston Mason regional support network; (ii) one new full program of an assertive community treatment team in the King regional support network and two new half programs of assertive community treatment teams in the Spokane regional support network and the Pierce regional support network; and (iii) three new recovery support services programs in the Grays Harbor regional support network, the greater Columbia regional support network, and the north sound regional support network. In contracting for community evaluation and treatment services, the department may not use these resources in facilities that meet the criteria to be classified under federal law as institutions for mental diseases. If the department is unable to come to a contract agreement with a designated regional support network for any of the services identified above, it may consider contracting for that service in another regional support network that has the need for such service.

(q) The appropriations in this section include a reduction of \$16,462,000 in general fund-state and \$16,468,000 of general fund-federal expenditure authority. This reduction must be achieved by reducing regional support network medicaid rates for disabled adults, nondisabled adults, disabled children, and nondisabled children. No regional support network rate may be lowered below the low end of the rate range that is certified as actuarially sound. The department must work to develop updated minimum and maximum reserve levels that reflect the changes in the number of medicaid eligible individuals since reserve levels were originally set as well as the integration of substance use disorder services into managed care contracts funded within the amounts appropriated in this section. The department must submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2015, that includes the revised minimum and maximum reserve levels for medicaid and

nonmedicaid behavioral health organization contracts.

(r) \$300,000 of the general fund-state appropriation for fiscal year 2016, \$1,394,000 of the general fund-state appropriation for fiscal year 2017, and \$2,020,000 of the general fund-federal appropriation are provided solely for implementation of chapter 7, Laws of 2015 1st sp. sess. (2E2SSB 5177) (timeliness of competency evaluation and restoration services). Regional support networks must use the amounts for outpatient mental health treatment costs associated with implementation of the bill.

(s) \$1,500,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to support the southwest Washington region in transitioning to become an early adopter for full integration of physical and behavioral health care. These amounts must be used to provide a reserve for nonmedicaid services in the region and to stabilize the new crisis services system. The department and the health care authority must develop a memorandum of understanding on the use of these funds.

(t) By April 1, 2016, the department must establish minimum and maximum funding levels for all reserves allowed under behavioral health organization contracts and insert contract language that clearly states the requirements and limitations. The department must monitor and ensure that behavioral health organization reserves do not exceed maximum levels. The department must monitor behavioral health organization revenue and expenditure reports and must require a behavioral health organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The department must review and approve such plans and monitor to ensure compliance. If the department determines that a behavioral health organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the department must reduce payments to the behavioral health organization in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the department determines that the behavioral health organization has come into substantial compliance with an

approved excess reserve corrective action plan.

(u) \$2,000,000 of the general fund-state appropriation for fiscal year 2017 and \$762,000 of the general fund-federal appropriation for fiscal year 2017 are provided solely for four housing support and step down services teams.

(v) \$1,760,000 of the general fund-federal appropriation is provided solely for a pilot project to put peer bridging staff into each regional support network as part of the state psychiatric liaison teams to promote continuity of service as individuals return to their communities. The department must collect and make available data on the impact of peer staff on state hospital discharges and community placements.

(w) \$417,000 of the general fund-state appropriation for fiscal year 2017 and \$179,000 of the general fund-federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1448 (suicide threat response). ~~((If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(2) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2016) \$178,731,000

General Fund-State Appropriation (FY 2017) ~~((~~\$196,851,000~~))~~

\$241,822,000

General Fund-Federal Appropriation ~~((~~\$165,365,000~~))~~

\$167,693,000

General Fund-Private/Local Appropriation ~~((~~\$49,742,000~~))~~

\$51,180,000

Governor's Behavioral Health Innovation Fund-State

Appropriation \$6,777,000

TOTAL APPROPRIATION ~~\$597,466,000~~

\$646,203,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$231,000 of the general fund-state appropriation for fiscal year 2016 and \$231,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood.

(c) \$45,000 of the general fund-state appropriation for fiscal year 2016 and \$45,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$9,571,000 of the general fund-state appropriation for fiscal year 2016 and \$17,287,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). This funding must be used to increase the number of forensic beds at western state hospital to three hundred thirty and the number of forensic beds at eastern state hospital to one hundred twenty-five by June 30, 2017. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (2E2SSB 5177) (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(e) \$2,349,000 of the general fund-state appropriation for fiscal year 2016 and \$2,318,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). This funding must be used solely to increase the number of staff providing competency evaluation services.

(f) \$135,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to hire an on-site safety compliance officer, stationed at Western State Hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(g) \$600,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to contract with the University of Washington department of psychiatry and behavioral sciences. The University of Washington shall conduct an analysis and develop a plan to create a high quality forensic teaching unit in collaboration with Western State Hospital. The plan shall include an appraisal of risks, barriers, and benefits to implementation as well as an implementation timeline. The University of Washington shall report to the department, the office of financial management, and relevant policy and fiscal committees of the legislature on findings and recommendations by November 1, 2017.

(h) \$6,777,000 of the governor's behavioral health innovation fund appropriation is provided solely to improve the quality of care, patient and staff safety, and the efficiency of operations at the state hospitals pursuant to Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices). In accordance with Engrossed Second Substitute House Bill No. 2453 or Substitute Senate Bill No. 6656, the department must apply to and receive approval from the office of financial management prior to expending appropriations from this account. If neither bill is enacted by June 30, 2016, the amounts provided in this subsection shall lapse. It is the intent of the legislature that the ongoing costs of services that are implemented through these amounts be considered as maintenance level in the fiscal year 2017-2019 operating budget.

(i) \$510,000 of the general fund-state appropriation for fiscal year 2016 and \$6,256,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to increase the number of funded registered nurses at western state hospital by 51 positions by July 1, 2016. If the department is unable to fill these positions by July 1, 2016, the department may develop an alternative plan for spending the amount proportional to the

positions that are not filled. This plan must be submitted to the office of financial management following the same process established in Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices) for applying for funds in the Governor's behavioral health innovation fund. The office of financial management may, after receiving input from the select committee created in Engrossed Second Substitute House Bill No. 2453 or Substitute Senate Bill No. 6656, approve that an amount proportional to the positions that are not filled be spent on the department's alternative plan.

(j) \$791,000 of the general fund-state appropriation for fiscal year 2016, \$1,456,000 of the general fund-state appropriation for fiscal year 2017, and \$199,000 of the general fund-federal appropriation are provided solely for the unilateral implementation of targeted job classification compensation increases as set forth in section 903 of this act, effective December 1, 2015, at eastern and western state hospitals. The legislature recognizes that the compensation increases were necessitated by an emergency and an imminent jeopardy determination by the centers for medicare and medicaid services that relates to the safety and health of clients and employees.

(k) \$611,000 of the general fund-state appropriation for fiscal year 2016, \$2,264,000 of the general fund-state appropriation for fiscal year 2017, and \$250,000 of the general fund-federal appropriation are provided solely for the implementation of a memorandum of understanding between the governor and the service employees international union healthcare 1199nw amending the collective bargaining agreement under chapter 41.80 RCW for the 2015-2017 fiscal biennium as set forth in section 902 of this act, effective December 1, 2015, at eastern and western state hospitals and the child study treatment center. The legislature recognizes that the memorandum of understanding was necessitated by an emergency and an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety and health of clients and employees.

(l) (~~(\$3,789,000)~~) \$2,425,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to improve western state hospital patient and

employee safety by opening a civil ward in order to reduce the patients per ward.

(m) \$224,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to hire two staff for western state hospital dedicated to discharge planning and coordination efforts between other parts of the department and with the regional support networks to more efficiently and properly discharge patients determined ready to go back to their communities.

(n) \$1,900,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the fifteen percent assignment pay increase for psychiatrist classifications at eastern and western state hospital granted during fiscal year 2015.

(o) \$891,000 of the general fund-state appropriation for fiscal year 2016, \$1,600,000 of the general fund-state appropriation for fiscal year 2017, and \$211,000 of the general fund-federal appropriation are provided solely for implementation of a new memorandum of understanding between the state and the union of physicians of Washington to increase compensation for physician and psychiatrist classifications under chapter 41.80 RCW for the 2015-2017 fiscal biennium pursuant to section 901 of this act. The memorandum of understanding reached between the state and the union of physicians of Washington effective December 1, 2015, is not approved. The amounts provided in this subsection are contingent on the state and the union of physicians of Washington reaching an agreement by June 30, 2016, that allows psychiatric advanced registered nurse practitioners and physician assistants to perform work and tasks that are currently or have been historically performed by physicians and psychiatrists at the state hospitals.

(p) \$19,000 of the general fund-state appropriation for fiscal year 2017 and \$1,000 of the general fund-federal appropriation are provided solely for nonrepresented state employees in targeted state employee job classifications as set forth in section 906 of this act.

(3) SPECIAL PROJECTS

General Fund-State Appropriation (FY 2016) \$477,000

General Fund-State Appropriation (FY 2017) \$490,000

General Fund-Federal
Appropriation ((~~\$7,391,000~~))

\$8,274,000

TOTAL APPROPRIATION ~~\$8,358,000~~

\$9,241,000

The appropriations in this subsection are subject to the following conditions and limitations: \$446,000 of the general fund-state appropriation for fiscal year 2016, \$446,000 of the general fund-state appropriation for fiscal year 2017, and \$178,000 of the general fund-federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the department to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds.

(4) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2016) \$9,779,000

General Fund-State Appropriation (FY 2017) ((~~\$9,120,000~~))

\$9,874,000

General Fund-Federal
Appropriation ((~~\$12,025,000~~))

\$12,396,000

General Fund-Private/Local
Appropriation \$502,000

TOTAL APPROPRIATION ~~\$31,426,000~~

\$32,551,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2016 and 2017 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on

accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(b) In developing the new medicaid managed care rates under which the public mental health managed care system will operate, the department must seek to estimate the reasonable and necessary cost of efficiently and effectively providing a comparable set of medically necessary mental health benefits to persons of different acuity levels regardless of where in the state they live. The department must report to the office of financial management and to the relevant fiscal and policy committees of the legislature on its proposed new mental health managed care rate-setting approach by August 1, 2015, and again at least sixty days prior to implementation of new capitation rates.

(c) Within the amounts appropriated in this section, funding is provided for the department to continue to develop the child adolescent needs and strengths assessment tool and build workforce capacity to provide evidence based wraparound services for children, consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(d) Pursuant to Engrossed Second Substitute House Bill No. 2453 (state hospital oversight) or Substitute Senate Bill No. 6656 (state hospital practices), \$260,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to contract with an external consultant to examine the clinical role of staffing at the state hospitals. The consultant shall report to the department, the office of financial management, and relevant legislative policy and fiscal committees on the consultant's findings and recommendations in accordance with the timelines established in Engrossed Second Substitute House Bill No. 2453 or Substitute Senate Bill No. 6656.

Sec. 1205. 2016 sp.s. c 36 s 205 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund-State Appropriation (FY 2016) \$515,567,000

General Fund-State Appropriation (FY 2017) (~~(\$575,185,000)~~)

\$562,775,000

General Fund-Federal Appropriation (~~(\$1,098,035,000)~~)

\$1,085,132,000

General Fund-Private/Local Appropriation \$534,000

TOTAL APPROPRIATION ~~\$2,189,321,000~~

\$2,164,008,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2016 and \$225 per bed beginning in fiscal year 2017. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(ii) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2016 and \$106 per bed beginning in fiscal year 2017.

(iii) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2016 and \$359 per bed beginning in fiscal year 2017.

(c) \$8,571,000 of the general fund-state appropriation for fiscal year 2016,

\$18,181,000 of the general fund-state appropriation for fiscal year 2017, and \$33,427,000 of the general fund-federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2015-2017 fiscal biennium.

(d) The department shall reimburse with the exceptional care rate adult family homes that provided care solely to clients with HIV/AIDS on or before January 1, 2000, and continue to provide care solely to clients with HIV/AIDS. The department shall not reduce the exceptional care rate from the rate paid on October 1, 2013.

(e) \$774,000 of the general fund-state appropriation for fiscal year 2016, \$1,547,000 of the general fund-state appropriation for fiscal year 2017, and \$7,185,000 of the general fund-federal appropriation are provided solely for a payment system that satisfies medicaid requirements regarding time reporting for W-2 providers. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(f) \$1,184,000 of the general fund-state appropriation for fiscal year 2016, \$2,483,000 of the general fund-state appropriation for fiscal year 2017, and \$4,638,000 of the general fund-federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(g) The department is authorized to establish limited exemption criteria in rule to address RCW 74.39A.325 when a landline phone is not available to the employee.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required

residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) The department of social and health services shall increase the benchmark rates for community residential service businesses providing supported living, group home, and licensed staff residential services for people with developmental disabilities by sixty cents starting July 1, 2015, and by an additional sixty cents starting July 1, 2016.

(j) The department of social and health services shall standardize the administrative rate for community residential service businesses providing supported living, group home, and licensed staff residential services for people with developmental disabilities starting July 1, 2015.

(k) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(l) Within the amounts provided in this subsection, the developmental disabilities administration must prepare a report that describes options for modifying the current system of pre-vocational services for individuals with developmental disabilities. The developmental disabilities administration must not transition clients receiving pre-vocational services into integrated settings until the conclusion of the 2016 legislative session, unless there is a group supported employment, individual employment, or community access opportunity that is supported by the client and his or her legal representative. If a client transitions out of a congregate setting prior to December 1, 2016, then for each client, during the period before and after leaving the congregate setting, the report must describe the hours of service, hours worked, hourly wage, monthly earnings, authorized waiver services, and per capita expenditures. The report must be submitted to the appropriate fiscal and policy committees of the legislature by January 1, 2016. At a minimum, the report must describe the following options:

(i) Modify the current system to ensure compliance with rules established by the centers for medicare and medicaid services;

(ii) Continue the current system without federal matching funds; and

(iii) Transition clients out of congregate settings and into integrated settings. Under this option, the report must describe an anticipated phase-out schedule and medicaid waiver services that could be authorized to mitigate the impact for transitioning clients.

(m) The department shall establish new rules and standards to ensure that adult family homes are monitored and licensed to meet the needs of young adults with a developmental disability. These adult family homes may require a package of services including specialized care assessment and planning, personal care, specialized environmental features, and accommodations.

(n) \$650,000 of the general fund-state appropriation for fiscal year 2016, \$650,000 of the general fund-state appropriation for fiscal year 2017, and \$800,000 of the general fund-federal appropriation are provided solely for the development and implementation of eight enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her family home. The department must provide the legislature with a respite utilization report by January 2, 2016, and each year thereafter that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$550,000 of the general fund-state appropriation for fiscal year 2016, \$550,000 of the general fund-state appropriation for fiscal year 2017, and \$700,000 of the general fund-federal appropriation are provided solely for the development and implementation of eight community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January 2, 2016, and each year

thereafter that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$46,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of either Substitute Senate Bill No. 6329 (parent-to-parent) or House Bill No. 2394 (parent-to-parent program). ~~((If neither bill is enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(q) \$901,000 of the general fund-state appropriation for fiscal year 2017 and \$601,000 of the general fund-federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6564 (providing protections for persons with developmental disabilities). ~~((If this bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(r) \$5,000 of the general fund-state appropriation for fiscal year 2017 and \$7,000 of the general fund-federal appropriation are provided solely to increase vendor rates effective May 1, 2017, for adult residential care and enhanced adult residential care providers consistent with the statewide minimum wage established in Initiative Measure No. 1433.

(2) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2016) \$94,973,000

General Fund-State Appropriation (FY 2017) ~~((~~\$98,257,000~~))~~

\$97,713,000

General Fund-Federal Appropriation ~~((~~\$180,543,000~~))~~

\$180,170,000

General Fund-Private/Local Appropriation \$23,041,000

TOTAL APPROPRIATION ~~\$396,814,000~~

\$395,897,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW

74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$721,000 of the general fund-state appropriation for fiscal year 2016 and \$721,000 of the general fund-state appropriation for fiscal year 2017 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) \$558,000 of the general fund-state appropriation for fiscal year 2016, \$558,000 of the general fund-state appropriation for fiscal year 2017, and \$1,074,000 of the general fund-federal appropriation are for specialized services required by the centers for medicare and medicaid services as a result of preadmission screening and resident review assessments.

(d) \$2,978,000 of the general fund-state appropriation for fiscal year 2016, \$2,978,000 of the general fund-state appropriation for fiscal year 2017, and \$5,956,000 of the general fund-federal appropriation are for additional staff to ensure compliance with centers for medicare and medicaid services requirements for habilitation, nursing care, staff safety, and client safety at the residential habilitation centers.

(e) The residential habilitation centers may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(f) \$100,000 of the general fund-state appropriation for fiscal year 2016, \$100,000 of the general fund-state appropriation for fiscal year 2017, and \$200,000 of the general fund-federal appropriation are provided solely for respite services in an existing eight-bed cottage at Yakima valley school for individuals who are developmentally disabled and in need of crisis stabilization support.

(g) \$834,000 of the general fund-state appropriation for fiscal year 2017 and \$833,000 of the general fund-federal appropriation are provided solely for an additional eight planned respite beds at Yakima valley school.

(3) PROGRAM SUPPORT

General Fund-State Appropriation (FY 2016) \$2,604,000

General Fund-State Appropriation (FY 2017) (~~(\$2,422,000)~~)

\$2,348,000

General Fund-Federal Appropriation (~~(\$3,164,000)~~)

\$3,148,000

TOTAL APPROPRIATION ~~\$8,190,000~~

\$8,100,000

(4) SPECIAL PROJECTS

General Fund-State Appropriation (FY 2016) \$92,000

General Fund-State Appropriation (FY 2017) (~~(\$55,000)~~)

\$201,000

General Fund-Federal Appropriation (~~(\$1,103,000)~~)

\$1,250,000

TOTAL APPROPRIATION ~~\$1,250,000~~

\$1,543,000

Sec. 1206. 2016 sp.s. c 36 s 206 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-AGING AND ADULT SERVICES PROGRAM

General Fund-State Appropriation (FY 2016) \$909,817,000

General Fund-State Appropriation (FY 2017) (~~(\$1,030,159,000)~~)

\$986,784,000

General Fund-Federal Appropriation (~~(\$2,385,151,000)~~)

\$2,345,377,000

General Fund-Private/Local Appropriation \$33,797,000

Traumatic Brain Injury Account-State Appropriation \$3,968,000

Skilled Nursing Facility Safety Net Trust Account-

State Appropriation \$133,360,000

TOTAL APPROPRIATION ~~\$4,497,252,000~~

\$4,413,103,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$178.87 for fiscal year 2016 and shall not exceed (~~(\$197.33)~~) \$196.41 for fiscal year 2017. There will be no adjustments for economic trends and conditions in fiscal years 2016 and 2017. The economic trends and conditions factor or factors defined in the biennial appropriations act shall not be compounded with the economic trends and conditions factor or factors defined in any other biennial appropriations acts before applying it to the component rate allocations established in accordance with chapter 74.46 RCW. When no economic trends and conditions factor for either fiscal year is defined in a biennial appropriations act, no economic trends and conditions factor or factors defined in any earlier biennial appropriations act shall be applied solely or compounded to the component rate allocations established in accordance with chapter 74.46 RCW.

(a) For fiscal year 2016 within the funds provided, the department shall continue to provide an add-on per medicaid resident day per facility not to exceed \$1.57. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$15 in calendar year 2008, according to cost report data. The add-on may also be used to address resulting wage compression for related job classes immediately affected by wage increases to low-wage workers. For fiscal year 2016 within funds provided, the department shall provide an additional add-on per medicaid resident day per facility not to exceed the industry weighted average rate of \$2.44. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$17 in calendar year 2012, according to cost report data. The department shall continue reporting requirements and a settlement process to ensure that the funds are spent according to this subsection.

(b) The department shall do a comparative analysis of the facility-based payment rates calculated on July 1, 2015,

using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the low wage worker add-on found in (a) of this subsection, the rate add-ons for direct care, support services, and therapy care found in (g) of this subsection, the comparative add-on, acuity add-on, and safety net reimbursement, to the facility-based payment rates in effect June 30, 2010. For fiscal year 2016, if the facility-based payment rate calculated on July 1, 2015, is smaller than the facility-based payment rate on June 30, 2010, then the difference shall be provided to the individual nursing facilities as an add-on payment per medicaid resident day.

(c) During the comparative analysis performed in subsection (b) of this section, for fiscal year 2016, if it is found that the direct care rate for any facility calculated using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the low wage worker add-on found in (a) of this subsection, the rate add-ons for direct care, support services, and therapy care found in (g) of this subsection, the comparative add-on, acuity add-on, and safety net reimbursement, is greater than the direct care rate in effect on June 30, 2010, then the facility shall receive a ten percent direct care rate add-on to compensate that facility for taking on more acute clients than they have in the past.

(d) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(e) The rate add-on provided in (c) of this subsection is subject to the reconciliation and settlement process provided in RCW 74.46.022(6).

(f) If the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment is for any reason disapproved, (b), (c), (d), (g), and the fiscal year 2016 additional add-on in (a) of this subsection do not apply.

(g) For fiscal year 2016, the department shall provide the following rate add-ons per medicaid resident day:

(i) A direct care rate add-on of \$3.63 per medicaid resident day;

(ii) A support services rate add-on of \$1.12 per medicaid resident day; and

(iii) A therapy care rate add-on of \$0.05 per patient day.

This subsection (1)(g) is subject to the reconciliation and settlement process provided in RCW 74.46.022(6).

(h) Beginning July 1, 2016, a nursing home provider's direct care rate shall be set so that it does not exceed one hundred and eighteen percent of its base year's direct care allowable costs except if the provider is below the minimum staffing standard established in RCW 74.42.360(2).

(2) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2016 and no new certificates of capital authorization for fiscal year 2017 and shall grant no rate add-ons to payment rates for capital improvements not requiring a certificate of need and a certificate of capital authorization for fiscal years 2016 and 2017.

(3) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2016 and \$225 per bed beginning in fiscal year 2017. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(b) \$193,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to the department to implement a new processing fee of \$700 when adult family home providers file a change of ownership application.

(c) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2016 and \$106 per bed beginning in fiscal year 2017.

(d) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2016 and \$359 per bed beginning in fiscal year 2017.

(4) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

(5) \$3,095,000 of the general fund-state appropriation for fiscal year 2017 and \$3,095,000 of the general fund-federal appropriation are provided within existing appropriations solely to exempt the five highest acuity resource utilization group categories (beginning with PC2 through PE2) from the adjustment to case mix index per RCW 74.46.485. Nursing homes shall be required to notify the department's identified home and community services division contact within 30 days of a medicaid resident being identified in one of the five lowest resource utilization group categories (beginning with PA1 through PC1). The department shall complete an assessment of those residents who desire to transition into a community setting. The department shall identify within 30 days whether an alternate setting of the client's choosing is available to meet the resident's needs. Nursing homes shall work collaboratively with the department to transition into the community at least ninety-six residents, assessed in the five lowest acuity resource utilization group categories (PA1 through PC1). For the first two quarters of fiscal year 2017, the downward adjustment shall be no greater than thirteen percent. If, after the first two quarters of fiscal year 2017, the department determines the nursing homes are not making sufficient progress towards moving ninety-six residents from the five lowest resource utilization group categories (PA1 through PC1) into the community, the department is authorized to increase the downward adjustment to no greater than twenty percent for the lowest four resource utilization group categories (PA1 through PB2).

(6) \$19,747,000 of the general fund-state appropriation for fiscal year 2016, \$41,807,000 of the general fund-state

appropriation for fiscal year 2017, and \$76,770,000 of the general fund–federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2015-2017 fiscal biennium.

(7) \$1,840,000 of the general fund–state appropriation for fiscal year 2016 and \$1,877,000 of the general fund–state appropriation for fiscal year 2017 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(8) \$2,447,000 of the general fund–state appropriation for fiscal year 2016, \$4,894,000 of the general fund–state appropriation for fiscal year 2017, and \$22,725,000 of the general fund–federal appropriation are provided solely for a payment system that satisfies medicaid requirements regarding time reporting for W-2 providers. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(9) The department is authorized to establish limited exemption criteria in rule to address RCW 74.39A.325 when a landline phone is not available to the employee.

(10) \$7,552,000 of the general fund–state appropriation for fiscal year 2016, \$15,974,000 of the general fund–state appropriation for fiscal year 2017, and \$29,742,000 of the general fund–federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(11) Within the amounts appropriated in this section of the general fund–state appropriation for fiscal years 2016 and 2017, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues that is established by this subsection.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members. Four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy options, by conducting at least, but not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Review the regulation of continuing care retirement communities and ways to protect those who reside in them, including the consideration of effective disclosures to residents;

(vi) Identify the needs of older people and people with disabilities for high quality public and private guardianship services and information about assisted decision-making options;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(e) At least one committee meeting must be devoted to a discussion of strategies to improve the quality of care, client safety and well-being, and staff safety within all community and institutional settings. During the meeting, committee members must receive a comprehensive review of findings since fiscal year 2010 by the centers for medicare and medicaid services, and residential care services, in community settings, nursing homes, and each of the residential habilitation centers, with an emphasis on medical errors, inconsistencies between service plans and services provided, the use of restraints, and existence of hazardous environmental conditions.

(f) The committee shall issue an addendum report to the legislature by December 10, 2015, and issue final recommendations to the governor and relevant standing committees of the legislature by December 10, 2016. The addendum report to the legislature must include the following:

(i) A description of the oversight role for residential care services, the long-term care ombuds, the centers for medicare

and medicaid services, and disability rights Washington;

(ii) From the provider perspective, and the perspective of a state agency, an overview of the process for reviewing and responding to findings by residential care services and the centers for medicare and medicaid services;

(iii) A description of the process for notifying the office of the governor and the legislature when problems with quality of care, client safety and well-being, or staff safety arise within community or institutional settings;

(iv) A compilation of findings since fiscal year 2010 by the centers for medicare and medicaid services, and residential care services, at the residential habilitation centers, nursing facilities, supported living, assisted living, group homes, companion homes, adult family homes, and all other community based providers;

(v) An annotated and detailed list of all responses to findings by the centers for medicare and medicaid services, and residential care services, specific to audits of the nursing facility at lakeland village since fiscal year 2010;

(vi) Review the regulation of continuing care retirement communities and ways to protect those who reside in them, including the consideration of effective disclosures to residents;

(vii) Identify the needs of older people and people with disabilities for high quality public and private guardianship services and information about assisted decision-making options;

(viii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(ix) A description of the method in place to ascertain the outcome of responses to findings.

(12) \$5,094,000 of the general fund-state appropriation for fiscal year 2016 and \$5,094,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(13) The department may authorize a one-time waiver of all or any portion of

the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(14) The department shall reimburse with the exceptional care rate adult family homes that provided care solely to clients with HIV/AIDS on or before January 1, 2000, and continue to provide care solely to clients with HIV/AIDS. The department shall not reduce the exceptional care rate from the rate paid on October 1, 2013.

(15) (a) \$100,000 of the general fund-state appropriation for fiscal year 2016, \$100,000 of the general fund-private/local appropriation, and \$200,000 of the general fund-federal appropriation are provided solely for the department of social and health services to contract for an independent feasibility study and actuarial modeling of public and private options for leveraging private resources to help individuals prepare for long-term services and supports needs. The study must model two options: (i) A public long-term care benefit for workers, funded through a payroll deduction that would provide a time-limited long-term care insurance benefit; and (ii) a public-private reinsurance or risk-sharing model, with the purpose of providing a stable and ongoing source of reimbursement to insurers for a portion of their catastrophic long-term services and supports losses in order to provide additional insurance capacity for the state.

(b) The report must include input from the joint committee on aging and disability and other interested stakeholders. The report must also include an analysis of each option based on: (i) The expected costs and benefits for participants; (ii) the total anticipated number of participants; (iii) the projected savings to the state medicaid program, if any; and (iv) legal and financial risks to the state.

(c) The department must provide status updates to the joint legislative executive committee on aging and disability. The feasibility study and actuarial analysis shall be completed and submitted to the department of social and health services by December 20, 2016. The department shall submit a report, including the director's findings and recommendations based on the feasibility study and actuarial analysis, to the governor and the legislature by January 1, 2017.

(16) \$6,195,000 of the general fund-state appropriation for fiscal year 2016, \$13,195,000 of the general fund-state appropriation for fiscal year 2017, and \$20,288,000 of the general fund-federal appropriation are provided solely to implement House Bill No. 1274 (nursing home payment rates).

(17) Within available funds, the aging and long term support administration must create a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(18) \$58,000 of the general fund-state appropriation for fiscal year 2016, \$58,000 of the general fund-state appropriation for fiscal year 2017, and \$114,000 of the general fund-federal appropriation are provided solely to implement Substitute Senate Bill No. 5877 (due process for adult family homes).

(19) \$468,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to expand the kinship navigator program to the Colville Indian reservation, Yakama Nation, and other tribal areas currently without kinship navigator services.

(20) \$37,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to implement Second Substitute House Bill No. 2726 (retirement communities). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

(21) The department shall provide the legislature an analysis of expenditures for medicaid clients served in adult family homes and assisted living facilities by acuity level. The analysis shall include all services provided to medicaid clients in each care setting, including all services covered by the daily rate, and services provided in addition to the daily rate. The department shall submit the report to the legislature by November 15, 2016.

(22) \$308,000 of the general fund-state appropriation for fiscal year 2017 and \$77,000 of the general fund-federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6564 (providing protections for persons with developmental disabilities). ~~((If this bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(23) \$537,000 of the general fund-state appropriation for fiscal year 2017 and \$538,000 of the general fund-federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6656 (state hospital practices) ~~((~~or Engrossed Second Substitute House Bill No. 2453 (state hospital oversight)~~)).~~ The department shall contract with a nursing home facility with an enhanced staffing model able to care for patients coming out of western state hospital. The department must identify and must discharge at least thirty patients from a geriatric ward at western state hospital to alternative settings by January 1, 2017, by utilizing enhanced services facilities and enhanced community services plus nursing home beds. ~~((If neither bill is enacted by June 30, 2016, the amounts provided in this subsection shall lapse.))~~

(24) \$307,000 of the general fund-state appropriation for fiscal year 2017 and \$376,000 of the general fund-federal appropriation are provided solely to increase vendor rates effective May 1, 2017, for nursing homes, assisted living facilities including adult residential care and enhanced adult residential care, adult day care and adult day health providers, and home care agency administration consistent with the statewide minimum wage established in Initiative Measure No. 1433.

Sec. 1207. 2016 sp.s. c 36 s 207 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-ECONOMIC SERVICES PROGRAM

General Fund-State Appropriation (FY 2016) \$396,066,000

General Fund-State Appropriation (FY 2017) ~~((~~\$418,020,000~~))~~

\$390,661,000

General Fund-Federal Appropriation ~~((~~\$1,301,431,000~~))~~

\$1,310,773,000

General Fund-Private/Local Appropriation \$1,950,000

Administrative Contingency Account-State Appropriation \$17,000,000

TOTAL APPROPRIATION ~~\$2,134,467,000~~

\$2,116,450,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$152,953,000 of the general fund-state appropriation for fiscal year 2016, ~~((~~\$171,299,000~~))~~ \$148,524,000 of the general fund-state appropriation for fiscal year 2017, ~~((~~\$779,366,000~~))~~ \$799,758,000 of the general fund-federal appropriation, and the administrative contingency account-state appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting the new structure and no later than December 2015.

(b) ~~((~~\$316,460,000~~))~~ \$302,276,000 of the amounts in (a) of this subsection are provided solely for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance.

(c) ~~((~~\$163,200,000~~))~~ \$160,526,000 of the amounts in (a) of this subsection are provided solely for WorkFirst job search, education and training activities, barrier removal services, limited English

proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. The department shall adopt rules to take effect July 1, 2017, to limit the working family support program at 10,000 households.

(d) (~~(\$477,029,000)~~) \$464,401,000 of the amounts in (a) of this subsection are provided solely for the working connections child care program under RCW 43.215.135. Of the amounts provided in this subsection (1)(d), \$22,040,000 of the appropriation for fiscal year 2017 is provided solely for implementation of chapter 7, Laws of 2015 3rd sp. sess. (early care and education system). Of the amounts provided in this subsection (1)(d), \$8,048,000 of the appropriation for fiscal year 2017 is provided solely for a base rate increase. This funding is for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 905 of this act. The amounts provided in this subsection (d) are provided conditioned on the department of social and health services and the department of early learning taking additional actions to identify and reduce the backlog of overpayment cases related to public assistance programs, including the working connections child care program. The departments shall collaborate and create a plan to triage overpayment cases in a manner that identifies and prioritizes cases with large overpayments and likelihood of fraudulent activity. The departments shall provide a quarterly report to the appropriate policy and fiscal committees of the legislature detailing the specific actions taken as a result of this subsection (d).

(e) (~~(\$163,929,000)~~) \$174,031,000 of the amounts in (a) of this subsection are provided solely for WorkFirst and working connections child care administration and overhead. Of amounts provided in this subsection (1)(e), \$41,000 of the appropriation for fiscal year 2016 is provided solely for implementation of chapter 7, Laws of 2015 3rd sp. sess. (early care and education system).

(f) The amounts in (b) through (~~(d)~~) (e) of this subsection shall be expended for the programs and in the amounts specified. However, the department may transfer up to 10 percent of funding between (b) through (~~(d)~~) (e) of this subsection. The department shall provide

notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(g) Beginning July 1, 2016, and each calendar quarter thereafter, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort; and

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements.

(h) In the 2017-2019 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (b) through (e) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$1,657,000 of the general fund-state appropriation for fiscal year 2016 and \$1,657,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On December 1, 2015, and annually thereafter, the department must report to the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be one hundred percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office

locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$300,000 of the general fund-federal appropriation is provided solely for implementation of Second Substitute House Bill No. 2877 (SNAP benefit distribution dates), provided that the department confirms receipt of SNAP Bonus payments sufficient for the cost of implementing the bill. ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

Sec. 1208. 2016 sp.s. c 36 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-ALCOHOL AND SUBSTANCE ABUSE PROGRAM

General Fund-State Appropriation (FY 2016) \$64,261,000

General Fund-State Appropriation (FY 2017) ~~((\$66,185,000))~~

\$60,811,000

General Fund-Federal Appropriation ~~((\$519,951,000))~~

\$523,815,000

General Fund-Private/Local Appropriation \$20,211,000

Criminal Justice Treatment Account-State

Appropriation \$12,478,000

Problem Gambling Account-State Appropriation \$1,453,000

Dedicated Marijuana Account-State Appropriation

(FY 2016) \$10,736,000

Dedicated Marijuana Account-State Appropriation

(FY 2017) \$24,802,000

TOTAL APPROPRIATION ~~\$720,077,000~~

\$718,567,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within the amounts appropriated in this section, the department may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical

dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the department by request; and (b) indirect charges for administering the program shall not exceed ten percent of the total contract amount.

(2) In accordance with RCW 70.96A.090 and 43.135.055, the department is authorized to adopt fees for the review and approval of treatment programs in fiscal years 2016 and 2017 as necessary to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(3) \$3,500,000 of the general fund-federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(4) \$421,000 of the general fund-state appropriation for fiscal year 2016, \$873,000 of the general fund-state appropriation for fiscal year 2017, and \$1,787,000 of the general fund-federal appropriation are provided solely for implementation of chapter 50, Laws of 2015 (E2SHB 1450) (involuntary outpatient treatment). The department must use these amounts for increases in alcohol and substance abuse treatment associated with implementation of the bill.

(5) \$200,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$200,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for a contract with the Washington state institute for public policy to conduct cost-benefit evaluations of the implementation of chapter 3, Laws of 2013 (Initiative Measure No. 502).

(6) \$500,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$500,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely to design and administer the Washington state healthy youth survey and the Washington state young adult behavioral health survey.

(7) \$395,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$396,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for increasing services to pregnant and parenting women provided through the parent child assistance program.

(8) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for a grant to the office of superintendent of public instruction to provide life skills training to children and youth in schools that are in high needs communities.

(9) \$386,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$386,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely to increase prevention and treatment services provided by tribes to children and youth.

(10) \$683,000 of the dedicated marijuana account-state appropriation for fiscal year 2016, \$2,684,000 of the dedicated marijuana account-state appropriation for fiscal year 2017, and \$1,900,000 of the general fund-federal appropriation are provided solely to increase residential treatment services for children and youth.

(11) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for training and technical assistance for the implementation of evidence based, research based, and promising programs which prevent or reduce substance use disorders.

(12) \$1,000,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$2,434,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for expenditure into the home visiting services account.

(13) \$3,278,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 is provided solely for a memorandum of understanding with the department of social and health services juvenile rehabilitation administration to provide substance abuse treatment programs for juvenile offenders. Of the amounts provided in this subsection:

(a) \$1,130,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 is provided solely for alcohol and substance abuse treatment programs for locally-committed offenders. The juvenile rehabilitation administration shall award these funds as described in section 203(3) of this act.

(b) \$282,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 is provided solely for the expansion of evidence-based treatments and therapies as described in section 203(4) of this act.

(14) \$2,500,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$2,500,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for grants to community-based programs that provide prevention services or activities to youth, including programs for school-based resource officers. These funds must be utilized in accordance with RCW 69.50.540.

(15) Within the amounts provided in this section, regional support networks must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision beginning in April 2016. Effective April 1, 2016, contracts with regional support networks must require that regional support networks include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the department of social and health services must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for

the individuals being served. The department of social and health services must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(16) During the 2015-2017 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the department and providers rather than through contracts with behavioral health organizations. By December 1, 2016, the department must provide a report to the office of financial management and the appropriate committees of the legislature on the readiness for behavioral health organizations to assume the contracts for case management services for pregnant and parenting women.

(17) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for parenting education services focused on pregnant and parenting women.

(18) Within existing appropriations, the department shall prioritize the prevention and treatment of intravenous opiate-based drug use.

(19) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a contract with the Washington State University for the research and development of a marijuana breathalyzer.

(20) \$438,000 of the general fund-state appropriation for fiscal year 2017 and \$185,000 of the general fund-federal appropriation are provided solely for implementation of Third Substitute House Bill No. 1713 (mental health, chemical dependency). (~~If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.~~)

(21) Within the amounts appropriated in this section, the department of social and health services and the health care authority must provide quarterly reports to the chairs of the house of representatives health care and wellness committee, the house of representatives early learning and human services committee, the senate health care committee, and the senate human services, mental health, and housing committee on the integration of mental health and

chemical dependency treatment purchasing through behavioral health organizations and the southwest Washington early adopter model. These reports must include, but are not limited to, an update on reimbursement rates and contracts for providing residential chemical dependency treatment; the numbers of referrals and length of stay for patients referred to chemical dependency treatment; the timing of authorization and payment to providers; the compatibility of patient electronic medical record data between behavioral health organizations, managed care organizations in the southwest Washington regional service area, and providers; and the status of contracted providers. Behavioral health organizations and managed care organizations in the southwest Washington regional service area must be required to immediately report when notified that a provider is in jeopardy of closure. The department and the health care authority must immediately assess whether and take actions to ensure that the behavioral health organization or managed care plans impacted by the provider closure have an adequate transition plan to maintain an adequate network and provide access to medically necessary treatment services for enrollees. These reports shall begin April 1, 2016, and end on October 31, 2016.

(22) Within existing appropriations for fiscal year 2017, the department shall conduct a two-part study of substance use provider capacity and substance use provider outcomes in the state. The provider capacity report must provide information about publicly funded providers, including their number, geographical location, populations served, and treatment methodologies employed. The provider outcome report must examine variation in client outcome for these providers using statistical models to mitigate the impact of case mix. Where possible, outcomes must be aligned with specifications developed as directed by Second Substitute Senate Bill No. 5732, (chapter 338, Laws of 2013) and Engrossed Substitute House Bill No. 1519 (chapter 320, Laws of 2013). The two reports shall be submitted to the governor and appropriate committees of the legislature by June 1, 2017.

(23) \$500,000 of the criminal justice treatment account-state appropriation is provided solely to increase funding for substance abuse treatment and support services for offenders and to support drug courts.

Sec. 1209. 2016 sp.s. c 36 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund—State Appropriation (FY 2016) \$12,866,000

General Fund—State Appropriation (FY 2017) (~~(\$13,353,000)~~)

\$13,414,000

General Fund—Federal Appropriation (~~(\$98,491,000)~~)

\$109,988,000

TOTAL APPROPRIATION ~~\$124,710,000~~

\$136,268,000

The appropriations in this section are subject to the following conditions and limitations: \$11,510,000 of the general fund-federal appropriation is provided solely for the department to spend existing federal grant dollars to meet new program demands pursuant to the working innovation and opportunity act.

Sec. 1210. 2016 sp.s. c 36 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM

General Fund—State Appropriation (FY 2016) \$39,490,000

General Fund—State Appropriation (FY 2017) (~~(\$40,823,000)~~)

\$42,488,000

TOTAL APPROPRIATION ~~\$80,313,000~~

\$81,978,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$78,000 of the general fund-state appropriation for fiscal year 2016 and \$78,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement House Bill No. 1059 (sexually violent predators).

(2) The department shall review its current food services for the special commitment center for opportunities to consolidate and centralize, emphasizing opportunities for increased efficiency. The department shall consider consolidating and centralizing the

department's institutional food service by examining: (a) Consistent daily meals across institutions; (b) off-site meal preparation and cook-chill meals; and (c) increased use of the department of correction's correctional industries institutional food service. Any food service improvements must account for special diets and consistency with established dietary intakes of the food and nutrition board of the national research council.

(3) Within the amounts provided in this section, the special commitment center must explore entering into an interagency agreement with the University of Washington. The interagency agreement would allow the department to receive drug pricing under 340B of the public health services act for drug purchases associated with treating patients with hepatitis C or other diseases, whereby the university is acting as the covered entity or safety-net provider. In cooperation with the University of Washington, the special commitment center must provide an estimate of the fiscal impact of a successful agreement of this nature, to be included in the report provided to the legislature under section 606 of this act.

(4) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(5) \$15,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of a memorandum of understanding between the governor and the service employees international union healthcare 1199nw amending the collective bargaining under chapter 41.80 RCW for the 2015-2017 fiscal biennium as set forth in section 902 of this act. The legislature recognizes that the memorandum of understanding was necessitated by an emergency and an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety and health of clients and employees.

Sec. 1211. 2016 sp.s. c 36 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund-State Appropriation (FY 2016) \$34,207,000

General Fund-State Appropriation (FY 2017) (~~(\$34,533,000)~~)

\$34,943,000

General Fund-Federal Appropriation (~~(\$41,153,000)~~)

\$41,312,000

General Fund-Private/Local Appropriation \$654,000

TOTAL APPROPRIATION ~~\$110,547,000~~

\$111,116,000

The appropriations in this section are subject to the following conditions and limitations: \$300,000 of the general fund-state appropriation for fiscal year 2016 and \$300,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a Washington state mentoring organization to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

Sec. 1212. 2016 sp.s. c 36 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES-PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund-State Appropriation (FY 2016) \$72,717,000

General Fund-State Appropriation (FY 2017) (~~(\$76,957,000)~~)

\$77,640,000

General Fund-Federal Appropriation (~~(\$58,973,000)~~)

\$59,216,000

TOTAL APPROPRIATION ~~\$208,647,000~~

\$209,573,000

The appropriations in this section are subject to the following conditions and limitations: \$8,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to implement chapter 240, Laws of 2015 (extended foster care).

Sec. 1213. 2016 sp.s. c 36 s 213 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY

During the 2015-2017 fiscal biennium, the health care authority shall provide support and data as required by the office

of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecasts and utilization assumptions, the authority, after May 1, ~~((2016))~~ 2017, may transfer general fund-state appropriations for fiscal year ~~((2016))~~ 2017 that are provided solely for a specified purpose. The authority shall not transfer funds, and the director of financial management

shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) MEDICAL ASSISTANCE

General Fund-State Appropriation (FY 2016) \$1,950,827,000

General Fund-State Appropriation (FY 2017) ~~((2,054,119,000))~~

\$2,026,008,000

General Fund-Federal Appropriation ~~((11,217,550,000))~~

\$11,179,998,000

General Fund-Private/Local Appropriation ~~((70,787,000))~~

\$82,590,000

Emergency Medical Services and Trauma Care Systems

Trust Account-State Appropriation \$15,086,000

Hospital Safety Net Assessment Account-State

Appropriation ~~((689,942,000))~~

\$686,952,000

Medicaid Fraud Penalty Account-State Appropriation \$18,491,000

Medical Aid Account-State Appropriation \$528,000

Dedicated Marijuana Account-State Appropriation

(FY 2016) \$7,791,000

Dedicated Marijuana Account-State Appropriation

(FY 2017) ~~((12,979,000))~~

\$14,133,000

State Health Care Authority Administration Account-State

Appropriation ~~((106,000))~~

\$75,000

TOTAL APPROPRIATION ~~\$16,039,206,000~~

\$15,982,479,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$35,794,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for medicaid services based on the February caseload and medicaid forecasts contingent upon: (i) Transfer of the medicaid forecast function to the office of financial management, by July 1, 2016; (ii) the authority executing necessary, timely data sharing agreements with the office of the state actuary; (iii) the authority providing support and data as required by the office of the state actuary necessary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority; (iv) transfer of the administration of the managed care actuarial rate setting contract from the authority to the office of financial management; and (v) the authority consulting with the medical assistance forecast work group prior to accepting the actuarial contractor's managed care rate recommendations.

(b) \$121,599,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for holding medicaid managed care capitation rates flat at calendar year 2016 levels in state fiscal year and calendar year 2017. To achieve this target, the authority shall engage with a group composed of the office of financial management, the medicaid forecast work group, and the managed care plans on a range of strategies developed both by the authority and the group. The authority shall obtain actuarial analysis, support, and recommendations during this process, and the state actuary shall obtain independent actuarial analysis. By August 1, 2016, the authority shall present the progress made on the initiative to the joint select committee on health care, identifying any possible changes in statute needed to achieve the goal and the possible impacts on clients. The authority shall complete the plan and

report to the appropriate committees of the legislature by October 1, 2016.

(c) \$1,894,672,000 of the general fund-state appropriation for fiscal year 2016 and \$1,915,233,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for medicaid services and the medicaid program. However, the authority shall not accept or expend any federal funds received under a medicaid transformation demonstration waiver currently being sought under healthier Washington, except as described in (d) through (g) of this subsection, until specifically approved and appropriated by the legislature.

(d) No more than (~~(\$127,336,000)~~) \$121,050,000 of the general fund-federal appropriation and \$12,226,000 of the general fund-local appropriation may be expended for transformation through accountable communities of health described in initiative 1 of the medicaid transformation demonstration waiver currently being sought under healthier Washington, including preventing youth drug use. The authority shall not increase general fund-state expenditures on this initiative. The authority shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the manner, form, and time requested by the legislative fiscal committees.

(e) ((No more than \$5,223,000 of the general fund-federal appropriation may be expended for tailored support for older adults and medicaid alternative care described in initiative 2 of the medicaid transformation demonstration waiver currently being sought under healthier Washington. The authority shall not increase general fund-state expenditures on this initiative. The authority shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the manner, form, and time requested by the legislative fiscal committees.

~~(f))~~ No more than (~~(\$9,425,000)~~) \$5,392,000 of the general fund-federal appropriation may be expended for supportive housing and supportive employment services described in initiative 3(~~(f))~~) of the medicaid transformation demonstration waiver currently being sought under healthier Washington. The authority shall not increase general fund-state expenditures on this initiative. The authority shall

report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the manner, form, and time requested by the legislative fiscal committees.

((g)) No more than \$5,567,000 of the general fund-federal appropriation may be expended for supportive employment services described in initiative 3(b) of the medicaid transformation demonstration waiver currently being sought under healthier Washington. The authority shall not increase general fund-state expenditures on this initiative. The authority shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the manner, form, and time requested by the legislative fiscal committees.

~~((h))~~ (f) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

((~~i~~)) (g) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

((~~j~~)) (h) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

((~~k~~)) (i) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

~~((l))~~ (j) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

~~((m))~~ (k) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

~~((n))~~ (l) \$4,261,000 of the general fund-state appropriation for fiscal year 2016, \$4,261,000 of the general fund-state appropriation for fiscal year 2017, and \$8,522,000 of the general fund-federal appropriation are provided solely for low-income disproportionate share hospital payments.

~~((o))~~ (m) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

~~((p))~~ (n) \$6,000,000 of the general fund-federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost

settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

~~((+))~~ (o) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2015-2017 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2015, and by November 1, 2016, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2016 and fiscal year 2017, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2015-2017 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment

amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2015-2017 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. \$14,014,000 of the general fund-state appropriation for fiscal year 2016 and ~~((9,700,000))~~ \$9,855,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for state grants for the participating hospitals.

~~((+))~~ (p) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

~~((+))~~ (q) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase

federal funding for maternity support services by leveraging local public funding for those services.

~~((t))~~ (r) Within the amounts appropriated in this section, the authority shall identify strategies to improve patient adherence to treatment plans for diabetes and implement these strategies as a pilot through one health home program to be identified by the authority. The authority shall report to the governor and legislature in December 2015 on patient outcomes and cost savings derived from new adherence strategies in the health home model and make recommendations for improving the strategies.

~~((u))~~ (s) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

~~((v))~~ (t) \$88,000 of the medicaid fraud penalty account-state appropriation and \$567,000 of the general fund-federal appropriation are provided solely to implement the conversion to the tenth version of the world health organization's international classification of diseases.

~~((w))~~ (u) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

~~((x))~~ (v) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

~~((y))~~ (w) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. No later than October 1, 2015, the health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

~~((z))~~ (x) \$90,000 of the general fund-state appropriation for fiscal year 2016, \$90,000 of the general fund-state

appropriation for fiscal year 2017, and \$180,000 of the general fund-federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

~~((aa))~~ (y) The appropriations in this section reflect savings and efficiencies by transferring children receiving medical care provided through fee-for-service to medical care provided through managed care.

~~((ab))~~ (z) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

~~((ac))~~ (aa) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

~~((ad))~~ (bb) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

~~((ae))~~ (cc) \$227,000 of the general fund-state appropriation for fiscal year 2016, \$461,000 of the general fund-state appropriation for fiscal year 2017, and \$734,000 of the general fund-federal appropriation are provided solely to implement Substitute Senate Bill No. 5317 (enhanced autism screening - bright futures).

~~((af))~~ (dd) \$4,278,000 of the general fund-private/local appropriation and \$9,835,000 of the general fund-federal appropriation are provided solely to implement House Bill No. 2007 (emergency medical transportation).

~~((ag))~~ (ee) Within amounts appropriated in this section, the health care authority shall conduct a review of its adult dental program in cooperation with and utilizing resources from Washington dental services foundation. The authority shall develop a plan to implement an expanded oral health care

program for adults with diabetes and pregnant women. A report summarizing the authority's implementation plan and an estimation of cost savings must be submitted to the governor and the appropriate committees of the legislature by December 1, 2015.

~~((hh))~~ (ff) No more than \$452,000 of the general fund-state appropriation for fiscal year 2016 and no more than \$723,000 of the general fund-state appropriation for fiscal year 2017 may be expended for reimbursement for nonhospital based rural health clinics auditing costs to complete annual payment reconciliations for calendar years 2011-2013 as required under 42 U.S.C. Sec. 1396a (bb) (5) (A). The department shall use the agreed-upon procedures to complete the reconciliations. Nonhospital-based clinics shall be reimbursed for the cost of auditing using the agreed-upon procedures for payment reconciliation for this time period only.

~~((ii))~~ (gg) The appropriations in this section represent a transfer of expenditure authority of \$2,333,000 of the general fund-federal appropriation for fiscal year 2016 and \$1,782,000 of the general fund-federal appropriation for fiscal year 2017 to the office of financial management to implement Engrossed Substitute Senate Bill No. 5084 (all payer claims database).

~~((jj))~~ (hh) Pursuant to RCW 41.06.142(3), the authority shall implement a pilot program within existing resources to understand the nature and depth of potential fraud, waste, and abuse and the creation of operational efficiencies within the provider and beneficiary system. The pilot program shall examine streamlining provider enrollment and compliance within the current affordable care act screening requirements and include a post-enrollment review of those currently enrolled in medicaid to determine if there have been changes in demographics, including but not limited to becoming deceased, incarcerated, or residing out of state. The pilot program shall be conducted by the authority in partnership with a third-party vendor that uses national public records data as well as provider-specific data. The authority shall prepare a report to the governor and legislative fiscal committees by December 15, 2015.

~~((kk))~~ (ii) Within amounts appropriated in this section, the health care authority shall conduct a review of

its federally qualified health center encounter rates and rural health center encounter rates in comparison to current uniform medical plan rates for the same or similar services. The authority shall consult with the centers for medicare and medicaid services to determine whether federally qualified encounter rates may be adjusted to uniform medical plan rates as a reasonable proxy to cost. The authority must submit a report to the governor and the appropriate committees of the legislature that includes which encounter rates exceed uniform medical rates, the amount by which the rates are exceeded, and the annual cost of paying above uniform medical rates. The report shall also include the steps the authority has taken with the centers for medicare and medicaid services to ensure that rates bear a reasonable relationship to costs incurred by efficiently and economically operated facilities, including whether uniform medical plan or commercial rates may be considered a reasonable proxy to cost. The report must be submitted by January 1, 2016. By September 15, 2016, the authority is directed to directly consult with the centers for medicaid and medicare services to determine whether federally qualified encounter rates may be adjusted to uniform medical plan rates as a reasonable proxy to cost and resubmit the report to include the results of this consultation.

~~((ll))~~ (jj) \$1,035,000 of the general fund-state appropriation for fiscal year 2016, \$965,000 of the general fund-state appropriation for fiscal year 2017, and \$1,846,000 of the general fund-federal appropriation are provided solely for customer service staff to reduce call wait times and improve the number of calls answered by the authority.

~~((mm))~~ (kk) \$386,000 of the general fund-state appropriation for fiscal year 2016, \$361,000 of the general fund-state appropriation for fiscal year 2017, and \$2,018,000 of the general fund-federal appropriation are provided solely for additional staff to support timely resolution of eligibility-related issues for medicaid clients.

~~((nn))~~ (ll) (i) \$123,000 of the general fund-state appropriation for fiscal year 2016, \$118,000 of the general fund-state appropriation for fiscal year 2017, \$48,000 of the state health care authority administrative account-state appropriation, and \$312,000 of the general fund-federal appropriation are provided

solely to establish the bleeding disorder collaborative for care.

(ii) The collaborative must consist of three representatives from the authority, three representatives from the largest organization in Washington representing patients with bleeding disorders, two representatives from state designated bleeding disorder centers of excellence, and two representatives of federally funded hemophilia treatment centers based in Washington. The collaborative may invite the participation of other persons with expertise that may assist the collaborative in its responsibilities. The collaborative shall adopt a transparent process that allows for public comment prior to the final adoption of any evidence-based practice.

(iii) The collaborative shall:

(A) Identify and develop evidence-based practices to improve care to patients with bleeding disorders with specific attention to health care cost reduction. To the extent that evidence-based practices are unavailable, the collaborative shall research and create the practices or compile the necessary information. In the event that research on evidence is incomplete, the collaborative may consider research-based practices or emerging best practices;

(B) Make recommendations regarding the dissemination of the evidence-based practices to relevant health care professionals and support service providers and propose options for incorporating evidence-based practices into their treatment regimens; and

(C) Assist the authority in the development of a cost-benefit analysis regarding the use of evidence-based practices for specific populations in state-purchased health care programs.

(iv) The authority shall report to the governor and the legislature by September 1, 2016, regarding the evidence-based practices that have been developed, the clinical and fiscal implications of their implementation, and a strategy for disseminating the practices and incorporating their use among health care professionals in various state-financed health care programs.

~~((oo))~~ (mm) The authority shall use revenue appropriated from the dedicated marijuana fund for contracts with community health centers under RCW 69.50.540 in lieu of general fund-state

payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

~~((pp))~~ (nn) In collaboration with the state hospital association, the authority shall develop and implement a process to review hospital cost report information for new, in-state hospital psychiatric inpatient services that have not had provider specific costs and determine the hospital-specific per diem rate as currently defined for existing providers of psychiatric inpatient services. As a result of this action, the authority shall not incur expenditures in the current biennium. The authority shall report to the office of financial management and appropriate committees of the legislature the following information no later than October 1, 2017:

(i) The number of potential new psychiatric beds;

(ii) The number of potential new psychiatric beds that were previously designated as acute beds;

(iii) The total estimated costs for all new potential psychiatric beds;

(iv) The potential savings or expenditures derived from change in bed type usage; and

(v) The state fiscal years in which potential costs and savings are likely to incur.

~~((qq))~~ (oo) To further the goals of better care, better health outcomes, and reduced per capita costs of health care, the authority shall review its reimbursement methods and rates for births performed at birth centers. The authority shall report to the governor and appropriate committees of the legislature by October 15, 2016, with recommendations for adjusting reimbursement methods and levels, improving access to care, improving the cesarean section rate, and savings options for utilizing birth centers as an alternative to hospitals.

~~((rr))~~ (pp) The authority shall submit reports to the governor and the legislature by September 15, 2016, and by September 15, 2017, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and

benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

~~((ss))~~ (qq) Within amounts appropriated in this section, the authority shall implement Substitute Senate Bill No. 6430 (continuity of care) to update the ProviderOne and HealthPlanFinder systems to allow suspension rather than termination of medical assistance benefits for persons who are incarcerated or committed to a state hospital subject to the same conditions, limitations, and review provided in section 705 (3) through (6), chapter 4, Laws of 2015 3rd sp. sess. (Engrossed Substitute Senate Bill No. 6052).

~~((tt))~~ (rr) Within amounts appropriated within this section, the authority is directed to increase reimbursement rates for licensed practical nurses and registered nurses providing skilled nursing services in a home setting by \$10.00 per hour. This increase shall be offset by decreases in inpatient hospitalization. The authority is directed to work in collaboration with the home health association and the Washington state hospital association to develop a plan to show how improved access to home health nursing reduces potentially preventable readmissions, increases access to care, reduces hospital length of stay, and prevents overall hospital admissions for clients receiving private-duty nursing, medically intensive care, or home health benefits. The authority shall submit a report to the governor and appropriate committees of the legislature by December 15, 2016, with details of this plan.

~~((uu))~~ (ss) The appropriations in this section include specific funds for the purpose of implementing Engrossed Second Substitute House Bill No. 2439 (youth mental health).

~~((vv))~~ (tt) Within the amounts appropriated in this section, the health care authority in cooperation with the Washington dental services foundation, the Washington state dental association, and other interested stakeholders shall develop a plan to increase access to care

by expanding the medicaid dental network through contracting out the administration of the medicaid dental program. This plan shall include but not be limited to engaging dental expertise in the administration, improving the provider and patient experience, aligning the benefit package with evidence-based care, and beginning to test innovative models of delivery consistent with the goals of the healthier Washington initiative. The authority shall also review options to include contracting with one or more medicaid managed care plans or a third-party administrator. The report summarizing the authority's implementation plan and an estimate of the cost to execute this plan must be submitted to the governor and the appropriate committees of the legislature by December 1, 2016. The plan shall not be implemented until specifically authorized by the legislature.

~~((ww))~~ (uu) \$608,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to implement the provider access line (PAL) plus pilot program. For purposes of the PAL plus pilot program, the authority shall work in collaboration with faculty from the University of Washington working on the integration of mental health and medical care.

(i) The PAL plus service is targeted to help children and families with medicaid coverage who have mental health concerns not already being served by the regional support network system or other local specialty care providers, and who instead receive treatment from their primary care providers. Services must be offered by regionally based and multipractice shared mental health service providers who deliver in person and over the telephone the following services upon primary care request:

- (A) Evaluation and diagnostic support;
- (B) Individual patient care progress tracking;
- (C) Behavior management coaching; and
- (D) Other evidence supported psychosocial care supports which are delivered as an early and easily accessed intervention for families.

(ii) The PAL team of child psychiatrists and psychologists shall provide mental health service providers with training and support, weekly care plan reviews and support on their

caseloads, and direct patient evaluations for selected enhanced assessments, and must utilize a shared electronic reporting and tracking system to ensure that children not improving are identified as such and helped to receive additional services. The PAL team shall promote the appropriate use of cognitive behavioral therapies and other treatments which are empirically supported or evidence-based and encourage providers to use psychotropic medications as a last resort.

(iii) The authority shall monitor PAL plus service outcomes, including, but not limited to:

(A) Characteristics of the population being served;

(B) Process measures of service utilization;

(C) Behavioral health symptom rating scale outcomes of individuals and aggregate rating scale outcomes of populations of children served;

(D) Claims data comparison of implementation versus non-implementation regions;

(E) Service referral patterns to local specialty mental health care providers; and

(F) Family and provider feedback.

(iv) By December 31, 2017, the authority shall make a preliminary evaluation of the viability of a statewide PAL plus service program and report to the appropriate committees of the legislature, with a final evaluation report due by December 31, 2018. The final report must include recommendations on sustainability and leveraging funds through behavioral health and managed care organizations.

(2) PUBLIC EMPLOYEES BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAMS

State Health Care Authority
Administration Account—

State Appropriation \$38,732,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$162,000 of the state health care authority administration account—state appropriation is for the health care authority to work with participating employers to minimize employer penalties that may be incurred by employers not providing health benefit coverage for

part-time employees that are defined as full-time employees under the employer shared responsibility provisions of the federal affordable care act.

(b) (i) The state employer contribution for state employee insurance benefits is reduced for fiscal year 2017 from \$894 per month to \$888 per month. Reductions are achieved while maintaining fully funded reserves through the use of accumulated surplus funds due to reduced claims costs, and reduced litigation costs due to the settlement of the litigation in the four *Moore, et al. v. Health Care Authority* and the state of Washington cases. The authority is required to review the effectiveness of the wellness program known as smarthealth, and report to the appropriate committees of the legislature on the effectiveness of the wellness program on a quarterly basis beginning no later than June 30, 2016. The effectiveness report shall include information on the contractors' communication strategies, rates of employee engagement, and the identification and quarterly measurement of employee wellness outcome criteria, such as the rates of sick leave use and of improvements in chronic medical conditions among wellness plan participants. Prior to procuring contracts for health insurance and services for the 2017 calendar year, the authority shall also present the findings on the effectiveness of the wellness plan, including per plan member and per wellness plan-participant costs of the wellness program at a public meeting of the public employees' benefits board.

(ii) The authority and the public employees' benefits board shall consult with the Washington state institute for public policy on the cost-effectiveness of the wellness plan and any changes to the plan that can be made to increase the health care efficiency of the wellness plan.

(iii) The authority and the public employees' benefits board shall ensure that procurement for employee health benefits during the 2017-2019 fiscal biennium is consistent with the funding limitations provided in sections 908 through 910 of this act.

(3) HEALTH BENEFIT EXCHANGE

General Fund—State Appropriation (FY 2016) \$5,942,000

General Fund—State Appropriation (FY 2017) \$5,184,000

General	Fund-Federal
Appropriation ((\$49,410,000))	
\$47,986,000	
Health Benefit Exchange Account-State	
Appropriation ((\$50,503,000))	
\$52,736,000	
TOTAL APPROPRIATION(\$111,039,000)	
\$111,848,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(b) \$4,755,000 of the health benefit exchange account-state appropriation and \$5,069,000 of the general fund-federal appropriation are provided solely for the customer service call center.

(c) \$577,000 of the general fund-state appropriation for fiscal year 2016, \$810,000 of the general fund-state appropriation for fiscal year 2017, \$3,606,000 of the health benefit exchange account-state appropriation, and \$1,389,000 of the general fund-federal appropriation are provided solely for in-person assisters and outreach to help individuals and families complete applications for health coverage.

(d) \$1,417,000 of the health benefit exchange account-state appropriation and \$8,218,000 of the general fund-federal appropriation are provided solely to fund the design, development, implementation, operation, and maintenance of the health benefit exchange's information technology systems.

(e) The authority shall require the exchange to submit to the authority and the appropriate committees of the legislature by September 30, 2015, and September 30, 2016, a detailed report including:

(i) Salaries of all current employees of the exchange, including starting salary, any increases received, and the basis for any increases; and

(ii) Salary, overtime, and compensation policies for staff of the exchange.

(f) The authority shall require the exchange to submit to the authority and the appropriate committees of the legislature on a monthly basis:

(i) A report of all expenses; and

(ii) Beginning and ending fund balances, by fund source; and

(iii) Any contracts or contract amendments signed by the exchange; and

(iv) An accounting of staff required to operate the exchange broken out by full time equivalent positions, contracted employees, temporary staff, and any other relevant designation that indicates the staffing level of the exchange.

(g)(i) By July 31, 2016, the authority shall make a payment of half the general fund-state appropriation for fiscal year 2017 and half the health benefit exchange account-state appropriation to the health benefit exchange. By January 31, 2017, the authority shall make a payment of the remaining half of the general fund-state appropriation for fiscal year 2017 and the remaining half of the health benefit exchange account-state appropriation to the health benefit exchange.

(ii) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(iii) Payments made from general fund-state appropriation and health benefit exchange account-state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(iv) As the state designated medicaid agency, the authority is responsible for maximizing the recovery of federal medicaid dollars and the timely application and follow-up for obtaining federal approval of advanced planning documents (APD). The authority shall work with the exchange to submit an APD that maximizes the recovery of medicaid costs incurred by the exchange, including indirect administrative and operational

costs, no later than sixty days after the enactment of the omnibus appropriations act each year.

(h) \$70,000 of the general fund-state appropriation for fiscal year 2016, \$38,000 of the general fund-state appropriation for fiscal year 2017, \$204,000 of the health benefit exchange account-state appropriation, and \$110,000 of the general fund-federal appropriation are provided solely for improvements to the health benefit exchange financial system.

Sec. 1214. 2016 sp.s. c 36 s 214 (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund-State Appropriation (FY 2016) \$2,091,000

General Fund-State Appropriation (FY 2017) (~~(\$2,092,000)~~)

\$2,301,000

General Fund-Federal Appropriation \$2,307,000

TOTAL APPROPRIATION ~~\$6,490,000~~

\$6,699,000

Sec. 1215. 2016 sp.s. c 36 s 216 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund-State Appropriation (FY 2016) \$18,996,000

General Fund-State Appropriation (FY 2017) (~~(\$17,543,000)~~)

\$19,467,000

General Fund-Private/Local Appropriation (~~(\$4,745,000)~~)

\$5,715,000

Death Investigations Account-State Appropriation \$148,000

24/7 Sobriety Account-State Appropriation \$30,000

Municipal Criminal Justice Assistance Account-

State Appropriation \$460,000

Washington Auto Theft Prevention Authority Account-

State Appropriation (~~(\$7,668,000)~~)

\$7,632,000

TOTAL APPROPRIATION ~~\$49,590,000~~

\$52,448,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund-state appropriation for fiscal year 2016 and \$5,000,000 of the general fund-state appropriation for fiscal year 2017, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130. The association may use no more than \$50,000 per fiscal year of the amounts provided on program management activities.

(2) \$605,280 of the general fund-local appropriation is provided solely to purchase ammunition for the basic law enforcement academy. Jurisdictions shall reimburse to the criminal justice training commission the costs of ammunition, based on the average cost of ammunition per cadet, for cadets that they enroll in the basic law enforcement academy.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a school safety program. The commission, in collaboration with the school safety center advisory committee, shall provide the school safety training for all school administrators and school safety personnel hired after the effective date of this section.

(5) \$96,000 of the general fund-state appropriation for fiscal year 2016 and \$96,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the school safety center within the commission. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, and review and approve manuals and curricula used for school safety models and training. Through an interagency agreement, the commission shall provide funding for the office of the

superintendent of public instruction to continue to develop and maintain a school safety information web site. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety, for all school safety personnel. The commission shall provide research-related programs in school safety and security issues beneficial to both law enforcement and schools.

(6) \$123,000 of the general fund-state appropriation for fiscal year 2016 and \$123,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the costs of providing statewide advanced driving training with the use of a driving simulator.

(7) \$644,000 of the general fund-state appropriation for fiscal year 2016 and \$595,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Second Substitute Senate Bill No. 5311 (crisis intervention training).

(8) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the criminal justice training commission to develop and deliver research-based programs to instruct, guide, and support local law enforcement agencies in fostering the "guardian philosophy" of policing, which emphasizes de-escalating conflicts and reducing the use of force.

(9) \$429,000 of the general fund-state appropriation for fiscal year 2016 and \$429,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for deposit into the nonappropriated Washington internet crimes against children account for the implementation of Second Substitute Senate Bill No. 5215 (internet crimes against children).

(10) \$300,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to the Washington association of sheriffs and police chiefs to fund pilot projects for law enforcement agencies in Spokane, Spokane Valley, and Spokane County to set up auto theft task forces in high risk locations and increase the use of teams devoted to combating residential burglary.

(11) \$5,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the purpose of

implementing House Bill No. 1448 (suicide threat response).

Sec. 1216. 2016 sp.s. c 36 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund-State Appropriation (FY 2016) \$16,307,000

General Fund-State Appropriation (FY 2017) \$17,611,000

General Fund-Federal Appropriation \$11,876,000

Asbestos Account-State Appropriation \$1,177,000

Electrical License Account-State Appropriation \$48,157,000

Farm Labor Contractor Account-State Appropriation \$28,000

Worker and Community Right-to-Know Account-

State Appropriation \$972,000

Public Works Administration Account-State

Appropriation \$7,629,000

Manufactured Home Installation Training Account-

State Appropriation \$355,000

Accident Account-State Appropriation (~~(\$281,472,000)~~)

\$282,767,000

Accident Account-Federal Appropriation (~~(\$13,626,000)~~)

\$14,501,000

Medical Aid Account-State Appropriation (~~(\$296,297,000)~~)

\$297,066,000

Medical Aid Account-Federal Appropriation (~~(\$3,186,000)~~)

\$3,341,000

Plumbing Certificate Account-State Appropriation \$1,783,000

Pressure Systems Safety Account-State

Appropriation \$4,250,000

TOTAL APPROPRIATION ~~\$704,726,000~~

\$707,820,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 100, Laws of 2015 (Substitute Senate Bill No. 5897).

(2) \$2,300,000 of the medical aid account-state appropriation is provided solely for implementation of chapter 137, Laws of 2015 (Substitute House Bill No. 1496).

(3) \$494,000 of the medical aid account-state appropriation and \$1,580,000 of the accident fund-state appropriation are provided solely for continuation of the logger safety initiative.

(4) \$4,923,000 of the medical aid account-state appropriation and \$4,924,000 of the accident fund-state appropriation are provided solely for the first phase of the department's plan to replace its labor and industries industrial insurance information technology system subject to the same conditions, limitations, and review provided in section 705 (3) through (6) of this act.

(5) \$3,548,000 of the electrical license account-state appropriation is provided solely for the department to develop a modern and mobile information technology system for its electrical inspection program subject to the same conditions, limitations, and review provided in section 705 (3) through (6) of this act.

(6) The department is directed under RCW 39.12.070 to adjust its fee schedule for statements of intent to pay prevailing wages and certification of affidavits of wages paid to remove or lower fees for contractors and subcontractors whose contract amounts are less than seven hundred fifty dollars beginning on January 1, 2016.

(7) \$140,000 of the public works administration account-state appropriation is provided solely for implementation of chapter 40, Laws of 2015 3rd sp. sess. to create an electronic option for employers to submit prevailing wage surveys.

(8) \$640,000 of the medical aid account-state appropriation is provided solely for a pilot program under which the department partners with an experienced firm or firms to manage care involving catastrophically injured workers.

(a) For each injured worker referred by the department the firm must propose a contract identifying a case outcome, the treatment needed to achieve it, and a fixed price for doing so.

(b) If the department agrees to the contract: (i) The firm must assume responsibility at the fixed price for the medical management and may include all medical costs until the outcome is achieved; (ii) the department retains the authority to approve or deny particular treatments; and (iii) the department retains the responsibility to accept and pay providers' actual bills, and the firm's compensation will be the difference between the fixed price and actual medical costs, if the firm chooses to propose a contract that includes medical costs.

(c) The department must contract with the firm or firms to manage at least twelve catastrophic cases each fiscal year, starting in fiscal year 2017, provided there is at least that many cases where: (i) An injured worker elects to be served by the firm; and (ii) the fixed price proposed by the firm is lower than the amount the department would pay to achieve the identified outcome if it did not contract with the firm.

(d) The department must provide a written report on the pilot program to the appropriate committees of the legislature in December 2016 and annually through December 2019 or the last December following termination of the contacts by the firm or firms or department.

(9) \$1,130,000 of the public works administration account-state appropriation is provided solely for the department's prevailing wage technology project subject to the same conditions, limitations, and review provided in section 705 (3) through (6), chapter 4, Laws of 2015 3rd sp. sess. (Engrossed Substitute Senate Bill No. 6052).

(10) \$738,000 of the medical aid account-state appropriation is provided solely to expand the use of evidence-based best practices to reduce the risk of long-term disabilities among injured workers. By December 1, 2016, the department must report to the appropriate committees of the legislature with performance measures

and metrics to be used to evaluate whether the funded activities are improving care and outcomes for injured workers.

Sec. 1217. 2016 sp.s. c 36 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund-State Appropriation (FY 2016) \$1,810,000

General Fund-State Appropriation (FY 2017) \$2,662,000

Charitable, Educational, Penal, and Reformatory

Institutions Account-State
Appropriation \$10,000

TOTAL APPROPRIATION \$4,482,000

(2) FIELD SERVICES

General Fund-State Appropriation (FY 2016) \$5,465,000

General Fund-State Appropriation (FY 2017) \$5,526,000

General Fund-Federal
Appropriation \$3,628,000

General Fund-Private/Local
Appropriation \$4,622,000

Veteran Estate Management Account-
Private/Local

Appropriation \$623,000

TOTAL APPROPRIATION \$19,864,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$300,000 of the general fund-state appropriation for fiscal year 2016 and \$300,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to provide crisis and emergency relief and education, training, and employment assistance to veterans and their families in their communities through the veterans innovation program.

(b) The creation of an automated exchange of information between the federal department of defense, federal veterans administration, and the Washington department of veterans affairs is the sole project for the Washington department of veterans affairs in the information technology pool. Ongoing funding may be provided for staffing, training, and subscription costs

associated with a web-based software tool that has been configured to meet the business requirements of the Washington department of veterans affairs. Additional information technology projects, such as the complete automation of the Washington department of veterans affairs business processes through an enterprise case management system, are subject to future funding decisions by the legislature. The conditions and limitations in this subsection apply only if the specified project is funded from the information technology pool.

(3) INSTITUTIONAL SERVICES

General Fund-State Appropriation (FY 2016) \$697,000

General Fund-State Appropriation (FY 2017) (~~(\$796,000)~~)

\$2,337,000

General Fund-Federal
Appropriation \$80,104,000

General Fund-Private/Local
Appropriation \$29,781,000

TOTAL APPROPRIATION ~~(\$111,378,000)~~

\$112,919,000

The appropriations in this subsection are subject to the following conditions and limitation: \$924,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the initial months of operation of the Walla Walla veterans home.

Sec. 1218. 2016 sp.s. c 36 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund-State Appropriation (FY 2016) \$57,958,000

General Fund-State Appropriation (FY 2017) \$60,149,000

General Fund-Federal
Appropriation (~~(\$564,025,000)~~)

\$540,675,000

General Fund-Private/Local
Appropriation (~~(\$151,242,000)~~)

\$179,242,000

Hospital Data Collection Account-State
Appropriation \$331,000

Health Professions Account-State
Appropriation (~~(\$120,788,000)~~)

\$124,188,000

Aquatic Lands Enhancement Account--State
Appropriation \$615,000

Emergency Medical Services and Trauma
Care Systems

Trust Account--State
Appropriation \$9,226,000

Safe Drinking Water Account--State
Appropriation \$6,934,000

Drinking Water Assistance Account--
Federal

Appropriation \$17,364,000

Waterworks Operator Certification--
State

Appropriation \$1,606,000

Drinking Water Assistance
Administrative Account--

State Appropriation (~~(\$357,000)~~)
\$610,000

Site Closure Account--State
Appropriation \$162,000

Biotoxin Account--State
Appropriation \$1,894,000

State Toxics Control Account--State
Appropriation \$4,037,000

Medical Test Site Licensure Account--
State

Appropriation \$2,516,000

Youth Tobacco Prevention Account--State
Appropriation \$2,962,000

Public Health Supplemental Account--
Private/Local

Appropriation \$3,244,000

Accident Account--State
Appropriation \$324,000

Medical Aid Account--State Appropriation
\$53,000

Medicaid Fraud Penalty Account--
State

Appropriation \$994,000

Dedicated Marijuana Account--State
Appropriation (FY 2016) \$7,500,000

Dedicated Marijuana Account--State
Appropriation (FY 2017) \$7,500,000

TOTAL APPROPRIATION ~~\$1,021,781,000~~
\$1,030,084,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) \$130,000 of the health professions state account--state appropriation is provided solely for implementation of chapter 118, Laws of 2015 (applied behavior analysis).

(3) \$38,000 of the general fund--state appropriation for fiscal year 2016 and \$38,000 of the general fund--state appropriation for fiscal year 2017 are provided solely for the department of health, the department of social and health services, and the health care authority to continue to collaborate to submit a coordinated report on diabetes to the governor and appropriate committees of the legislature by June 30, 2017. The report on diabetes must include the following:

(a) An analysis of the financial impact and reach that diabetes of all types is having on programs administered by each

agency and individuals enrolled in those programs, including:

(i) The number of individuals with diabetes that are impacted or covered by these programs;

(ii) The number of family members of individuals with diabetes that are impacted by these programs;

(iii) The financial toll or impact that diabetes and its complications places on these programs, and how the financial toll or impact compares to that of other chronic diseases and conditions;

(b) An assessment of the benefits of programs and activities implemented by the agencies to control and prevent diabetes, including documentation of the amount and source of the agencies' funding for these programs and activities;

(c) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all forms of diabetes and its complications;

(d) The development of or revision to each agency's action plan for addressing the impact of diabetes together with a range of actionable items for either each agency or consideration by the legislature, or both. The plans must, at a minimum:

(i) Identify proposed action steps to reduce the impact of diabetes, prediabetes, and related diabetes complications, especially for medicaid populations;

(ii) Identify expected outcomes in subsequent biennia; and

(iii) Establish benchmarks for controlling and preventing relevant forms of diabetes and appropriate measures for success;

(e) An estimate of the costs, return on investment, and resources required to implement the plans identified in subsection (d) of this section.

(4) \$30,000 of the medicaid fraud penalty account-state appropriation is provided solely for implementation of chapter 259, Laws of 2015 (prescription drug monitoring).

(5) \$4,015,000 of the health professions account-state appropriation is provided solely for implementation of

chapter 70, Laws of 2015 (cannabis patient protection).

(6) \$7,250,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$7,250,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for a marijuana education and public health program and for tobacco prevention activities that target youth and populations with a high incidence of tobacco use.

(7) \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2016 and \$250,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for a contract with the Washington poison center to help maintain national accreditation standards.

(8) \$65,000 of the general fund-state appropriation for fiscal year 2016 and \$65,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(9) During the 2015-2017 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(10) (a) Within existing resources, the department of health shall compile a report on ambulatory surgical facilities to be submitted to the appropriate committees of the legislature by January 1, 2016. The report shall determine:

(i) How many ambulatory centers are currently functioning in the state;

(ii) How many cases these centers receive annually;

(iii) How many of these centers are medicare certified;

(iv) How many of these centers are not medicare certified; and

(v) How many are also certified by an accrediting organization.

(b) The department shall not increase current annual fees for new or renewed licenses for ambulatory surgical

facilities during the 2015-2017 fiscal biennium.

(11) (a) The pharmacy quality assurance commission shall engage in a stakeholder process to develop statutory standards and protocols specific to long-term care pharmacies and shall submit the proposed statute to the senate health care committee and house health care and wellness committee no later than November 15, 2015.

(b) When inspecting and reviewing long-term care pharmacies, the pharmacy quality assurance commission and the department of health shall recognize the applicability of medication orders in long-term care facilities and recognize the essential relationship between the practitioner, the long-term care facility registered nurse, and the pharmacist in conveying chart orders to the long-term care pharmacy.

(12) \$52,000 of the health professions account-state appropriation is provided solely for implementation of chapter 159, Laws of 2015 (victim interviews training).

(13) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of health are subject to technical oversight by the office of the chief information officer.

(14) ((\$1,923,000 of the state toxics control account-state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1472 (chemical action plans), Second Substitute Senate Bill No. 5056 (safer chemicals/action plans), Substitute Senate Bill No. 6131 (safer chemicals), or any of these. Within the amount provided in this subsection, \$1,554,000 is provided solely for the department to conduct biomonitoring studies. If none of these bills is enacted by July 10, 2015, the amount provided in this subsection shall lapse.

~~(15))~~ \$123,000 of the general fund-state appropriation for fiscal year 2016 and \$123,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the department of health to support Washington's healthiest next generation efforts by partnering with the office of the superintendent of public instruction, department of early learning, and other public and private partners as appropriate.

~~((16))~~ (15) \$230,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6534 (maternal mortality review). ~~((If this bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~

~~(17))~~ (16) Within the amounts appropriated from the health professions account-state appropriation, the department must manage its pending rule-making process related to the educational and training requirements for chemical dependency professionals to complete the rule-making by June 30, 2016.

~~((18))~~ (17) Within the amounts appropriated in this section, the department must implement the 2014 Washington state hepatitis strategic plan, including but not limited to the implementation of the centers for disease control and prevention hepatitis C screening guidelines for persons born between 1945-1965 and other high risk groups, hepatitis C prevention, and hepatitis C case management.

~~((19))~~ (18) The appropriations in this section include sufficient funding for the implementation of Substitute Senate Bill No. 5778 (ambulatory surgical centers).

~~((20))~~ (19) The appropriations in this section include sufficient funding for the implementation of Senate Bill No. 5689 (diabetes epidemic).

~~((21))~~ (20) \$26,000 of the medicaid fraud penalty account-state appropriation is provided solely for the implementation of Substitute House Bill No. 2730 (prescription monitoring program). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~

~~(22))~~ (21) \$21,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Substitute Senate Bill No. 6421 (epinephrine autoinjectors). ~~((If the bill is not enacted by June 30, 2016, the amount in this subsection shall lapse.~~

~~(23))~~ (22) \$49,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the department to convene a task force on patient out-of-pocket costs.

(a) By July 1, 2016, the department shall convene the task force, and the

department shall coordinate the task force meetings. The task force shall include representatives from all participants with a role in determining prescription drug costs and out-of-pocket costs for patients, such as, but not limited to the following: Patient groups; insurance carriers operating in the state; pharmaceutical companies; prescribers; pharmacists; pharmacy benefit managers; hospitals; the office of the insurance commissioner; the health care authority and other purchasers; the office of financial management; unions; Taft-Hartley trusts; a business association; and biotechnology.

(b) Letters of interest from potential participants shall be submitted to the department, and the secretary, or his or her designee, shall invite representatives of interested groups to participate in the task force.

(c) The task force shall evaluate factors contributing to the out-of-pocket costs for patients, particularly in the first quarter of each year, including but not limited to prescription drug cost trends and plan benefit design.

(d) The task force shall consider patient treatment adherence and the impacts on chronic illness and acute disease, with consideration of the long-term outcomes and costs for the patient. The discussion must also consider the impact when patients cannot maintain access to their prescription drugs and the implications of adverse health impacts including the potential need for more expensive medical interventions or hospitalizations and the impact on the workforce regarding the loss of productivity. The discussion must also consider the impact of the factors on the affordability of health care coverage.

(e) The task force recommendations, or a summary of the discussions, must be provided to the appropriate committees of the legislature by December 1, 2016.

~~((24))~~ (23) Recognizing the financial challenges faced by the public health system, which comprises state and local entities, and the impact that those financial challenges have had on the system's ability to deliver essential public health services throughout the state, the legislature directs the department and local public health jurisdictions, within amounts appropriated in this section, to provide a proposal outlining a plan for

implementing foundational public health services statewide to modernize, streamline, and fund a twenty-first century public health system in Washington state. Current fees that support the work of public health should be reviewed, and the proposal should identify those fees that are not currently supplying adequate revenue to maintain compliance or enforcement. The first report regarding the proposal is due to the appropriate committees of the legislature no later than December 1, 2016, and subsequent reports shall be submitted biennially, thereafter.

~~((25))~~ (24) \$1,681,000 of the youth tobacco prevention account-state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 6328 (vapor products). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~

~~(26))~~ (25) \$160,000 of the health professions state account-state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6558 (hospital pharmacy license). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.~~

~~(27))~~ (26) \$100,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2793 (suicide education). ~~((If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.))~~

Sec. 1219. 2016 sp.s. c 36 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, ~~((2016))~~ 2017, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund-state appropriations for fiscal year ~~((2016))~~ 2017 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall

notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund-State Appropriation (FY 2016) \$59,179,000

General Fund-State Appropriation (FY 2017) (~~(\$59,907,000)~~)

\$60,260,000

TOTAL APPROPRIATION ~~\$119,086,000~~

\$119,439,000

The appropriations in this subsection are subject to the following conditions and limitations: \$35,000 of the general fund-state appropriation for fiscal year 2016 and \$35,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council will investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(2) CORRECTIONAL OPERATIONS

General Fund-State Appropriation (FY 2016) \$607,084,000

General Fund-State Appropriation (FY 2017) (~~(\$630,422,000)~~)

\$630,538,000

General Fund-Federal Appropriation \$1,892,000

Washington Auto Theft Prevention Authority Account—

State Appropriation (~~(\$6,812,000)~~)

\$5,112,000

State Toxics Control Account—State Appropriation \$400,000

TOTAL APPROPRIATION ~~\$1,246,610,000~~

\$1,245,026,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) During the 2015-2017 fiscal biennium, when contracts are established or renewed for offender pay phone and other telephone services provided to inmates, the department shall select the contractor or contractors primarily based on the following factors: (i) The lowest rate charged to both the inmate and the person paying for the telephone call; and (ii) the lowest commission rates paid to the department, while providing reasonable compensation to cover the costs of the department to provide the telephone services to inmates and provide sufficient revenues for the activities funded from the institutional welfare betterment account.

(b) The department may contract for up to 300 beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The duration of the contracts may be for up to four years. The department shall not pay a rate greater than \$65 per day per offender for all costs associated with the offender while in the local correctional facility to include programming and health care costs, or the equivalent of \$65 per day per bed including programming and health care costs for full units. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as medium or lower security offenders. Programming provided for inmates held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meet standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at

a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(c) \$501,000 of the general fund-state appropriation for fiscal year 2016 and \$501,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester. ~~((The department may not house incarcerated offenders at the maple lane site until specifically directed to do so by the legislature.))~~

(d) \$479,000 of the general fund-state appropriation for fiscal year 2016, and ~~((1,379,000))~~ \$758,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the department to contract ~~((with Yakima county))~~ for the use of inmate bed capacity in lieu of prison beds operated by the state to meet prison capacity needs.

(e) The department shall review its policies and procedures for overtime usage throughout its prison custody system to identify efficiencies and best practices that will control costs. The department shall provide to the appropriate committees of the legislature by November 15, 2015, a report that makes recommendations to reduce the department's overtime usage and reduces overall costs for prison personnel.

(f) In an effort to reduce its need for medium security beds, the department shall review options to meet capacity needs in the most cost-efficient manner without compromising safety. The department shall at a minimum review its policies that determine custody levels, including examining other states' policies and determine costs to convert any empty prison beds to medium security and possibilities to utilize local jail beds for this purpose. The department must evaluate the options on both a short-term and long-term basis against the cost and timing of any proposal to build a new prison facility. The department shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2015.

(g) Within the amounts provided in this section, the department of corrections

shall explore entering into an interagency agreement with the University of Washington. The interagency agreement would allow the department to receive drug pricing under 340B of the public health services act for drug purchases associated with treating patients with hepatitis C or other diseases, whereby the university is acting as the covered entity or safety-net provider. In cooperation with the University of Washington, the department must provide an estimate of the fiscal impact of a successful agreement of this nature, to be included in the report provided to the legislature under section 606 of this act.

~~((i))~~ (h) \$454,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for nonrepresented state employees in targeted state employee job classifications psychiatrist, psychiatric social worker, and psychologist as set forth in section 906 of this act.

~~((j))~~ (i) \$736,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of a memorandum of understanding between the governor and the teamsters union local 117, amending the collective bargaining agreement under chapter 41.80 RCW for the 2015-2017 fiscal biennium as set forth in section 904 of this act, effective July 1, 2017. The legislature recognizes that the memorandum of understanding was necessitated by an emergency and an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety and health of clients and employees, which impacts the state employee job classifications of psychiatrist, psychiatric social worker, and psychologist at prison facilities.

(3) COMMUNITY SUPERVISION

General Fund-State Appropriation (FY 2016) \$157,176,000

General Fund-State Appropriation (FY 2017) ~~((155,532,000))~~

\$168,378,000

General Fund-Federal Appropriation \$995,000

TOTAL APPROPRIATION ~~\$313,703,000~~

\$326,549,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders who violate the terms of their community supervision. A contract shall not have a cost of incarceration in excess of \$85 per day per offender. A contract shall not have a year-to-year increase in excess of three percent per year. The contracts may include rates for the medical care of offenders which exceed the daily cost of incarceration and the limitation on year-to-year increases, provided that medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff.

(b) Within the amounts provided in this subsection, specific funding is provided to implement Senate Bill No. 5070 (supervision of domestic violence offenders).

(c) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(4) CORRECTIONAL INDUSTRIES

General Fund-State Appropriation (FY 2016) \$6,600,000

General Fund-State Appropriation (FY 2017) (~~(\$6,465,000)~~)

\$7,263,000

TOTAL APPROPRIATION ~~\$13,065,000~~

\$13,863,000

(5) INTERAGENCY PAYMENTS

General Fund-State Appropriation (FY 2016) \$44,828,000

General Fund-State Appropriation (FY 2017) \$42,246,000

TOTAL APPROPRIATION \$87,074,000

The appropriations in this subsection are subject to the following conditions and limitations: The state prison medical facilities may use funds appropriated in this subsection to purchase goods and supplies through hospital or other group purchasing organizations when it is cost effective to do so.

(6) OFFENDER CHANGE

General Fund-State Appropriation (FY 2016) \$54,480,000

General Fund-State Appropriation (FY 2017) (~~(\$53,428,000)~~)

\$53,437,000

TOTAL APPROPRIATION ~~\$107,908,000~~

\$107,917,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for offender programming. The department shall develop and implement a written comprehensive plan for offender programming that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) Effective April 1, 2016, the regional support networks must subcontract with providers that have specialized expertise in the provision of outpatient chemical dependency treatment services to offenders who have been sentenced by a superior court to a term of community supervision by the department of corrections. The department of corrections and the department of social and health services must develop a memorandum of understanding for offenders on active supervision by the department who are eligible for chemical dependency programming and to ensure that manualized evidence-based treatment services funded by these agencies are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served.

(c) The department of corrections shall implement and make necessary changes to policies and practices to assist eligible needs-assessed offenders within the community with access to outpatient chemical dependency treatment services through the behavioral health organizations and early adopters.

Sec. 1220. 2016 sp.s. c 36 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund-State Appropriation (FY 2016) \$2,294,000

\$1,989,000

General Fund-State Appropriation (FY 2017) (~~(\$2,728,000)~~)

State Emergency Water Projects Revolving Account-State

\$2,739,000

Appropriation \$40,000

General Fund-Federal Appropriation (~~(\$23,163,000)~~)

Waste Reduction/Recycling/Litter Control-State

\$23,206,000

Appropriation (~~(\$13,290,000)~~)

\$13,284,000

General Fund-Private/Local Appropriation \$60,000

State Drought Preparedness Account-State Appropriation \$872,000

TOTAL APPROPRIATION ~~\$28,245,000~~

State and Local Improvements Revolving Account (Water

\$28,299,000

Supply Facilities)-State Appropriation \$150,000

PART XIII

NATURAL RESOURCES

Sec. 1301. 2016 sp.s. c 36 s 301 (uncodified) is amended to read as follows:

Aquatic Algae Control Account-State Appropriation \$518,000

FOR THE COLUMBIA RIVER GORGE COMMISSION

Water Rights Tracking System Account-State Appropriation \$446,000

General Fund-State Appropriation (FY 2016) \$464,000

Site Closure Account-State Appropriation \$578,000

General Fund-State Appropriation (FY 2017) (~~(\$476,000)~~)

Wood Stove Education and Enforcement Account-State

\$479,000

Appropriation \$547,000

General Fund-Federal Appropriation \$32,000

Worker and Community Right-to-Know Account-State

General Fund-Private/Local Appropriation (~~(\$906,000)~~)

Appropriation \$1,792,000

\$909,000

Water Rights Processing Account-State Appropriation \$39,000

TOTAL APPROPRIATION ~~\$1,878,000~~

State Toxics Control Account-State Appropriation (~~(\$123,470,000)~~)

\$1,884,000

\$123,818,000

Sec. 1302. 2016 sp.s. c 36 s 302 (uncodified) is amended to read as follows:

State Toxics Control Account-Private/Local

FOR THE DEPARTMENT OF ECOLOGY

Appropriation \$499,000

General Fund-State Appropriation (FY 2016) \$24,537,000

Local Toxics Control Account-State Appropriation (~~(\$4,527,000)~~)

\$4,523,000

General Fund-State Appropriation (FY 2017) (~~(\$24,623,000)~~)

Water Quality Permit Account-State Appropriation (~~(\$44,673,000)~~)

\$24,552,000

\$44,614,000

General Fund-Federal Appropriation \$103,782,000

Underground Storage Tank Account-State Appropriation (~~(\$3,546,000)~~)

General Fund-Private/Local Appropriation \$22,396,000

\$3,493,000

Reclamation Account-State Appropriation \$4,703,000

Biosolids Permit Account-State Appropriation \$2,108,000

Flood Control Assistance Account-State Appropriation (~~(\$2,069,000)~~)

Environmental Legacy Stewardship Account-State

Appropriation (~~(\$36,091,000)~~)
 \$36,052,000

Hazardous Waste Assistance Account-
 State

Appropriation (~~(\$6,149,000)~~)
 \$6,138,000

Radioactive Mixed Waste Account-State
 Appropriation (~~(\$15,968,000)~~)
 \$15,944,000

Air Pollution Control Account-State
 Appropriation (~~(\$3,985,000)~~)
 \$3,605,000

Oil Spill Prevention Account-State
 Appropriation (~~(\$8,716,000)~~)
 \$8,705,000

Air Operating Permit Account-State
 Appropriation (~~(\$3,233,000)~~)
 \$3,192,000

Freshwater Aquatic Weeds Account-State
 Appropriation \$1,439,000

Oil Spill Response Account-State
 Appropriation \$7,076,000

Water Pollution Control Revolving
 Administration

Account-State Appropriation
 \$579,000

Water Pollution Control Revolving
 Account-State

Appropriation \$493,000

Water Pollution Control Revolving
 Account-Federal

Appropriation \$2,336,000

TOTAL APPROPRIATION ~~\$465,270,000~~
 \$464,839,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$170,000 of the oil spill prevention account-state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(2) \$495,000 of the state toxics control account-state appropriation and \$625,000 of the local toxics control

account-state appropriation is provided solely for the expansion of the local source control program by adding additional capacity in the Columbia River basin and Clark county.

(3) \$310,000 of the state toxics control account-state appropriation is provided solely for the Spokane river regional toxics task force to address elevated levels of polychlorinated biphenyls in the Spokane river.

(4) Within the amounts appropriated in this section, the department shall conduct a stakeholder process with the department of fish and wildlife to develop recommendations to restructure the fees under RCW 90.16.050 and report to the appropriate committees of the legislature by December 1, 2015.

(5) \$1,044,000 of the oil spill prevention account-state appropriation is provided solely for the implementation of chapter 274, Laws of 2015 (ESHB 1449).

(6) \$3,883,000 of the state toxics control account-state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1472 (chemical action plans), Second Substitute Senate Bill No. 5056 (safer chemicals/action plans), Substitute Senate Bill No. 6131 (safer chemicals), or any of these. If none of these bills are enacted by July 10, 2015, the amount provided in this subsection shall lapse.

(7) \$134,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for implementation of chapter 144, Laws of 2015 (SHB 1851).

(8) \$135,000 of the general fund-state appropriation for fiscal year 2016 and \$135,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Walla Walla watershed management partnership to address water resource and management issues in the Walla Walla watershed.

(9) (a) \$14,000,000 of the general fund-state appropriation for fiscal year 2016 and \$14,000,000 of the general fund-state appropriation for fiscal year 2017 are for activities within the water resources program.

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for processing water right permit applications only if the department of ecology issues at least

five hundred water right decisions in fiscal year 2016. If the department of ecology does not issue at least five hundred water right decisions in fiscal year 2016, the amount provided in this subsection shall lapse and remain unexpended. Permit decisions for the Columbia river basin count toward the five hundred water rights decisions under this subsection. The department of ecology shall submit a report to the office of financial management and the state treasurer by June 30, 2016, that documents whether five hundred water right decisions were issued in fiscal year 2016. For the purposes of this subsection, applications that are voluntarily withdrawn by an applicant do not count towards the five hundred water right decision requirement. For the purposes of water budget-neutral requests under chapter 173-539A WAC, multiple domestic connections authorized within a single water budget-neutral decision are considered one decision for the purposes of this subsection.

(10) Within the amounts appropriated in this section, the department must evaluate mitigation options for domestic water use in areas of the Yakima basin for which mitigation water is unavailable and access to water from water banks is unsuitable. The department must recommend solutions for providing mitigation water for domestic use in such areas. A report of the department's findings must be provided to the legislature by December 1, 2015.

(11) \$319,000 of the general fund-state appropriation for fiscal year 2017, \$56,000 of the waste reduction, recycling, and litter control account-state appropriation, \$806,000 of the state toxics control account-state appropriation, \$281,000 of the water quality permit account-state appropriation, \$188,000 of the environmental legacy stewardship account-state appropriation, \$56,000 of the hazardous waste assistance account-state appropriation, \$113,000 of the radioactive mixed waste account-state appropriation, and \$56,000 of the oil spill prevention account-state appropriation are provided solely for the attendance tracking replacement system project, and are subject to the same conditions, limitations and review provided in section 705 (4) through (6), chapter 4, Laws of 2015 3rd sp. sess. (Engrossed Substitute Senate Bill No. 6052).

(12) Within the amounts appropriated in this section, the director of the

department, working with the commissioner of public lands, shall conduct a management review of the joint federal and state dredged material management program and recommend and, as appropriate, implement actions designed to ensure that the program is functioning to facilitate the disposal of dredged material at open water disposal sites using methods that are protective of human health and in compliance with applicable federal and state environmental laws, regulations, and permit requirements. The director and commissioner shall report findings and proposed actions to the relevant committees of the legislature no later than November 1, 2016. The director and commissioner shall consider input and perspectives from tribal governments and agencies that issue permits for open water disposal of dredged material in Puget Sound, including the department of natural resources, the department of ecology, the United States environmental protection agency, and the United States army corps of engineers. This review shall include, but is not limited to: (a) The extent to which current operations, policies, and decisions of the dredged material management program provide for dredging actions necessary to maintain navigation and commerce; (b) determining what regulatory flexibility exists to allow open water disposal of dredged materials in a manner that will protect human health and the environment; and (c) an evaluation of the dredged material management program's decision-making process and policies to ensure that existing regulatory flexibility is appropriately used and that appropriate management and oversight is incorporated.

(13) \$25,000 of the reclamation account-state appropriation is provided solely for implementation of Substitute House Bill No. 1130 (water power license fees). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

~~((15))~~ (14) During the 2015-2017 fiscal biennium, the department shall not retain fees in excess of the estimated amount necessary to cover the agency's administrative costs related to the mercury light stewardship program under chapter 70.275 RCW. The department shall refund any fees collected in excess of those administrative costs to any approved stewardship organization under chapter 70.275 RCW.

~~((16))~~ (15) For the purposes of evaluating the requirements of RCW 70.95.290, the department, in consultation with the Washington materials management and financing authority, shall, within existing resources, report to the appropriate committees of the legislature on whether the department and the Washington materials management and financing authority have utilized existing infrastructure for the collection of electronics. In its report, the department, in consultation with the Washington materials management and financing authority, must report on the location and number of new programs created and depot systems developed since 2006 for the purpose of collecting electronics, how many existing collections sites have been utilized, as well as how many curbside collection companies were contracted with for collection of electronics. The department must submit the report to the appropriate committees of the legislature no later than September 1, 2016.

~~((17))~~ (16) \$22,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Engrossed Senate Bill No. 6589 (water storage/exempt wells). If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.

~~((18))~~ (17) \$300,000 of the state toxics control account-state appropriation is provided solely for the hazardous waste and toxics reduction program and is contingent on the implementation of section 3 of Engrossed Substitute House Bill No. 2545 (flame retardant chemicals). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1303. 2016 sp.s. c 36 s 303 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund-State Appropriation (FY 2016) \$10,558,000

General Fund-State Appropriation (FY 2017) \$11,109,000

General Fund-Federal Appropriation \$6,920,000

Winter Recreation Program Account-State Appropriation \$3,309,000

ORV and Nonhighway Vehicle Account-State Appropriation \$231,000

Snowmobile Account-State Appropriation ~~(\$5,824,000)~~

\$5,594,000

Aquatic Lands Enhancement Account-State Appropriation \$369,000

Recreation Access Pass Account-State Appropriation \$250,000

Parks Renewal and Stewardship Account-State

Appropriation ~~(\$131,357,000)~~

\$129,082,000

Parks Renewal and Stewardship Account-Private/Local

Appropriation \$318,000

TOTAL APPROPRIATION ~~\$170,245,000~~

\$167,740,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund-state appropriation for fiscal year 2016, \$79,000 of the general fund-state appropriation for fiscal year 2017, \$25,000 of the snowmobile account-state appropriation, and \$25,000 of the winter recreation program account-state appropriation are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the commission to pay assessments charged by local improvement districts.

(3) \$250,000 of the recreation access pass account-state appropriation is provided solely for the commission, using its authority under RCW 79A.05.055(3) and in partnership with the department of fish and wildlife and the department of natural resources, to coordinate a process to develop options and recommendations to improve consistency, equity, and simplicity in recreational access fee systems while accounting for the fiscal health and stability of public land management. The process must be collaborative and include other relevant agencies and appropriate stakeholders. The commission must contract with the William

D. Ruckelshaus Center or another neutral third party to facilitate meetings and discussions with parties involved in the process and provide a report to the appropriate committees of the legislature by December 1, 2017. The process must analyze and make recommendations on:

(a) Opportunities for federal and state recreational permit fee coordination, including the potential for developing a system that allows a single pass to provide access to federal and state lands;

(b) Opportunities to enhance consistency in the way state and federal recreational access fees apply to various types of recreational users, including those that travel to public lands by motor vehicle, boat, bicycle, foot, or another method; and

(c) Opportunities to develop a comprehensive and consistent statewide approach to recreational fee discounts and exemptions to social and other groups including, but not limited to, disabled persons, seniors, disabled veterans, foster families, low-income residents, and volunteers. This analysis must examine the cost of such a program, and should consider how recreational fee discounts fit into the broader set of benefits provided by the state to these social groups. This includes a review of the efficacy, purpose, and cost of existing recreational fee discounts and exemptions, as well as opportunities for new or modified social group discounts and exemptions. The department of veterans affairs and the department of social and health services must be included in this portion of the process.

(4) \$100,000 of the parks renewal and stewardship account-state appropriation is provided solely for conducting noxious weed treatment and vegetation management on the John Wayne pioneer trail to protect adjacent land owners from noxious weeds with priority in areas where there is adjacent agricultural use. Control of noxious weeds must follow an integrated pest management approach including the use of biological, chemical, and mechanical control prescriptions in accordance with chapter 17.15 RCW and consistent with state and county weed board requirements. The commission must report on its progress in meeting this requirement to the appropriate committees of the legislature by September 30, 2016.

(5) \$14,185,000 of the parks renewal and stewardship account-state

appropriation is provided solely for expenditures related to state parks. Of this amount, \$11,614,000 is provided for maintenance and preservation activities, \$1,971,000 is provided for radio equipment and installation, \$300,000 is provided for firefighting vehicles, equipment, and supplies, and \$300,000 is provided for marketing activities.

Sec. 1304. 2016 sp.s. c 36 s 304 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION FUNDING BOARD

General Fund-State Appropriation (FY 2016) \$842,000

General Fund-State Appropriation (FY 2017) (~~(\$818,000)~~)

\$916,000

General Fund-Federal Appropriation \$3,536,000

General Fund-Private/Local Appropriation \$24,000

Aquatic Lands Enhancement Account-State Appropriation \$488,000

Firearms Range Account-State Appropriation \$37,000

Recreation Resources Account-State Appropriation (~~(\$3,263,000)~~)

\$3,414,000

NOVA Program Account-State Appropriation \$1,014,000

TOTAL APPROPRIATION ~~\$10,022,000~~

\$10,271,000

Sec. 1305. 2016 sp.s. c 36 s 305 (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund-State Appropriation (FY 2016) \$2,149,000

General Fund-State Appropriation (FY 2017) (~~(\$2,175,000)~~)

\$2,186,000

TOTAL APPROPRIATION ~~\$4,324,000~~

\$4,335,000

Sec. 1306. 2016 sp.s. c 36 s 306 (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

General Fund-State Appropriation (FY 2016) \$6,778,000

General Fund-State Appropriation (FY 2017) (~~(\$6,848,000)~~)

\$6,865,000

General Fund-Federal Appropriation \$2,301,000

Public Works Assistance Account-State Appropriation \$7,600,000

Disaster Response Account-State Appropriation \$7,800,000

State Toxics Control Account-State Appropriation \$1,000,000

TOTAL APPROPRIATION ~~\$32,327,000~~

\$32,344,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,600,000 of the public works assistance account-state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(2) \$6,800,000 of the disaster response account-state appropriation is provided solely to protect water quality, stabilize soil, prevent crop damage, replace fencing and help landowners recover from losses sustained from wildfires. \$300,000 of this amount shall be provided to the Okanogan county noxious weed control board to control weeds and revegetate lands damaged by wildfires.

(3) \$1,000,000 of the disaster response account-state appropriation is provided solely for the commission to provide to conservation districts for the firewise program.

(4)(a) \$50,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the commission to convene and facilitate a food policy forum. The director of the commission is responsible for appointing participating members of the food policy forum in consultation with the director of the department of agriculture. In making appointments, the director of the commission must attempt to ensure a diversity of knowledge, experience, and perspectives by building on the representation established by the food system roundtable initiated by executive order No. 10-02.

(b) In addition to members appointed by the director of the state conservation commission, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants must be appointed as follows:

(i) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; and

(ii) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(c) The commission shall coordinate with the office of farmland preservation and the department of agriculture to avoid duplication of effort. The commission must report to the appropriate committees of the legislature, consistent with RCW 43.01.036, with the forum's recommendations by October 31, 2017.

Sec. 1307. 2016 sp.s. c 36 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund-State Appropriation (FY 2016) \$37,599,000

General Fund-State Appropriation (FY 2017) (~~(\$39,435,000)~~)

\$39,598,000

General Fund-Federal Appropriation (~~(\$113,956,000)~~)

\$114,877,000

General Fund-Private/Local Appropriation \$61,739,000

ORV and Nonhighway Vehicle Account-State Appropriation \$425,000

Aquatic Lands Enhancement Account-State Appropriation (~~(\$11,627,000)~~)

\$11,327,000

Recreational Fisheries Enhancement-State

Appropriation \$2,997,000

Disaster Response Account-State Appropriation \$642,000

Warm Water Game Fish Account-State Appropriation (~~(\$2,738,000)~~)

\$2,538,000

Eastern Washington Pheasant Enhancement Account-State

Appropriation \$850,000
 Aquatic Invasive Species Enforcement Account-State
 Appropriation \$219,000
 Aquatic Invasive Species Prevention Account-State
 Appropriation \$778,000
 State Wildlife Account-State
 Appropriation \$117,456,000
 Special Wildlife Account-State
 Appropriation (~~(\$313,000)~~)
 \$1,801,000
 Special Wildlife Account-Federal
 Appropriation \$500,000
 Special Wildlife Account-Private/Local
 Appropriation \$3,517,000
 Wildlife Rehabilitation Account-State
 Appropriation \$359,000
 Hydraulic Project Approval Account-State
 Appropriation \$669,000
 Environmental Legacy Stewardship Account-State
 Appropriation \$2,814,000
 Regional Fisheries Enhancement Salmonid Recovery Account-
 Federal Appropriation \$5,001,000
 Oil Spill Prevention Account-State
 Appropriation \$1,075,000
 Oyster Reserve Land Account-State
 Appropriation \$779,000
 TOTAL APPROPRIATION ~~\$405,488,000~~
 \$407,560,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$344,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to pay for emergency fire suppression costs. This amount may not be used to fund agency indirect and administrative expenses.

(2) \$596,000 of the general fund-state appropriation for fiscal year 2016 and \$596,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for weed assessments and for payments in lieu of real property taxes to counties that elect to receive the payments for department owned game lands within the county.

(3) \$300,000 of the aquatic lands enhancement account-state appropriation is provided solely for the aquatic invasive species and ballast water programs to address voluntary compliance and watercraft check stations and develop recommendations for future funding and the transition to new federal ballast water regulations. These recommendations shall be provided to the governor and legislature by June 1, 2016.

(4) Prior to submitting its 2017-2019 biennial operating and capital budget requests related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review the proposed requests. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost effective manner. The department shall provide a copy of the HSRG review to the office of financial management with its agency budget proposal.

(5) \$400,000 of the general fund-state appropriation for fiscal year 2016 and \$400,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers. Prior to implementation of any Puget Sound nearshore ecosystem restoration projects in Whatcom county, the department must consult with and seek, to the maximum extent practicable, consensus on those projects among appropriate landowners, federally recognized Indian tribes, agencies, and community and interest groups.

(6) Within the amounts appropriated in this section, the department shall identify additional opportunities for partnerships in order to keep fish hatcheries operational. Such partnerships shall aim to maintain fish production and salmon recovery with less reliance on state operating funds.

(7) Within the amounts appropriated in this section, the department shall conduct a stakeholder process with the department of ecology to develop recommendations to restructure the fees under RCW 90.16.050

and report to the appropriate committees of the legislature by December 1, 2015.

(8) The department shall maintain a working capital reserve in the nonrestricted portion of the state wildlife account of no more than five percent of projected expenses in the nonrestricted portion of the account.

(9) \$72,000 of the oil spill prevention account-state appropriation is provided solely for implementation of chapter 274, Laws of 2015 (ESHB 1449).

(10) \$352,000 of the general fund-state appropriation for fiscal year 2016 and \$351,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 191, Laws of 2015 (SSB 5166).

(11) \$642,000 of the disaster response account-state appropriation is provided solely for wildland fire restoration activities on state wildlife areas.

(12) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$375,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the department to establish a work unit to engage and empower diverse stakeholders in decisions about fish and wildlife.

(13) \$300,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to fund cost share partnerships between the department and landowners via livestock damage prevention cooperative agreements. The agreements are part of the department's efforts to help landowners implement measures to reduce the potential for wolf-livestock conflict.

(14) \$25,000 of the general fund-state appropriation for fiscal year 2017 is provided solely to pay claims for confirmed cougar depredations on livestock.

(15) \$225,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for operations at Naselle Hatchery. Any increase in hatchery fish production is contingent upon hatchery reform broodstock standards being met and state fisheries being managed to conserve wild fish populations.

(16) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to the Northwest straits commission for assistance in conducting

and evaluating the forage fish surveys in Puget Sound.

(17) \$100,000 of the state wildlife account-state appropriation is provided solely for ongoing department efforts to address elk hoof disease including monitoring prevalence in affected areas, evaluating survival of affected elk, and assessing management options in affected areas.

(18) The governor shall convene a government-to-government meeting between the department and federally recognized Indian tribes to discuss and develop a protocol regarding enforcement actions related to hunting activities by tribal members on lands where the member's tribe has a treaty or other federally recognized right to hunt.

Sec. 1308. 2016 sp.s. c 36 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund-State Appropriation (FY 2016) \$30,402,000

General Fund-State Appropriation (FY 2017) (~~(\$49,478,000)~~)

\$52,255,000

General Fund-Federal Appropriation (~~(\$30,079,000)~~)

\$32,531,000

General Fund-Private/Local Appropriation \$2,372,000

Forest Development Account-State Appropriation \$53,786,000

ORV and Nonhighway Vehicle Account-State

Appropriation \$6,655,000

Surveys and Maps Account-State Appropriation \$4,502,000

Aquatic Lands Enhancement Account-State Appropriation \$8,743,000

Resources Management Cost Account-State Appropriation \$119,872,000

Surface Mining Reclamation Account-State

Appropriation \$3,960,000

Disaster Response Account-State Appropriation \$16,601,000

Forest and Fish Support Account—State
Appropriation \$10,129,000

Aquatic Land Dredged Material Disposal
Site Account—State

Appropriation \$401,000

Natural Resources Conservation Areas
Stewardship Account—State

Appropriation \$34,000

Marine Resources Stewardship Trust
Account—State

Appropriation \$925,000

State Toxics Control Account—State
Appropriation \$5,438,000

Forest Practices Application Account—
State

Appropriation ~~(\$1,971,000)~~

\$1,524,000

Environmental Legacy Stewardship
Account—State

Appropriation \$1,004,000

Air Pollution Control Account—State
Appropriation ~~(\$817,000)~~

\$717,000

NOVA Program Account—State
Appropriation \$696,000

Derelict Vessel Removal Account—State
Appropriation \$1,931,000

Community Forest Trust Account—State
Appropriation \$26,000

Agricultural College Trust Management
Account—State

Appropriation \$2,879,000

TOTAL APPROPRIATION ~~\$352,701,000~~

\$357,383,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,420,000 of the general fund—state appropriation for fiscal year 2016 and \$1,352,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(2) ~~(\$15,530,000)~~ \$18,307,000 of the general fund—state appropriation for

fiscal year 2017 and \$10,525,000 of the disaster response account—state appropriation are provided solely for emergency fire suppression. The general fund—state appropriation and disaster response account—state appropriation provided in this subsection may not be used to fund agency indirect and administrative expenses. Agency indirect and administrative costs shall be allocated among the agency's remaining accounts and appropriations. The department of natural resources shall submit a quarterly report to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from the disaster response account. This work shall be done in coordination with the military department.

(3) \$5,000,000 of the forest and fish support account—state appropriation is provided solely for outcome-based, performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse.

(4) \$925,000 of the marine resources stewardship trust account—state appropriation is provided solely for implementation of priority marine management planning efforts including mapping activities, ecological assessment, data tools, and stakeholder engagement.

(5) \$440,000 of the state general fund—state appropriation for fiscal year 2016 and \$440,000 of the state general fund—state appropriation for fiscal year 2017 are provided solely for forest work crews that support correctional camps and are contingent upon continuing operations of the Naselle youth camp.

(6) \$2,390,000 of the general fund—state appropriation for fiscal year 2016 and \$2,390,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and

research priorities adopted by the forest practices board. The forest practices board shall submit a report to the legislature following review, approval, and solicitation of public comment on the cooperative monitoring, evaluation, and research master project schedule, to include: Cooperative monitoring, evaluation, and research science and related adaptive management expenditure details, accomplishments, the use of cooperative monitoring, evaluation, and research science in decision-making, and funding needs for the coming biennium. The report shall be provided to the appropriate committees of the legislature by October 1, 2016.

(7) \$155,000 of the general fund-state appropriation for fiscal year 2016 and \$127,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for ongoing law enforcement, which the department may contract with local law enforcement agencies, and for noxious weed control, forest fire protection assessment, and other management costs for the Teanaway community forest as provided in the Teanaway community forest management plan.

(8) The department shall maintain working capital reserves in the resource management cost account and the forest development account of no more than five percent of the amounts appropriated in each account.

(9) \$337,000 of the general fund-state appropriation for fiscal year 2016 and \$311,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 182, Laws of 2015 (ESHB 2093).

(10) \$1,200,000 of the disaster response account-state appropriation is provided solely for joint wildland fire training of department of natural resources, Washington national guard, local fire agency, and tribal firefighters. Of this amount, \$200,000 is provided solely to train local fire agencies on the use of firefighting equipment.

(11) \$215,000 of the disaster response account-state appropriation is provided solely for the department to develop a twenty-year strategic plan to treat areas of state forest land that have been identified by the department as being in poor health.

(12) \$629,000 of the disaster response account-state appropriation is provided

solely for the department to update the smoke management plan in consultation with the department of ecology, other relevant state and federal agencies, and relevant stakeholders.

(13) \$696,000 of the disaster response account-state appropriation is provided solely to enhance the department's capacity to respond to large wildfires using in-state resources.

(14) \$443,000 of the disaster response account-state appropriation is provided solely to enhance capacity for aerial attack of wildfires. Within this amount, the department must develop a pre-certified list of aerial contractors that may be available for fire suppression in fire-prone areas and report the list to the appropriate committees of the legislature by December 1, 2016.

(15) \$1,000,000 of the disaster response account-state appropriation is provided solely to provide firefighting equipment to local fire agencies.

(16) \$417,000 of the disaster response account-state appropriation is provided solely for wildfire prevention education, community outreach programs, technical assistance to landowners; and to ensure landowner compliance with grant and contract requirements, burn permit conditions, and industrial fire precaution levels.

(17) \$569,000 of the disaster response account-state appropriation is provided solely for portable and mobile radios.

(18) \$700,000 of the resources management cost account-state appropriation is provided solely for fuel reduction and forest health activities on state lands.

(19) \$800,000 of the disaster response account-state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2928 (outdoor burning). Of this amount, two percent is provided solely for the department's administrative costs, five percent is provided solely for the department to provide forest health collaboratives for burn technician costs, and ninety-three percent is provided solely for the department to provide forest health collaboratives for implementation of forest resiliency burning. The department shall direct the forest health collaboratives to complete the forest resiliency burning under this subsection by January 1, 2017. If the bill is not

enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(20) \$100,000 of the disaster response account-state appropriation is provided solely for fuel reduction and creating firebreaks in and around the city of Walla Walla's mill creek watershed.

(21) \$5,057 of the disaster response account-state appropriation is provided solely for the Asotin county sheriff's office for the grizzly bear complex fire.

Sec. 1309. 2016 sp.s. c 36 s 310 (uncodified) is amended to read as follows:

FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Pollution Liability Insurance Program Trust Account-State

Appropriation (~~(\$1,421,000)~~)

\$1,425,000

Underground Storage Tank Revolving Account-State

Appropriation \$5,000

TOTAL APPROPRIATION ~~\$1,426,000~~

\$1,430,000

The appropriations in this section are subject to the following conditions and limitations: \$5,000 of the underground storage tank revolving account-state appropriation is provided solely for implementation of Substitute House Bill No. 2357 (pollution insurance agency). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1310. 2016 sp.s. c 36 s 311 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

General Fund-State Appropriation (FY 2016) \$2,333,000

General Fund-State Appropriation (FY 2017) (~~(\$2,349,000)~~)

\$2,366,000

General Fund-Federal Appropriation (~~(\$9,955,000)~~)

\$8,964,000

Aquatic Lands Enhancement Account-State Appropriation (~~(\$2,119,000)~~)

\$2,122,000

State Toxics Control Account-State Appropriation (~~(\$705,000)~~)

\$707,000

TOTAL APPROPRIATION ~~\$17,461,000~~

\$16,492,000

The appropriations in this section are subject to the following conditions and limitations: By October 15, 2016, the Puget Sound partnership shall provide the governor a single, prioritized list of state agency 2017-2019 capital and operating budget requests related to Puget Sound restoration.

PART XIV

TRANSPORTATION

Sec. 1401. 2016 sp.s. c 36 s 402 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund-State Appropriation (FY 2016) \$41,105,000

General Fund-State Appropriation (FY 2017) (~~(\$39,566,000)~~)

\$39,586,000

General Fund-Federal Appropriation \$16,073,000

General Fund-Private/Local Appropriation \$3,083,000

Death Investigations Account-State Appropriation \$6,439,000

Enhanced 911 Account-State Appropriation (~~(\$3,230,000)~~)

\$3,009,000

County Criminal Justice Assistance Account-State

Appropriation \$3,532,000

Municipal Criminal Justice Assistance Account-State

Appropriation \$1,443,000

Fire Service Trust Account-State Appropriation \$131,000

Vehicle License Fraud Account-State Appropriation (~~(\$264,000)~~)

\$221,000

Disaster Response Account-State Appropriation \$8,000,000

Fire Service Training Account-State Appropriation \$9,997,000

Aquatic Invasive Species Enforcement
Account—State

Appropriation \$54,000

State Toxics Control Account—State
Appropriation \$532,000

Fingerprint Identification Account—
State

Appropriation ~~((14,801,000))~~

\$11,601,000

TOTAL APPROPRIATION ~~\$148,249,000~~

\$144,806,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$200,000 of the fire service training account—state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) \$8,000,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(3) \$700,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(4) ~~((3,230,000))~~ \$3,009,000 of the enhanced 911 account—state appropriation is provided solely for the first phase of the state patrol's plan to upgrade the criminal history system, and is subject to the same conditions, limitations and review provided in section 705 (4) through (6) of this act.

(5) \$1,375,000 of the general fund—state appropriation for fiscal year 2016 and \$1,375,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for implementation of

chapter 247, Laws of 2015 (Substitute House Bill No. 1068).

(6) ~~((3,200,000~~ of the fingerprint investigation account—state appropriation is provided solely for the second phase of the state patrol's plan to upgrade the criminal history system, and is subject to the same conditions, limitations and review provided in section 705 (4) through (6) of this act.

~~(7))~~ Within amounts provided in this section, the Washington state patrol shall work with the consolidated technology services agency to explore the feasibility and appropriateness of using vacant data halls in the state data center as storage facilities for evidence collected by law enforcement agencies, including but not limited to the state patrol. The state patrol and the consolidated technology services agency shall develop a cost estimate for modifying the data center halls in order to fit this purpose. The state patrol shall submit a report on its findings to the governor and the appropriate committees of the legislature by December 1, 2015.

~~((48))~~ (7) \$50,000 of the general fund—state appropriation for fiscal year 2016 and \$50,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for the state patrol to pay assessments charged by local improvement districts.

~~((49))~~ (8) \$388,000 of the general fund—state appropriation for fiscal year 2017, \$9,000 of the vehicle license fraud account—state appropriation, and \$13,000 of the general fund—local appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 2872 (WSP recruitment and retention). If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.

~~((10))~~ (9) The appropriations in this section include specific funds for the purpose of implementing Second Substitute House Bill No. 2530 (protecting victims of sex crimes).

PART XV

EDUCATION

Sec. 1501. 2016 sp.s. c 36 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund-State Appropriation (FY 2016) \$38,284,000

General Fund-State Appropriation (FY 2017) \$46,199,000

General Fund-Federal Appropriation (~~(\$67,169,000)~~)
\$70,169,000

General Fund-Private/Local Appropriation \$9,623,000

Washington Opportunity Pathways Account-State
Appropriation \$292,000

Dedicated Marijuana Account-State Appropriation (FY 2016) \$251,000

Dedicated Marijuana Account-State Appropriation (FY 2017) \$511,000

Performance Audits of Government Account-State
Appropriation \$208,000

TOTAL APPROPRIATION ~~\$162,537,000~~
\$165,537,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,152,000 of the general fund-state appropriation for fiscal year 2016 and \$10,410,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(a) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(b) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(c) By September of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in sections 501 and 513 of this act. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status

of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(d) The superintendent of public instruction, in consultation with the secretary of state, shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

(e) Districts shall annually report to the office of the superintendent of public instruction on: (i) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (ii) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(2) \$1,017,000 of the general fund-state appropriation for fiscal year 2016 and \$857,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for activities associated with the implementation of new school finance systems required by chapter 236, Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009 (state's education system), including technical staff, systems reprogramming, and workgroup deliberations, including the quality education council and the data governance working group.

(3) \$1,012,000 of the general fund-state appropriation for fiscal year 2016, \$851,000 of the general fund-state appropriation for fiscal year 2017, and \$161,000 of the Washington opportunity pathways account-state appropriation are provided solely for the operation and expenses of the state board of education, including basic education assistance activities. Of these amounts, \$161,000 of the general fund-state appropriation for fiscal year 2016 and \$161,000 of the Washington opportunity pathways account-state appropriation are provided solely for implementation of RCW 28A.710 as amended by Engrossed Second Substitute

Senate Bill No. 6194 (public schools other than common schools).

(4) \$3,571,000 of the general fund-state appropriation for fiscal year 2016 and \$3,447,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to the professional educator standards board for the following:

(a) \$1,050,000 in fiscal year 2016 and \$1,050,000 in fiscal year 2017 are for the operation and expenses of the Washington professional educator standards board;

(b) \$2,372,000 of the general fund-state appropriation for fiscal year 2016 and \$2,372,000 of the general fund-state appropriation for fiscal year 2017 are for grants to improve preservice teacher training and for funding of alternative routes to certification programs administered by the professional educator standards board. Alternative routes programs include the pipeline for paraeducators program, the retooling to teach conditional loan programs, and the recruiting Washington teachers program. Within this subsection (4)(b), up to \$500,000 per fiscal year is available for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs;

(c) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (A) Include both written assessment and performance assessment; (B) be offered by a national organization of professional sign language interpreters and transliterators; and (C) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use;

(d) \$124,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for implementation of

chapter 136, Laws of 2014 (paraeducator development).

(5) \$266,000 of the general fund-state appropriation for fiscal year 2016 and \$266,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(a) \$5,000 of the amounts provided in this subsection shall be provided to the Washington state school directors association for the creation of a model policy and procedures for language access by limited-English proficient parents. In developing the model policy and procedures, the school directors association shall consider any guidance materials created by the United States department of justice, the United States department of education, and the office of the superintendent of public instruction, regarding how school districts can effectively assess their language access needs and how to develop appropriately tailored language access plans. The model policy and procedures must at a minimum address:

(i) Guidance and procedures for timely and accurate identification of limited-English proficient parents and guardians and their language access needs;

(ii) A recommended process and procedures for when and how to access an interpreter;

(iii) A prohibition on the use of students or children as interpreters for school-related communications;

(iv) Procedures to ensure appropriate staff are aware of parents' or guardians' need for language assistance, including guidance for all school administrators, teachers, and other appropriate staff regarding when and how to access an interpreter or translation services in a timely manner; and

(v) A process for communicating with parents and guardians about their rights under federal and state law to be provided with accessible information that allows them to make informed choices regarding their child's education and how to access the resources and services available to them.

(b) Within the amounts provided in this subsection, the office of the

superintendent of public instruction shall:

(i) Convene an advisory committee with representatives of parents, school administrators, school principals, classified and certificated staff, and other appropriate parties with interest in language access for limited-English parents to develop sample materials for school districts to disseminate to both school employees and parents regarding parents' rights under the model policy developed by the Washington state school directors' association and the resources available to assist parents and guardians in accessing the services available to them. The sample materials must be developed by July 1, 2016;

(ii) Maintain and have available upon request a list of school districts that have and have not adopted the Washington state school directors' association's model policy;

(iii) Adopt rules regarding school districts' communication of the language access policy and procedure to parents, students, employees, and volunteers; and

(iv) Publish to the agency web site a listing of language access services providers available to school districts, including but not limited to, the telephonic, in-person, or video-remote interpreter services vendors on contract with the state of Washington, including contact information and training programs that are available to support school districts in preparing employees for how to access and effectively use an interpreter.

(6) \$50,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(7) \$61,000 of the general fund-state appropriation for fiscal year 2016 and \$61,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(8) \$131,000 of the general fund-state appropriation for fiscal year 2016 and \$131,000 of the Washington opportunity pathways account-state appropriation are provided solely for the implementation of

RCW 28A.710 as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools).

(9) \$1,802,000 of the general fund-state appropriation for fiscal year 2016 and \$1,802,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(10) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for project citizen, a program sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle school students.

(11) \$1,500,000 of the general fund-state appropriation for fiscal year 2016 and \$1,500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for collaborative schools for innovation and success authorized under chapter 53, Laws of 2012. The office of the superintendent of public instruction shall award \$500,000 per year in funding for each collaborative school for innovation and success selected for participation in the pilot program during 2012.

(12) \$123,000 of the general fund-state appropriation for fiscal year 2016 and \$123,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(13) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(14) \$93,000 of the general fund-state appropriation for fiscal year 2016 and \$93,000 of the general fund-state appropriation for fiscal year 2017 are

provided solely for chapter 185, Laws of 2011 (bullying prevention), which requires the office of the superintendent of public instruction to convene an ongoing workgroup on school bullying and harassment prevention. Within the amounts provided, \$140,000 is for youth suicide prevention activities.

(15) \$14,000 of the general fund-state appropriation for fiscal year 2016 and \$14,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 242, Laws of 2013 (state-tribal education compacts).

(16) \$62,000 of the general fund-state appropriation for fiscal year 2016 and \$62,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(a) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as co-instructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(b) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(17) \$10,000 of the general fund-state appropriation for fiscal year 2016 and \$10,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the superintendent of public instruction to convene a committee for the selection and recognition of Washington innovative schools. The committee shall select and recognize Washington innovative schools based on the selection criteria established by the office of the superintendent of public instruction, in accordance with chapter 202, Laws of 2011 (innovation schools-

recognition) and chapter 260, Laws of 2011 (innovation schools and zones).

(18) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(19) \$59,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the office of the superintendent of public instruction to convene a task force to design a performance-based assistance and accountability system for the transitional bilingual instruction program. The office must submit a report with recommendations from the task force to the education and fiscal committees of the legislature by January 15, 2016.

(20) \$131,000 of the general fund-state appropriation for fiscal year 2016 and \$131,000 of general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to perform on-going program reviews of alternative learning experience programs and dropout reengagement programs. The amounts provided in this subsection are sufficient for the office of the superintendent of public instruction to conduct ongoing consolidated program reviews of alternative learning experience programs and dropout reengagement programs established under chapter 20, Laws of 2010. The office of the superintendent of public instruction shall include alternative learning education and dropout reengagement programs in its ongoing consolidated program reviews, as well as provide outreach and training to school districts regarding implementation of the programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(21) \$31,000 of the general fund-state appropriation for fiscal year 2016 and \$55,000 of the general fund-state

appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks. At least two of the science course frameworks must be in environmental science.

(22) \$142,000 of the general fund-state appropriation for fiscal year 2016 and \$142,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 103, Laws of 2014 (Substitute Senate Bill No. 6431) (youth suicide prevention).

(23) \$208,000 of the performance audits of government account-state appropriation is provided solely to address additional audit resolutions and appeals in the alternative learning experience programs.

(24) \$2,541,000 of the general fund-state appropriation for fiscal year 2016 and \$2,541,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(25) \$210,000 of the general fund-state appropriation for fiscal year 2016 and \$210,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a nonviolence and leadership training program provided by the institute for community leadership.

(26) \$1,221,000 of the general fund-state appropriation for fiscal year 2016 and \$1,221,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(27) \$2,549,000 of the general fund-state appropriation for fiscal year 2016

and \$3,940,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students.

(28) \$1,354,000 of the general fund-state appropriation for fiscal year 2016 and \$1,354,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007.

(29) \$1,000,000 of the general fund-state appropriation for fiscal year 2016, \$1,000,000 of the general fund-state appropriation for fiscal year 2017, and \$762,000 of the dedicated marijuana account-state appropriation are provided solely for dropout prevention, intervention, and reengagement programs, including the jobs for America's graduates (JAG) program, dropout prevention programs that provide student mentoring, and the building bridges statewide program. Starting in school year 2014-15, students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program. The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, \$251,000 of the dedicated marijuana account-state appropriation for fiscal year 2016, and \$511,000 of the dedicated marijuana account-state appropriation for fiscal year 2017 are provided solely for the building bridges statewide program.

(30) \$2,654,000 of the general fund-state appropriation for fiscal year 2016 and \$2,984,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support the statewide administration of the inventory under RCW 28A.655.080(1) and the one-time implementation and training grants under RCW 28A.655.080(3) for schools

implementing the inventory for the first time in the 2015-2017 fiscal biennium.

(31) \$75,000 of the general fund-state appropriation for fiscal year 2016 and \$75,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to subsidize advanced placement exam fees and international baccalaureate class fees and exam fees for low-income students. To be eligible for the subsidy, a student must be either enrolled or eligible to participate in the federal free or reduced-price lunch program, and the student must have maximized the allowable federal contribution. The office of the superintendent of public instruction shall set the subsidy in an amount so that the advanced placement exam fee does not exceed \$15.00 and the combined class and exam fee for the international baccalaureate does not exceed \$14.50.

(32) \$293,000 of the general fund-state appropriation for fiscal year 2016 and \$293,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs consistent with RCW 28A.600.045.

(33) \$2,864,000 of the general fund-state appropriation for fiscal year 2016 and \$3,758,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1546 (dual credit education opportunities).

(34) \$161,000 of the general fund-state appropriation for fiscal year 2016 and \$54,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the superintendent of public instruction to convene a workgroup to recommend comprehensive benchmarks for developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning for grades kindergarten through high school that build upon what is being done in early learning. The workgroup shall submit recommendations to the education committees of the legislature, and the office of the governor by October 1, 2016.

(35) \$122,000 of the general fund-state appropriation for fiscal year 2016 and \$117,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of

chapter 3 (SHB No. 1813), Laws of 2015 1st sp. sess. (computer science).

(36) (a) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to implement a K-12 dual language expansion grant program to build and expand well-implemented, sustainable dual language programs and create state-level infrastructure dedicated to dual language instruction.

(b) The superintendent shall award grants to pairs of school districts for periods of two years. Each awarded pair must have one district with an established dual language program with a plan for expansion, and another district with the desire to implement a new dual language program.

(c) Grant funds may be used for professional development, supplemental materials, training, administrative staffing of the program, site visits, recruiting bilingual teachers and instructional aides, program evaluation, and coaching.

(37) \$400,000 of the general fund-state appropriation for fiscal year 2016 and \$200,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the urban school turnaround initiative as follows:

(a) The office of the superintendent of public instruction shall provide grants of equal amounts to two schools that have previously received urban school turnaround initiative grants. The purpose of these grants is to assist the schools in maintaining gains made as a result of work completed under the original program, while also phasing out state funding support of the program.

(b) The office shall allocate the funds under this subsection (~~((36))~~) (37) to the school district to be used exclusively in the selected schools. The district may not charge an overhead or indirect fee for the allocated funds or supplant other state, federal, or local funds in the selected schools. The school district shall use the funds for intensive supplemental instruction, services, and materials in the selected schools, including but not limited to professional development for school staff; updated curriculum, materials, and technology; extended learning opportunities for students;

reduced class size; summer enrichment activities; school-based health clinics; and other research-based initiatives to dramatically turn around the performance and close the achievement gap in the schools. The office shall enter into an expenditure agreement with the school district under which any funds under this subsection (~~((41))~~) (37) remaining unspent on (~~(August 31)~~) June 30, 2017, shall be returned to the state. Priorities for the expenditure of the funds shall be determined by the leadership and staff of each school.

(38) \$125,000 of the general fund-state appropriation for fiscal year 2016 and \$125,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(39) \$652,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the administration of the preliminary scholastic aptitude test to ninth and tenth grade participants in the college bound program. The superintendent of public instruction shall partner with a national nonprofit organization that offers the aptitude test and that will provide: (i) Early and annual feedback on student progress; (ii) detailed performance feedback connected to Washington's standards, instruction, and assessments; (iii) access to state-of-the-art learning tools including free, personalized practice; (iv) access to college and career planning tools; (v) personalized information packets to high-achieving, low-income students to increase the number of applications from this group of students to public four-year institutions of higher education and independent, nonprofit baccalaureate degree-granting institutions in Washington; and (vi) for income eligible students, the opportunity to take the preliminary scholastic aptitude test in eleventh grade at no cost, to take the scholastic aptitude test twice at no cost, and access to additional tools and score reports at no cost.

(40) (a) \$125,000 of the general fund-state appropriation for fiscal year 2016 and \$125,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a grant to an entity that is exempt from taxation under Title 26 U.S.C. Sec. 501(c)(3) of the federal

internal revenue code of 1986, as amended, as of the effective date of this section, that is affiliated and in good standing with a national congressionally chartered organization's standards under 36 U.S.C., subtitle II, part B, and that:

(i) Is facility-based and provides proven and tested recreational, educational, and character-building programs for children ages six to eighteen years of age;

(ii) Provides after school and summer programs in a minimum of fifty communities statewide, with youth development services available at least twenty hours weekly during the school year and for thirty hours weekly during summer programming;

(iii) Has adopted standards for care that at a minimum include staff ratios, staff training, health and safety standards, and mechanisms for assessing and enforcing the program's compliance with the standards;

(iv) Provides a process to receive and resolve parental complaints; and

(v) Conducts national criminal background checks for all employees and volunteers who work with children.

(b) The grant shall be used to pilot a program of academic, innovation, and mentoring. The purpose of the program is to enable eligible neighborhood youth development entities to provide out-of-school time programs for youth six to eighteen years of age that include educational services, mentoring, and linkages to positive, pro-social leisure and recreational activities. The programs must be designed for mentoring and academic enrichment that include at least two of the following three activity areas:

(i) Science, technology, engineering, and math (STEM);

(ii) Homework support and high-yield learning opportunities; and

(iii) Career exploration.

(c) The entity receiving the grant shall conduct the pilot in at least five communities statewide. The office of the superintendent of public instruction shall submit a report to the appropriate education and fiscal committees of the legislature by December 31, 2015, and a final report by December 31, 2016. The report shall outline the programs established, target populations, and pre- and post-testing results.

(41) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to partner with a nonprofit organization providing music curriculum for kindergarten and first grade students and establish a grant program that provides start-up costs and materials for integrated music curriculum that links together other core curriculum. Preference shall be given to Title 1 schools, head start programs, early childhood education and assistance program sites, high poverty schools, schools with high mobility, and schools with low student achievement.

(42) \$1,000,000 of the general fund-state appropriation for fiscal year 2016 and \$1,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to Substitute House Bill No. 1813 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. Grant funds for the computer science and education grant program may be expended only to the extent that they are equally matched by private sources for the program, including gifts, grants, or endowments.

(43) \$1,461,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to Fourth Substitute House Bill No. 1999 (foster youth edu. outcomes).

(a) Of the amount provided in this subsection, \$446,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(b) Of the amount provided in this subsection, \$1,015,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a second demonstration site that includes a school district or school district with a significant number of dependent students. The office of the superintendent of public instruction, in collaboration with the department of social and health services children's administration and the contracted nongovernmental entity or entities, shall select a second demonstration site for implementation after July 1, 2016.

(44) \$1,000,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Third Substitute House Bill No. 1682 (homeless students). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(45) \$1,242,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Fourth Substitute House Bill No. 1541 (educational opportunity gap). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(46) \$350,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Second Substitute House Bill No. 2449 (truancy reduction). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(47) \$50,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a skilled workforce development high school summer internship pilot project. The office of the superintendent of public instruction shall select two high schools from the largest urban school district in the state who will in turn select 10 students each, who have completed their junior year, to participate in a 5 1/2 week summer internship. The selected high schools must partner with the port of Seattle and manufacturing and maritime employers, who

are committed to fostering the development of local youth into a skilled workforce, to provide internships for the selected students. The office of the superintendent of public instruction must submit a report to the legislature by December 1, 2016, summarizing the successes and failures of the pilot project and provide recommendations for any future actions. Expenditure of the amounts in this section is contingent on receipt by the school district of a fifty percent match in funding from nonstate sources.

(48) \$1,750,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for professional development for state-funded classroom paraeducators. Training must be provided in the 2016-17 school year.

(49) \$41,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the office of the superintendent of public instruction to implement the since time immemorial program, including web site updates to accommodate video content and online teaching tools, and training for classroom certificated instructional staff.

(50) \$11,000 of the general fund-state appropriation for fiscal year 2016 and \$8,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of chapter 3, Laws of 2016 (basic education obligations).

(51) \$276,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of Engrossed Senate Bill No. 6620 (school safety). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(52) \$500,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for implementation of section 1 of Engrossed Second Substitute Senate Bill No. 6455 (professional educator workforce). If section 1 of the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

Sec. 1502. 2016 sp.s. c 36 s 502 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR GENERAL APPORTIONMENT

General Fund-State Appropriation (FY 2016) \$6,375,707,000

General Fund-State Appropriation (FY 2017) (~~(\$6,734,241,000)~~)

\$6,751,047,000

Education Legacy Trust Account-State Appropriation \$95,730,000

TOTAL APPROPRIATION ~~\$13,205,678,000~~

\$13,222,484,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2015-16 and 2016-17 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary schedules in sections 502 and 503 of this act, excluding (c) of this subsection.

(c) From July 1, 2015, to August 31, 2015, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 4, Laws of 2013 2nd sp. sess., as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in this part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210 and to carry out the requirement specified in subsections 2(c)(i)(B) and 2(c)(ii)(B) of this section.

(g) For the 2015-16 and 2016-17 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2015-16 and 2016-17 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260, except that the allocation for guidance counselors in a middle school shall be 1.216 for the 2015-16 and 2016-17 school years, this enhancement is within the program of basic education. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i)(A) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General
1
education

class size:	RCW 28A.150.260	2015-16	2016-17
Grade 0		School Year	School Year
K		22.00	19.00
1		23.00	21.00
2		24.00	22.00
3		25.00	22.00
4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53
Grades 9-12		28.74	28.74

The superintendent shall base allocations for laboratory science, career and technical education (CTE) and skill center programs average class size as provided in RCW 28A.150.260.

(B) For grades kindergarten through three, the superintendent shall allocate funding for class size reductions to the extent of, and in proportion to, the school district's demonstrated actual weighted average class size for grades kindergarten through three, down to the weighted average class size specified in subsection 2(c)(i)(A) of this section. At a minimum, the superintendent must allocate funding sufficient to fund a weighted average class size not to exceed 25.23 full-time equivalent students per teacher in these grades.

(ii)(A) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

General education
class size in high
poverty schools:

Grade	RCW	2015-16	2016-17
	28A.150.260		
		School Year	School Year
K		18.00	17.00
1		19.00	17.00
2		22.00	18.00
3		24.00	21.00
4		27.00	27.00
5-6		27.00	27.00
7-8		28.53	28.53
9-12		28.74	28.74

(B) For grades kindergarten through three, the superintendent shall allocate funding for class size reductions to the extent of, and in proportion to, the school district's demonstrated actual weighted average class size for grades kindergarten through three, down to the weighted average class size specified in subsection 2(c)(ii)(A) of this section. At a minimum, the superintendent must allocate funding sufficient to fund a weighted average class size not to exceed 25.23 full-time equivalent students per teacher in these grades.

(iii) The enhancements in this subsection (2)(c) are within the program of basic education.

(iv) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(v) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and (a) of this subsection and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2015-16	2016-17
	School Year	School Year
Career and Technical Education	3.07	3.07
Skill Center	3.41	3.41

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2015-16 and 2016-17 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistance principals, and other certificated building level administrators:

Prototypical School Building:	
Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors: Career and Technical Education students 1.025

Skill Center students 1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2015-16 and 2016-17 school years are determined using the formula-generated staff units provided in RCW 28A.150.260, and adjusted based on each district's

annual average full-time equivalent student enrollment in each grade, except that the allocation for parent involvement coordinators in an elementary school shall be 0.0825 for the 2015-16 and 2016-17 school years, which enhancement is within the program of basic education.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2015-16 and 2016-17 school year for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 1.46 percent in the 2015-16 school year and 1.45 percent in the 2016-17 school year for career and technical education students, and 17.33 percent in the 2015-16 school year and 17.31 percent in the 2016-17 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 21.42 percent in the 2015-16 school year and 21.42 percent in the 2016-17 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.72 percent in the 2015-16 school year and 22.72 percent in the 2016-17 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1,440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE		
MSOC Component	2015-16 SCHOOL YEAR	2016-17 SCHOOL YEAR
Technology	\$127.17	\$128.58

Utilities and Insurance	\$345.55	\$349.35		SCHOOL YEAR
Curriculum and Textbooks	\$136.54	\$138.04	Technology	\$36.57
Other Supplies and Library Materials	\$289.88	\$293.07	Curriculum and Textbooks	\$39.89
Instructional Professional Development for Certificated and Classified Staff	\$21.12	\$21.35	Other Supplies and Library Materials	\$83.11
Facilities Maintenance	\$171.19	\$173.07	Instructional Professional Development for Certified and Classified Staff	\$6.65
Security and Central Office	\$118.60	\$119.90	TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$166.22
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$1,210.05	\$1,223.36		\$168.05

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2015-16 and 2016-17 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2015, to August 31, 2015, are adjusted to reflect provisions of chapter 4, Laws of 2013 2nd sp. sess., as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through

(ii) For the 2016-17 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (A) of this subsection (8) (a) (ii) exceeds (B) of this subsection (8) (a) (ii), any proposed use of this difference and how this use will improve student achievement.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,272.99 for the 2015-16 school year and \$1,286.99 for the 2016-17 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate a per student MSOC allocation of \$1,431.65 for the 2015-16 school year and \$1,447.40 for the 2016-17 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocation provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2015-16	2016-
		17
	SCHOOL	
	YEAR	

28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) VOLUNTARY ALL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund voluntary all day kindergarten programs in qualifying schools in the 2015-16 school year and all schools in the 2016-17 school year, pursuant to RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls for the voluntary all-day program in a qualifying school shall count as one-half of one full-time equivalent student for purpose of making allocations under this section. Funding in this section provides all-day kindergarten programs for 71.88 percent of kindergarten enrollment in the 2015-16 school year and full funding in the 2016-17 school year, which enhancement is within the program of basic education.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-

time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (12) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic

education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2016 and 2017 as follows:

(a) \$620,000 of the general fund-state appropriation for fiscal year 2016 and \$627,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund-state appropriation for fiscal year 2016 and \$436,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) \$219,000 of the general fund-state appropriation for fiscal year 2016 and \$221,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for school district emergencies as certified by the superintendent of public instruction. Funding provided must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. At the close of the fiscal year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

(17) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE

including school district and institution of higher education enrollment consistent with the running start course requirements provided in Engrossed Second Substitute House Bill No. 1546 (dual credit education opportunities). In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (12) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (12) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed 15 percent of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. School districts receiving federal forest revenues shall not have their general apportionment reduced during the 2015-2017 biennium only.

Sec. 1503. 2016 sp.s. c 36 s 503 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

General Fund—State Appropriation (FY 2016) \$137,930,000

General Fund—State Appropriation (FY 2017) (~~(\$265,361,000)~~)

\$266,466,000

TOTAL APPROPRIATION ~~\$403,291,000~~

\$404,396,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding in this section is sufficient to provide a salary increase of 3.0 percent effective September 1, 2015, and 1.8 percent effective September 1, 2016. Of the salary increases provided in this section, the increases of 1.8 percent effective September 1, 2015, and of 1.2 percent effective September 1, 2016, are provided as annual cost-of-living adjustments pursuant to Initiative Measure No. 732. The remaining portions of the salary increases are provided as a one-biennium salary increase for the 2015-16 and 2016-17 school years as the state continues to review and revise state-funded salary allocations, and the increase expires August 31, 2017.

(2)(a) Additional salary adjustments as necessary to fund the base salaries for certificated instructional staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.

(b) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for certificated administrative staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.

(c) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for classified staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.

(d) The appropriations in this subsection (1) include associated incremental fringe benefit allocations at 20.78 percent for the 2015-16 school year and 20.78 percent for the 2016-17 school year for certificated instructional and certificated administrative staff and 19.22 percent for the 2015-16 school year and 19.22 percent for the 2016-17 school year for classified staff.

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

(f) The appropriations in this section include no salary adjustments for substitute teachers.

(3) The maintenance rate for insurance benefit allocations is \$768.00 per month for the 2015-16 and 2016-17 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$780.00 per month for the 2015-16 school year and \$780.00 per month for the 2016-17 school year.

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

Sec. 1504. 2016 sp.s. c 36 s 504 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund—State Appropriation (FY 2016) \$496,456,000

General Fund—State Appropriation (FY 2017) (~~(\$489,624,000)~~)

\$489,595,000

TOTAL APPROPRIATION ~~\$985,080,000~~

\$986,051,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) For the 2015-16 school year, the superintendent shall allocate funding for approved and operating charter schools as provided in RCW 28A.710.220(3) for September through November 2015. Per-student allocations for pupil transportation must be calculated using the allocation for the previous school year to the school district in which the charter school is located and the number of eligible students in the district, and must be distributed to the charter school based on the number of eligible students.

(c) From July 1, 2015 to August 31, 2015, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 4, Laws of 2013 2nd sp. sess., as amended.

(3) A maximum of \$892,000 of this fiscal year 2016 appropriation and a maximum of \$892,000 of the fiscal year 2017 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the

greatest extent practical, reflect the actual transportation activity of each district.

(4) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(5) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(6) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(7) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

Sec. 1505. 2015 3rd sp.s. c 4 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund—State Appropriation (FY 2016) \$7,111,000

General Fund—State Appropriation (FY 2017) \$7,111,000

General Fund—Federal Appropriation (~~(\$526,332,000)~~)

\$536,332,000

TOTAL APPROPRIATION ~~\$540,554,000~~

\$550,554,000

The appropriations in this section are subject to the following conditions and limitations: \$7,111,000 of the general fund-state appropriation for fiscal year 2016 and \$7,111,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for state matching money for federal child nutrition

programs, and may support the meals for kids program through the following allowable uses:

(1) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades kindergarten through third grade who are eligible for reduced-price lunch;

(2) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(3) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(4) Assistance to school districts in initiating and expanding school breakfast programs.

The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsections (1), (2), and (3) of this section.

Sec. 1506. 2016 sp.s. c 36 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2016) \$805,866,000

General Fund—State Appropriation (FY 2017) (~~(\$853,389,000)~~)

\$871,708,000

General Fund—Federal Appropriation (~~(\$483,538,000)~~)

\$487,338,000

Education Legacy Trust Account—State Appropriation \$54,694,000

TOTAL APPROPRIATION ~~\$2,197,487,000~~

\$2,219,606,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive

their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 502(4) for parent involvement coordinators in prototypical elementary schools and guidance counselors in prototypical middle schools as provided under section 502(2), which enhancement is within the program of basic education.

(b) From July 1, 2015 to August 31, 2015, the superintendent shall allocate

funding to school district programs for special education students as provided in section 507, chapter 4, Laws of 2013 2nd sp. sess., as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund-state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) \$20,691,000 of the general fund-state appropriation for fiscal year 2016, (~~(\$24,473,000)~~) \$30,999,000 of the general fund-state appropriation for fiscal year 2017, and (~~(\$27,350,000)~~) \$31,350,000 of the general fund-federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2015-16 and 2016-17 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for

the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$931,000 may be expended from the general fund-state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund-state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$255,000 of the general fund-state appropriation for fiscal year 2016 and \$256,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund-state appropriation for fiscal year 2016, \$50,000 of the general fund-state appropriation for fiscal year 2017, and \$100,000 of the general fund-federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

Sec. 1507. 2016 sp.s. c 36 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund-State Appropriation (FY 2016) \$8,208,000

General Fund-State Appropriation (FY 2017) (~~(\$8,200,000)~~)

\$8,197,000

TOTAL APPROPRIATION ~~\$16,408,000~~

\$16,405,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

Sec. 1508. 2016 sp.s. c 36 s 507 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE

General Fund-State Appropriation (FY 2016) \$375,622,000

General Fund-State Appropriation (FY 2017) (~~(\$390,801,000)~~)

\$400,207,000

TOTAL APPROPRIATION ~~\$766,423,000~~

\$775,829,000

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 4.27 percent from the 2014-15 school year to the 2015-16 school year and 1.09 percent from the 2015-16 school year to the 2016-17 school year.

Sec. 1509. 2016 sp.s. c 36 s 508 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2016) \$13,239,000

General Fund—State Appropriation (FY 2017) (~~(\$13,271,000)~~)

\$13,341,000

TOTAL APPROPRIATION ~~\$26,510,000~~

\$26,580,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$757,000 of the general fund—state appropriation for fiscal year 2016 and

(~~\$757,000~~) \$701,000 of the general fund—state appropriation for fiscal year 2017 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

Sec. 1510. 2016 sp.s. c 36 s 509 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund—State Appropriation (FY 2016) \$10,012,000

General Fund—State Appropriation (FY 2017) (~~(\$10,162,000)~~)

\$10,185,000

TOTAL APPROPRIATION ~~\$20,174,000~~

\$20,197,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c). In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the district's average staff mix and

compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2015, to August 31, 2015, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 4, Laws of 2013 2nd sp. sess., as amended.

(3) \$85,000 of the general fund-state appropriation for fiscal year 2016 and \$85,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the centrum program at Fort Worden state park.

Sec. 1511. 2016 sp.s. c 36 s 511 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-EDUCATION REFORM PROGRAMS

General Fund-State Appropriation (FY 2016) \$116,893,000

General Fund-State Appropriation (FY 2017) (~~(\$134,641,000)~~)

\$136,063,000

General Fund-Federal Appropriation \$99,278,000

General Fund-Private/Local Appropriation \$2,721,000

Education Legacy Trust Account-State Appropriation \$1,613,000

TOTAL APPROPRIATION ~~\$355,146,000~~

\$356,568,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$29,137,000 of the general fund-state appropriation for fiscal year 2016, \$36,648,000 of the general fund-state appropriation for fiscal year 2017, \$1,350,000 of the education legacy trust account-state appropriation, and \$16,268,000 of the general fund-federal appropriation are provided solely for development and implementation of the Washington state assessment system, including: (a) Development and implementation of retake assessments for high school students who are not successful in one or more content areas; and (b) development and implementation of alternative assessments or appeals procedures to implement the certificate of academic achievement. The superintendent of public instruction shall report quarterly on the progress on development

and implementation of alternative assessments or appeals procedures. Within these amounts, the superintendent of public instruction shall contract for the early return of 10th grade student assessment results, on or around June 10th of each year. State funding to districts shall be limited to one collection of evidence payment per student, per content-area assessment. Within the amounts provided in this section, the superintendent of public instruction shall administer the biology collection of evidence. The alternative assessment method that consists of an evaluation of a collection of student work samples under RCW 28A.655.065 (5) and (6) is intended to provide an alternative way for students to meet the state standards for high school graduation purposes. To ensure that students are learning the state standards, prior to the collection of work samples being submitted to the state for evaluation, a classroom teacher or other educator must review the collection of work to determine whether the sample is likely to meet the minimum required score to meet the state standard.

(2) \$356,000 of the general fund-state appropriation for fiscal year 2016 and \$356,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities coordinated at the Pacific science center, including instructional material purchases, teacher and principal professional development, and school and community engagement events.

(3) \$3,935,000 of the general fund-state appropriation for fiscal year 2016 and \$3,935,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(4) \$51,337,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$56,939,000)~~) \$58,361,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in

a Washington public school, subject to the following conditions and limitations:

(a) For national board certified teachers, a bonus of \$5,151 per teacher in the 2015-16 school year and a bonus of \$5,208 per teacher in the 2016-17 school year;

(b) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(c) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(d) During the 2015-16 and 2016-17 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary schedule and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after three years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including

applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(5) \$477,000 of the general fund-state appropriation for fiscal year 2016 and \$477,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(6) \$950,000 of the general fund-state appropriation for fiscal year 2016 and \$950,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to low-performing schools and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(7) \$810,000 of the general fund-state appropriation for fiscal year 2016 and \$810,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(8) \$3,000,000 of the general fund-state appropriation for fiscal year 2016 and \$3,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT certification and software training opportunities for students and staff in public schools.

(9) \$1,677,000 of the general fund-state appropriation for fiscal year 2016 and \$1,677,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008. If equally matched by private donations, \$700,000 of the 2016 appropriation and \$700,000 of the 2017 appropriation shall be used to support FIRST robotics programs. Of the amounts in this subsection, \$100,000 of the fiscal year 2016 appropriation and \$100,000 of the fiscal year 2017 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(10) \$125,000 of the general fund-state appropriation for fiscal year 2016 and \$125,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(11) \$135,000 of the general fund-state appropriation for fiscal year 2016 and \$135,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(12) \$5,500,000 of the general fund-state appropriation for fiscal year 2016 and \$9,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a beginning educator support program. The program shall prioritize first year teachers in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time

with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators.

(13) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2016, a high school must have offered a foundational project lead the way course during the 2014-15 school year. The 2016 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2015-16 school year. To be eligible for funding in 2016, a high school must have offered a foundational project lead the way course during the 2015-16 school year. The 2017 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2016-17 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(14) \$300,000 of the general fund-state appropriation for fiscal year 2016 and \$300,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for annual start-up or expansion grants for aerospace and manufacturing technical programs housed at skill centers. The grants are provided for equipment, professional development, and curriculum purchases. To be eligible for funding, the skill center must agree to provide regional high schools with access to a technology laboratory, expand manufacturing certificate and course offerings at the skill center, and provide a laboratory space for local high school teachers to engage in professional development in the instruction of courses leading to student employment certification in the aerospace, manufacturing industries, or other high-skill programs as determined by the superintendent of public instruction or for professional development of such programs. The office of the superintendent of public instruction shall administer the grants in consultation with the center for excellence for aerospace and advanced materials manufacturing.

(15) \$150,000 of the general fund-state appropriation for fiscal year 2016 and \$150,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for annual start-up or expansion grants to high schools to implement or expand aerospace manufacturing programs, or other high-skill programs as determined by the superintendent of public instruction or for professional development of such programs. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(16) \$5,000,000 of the general fund-state appropriation for fiscal year 2016 and \$5,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the provision of training for teachers in the performance-based teacher principal evaluation program.

(17) \$7,235,000 of the general fund-state appropriation for fiscal year 2016 and \$9,352,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 159, Laws of 2013 (Engrossed Second Substitute Senate Bill No. 5329) (persistently failing schools).

(18) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

(19) \$99,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the office of the superintendent of public instruction to implement a youth dropout prevention program that incorporates partnerships between community-based organizations, schools, food banks and farms or gardens. The office of the superintendent of public instruction shall select one school district that must partner with an organization that is operating an existing similar program and that also has the ability to serve at least 40 students. Of the amount appropriated in this subsection, up to \$10,000 may be used by the office of the superintendent of public instruction for administration of the program.

(20) \$2,194,000 of the general fund-state appropriation for fiscal year 2016 and \$2,194,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement chapter 18, Laws of 2013 2nd sp. sess. (Engrossed Substitute Senate Bill No. 5946) (strengthening student educational outcomes).

(21) \$856,000 of the general fund-state appropriation for fiscal year 2016 and \$1,061,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for chapter 184, Laws of 2013 (Second Substitute House Bill No. 1642) (academic acceleration) and other activities proven to increase K-12 student enrollment in rigorous courses.

(22) \$36,000 of the general fund-state appropriation for fiscal year 2016 and \$36,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for chapter 212, Laws of 2014 (Substitute Senate Bill No. 6074) (homeless student educational outcomes).

(23) \$80,000 of the general fund-state appropriation for fiscal year 2016 and \$80,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for chapter 219, Laws of 2014 (Second Substitute Senate Bill No. 6163) (expanded learning).

(24) \$15,000 of the general fund-state appropriation for fiscal year 2016 and \$10,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for chapter 102, Laws of 2014 (Senate Bill No. 6424) (biliteracy seal).

(25) \$500,000 of the general fund-state appropriation for fiscal year 2016 and \$500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization to integrate the state learning standards in English language arts, mathematics, and science with outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors.

(26) \$1,392,000 of general fund-state appropriation for fiscal year 2016 is provided solely for professional development and coaching for state-funded high school mathematics and science teachers. Training shall be provided in the 2015-16 school year by the science and

mathematics coordinators at each educational service district. The professional development shall include instructional strategies and curriculum-specific training to improve outcomes for the statewide high school mathematics assessment or the high school biology assessment. The professional development provided may be broken up into shorter timeframes over the course of more than one day, but the aggregate amount of professional development provided shall be one full work day.

(27) \$205,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for grants to high schools that have an existing international baccalaureate program and enrollments of seventy percent or more students eligible for free or reduced-price meals in the prior school year to implement and sustain an international baccalaureate program.

(28) Within the amounts provided in this section, the superintendent of public instruction shall obtain an existing student assessment inventory tool that is free and openly licensed and distribute the tool to every school district. Each school district shall use the student assessment inventory tool to identify all state-level and district-level assessments that are required of students. The state-required assessments should include: Reading proficiency assessments used for compliance with RCW 28A.320.202; the required statewide assessments under chapter 28A.655 RCW in grades three through eight and at the high school level in English language arts, mathematics, and science, as well as the practice and training tests used to prepare for them; and the high school end-of-course exams in mathematics under RCW 28A.655.066. District-required assessments should include: The second grade reading assessment used to comply with RCW 28A.300.320; interim smarter balanced assessments, if required; the measures of academic progress assessment, if required; and other required interim, benchmark, or summative standardized assessments, including assessments used in social studies, the arts, health, and physical education in accordance with RCW 28A.230.095, and for educational technology in accordance with RCW 28A.655.075. The assessments identified should not include assessments used to determine eligibility for any categorical program including the transitional bilingual instruction program, learning assistance program, highly capable

program, special education program, or any formative or diagnostic assessments used solely to inform teacher instructional practices, other than those already identified. By October 15, 2016, each district shall report to the superintendent the amount of student time that is spent taking each assessment identified. By December 15, 2016, the superintendent shall summarize the information reported by the school districts and report to the education committees of the house of representatives and the senate.

Sec. 1512. 2016 sp.s. c 36 s 512 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund-State Appropriation (FY 2016) \$118,648,000

General Fund-State Appropriation (FY 2017) (~~(\$124,751,000)~~)

\$129,666,000

General Fund-Federal Appropriation \$72,207,000

TOTAL APPROPRIATION ~~\$315,606,000~~

\$320,521,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through twelve in school years 2015-16 and 2016-17; (ii) additional instruction of 3.0000 hours per week in school years 2015-16 and 2016-17 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their

performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2015, to August 31, 2015, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 4, Laws of 2013, 2nd sp. sess., as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 2.40 percent for school year 2015-16 and 1.97 percent for school year 2016-17.

(4) The general fund-federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund-state appropriation for fiscal year 2016 and \$35,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to track current and former transitional bilingual program students.

(6) \$1,456,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the central provision of assessments pursuant to RCW 28A.180.090.

Sec. 1513. 2016 sp.s. c 36 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR THE LEARNING ASSISTANCE PROGRAM

General Fund-State Appropriation (FY 2016) \$224,311,000

General Fund-State Appropriation (FY 2017) ((~~\$228,865,000~~))

\$225,808,000

General Fund-Federal Appropriation \$494,468,000

TOTAL APPROPRIATION ~~\$947,644,000~~

\$944,587,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund-state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2015-16 and 2016-17 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the basic education. In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2015-16 school year and the 2016-17 school year; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2015, to August 31, 2015, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 4, Laws of 2013, 2nd sp. sess., as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund-federal appropriation in this section is provided for Title I Part A allocations of the no child left behind act of 2001.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund-state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2015-16 and 2016-17 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

Sec. 1514. 2016 sp.s. c 36 s 514 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as expressly provided in subsection (4) of this section.

(4) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, (~~2016~~) 2017, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year (~~2016~~) 2017 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable; and learning assistance programs.

(5) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

(6) As required by RCW 28A.710.110 as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools), the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(7) State general fund appropriations distributed through Part V of this act for the operation and administration of charter schools as provided in chapter 28A.710 RCW shall not include state common school levy revenues collected under RCW 84.52.065.

Sec. 1515. 2016 sp.s. c 36 s 516 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION-FOR CHARTER SCHOOLS

Washington Opportunity Pathways
Account-State

Appropriation ((~~\$10,159,000~~))

\$10,527,000

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

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools).

(2) Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

Sec. 1516. 2016 sp.s. c 36 s 517 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION

General Fund-State Appropriation (FY 2016) \$497,000

Washington Opportunity Pathways Account-State

Appropriation \$546,000

Charter Schools Oversight Account-State Appropriation \$400,000

TOTAL APPROPRIATION \$1,443,000

The appropriations in this section are subject to the following conditions and limitations: The entire Washington opportunity pathways account-state appropriation in this section is provided ((to the superintendent of public instruction)) solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW as amended by Engrossed Second Substitute Senate Bill No. 6194 (public schools other than common schools).

PART XVI

HIGHER EDUCATION

Sec. 1601. 2016 sp.s. c 36 s 602 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund-State Appropriation (FY 2016) \$625,251,000

General Fund-State Appropriation (FY 2017) (~~\$666,835,000~~)

\$667,514,000

Community/Technical College Capital Projects

Account-State Appropriation \$17,548,000

Education Construction Account-State Appropriation \$7,109,000

Education Legacy Trust Account-State

Appropriation \$96,422,000

TOTAL APPROPRIATION ~~\$1,413,165,000~~

\$1,413,844,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund-state appropriation for fiscal year 2016 and \$33,261,000 of the general fund-state appropriation for fiscal year 2017 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2016 and at least 7,170 full-time equivalent students in fiscal year 2017.

(2) \$5,450,000 of the education legacy trust account-state appropriation is provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund-state appropriation for fiscal year 2016 and \$425,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for Seattle central college's expansion of allied health programs.

(4) \$17,058,000 of the general fund-state appropriation for fiscal year 2016 and (~~\$17,506,000~~) \$17,765,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college

affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the total full-time equivalent annual average resident undergraduate enrollment for all community and technical colleges increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or all community and technical colleges' total preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(5) \$5,250,000 of the general fund-state appropriation for fiscal year 2016 and \$5,250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the student achievement initiative.

(6) \$410,000 of the general fund-state appropriation for fiscal year 2016, and \$860,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the expansion of the mathematics, engineering, and science achievement program. The state board shall report back to the appropriate committees of the legislature on the number of campuses and students served by December 31, 2018.

(7) \$750,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for Bellevue college to develop a baccalaureate of science degree in computer science. Subject to approval by the state board for community and technical colleges, in fiscal year 2016 Bellevue college shall develop a baccalaureate of science degree in computer science. This degree must be directed at high school graduates who may enroll directly as freshmen and transfer-oriented degree and professional and technical degree holders. Bellevue college will develop a plan for offering this new degree by no later than fall quarter 2016. With the exception of the amounts provided in this subsection, the plan must assume funding for this new degree will come through redistribution of the college's current per full-time enrollment funding. The plan shall be delivered to the state board by June 30, 2016.

(8) Pursuant to aerospace industry appropriations (chapter 1, Laws of 2013 3rd sp. sess.), \$1,080,000 of the general fund-state appropriation for fiscal year 2016 and \$1,500,000 of the general fund-

state appropriation for fiscal year 2017 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(9) \$150,000 of the general fund-state appropriation for fiscal year 2016 and \$150,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the state board to conduct a feasibility study for a potential new community and technical college in and for program delivery through Pierce college in conjunction with the Bethel school district for the Graham, Washington area.

(10) \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(11) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(12) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(13) (a) The state board must provide quality assurance reports on the ctcLink project at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(b) The state board must develop a technology budget using a method similar to the state capital budget, identifying

project costs, funding sources, and anticipated deliverables through each stage of the investment and across fiscal periods and biennia from project initiation to implementation. The budget must be updated at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(c) The state board must contract with an independent verification and validation consultant to review the software that currently exists to determine if configuration and integrations are complete and to evaluate readiness to move forward with the ctcLink project. The state board must define the consultant's scope of work in conjunction with the office of chief information officer and allow for independent reporting by the consultant to the office of chief information officer.

(d) The office of the chief information officer may suspend the ctcLink project at any time if the office of the chief information officer determines that the project is not meeting or is not expected to meet anticipated performance measures, implementation timelines, or budget estimates. Once suspension or termination occurs, the state board shall not make additional expenditures on the ctcLink project without approval of the chief information officer.

(14) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$2,250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for Bellingham Technical College to administer on-site worker training and skill enhancement training for employees of trade-impacted industrial facilities pursuant to trade adjustment assistance decision 64764.

(15) \$157,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for Wenatchee Valley college to develop a wildfire prevention program.

Sec. 1602. 2016 sp.s. c 36 s 603 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund-State Appropriation (FY 2016) \$279,934,000

General Fund-State Appropriation (FY 2017) (~~\$317,254,000~~)

\$317,739,000

Education Legacy Trust Account-State Appropriation \$28,088,000

Economic Development Strategic Reserve Account-

State Appropriation \$3,011,000

Biotoxin Account-State Appropriation \$492,000

Accident Account-State Appropriation \$7,129,000

Medical Aid Account-State Appropriation \$6,749,000

Aquatic Land Enhancement Account-State Appropriation \$1,550,000

Dedicated Marijuana Account-State Appropriation

(FY 2016) \$227,000

Dedicated Marijuana Account-State Appropriation

(FY 2017) \$227,000

TOTAL APPROPRIATION ~~\$644,661,000~~

\$645,146,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the general fund-state appropriation for fiscal year 2016 and \$52,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the center for international trade in forest products in the college of forest resources.

(2) \$200,000 of the general fund-state appropriation for fiscal year 2016 and \$200,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

(3) \$8,000,000 of the education legacy trust account-state appropriation is provided solely for the family medicine residency network at the university to expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-

income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$1,550,000 of the aquatic lands enhancement account-state is provided solely for ocean acidification monitoring, forecasting, and research and for operation of the Washington ocean acidification center. By September 1, 2015, the center must provide a biennial work plan and begin quarterly progress reports to the Washington marine resources advisory council created under RCW 43.06.338.

(6) \$6,000,000 of the education legacy trust account-state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(7) \$10,429,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$37,155,000)~~) \$37,640,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(8) \$3,000,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

(9) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(10) \$250,000 of the general fund-state appropriation for fiscal year 2016 and \$250,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the latino health center.

(11) \$200,000 of the general fund-state appropriation for fiscal year 2016 and \$200,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the climate impacts group in the college of the environment.

(12) To the extent federal or private funding is available for this purpose, the center for education data and research at the University of Washington shall examine the relationship between participation in pension systems and teacher quality and mobility patterns in the state, including changes in the patterns that have occurred since the 2009-2011 fiscal biennium. The department of retirement systems shall facilitate University of Washington researchers' access to necessary individual-level data necessary to effectively conduct the study. The University of Washington shall ensure that no individually identifiable information will be disclosed at any time. An interim report on project findings must be completed by November 15, 2015, and a final report must be submitted to the governor and to the relevant committees of the legislature by October 15, 2016.

(13) \$3,600,000 of the general fund-state appropriation for fiscal year 2016 and \$5,400,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the continued operations of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(14) Within the amounts provided in this section, the university must determine the feasibility of establishing inter-agency agreements with the department of corrections and the special commitment center within the department of social and health services to provide each entity with discount pricing on prescription hepatitis C medications or other prescription medications as allowed under section 340B of the public health services act. By January 1, 2016, the university must submit a report to the relevant policy and fiscal committees of the legislature that includes the following:

(a) Description of the steps required to achieve institutional cooperation on 340B pricing;

(b) Identification of barriers to achieving such an agreement;

(c) Where possible, possible solutions to overcoming these barriers;

(d) Estimates of the fiscal impact of this agreement in the 2015-2017 and 2017-2019 fiscal biennia; and

(e) Timeline for implementation of such an agreement.

The inter-agency agreements must be in place prior to July 1, 2016, and the agreements must not jeopardize the University of Washington's current compliance status with 340B program rules and regulations.

(15) Within the funds appropriated in this section, the University of Washington shall:

(a) Review the scholarly literature on the short-term and long-term effects of marijuana use to assess if other states or private entities are conducting marijuana research in areas that may be useful to the state.

(b) Provide as part of its budget request for the 2017-2019 biennium:

(i) A list of intended state, federal, and privately funded marijuana research, including cost, duration, and scope;

(ii) Plans for partnerships with other universities, state agencies, or private entities, including entities outside the state, for purposes related to researching short-term and long-term effects of marijuana use.

(16) \$18,000 of the general fund-state appropriation for fiscal year 2016 and \$18,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to implement Substitute Senate Bill No. 6519 (telemedicine). If the bill is not enacted by June 30, 2016, the amounts provided in this subsection shall lapse.

(17) \$25,000 of the general fund-state appropriation for fiscal year 2016 and \$25,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of House Bill No. 1138 (higher education mental health).

Sec. 1603. 2016 sp.s. c 36 s 604 (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund-State Appropriation (FY 2016) \$181,494,000

General Fund-State Appropriation (FY 2017) (~~\$207,738,000~~)

\$207,514,000

Education Legacy Trust Account-State Appropriation \$33,995,000

Dedicated Marijuana Account-State Appropriation (FY 2016) \$138,000

Dedicated Marijuana Account-State Appropriation (FY 2017) \$138,000

TOTAL APPROPRIATION ~~\$423,503,000~~

\$423,279,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund-state appropriation for fiscal year 2016 and \$90,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$1,000,000 of the general fund-state appropriation for fiscal 2016 and \$630,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(4) \$1,000,000 of the general fund-state appropriation for fiscal year 2016 and \$1,370,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately

when providing data to the education research data center as required in subsection (2) of this section.

(5) \$500,000 of the general fund-state appropriation for fiscal year 2016 and \$500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for state match requirements related to the federal aviation administration grant.

(6) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(7) \$8,980,000 of the general fund-state appropriation for fiscal year 2016 and (~~\$27,068,000~~) \$26,756,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(8) \$1,098,000 of the general fund-state appropriation for fiscal year 2016 and \$1,402,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for development of a medical school in Spokane. Funding must support the development of the curriculum, the courses, the faculty, and the administrative structure required by the liaison committee on medical education.

(9) Within the funds appropriated in this section, Washington State University is required to provide administrative support to the sustainable aviation biofuels work group authorized under RCW 28B.30.904.

(10) Within the funds appropriated in this section, Washington State University shall:

(a) Review the scholarly literature on the short-term and long-term effects of marijuana use to assess if other states or private entities are conducting marijuana

research in areas that may be useful to the state.

(b) Provide as part of its budget request for the 2017-2019 biennium:

(i) A list of intended state, federal, and privately funded marijuana research, including cost, duration, and scope;

(ii) Plans for partnerships with other universities, state agencies, or private entities, including entities outside the state, for purposes related to researching short-term and long-term effects of marijuana use.

(11) \$135,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for a honey bee biology research position.

(12) \$580,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

Sec. 1604. 2016 sp.s. c 36 s 605 (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2016) \$38,689,000

General Fund-State Appropriation (FY 2017) (~~\$48,098,000~~)

\$48,158,000

Education Legacy Trust Account-State

Appropriation \$16,718,000

TOTAL APPROPRIATION ~~\$103,505,000~~

\$103,565,000

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$200,000 of the general fund-state appropriation for fiscal year 2016 and at least \$200,000 of the general fund-state appropriation for fiscal year 2017 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student

completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$750,000 of the general fund-state appropriation are provided solely for student success and advising programs that lead to increased degree completion.

(5) \$2,425,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$9,698,000)~~) \$9,611,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

Sec. 1605. 2016 sp.s. c 36 s 606 (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2016) \$36,958,000

General Fund-State Appropriation (FY 2017) (~~(\$47,578,000)~~)

\$47,778,000

Education Legacy Trust Account-State Appropriation \$19,140,000

TOTAL APPROPRIATION ~~\$103,676,000~~

\$103,876,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$750,000 of the general fund-state appropriation are provided solely for student success and advising programs that lead to increased degree completion.

(4) \$2,739,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$10,826,000)~~) \$10,833,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

Sec. 1606. 2016 sp.s. c 36 s 607 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund-State Appropriation (FY 2016) \$22,068,000

General Fund-State Appropriation (FY 2017) (~~(\$25,441,000)~~)

\$25,494,000

Education Legacy Trust Account-State Appropriation \$5,493,000

TOTAL APPROPRIATION ~~\$53,002,000~~

\$53,055,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$39,000 of the general fund-state appropriation for fiscal year 2016 and \$55,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of chapter 244, Laws of 2015 (college bound).

(2) \$39,000 of the general fund-state appropriation for fiscal year 2016 and \$32,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1491 (early care & education system). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse.

(3) \$837,000 of the general fund-state appropriation for fiscal year 2016 and (~~(\$3,327,000)~~) \$3,295,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the college's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the college's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(4) \$40,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for the tuition metric study in Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse.

(5) \$121,000 of the general fund-state appropriation for fiscal year 2016 is provided solely for implementation of section 15 of chapter 269, Laws of 2015 (mental health/involuntary outpatient). If the bill is not enacted by July 10, 2015, the amount provided in this subsection shall lapse.

(6) \$295,000 of the general fund-state appropriation for fiscal year 2016 and \$295,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state institute of public policy to contract with an objective, non-partisan, nationally known organization to examine policy options for increasing the availability of primary care services in rural Washington.

(7) \$750,000 of the general fund-state appropriation for fiscal year 2016 and \$750,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for student success and advising programs that lead to increased degree completion.

(8) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(9) \$50,000 of the general fund-state appropriation for fiscal year 2016 and \$50,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state institute for public policy to review existing research literature and begin a four-year study to evaluate outcomes regarding the cost effectiveness of FDA approved long-acting injectable medications that are indicated for the treatment of alcohol and opiate dependence. Any outcome evaluation will be focused on potential benefits to prison offenders being released into the community and the effects on recidivism. The institute shall submit a report summarizing cost-effectiveness findings from the existing research literature to the appropriate committees of the legislature by December 31, 2016.

(10) Notwithstanding other provisions in this section, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2015-2017 work plan as necessary to efficiently manage workload.

(11) The Evergreen State College shall not use funds appropriated in this section to support intercollegiate athletics programs.

(12) \$48,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Second Substitute House Bill No. 2449 (truancy reduction). If the bill is not

enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(13) \$32,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Second Substitute House Bill No. 2791 (Washington statewide reentry council). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(14) \$16,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6455 (professional educator workforce). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(15) \$26,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Senate Bill No. 6620 (school safety). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(16) \$30,000 of the general fund-state appropriation for fiscal year 2016 and \$120,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the Washington state institute for public policy to evaluate and report to the appropriate legislative committees on the impact and cost effectiveness of the hub home model, a model for foster care delivery. The institute shall use the most appropriate available methods to evaluate the model's impact on child safety, permanency, placement stability and, if possible, sibling connections, culturally relevant care, and caregiver retention. The report shall include an analysis of whether the model yields long-term cost savings in comparison with traditional foster care. The department of social and health services children's administration shall facilitate provision of the data necessary to conduct the evaluation. The institute shall submit an interim report by January 15, 2017, and a final report by June 30, 2017. The institute may receive additional funds from a private organization for the purpose of the evaluation.

(17) \$16,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the Washington institute for public policy to conduct a study regarding the implementation of certain aspects of the involuntary

treatment act, pursuant to chapter 29, Laws of 2016 sp. sess. (E3SHB 1713).

Sec. 1607. 2016 sp.s. c 36 s 608 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund-State Appropriation (FY 2016) \$53,447,000

General Fund-State Appropriation (FY 2017) (~~\$67,091,000~~)

\$67,234,000

Education Legacy Trust Account-State

Appropriation \$13,737,000

TOTAL APPROPRIATION ~~\$134,275,000~~

\$134,418,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) \$910,000 of the general fund-state appropriation for fiscal year 2016 and \$630,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the creation of a computer and information systems security program located at Olympic college - Poulsbo. The university is expected to enroll 30 students each academic year beginning in fiscal year 2017. The university must identify these students separately when providing data to the educational data centers as required in (1) of this section.

(3) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$3,726,000 of the general fund-state appropriation for fiscal year 2016 and (~~\$14,819,000~~) \$14,952,000 of the general fund-state appropriation for

fiscal year 2017 are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by July 10, 2015, the amounts provided in this subsection shall lapse. For the 2016-17 academic year, if the university's full-time equivalent annual average resident undergraduate enrollment increases by more than one percent from the 2015-16 academic year, for purposes of calculating state funding for the tuition reduction backfill, only a one percent growth rate or the university's preceding five-year average percentage full-time equivalent enrollment change, whichever is greater, may be used in calculating the backfill.

(5) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the endowment of the Jaffee professorship in Jewish history and holocaust studies.

Sec. 1608. 2016 sp.s. c 36 s 609 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL-
POLICY COORDINATION AND ADMINISTRATION

General Fund-State Appropriation (FY 2016) \$5,515,000

General Fund-State Appropriation (FY 2017) (~~(\$6,217,000)~~)

\$6,289,000

General Fund-Federal
Appropriation \$4,859,000

TOTAL APPROPRIATION ~~\$16,591,000~~

\$16,663,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$182,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the student achievement council, the workforce training and education coordinating board, and the department of licensing to work together to design and oversee a study, to be administered by the council, that objectively analyzes and makes recommendations about systemic overlaps and gaps in jurisdiction regarding for-profit degree-granting institutions and private vocational schools in the state. The council may contract with a neutral third-party research organization to conduct the study. The study must be conducted in two phases, starting with an

assessment of perspectives and relevant studies. A second phase, if deemed appropriate by the council, the workforce training and education coordinating board, and other stakeholders, may consist of facilitated discussions amongst agencies, regulated entities, and stakeholders to reach agreed-upon recommendations.

(a) The study must include recommendations to improve oversight and accountability of these institutions and schools and a review of whether, and how, different standards are applied to the institutions and schools by different agencies. Specifically, the study must:

(i) Examine the data collection and reporting practices of for-profit degree-granting institutions and private vocational schools compared to the data collection and reporting of the community and technical colleges. The study must determine if there are inconsistencies and discrepancies in the practices of the for-profit degree-granting institutions and private vocational schools. The study must also make recommendations on the methods of collecting, analyzing, and reporting data, including what measurements to use, to ensure that data from for-profit degree-granting institutions and private vocational schools can be accurately compared to data from the community and technical colleges;

(ii) Study the current regulations governing these institutions and schools and recommend necessary changes to achieve consistent regulatory oversight of the entire system;

(iii) Recommend ways to implement a cohesive method for guiding and assisting current and prospective students who have questions and concerns; and

(iv) Review whether an ombuds position serving students of for-profit degree-granting institutions and private vocational schools should be created. If the recommendation is to create an ombuds position, the study must make a recommendation on which state entity should house the position.

(b) The assessment phase of the study may begin July 1, 2016. The council must issue a final report, including the result of any facilitated agreed-upon recommendations, to the appropriate committees of the legislature by January 1, 2017.

(2) \$25,000 of the general fund-state appropriation for fiscal year 2017 is

provided solely to implement Second Engrossed Substitute Senate Bill No. 6601 (Washington college savings program). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse.

(3) \$250,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the council to complete a higher education needs assessment for southeast King county, and to prepare a program and operating plan to meet the higher education needs identified in the assessment. The needs assessment shall consider population changes, higher education participation rates, economic demand and work force needs, commute times for study area residents to existing higher education institutions, and any other items identified by the council. In completing the needs assessment and plan, the council shall consider the factors outlined in RCW 28B.77.080, enrollment trends in the study area, employer needs, existing and needed postsecondary programs, recommended strategies for promoting program participation, an estimated cost to meet the assessed need, and potential location sites. In preparing a program and operating plan, the council shall consider a variety of higher education options including, but not limited to, a branch campus, a university center, a private university, and an online learning center. The needs assessment and plan must be developed in consultation with an advisory committee of civic, business, and education leaders from southeast King county. The council shall provide a preliminary report to the appropriate committees of the legislature and the governor by November 1, 2016, and a final report by January 1, 2017. The council may contract with a consultant to complete this study.

Sec. 1609. 2016 sp.s. c 36 s 610 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL-
OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund-State Appropriation (FY 2016) \$265,978,000

General Fund-State Appropriation (FY 2017) \$234,444,000

General Fund-Federal Appropriation \$11,801,000

General Fund-Private/Local Appropriation \$300,000

Aerospace Training Student Loan Account-State			
Appropriation (FY 2017)	\$104,000		
Washington Opportunity Expansion Account-State			
Appropriation	\$6,000,000		
Education Legacy Trust Account-State			
Appropriation	\$40,671,000		
Health Professional Loan Repayment Scholarship Program			
Account-State			
Appropriation	\$1,720,000		
Washington Opportunity Pathways Account-State			
Appropriation (FY 2016)	\$95,061,000		
Washington Opportunity Pathways Account-State			
Appropriation (FY 2017)			
	(\$78,469,000)		
	\$77,260,000		
TOTAL APPROPRIATION	\$734,548,000		
	\$733,339,000		

The appropriations in this section are subject to the following conditions and limitations:

(1) \$235,217,000 of the general fund-state appropriation for fiscal year 2016, \$201,760,000 of the general fund-state appropriation for fiscal year 2017, \$26,000,000 of the education legacy trust account-state appropriation, \$77,500,000 of the Washington opportunity pathways account-state appropriation for fiscal year 2016, and \$67,500,000 of the Washington opportunity pathways account-state appropriation for fiscal year 2017 are provided solely for student financial aid payments under the state need grant, implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program), and state work study programs including up to four percent administrative allowance for the state work study program.

(2) Changes made to the state need grant program in the 2011-2013 fiscal biennium are continued in the 2015-2017 fiscal biennium. For the 2015-2017 fiscal biennium, awards given to private institutions shall be the same amount as the prior year.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013

fiscal biennia are continued in the 2015-2017 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) Within the funds appropriated in this section, eligibility for the state need grant includes students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(5) Of the amounts provided in subsection (1) of this section, \$100,000 of the general fund-state appropriation for fiscal year 2016 and \$100,000 of the general fund-state appropriation for fiscal year 2017 are provided for the council to process an alternative financial aid application system pursuant to RCW 28B.92.010.

(6)(a) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. These eligible college bound students whose family incomes are in the 0-65 percent median family income ranges must be awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students. The council shall provide directions to institutions to maximize the number of college bound scholarship students receiving the maximum state need grant for which they are eligible with a goal of 100 percent coordination. Institutions shall identify all college bound scholarship

students to receive state need grant priority. If an institution is unable to identify all college bound scholarship students at the time of initial state aid packaging, the institution should reserve state need grant funding sufficient to cover the projected enrollments of college bound scholarship students.

(b) In calculating the college bound award, public institutions of higher education are subject to the conditions and limitations in RCW 28B.15.102 and shall not utilize college bound funds to offset tuition costs from rate increases in excess of levels authorized in section 603, chapter 50, Laws of 2011.

(7) \$14,670,000 of the education legacy trust account-state appropriation, \$17,561,000 of the Washington opportunity pathways account-state appropriation for fiscal year 2016, and (~~\$10,969,000~~) \$9,760,000 of the Washington opportunity pathways account-state appropriation for fiscal year 2017 are provided solely for the college bound scholarship program, implementation of Second Engrossed Substitute Senate Bill No. 5954 (college affordability program), and may support scholarships for summer session.

(8) \$2,236,000 of the general fund-state appropriation for fiscal year 2016 and \$2,236,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The board shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2016 and 2017 for this purpose.

(9) \$20,000,000 of the general fund-state appropriation for fiscal year 2016 and \$21,000,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to meet state match requirements associated with the opportunity scholarship program. The legislature will evaluate subsequent appropriations to the opportunity scholarship program based on the extent that additional private contributions are made, program spending patterns, and fund balance.

(10) \$3,825,000 of the general fund-state appropriation for fiscal year 2016 and \$3,825,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for expenditure into the

health professionals loan repayment and scholarship program account. These amounts and \$1,720,000 appropriated from the health professionals loan repayment and scholarship program account must be used to increase the number of licensed primary care health professionals to serve in licensed primary care health professional critical shortage areas. The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office shall coordinate with the department of social and health services to effectively incorporate three conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies. The office may use these targeted amounts for other program participants should there be any remaining amounts after eligible psychiatrists and advanced registered nurse practitioners have been served. The office shall also work to prioritize loan repayments to professionals working at health care delivery sites that demonstrate a commitment to serving uninsured clients.

(11) \$56,000 of the general fund-state appropriation for fiscal year 2016 and \$42,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the council to design and implement a program that provides customized information to high-achieving (as determined by local school districts), low-income, high school students. "Low-income" means students who are from low-income families as defined by the education data center in RCW 43.41.400. For the purposes of designing, developing, and implementing the program, the council shall partner with a national entity that offers aptitude tests and shall consult with institutions of higher education with a physical location in Washington. The council shall implement the program no later than fall 2016, giving consideration to spring mailings in order to capture early action decisions offered by institutions of higher education and nonprofit baccalaureate degree-granting

institutions. The information packet for students must include at a minimum:

(a) Materials that help students to choose colleges;

(b) An application guidance booklet;

(c) Application fee waivers, if available, for four-year institutions of higher education and independent nonprofit baccalaureate degree-granting institutions in the state that enable students receiving a packet to apply without paying application fees;

(d) Information on college affordability and financial aid that includes information on the net cost of attendance for each four-year institution of higher education and each nonprofit baccalaureate degree-granting institution, and information on merit and need-based aid from federal, state, and institutional sources; and

(e) A personally addressed cover letter signed by the governor and the president of each four-year institution of higher education and nonprofit baccalaureate degree-granting institution in the state.

(12) \$6,000,000 of the opportunity expansion account-state appropriation is provided solely for the opportunity expansion program in RCW 28B.145.060. At the direction of the opportunity scholarship board, the council must distribute the funding provided in this subsection to institutions of higher education to increase the number of baccalaureate degrees produced in high employer demand and other programs of study.

(13) \$1,144,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6455 (professional educator workforce). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse. Of the amount provided in this subsection:

(a) \$468,000 is for the teacher shortage conditional grant program;

(b) \$468,000 is for the student teaching residency grant program; and

(c) \$208,000 is for the development and implementation of the teacher shortage conditional grant program and the student teaching residency grant program.

(14) The council shall examine issues related to college bound scholarship

students who become income ineligible for the college bound scholarship program but maintain eligibility for the state need grant and shall report to the governor and appropriate committees of the legislature by December 1, 2016, with any recommendations.

Sec. 1610. 2016 sp.s. c 36 s 611 (uncodified) is amended to read as follows:

FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund-State Appropriation (FY 2016) \$1,648,000

General Fund-State Appropriation (FY 2017) (~~(\$1,744,000)~~)

\$1,752,000

General Fund-Federal Appropriation \$55,143,000

General Fund-Private/Local Appropriation \$72,000

TOTAL APPROPRIATION ~~\$58,607,000~~

\$58,615,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For the 2015-2017 fiscal biennium the board shall not designate recipients of the Washington award for vocational excellence or recognize them at award ceremonies as provided in RCW 28C.04.535.

(2) The health workforce council of the state workforce training and education coordinating board, in partnership with work underway with the office of the governor, shall, within resources available for such purpose, but not to exceed \$250,000, assess workforce shortages across behavioral health disciplines. The board shall create a recommended action plan to address behavioral health workforce shortages and to meet the increased demand for services now, and with the integration of behavioral health and primary care in 2020. The analysis and recommended action plan shall align with the recommendations of the adult behavioral health system task force and related work of the healthier Washington initiative. The board shall consider workforce data, gaps, distribution, pipeline, development, and infrastructure, including innovative high school, postsecondary, and postgraduate programs to evolve, align, and respond accordingly to our state's behavioral

health and related and integrated primary care workforce needs. The board will submit preliminary recommendations to the governor and appropriate committees of the legislature by October 15, 2016. The board will continue its work and submit final recommendations in 2017.

(3) \$75,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the workforce training and education coordinating board to develop a plan for a career and college ready lighthouse program that is representative of the different geographies and industries throughout the state. The plan must provide students the opportunity to: Explore and understand career opportunities through applied learning; engage with industry mentors; and, plan for career and college success. Additionally, the plan must include: Work-integrated and career-related strategies that increase college and career readiness of the students statewide; specify where and how the board will utilize mentor school districts; and identify the needs of districts to provide career and college ready opportunities. The board must convene an advisory committee to provide assistance with the development of the plan. The advisory committee must comprise: Individuals from the public and private sector with expertise in career and technical education and work-integrated training; school counselors; representatives of labor unions; representatives from professional technical organizations; representatives from career and technical colleges; and individuals from business and industry. The board shall submit its plan to the education committees of the legislature by January 1, 2017.

Sec. 1611. 2016 sp.s. c 36 s 612 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EARLY LEARNING

General Fund-State Appropriation (FY 2016) \$89,572,000

General Fund-State Appropriation (FY 2017) (~~(\$103,823,000)~~)

\$102,030,000

General Fund-Federal Appropriation \$299,956,000

Opportunity Pathways Account-State Appropriation \$80,000,000

Education Legacy Trust Account-State Appropriation \$28,250,000

Home Visiting Services Account—State
Appropriation \$4,868,000

Home Visiting Services Account—Federal
Appropriation \$25,250,000

TOTAL APPROPRIATION ~~\$624,725,000~~

\$629,926,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$44,800,000 of the general fund—state appropriation for fiscal year 2016, \$44,800,000 of the general fund—state appropriation for fiscal year 2017, \$24,250,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 11,691 slots in fiscal year 2016 and 11,691 slots in fiscal year 2017. Of these amounts, \$10,284,000 is a portion of the biennial amount of state maintenance of effort dollars required to receive federal child care and development fund grant dollars.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2016 and \$200,000 of the general fund—state appropriation for fiscal year 2017 are provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(3) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department of early learning.

(4) \$1,434,000 of the general fund—state appropriation for fiscal year 2016 is provided solely for expenditure into the home visiting services account. This funding is intended to meet federal maintenance of effort requirements and to secure private matching funds. Additional amounts are provided separately in part II of this act. The division of behavioral health and recovery must transfer these amounts into the home visiting services account.

(5) (a) \$153,244,000 of the general fund—federal appropriation is provided solely for the working connections child care program under RCW 43.215.135.

(b) In addition to groups that were given prioritized access to the working connections child care program effective March 1, 2011, the department shall also give prioritized access into the program to families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center.

(6) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(7) \$1,194,000 of the general fund—state appropriation for fiscal year 2016, \$1,926,000 of the general fund—state appropriation for fiscal year 2017, and \$13,424,000 of the general fund—federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(8) \$4,674,000 of the general fund—state appropriation for fiscal year 2016 and \$4,674,000 of the general fund—state appropriation for fiscal year 2017 are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department of social and health services children's administration. Of the amounts appropriated in this subsection, \$60,000 per fiscal year may be used by the department for administering the ECLIPSE program, if needed.

(9) \$47,000 of the general fund-state appropriation for fiscal year 2016 and \$46,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for implementation of Engrossed Substitute House Bill No. 1126 (fatality review).

(10) \$23,529,000 of the general fund-state appropriation for fiscal year 2016, \$41,087,000 of the general fund-state appropriation for fiscal year 2017, and \$36,006,000 of the general fund-federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1491 (early care and education system). Of the amounts provided in this subsection:

(a) \$60,817,000 is for quality rating and improvement system activities, including but not limited to: Level two activities, technical assistance, coaching, rating, and quality improvement awards. The department shall place a 10 percent administrative overhead cap on any contract entered into with the University of Washington.

(b) \$10,895,000 is for degree and retention incentives and scholarship and tuition reimbursements.

(c) \$12,828,000 is for level 2 payments and tiers 3, 4, and 5 payments for child care licensed family home and center providers. Additional amounts for licensed family home providers are provided separately in fiscal year 2016 as part of a collective bargaining agreement part IX of this act.

(11) \$1,808,000 of the general fund-state appropriation for fiscal year 2016 and \$1,728,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for reducing barriers for low-income providers to participate in the early achievers program consistent with Engrossed Second Substitute House Bill No. 1491 (early care and education system). Of the amounts provided in this subsection:

(a) \$2,000,000 is for need-based grants. Additional amounts for child care licensed family home providers are provided separately as part of a collective bargaining agreement part IX of this act.

(b) \$1,336,000 is for the creation of a substitute pool.

(c) \$200,000 is for the development of materials and assessments in provider and family home languages.

(12) \$300,000 of the general fund-state appropriation for fiscal year 2016 and \$300,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(13) \$4,000,000 of the education legacy trust account-state appropriation is provided solely for early intervention assessment and services.

(14) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management and authorization systems within the department of early learning are subject to technical oversight by the office of the chief information officer. The department must collaborate with the office of the chief information officer to develop a strategic business and technology architecture plan for a child care attendance and billing system that supports a statewide architecture.

(15)(a)(i) The department of early learning is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(ii) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry during the 2015-16 school year. By October 2017, the department must provide updated ECEAP early learning professional data to the education research data center.

(iii) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(iv) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data by November 2015 for the school year ending in 2014 and again in March 2016 for the school year ending in 2015.

(b) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(16) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(17) \$3,777,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 905 of this act. Of the amounts provided in this subsection:

(a) \$638,000 is for a base rate increase;

(b) \$956,000 is for an increase in tiered reimbursement rates for levels three through five;

(c) \$1,315,000 is for an increase in quality improvement awards;

(d) \$478,000 is provided for training and quality improvement support services to family child care providers provided by the 501(c)(3) organization created for this purpose;

(e) \$190,000 is provided for the administration of the family child care training and quality improvement fund and participation in the joint committee on family child care providers training and quality improvement; and

(f) \$200,000 is provided for a slot-based pilot.

Sec. 1612. 2016 sp.s. c 36 s 613 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

General Fund-State Appropriation (FY 2016) \$6,419,000

General Fund-State Appropriation (FY 2017) (~~(\$6,579,000)~~)

\$6,812,000

General Fund-Private/Local Appropriation \$34,000

TOTAL APPROPRIATION ~~\$13,032,000~~

\$13,265,000

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

Sec. 1613. 2016 sp.s. c 36 s 615 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund-State Appropriation (FY 2016) \$1,143,000

General Fund-State Appropriation (FY 2017) (~~(\$1,166,000)~~)

\$1,208,000

General Fund-Federal Appropriation \$2,100,000

General Fund-Private/Local Appropriation \$18,000

TOTAL APPROPRIATION ~~\$4,427,000~~

\$4,469,000

Sec. 1614. 2016 sp.s. c 36 s 617 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund-State Appropriation (FY 2016) \$1,789,000

General Fund-State Appropriation (FY 2017) (~~(\$1,833,000)~~)

\$1,923,000

TOTAL APPROPRIATION ~~\$3,622,000~~

\$3,712,000

The appropriations in this section are subject to the following conditions and

limitations: The eastern Washington state historical society shall develop a plan for creating a performance-based partnership agreement between the state of Washington and the not-for-profit Northwest museum of arts and culture for implementation in the 2017-2019 fiscal biennium. The plan at minimum shall include strategies to increase nonstate revenues for the operation of the museum and estimate the minimum amount of state funding necessary to preserve, maintain, and protect state-owned facilities and assets. The plan shall be submitted to the office of financial management and the fiscal committees of the legislature by October 1, 2016.

PART XVII

SPECIAL APPROPRIATIONS

Sec. 1701. 2016 sp.s. c 36 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund—State Appropriation (FY 2016) \$1,059,582,000

General Fund—State Appropriation (FY 2017) (~~(\$1,108,296,000)~~)

\$1,102,296,000

State Building Construction Account—State

Appropriation (~~(\$10,011,000)~~)

\$8,011,000

Debt-Limit Reimbursable Bond Retirement Account—State

Appropriation \$1,430,000

Columbia River Basin Water Supply Development

Account—State Appropriation \$62,000

Columbia River Basin Taxable Bond Water Supply Development

Account—State Appropriation \$82,000

State Taxable Building Construction

Account—State Appropriation \$846,000

TOTAL APPROPRIATION ~~\$2,180,309,000~~

\$2,172,309,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

Sec. 1702. 2015 3rd sp.s. c 4 s 703 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund—State Appropriation (FY 2016) \$16,129,000

General Fund—State Appropriation (FY 2017) \$13,847,000

Nondebt-Limit Reimbursable Bond Retirement Account—State

Appropriation (~~(\$180,685,000)~~)

\$179,685,000

TOTAL APPROPRIATION ~~\$210,661,000~~

\$209,661,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the nondebt-limit general fund bond retirement account.

Sec. 1703. 2016 sp.s. c 36 s 706 (uncodified) is amended to read as follows:

FOR SUNDRY CLAIMS

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2016 or fiscal year 2017, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

(1) These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

(a) David Wozny, claim number 99970105 \$9,832

(b) Hugo Garibay, claim number 99970106 \$10,246

(c) Emery Christianson, claim number 99970107 \$7,445

(d) Anton Ehinger, claim number 99970108 \$6,726

(e) Alan Graham, claim number 99970109 \$5,495

(f) Joseph Compber, claim number 99970110 \$32,235

(g) Alex Hallowell, claim number 99970111 \$22,403

(h) James Clark, claim number 99970112 \$8,250

(i) David Hill, claim number 99970114 \$3,056

(j) David Maulen, claim number 99970113 \$19,726

(k) Stephen White, claim number 99970115 \$25,097

(l) Richard Brunhaver, claim number 99970116 \$14,079

(m) James Barnett, claim number 99970117 \$39,608

(n) Justin Carter, claim number 99970118 \$35,179

(o) Derrick Moore, claim number 99970119 \$23,474

(p) Joshua Bessey, claim number 99970120 \$66,600

(q) Jason Swanberg, claim number 99970121 \$7,905

(r) Max Willis, claim number 99970123 \$26,205

(s) Jesica Bush, claim number 99970124 \$22,990

(t) Rolondo Cavazos, claim number 99970125 \$32,438

(u) Jared Ha, claim number 99970127 \$45,104

(v) Eric Thompson, claim number 99970128 \$15,127

(w) Meghan Altringer, claim number 99970129 \$5,484

(x) James Wenzel, claim number 99970130 \$5,240

(y) Arturo Rodriguez Ramos, claim number 99970131 \$12,000

(z) Joel Gentleman, claim number 99970132 \$16,173

(aa) Richard Cooper, claim number 99970133 \$17,810

(bb) Michelle Trafford, claim number 99970136 \$10,582

(cc) Linda Gipson, claim number 99970137 \$316,531

(dd) Patrick Kelly, claim number 99970126 \$8,483

(ee) Joseph Miller, claim number 99970137 \$9,818

(2) These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for payment of compensation for wrongful convictions pursuant to RCW 4.100.060, as follows:

Michael Wheeler, claim number 99970122 \$466,711

NEW SECTION. Sec. 1704. A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—REPAYMENT TO FEDERAL GOVERNMENT**

General Fund—State Appropriation (FY 2017) \$425,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to repay the federal government a percentage of the federal funds paid into certain revolving accounts that were transferred to the general fund in fiscal years 2016 and 2017 as required by Appendix V of 2 C.F.R. Part 200 (G) (4) (2013).

NEW SECTION. Sec. 1705. A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows: **FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

Forest Development Account—State Appropriation \$64,000

Aquatic Lands Enhancement Account—State Appropriation \$8,000

Resources Management Cost Account—State Appropriation \$136,000

Surface Mining Reclamation Account—State Appropriation \$3,000

Forest Fire Protection Assessment Account—State

Appropriation \$39,000

State Forest Nursery Revolving Account—State Appropriation \$6,000

Access Road Revolving Account—State
Appropriation \$32,000

Park Land Trust Revolving Account—State
Appropriation \$4,000

Contract Harvesting Revolving Account—
State Appropriation \$4,000

Forest Practices Application Account—
State
Appropriation \$2,000

Agricultural College Trust Management
Account—State

Appropriation \$4,000

TOTAL APPROPRIATION \$302,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the consolidated technology services revolving account for payment of the department of natural resources' share of the debt service allocation for the state data center for the programs funded by the accounts in this section.

PART XVIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 1801. 2016 sp.s. c 36 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance

premium distributions.
((\$9,286,000))

\$9,224,000

General Fund Appropriation for public utility

district excise tax
distributions (\$57,861,000)

\$56,659,000

General Fund Appropriation for prosecuting

attorney distributions
((\$6,375,000))

\$6,396,000

General Fund Appropriation for boating safety

and education distributions
((\$4,000,000))

\$3,682,000
General Fund Appropriation for other tax

distributions ((~~\$86,000~~))

\$82,000

General Fund Appropriation for habitat conservation

program distributions
((\$3,848,000))

\$3,495,000

Death Investigations Account
Appropriation for

distribution to counties for publicly funded

autopsies \$3,135,000

Aquatic Lands Enhancement Account
Appropriation for

harbor improvement revenue distribution
\$140,000

Timber Tax Distribution Account
Appropriation for

distribution to "timber"
counties ((~~\$76,600,000~~))

\$68,914,000

County Criminal Justice Assistance
Appropriation

When making the fiscal year 2016 and 2017

distributions to Grant county, the state

treasurer shall reduce the amount by \$140,000

each year and distribute the remainder to the

county. This is the second and third of three

reductions that have been made to reimburse the

state for a nonqualifying extraordinary criminal

justice act payment made to Grant county in

fiscal year 2013 \$86,178,000

Municipal Criminal Justice
Assistance

Appropriation \$33,493,000

City-County Assistance Account
 Appropriation for local government financial
 assistance distribution ((~~\$24,899,000~~))
 \$24,499,000

Liquor Excise Tax Account Appropriation
 for liquor excise tax distribution
 ((~~\$50,680,000~~))
 \$48,785,000

Streamlined Sales and Use Tax
 Mitigation Account Appropriation for distribution to local
 taxing jurisdictions to mitigate the
 unintended revenue redistribution effect of the sourcing
 law changes ((~~\$46,762,000~~))
 \$46,842,000

Columbia River Water Delivery Account
 Appropriation for the Confederated Tribes of the
 Colville Reservation \$7,907,000

Columbia River Water Delivery Account
 Appropriation for the Spokane Tribe of Indians
 \$5,167,000

Liquor Revolving Account Appropriation
 for liquor profits distribution \$98,876,000

TOTAL APPROPRIATION ~~\$515,293,000~~
 \$503,474,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

Sec. 1802. 2016 sp.s. c 36 s 804 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

State Treasurer's Service Account: For transfer to the state general fund, \$10,000,000 for fiscal

year 2016 and \$10,000,000 for fiscal year 2017 \$20,000,000

General Fund: For transfer to the streamlined sales and use tax account, \$23,398,000 for fiscal year 2016 and \$23,364,000 for fiscal year 2017 \$46,762,000

Dedicated Marijuana Account: For transfer to the state general fund in an amount not to exceed the amount determined pursuant to RCW 69.50.540, \$70,000,000 for fiscal year 2016 \$70,000,000

Dedicated Marijuana Account: For transfer to the state general fund ((in an amount not to exceed)) the lesser of the amount determined pursuant to RCW 69.50.540 ((~~\$100,000,000~~)) or this amount for fiscal year 2017 \$100,000,000

Dedicated Marijuana Fund Account for distribution to the basic health plan trust account in an amount not to exceed the amount determined pursuant to RCW 69.50.540 plus \$14,000,000, \$125,000,000 for fiscal year 2016 \$125,000,000

Dedicated Marijuana Account: For transfer to the basic health plan trust account ((~~in an amount not to exceed~~)), the lesser of the amount determined pursuant to RCW 69.50.540 ((~~\$150,000,000~~)) or this amount for fiscal year 2017 \$150,000,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the

actual amount of the annual base payment to the

tobacco settlement account for fiscal year

2016 \$90,000,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed

the actual amount of the 2017 annual base payment

to the tobacco settlement account \$90,000,000

Tobacco Settlement Account: For transfer to the state

general fund, in an amount not to exceed the

annual strategic contribution payment to the

tobacco settlement account for fiscal year 2016 \$26,000,000

Tobacco Settlement Account: For transfer to the

state general fund, in an amount not to exceed

the annual strategic contribution payment to

the tobacco settlement account for fiscal year

2017 \$25,400,000

Life Sciences Discovery Fund: For transfer to the

state general fund for fiscal year 2016 \$11,000,000

Energy Freedom Account: For transfer to the state

general fund for fiscal year 2016, an amount

not to exceed the actual ending cash balance

of the fund \$3,300,000

State Toxics Control Account: For transfer to the

clean up settlement account as repayment of the

loan provided in section 3022(2) chapter 2,

Laws of 2012, 2nd sp. sess. (ESB 6074 2012

supplemental capital budget), \$643,000 for

fiscal year 2016 and \$643,000 for fiscal

year 2017 \$1,286,000

Aquatic Lands Enhancement Account: For transfer

to the clean up settlement account as repayment

of the loan provided in section 3022(2) chapter

2, Laws of 2012, 2nd sp. sess. (ESB 6074 2012

supplemental capital budget), \$643,000 for

fiscal year 2016 and \$643,000 for fiscal

year 2017 \$1,286,000

Home Security Fund Account: For transfer to the

transitional housing operating and rent account,

\$7,500,000 for fiscal year 2016 \$7,500,000

Public Works Assistance Account: For transfer to the

state general fund, \$36,500,000 for fiscal

year 2016 and \$52,500,000 for fiscal

year 2017 \$89,000,000

Criminal Justice Treatment Account: For transfer to

the state general fund \$5,652,000 for fiscal

year 2016 and \$5,651,000 for fiscal year 2017 \$11,303,000

Liquor Revolving Account: For transfer to the state

general fund, \$3,000,000 for fiscal year 2016

and \$3,000,000 for fiscal year 2017 \$6,000,000

Flood Control Assistance Account: For transfer

to the state general fund, \$1,350,000

for fiscal year 2016 and \$1,000,000 for fiscal year

2017 \$2,350,000

Law Enforcement Officers' and Firefighters' Plan 2

Retirement Fund: For transfer to the local law

enforcement officers' and firefighters' retirement system benefits improvement account

for fiscal year 2016 \$15,779,000

Aerospace Training Student Loan Account: For

transfer to the state general fund, \$1,000,000

for FY 2016 and \$1,000,000 for FY 2017 \$2,000,000

Water Rights Processing Account: For transfer

to the state drought preparedness account,

\$332,000 for fiscal year 2016 \$332,000

((Death Investigations Account: For transfer to

the sexual assault kit account,

\$1,732,000 for fiscal year 2017 \$1,732,000))

Fingerprint Identification Account: For

transfer to the sexual assault kit account,

((~~\$1,179,000~~) \$2,911,000 for fiscal year 2017 (~~(\$1,179,000)~~)

\$2,911,000

Charitable, Educational, Penal, and Reformatory

Institutions Account: For transfer to the state

general fund, \$1,000,000 for fiscal year 2016 \$1,000,000

Marine Resources Stewardship Trust Account: For

transfer to the aquatic lands enhancement account,

\$975,000 for fiscal year 2016 \$975,000

Vessel Response Account: For transfer to the

environmental legacy stewardship account,

\$250,000 for fiscal year 2016 \$250,000

Savings Incentive Account: For transfer to the state

general fund for fiscal year 2016, an amount attributable

to unspent agency credits excluding those

associated with legislative and judicial agencies \$1,071,000

Employment Services Administrative Account: For transfer

to the state general fund, \$750,000 for fiscal year 2016

and \$2,250,000 for fiscal year 2017 \$3,000,000

Washington Housing Trust Account: For transfer

to the home security fund account \$7,000,000

Washington Housing Trust Account: For transfer to

the state general fund for fiscal year 2017 \$3,000,000

Employment Services Administrative Account: For

transfer to the administrative contingency

fund account for fiscal year 2017 \$8,500,000

OFM Labor Relations Service Account: For transfer

to the state general fund for fiscal year 2017 \$1,000,000

Personnel Service Fund: For transfer to the state

general fund for fiscal year 2017 \$500,000

Washington Real Estate Research Account: For

transfer to the state general fund for fiscal year 2017 \$500,000

Professional Engineers' Account: For transfer

to the state general fund for fiscal year 2017 \$500,000

Real Estate Commission Account: For transfer

to the state general fund for fiscal year 2017 \$500,000

General Fund: For transfer to the disaster

response account for fiscal year 2017 \$42,000,000

It is the intent of the legislature to continue to transfer the excess balance from the criminal justice treatment account to the state general fund in the 2017-2019 fiscal biennium, consistent with policy in this omnibus appropriations act and in an amount not to exceed the projected fund balance.

It is the intent of the legislature to continue to transfer the excess balance from the state treasurer's service account to the state general fund in the 2017-2019 fiscal biennium, consistent with policy in this omnibus appropriations act and in an amount not to exceed the projected fund balance.

PART XIX

MISCELLANEOUS

NEW SECTION. **Sec. 1901.** A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows:

(1) By June 30, 2017, the committee on advanced tuition payment defined in RCW 28B.95.020 shall review and report to the legislative fiscal and higher education committees on:

(a) The impact of decreasing tuition rates on the funded status and future unit price of the Washington advanced college tuition payment program;

(b) The feasibility and different options of establishing a college savings program as described in RCW 28B.95.150;

(c) A list of potential alternatives and impacts for changing the advanced college tuition payment distribution policy from tuition and fees to a cost of attendance metric; and

(d) A list of potential alternatives and impacts for whether the state penalty for withdrawal should be changed.

(2) This section expires June 30, 2017.

NEW SECTION. **Sec. 1902.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the

application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 1903.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Koster moved the adoption of amendment (333) to the striking amendment (330):

On page 137, after line 10, insert the following:

"(14) Within amounts provided in this section, the department must consult with affected tribes and landowners in Skagit county to develop and implement a plan designed to address elk-related agricultural damage and vehicular collisions by using all available and appropriate methods including, but not limited to, cooperative fencing projects and harvest in order to minimize elk numbers on private lands and maximize the number of elk located on state and federal lands. The plan must be implemented by September 1, 2018."

Representatives Koster and Blake spoke in favor of the adoption of the amendment (333) to the striking amendment (330).

Amendment (333) to the striking amendment (330) was adopted.

MOTION

On motion of Representative Hayes, Representative Kretz was excused.

Representative Pike moved the adoption of amendment (374) to the striking amendment (330):

On page 137, after line 10, insert the following:

"(14) The department must use the rulemaking authority granted under 77.04.055 RCW to prohibit the use of gillnet fishing in the lower Columbia river."

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (374) to the striking amendment (330).

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding): *The bill before us is the operating budget. It makes appropriations for the 2017-2019 biennium.*

The scope and object of a budget bill does not extend to permanent changes in substantive law.

Amendment (374) requires the Department of Fish and Wildlife to adopt certain rules, but does not limit the application of those rules to the 2017-19 biennium.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill and that the point of order is well taken.

Amendment (374) to the striking amendment (330) was not adopted.

Representative J. Walsh moved the adoption of amendment (369) to the striking amendment (330):

On page 139, after line 28, insert the following:

" (7) The department shall accept any proposed lease or sublease which is legally drawn and involves public lands to be used in support of or related to transportation projects or port expansion projects."

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (369) to the striking amendment (330).

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding): *The bill before us is the operating budget. It makes appropriations for the 2017-2019 biennium.*

The scope and object of a budget bill does not extend to permanent changes in substantive law.

Amendment 369 requires the Department of Natural Resources to enter into certain leases and does not limit that requirement to the 2017-19 biennium.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill and that the point of order is well taken.

Amendment (369) to the striking amendment (330) was not adopted.

Representative Taylor moved the adoption of amendment (359) to the striking amendment (330):

On page 142, line 4, decrease the general fund--state appropriation for fiscal year 2018 by \$382,000

On page 142, line 19, correct the total.

On page 145, line 5, increase the general fund--state appropriation for fiscal year 2018 by \$191,000

On page 145, line 6, increase the general fund--state appropriation for fiscal year 2019 by \$191,000

On page 145, line 18, correct the total.

On page 160, after line 26, insert the following:

"(58) \$191,000 of the general fund--state appropriation for fiscal year 2018 and \$191,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for implementation of chapter 240, Laws of 2016 (Engrossed Senate Bill No. 6620) (school safety).

Representatives Taylor, Taylor (again) and Shea spoke in favor of the adoption of the amendment (359) to the striking amendment (330).

Representative Goodman spoke against the adoption of the amendment (359) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (359) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Kretz.

Amendment (359) to the striking amendment (330) was not adopted.

Representative McCabe moved the adoption of amendment (371) to the striking amendment (330):

On page 145, line 5, increase the general fund--state appropriation for fiscal year 2018 by \$107,000

On page 145, line 18, correct the total.

On page 160, after line 26, insert the following:

"(58) \$107,000 of the general fund--state appropriation for fiscal year 2018 is provided solely for the superintendent of public instruction to convene and staff the Erin's law task force to create a curriculum and a model policy for the prevention of sexual abuse of children.

(a) The task force shall comprise the following members:

(i) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(ii) One member from each of the two largest caucuses of the senate, appointed by the leaders of the two largest caucuses of the senate;

(iii) The superintendent of public instruction or the superintendent's designee;

(iv) The chair of the state board of education or the chair's designee;

(v) The director of the department of early learning or the director's designee

(vi) The attorney general or the attorney general's designee;

(vii) One representative of a state association of principals;

(viii) One teacher selected by the largest union of teachers in the state;

(ix) One teacher selected by the office of the superintendent of public instruction;

(x) One curriculum development expert selected by the office of the superintendent of public instruction

(xi) One representative of a state association of school counselors;

(xii) One victim advocate representing sexual assault victims; and

(xiii) Two survivors of sexual assault.

(b) The task force shall members shall select cochairs from its membership.

(c) The task force must adopt a model sexual abuse prevention curriculum for students from kindergarten through twelfth

grade. The model curriculum must be evidence-based, age-appropriate, and culturally sensitive. The model policy must include:

(i) Professional training that addresses the effects of sexual abuse on children, disclosures, mandatory reporting, and talking to students about child sexual abuse prevention. The professional training must be applicable to administrators, teachers, and other school staff;

(ii) Parental involvement in child sexual abuse prevention; and

(iii) Guidance for school district implementation, that includes flexibility for the school districts to determine when and how the curriculum is offered to students.

(d) The task force shall submit its recommendations to the office of the superintendent of public instruction, the governor, and the appropriate committees of the legislature by December 1, 2017.

(e) The office of the superintendent of public instruction shall make the curriculum available on its web site at no charge to school districts, and shall update the curriculum periodically."

Representatives McCabe, Manweller and Griffey spoke in favor of the adoption of the amendment (371) to the striking amendment (330).

Representative Santos spoke against the adoption of the amendment (371) to the striking amendment (330).

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 47 - YEAS; 50 - NAYS.

Amendment (371) to the striking amendment (330) was not adopted.

Representative Koster moved the adoption of amendment (392) to the striking amendment (330):

On page 210, after line 29, insert the following:

"Liquor Revolving Account--State Appropriation . . . \$250,000"

On page 210, line 30, correct the total.

On page 213, after line 10, insert the following:

"(16) (a) \$250,000 of the liquor revolving account--state appropriation is provided solely for the Washington state

institute for public policy to prepare a report to the legislature containing the following:

(i) A comparative description of the obligations of counties, cities and special purpose districts under the state constitution and under state statutes;

(ii) A comparison of the different types of revenue sources received by counties, cities, and special purpose districts, including local revenue authority and revenue shared by the state and federal government;

(iii) A methodology for comparing the constitutional and statutory obligations of the different types of local governments with the revenues available to each type of local government. This methodology should also include a comparison of the funding levels for the regional services provided by local governments on behalf of the state with state services provided by state agencies;

(iv) A comparison of the regional effect on local governments of court decisions and state policies in the areas of, but not limited to, land ownership, land acquisition patterns, and conservation easements;

(v) An assessment of whether the state services provided regionally by local governments on behalf of the state are being provided equitably across the state. This assessment should also include what it would cost the state to provide these services through state agencies rather than local governments; such state services include, but are not limited to, criminal and civil courts, indigent defense, jails, elections, and the collection of taxes; and

(vi) Recommendations for how to appropriately distribute existing obligations and revenues between local governments, and between local governments providing regional services on behalf of the state and state agencies.

(b) The report must be in compliance with RCW 43.01.036 and provided to the legislature by December 30, 2017.

(c) For the purposes of this subsection, "local government" means cities, counties, and special purpose districts."

On page 284, after line 21, insert the following:

"Sec. 962. RCW 66.08.170 and 2015 3rd sp.s. c 4 s 966 are each amended to read as follows:

There shall be a fund, known as the "liquor revolving fund," which shall consist of all license fees, permit fees, penalties, forfeitures, and all other moneys, income, or revenue received by the board. The state treasurer shall be custodian of the fund. All moneys received by the board or any employee thereof, except for change funds and an amount of petty cash as fixed by the board within the authority of law shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the liquor revolving fund. During the 2009-2011 fiscal biennium, the legislature may transfer funds from the liquor revolving account [fund] to the state general fund and may direct an additional amount of liquor profits to be distributed to local governments. Neither the transfer of funds nor the additional distribution of liquor profits to local governments during the 2009-2011 fiscal biennium may reduce the excess fund distributions that otherwise would occur under RCW 66.08.190. During the 2011-2013 fiscal biennium, the state treasurer shall transfer from the liquor revolving fund to the state general fund forty-two million five hundred thousand dollars for fiscal year 2012 and forty-two million five hundred thousand dollars for fiscal year 2013. The transfer during the 2011-2013 fiscal biennium may not reduce the excess fund distributions that otherwise would occur under RCW 66.08.190. Sales to licensees are exempt from any liquor price increases that may result from the transfer of funds from the liquor revolving fund to the state general fund during the 2011-2013 fiscal biennium. Disbursements from the revolving fund shall be on authorization of the board or a duly authorized representative thereof. During the 2017-2019 fiscal biennium, the legislature may also appropriate from the account for local government studies. In order to maintain an effective expenditure and revenue control the liquor revolving fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from such fund. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the liquor revolving fund to the state general fund such amounts as reflect the excess fund balance of the account."

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

Correct the title.

Representatives Koster, Irwin and Taylor spoke in favor of the adoption of the amendment (392) to the striking amendment (330).

Representative Ormsby and Ormsby (again) spoke against the adoption of the amendment (392) to the striking amendment (330).

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 47 - YEAS; 50 - NAYS.

Amendment (392) to the striking amendment (330) was not adopted.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which amendment (391) to the striking amendment (330) was not adopted.

ROLL CALL

The Clerk called the roll on the adoption of amendment (391) to the striking amendment (330) on reconsideration, and the amendment was adopted by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Amendment (391) to the striking amendment (330) was adopted, on reconsideration.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which amendment (371) to the striking amendment (330) was not adopted.

ROLL CALL

The Clerk called the roll on the adoption of amendment (371) to the striking amendment (330) on reconsideration,

and the amendment was adopted by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Amendment (371) to the striking amendment (330) was adopted, on reconsideration.

Representative Kagi moved the adoption of amendment (329) to the striking amendment (330):

On page 227, line 23, increase the general fund-state appropriation for fiscal year 2018 by \$63,000

On page 227, line 24, increase the general fund-state appropriation for fiscal year 2019 by \$63,000

On page 227, line 25, correct the total.

On page 227, after line 25, insert the following:

"The appropriations in this section are subject to the following conditions and limitations: \$63,000 of the general fund-state appropriation for fiscal year 2018 and \$63,000 of the general fund-state appropriation for fiscal year 2019 are provided solely to implement House Bill No. 2007 (women's suffrage centennial). If the bill is not enacted by June 30, 2017, the amounts provided in this subsection shall lapse."

Representatives Kagi and McCabe spoke in favor of the adoption of the amendment (329) to the striking amendment (330).

Amendment (329) to the striking amendment (330) was adopted.

Representative Manweller moved the adoption of amendment (343) to the striking amendment (330):

On page 251, after line 9, insert the following:

"NEW SECTION. Sec. 756. Because it is the paramount duty of the state to provide for the education of all its children, in the event of judicial action that interrupts public school funding or operations it is the intent of the legislature to ensure the continued operation of public schools and compensation of public school staff until such time as the legislature may come into special session and address the judicial ruling. If a judicial ruling orders the closure of the state's public schools or invalidates state appropriations for allocations to school districts, then the governor may direct the treasurer to authorize expenditures from the budget stabilization account by the superintendent of public instruction for allocation to public schools for the state's program of basic education under the formulas in RCW 28A.150.260."

Renumber remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representative Manweller and Manweller (again) spoke in favor of the adoption of the amendment (343) to the striking amendment (330).

Representative Sullivan spoke against the adoption of the amendment (343) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (343) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 50; Absent, 0; Excused, 0.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Amendment (343) to the striking amendment (330) was not adopted.

Representative Taylor moved the adoption of amendment (360) to the striking amendment (330):

On page 251, after line 9, insert the following:

"NEW SECTION. Sec. 756. OFFICE OF FINANCIAL MANAGEMENT--RULEMAKING MORATORIUM SAVINGS

General Fund--State Appropriation (FY 2018) (\$1,000,000)

General Fund--State Appropriation (FY 2019) (\$1,000,000)

TOTAL APPROPRIATION (\$2,000,000)

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

A moratorium on non-critical rule development and adoption is imposed from July 1, 2017, through June 30, 2019, for agencies, boards, and commissions in the executive branch. The appropriation in this section reflects savings resulting from the moratorium. The office of financial management must adjust allotments of appropriations from the state general fund to achieve the total savings required by this section. These amounts must be placed in reserve status and must remain unallotted."

Renumber remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Taylor, Orcutt, Griffey and Irwin spoke in favor of the adoption of the amendment (360) to the striking amendment (330).

Representative Hudgins spoke against the adoption of the amendment (360) to the striking amendment (330).

Amendment (360) to the striking amendment (330) was not adopted.

Representative Ormsby moved the adoption of amendment (350) to the striking amendment (330):

On page 255, after line 29, insert the following:

"State Treasurer's Service Account: For transfer to the state general fund, \$6,000,000 for fiscal year 2018 and \$6,000,000 for fiscal year 2019.....\$12,000,000

Financial Services Regulation Account:
 For transfer to the state general fund,
 \$2,500,000 for fiscal year 2018 and
 \$2,500,000 for fiscal year
 2019.....\$5,000,00
 0"

On page 281, after line 17, insert the following:

"**Sec. 958.** RCW 43.08.190 and 2015 3rd sp.s. c 4 s 953 are each amended to read as follows:

There is hereby created a fund within the state treasury to be known as the "state treasurer's service fund." Such fund shall be used solely for the payment of costs and expenses incurred in the operation and administration of the state treasurer's office.

Moneys shall be allocated monthly and placed in the state treasurer's service fund equivalent to a maximum of one percent of the trust and treasury average daily cash balances from the earnings generated under the authority of RCW 43.79A.040 and 43.84.080 other than earnings generated from investment of balances in funds and accounts specified in RCW 43.79A.040(4)(c). The allocation shall precede the distribution of the remaining earnings as prescribed under RCW 43.79A.040 and 43.84.092. The state treasurer shall establish a uniform allocation rate for all funds and accounts; except that the state treasurer may negotiate a different allocation rate with any state agency that has independent authority over funds not statutorily required to be held in the state treasury or in the custody of the state treasurer. In no event shall the rate be less than the actual costs incurred by the state treasurer's office. If no rate is separately negotiated, the default rate for any funds held shall be the rate set for funds held pursuant to statute.

During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state treasurer's service fund to the state general fund such amounts as reflect the excess fund balance of the fund. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of money in the state treasurer's service fund to the state general fund. It is the intent of the legislature that this policy will be continued in subsequent biennia."

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

Correct the title.

On page 284, after line 21, insert the following:

"**Sec. 962.** RCW 43.320.110 and 2015 3rd sp.s. c 4 s 960 are each amended to read as follows:

There is created a local fund known as the "financial services regulation fund" which shall consist of all moneys received by the divisions of the department of financial institutions, except for the division of securities which shall deposit thirteen percent of all moneys received, except as provided in RCW 43.320.115, and which shall be used for the purchase of supplies and necessary equipment; the payment of salaries, wages, and utilities; the establishment of reserves; and other incidental costs required for the proper regulation of individuals and entities subject to regulation by the department. The state treasurer shall be the custodian of the fund. Disbursements from the fund shall be on authorization of the director of financial institutions or the director's designee. In order to maintain an effective expenditure and revenue control, the fund shall be subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

During the 2015-2017 fiscal biennium, the legislature may transfer from the financial services regulation fund to the state general fund such amounts as reflect the excess fund balance of the fund. During the 2015-2017 fiscal biennium, moneys from the financial services regulation fund may be appropriated for the family prosperity account program at the department of commerce and for the operations of the department of revenue. During the 2017-2019 fiscal biennium, the legislature may direct the treasurer to make transfers of moneys from the financial services regulation fund to the state general fund. It is the intent of the legislature that this policy will be continued in subsequent biennia."

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

Correct the title.

On page 296, line 16, after "legislature" strike "that this policy be continued in future biennia" and insert "to continue, in future biennia, the policy of transferring to the state general fund such amounts as reflect the excess fund balance of the account"

Representative Ormsby spoke in favor of the adoption of the amendment (350) to the striking amendment (330).

Representative Chandler spoke against the adoption of the amendment (350) to the striking amendment (330).

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 50 - YEAS; 48 - NAYS.

Amendment (350) to the striking amendment (330) was adopted.

Representative Haler moved the adoption of amendment (364) to the striking amendment (330):

On page 274, beginning on line 15, strike all of section 950

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

Correct the title.

Representatives Haler, Jenkin, Taylor, Johnson, Dye, Orcutt, Dent and Pike spoke in favor of the adoption of the amendment (364) to the striking amendment (330).

Representatives Lytton and Springer spoke against the adoption of the amendment (364) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (364) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 49; Nays, 49; Absent, 0; Excused, 0.

Voting yea: Representatives Barkis, Buys, Calder, Chandler, Chapman, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti,

Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Amendment (364) to the striking amendment (330) was not adopted.

Representative Springer moved the adoption of amendment (334) to the striking amendment (330):

On page 277, after line 32, insert the following:

"Sec. 952. RCW 28B.50.140 and 2016 sp.s. c 33 s 3 are each amended to read as follows:

Each board of trustees:

(1) Shall operate all existing community and technical colleges in its district;

(2) Shall create comprehensive programs of community and technical college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);

(3) Shall employ for a period to be fixed by the board a college president for each community and technical college and, may appoint a president for the district, and fix their duties and compensation, which may include elements other than salary. Compensation under this subsection shall not affect but may supplement retirement, health care, and other benefits that are otherwise applicable to the presidents as state employees. The board shall also employ for a period to be fixed by the board members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties. Except for increments provided with local resources during the 2015-2017 and 2017-2019 fiscal (~~(biennium)~~) biennia, compensation and salary increases under this subsection shall not exceed the amount or percentage established for those purposes in the state appropriations act by the legislature as allocated to the board of trustees by the state board for community and technical colleges. The state board for community and technical colleges shall adopt rules defining the permissible elements of compensation under this subsection;

(4) May establish, in accordance with RCW 28B.77.080, new facilities as community needs and interests demand. However, the authority of boards of

trustees to purchase or lease major off-campus facilities shall be subject to the approval of the student achievement council pursuant to RCW 28B.77.080;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community and technical college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community and technical college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules of the college board; each board of trustees operating a community and technical college may enter into agreements, subject to rules of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community and technical college programs as specified by law and the rules of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt rules to govern the receipt and expenditure of the

proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community and technical college purposes;

(10) May make rules for pedestrian and vehicular traffic on property owned, operated, or maintained by the district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community and technical college or colleges under its control, and publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, degree, or certificate under the rules of the state board for community and technical colleges that are appropriate to their mission. The purposes of these diplomas, certificates, and degrees are to lead individuals directly to employment in a specific occupation or prepare individuals for a bachelor's degree or beyond. Technical colleges may only offer transfer degrees that prepare students for bachelor's degrees in professional fields, subject to rules adopted by the college board. In adopting rules, the college board, where possible, shall create consistency between community and technical colleges and may address issues related to tuition and fee rates; tuition waivers; enrollment counting, including the use of credits instead of clock hours; degree granting authority; or any other rules necessary to offer the associate degrees that prepare students for transfer to bachelor's degrees in professional areas. Only colleges under RCW 28B.50.810 or 28B.50.825 may award baccalaureate degrees. The board, upon recommendation of the faculty, may also confer honorary associate of arts degrees, or if it is authorized to award baccalaureate degrees may confer honorary bachelor of applied science degrees, upon persons other than graduates of the community college, in recognition of their learning or devotion to education, literature, art, or science. No degree may be conferred in consideration of the payment of money or the donation of any kind of property;

(13) Shall enforce the rules prescribed by the state board for community and technical colleges for the government of community and technical colleges, students and teachers, and adopt such rules and perform all other acts not inconsistent with law or rules of the state board for community and technical colleges as the board of trustees may in its discretion deem necessary or appropriate to the administration of college districts: PROVIDED, That such rules shall include, but not be limited to, rules relating to housing, scholarships, conduct at the various community and technical college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community and technical colleges students who refuse to obey any of the duly adopted rules;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board;

(16) Notwithstanding any other provision of law, may offer educational services on a contractual basis other than the tuition and fee basis set forth in chapter 28B.15 RCW for a special fee to private or governmental entities, consistent with rules adopted by the state board for community and technical colleges: PROVIDED, That the whole of such special fee shall go to the college district and be not less than the full instructional costs of such services including any salary increases authorized by the legislature for community and technical college employees during the term of the agreement: PROVIDED FURTHER, That enrollments generated hereunder shall not be counted toward the official enrollment level of the college district for state funding purposes;

(17) Notwithstanding any other provision of law, may offer educational services on a contractual basis, charging tuition and fees as set forth in chapter 28B.15 RCW, counting such enrollments for state funding purposes, and may additionally charge a special supplemental fee when necessary to cover the full instructional costs of such services: PROVIDED, That such contracts shall be

subject to review by the state board for community and technical colleges and to such rules as the state board may adopt for that purpose in order to assure that the sum of the supplemental fee and the normal state funding shall not exceed the projected total cost of offering the educational service: PROVIDED FURTHER, That enrollments generated by courses offered on the basis of contracts requiring payment of a share of the normal costs of the course will be discounted to the percentage provided by the college;

(18) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; such association may expend any or all of such funds to submit biennially, or more often if necessary, to the governor and to the legislature, the recommendations of the association regarding changes which would affect the efficiency of such association;

(19) May participate in higher education centers and consortia that involve any four-year public or independent college or university in accordance with RCW 28B.77.080;

(20) Shall perform any other duties and responsibilities imposed by law or rule of the state board; and

(21) May confer honorary associate of arts degrees upon persons who request an honorary degree if they were students at the college in 1942 and did not graduate because they were ordered into an internment camp. The honorary degree may also be requested by a representative of deceased persons who meet these requirements. For the purposes of this subsection, "internment camp" means a relocation center to which persons were ordered evacuated by Presidential Executive Order 9066, signed on February 19, 1942."

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

Representative Springer spoke in favor of the adoption of the amendment (334) to the striking amendment (330).

Representative Holy spoke against the adoption of the amendment (334) to the striking amendment (330).

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 52 - YEAS; 46 - NAYS.

Amendment (334) to the striking amendment (330) was adopted.

Representative Manweller moved the adoption of amendment (341) to the striking amendment (330):

On page 282, after line 30, insert the following:

"Sec. 960. RCW 43.88.055 and 2012 1st sp.s. c 8 s 1 are each amended to read as follows:

(1) The legislature must adopt a four-year balanced budget as follows:

(a) Beginning in the 2013-2015 fiscal biennium, the legislature shall enact a balanced omnibus operating appropriations bill that leaves, in total, a positive ending fund balance in the general fund and related funds.

(b) Beginning in the 2013-2015 fiscal biennium, the projected maintenance level of the omnibus appropriations bill enacted by the legislature shall not exceed the available fiscal resources for the next ensuing fiscal biennium.

(2) For purposes of this section:

(a) "Available fiscal resources" means the beginning general fund and related fund balances and any fiscal resources estimated for the general fund and related funds, adjusted for enacted legislation, and with forecasted revenues adjusted to the greater of (i) the official general fund and related funds revenue forecast for the ensuing biennium, or (ii) the official general fund and related funds forecast for the second fiscal year of the current fiscal biennium, increased by 4.5 percent for each fiscal year of the ensuing biennium;

(b) "Projected maintenance level" means estimated appropriations necessary to maintain the continuing costs of program and service levels either funded in that appropriations bill or mandated by other state or federal law, and the amount of any general fund moneys projected to be transferred to the budget stabilization account pursuant to Article VII, section 12 of the state Constitution, but does not include in the 2013-2015 and 2015-2017 fiscal biennia the costs related to the enhanced funding under the new definition of basic education as established in chapter 548, Laws of 2009, and affirmed by the decision in *Mathew McCleary et al., v. The State of Washington*, 173 Wn.2d 477, 269 P.3d 227, (2012), from which the short-term exclusion of these obligations

is solely for the purposes of calculating this estimate and does not in any way indicate an intent to avoid full funding of these obligations;

(c) "Related funds," as used in this section, means the Washington opportunity pathways account and the education legacy trust account.

(3) Subsection (1)(a) and (b) of this section does not apply to an appropriations bill that makes net reductions in general fund and related funds appropriations and is enacted between July 1st and February 15th of any fiscal year.

(4) Subsection (1)(b) of this section does not apply in a fiscal biennium in which money is appropriated from the budget stabilization account.

(5) (a) When any legislator or caucus of either house of the legislature introduces or otherwise publicly proposes omnibus operating appropriations legislation, that legislation must propose operating expenditures based on the estimated revenues and caseloads as approved by the economic and revenue forecast counsel and caseload forecast council, and upon revenue and caseload estimates of the office of financial management for those accounts and programs for which the forecast councils do not prepare an official forecast. Revenues to support those proposed operating expenditures must be estimated from sources and rates existing at the time of the introduction or public proposal of the legislation.

(b) If a legislator or caucus of either house of the legislature has introduced or publicly proposed omnibus operating appropriations legislation that complies with (a) of this subsection (5), then the legislator or caucus may also introduce, as an appendix to that legislation, a proposal for expenditures that relies on revenues derived from changes in existing revenue statutes.

(c) This subsection (5) applies to operating appropriations legislation introduced or proposed during the 2017-19 fiscal biennium."

Renumber remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Manweller, DeBolt and Orcutt spoke in favor of the adoption of the amendment (341) to the striking amendment (330).

Representative Ormsby spoke against the adoption of the amendment (341) to the striking amendment (330).

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (341) to the striking amendment (330) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 50; Absent, 0; Excused, 0.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Amendment (341) to the striking amendment (330) was not adopted.

Representative Shea moved the adoption of amendment (394) to the striking amendment (330):

On page 284, after line 21, insert the following section:

"**Sec. 962.** RCW 51.08.180 and 2008 c 102 s 3 are each amended to read as follows:

"Worker" means every person in this state who is engaged in the employment of an employer under this title, whether by way of manual labor or otherwise in the course of his or her employment; also every person in this state who is engaged in the employment of or who is working under an independent contract, the essence of which is his or her personal labor for an employer under this title, whether by way of manual labor or otherwise, in the course of his or her employment, or as an exception to the definition of worker, a person is not a worker if he or she meets the tests set forth in subsections (1) through (6) of RCW 51.08.195 or the separate tests set forth in RCW 51.08.181

for work performed that requires registration under chapter 18.27 RCW or licensing under chapter 19.28 RCW: PROVIDED, That a person is not a worker for the purpose of this title, with respect to his or her activities attendant to operating a truck, as "truck" is defined in RCW 46.04.653, which he or she owns, and which is leased to a (~~common or contract~~) motor carrier or for which he or she provides services as a licensed motor carrier to a freight broker."

Renumber remaining sections consecutively and correct internal references accordingly. Correct the title.

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (394) to the striking amendment (330).

SPEAKER'S RULING

Mr. Speaker(Representative Lovick presiding): *The bill before us is the operating budget. The scope and object of a budget bill does not extend to permanent changes in substantive law. One of the factors to be considered in determining whether a provision is substantive law is whether it modifies statutory rights or obligations.*

Amendment 394 amends the industrial insurance act to exempt certain persons from workers compensation coverage and benefits.

The speaker therefore finds and rules that the amendment is beyond the scope and object of the budget bill. The point of order is well taken.

Amendment (394) to the striking amendment (330) was not adopted.

Representative Maycumber moved the adoption of amendment (331) to the striking amendment (330):

On page 315, after line 9, insert the following:

"**NEW SECTION. Sec. 980.** A new section is added to chapter 84.40 RCW to read as follows:

(1) If, on or before June 30th of 2017 through 2018, water supply to any real property placed upon the assessment roll of that year is impacted by a water ruling, the property must be reassessed to reflect the true and fair value of the property after the water ruling.

(2) The assessor must make such a reduction within one year after the water ruling; however, the taxpayer may apply for the reduction on forms prepared by the department and provided by the assessor.

The assessor must notify the taxpayer of the amount of the reduction.

(3) The taxpayer may appeal the amount of reduction to the county board of equalization in accordance with the provisions of RCW 84.40.038.

(4) For the purposes of this section, "water ruling" means any federal or state appellate court ruling that impacts, directly or indirectly, water supply to any parcel or parcels or the process or procedures for proving the adequacy of water supply to a parcel, as well as any court ruling that requires a change in county ordinance, comprehensive plan, development regulation, or procedures or policies concerning approval of building permits under RCW 19.27.097 or approval of subdivisions under RCW 58.17.110.

(5) If any reassessment has been conducted under this section, the county assessor must prepare a report that includes, but is not limited to, the number of parcels with reduced value and the number of parcels to which a tax burden was shifted, and the extent of the tax shift. The report is due to the department by March 1st, 2019 for calendar year 2018. The county must bill the state for the costs of the reassessment and preparation of the report, and the state has the obligation to appropriate sufficient money to cover the cost in accordance with RCW 43.135.060."

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

Correct the title.

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (331) to the striking amendment (330).

SPEAKER'S RULING

Mr. Speaker(Representative Lovick presiding): *Engrossed Substitute Senate Bill 5048 is the operating budget bill. It makes appropriations for the 2017-19 biennium for the operation of state government.*

Amendment 331 relates to county assessor valuations of real property. It is unrelated to any appropriation for any branch or agency of state government.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill. The point of order is well taken.

Amendment (331) to the striking amendment (330) was not adopted.

Representative Buys moved the adoption of amendment (347) to the striking amendment (330):

On page 315, after line 9, insert the following:

"NEW SECTION. Sec. 980. STATE EMPLOYEE TRAVEL TO SEATTLE. (1) State agencies of the legislative, executive, and judicial branches shall not make expenditures for the cost or reimbursement of state employees travel to Seattle where the travel is not related to an emergency or other catastrophic event that requires government action to protect life or public safety, or direct service delivery, and the travel occurs after the effective date of this section and before the earlier of July 1, 2019, or the return to full operating capacity at the West Point wastewater treatment plant in King County.

(2) This section also does not apply to costs related to carrying out a court order.

(3) Exceptions to the restrictions in subsection (1) of this section may be granted for the critically necessary work of an agency as provided in this section.

(4) For agencies of the executive branch, the exceptions shall be subject to approval by the director of financial management or the director's designee. For agencies of the judicial branch, the exceptions shall be subject to approval of the chief justice of the supreme court. For the house of representatives and the senate, the exceptions shall be subject to approval of the chief clerk of the house of representatives and the secretary of the senate, respectively, under the direction of the senate committee on facilities and operations and the executive rules committee of the house of representatives. For other legislative agencies, the exceptions shall be subject to approval of both the chief clerk of the house of representatives and the secretary of the senate under the direction of the senate committee on facilities and operations and the executive rules committee of the house of representatives.

(5) Exceptions approved under subsection (4) of this section shall take effect no sooner than five business days following notification of the chair and ranking minority member of the ways and means committees in the house of representatives and the senate. The person

approving exceptions under subsection (3) of this section shall send the exceptions to the legislature for consideration every thirty days from the effective date of this section, or earlier should volume or circumstances so necessitate.

(6) Exceptions approved and taking effect under this section shall be published electronically at least quarterly by the office of financial management on the state fiscal web site.

(7) This section does not apply to agricultural commodity commissions and boards, and agricultural inspection programs operated by the department of agriculture."

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

Representatives Buys, Johnson and Muri spoke in favor of the adoption of the amendment (347) to the striking amendment (330).

Representative Fitzgibbon spoke against the adoption of the amendment (347) to the striking amendment (330).

Amendment (347) to the striking amendment (330) was not adopted.

Representative Ormsby spoke in favor of the adoption of the striking amendment (330), as amended.

Amendment (330), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

Representatives Ormsby, Lytton, Hansen, Kagi, Santos, Slatter, Robinson, Reeves and Jinkins spoke in favor of the passage of the bill.

Representatives Chandler, Volz, Graves, Klippert, Schmick, Kraft, MacEwen, Condotta, Pike and McDonald spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5048, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5048, as amended by the House, and the bill passed the House by the following vote: Yeas, 50; Nays, 48; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5048, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., April 3, 2017, the 85th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTY FIFTH DAY

House Chamber, Olympia, Monday, April 3, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

March 31, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5130,
SUBSTITUTE SENATE BILL NO. 5248,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SB 5130 by Senators Rivers, Conway and Chase

AN ACT Relating to increasing marijuana license fees and adding a temporary additional fee on marijuana licenses issued by the Washington state liquor and cannabis board; amending RCW 69.50.325 and 69.50.372; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Commerce & Gaming.

SSB 5248 by Senate Committee on Ways & Means (originally sponsored by Senators Rivers, Cleveland, Becker, Carlyle and Kuderer)

AN ACT Relating to addressing use and misuse of opioids; amending RCW 70.225.040; adding a new section to chapter 70.225 RCW; adding a new section to chapter 18.22 RCW; adding a new section to chapter 18.32 RCW; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; and adding a new section to chapter 18.79 RCW.

Referred to Committee on Health Care & Wellness.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 30, 2017

SSB 5453 Prime Sponsor, Committee on Ways & Means: Concerning school construction assistance grants for small, rural school districts. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.525 RCW to read as follows:

(1) School construction assistance program grants for small, rural districts must be determined in accordance with this section.

(2) Eligibility. Small, rural district modernization grants are for school districts with enrollments that are less than or equal to one thousand students. For school districts that, because of low assessed property values or high indebtedness, are not eligible for school construction assistance program modernization grants, the office of the superintendent of public instruction shall recommend measures for those school districts to become eligible in the small, rural district school construction assistance program. Districts with incomplete information in the inventory and condition of schools data system are not eligible to apply.

(3) Coordination with the school construction assistance program (SCAP).

(a) The full administrative and procedural process of SCAP funding may be streamlined by the office of the superintendent of public instruction in order to coordinate eligible SCAP funding with the small, rural district modernization grants. Such coordination must ensure that total state funding from both grants does not exceed total project costs minus available local resources.

(b) Projects seeking small, rural district modernization grants must meet the requirements for a SCAP grant except for the following:

(i) The estimated cost of the project may be less than forty percent of the estimated replacement value of the facility, and

(ii) Local funding assistance percentage requirements of the SCAP do not apply. However, available district resources are considered in prioritizing small rural school grants.

(4) Prioritized grants and advisory committee.

(a) The small, rural district school modernization program must propose a list of prioritized grants by September 1st of even-numbered years. The superintendent of public instruction must appoint an advisory committee to prioritize applications for small, rural school districts. Committee members must have experience in financing, managing, repairing, and improving school facilities in small, rural districts but must not be involved in a small, rural modernization program request for the biennium under consideration. The office of the superintendent of public instruction must provide administrative and staff support to the committee. The committee must review and rank applications in the three-step process in this subsection (4).

(b) Step one must involve a simplified application from interested districts with a brief statement of the school condition, its deficiencies, student enrollment, student achievement measures, and financial limitations of the district. The advisory committee created in (a) of this subsection must identify a preliminary list of school districts with the most serious building deficiencies, the most limited financial capacity, and the greatest student opportunity gaps given the condition of school facilities.

(c) After identifying the list of school districts under (b) of this

subsection, the advisory committee created in (a) of this subsection and the office of superintendent of public instruction must offer technical assistance to the districts on the list to develop affordable and effective proposals to resolve the most serious building deficiencies.

(d) After offering technical assistance under (c) of this subsection, the advisory committee created in (a) of this subsection must evaluate final applications from the school districts on the first list interested in pursuing a grant. The advisory committee must submit a prioritized list of grants to the superintendent of public instruction and the governor. The list must prioritize applications to achieve the greatest improvement of school facilities, in the districts with the most limited financial capacity, for projects that are likely to improve student health, safety, and academic performance for the largest number of students for the amount of state grant support. The advisory committee must develop specific criteria to achieve the prioritization. The submitted prioritized list must describe the project, the proposed state funding level, and the estimated total project cost including other funding and in-kind resources. The list must also indicate student achievement measures that will be used to evaluate the benefits of the project. The superintendent of public instruction and the governor may determine the level of funding in their omnibus capital appropriations act requests to support small, rural school district grants, but their funding requests must follow the prioritized list prepared by the advisory committee unless new information determines that a specific project is no longer viable as proposed.

(5) Disbursement of grant funds and reporting requirements. The office of the superintendent of public instruction must execute a contract with school districts receiving small, rural school modernization grants. The contract must not be executed until the district has identified available local and other resources sufficient to complete the approved project considering the amount of the state grant. The contract must include provisions for disbursing state funds for eligible project costs incurred. When a district has used local funds for costs eligible for state fund reimbursement under a small, rural modernization grant, if the state funds are not applied to

eligible project costs, use of the state funds must comply with the requirements of the applicable source of local funds. The contract must specify reporting requirements from the district, which must include updating all pertinent information in the inventory and condition of schools system and submitting a final project report as specified by the office of the superintendent of public instruction in consultation with the school facilities citizens advisory committee specified in RCW 28A.525.025."

Correct the title.

Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Kraft; MacEwen; Macri; Reeves;

Riccelli; Ryu; Sells; Steele; Stonier; Walsh, J. Koster, Member.

Referred to Committee on Rules for second reading.

There being no objection, the bill listed on the day's committee report under the fifth order of business was referred to the committee so designated.

There being no objection, the House adjourned until 9:55 a.m., April 4, 2017, the 86th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTY SIXTH DAY

House Chamber, Olympia, Tuesday, April 4, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2017-4635, by Representatives McCabe, Ryu, Macri, Reeves, Klippert, Gregerson, Irwin, Barkis, J. Walsh, Johnson, Kilduff, Kraft, Lovick, MacEwen, McCaslin, Sells, Appleton, Chapman, Dye, Graves, Stonier, and Pettigrew

WHEREAS, Autism is a developmental disability that typically appears during the first two years of life and continues throughout an individual's lifespan; and

WHEREAS, Autism is America's fastest growing developmental disability and affects over 2 million Americans; presently, 1 in 68 babies born are autistic; and

WHEREAS, Currently, 1 in 42 boys are affected with autism, as opposed to 1 in 189 girls; and

WHEREAS, There are many different characteristics in individuals with autism: Delayed or deficient communication, decreased or unresponsive social interaction, unusual reaction to normal stimuli, a lack of spontaneous or imaginative play, and behavioral challenges; and

WHEREAS, Despite being born with autism, many children are not diagnosed until after they are 4 years old due to a lack of recognition of autism's characteristics by general practitioners; and

WHEREAS, Autism has no known cause and no known cure; however, with aggressive and continuous therapy, some individuals can learn to acclimate to their environment and mask the symptoms of their disability; and

WHEREAS, Applied behavior analysis has become widely accepted among health care professionals and is used in many schools and treatment clinics; and

WHEREAS, In order to improve a variety of skills, applied behavior analysis encourages positive behaviors, discourages negative behaviors, and tracks and measures a child's progress in those areas; and

WHEREAS, Autism can create significant stress on the families of those affected by autism; and

WHEREAS, All individuals with autism should be included and regarded as valuable members of our community; and

WHEREAS, Families; caregivers; advocates; and organizations, such as the Autism Society of Washington, Northwest Autism Center, Families for Effective Autism Treatment, and the Arc of Washington State, are striving to bring about positive changes for children and adults with autism; and

WHEREAS, Through research, training, public services, support groups, advocacy, and increased awareness we will be more understanding, inclusive, and better equipped to support the growing number of individuals with autism and their families;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor and support individuals with autism, and acknowledge the tremendous courage that they and their families put forth every day.

There being no objection, HOUSE RESOLUTION NO. 4635 was adopted.

HOUSE RESOLUTION NO. 2017-4636, by Representatives Hayes and Lovick

WHEREAS, Pat Slack was born in Tacoma in 1946, but moved to Snohomish at the age of 11 where he eventually attended Snohomish High School; and

WHEREAS, In 1965, Pat was drafted into the U.S. Army where he served one year in Vietnam and received the Bronze Star Medal with a "V" device, which is only awarded for acts of valor in combat; and

WHEREAS, In 1969, Pat joined the Snohomish County Sheriff's Office where he held several positions including: Jail Deputy; Traffic Deputy; Road Deputy, including a period when he was the only deputy on duty in the entire county between 2:00 a.m. and 6:00 a.m.; Detective, where he was assigned to a variety of units, including Narcotics, Auto Theft, and Major Crimes/Homicide; and

WHEREAS, In 1981, Pat started the Sheriff's Office Marine Unit and in 1988 he was named Deputy of the Year; and

WHEREAS, In total, Pat received over 90 commendations from the Sheriff's Office, including one for

heroism after his extraordinary efforts to save two drowning victims on the Sultan River at high risk to his own life; and

WHEREAS, In 1995, Pat accepted the position of Deputy Chief of Operations and Investigations with the Everett Police Department where he received a Distinguished Service Award for planning, administering, and coordinating a Domestic Violence and Sexual Assault Unit at the Everett Police Department; and

WHEREAS, In 2000, Pat returned to the Snohomish County Sheriff's Office as Commander of the Snohomish County Narcotics Task Force, now called the Snohomish Regional Drug and Gang Task Force; and

WHEREAS, Commander Slack has led the Task Force with vision and determination; his many accomplishments include: Working to get pseudoephedrine removed from open shelves in stores and placed behind counters during the methamphetamine crisis of the early 2000s; partnering with Washington Attorney General Rob McKenna in support of a statewide prescription monitoring program; facilitating the carrying of Naloxone by first responders to reduce the number of fatalities caused by opioid drug overdoses; creating Project 99 by collaborating with social workers, health workers, code enforcement officers, and others to help people get off drugs and clean up problem properties; and launching a web site focused on educating the public and providing an avenue to share information on drug activity; and

WHEREAS, Under Commander Slack's leadership, the Snohomish Regional Drug and Gang Task Force received numerous awards including: Being named Agency of the Year in 2001 and 2005 by the Western States Information Network, which shares information and coordinates efforts to combat criminal networks such as drug trafficking; being recognized for "outstanding contributions in the field of drug law enforcement" in 2005 by the United States Drug Enforcement Administration; receiving a Letter of Commendation from the Sheriff's Office in 2013 for their work on Project 99 thanking the Task Force for "creating an innovative approach to solving a community problem and for proactively finding ways to make Snohomish County a better place"; and receiving an award for Outstanding Investigative Effort from the Northwest High Intensity Drug Trafficking Area (HIDTA) in 2014; and

WHEREAS, Pat Slack embodies the highest traditions of law enforcement and, throughout his career, Pat has exhibited crime-fighting initiative and tenacity coupled with a unique sense of compassion for those who need a helping hand;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor Pat Slack and recognize his nearly five decades of exemplary service to the people of Snohomish County.

There being no objection, HOUSE RESOLUTION NO. 4636 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

March 31, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1027,
 SUBSTITUTE HOUSE BILL NO. 1176,
 SUBSTITUTE HOUSE BILL NO. 1199,
 SUBSTITUTE HOUSE BILL NO. 1235,
 SUBSTITUTE HOUSE BILL NO. 1257,
 HOUSE BILL NO. 1400,
 SUBSTITUTE HOUSE BILL NO. 1420,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1431,
 SUBSTITUTE HOUSE BILL NO. 1515,
 HOUSE BILL NO. 1615,
 HOUSE BILL NO. 1616,
 HOUSE BILL NO. 1629,
 HOUSE BILL NO. 1734,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HJM 4012 by Representatives Dent, Dye, Morris, Buys, Shea, Pettigrew, Lovick, Ryu, Smith, Tarleton, Young and J. Walsh

Requesting Congress to reform the harbor maintenance tax.

Referred to Committee on Technology & Economic Development.

ESSB 5086 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford and Frockt)

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 70.340.130, 28B.20.725, 28B.30.750, 28B.35.370, 28B.50.360, and 70.105D.070; amending 2015 3rd sp.s. c 3 ss 1002, 1026, 1028, 3198, 3200, and 3202 (uncodified); amending 2016 sp.s. c 35 ss 1008 and 6015 (uncodified); adding a new section to 2015 3rd sp.s. c 3 (uncodified); creating new sections; repealing 2016 sp.s. c 35 s 2011 (uncodified); making appropriations; and declaring an emergency.

There being no objection, the bill and memorial listed on the day's introduction sheet under the fourth order of

business were referred to the committees so designated, with the exception of ENGROSSED SUBSTITUTE SENATE BILL NO. 5086 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

The Speaker (Representative Orwall presiding) called upon Representative Sullivan to preside.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 3, 2017

SB 5036 Prime Sponsor, Senator Takko: Clarifying the authority and procedures for unit priced contracting by public utility districts. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Kraft; Macri; Morris; Reeves; Ryu; Sells; Steele; Stonier; Walsh, J. Koster, Member.

Referred to Committee on Rules for second reading.

March 30, 2017

SB 5146 Prime Sponsor, Senator Liias: Allowing public transportation benefit area authorities to use job order contracts and procedure. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Kraft; MacEwen; Macri; Reeves; Riccelli; Ryu; Sells; Steele; Stonier; Walsh, J. Koster, Member.

Referred to Committee on Rules for second reading.

April 3, 2017

SB 5270 Prime Sponsor, Senator Hawkins: Concerning expiration dates affecting the department of natural resources' contract harvesting program. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Kraft; Macri; Morris; Reeves; Ryu; Sells; Steele; Stonier; Walsh, J. Koster, Member.

Referred to Committee on Rules for second reading.

March 30, 2017

SSB 5301 Prime Sponsor, Committee on State Government: Including willful violations of certain state laws to the state's responsible bidder criteria. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Macri; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

MINORITY recommendation: Do not pass. Signed by Representatives Dye; MacEwen Koster, Member.

MINORITY recommendation: Without recommendation. Signed by Representative Kraft.

Referred to Committee on Rules for second reading.

April 3, 2017

SB 5631 Prime Sponsor, Senator Becker: Concerning the University of Washington's alternative process for awarding contracts. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Kraft; Macri; Morris; Reeves; Ryu; Sells; Steele; Stonier; Walsh, J. Koster, Member.

Referred to Committee on Rules for second reading.

April 3, 2017

SB 5734 Prime Sponsor, Senator Chase: Bringing Washington state government contracting provisions into compliance with federal law as it relates to small works bonding requirements. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Kraft; Macri; Morris; Reeves; Ryu; Sells; Steele; Stonier; Walsh, J. Koster, Member.

Referred to Committee on Rules for second reading.

FIRST SUPPLEMENTAL COMMITTEE REPORT

March 30, 2017

HB 1054 Prime Sponsor, Representative Harris: Concerning the age of individuals at which sale or distribution of tobacco and vapor products may be made. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Wilcox.

Referred to Committee on Rules for second reading.

March 30, 2017

HB 1611 Prime Sponsor, Representative Farrell: Concerning oil transportation safety. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Dolan; Pollet; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representative Wilcox.

Referred to Committee on Rules for second reading.

March 30, 2017

HB 1764 Prime Sponsor, Representative Lytton: Replacing the one percent property tax revenue limit with a limit tied to cost drivers. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Dolan; Pollet; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta; Stokesbary and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey, Ranking Minority Member.

Referred to Committee on Rules for second reading.

March 30, 2017

HB 2138 Prime Sponsor, Representative Kraft: Concerning tax relief for the construction of adapted housing for disabled veterans. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Frame, Vice Chair.

Referred to Committee on Rules for second reading.

March 30, 2017

HB 2165 Prime Sponsor, Representative Harris: Concerning vapor products, e-cigarettes, and nicotine products taxation. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta; Stokesbary and Wilcox.

Referred to Committee on Rules for second reading.

March 30, 2017

SB 5189 Prime Sponsor, Senator Warnick: Eliminating the collection of anticipated taxes and assessments. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

March 30, 2017

SSB 5358 Prime Sponsor, Committee on Ways & Means: Improving tax and licensing laws administered by the department of revenue, but not including changes to tax laws that are estimated to affect state or local tax collections as reflected in any fiscal note prepared and approved under the process established in chapter 43.88A RCW. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"PART I

Providing reasonable tools for the effective administration of the public utility district privilege tax

NEW SECTION. Sec. 101. A new section is added to chapter 54.28 RCW to read as follows:

(1) The following provisions of chapter 82.32 RCW apply with respect to the state taxes administered by the department of revenue under this chapter, unless the context clearly requires otherwise: RCW 82.32.050, 82.32.060, 82.32.070, 82.32.080, 82.32.085, 82.32.090, 82.32.100, 82.32.105, 82.32.110, 82.32.117, 82.32.120, 82.32.130, 82.32.135, 82.32.150, 82.32.160, 82.32.170, 82.32.180, 82.32.190, 82.32.200, 82.32.210, 82.32.235, 82.32.237, 82.32.240, 82.32.270, 82.32.310, 82.32.320, 82.32.330, 82.32.340, 82.32.350, 82.32.360, 82.32.410, and any other provision of chapter 82.32 RCW specifically referenced in the statutes listed in this subsection (1).

(2) Chapter 82.32 RCW also applies with respect to the state taxes administered by the department of revenue under this chapter to the extent provided in any other provision of law.

(3) The definitions in this chapter have full force and application with respect to the application of chapter 82.32 RCW to this chapter unless the context clearly requires otherwise.

NEW SECTION. Sec. 102. RCW 54.28.030 (Districts' report to department of revenue) and 1977 ex.s. c 366 s 3, 1975 1st ex.s. c 278 s 30, 1959 c 274 s 3, & 1957 c 278 s 3 are each repealed.

Sec. 103. RCW 54.28.040 and 1996 c 149 s 16 are each amended to read as follows:

(1) Before May 1st of each calendar year through calendar year 2018, the department of revenue (~~shall~~) must compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the amount thereof, which shall be payable on or before the following June 1st.

(2) ((If payment of any tax is not received by the department on or before the due date, there shall be assessed a penalty of five percent of the amount of the tax; if the tax is not received within one month of the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within two months of the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax.

~~(3))~~ For tax reporting periods beginning on or after January 1, 2018, taxpayers must report the taxes due under RCW 54.28.020 and 54.28.025 on returns as prescribed by the department of revenue. Except as otherwise provided in this subsection (2), taxes imposed in RCW 54.28.020 and 54.28.025 are due for a taxpayer at the same time as the taxpayer's payment of taxes imposed under chapters 82.04 and 82.16 RCW. The department of revenue may allow taxpayers to report and pay the taxes due under RCW 54.28.020 and 54.28.025 on an annual basis, even if they report taxes imposed under chapters 82.04 and 82.16 RCW more frequently than annually. In such cases, the taxes imposed in RCW 54.28.020 and 54.28.025 are due at the same time as the taxes under chapters 82.04 and 82.16 RCW for the taxpayer's final reporting period for the calendar year.

(3) The department of revenue may require persons to report such information as needed by the department to administer this chapter.

(4) Upon receipt of the amount of each tax imposed the department of revenue shall deposit the same with the state treasurer, who (~~shall~~) must deposit four percent of the revenues received under RCW 54.28.020(1) and 54.28.025(1) and all revenues received under RCW 54.28.020(2) and 54.28.025(2) in the general fund of the state and (~~shall~~) must distribute the remainder in the manner hereinafter set forth. The state treasurer (~~shall~~) must send a duplicate copy of each transmittal to the department of revenue.

Sec. 104. RCW 54.28.050 and 1982 1st ex.s. c 35 s 21 are each amended to read as follows:

~~((After computing the tax imposed by RCW 54.28.020(1),))~~ (1) Except as provided in subsection (2) of this section, the department of revenue ~~((shall))~~ must instruct the state treasurer, after placing thirty-seven and six-tenths percent of the taxes collected under RCW 54.28.020(1) in the state general fund to be dedicated for the benefit of the public schools, to distribute the balance collected under RCW 54.28.020(1)(a) to each county in proportion to the gross revenue from sales made within each county; and to distribute the balance collected under RCW 54.28.020(1) (b) and (c) as follows:

(a) If the entire generating facility, including reservoir, if any, is in a single county then all of the balance to the county where such generating facility is located~~((-))~~;

(b) If any reservoir is in more than one county, then to each county in which the reservoir or any portion thereof is located a percentage equal to the percentage determined by dividing the total cost of the generating facilities, including adjacent switching facilities, into twice the cost of land and land rights acquired for any reservoir within each county, land and land rights to be defined the same as used by the federal ~~((power commission))~~ energy regulatory commission.

(c) If the powerhouse and dam, if any, in connection with such reservoir are in more than one county, the balance ~~((shall))~~ must be divided sixty percent to the county in which the owning district is located and forty percent to the other county or counties or if ~~((said))~~ the powerhouse and dam, if any, are owned by a joint operating agency organized under chapter 43.52 RCW, or by more than one district or are outside the county of the owning district, then to be divided equally between the counties in which such facilities are located. If all of the powerhouse and dam, if any, are in one county, then the balance ~~((shall))~~ must be distributed to the county in which the facilities are located.

(2) The department of revenue must instruct the state treasurer to adjust distributions under this section, in whole or in part, to account for each county's proportionate share of amounts previously

distributed under this section and subsequently refunded to a public utility district under RCW 82.32.060.

(3) The provisions of this section ~~((shall))~~ do not apply to the distribution of taxes collected under RCW 54.28.025.

Sec. 105. RCW 54.28.055 and 1986 c 189 s 1 are each amended to read as follows:

(1) ~~((After computing the tax imposed by RCW 54.28.025(1),))~~ Except as provided in subsection (3) of this section, the department of revenue ~~((shall))~~ must instruct the state treasurer to distribute the amount collected under RCW 54.28.025(1) as follows:

(a) Fifty percent to the state general fund for the support of schools; and

(b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district, and library district ~~((shall))~~ must receive a percentage of the amount for distribution to counties, cities, fire protection districts, and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area. For the purposes of this chapter, the term "library district" includes only regional libraries ~~((as defined in RCW 27.12.010(4), rural county library districts ((as defined in RCW 27.12.010(5)), intercounty rural library districts ((as defined in RCW 27.12.010(6))), and island library districts as those terms are defined in RCW 27.12.010((7)).~~ The population of a library district, for purposes of such a distribution, ~~((shall))~~ does not include any population within the library district and the impact area that also is located within a city or town.

(3) Distributions under this section must be adjusted as follows:

(a) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share ~~((shall))~~ must be prorated among the state and remaining local districts.

(b) The department of revenue must instruct the state treasurer to adjust distributions under this section, in whole or in part, to account for each county's, city's, fire protection district's, and

library district's proportionate share of amounts previously distributed under this section and subsequently refunded to a public utility district under RCW 82.32.060.

(4) All distributions directed by this section to be made on the basis of population ~~((shall))~~ must be calculated in accordance with ~~((data to be provided))~~ population data as last determined by the office of financial management.

Sec. 106. RCW 82.32.105 and 1998 c 304 s 13 are each amended to read as follows:

(1) If the department ~~((of revenue))~~ finds that the payment by a taxpayer of a tax less than that properly due or the failure of a taxpayer to pay any tax by the due date was the result of circumstances beyond the control of the taxpayer, the department ~~((of revenue shall))~~ must waive or cancel any penalties imposed under this chapter with respect to such tax.

(2) The department ~~((shall))~~ must waive or cancel the penalty imposed under RCW 82.32.090(1) when the circumstances under which the delinquency occurred do not qualify for waiver or cancellation under subsection (1) of this section if:

(a) The taxpayer requests the waiver for a tax return required to be filed under RCW 54.28.040, 82.32.045, 82.14B.061, 82.23B.020, 82.27.060, 82.29A.050, or 84.33.086; and

(b) The taxpayer has timely filed and remitted payment on all tax returns due for that tax program for a period of twenty-four months immediately preceding the period covered by the return for which the waiver is being requested.

(3) The department ~~((shall))~~ must waive or cancel interest imposed under this chapter if:

(a) The failure to timely pay the tax was the direct result of written instructions given the taxpayer by the department; or

(b) The extension of a due date for payment of an assessment of deficiency was not at the request of the taxpayer and was for the sole convenience of the department.

(4) The department ~~((of revenue shall))~~ must adopt rules for the waiver or cancellation of penalties and interest imposed by this chapter.

Sec. 107. RCW 82.32.350 and 1971 ex.s. c 299 s 23 are each amended to read as follows:

The department may enter into an agreement in writing with any person relating to the liability of such person in respect of any tax imposed by any of the preceding chapters of this title, or any tax in respect to which this section is specifically made applicable, for any taxable period or periods.

NEW SECTION. **Sec. 108.** Section 102 of this act does not apply with respect to reports due under RCW 54.28.030 in calendar year 2018 or any preceding calendar year.

NEW SECTION. **Sec. 109.** The repeal in section 102 of this act and the amendments in section 103 of this act do not affect any existing right acquired or liability or obligation incurred under the sections repealed or amended or under any rule or order adopted under those sections, nor does it affect any proceeding instituted under those sections.

Part II

Pet adoption fees

Sec. 201. RCW 82.04.040 and 2004 c 153 s 402 are each amended to read as follows:

(1) Except as otherwise provided in this subsection, "sale" means any transfer of the ownership of, title to, or possession of property for a valuable consideration and includes any activity classified as a "sale at retail" or "retail sale" under RCW 82.04.050. It includes lease or rental, conditional sale contracts, and any contract under which possession of the property is given to the purchaser but title is retained by the vendor as security for the payment of the purchase price. It also includes the furnishing of food, drink, or meals for compensation whether consumed upon the premises or not. The term "sale" does not include the transfer of the ownership of, title to, or possession of an animal by an animal rescue organization in exchange for the payment of an adoption fee.

(2) "Casual or isolated sale" means a sale made by a person who is not engaged in the business of selling the type of property involved.

(3)(a) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options

to purchase or extend. "Lease or rental" includes agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. Sec. 7701(h) (1), as amended or renumbered as of January 1, 2003. The definition in this subsection (3) (~~shall~~) must be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the United States internal revenue code, Washington state's commercial code, or other provisions of federal, state, or local law.

(b) "Lease or rental" does not include:

(i) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(ii) A transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments, and payment of an option price does not exceed the greater of one hundred dollars or one percent of the total required payments; or

(iii) Providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the tangible personal property to perform as designed. For the purpose of this subsection (3) (b) (iii), an operator must do more than maintain, inspect, or set up the tangible personal property.

(4) (a) "Adoption fee" means an amount charged by an animal rescue organization to adopt an animal, except that "adoption fee" does not include any separately itemized charge for any incidental inanimate items provided to persons adopting an animal, including food, identification tags, collars, and leashes.

(b) "Animal care and control agency" means the same as in RCW 16.52.011 and also includes any similar entity operating outside of this state.

(c) "Animal rescue group" means a nonprofit organization that:

(i) (A) Is exempt from federal income taxation under 26 U.S.C. Sec. 501(c) of the federal internal revenue code as it

exists on the effective date of this section; or

(B) Is registered as a charity with the Washington secretary of state under chapter 19.09 RCW, whether such registration is required by law or voluntary;

(ii) Has as its primary purpose the prevention of abuse, neglect, cruelty, exploitation, or homelessness of animals; and

(iii) Exclusively obtains dogs, cats, or other animals for placement that are:

(A) Stray or abandoned;

(B) Surrendered or relinquished by animal owners or caretakers;

(C) Transferred from other animal rescue organizations; or

(D) Born in the care of such nonprofit organization other than through intentional breeding by the nonprofit organization.

(d) "Animal rescue organization" means an animal care and control agency or an animal rescue group.

Sec. 202. RCW 82.04.190 and 2015 c 169 s 3 are each amended to read as follows:

"Consumer" means the following:

(1) Except as provided otherwise in this section, any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose of:

(a) Resale as tangible personal property in the regular course of business;

(b) Incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers;

(c) Consuming such property in producing for sale as a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the

primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(d) Consuming the property purchased in producing ferrosilicon which is subsequently used in producing magnesium for sale, if the primary purpose of such property is to create a chemical reaction directly through contact with an ingredient of ferrosilicon; or

(e) Satisfying the person's obligations under an extended warranty as defined in RCW 82.04.050(7), if such tangible personal property replaces or becomes an ingredient or component of property covered by the extended warranty without intervening use by such person;

(2)(a) Any person engaged in any business activity taxable under RCW 82.04.290 or 82.04.2908; (b) any person who purchases, acquires, or uses any competitive telephone service, ancillary services, or telecommunications service as those terms are defined in RCW 82.04.065, other than for resale in the regular course of business; (c) any person who purchases, acquires, or uses any service defined in RCW 82.04.050(2) (a) or (g), other than for resale in the regular course of business or for the purpose of satisfying the person's obligations under an extended warranty as defined in RCW 82.04.050(7); (d) any person who makes a purchase meeting the definition of "sale at retail" and "retail sale" under RCW 82.04.050(15), other than for resale in the regular course of business; (e) any person who purchases or acquires an extended warranty as defined in RCW 82.04.050(7) other than for resale in the regular course of business; and (f) any person who is an end user of software. For purposes of this subsection (2) (f) and RCW 82.04.050(6), a person who purchases or otherwise acquires prewritten computer software, who provides services described in RCW 82.04.050(6) (~~(b)~~) (c) and who will charge consumers for the right to access and use the prewritten computer software, is not an end user of the prewritten computer software;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and

which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right-of-way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition may be construed to modify any other definition of "consumer";

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation; also, any person engaged in the business of clearing land and moving earth of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW. Any such

person is a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person, except that consumer does not include any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, or any instrumentality thereof, if the investment project would qualify for sales and use tax deferral under chapter 82.63 RCW if undertaken by a private entity;

(7) Any person who is a lessor of machinery and equipment, the rental of which is exempt from the tax imposed by RCW 82.08.020 under RCW 82.08.02565, with respect to the sale of or charge made for tangible personal property consumed in respect to repairing the machinery and equipment, if the tangible personal property has a useful life of less than one year. Nothing contained in this or any other subsection of this section may be construed to modify any other definition of "consumer";

(8) Any person engaged in the business of cleaning up for the United States, or its instrumentalities, radioactive waste and other by-products of weapons production and nuclear research and development;

(9) Any person who is an owner, lessee, or has the right of possession of tangible personal property that, under the terms of an extended warranty as defined in RCW 82.04.050(7), has been repaired or is replacement property, but only with respect to the sale of or charge made for the repairing of the tangible personal property or the replacement property;

(10) Any person who purchases, acquires, or uses services described in RCW 82.04.050(6) ~~((b))~~ (c) other than:

(a) For resale in the regular course of business; or

(b) For purposes of consuming the service described in RCW 82.04.050(6) ~~((b))~~ (c) in producing for sale a new product, but only if such service becomes a component of the new product. For purposes of this subsection (10), "product" means a digital product, an article of tangible personal property, or the service described in RCW 82.04.050(6) ~~((b))~~ (c);

(11) (a) Any end user of a digital product or digital code. "Consumer" does not include any person who is not an end user of a digital product or a digital code and purchases, acquires, owns, holds, or uses any digital product or digital code for purposes of consuming the digital product or digital code in producing for sale a new product, but only if the digital product or digital code becomes a component of the new product. A digital code becomes a component of a new product if the digital good or digital automated service acquired through the use of the digital code becomes incorporated into a new product. For purposes of this subsection, "product" has the same meaning as in subsection (10) of this section.

(b) (i) For purposes of this subsection, "end user" means any taxpayer as defined in RCW 82.12.010 other than a taxpayer who receives by contract a digital product for further commercial broadcast, rebroadcast, transmission, retransmission, licensing, relicensing, distribution, redistribution or exhibition of the product, in whole or in part, to others. A person that purchases digital products or digital codes for the purpose of giving away such products or codes will not be considered to have engaged in the distribution or redistribution of such products or codes and will be treated as an end user;

(ii) If a purchaser of a digital code does not receive the contractual right to further redistribute, after the digital code is redeemed, the underlying digital product to which the digital code relates, then the purchaser of the digital code is an end user. If the purchaser of the digital code receives the contractual right to further redistribute, after the digital code is redeemed, the underlying digital product to which the digital code relates, then the purchaser of the digital code is not an end user. A purchaser of a digital code who has the contractual right to further redistribute the digital code is an end user if that purchaser does not have the right to further redistribute, after the digital code is redeemed, the underlying digital product to which the digital code relates;

(12) Any person who provides services described in RCW 82.04.050(9). Any such person is a consumer with respect to the purchase, acquisition, or use of the tangible personal property that the person provides along with an operator in rendering services defined as a retail

sale in RCW 82.04.050(9). Any such person may also be a consumer under other provisions of this section;

(13) Any person who purchases, acquires, owns, holds, or uses chemical sprays or washes for the purpose of postharvest treatment of fruit for the prevention of scald, fungus, mold, or decay, or who purchases feed, seed, seedlings, fertilizer, agents for enhanced pollination including insects such as bees, and spray materials, is not a consumer of such items, but only to the extent that the items:

(a) Are used in relation to the person's participation in the federal conservation reserve program, the environmental quality incentives program, the wetlands reserve program, the wildlife habitat incentives program, or their successors administered by the United States department of agriculture;

(b) Are for use by a farmer for the purpose of producing for sale any agricultural product; or

(c) Are for use by a farmer to produce or improve wildlife habitat on land the farmer owns or leases while acting under cooperative habitat development or access contracts with an organization exempt from federal income tax under 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue code or the Washington state department of fish and wildlife; ~~(and)~~

(14) A regional transit authority is not a consumer with respect to labor, services, or tangible personal property purchased pursuant to agreements providing maintenance services for bus, rail, or rail fixed guideway equipment when a transit agency, as defined in RCW 81.104.015, performs the labor or services; and

(15) The term "consumer" does not include:

(a) An animal rescue organization with respect to animals under its care and control; and

(b) Any person with respect to an animal adopted by that person from an animal rescue organization.

NEW SECTION. **Sec. 203.** Sections 201 and 202 of this act apply both prospectively and retroactively to July 1, 2015.

Part III

Technical corrections and clarifications to 2015 legislation

Sec. 301. 2015 3rd sp.s. c 6 s 2301 (uncodified) is amended to read as follows:

(1) Except as provided otherwise in this ~~((section))~~ part, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

(2) Parts IV, VI, VIII, and XIX of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect September 1, 2015.

(3) Part X of this act takes effect October 1, 2016.

(4) Section 1105 of this act takes effect January 1, 2016.

(5) Except for section 2004 of this act, Part XX of this act takes effect January 1, 2019.

(6) Section 2004 of this act takes effect January 1, 2022.

Sec. 302. 2015 3rd sp.s. c 6 s 2303 (uncodified) is amended to read as follows:

~~((Part VIII of this act expires July 1, 2019))~~ (1) Sections 802 and 804, chapter 6, Laws of 2015 3rd sp. sess. expire July 1, 2026;

(2) Section 803, chapter 6, Laws of 2015 3rd sp. sess. expires January 1, 2026; and

(3) Section 805, chapter 6, Laws of 2015 3rd sp. sess. expires January 1, 2031.

Sec. 303. 2015 3rd sp.s. c 6 s 801 (uncodified) is amended to read as follows:

(1)(a) The legislature finds that a robust maritime industry is crucial for the state's economic vitality. The legislature further finds that:

(i) The joint task force for economic resilience of maritime and manufacturing established policy goals to continue efforts towards developing a robust maritime industry in the state;

(ii) The maritime industry has a direct and indirect impact on jobs in the state;

(iii) Many of the cities and towns impacted by the maritime industry are often small with limited resources to encourage economic growth, heavily relying on the maritime industry for local jobs and revenues in the community;

(iv) Keeping Washington competitive with other cruising destinations is essential to continue to build a robust maritime economy in the state; and

(v) Tax incentives are an imperative component to improve the state's overall competitiveness in this sector.

(b) Therefore, the legislature intends to:

(i) Bolster the maritime industry in the state by incentivizing larger vessel owners to use Washington waters for recreational boating to increase economic activity and jobs in coastal communities and inland water regions of the state;

(ii) Achieve this objective in a fiscally responsible manner and require analysis of specific metrics to ensure valuable state resources are being used to accomplish the intended goal; and

(iii) Provide limited, short-term tax relief to entity-owned nonresident vessel owners that currently are not afforded the same benefits as other nonresident vessel owners.

(2)(a) This subsection is the tax preference performance statement for the entity-owned nonresident vessel tax preference established in section 803 of this act. The performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(b) The legislature categorizes this tax preference as one intended to accomplish the purposes indicated in RCW 82.32.808(2)(c) and one intended to improve the state's competitiveness with other nearby cruising destinations.

(c) It is the legislature's specific public policy objective to increase economic activity and jobs related to the maritime industry by providing a tax preference for large entity-owned nonresident vessels to increase the length of time these vessels cruise Washington waters in turn strengthening the maritime economy in the state.

(d) To measure the effectiveness of the tax preference provided in part (~~(XII)~~ ~~[VIII] of this act~~) VIII, chapter 6, Laws of 2015 3rd sp. sess. in achieving the public policy objective in (c) of this subsection, the joint legislative audit and review committee must provide the following in a published evaluation of this tax preference by December 31, 2024:

(i) A comparison of the gross and taxable revenue generated by businesses that sell or provide maintenance or repair of vessels, prior to and after the enactment of this tax preference;

(ii) Analysis of retail sales taxes collected from the restaurant and service industries in coastal and inlet coastal jurisdictions, for both counties and cities, for periods prior to and after the enactment of this tax preference;

(iii) Employment and wage trends for businesses described in (d) (i) and (ii) of this subsection, for periods prior to and after the enactment of this tax preference;

(iv) Descriptive statistics for the number of permits sold each year in addition to the following information:

(A) The cost for each permit by strata of vessel length;

(B) The jurisdiction of ownership for the nonresident vessel; and

(C) The amount of use tax that would have been due based on the estimated value of the vessel;

(v) A comparison of the number of registered entity-owned and individually owned vessels registered in Washington prior to and after the enactment of this tax preference; and

(vi) Data and analysis for Washington's main cruising destination competitors, specifically looking at tax preferences provided in those jurisdictions, vessel industry income data, and any additional relevant information to compare Washington's maritime climate with its competitors.

(e) The provision of RCW 82.32.808(5) does not apply to this tax preference.

Sec. 304. 2015 3rd sp.s. c 30 s 1 (uncodified) is amended to read as follows:

This section is the tax preference performance statement for the tax preference contained in section 2 (~~of~~

~~this act~~), chapter 30, Laws of 2015 3rd sp. sess. This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(1) The legislature categorizes this tax preference as one intended to provide tax relief for certain businesses or individuals, as indicated in RCW 82.32.808(2)(e).

(2) It is the legislature's specific public policy objective to provide tax relief to senior citizens, disabled persons, and veterans. The legislature recognizes that property taxes impose a substantial financial burden on those with fixed incomes and that property tax relief programs have considerable value in addressing this burden. It is the legislature's intent to increase the current statutory static income thresholds which were last modified in 2004.

(3) ~~((The expansion of the items allowed to be deducted))~~ This tax preference is meant to be permanent and, therefore, not subject to the ten-year expiration provision in RCW 82.32.805(1)(a).

NEW SECTION. Sec. 305. Nothing in section 204, chapter 5, Laws of 2015 3rd sp. sess. may be construed as affecting the taxable status in calendar year 2015 of any person with a substantial nexus with this state under RCW 82.04.067 any time on or after January 1, 2015, and before September 1, 2015, with respect to business and occupation taxes on apportionable activities as defined in RCW 82.04.460.

NEW SECTION. Sec. 306. Section 305 of this act applies retroactively for the period January 1, 2015, through December 31, 2015.

Part IV

Automated sales suppression devices and phantom-ware

Sec. 401. RCW 82.32.670 and 2013 c 309 s 3 are each amended to read as follows:

(1)(a) Automated sales suppression devices, phantom-ware, electronic cash registers or point of sale systems used with automated sales suppression devices or phantom-ware, and any property constituting proceeds traceable to any violation of RCW 82.32.290(4) are

considered contraband and are subject to seizure and forfeiture.

(b) Property subject to forfeiture under (a) of this subsection (1) may be seized by any agent of the department authorized to assess or collect taxes, or law enforcement officer of this state, upon process issued by any superior court or district court having jurisdiction over the property. Seizure without process may be made if:

(i) The seizure is incident to an arrest or a search under a search warrant; or

(ii) The department or the law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of RCW 82.32.290(4) and exigent circumstances exist making procurement of a search warrant impracticable.

(2) Forfeiture authorized by this section is deemed to have commenced by the seizure. Notice of seizure must be given to the department if the seizure is made by a law enforcement officer without the presence of any agent of the department. The department must cause notice of the seizure and intended forfeiture to be served on the owner of the property seized, if known, and on any other person known by the department to have a right or interest in the seized property. Such service must be made within fifteen days following the seizure or the department's receipt of notification of the seizure. The notice may be served by any method authorized by law or court rule, by certified mail with return receipt requested, or electronically in accordance with RCW 82.32.135. Service by certified mail or electronic means is deemed complete upon mailing the notice, electronically sending the notice, or electronically notifying the person or persons entitled to the notice that the notice is available to be accessed by the person or persons, within the fifteen-day period following the seizure or the department's receipt of notification of the seizure.

(3) If no person notifies the department in writing of the person's claim of lawful ownership or right to lawful possession of the item or items seized within thirty days of the date of service of the notice of seizure and intended forfeiture, the item or items seized are deemed forfeited.

(4)(a) If any person notifies the department, in writing, of the person's

claim of lawful ownership or lawful right to possession of the item or items seized within thirty days of the date of service of the notice of seizure and intended forfeiture, the person or persons must be afforded a reasonable opportunity to be heard as to the claim. The hearing must be before the director or the director's designee. A hearing and any administrative or judicial review is governed by chapter 34.05 RCW. The burden of proof by a preponderance of the evidence is upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the item or items seized.

(b) The department must return the item or items to the claimant as soon as possible upon a determination that the claimant is the present lawful owner or is lawfully entitled to possession of the item or items seized.

(5) When property is sought to be forfeited on the ground that it constitutes proceeds traceable to a violation of RCW 82.32.290(4), the department must prove by a preponderance of the evidence that the property constitutes proceeds traceable to a violation of RCW 82.32.290(4).

(6) (a) When automated sales suppression devices or phantom-ware voluntarily surrendered to an agent of the department, or property forfeited under this section, other than proceeds traceable to a violation of RCW 82.32.290(4), is no longer required for evidentiary purposes, the department may:

(i) Destroy or have the property destroyed;

(ii) Retain the property for training or other official purposes; or

(iii) Loan or give the property to any law enforcement or tax administration agency of any state, political subdivision or municipal corporation of a state, or the United States for training or other official purposes. For purposes of this subsection (6)(a)(iii), "state" has the same meaning as in RCW 82.04.462.

(b) When proceeds traceable to a violation of RCW 82.32.290(4) forfeited under this section are no longer required for evidentiary purposes, they must be deposited into the general fund.

(7) The definitions in this subsection apply to this section:

(a) "Automated sales suppression device" means a software program that falsifies the electronic records of electronic cash registers or other point of sale systems, including transaction data and transaction reports. The term includes the software program, any device that carries the software program, or an internet link to the software program.

(b) "Electronic cash register" means a device that keeps a register or supporting documents through the means of an electronic device or computer system designed to record transaction data for the purpose of computing, compiling, or processing sales transaction data in whatever manner.

(c) "Phantom-ware" means a programming option that is hidden, preinstalled, or installed-at-a-later-time in the operating system of an electronic cash register or other point of sale device, or hardwired into the electronic cash register or other point of sale device, and that can be used to create a virtual second till or may eliminate or manipulate transaction reports that may or may not be preserved in digital formats to represent the true or manipulated record of transactions in the electronic cash register or other point of sale device.

(d) "Transaction data" means information about sales transactions, including items purchased by a customer, the price for each item, a taxability determination for each item, a segregated tax amount for each of the taxed items, the amount of cash or credit tendered, the net amount returned to the customer in change, the date and time of the purchase, the name, address, and identification number of the vendor, and the receipt or invoice number of the transaction.

(e) "Transaction reports" means a report that includes information associated with sales transactions, taxes collected, media totals, and discount voids at an electronic cash register that can be printed on cash register tape at the end of a day or shift, or a report documenting every action at an electronic cash register or other point of sale device and that is stored electronically.

Part V

Miscellaneous technical corrections

Sec. 501. RCW 82.04.261 and 2010 1st sp.s. c 23 s 510 are each amended to read as follows:

(1) In addition to the taxes imposed under RCW 82.04.260(~~((11))~~) (12), a surcharge is imposed on those persons who are subject to any of the taxes imposed under RCW 82.04.260(~~((11))~~) (12). Except as otherwise provided in this section, the surcharge is equal to 0.052 percent. The surcharge is added to the rates provided in RCW 82.04.260(~~((11))~~) (12) (a), (b), (c), and (d). The surcharge and this section expire July 1, 2024.

(2) All receipts from the surcharge imposed under this section must be deposited into the forest and fish support account created in RCW 76.09.405.

(3) (a) The surcharge imposed under this section is suspended if:

(i) Receipts from the surcharge total at least eight million dollars during any fiscal biennium; or

(ii) The office of financial management certifies to the department that the federal government has appropriated at least two million dollars for participation in forest and fish report-related activities by federally recognized Indian tribes located within the geographical boundaries of the state of Washington for any federal fiscal year.

(b) (i) The suspension of the surcharge under (a) (i) of this subsection (3) takes effect on the first day of the calendar month that is at least thirty days after the end of the month during which the department determines that receipts from the surcharge total at least eight million dollars during the fiscal biennium. The surcharge is imposed again at the beginning of the following fiscal biennium.

(ii) The suspension of the surcharge under (a) (ii) of this subsection (3) takes effect on the later of the first day of October of any federal fiscal year for which the federal government appropriates at least two million dollars for participation in forest and fish report-related activities by federally recognized Indian tribes located within the geographical boundaries of the state of Washington, or the first day of a calendar month that is at least thirty days following the date that the office of financial management makes a certification to the department under subsection (5) of this section. The surcharge is imposed again on the first day of the following July.

(4) (a) If, by October 1st of any federal fiscal year, the office of financial management certifies to the department that the federal government has appropriated funds for participation in forest and fish report-related activities by federally recognized Indian tribes located within the geographical boundaries of the state of Washington but the amount of the appropriation is less than two million dollars, the department must adjust the surcharge in accordance with this subsection.

(b) The department must adjust the surcharge by an amount that the department estimates will cause the amount of funds deposited into the forest and fish support account for the state fiscal year that begins July 1st and that includes the beginning of the federal fiscal year for which the federal appropriation is made, to be reduced by twice the amount of the federal appropriation for participation in forest and fish report-related activities by federally recognized Indian tribes located within the geographical boundaries of the state of Washington.

(c) Any adjustment in the surcharge takes effect at the beginning of a calendar month that is at least thirty days after the date that the office of financial management makes the certification under subsection (5) of this section.

(d) The surcharge is imposed again at the rate provided in subsection (1) of this section on the first day of the following state fiscal year unless the surcharge is suspended under subsection (3) of this section or adjusted for that fiscal year under this subsection.

(e) Adjustments of the amount of the surcharge by the department are final and may not be used to challenge the validity of the surcharge imposed under this section.

(f) The department must provide timely notice to affected taxpayers of the suspension of the surcharge or an adjustment of the surcharge.

(5) The office of financial management must make the certification to the department as to the status of federal appropriations for tribal participation in forest and fish report-related activities.

Sec. 502. RCW 82.04.334 and 2010 1st sp.s. c 23 s 512 are each amended to read as follows:

This chapter does not apply to any sale of standing timber excluded from the definition of "sale" in RCW 82.45.010(3). The definitions in RCW 82.04.260(~~(11)~~) (12) apply to this section.

Sec. 503. RCW 82.04.43391 and 2010 1st sp.s. c 23 s 112 are each amended to read as follows:

(1) In computing tax there may be deducted from the measure of tax interest and fees on loans secured by commercial aircraft primarily used to provide routine air service and owned by:

(a) An air carrier, as defined in RCW (~~82.42.030~~) 82.42.010, which is primarily engaged in the business of providing passenger air service;

(b) An affiliate of such air carrier; or

(c) A parent entity for which such air carrier is an affiliate.

(2) The deduction authorized under this section is not available to any person who is physically present in this state as determined under RCW 82.04.067(6).

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

(a) "Affiliate" means a person is "affiliated," as defined in RCW 82.04.645, with another person; and

(b) "Commercial aircraft" means a commercial airplane as defined in RCW 82.32.550.

NEW SECTION. Sec. 504. RCW 82.04.4483 (Credit-Programming or manufacturing software in rural counties) and 2010 c 114 s 119 & 2004 c 25 s 1 are each repealed.

Sec. 505. RCW 82.32.030 and 2011 c 298 s 38 are each amended to read as follows:

(1) Except as provided in subsections (2) and (3) of this section, if any person engages in any business or performs any act upon which a tax is imposed by the preceding chapters, he or she must, under such rules as the department prescribes, apply for and obtain from the department a registration certificate. Such registration certificate is personal and nontransferable and is valid as long as the taxpayer continues in business and pays the tax accrued to the state. In case business is transacted at two or more separate places by one taxpayer, a separate registration certificate for each place at which business is transacted with the public is required. Each certificate

must be numbered and must show the name, residence, and place and character of business of the taxpayer and such other information as the department of revenue deems necessary and must be posted in a conspicuous place at the place of business for which it is issued. Where a place of business of the taxpayer is changed, the taxpayer must return to the department the existing certificate, and a new certificate will be issued for the new place of business. No person required to be registered under this section may engage in any business taxable hereunder without first being so registered. The department, by rule, may provide for the issuance of certificates of registration to temporary places of business.

(2) Unless the person is a dealer as defined in RCW 9.41.010, registration under this section is not required if the following conditions are met:

(a) A person's value of products, gross proceeds of sales, or gross income of the business, from all business activities taxable under chapter 82.04 RCW, is less than twelve thousand dollars per year;

(b) The person's gross income of the business from all activities taxable under chapter 82.16 RCW is less than twelve thousand dollars per year;

(c) The person is not required to collect or pay to the department of revenue any other tax or fee (~~which~~) that the department is authorized to collect; and

(d) The person is not otherwise required to obtain a license subject to the (~~master~~) business license application procedure provided in chapter 19.02 RCW.

(3) All persons who agree to collect and remit sales and use tax to the department under the agreement must register through the central registration system authorized under the agreement. Persons required to register under subsection (1) of this section are not relieved of that requirement because of registration under this subsection (3).

(4) Persons registered under subsection (3) of this section who are not required to register under subsection (1) of this section and who are not otherwise subject to the requirements of chapter 19.02 RCW are not subject to the fees imposed by the department under the authority of RCW 19.02.075.

Sec. 506. RCW 84.34.108 and 2014 c 97 s 311 and 2014 c 58 s 28 are each reenacted and amended to read as follows:

(1) When land has once been classified under this chapter, a notation of the classification must be made each year upon the assessment and tax rolls and the land must be valued pursuant to RCW 84.34.060 or 84.34.065 until removal of all or a portion of the classification by the assessor upon occurrence of any of the following:

(a) Receipt of notice from the owner to remove all or a portion of the classification;

(b) Sale or transfer to an ownership, except a transfer that resulted from a default in loan payments made to or secured by a governmental agency that intends to or is required by law or regulation to resell the property for the same use as before, making all or a portion of the land exempt from ad valorem taxation;

(c) Sale or transfer of all or a portion of the land to a new owner, unless the new owner has signed a notice of classification continuance, except transfer to an owner who is an heir or devisee of a deceased owner or transfer by a transfer on death deed does not, by itself, result in removal of classification. The notice of continuance must be on a form prepared by the department. If the notice of continuance is not signed by the new owner and attached to the real estate excise tax affidavit, all additional taxes, applicable interest, and penalty calculated pursuant to subsection (4) of this section become due and payable by the seller or transferor at time of sale. The auditor may not accept an instrument of conveyance regarding classified land for filing or recording unless the new owner has signed the notice of continuance or the additional tax, applicable interest, and penalty has been paid, as evidenced by the real estate excise tax stamp affixed thereto by the treasurer. The seller, transferor, or new owner may appeal the new assessed valuation calculated under subsection (4) of this section to the county board of equalization in accordance with the provisions of RCW 84.40.038. Jurisdiction is hereby conferred on the county board of equalization to hear these appeals;

(d)(i) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that all or a

portion of the land no longer meets the criteria for classification under this chapter. The criteria for classification pursuant to this chapter continue to apply after classification has been granted.

(ii) The granting authority, upon request of an assessor, must provide reasonable assistance to the assessor in making a determination whether the land continues to meet the qualifications of RCW 84.34.020 (1) or (3). The assistance must be provided within thirty days of receipt of the request.

(2) Land may not be removed from classification because of:

(a) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or

(b) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

(3) Within thirty days after the removal of all or a portion of the land from current use classification under subsection (1) of this section, the assessor must notify the owner in writing, setting forth the reasons for the removal. The seller, transferor, or owner may appeal the removal to the county board of equalization in accordance with the provisions of RCW 84.40.038. The removal notice must explain the steps needed to appeal the removal decision, including when a notice of appeal must be filed, where the forms may be obtained, and how to contact the county board of equalization.

(4) Unless the removal is reversed on appeal, the assessor must revalue the affected land with reference to its true and fair value on January 1st of the year of removal from classification. Both the assessed valuation before and after the removal of classification must be listed and taxes must be allocated according to that part of the year to which each assessed valuation applies. Except as provided in subsection (6) of this section, an additional tax, applicable interest, and penalty must be imposed, which are due and payable to the treasurer thirty days after the owner is notified of the amount of the additional tax, applicable interest, and penalty. As soon as possible, the assessor must compute the amount of additional tax, applicable interest, and penalty and the treasurer must mail notice to the owner of the amount thereof and the date on which payment is

due. The amount of the additional tax, applicable interest, and penalty must be determined as follows:

(a) The amount of additional tax is equal to the difference between the property tax paid as "open space land," "farm and agricultural land," or "timberland" and the amount of property tax otherwise due and payable for the seven years last past had the land not been so classified;

(b) The amount of applicable interest is equal to the interest upon the amounts of the additional tax paid at the same statutory rate charged on delinquent property taxes from the dates on which the additional tax could have been paid without penalty if the land had been assessed at a value without regard to this chapter;

(c) The amount of the penalty is as provided in RCW 84.34.080. The penalty may not be imposed if the removal satisfies the conditions of RCW 84.34.070.

(5) Additional tax, applicable interest, and penalty become a lien on the land (~~which~~). The lien attaches at the time the land is removed from classification under this chapter and (~~have~~) has priority to and must be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the land may become charged or liable. This lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. Any additional tax unpaid on the due date (~~are list~~) is delinquent as of the due date. From the date of delinquency until paid, interest must be charged at the same rate applied by law to delinquent ad valorem property taxes.

(6) The additional tax, applicable interest, and penalty specified in subsection (4) of this section may not be imposed if the removal of classification pursuant to subsection (1) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other land located within the state of Washington;

(b) (i) A taking through the exercise of the power of eminent domain, or (ii) sale or transfer to an entity having the power of eminent domain in anticipation of the

exercise of such power, said entity having manifested its intent in writing or by other official action;

(c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of the property;

(d) Official action by an agency of the state of Washington or by the county or city within which the land is located which disallows the present use of the land;

(e) Transfer of land to a church when the land would qualify for exemption pursuant to RCW 84.36.020;

(f) Acquisition of property interests by state agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections. At such time as these property interests are not used for the purposes enumerated in RCW 84.34.210 and 64.04.130 the additional tax specified in subsection (4) of this section must be imposed;

(g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(f);

(h) Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification;

(i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;

(j) The creation, sale, or transfer of a conservation easement of private forestlands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;

(k) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as classified forestland, designated as forestland under chapter 84.33 RCW, or classified under this chapter continuously since 1993. The date of death shown on a death certificate is the date used for the purposes of this subsection (6)(k); or

(l) (i) The discovery that the land was classified under this chapter in error through no fault of the owner. For

purposes of this subsection (6)(1), "fault" means a knowingly false or misleading statement, or other act or omission not in good faith, that contributed to the approval of classification under this chapter or the failure of the assessor to remove the land from classification under this chapter.

(ii) For purposes of this subsection (6), the discovery that land was classified under this chapter in error through no fault of the owner is not the sole reason for removal of classification pursuant to subsection (1) of this section if an independent basis for removal exists. Examples of an independent basis for removal include the owner changing the use of the land or failing to meet any applicable income criteria required for classification under this chapter.

Sec. 507. RCW 84.41.041 and 2015 c 86 s 103 are each amended to read as follows:

(1) Each county assessor must cause taxable real property to be physically inspected and valued at least once every six years in accordance with RCW 84.41.030, and in accordance with a plan filed with and approved by the department of revenue. Such revaluation plan must provide that all taxable real property within a county must be revalued and these newly determined values placed on the assessment rolls each year. Property must be valued at one hundred percent of its true and fair value and assessed on the same basis, in accordance with RCW 84.40.030, unless specifically provided otherwise by law. (~~During the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical data. If the revaluation plan provides for physical inspection less frequently than once each four years,)~~) During the intervals between each physical inspection of real property, the valuation of such property must be adjusted to its current true and fair value, such adjustments to be made once each year and to be based upon appropriate statistical data.

(2) The assessor may require property owners to submit pertinent data respecting taxable property in their control including data respecting any sale or purchase of said property within the past five years, the cost and characteristics of any improvement on the property and other facts necessary for appraisal of the property.

Sec. 508. RCW 82.04.280 and 2010 c 106 s 205 are each reenacted to read as follows:

(1) Upon every person engaging within this state in the business of: (a) Printing materials other than newspapers, and of publishing periodicals or magazines; (b) building, repairing or improving any street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used, primarily for foot or vehicular traffic including mass transportation vehicles of any kind and including any readjustment, reconstruction or relocation of the facilities of any public, private or cooperatively owned utility or railroad in the course of such building, repairing or improving, the cost of which readjustment, reconstruction, or relocation, is the responsibility of the public authority whose street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle is being built, repaired or improved; (c) extracting for hire or processing for hire, except persons taxable as extractors for hire or processors for hire under another section of this chapter; (d) operating a cold storage warehouse or storage warehouse, but not including the rental of cold storage lockers; (e) representing and performing services for fire or casualty insurance companies as an independent resident managing general agent licensed under the provisions of chapter 48.17 RCW; (f) radio and television broadcasting, excluding network, national and regional advertising computed as a standard deduction based on the national average thereof as annually reported by the federal communications commission, or in lieu thereof by itemization by the individual broadcasting station, and excluding that portion of revenue represented by the out-of-state audience computed as a ratio to the station's total audience as measured by the 100 micro-volt signal strength and delivery by wire, if any; (g) engaging in activities which bring a person within the definition of consumer contained in RCW 82.04.190(6); as to such persons, the amount of tax on such business is equal to the gross income of the business multiplied by the rate of 0.484 percent.

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

(a) "Cold storage warehouse" means a storage warehouse used to store fresh and/or frozen perishable fruits or vegetables, meat, seafood, dairy products, or fowl, or any combination thereof, at a desired temperature to maintain the quality of the product for orderly marketing.

(b) "Storage warehouse" means a building or structure, or any part thereof, in which goods, wares, or merchandise are received for storage for compensation, except field warehouses, fruit warehouses, fruit packing plants, warehouses licensed under chapter 22.09 RCW, public garages storing automobiles, railroad freight sheds, docks and wharves, and "self-storage" or "mini storage" facilities whereby customers have direct access to individual storage areas by separate entrance. "Storage warehouse" does not include a building or structure, or that part of such building or structure, in which an activity taxable under RCW 82.04.272 is conducted.

(c) "Periodical or magazine" means a printed publication, other than a newspaper, issued regularly at stated intervals at least once every three months, including any supplement or special edition of the publication.

Sec. 509. RCW 82.32.790 and 2010 c 114 s 201 and 2010 c 106 s 401 are each reenacted and amended to read as follows:

(1) (a) (~~(Section 206, chapter 106, Laws of 2010,)~~) Sections 104, 110, 117, 123, 125, 129, 131, and 150, chapter 114, Laws of 2010, (~~(section 3, chapter 461, Laws of 2009, section 7, chapter 300, Laws of 2006,)~~) and sections (4) 1, 2, 3, and 5 through 10, chapter 149, Laws of 2003 are contingent upon the siting and commercial operation of a significant semiconductor microchip fabrication facility in the state of Washington.

(b) For the purposes of this section:

(i) "Commercial operation" means the same as "commencement of commercial production" as used in RCW 82.08.965.

(ii) "Semiconductor microchip fabrication" means "manufacturing semiconductor microchips" as defined in RCW 82.04.426.

(iii) "Significant" means the combined investment of new buildings and new

machinery and equipment in the buildings, at the commencement of commercial production, will be at least one billion dollars.

(2) (~~(Chapter 149, Laws of 2003 takes)~~) The sections referenced in subsection (1) of this section take effect the first day of the month in which a contract for the construction of a significant semiconductor fabrication facility is signed, as determined by the director of the department of revenue.

(3) (a) The department of revenue must provide notice of the effective date of (~~(sections 104, 110, 117, 123, 125, 129, 131, and 150, chapter 114, Laws of 2010[,], section 3, chapter 461, Laws of 2009, section 7, chapter 300, Laws of 2006, and section 4, chapter 149, Laws of 2003))~~) the sections referenced in subsection (1) of this section to affected taxpayers, the legislature, and others as deemed appropriate by the department.

(b) If, after making a determination that a contract has been signed and (~~(chapter 149, Laws of 2003 is)~~) the sections referenced in subsection (1) of this section are effective, the department discovers that commencement of commercial production did not take place within three years of the date the contract was signed, the department must make a determination that chapter 149, Laws of 2003 is no longer effective, and all taxes that would have been otherwise due are deemed deferred taxes and are immediately assessed and payable from any person reporting tax under RCW 82.04.240(2) or claiming an exemption or credit under (~~(section 2 or 5 through 10, chapter 149, Laws of 2003))~~) RCW 82.04.426, 82.04.448, 82.08.965, 82.12.965, 82.08.970, 82.12.970, or 84.36.645. The department is not authorized to make a second determination regarding the effective date of (~~(chapter 149, Laws of 2003))~~) the sections referenced in subsection (1) of this section.

NEW SECTION. Sec. 510. The following acts or parts of acts are each repealed:

- (1) 2010 c 106 s 206;
- (2) 2009 c 461 s 3;
- (3) 2006 c 300 s 7; and
- (4) 2003 c 149 s 4.

Sec. 511. RCW 35.102.130 and 2010 c 111 s 305 are each amended to read as follows:

A city that imposes a business and occupation tax must provide for the allocation and apportionment of a person's gross income, other than persons subject to the provisions of chapter 82.14A RCW, as follows:

(1) Gross income derived from all activities other than those taxed as service or royalties must be allocated to the location where the activity takes place.

(a) In the case of sales of tangible personal property, the activity takes place where delivery to the buyer occurs.

(b) (i) In the case of sales of digital products, the activity takes place where delivery to the buyer occurs. The delivery of digital products will be deemed to occur at:

(A) The seller's place of business if the purchaser receives the digital product at the seller's place of business;

(B) If not received at the seller's place of business, the location where the purchaser or the purchaser's donee, designated as such by the purchaser, receives the digital product, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

(C) If the location where the purchaser or the purchaser's donee receives the digital product is not known, the purchaser's address maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

(D) If no address for the purchaser is maintained in the ordinary course of the seller's business, the purchaser's address obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith; and

(E) If no address for the purchaser is obtained during the consummation of the sale, the address where the digital good or digital code is first made available for transmission by the seller or the address from which the digital automated service or service described in RCW 82.04.050 (2) (g) or (6) (~~(b)~~) (c) was provided, disregarding for these purposes any location that merely provided the digital transfer of the product sold.

(ii) If none of the methods in (b) (i) of this subsection (1) for determining where the delivery of digital products occurs are available after a good faith effort by the taxpayer to apply the methods provided in (b) (i) (A) through (E) of this subsection (1), then the city and the taxpayer may mutually agree to employ any other method to effectuate an equitable allocation of income from the sale of digital products. The taxpayer will be responsible for petitioning the city to use an alternative method under this subsection (1) (b) (ii). The city may employ an alternative method for allocating the income from the sale of digital products if the methods provided in (b) (i) (A) through (E) of this subsection (1) are not available and the taxpayer and the city are unable to mutually agree on an alternative method to effectuate an equitable allocation of income from the sale of digital products.

(iii) For purposes of this subsection (1) (b), the following definitions apply:

(A) "Digital automated services," "digital codes," and "digital goods" have the same meaning as in RCW 82.04.192;

(B) "Digital products" means digital goods, digital codes, digital automated services, and the services described in RCW 82.04.050 (2) (g) and (6) (~~(b)~~) (c); and

(C) "Receive" has the same meaning as in RCW 82.32.730.

(c) If a business activity allocated under this subsection (1) takes place in more than one city and all cities impose a gross receipts tax, a credit must be allowed as provided in RCW 35.102.060; if not all of the cities impose a gross receipts tax, the affected cities must allow another credit or allocation system as they and the taxpayer agree.

(2) Gross income derived as royalties from the granting of intangible rights must be allocated to the commercial domicile of the taxpayer.

(3) Gross income derived from activities taxed as services shall be apportioned to a city by multiplying apportionable income by a fraction, the numerator of which is the payroll factor plus the service-income factor and the denominator of which is two.

(a) The payroll factor is a fraction, the numerator of which is the total amount paid in the city during the tax period by

the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period. Compensation is paid in the city if:

(i) The individual is primarily assigned within the city;

(ii) The individual is not primarily assigned to any place of business for the tax period and the employee performs fifty percent or more of his or her service for the tax period in the city; or

(iii) The individual is not primarily assigned to any place of business for the tax period, the individual does not perform fifty percent or more of his or her service in any city, and the employee resides in the city.

(b) The service income factor is a fraction, the numerator of which is the total service income of the taxpayer in the city during the tax period, and the denominator of which is the total service income of the taxpayer everywhere during the tax period. Service income is in the city if:

(i) The customer location is in the city; or

(ii) The income-producing activity is performed in more than one location and a greater proportion of the service-income-producing activity is performed in the city than in any other location, based on costs of performance, and the taxpayer is not taxable at the customer location; or

(iii) The service-income-producing activity is performed within the city, and the taxpayer is not taxable in the customer location.

(c) If the allocation and apportionment provisions of this subsection do not fairly represent the extent of the taxpayer's business activity in the city or cities in which the taxpayer does business, the taxpayer may petition for or the tax administrators may jointly require, in respect to all or any part of the taxpayer's business activity, that one of the following methods be used jointly by the cities to allocate or apportion gross income, if reasonable:

(i) Separate accounting;

(ii) The use of a single factor;

(iii) The inclusion of one or more additional factors that will fairly represent the taxpayer's business activity in the city; or

(iv) The employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's income.

(4) The definitions in this subsection apply throughout this section.

(a) "Apportionable income" means the gross income of the business taxable under the service classifications of a city's gross receipts tax, including income received from activities outside the city if the income would be taxable under the service classification if received from activities within the city, less any exemptions or deductions available.

(b) "Compensation" means wages, salaries, commissions, and any other form of remuneration paid to individuals for personal services that are or would be included in the individual's gross income under the federal internal revenue code.

(c) "Individual" means any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee of that taxpayer.

(d) "Customer location" means the city or unincorporated area of a county where the majority of the contacts between the taxpayer and the customer take place.

(e) "Primarily assigned" means the business location of the taxpayer where the individual performs his or her duties.

(f) "Service-taxable income" or "service income" means gross income of the business subject to tax under either the service or royalty classification.

(g) "Tax period" means the calendar year during which tax liability is accrued. If taxes are reported by a taxpayer on a basis more frequent than once per year, taxpayers shall calculate the factors for the previous calendar year for reporting in the current calendar year and correct the reporting for the previous year when the factors are calculated for that year, but not later than the end of the first quarter of the following year.

(h) "Taxable in the customer location" means either that a taxpayer is subject to a gross receipts tax in the customer location for the privilege of doing business, or that the government where the customer is located has the authority to subject the taxpayer to gross receipts tax regardless of whether, in fact, the government does so.

Sec. 512. RCW 82.04.060 and 2015 c 169 s 2 are each amended to read as follows:

"Sale at wholesale" or "wholesale sale" means:

(1) Any sale, which is not a sale at retail, of:

- (a) Tangible personal property;
- (b) Services defined as a retail sale in RCW 82.04.050(2) (a) or (g);
- (c) Activities defined as a retail sale in RCW 82.04.050(15);
- (d) Prewritten computer software;
- (e) Services described in RCW 82.04.050(6) ~~((b))~~ (c);
- (f) Extended warranties as defined in RCW 82.04.050(7);
- (g) Competitive telephone service, ancillary services, or telecommunications service as those terms are defined in RCW 82.04.065; or
- (h) Digital goods, digital codes, or digital automated services;

(2) Any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers. For the purposes of this subsection (2), "real or personal property" does not include any natural products named in RCW 82.04.100; and

(3) The sale of any service for resale, if the sale is excluded from the definition of "sale at retail" and "retail sale" in RCW 82.04.050(14).

Sec. 513. RCW 82.04.190 and 2015 c 169 s 3 are each amended to read as follows:

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose of:

(a) Resale as tangible personal property in the regular course of business;

(b) Incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers;

(c) Consuming such property in producing for sale as a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(d) Consuming the property purchased in producing ferrosilicon which is subsequently used in producing magnesium for sale, if the primary purpose of such property is to create a chemical reaction directly through contact with an ingredient of ferrosilicon; or

(e) Satisfying the person's obligations under an extended warranty as defined in RCW 82.04.050(7), if such tangible personal property replaces or becomes an ingredient or component of property covered by the extended warranty without intervening use by such person;

(2)(a) Any person engaged in any business activity taxable under RCW 82.04.290 or 82.04.2908; (b) any person who purchases, acquires, or uses any competitive telephone service, ancillary services, or telecommunications service as those terms are defined in RCW 82.04.065, other than for resale in the regular course of business; (c) any person who purchases, acquires, or uses any service defined in RCW 82.04.050(2) (a) or (g), other than for resale in the regular course of business or for the purpose of satisfying the person's obligations under an extended warranty as defined in RCW 82.04.050(7); (d) any person who makes a purchase meeting the definition of "sale at retail" and "retail sale" under RCW 82.04.050(15), other than for resale in the regular course of business; (e) any person who purchases or acquires an extended warranty as defined in RCW 82.04.050(7) other than for resale in the regular course of business; and (f) any person who is an end user of software. For purposes of this subsection (2) (f) and RCW 82.04.050(6), a person who purchases or otherwise acquires prewritten computer software, who provides services described in RCW 82.04.050(6) ~~((b))~~ (c) and who

will charge consumers for the right to access and use the prewritten computer software, is not an end user of the prewritten computer software;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right-of-way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition may be construed to modify any other definition of "consumer";

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States,

any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation; also, any person engaged in the business of clearing land and moving earth of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW. Any such person is a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person, except that consumer does not include any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, or any instrumentality thereof, if the investment project would qualify for sales and use tax deferral under chapter 82.63 RCW if undertaken by a private entity;

(7) Any person who is a lessor of machinery and equipment, the rental of which is exempt from the tax imposed by RCW 82.08.020 under RCW 82.08.02565, with respect to the sale of or charge made for tangible personal property consumed in respect to repairing the machinery and equipment, if the tangible personal property has a useful life of less than one year. Nothing contained in this or any other subsection of this section may be construed to modify any other definition of "consumer";

(8) Any person engaged in the business of cleaning up for the United States, or its instrumentalities, radioactive waste and other by-products of weapons production and nuclear research and development;

(9) Any person who is an owner, lessee, or has the right of possession of tangible personal property that, under the terms of an extended warranty as defined in RCW 82.04.050(7), has been repaired or is replacement property, but only with respect to the sale of or charge made for the repairing of the tangible personal property or the replacement property;

(10) Any person who purchases, acquires, or uses services described in RCW 82.04.050(6) ~~((b))~~ (c) other than:

(a) For resale in the regular course of business; or

(b) For purposes of consuming the service described in RCW 82.04.050(6) ~~((4b))~~ (c) in producing for sale a new product, but only if such service becomes a component of the new product. For purposes of this subsection (10), "product" means a digital product, an article of tangible personal property, or the service described in RCW 82.04.050(6) ~~((4b))~~ (c);

(11)(a) Any end user of a digital product or digital code. "Consumer" does not include any person who is not an end user of a digital product or a digital code and purchases, acquires, owns, holds, or uses any digital product or digital code for purposes of consuming the digital product or digital code in producing for sale a new product, but only if the digital product or digital code becomes a component of the new product. A digital code becomes a component of a new product if the digital good or digital automated service acquired through the use of the digital code becomes incorporated into a new product. For purposes of this subsection, "product" has the same meaning as in subsection (10) of this section.

(b)(i) For purposes of this subsection, "end user" means any taxpayer as defined in RCW 82.12.010 other than a taxpayer who receives by contract a digital product for further commercial broadcast, rebroadcast, transmission, retransmission, licensing, relicensing, distribution, redistribution or exhibition of the product, in whole or in part, to others. A person that purchases digital products or digital codes for the purpose of giving away such products or codes will not be considered to have engaged in the distribution or redistribution of such products or codes and will be treated as an end user;

(ii) If a purchaser of a digital code does not receive the contractual right to further redistribute, after the digital code is redeemed, the underlying digital product to which the digital code relates, then the purchaser of the digital code is an end user. If the purchaser of the digital code receives the contractual right to further redistribute, after the digital code is redeemed, the underlying digital product to which the digital code relates, then the purchaser of the digital code is not an end user. A purchaser of a digital code who has the contractual right to further redistribute the digital code

is an end user if that purchaser does not have the right to further redistribute, after the digital code is redeemed, the underlying digital product to which the digital code relates;

(12) Any person who provides services described in RCW 82.04.050(9). Any such person is a consumer with respect to the purchase, acquisition, or use of the tangible personal property that the person provides along with an operator in rendering services defined as a retail sale in RCW 82.04.050(9). Any such person may also be a consumer under other provisions of this section;

(13) Any person who purchases, acquires, owns, holds, or uses chemical sprays or washes for the purpose of postharvest treatment of fruit for the prevention of scald, fungus, mold, or decay, or who purchases feed, seed, seedlings, fertilizer, agents for enhanced pollination including insects such as bees, and spray materials, is not a consumer of such items, but only to the extent that the items:

(a) Are used in relation to the person's participation in the federal conservation reserve program, the environmental quality incentives program, the wetlands reserve program, the wildlife habitat incentives program, or their successors administered by the United States department of agriculture;

(b) Are for use by a farmer for the purpose of producing for sale any agricultural product; or

(c) Are for use by a farmer to produce or improve wildlife habitat on land the farmer owns or leases while acting under cooperative habitat development or access contracts with an organization exempt from federal income tax under 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue code or the Washington state department of fish and wildlife; and

(14) A regional transit authority is not a consumer with respect to labor, services, or tangible personal property purchased pursuant to agreements providing maintenance services for bus, rail, or rail fixed guideway equipment when a transit agency, as defined in RCW 81.104.015, performs the labor or services.

Sec. 514. RCW 82.04.192 and 2010 c 111 s 203 are each amended to read as follows:

(1) "Digital audio works" means works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones.

(2) "Digital audiovisual works" means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any.

(3)(a) "Digital automated service," except as provided in (b) of this subsection (3), means any service transferred electronically that uses one or more software applications.

(b) "Digital automated service" does not include:

(i) Any service that primarily involves the application of human effort by the seller, and the human effort originated after the customer requested the service;

(ii) The loaning or transferring of money or the purchase, sale, or transfer of financial instruments. For purposes of this subsection (3)(b)(ii), "financial instruments" include cash, accounts receivable and payable, loans and notes receivable and payable, debt securities, equity securities, as well as derivative contracts such as forward contracts, swap contracts, and options;

(iii) Dispensing cash or other physical items from a machine;

(iv) Payment processing services;

(v) Parimutuel wagering and handicapping contests as authorized by chapter 67.16 RCW;

(vi) Telecommunications services and ancillary services as those terms are defined in RCW 82.04.065;

(vii) The internet and internet access as those terms are defined in RCW 82.04.297;

(viii) The service described in RCW 82.04.050(6)(~~(b)~~) (c);

(ix) Online educational programs provided by a:

(A) Public or private elementary or secondary school; or

(B) An institution of higher education as defined in sections 1001 or 1002 of the federal higher education act of 1965 (Title 20 U.S.C. Secs. 1001 and 1002), as existing on July 1, 2009. For purposes of this subsection (3)(b)(ix)(B), an online

educational program must be encompassed within the institution's accreditation;

(x) Live presentations, such as lectures, seminars, workshops, or courses, where participants are connected to other participants via the internet or telecommunications equipment, which allows audience members and the presenter or instructor to give, receive, and discuss information with each other in real time;

(xi) Travel agent services, including online travel services, and automated systems used by travel agents to book reservations;

(xii)(A) A service that allows the person receiving the service to make online sales of products or services, digital or otherwise, using either: (I) The service provider's web site; or (II) the service recipient's web site, but only when the service provider's technology is used in creating or hosting the service recipient's web site or is used in processing orders from customers using the service recipient's web site.

(B) The service described in this subsection (3)(b)(xii) does not include the underlying sale of the products or services, digital or otherwise, by the person receiving the service;

(xiii) Advertising services. For purposes of this subsection (3)(b)(xiii), "advertising services" means all services directly related to the creation, preparation, production, or the dissemination of advertisements. Advertising services include layout, art direction, graphic design, mechanical preparation, production supervision, placement, and rendering advice to a client concerning the best methods of advertising that client's products or services. Advertising services also include online referrals, search engine marketing and lead generation optimization, web campaign planning, the acquisition of advertising space in the internet media, and the monitoring and evaluation of web site traffic for purposes of determining the effectiveness of an advertising campaign. Advertising services do not include web hosting services and domain name registration;

(xiv) The mere storage of digital products, digital codes, computer software, or master copies of software. This exclusion from the definition of digital automated services includes providing space on a server for web

hosting or the backing up of data or other information;

(xv) Data processing services. For purposes of this subsection (3)(b)(xv), "data processing service" means a primarily automated service provided to a business or other organization where the primary object of the service is the systematic performance of operations by the service provider on data supplied in whole or in part by the customer to extract the required information in an appropriate form or to convert the data to usable information. Data processing services include check processing, image processing, form processing, survey processing, payroll processing, claim processing, and similar activities. Data processing does not include the service described in RCW 82.04.050(6) ~~((b))~~ (c); and

(xvi) Digital goods.

(4) "Digital books" means works that are generally recognized in the ordinary and usual sense as books.

(5) "Digital code" means a code that provides a purchaser with the right to obtain one or more digital products, if all of the digital products to be obtained through the use of the code have the same sales and use tax treatment. "Digital code" does not include a code that represents a stored monetary value that is deducted from a total as it is used by the purchaser. "Digital code" also does not include a code that represents a redeemable card, gift card, or gift certificate that entitles the holder to select digital products of an indicated cash value. A digital code may be obtained by any means, including email or by tangible means regardless of its designation as song code, video code, book code, or some other term.

(6)(a) "Digital goods," except as provided in (b) of this subsection (6), means sounds, images, data, facts, or information, or any combination thereof, transferred electronically, including, but not limited to, specified digital products and other products transferred electronically not included within the definition of specified digital products.

(b) The term "digital goods" does not include:

(i) Telecommunications services and ancillary services as those terms are defined in RCW 82.04.065;

(ii) Computer software as defined in RCW 82.04.215;

(iii) The internet and internet access as those terms are defined in RCW 82.04.297;

(iv)(A) Except as provided in (b)(iv)(B) of this subsection (6), the representation of a personal or professional service in electronic form, such as an electronic copy of an engineering report prepared by an engineer, where the service primarily involves the application of human effort by the service provider, and the human effort originated after the customer requested the service.

(B) The exclusion in (b)(iv)(A) of this subsection (6) does not apply to photographers in respect to amounts received for the taking of photographs that are transferred electronically to the customer, but only if the customer is an end user, as defined in RCW 82.04.190(11), of the photographs. Such amounts are considered to be for the sale of digital goods; and

(v) Services and activities excluded from the definition of digital automated services in subsection (3)(b)(i) through (xv) of this section and not otherwise described in (b)(i) through (iv) of this subsection (6).

(7) "Digital products" means digital goods and digital automated services.

(8) "Electronically transferred" or "transferred electronically" means obtained by the purchaser by means other than tangible storage media. It is not necessary that a copy of the product be physically transferred to the purchaser. So long as the purchaser may access the product, it will be considered to have been electronically transferred to the purchaser.

(9) "Specified digital products" means electronically transferred digital audiovisual works, digital audio works, and digital books.

(10) "Subscription radio services" means the sale of audio programming by a radio broadcaster as defined in RCW 82.08.02081, except as otherwise provided in this subsection. "Subscription radio services" does not include audio programming that is sold on a pay-per-program basis or that allows the buyer to access a library of programs at any time for a specific charge for that service.

(11) "Subscription television services" means the sale of video programming by a television broadcaster as defined in RCW 82.08.02081, except as otherwise provided in this subsection. "Subscription television services" does not include video programming that is sold on a pay-per-program basis or that allows the buyer to access a library of programs at any time for a specific charge for that service, but only if the seller is not subject to a franchise fee in this state under the authority of Title 47 U.S.C. Sec. 542(a) on the gross revenue derived from the sale.

Sec. 515. RCW 82.04.257 and 2010 c 111 s 301 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, upon every person engaging within this state in the business of making sales at retail or wholesale of digital goods, digital codes, digital automated services, or services described in RCW 82.04.050 (2) (g) or (6) (~~(b)~~) (c), as to such persons, the amount of tax with respect to such business is equal to the gross proceeds of sales of the business, multiplied by the rate of 0.471 percent in the case of retail sales and by the rate of 0.484 percent in the case of wholesale sales.

(2) Persons providing subscription television services or subscription radio services are subject to tax under RCW 82.04.290(2) on the gross income of the business received from providing such services.

(3) For purposes of this section, a person is considered to be engaging within this state in the business of making sales of digital goods, digital codes, digital automated services, or services described in RCW 82.04.050 (2) (g) or (6) (~~(b)~~) (c), if the person makes sales of digital goods, digital codes, digital automated services, or services described in RCW 82.04.050 (2) (g) or (6) (~~(b)~~) (c) and the sales are sourced to this state under RCW 82.32.730 for sales tax purposes or would have been sourced to this state under RCW 82.32.730 if the sale had been taxable under chapter 82.08 RCW.

(4) A person subject to tax under this section is subject to the mandatory electronic filing and payment requirements in RCW 82.32.080.

Sec. 516. RCW 82.04.258 and 2009 c 535 s 402 are each amended to read as follows:

(1) (a) Any person subject to tax under RCW 82.04.257 engaging both within and outside this state in the business of making sales at retail or wholesale of digital goods, digital codes, digital automated services, or services described in RCW 82.04.050 (2) (g) or (6) (~~(b)~~) (c), must apportion to this state that portion of apportionable income derived from activity performed within this state as provided in subsection (2) of this section.

(b) For purposes of this subsection, a person is considered to be engaging outside this state in the business of making sales of digital goods, digital codes, digital automated services, or services described in RCW 82.04.050 (2) (g) or (6) (~~(b)~~) (c) if the person makes any sales of digital goods, digital codes, digital automated services, or services described in RCW 82.04.050 (2) (g) or (6) (~~(b)~~) (c) that are sourced to a jurisdiction other than Washington under RCW 82.32.730 for sales tax purposes or would have been sourced to a jurisdiction other than Washington under RCW 82.32.730 if the sale had been a retail sale.

(2) Apportionable income must be apportioned to Washington by multiplying the apportionable income by the sales factor.

(3) (a) The sales factor is a fraction, the numerator of which is the total receipts of the taxpayer from making sales of digital goods, digital codes, digital automated services, and services described in RCW 82.04.050 (2) (g) or (6) (~~(b)~~) (c) in this state during the tax period, and the denominator of which is the total receipts of the taxpayer derived from such activity everywhere during the tax period.

(b) For purposes of computing the sales factor, sales are considered in this state if the sale was sourced to this state under RCW 82.32.730 for sales tax purposes or would have been sourced to this state under RCW 82.32.730 if the sale had been taxable under chapter 82.08 RCW.

(4) For purposes of this section, "apportionable income" means the gross income of the business taxable under RCW 82.04.257, including income received from activities outside this state if the income would be taxable under RCW 82.04.257 if received from activities in this state.

Sec. 517. RCW 82.08.02082 and 2010 c 111 s 401 are each amended to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to a business or other organization for the purpose of making the digital good or digital automated service, including a digital good or digital automated service acquired through the use of a digital code, or service defined as a retail sale in RCW 82.04.050(6)((~~b~~)) (c) available free of charge for the use or enjoyment of the general public. The exemption provided in this section does not apply unless the purchaser has the legal right to broadcast, rebroadcast, transmit, retransmit, license, relicense, distribute, redistribute, or exhibit the product, in whole or in part, to the general public.

(2) The exemption is available only when the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(3) For purposes of this section, "general public" means all persons and not limited or restricted to a particular class of persons, except that the general public includes:

(a) A class of persons that is defined as all persons residing or owning property within the boundaries of a state, political subdivision of a state, or a municipal corporation; and

(b) With respect to libraries, authorized library patrons.

Sec. 518. RCW 82.08.02088 and 2009 c 535 s 701 are each amended to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to the sale of digital goods, digital codes, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)((~~b~~)) (c) to a buyer that provides the seller with an exemption certificate claiming multiple points of use. An exemption certificate claiming multiple points of use must be in a form and contain such information as required by the department.

(2) A buyer is entitled to use an exemption certificate claiming multiple points of use only if the buyer is a business or other organization and the digital goods or digital automated services purchased, or the digital goods or digital automated services to be obtained by the digital code purchased, or the prewritten computer software or

services defined as a retail sale in RCW 82.04.050(6)((~~b~~)) (c) purchased will be concurrently available for use within and outside this state. A buyer is not entitled to use an exemption certificate claiming multiple points of use for digital goods, digital codes, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)((~~b~~)) (c) purchased for personal use.

(3) A buyer claiming an exemption under this section must report and pay the tax imposed in RCW 82.12.020 and any local use taxes imposed under the authority of chapter 82.14 RCW and RCW 81.104.170 directly to the department in accordance with RCW 82.12.02088 and 82.14.457.

(4) For purposes of this section, "concurrently available for use within and outside this state" means that employees or other agents of the buyer may use the digital goods, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)((~~b~~)) (c) simultaneously from one or more locations within this state and one or more locations outside this state. A digital code is concurrently available for use within and outside this state if employees or other agents of the buyer may use the digital goods or digital automated services to be obtained by the code simultaneously at one or more locations within this state and one or more locations outside this state.

Sec. 519. RCW 82.12.010 and 2015 c 169 s 5 are each amended to read as follows:

For the purposes of this chapter:

(1) The meaning ascribed to words and phrases in chapters 82.04 and 82.08 RCW, insofar as applicable, has full force and effect with respect to taxes imposed under the provisions of this chapter. "Consumer," in addition to the meaning ascribed to it in chapters 82.04 and 82.08 RCW insofar as applicable, also means any person who distributes or displays, or causes to be distributed or displayed, any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services. With respect to property distributed to persons within this state by a consumer as defined in this subsection (1), the use of the property is deemed to be by such consumer.

(2) "Extended warranty" has the same meaning as in RCW 82.04.050(7).

(3) "Purchase price" means the same as sales price as defined in RCW 82.08.010.

(4) (a) (i) Except as provided in (a) (ii) of this subsection (4), "retailer" means every seller as defined in RCW 82.08.010 and every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter.

(ii) "Retailer" does not include a professional employer organization when a covered employee coemployed with the client under the terms of a professional employer agreement engages in activities that constitute a sale of tangible personal property, extended warranty, digital good, digital code, or a sale of any digital automated service or service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6) ~~((b))~~ (c) that is subject to the tax imposed by this chapter. In such cases, the client, and not the professional employer organization, is deemed to be the retailer and is responsible for collecting and remitting the tax imposed by this chapter.

(b) For the purposes of (a) of this subsection, the terms "client," "covered employee," "professional employer agreement," and "professional employer organization" have the same meanings as in RCW 82.04.540.

(5) "Taxpayer" and "purchaser" include all persons included within the meaning of the word "buyer" and the word "consumer" as defined in chapters 82.04 and 82.08 RCW.

(6) "Use," "used," "using," or "put to use" have their ordinary meaning, and mean:

(a) With respect to tangible personal property, except for natural gas and manufactured gas, the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, distribution, or any other act preparatory to subsequent actual use or consumption within this state;

(b) With respect to a service defined in RCW 82.04.050(2)(a), the first act within this state after the service has been performed by which the taxpayer takes or assumes dominion or control over the article of tangible personal property upon which the service was performed (as a

consumer), and includes installation, storage, withdrawal from storage, distribution, or any other act preparatory to subsequent actual use or consumption of the article within this state;

(c) With respect to an extended warranty, the first act within this state after the extended warranty has been acquired by which the taxpayer takes or assumes dominion or control over the article of tangible personal property to which the extended warranty applies, and includes installation, storage, withdrawal from storage, distribution, or any other act preparatory to subsequent actual use or consumption of the article within this state;

(d) With respect to a digital good or digital code, the first act within this state by which the taxpayer, as a consumer, views, accesses, downloads, possesses, stores, opens, manipulates, or otherwise uses or enjoys the digital good or digital code;

(e) With respect to a digital automated service, the first act within this state by which the taxpayer, as a consumer, uses, enjoys, or otherwise receives the benefit of the service;

(f) With respect to a service defined as a retail sale in RCW 82.04.050(6) ~~((b))~~ (c), the first act within this state by which the taxpayer, as a consumer, accesses the prewritten computer software;

(g) With respect to a service defined as a retail sale in RCW 82.04.050(2)(g), the first act within this state after the service has been performed by which the taxpayer, as a consumer, views, accesses, downloads, possesses, stores, opens, manipulates, or otherwise uses or enjoys the digital good upon which the service was performed; and

(h) With respect to natural gas or manufactured gas, the use of which is taxable under RCW 82.12.022, including gas that is also taxable under the authority of RCW 82.14.230, the first act within this state by which the taxpayer consumes the gas by burning the gas or storing the gas in the taxpayer's own facilities for later consumption by the taxpayer.

(7) (a) "Value of the article used" is the purchase price for the article of tangible personal property, the use of which is taxable under this chapter. The term also includes, in addition to the purchase price, the amount of any tariff

or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used is determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules as the department may prescribe.

(b) In case the articles used are acquired by bailment, the value of the use of the articles so used must be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules as the department of revenue may prescribe. In case any such articles of tangible personal property are used in respect to the construction, repairing, decorating, or improving of, and which become or are to become an ingredient or component of, new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any such articles therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, then the value of the use of such articles so used is determined according to the retail selling price of such articles, or in the absence of such a selling price, as nearly as possible according to the retail selling price at place of use of similar products of like quality and character or, in the absence of either of these selling price measures, such value may be determined upon a cost basis, in any event under such rules as the department of revenue may prescribe.

(c) In the case of articles owned by a user engaged in business outside the state which are brought into the state for no more than one hundred eighty days in any period of three hundred sixty-five consecutive days and which are temporarily used for business purposes by the person in this state, the value of the article used must be an amount representing a reasonable rental for the use of the articles, unless the person has paid tax under this chapter or chapter 82.08 RCW

upon the full value of the article used, as defined in (a) of this subsection.

(d) In the case of articles manufactured or produced by the user and used in the manufacture or production of products sold or to be sold to the department of defense of the United States, the value of the articles used is determined according to the value of the ingredients of such articles.

(e) In the case of an article manufactured or produced for purposes of serving as a prototype for the development of a new or improved product, the value of the article used is determined by: (i) The retail selling price of such new or improved product when first offered for sale; or (ii) the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale.

(f) In the case of an article purchased with a direct pay permit under RCW 82.32.087, the value of the article used is determined by the purchase price of such article if, but for the use of the direct pay permit, the transaction would have been subject to sales tax.

(8) "Value of the digital good or digital code used" means the purchase price for the digital good or digital code, the use of which is taxable under this chapter. If the digital good or digital code is acquired other than by purchase, the value of the digital good or digital code must be determined as nearly as possible according to the retail selling price at place of use of similar digital goods or digital codes of like quality and character under rules the department may prescribe.

(9) "Value of the extended warranty used" means the purchase price for the extended warranty, the use of which is taxable under this chapter. If the extended warranty is received by gift or under conditions wherein the purchase price does not represent the true value of the extended warranty, the value of the extended warranty used is determined as nearly as possible according to the retail selling price at place of use of similar extended warranties of like quality and character under rules the department may prescribe.

(10) "Value of the service used" means the purchase price for the digital automated service or other service, the use of which is taxable under this chapter. If the service is received by

gift or under conditions wherein the purchase price does not represent the true value thereof, the value of the service used is determined as nearly as possible according to the retail selling price at place of use of similar services of like quality and character under rules the department may prescribe.

Sec. 520. RCW 82.12.020 and 2015 c 169 s 6 are each amended to read as follows:

(1) There is levied and collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any:

(a) Article of tangible personal property acquired by the user in any manner, including tangible personal property acquired at a casual or isolated sale, and including by-products used by the manufacturer thereof, except as otherwise provided in this chapter, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state;

(b) Prewritten computer software, regardless of the method of delivery, but excluding prewritten computer software that is either provided free of charge or is provided for temporary use in viewing information, or both;

(c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6) (~~(b)~~) (c), excluding services defined as a retail sale in RCW 82.04.050(6) (~~(b)~~) (c) that are provided free of charge;

(d) Extended warranty; or

(e)(i) Digital good, digital code, or digital automated service, including the use of any services provided by a seller exclusively in connection with digital goods, digital codes, or digital automated services, whether or not a separate charge is made for such services.

(ii) With respect to the use of digital goods, digital automated services, and digital codes acquired by purchase, the tax imposed in this subsection (1)(e) applies in respect to:

(A) Sales in which the seller has granted the purchaser the right of permanent use;

(B) Sales in which the seller has granted the purchaser a right of use that is less than permanent;

(C) Sales in which the purchaser is not obligated to make continued payment as a condition of the sale; and

(D) Sales in which the purchaser is obligated to make continued payment as a condition of the sale.

(iii) With respect to digital goods, digital automated services, and digital codes acquired other than by purchase, the tax imposed in this subsection (1)(e) applies regardless of whether or not the consumer has a right of permanent use or is obligated to make continued payment as a condition of use.

(2) The provisions of this chapter do not apply in respect to the use of any article of tangible personal property, extended warranty, digital good, digital code, digital automated service, or service taxable under RCW 82.04.050 (2) (a) or (g) or (6) (~~(b)~~) (c), if the sale to, or the use by, the present user or the present user's bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by the present user's bailor or donor.

(3)(a) Except as provided in this section, payment of the tax imposed by this chapter or chapter 82.08 RCW by one purchaser or user of tangible personal property, extended warranty, digital good, digital code, digital automated service, or other service does not have the effect of exempting any other purchaser or user of the same property, extended warranty, digital good, digital code, digital automated service, or other service from the taxes imposed by such chapters.

(b) The tax imposed by this chapter does not apply:

(i) If the sale to, or the use by, the present user or his or her bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by his or her bailor or donor;

(ii) In respect to the use of any article of tangible personal property acquired by bailment and the tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 RCW or this chapter as of the time of first use;

(iii) In respect to the use of any article of tangible personal property

acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and the original bailment was prior to June 9, 1961; or

(iv) To the use of digital goods or digital automated services, which were obtained through the use of a digital code, if the sale of the digital code to, or the use of the digital code by, the present user or the present user's bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by the present user's bailor or donor.

(4) (a) Except as provided in (b) of this subsection (4), the tax is levied and must be collected in an amount equal to the value of the article used, value of the digital good or digital code used, value of the extended warranty used, or value of the service used by the taxpayer, multiplied by the applicable rates in effect for the retail sales tax under RCW 82.08.020.

(b) In the case of a seller required to collect use tax from the purchaser, the tax must be collected in an amount equal to the purchase price multiplied by the applicable rate in effect for the retail sales tax under RCW 82.08.020.

(5) For purposes of the tax imposed in this section, "person" includes anyone within the definition of "buyer," "purchaser," and "consumer" in RCW 82.08.010.

Sec. 521. RCW 82.12.02082 and 2010 c 111 s 501 are each amended to read as follows:

The provisions of this chapter do not apply to the use by a business or other organization of digital goods, digital codes, digital automated services, or services defined as a retail sale in RCW 82.04.050(6) ~~((b))~~ (c) for the purpose of making the digital good or digital automated service, including a digital good or digital automated service acquired through the use of a digital code, or service defined as a retail sale in RCW 82.04.050(6) ~~((b))~~ (c) available free of charge for the use or enjoyment of the general public. For purposes of this section, "general public" has the same meaning as in RCW 82.08.02082. The exemption provided in this section does not apply unless the user has the legal right to broadcast, rebroadcast, transmit, retransmit, license, relicense,

distribute, redistribute, or exhibit the product, in whole or in part, to the general public.

Sec. 522. RCW 82.12.02088 and 2009 c 535 s 702 are each amended to read as follows:

(1) A business or other organization subject to the tax imposed in RCW 82.12.020 on the use of digital goods, digital codes, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6) ~~((b))~~ (c) that are concurrently available for use within and outside this state is entitled to apportion the amount of tax due this state based on users in this state compared to users everywhere. The department may authorize or require an alternative method of apportionment supported by the taxpayer's records that fairly reflects the proportion of in-state to out-of-state use by the taxpayer of the digital goods, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6) ~~((b))~~ (c).

(2) No apportionment under this section is allowed unless the apportionment method is supported by the taxpayer's records kept in the ordinary course of business.

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

(a) "Concurrently available for use within and outside this state" means that employees or other agents of the taxpayer may use the digital goods, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6) ~~((b))~~ (c) simultaneously at one or more locations within this state and one or more locations outside this state. A digital code is concurrently available for use within and outside this state if employees or other agents of the taxpayer may use the digital goods or digital automated services to be obtained by the code simultaneously at one or more locations within this state and one or more locations outside this state.

(b) "User" means an employee or agent of the taxpayer who is authorized by the taxpayer to use the digital goods, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6) ~~((b))~~ (c) in the performance of his or her duties as an employee or other agent of the taxpayer.

Sec. 523. RCW 82.12.0259 and 2009 c 535 s 613 are each amended to read as follows:

The provisions of this chapter do not apply in respect to the use of personal property or the use of digital automated services or services defined in RCW 82.04.050 (2)(a) or (6)(~~(b)~~) (c) by corporations that have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same.

Sec. 524. RCW 82.12.035 and 2015 c 169 s 8 are each amended to read as follows:

A credit is allowed against the taxes imposed by this chapter upon the use in this state of tangible personal property, extended warranty, digital good, digital code, digital automated service, or services defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6)(~~(b)~~) (c), in the amount that the present user thereof or his or her bailor or donor has paid a legally imposed retail sales or use tax with respect to such property, extended warranty, digital good, digital code, digital automated service, or service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6)(~~(b)~~) (c) to any other state, possession, territory, or commonwealth of the United States, any political subdivision thereof, the District of Columbia, and any foreign country or political subdivision thereof.

Sec. 525. RCW 82.12.040 and 2015 c 169 s 9 are each amended to read as follows:

(1) Every person who maintains in this state a place of business or a stock of goods, or engages in business activities within this state, must obtain from the department a certificate of registration, and must, at the time of making sales of tangible personal property, digital goods, digital codes, digital automated services, extended warranties, or sales of any service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6)(~~(b)~~) (c), or making transfers of either possession or title, or both, of tangible personal property for use in this state, collect from the purchasers or transferees the tax imposed under this chapter. The tax to be collected under this section

must be in an amount equal to the purchase price multiplied by the rate in effect for the retail sales tax under RCW 82.08.020. For the purposes of this chapter, the phrase "maintains in this state a place of business" includes the solicitation of sales and/or taking of orders by sales agents or traveling representatives. For the purposes of this chapter, "engages in business activity within this state" includes every activity which is sufficient under the Constitution of the United States for this state to require collection of tax under this chapter. The department must in rules specify activities which constitute engaging in business activity within this state, and must keep the rules current with future court interpretations of the Constitution of the United States.

(2) Every person who engages in this state in the business of acting as an independent selling agent for persons who do not hold a valid certificate of registration, and who receives compensation by reason of sales of tangible personal property, digital goods, digital codes, digital automated services, extended warranties, or sales of any service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6)(~~(b)~~) (c), of his or her principals for use in this state, must, at the time such sales are made, collect from the purchasers the tax imposed on the purchase price under this chapter, and for that purpose is deemed a retailer as defined in this chapter.

(3) The tax required to be collected by this chapter is deemed to be held in trust by the retailer until paid to the department, and any retailer who appropriates or converts the tax collected to the retailer's own use or to any use other than the payment of the tax provided herein to the extent that the money required to be collected is not available for payment on the due date as prescribed is guilty of a misdemeanor. In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay the same to the department in the manner prescribed, whether such failure is the result of the seller's own acts or the result of acts or conditions beyond the seller's control, the seller is nevertheless personally liable to the state for the amount of such tax, unless the seller has taken from the buyer a copy of a direct pay permit issued under RCW 82.32.087.

(4) Any retailer who refunds, remits, or rebates to a purchaser, or transferee, either directly or indirectly, and by whatever means, all or any part of the tax levied by this chapter is guilty of a misdemeanor.

(5) Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if:

(a) The person's activities in this state, whether conducted directly or through another person, are limited to:

(i) The storage, dissemination, or display of advertising;

(ii) The taking of orders; or

(iii) The processing of payments; and

(b) The activities are conducted electronically via a web site on a server or other computer equipment located in Washington that is not owned or operated by the person making sales into this state nor owned or operated by an affiliated person. "Affiliated persons" has the same meaning as provided in RCW 82.04.424.

(6) Subsection (5) of this section expires when: (a) The United States congress grants individual states the authority to impose sales and use tax collection duties on remote sellers; or (b) it is determined by a court of competent jurisdiction, in a judgment not subject to review, that a state can impose sales and use tax collection duties on remote sellers.

(7) Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if the person would have been obligated to collect retail sales tax on the sale absent a specific exemption provided in chapter 82.08 RCW, and there is no corresponding use tax exemption in this chapter. Nothing in this subsection (7) may be construed as relieving purchasers from liability for reporting and remitting the tax due under this chapter directly to the department.

(8) Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if the state is prohibited under the Constitution or laws of the United States from requiring the person to collect the tax imposed by this chapter.

(9) Notwithstanding subsections (1) through (4) of this section, any licensed dealer facilitating a firearm sale or transfer between two unlicensed persons by conducting background checks under chapter 9.41 RCW is not obligated to collect the tax imposed by this chapter.

Sec. 526. RCW 82.12.860 and 2015 c 169 s 10 are each amended to read as follows:

(1) This chapter does not apply to state credit unions with respect to the use of any article of tangible personal property, digital good, digital code, digital automated service, service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6) ~~((b))~~ (c), or extended warranty, acquired from a federal credit union, foreign credit union, or out-of-state credit union as a result of a merger or conversion.

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

(a) "Federal credit union" means a credit union organized and operating under the laws of the United States.

(b) "Foreign credit union" means a credit union organized and operating under the laws of another country or other foreign jurisdiction.

(c) "Out-of-state credit union" means a credit union organized and operating under the laws of another state or United States territory or possession.

(d) "State credit union" means a credit union organized and operating under the laws of this state.

Sec. 527. RCW 82.14.457 and 2009 c 535 s 703 are each amended to read as follows:

(1) A business or other organization that is entitled under RCW 82.12.02088 to apportion the amount of state use tax on the use of digital goods, digital codes, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6) ~~((b))~~ (c) is also entitled to apportion the amount of local use taxes imposed under the authority of this chapter and RCW 81.104.170 on the use of such products or services.

(2) To ensure that the tax base for state and local use taxes is identical, the measure of local use taxes apportioned under this section must be the same as the measure of state use tax apportioned under RCW 82.12.02088.

(3) This section does not affect the sourcing of local use taxes.

Sec. 528. RCW 82.04.4277 and 2016 sp.s. c 29 s 532 are each amended to read as follows:

(1) A health or social welfare organization may deduct from the measure of tax amounts received as compensation for providing mental health services or chemical dependency services under a government-funded program.

(2) A behavioral health organization may deduct from the measure of tax amounts received from the state of Washington for distribution to a health or social welfare organization that is eligible to deduct the distribution under subsection (1) of this section.

(3) A person claiming a deduction under this section must file a complete annual report with the department under RCW 82.32.534.

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

(a) "Chemical dependency" has the same meaning as provided in RCW 70.96A.020 through March 31, 2018, and the same meaning as provided in RCW 71.05.020 beginning April 1, 2018.

(b) "Health or social welfare organization" has the meaning provided in RCW 82.04.431.

(c) "Mental health services" and "behavioral health organization" have the meanings provided in RCW 71.24.025.

(5) This section expires January 1, 2020.

Sec. 529. RCW 84.12.270 and 2001 c 187 s 3 are each amended to read as follows:

The department of revenue (~~shall~~) must annually make an assessment of the operating property of all companies (~~and~~). Between the fifteenth day of March and the first day of July of each year (~~shall~~) the department must prepare an initial assessment roll upon which (~~it shall~~) the department must enter and assess the true and fair value of all the operating property of each of such companies as of the first day of January of the year in which the assessment is made. The department must finalize the assessment roll by the twentieth day of August of each year. For the purpose of determining the true and fair value of such property the department of revenue

may inspect the property belonging to (~~said~~) the companies and may take into consideration any information or knowledge obtained by (~~it~~) the department from (~~such~~) an examination and inspection of such property, or of the books, records, and accounts of such companies, the statements filed as required by this chapter, the reports, statements, or returns of such companies filed in the office of any board, office, or commission of this state or any county thereof, the earnings and earning power of such companies, the franchises owned or used by such companies, the true and fair valuation of any and all property of such companies, whether operating or nonoperating property, and whether situated within or outside the state, and any other facts, evidence, or information that may be obtainable bearing upon the value of the operating property (~~+~~ PROVIDED, That). However, in no event (~~shall~~) may any statement or report required from any company by this chapter be conclusive upon the department of revenue in determining the amount, character, and true and fair value of the operating property of such company.

Sec. 530. RCW 84.12.330 and 2001 c 187 s 6 are each amended to read as follows:

Upon the assessment roll (~~shall~~) must be placed after the name of each company a general description of the operating property of the company, which (~~shall be~~) is considered sufficient if described in the language of RCW 84.12.200 (~~(+12)~~) (8), as applied to the company, following which (~~shall~~) must be entered the true and fair value of the operating property as determined by the department of revenue. No assessment (~~shall~~) may be invalidated by reason of a mistake in the name of the company assessed, or the omission of the name of the owner or by the entry as owner of a name other than that of the true owner. When the department of revenue (~~shall have~~) has prepared the assessment roll and entered thereon the true and fair value of the operating property of the company, as herein required, (~~it shall~~) the department must notify the company by mail of the valuation determined by it and entered upon the roll.

Sec. 531. RCW 84.16.040 and 2001 c 187 s 9 are each amended to read as follows:

The department of revenue (~~shall~~) must annually make an assessment of the operating property of each private car company (~~and~~). Between the first day of

May and the first day of July of each year (~~shall~~) the department must prepare an initial assessment roll upon which (~~it shall~~) the department must enter and assess the true and fair value of all the operating property of each of such companies as of the first day of January of the year in which the assessment is made. The department must finalize the assessment roll by the twentieth day of August of each year. For the purpose of determining the true and fair value of such property the department of revenue may take into consideration any information or knowledge obtained by (~~it~~) the department from an examination and inspection of such property, or of the books, records, and accounts of such companies, the statements filed as required by this chapter, the reports, statements, or returns of such companies filed in the office of any board, office, or commission of this state or any county thereof, the earnings and earning power of such companies, the franchises owned or used by such companies, the true and fair valuation of any and all property of such companies, whether operating property or nonoperating property, and whether situated within or without the state, and any other facts, evidences, or information that may be obtainable bearing upon the value of the operating property(~~PROVIDED, That~~). However, in no event (~~shall~~) may any statement or report required from any company by this chapter be conclusive upon the department of revenue in determining the amount, character, and true and fair value of the operating property of such company.

Sec. 532. RCW 84.16.090 and 2001 c 187 s 11 are each amended to read as follows:

Upon the assessment roll (~~shall~~) must be placed after the name of each company a general description of the operating property of the company, which (~~shall be~~) is considered sufficient if described in the language of RCW 84.16.010(3) or otherwise, following which (~~shall~~) must be entered the true and fair value of the operating property as determined by the department of revenue. No assessment (~~shall be~~) is invalid by a mistake in the name of the company assessed, by omission of the name of the owner or by the entry of a name other than that of the true owner. When the department of revenue (~~shall have~~) has prepared the initial assessment roll and entered thereon the true and fair value of the operating property of the company, as required, (~~it shall~~) the department must notify the

company by mail of the valuation determined by it and entered upon the roll; and thereupon such valuation (~~shall~~) must become the true and fair value of the operating property of the company, subject to revision or correction by the department of revenue as hereinafter provided; and (~~shall~~) must be the valuation upon which, after equalization by the department of revenue as hereinafter provided, the taxes of such company (~~shall be~~) are based and computed.

Part VI

Estate tax return filing relief

Sec. 601. RCW 83.100.050 and 2008 c 181 s 504 are each amended to read as follows:

(1) A Washington return must be filed if((: (a) A federal return is required to be filed; or (b) for decedents dying prior to January 1, 2006, the gross estate exceeds one million five hundred thousand dollars; or (c) for decedents dying on or after January 1, 2006, the gross estate exceeds two million dollars)) the gross estate equals or exceeds the applicable exclusion amount.

(2) If a Washington return is required as provided in subsection (1) of this section:

(a) A person required to file a federal return (~~shall~~) must file with the department on or before the date the federal return is required to be filed, including any extension of time for filing under subsection (4) or (6) of this section, a Washington return for the tax due under this chapter.

(b) If no federal return is required to be filed, a taxpayer shall file with the department on or before the date a federal return would have been required to be filed, including any extension of time for filing under subsection (5) or (6) of this section, a Washington return for the tax due under this chapter.

(3) A Washington return delivered to the department by United States mail (~~shall be~~) is considered to have been received by the department on the date of the United States postmark stamped on the cover in which the return is mailed, if the postmark date is within the time allowed for filing the Washington return, including extensions.

(4) In addition to the Washington return required to be filed in subsection

(2) of this section, a person (~~(if required to file a federal return, shall)~~) must file with the department on or before the date the federal return is (~~(required to be filed a copy of the federal return along with all supporting documentation)~~) or would have been required to be filed all supporting documentation for completed Washington return schedules, and, if a federal return has been filed, a copy of the federal return. If the person required to file the federal return has obtained an extension of time for filing the federal return, the person (~~(shall)~~) must file the Washington return within the same time period and in the same manner as provided for the federal return. A copy of the federal extension (~~(shall)~~) must be filed with the department on or before the date the Washington return is due, not including any extension of time for filing, or within thirty days of issuance, whichever is later.

(5) A person may obtain an extension of time for filing the Washington return as provided by rule of the department, if the person is required to file a Washington return under subsection (2) of this section, but is not required to file a federal return.

(6) During a state of emergency declared under RCW 43.06.010(12), the department, on its own motion or at the request of any taxpayer affected by the emergency, may extend the time for filing a Washington return under this section as the department deems proper.

Part VII

Clarifying that licensing information may not be disclosed for commercial purposes

Sec. 701. RCW 19.02.115 and 2013 c 144 s 26 are each amended to read as follows:

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

(a) "Disclose" means to make known to any person in any manner licensing information(~~(+)~~).

(b) "Licensing information" means any information created or obtained by the department in the administration of this chapter and chapters 19.80 and 59.30 RCW, which information relates to any person who: (i) Has applied for or has been issued a license or trade name; or (ii) has been issued an assessment or delinquency fee.

Licensing information includes initial and renewal business license applications, and business licenses(~~(+)~~).

(c) "Person" has the same meaning as in RCW 82.04.030 and also includes the state and the state's departments and institutions(~~(+and)~~).

(d) "State agency" means every Washington state office, department, division, bureau, board, commission, or other state agency.

(2) Licensing information is confidential and privileged, and except as authorized by this section, neither the department nor any other person may disclose any licensing information. Nothing in this chapter requires any person possessing licensing information made confidential and privileged by this section to delete information from such information so as to permit its disclosure.

(3) This section does not prohibit the department of revenue, or any other person receiving licensing information from the department under this subsection, from:

(a) Disclosing licensing information in a civil or criminal judicial proceeding or an administrative proceeding:

(i) In which the person about whom such licensing information is sought and the department, another state agency, or a local government are adverse parties in the proceeding; or

(ii) Involving a dispute arising out of the department's administration of chapter 19.80 or 59.30 RCW, or this chapter if the licensing information relates to a party in the proceeding;

(b) Disclosing, subject to such requirements and conditions as the director prescribes by rules adopted pursuant to chapter 34.05 RCW, such licensing information regarding a license applicant or license holder to such license applicant or license holder or to such person or persons as that license applicant or license holder may designate in a request for, or consent to, such disclosure, or to any other person, at the license applicant's or license holder's request, to the extent necessary to comply with a request for information or assistance made by the license applicant or license holder to such other person. However, licensing information not received from the license applicant or holder must not be so disclosed if the

director determines that such disclosure would compromise any investigation or litigation by any federal, state, or local government agency in connection with the civil or criminal liability of the license applicant, license holder, or another person, or that such disclosure would identify a confidential informant, or that such disclosure is contrary to any agreement entered into by the department that provides for the reciprocal exchange of information with other government agencies, which agreement requires confidentiality with respect to such information unless such information is required to be disclosed to the license applicant or license holder by the order of any court;

(c) Publishing statistics so classified as to prevent the identification of particular licensing information;

(d) Disclosing licensing information for official purposes only, to the governor or attorney general, or to any state agency, or to any committee or subcommittee of the legislature dealing with matters of taxation, revenue, trade, commerce, the control of industry or the professions, or licensing;

(e) Permitting the department's records to be audited and examined by the proper state officer, his or her agents and employees;

(f) Disclosing any licensing information to a peace officer as defined in RCW 9A.04.110 or county prosecuting attorney, for official purposes. The disclosure may be made only in response to a search warrant, subpoena, or other court order, unless the disclosure is for the purpose of criminal tax or license enforcement. A peace officer or county prosecuting attorney who receives the licensing information may disclose that licensing information only for use in the investigation and a related court proceeding, or in the court proceeding for which the licensing information originally was sought;

(g) Disclosing, in a manner that is not associated with other licensing information, the name of a license applicant or license holder, entity type, registered trade name, business address, mailing address, unified business identifier number, list of licenses issued to a person through the business licensing system established in this chapter and their issuance and expiration dates, and the dates of opening of a business. This

subsection may not be construed as giving authority to the department to give, sell, or provide access to any list of persons for any commercial purpose;

(h) Disclosing licensing information that is also maintained by another Washington state or local governmental agency as a public record available for inspection and copying under the provisions of chapter 42.56 RCW or is a document maintained by a court of record and is not otherwise prohibited from disclosure;

(i) Disclosing any licensing information when the disclosure is specifically authorized under any other section of the Revised Code of Washington;

(j) Disclosing licensing information to the proper officer of the licensing or tax department of any city, town, or county of this state, for official purposes. If the licensing information does not relate to a license issued by the city, town, or county requesting the licensing information, disclosure may be made only if the laws of the requesting city, town, or county grants substantially similar privileges to the proper officers of this state; or

(k) Disclosing licensing information to the federal government for official purposes.

(4) Notwithstanding anything to the contrary in this section, a state agency or local government agency may disclose licensing information relating to a license issued on its behalf by the department pursuant to this chapter if the disclosure is authorized by another statute, local law, or administrative rule.

(5) The department, any other state agency, or local government may refuse to disclose licensing information that is otherwise disclosable under subsection (3) of this section if such disclosure would violate federal law or any information sharing agreement between the state or local government and federal government.

(6) Any person acquiring knowledge of any licensing information in the course of his or her employment with the department and any person acquiring knowledge of any licensing information as provided under subsection (3)(d), (e), (f), (j), or (k) of this section, who discloses any such licensing information to another person not entitled to knowledge of such licensing information under the provisions

of this section, is guilty of a misdemeanor. If the person guilty of such violation is an officer or employee of the state, such person must forfeit such office or employment and is incapable of holding any public office or employment in this state for a period of two years thereafter.

Part VIII

Background investigations

Sec. 801. RCW 82.01.060 and 2011 c 298 s 36 are each amended to read as follows:

The director of revenue, hereinafter in chapter 26, Laws of 1967 ex. sess. referred to as the director, through the department of revenue, hereinafter in chapter 26, Laws of 1967 ex. sess. referred to as the department, must:

(1) Assess and collect all taxes and administer all programs relating to taxes which are the responsibility of the tax commission at the time chapter 26, Laws of 1967 ex. sess. takes effect or which the legislature may hereafter make the responsibility of the director or of the department;

(2) Make, adopt and publish such rules as he or she may deem necessary or desirable to carry out the powers and duties imposed upon him or her or the department by the legislature. However, the director may not adopt rules after July 23, 1995, that are based solely on a section of law stating a statute's intent or purpose, on the enabling provisions of the statute establishing the agency, or on any combination of such provisions, for statutory authority to adopt any rule;

(3) Rules adopted by the tax commission before July 23, 1995, remain in force until such time as they may be revised or rescinded by the director;

(4) Provide by general regulations for an adequate system of departmental review of the actions of the department or of its officers and employees in the assessment or collection of taxes;

(5) Maintain a tax research section with sufficient technical, clerical and other employees to conduct constant observation and investigation of the effectiveness and adequacy of the revenue laws of this state and of the sister states in order to assist the governor, the legislature and the director in estimation of revenue, analysis of tax measures, and determination of the administrative

feasibility of proposed tax legislation and allied problems;

(6) Recommend to the governor such amendments, changes in, and modifications of the revenue laws as seem proper and requisite to remedy injustice and irregularities in taxation, and to facilitate the assessment and collection of taxes in the most economical manner;

(7) Provide the opportunity for any person feeling aggrieved by any action taken against the person by the department in the administration of chapters 19.02, 19.80, and 59.30 RCW to request a review of the department's action. Such review may be conducted as a brief adjudicative proceeding under RCW 34.05.485 through 34.05.494; and

(8) (a) Establish background investigation policies applicable to those current and prospective department employees and contractors that are or may be authorized by the department to access federal tax information. Such policies must require a criminal history record check through the Washington state patrol criminal identification system and through the federal bureau of investigation, at the expense of the department. The record check must include a fingerprint check using a complete Washington state criminal identification fingerprint card, which must be forwarded by the Washington state patrol to the federal bureau of investigation. The department's background investigation policies must also satisfy any specific background investigation standards established by the internal revenue service.

(b) Information received by the department pursuant to this subsection may be used only for the purposes of making, supporting, or defending decisions regarding the appointment, hiring, or retention of persons, or for complying with any requirements from the internal revenue service. Further dissemination or use of the information is prohibited, notwithstanding any other provision of law.

Part IX

Revising the date by which the department of revenue is required to provide estimates of the amount of public forestland that is available for timber harvesting

Sec. 901. RCW 84.33.089 and 2004 c 177 s 6 are each amended to read as follows:

(1) The department (~~shall~~) must estimate the number of acres of public forestland that are available for timber harvesting. The department (~~shall~~) must provide the estimates for each county and for each taxing district within each county by (~~August 30th~~) October 1st of each year except that the department may authorize a county, at the county's option, to make its own estimates for public forestland in that county. In estimating the number of acres, the department (~~shall~~) must use the best available information to include public land comparable to private land that qualifies as forestland for assessment purposes and exclude other public lands. The department is not required to update the estimates unless improved information becomes available. The department of natural resources (~~shall~~) must assist the department with these determinations by providing any data and information in the possession of the department of natural resources on public forestlands, broken out by county and legal description, including a detailed map of each county showing the location of the described lands. The data and information (~~shall~~) must be provided to the department by July 15th of each year. In addition, the department may contract with other parties to provide data or assistance necessary to implement this section.

(2) To accommodate the phase-in of the county forest excise tax on the harvest of timber from public lands as provided in RCW 84.33.051, the department (~~shall~~) must adjust its actual estimates of the number of acres of public forestland that are available for timber harvesting. The department (~~shall~~) must reduce its estimates for the following years by the following amounts:

- (a) For calendar year 2005, 70 percent;
- (b) For calendar year 2006, 62.5 percent;
- (c) For calendar year 2007, 55 percent;
- (d) For calendar year 2008, 47.5 percent;
- (e) For calendar year 2009, 40 percent;
- (f) For calendar year 2010, 32.5 percent;
- (g) For calendar year 2011, 22.5 percent;
- (h) For calendar year 2012, 15 percent;

(i) For calendar year 2013, 7.5 percent; and

(j) For calendar year 2014 and thereafter, the department (~~shall~~) may not reduce its estimates of the number of acres of public forestland that are available for timber harvesting.

Part X

Electronic communication of confidential property tax information

NEW SECTION. Sec. 1001. A new section is added to chapter 84.08 RCW to read as follows:

(1) The department may provide electronically any assessment, notice, or other information that is subject to the confidentiality provisions of RCW 84.08.210 or 84.40.340, to any person authorized to receive the information.

(2) The department must use methods reasonably designed to protect information provided electronically as authorized in subsection (1) of this section from unauthorized disclosure. However, the provisions of this subsection (2) may be waived by a taxpayer. The waiver must be in writing and may be provided to the department electronically. A waiver continues until revoked in writing by the taxpayer. Such revocation may be provided to the department electronically in a manner provided or approved by the department.

Part XI

Miscellaneous

NEW SECTION. Sec. 1101. RCW 82.32.805 and 82.32.808 do not apply to any provisions of this act.

NEW SECTION. Sec. 1102. (1) Except as otherwise provided in this section, part I of this act takes effect January 1, 2018.

(2) Section 102 of this act takes effect April 1, 2018."

Correct the title.

Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

March 30, 2017

ESSB 5777 Prime Sponsor, Committee on Commerce, Labor & Sports: Improving the business climate in this state by simplifying the administration of municipal general business licenses. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

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

(1) "Business licensing service," "business licensing system," and "business license" have the same meaning as in RCW 19.02.020.

(2) "City" means a city, town, or code city.

(3) "Department" means the department of revenue.

(4) "General business license" means a license, not including a regulatory license or a temporary license, that a city requires all or most businesses to obtain to conduct business within that city.

(5) "Partner" means the relationship between a city and the department under which general business licenses are issued and renewed through the business licensing service in accordance with chapter 19.02 RCW.

(6) "Regulatory business license" means a license, other than a general business license, required for certain types of businesses that a city has determined warrants additional regulation, such as taxicab or other for-hire vehicle operators, adult entertainment businesses, amusement device operators, massage parlors, debt collectors, door-to-door sales persons, trade-show operators, and home-based businesses.

NEW SECTION. Sec. 2. (1) Except as otherwise provided in subsection (7) of this section, a city that requires a general business license of any person that engages in business activities within that city must partner with the department to have such license issued, and renewed if the city requires renewal, through the business licensing service in accordance with chapter 19.02 RCW.

(a) Except as otherwise provided in subsection (3) of this section, the

department must phase in the issuance and renewal of general business licenses of cities that required a general business license as of July 1, 2017, and are not already partnering with the department, as follows:

(i) Between January 1, 2018, and December 31, 2021, the department must partner with at least six cities per year.

(ii) Between January 1, 2022, and December 31, 2027, the department must partner with the remaining cities.

(b) A city that imposes a general business license requirement and does not partner with the department as of January 1, 2018, may continue to issue and renew its general business licenses until the city partners with the department as provided in subsection (4) of this section.

(2)(a) A city that did not require a general business license as of July 1, 2017, but imposes a new general business license requirement after that date must advise the department in writing of its intent to do so at least ninety days before the requirement takes effect.

(b) If a city subject to (a) of this subsection (2) imposes a new general business license requirement after July 1, 2017, the department, in its sole discretion, may adjust resources to partner with the imposing city as of the date that the new general business licensing requirement takes effect. If the department cannot reallocate resources, the city may issue and renew its general business license until the department is able to partner with the city.

(3) The department may delay assuming the duties of issuing and renewing general business licenses beyond the dates provided in subsection (1)(a) of this section if:

(a) Insufficient funds are appropriated for this specific purpose;

(b) The department cannot ensure the business licensing system is adequately prepared to handle all general business licenses due to unforeseen circumstances;

(c) The department determines that a delay is necessary to ensure that the transition to mandatory department issuance and renewal of general business licenses is as seamless as possible; or

(d) The department receives a written notice from a city within sixty days of

the date that the city appears on the department's biennial partnership plan, which includes an explanation of the fiscal or technical challenges causing the city to delay joining the system. A delay under this subsection (3) (d) may be for no more than three years.

(4)(a) In consultation with affected cities and in accordance with the priorities established in subsection (5) of this section, the department must establish a biennial plan for partnering with cities to assume the issuance and renewal of general business licenses as required by this section. The plan must identify the cities that the department will partner with and the dates targeted for the department to assume the duties of issuing and renewing general business licenses.

(b) By January 1, 2018, and January 1st of each even-numbered year thereafter, the department must submit the partnering plan required in (a) of this subsection (4) to the governor; legislative fiscal committees; house local government committee; senate agriculture, water, trade and economic development committee; senate local government committee; affected cities; association of Washington cities; association of Washington business; national federation of independent business; and Washington retail association.

(c) The department may, in its sole discretion, alter the plan required in (a) of this subsection (4) with a minimum notice of thirty days to affected cities.

(5) When determining the plan to partner with cities for the issuance and renewal of general business licenses as required in subsection (4) of this section, cities that notified the department of their wish to partner with the department before January 1, 2017, must be allowed to partner before other cities.

(6) A city that partners with the department for the issuance and renewal of general business licenses through the business licensing service in accordance with chapter 19.02 RCW may not issue and renew those licenses.

(7) A city may decline to partner with the department for the issuance and renewal of a general business license as provided in subsection (1) of this section if the city participates in the online local business license and tax filing portal known as "FileLocal" as of July 1,

2020. For the purposes of this subsection (7), a city is considered to be a FileLocal participant as of the date that a business may access FileLocal for purposes of applying for or renewing that city's general business license and reporting and paying that city's local business and occupation taxes. A city that ceases participation in FileLocal after July 1, 2020, must partner with the department for the issuance and renewal of its general business license as provided in subsection (1) of this section.

(8) By January 1, 2019, and each January 1st thereafter through January 1, 2028, the department must submit a progress report to the legislature. The report required by this subsection must provide information about the progress of the department's efforts to partner with all cities that impose a general business license requirement and include:

(a) A list of cities that have partnered with the department as required in subsection (1) of this section;

(b) A list of cities that have not partnered with the department;

(c) A list of cities that are scheduled to partner with the department during the upcoming calendar year;

(d) A list of cities that have declined to partner with the department as provided in subsection (7) of this section;

(e) An explanation of lessons learned and any process efficiencies incorporated by the department;

(f) Any recommendations to further simplify the issuance and renewal of general business licenses by the department; and

(g) Any other information the department considers relevant.

NEW SECTION. Sec. 3. (1) A general business license that must be issued and renewed through the business licensing service in accordance with chapter 19.02 RCW is subject to the provisions of this section.

(2)(a) A city has broad authority to impose a fee structure as provided by RCW 35.22.280, 35.23.440, and 35A.82.020. However, any fee structure selected by a city must be within the department's technical ability to administer. The department has the sole discretion to determine if it can administer a city's fee structure.

(b) If the department is unable to administer a city's fee structure, the city must work with the department to adopt a fee structure that is administrable by the department. If a city fails to comply with this subsection (2)(b), it may not enforce its general business licensing requirements on any person until the effective date of a fee structure that is administrable by the department.

(3) A general business license may not be renewed more frequently than once per year except that the department may require a more frequent renewal date as may be necessary to synchronize the renewal date for the general business license with the business's business license expiration date.

(4) The business licensing system need not accommodate any monetary penalty imposed by a city for failing to obtain or renew a general business license. The penalty imposed in RCW 19.02.085 applies to general business licenses that are not renewed by their expiration date.

(5) The department may refuse to administer any provision of a city business license ordinance that is inconsistent with this chapter.

NEW SECTION. **Sec. 4.** The department is not authorized to enforce a city's licensing laws except to the extent of issuing or renewing a license in accordance with this chapter and chapter 19.02 RCW or refusing to issue a license due to an incomplete application, nonpayment of the appropriate fees as indicated by the license application or renewal application, or the nonpayment of any applicable penalty for late renewal.

NEW SECTION. **Sec. 5.** Cities whose general business licenses are issued through the business licensing system retain the authority to set license fees, provide exemptions and thresholds for these licenses, approve or deny license applicants, and take appropriate administrative actions against licensees.

NEW SECTION. **Sec. 6.** Cities may not require a person to obtain or renew a general business license unless the person engages in business within its respective city. For the purposes of this section, a person may not be considered to be engaging in business within a city unless the person is subject to the taxing jurisdiction of a city under the standards established for interstate commerce under

the commerce clause of the United States Constitution.

NEW SECTION. **Sec. 7.** A general business license change enacted by a city whose general business license is issued through the business licensing system takes effect no sooner than seventy-five days after the department receives notice of the change if the change affects in any way who must obtain a license, who is exempt from obtaining a license, or the amount or method of determining any fee for the issuance or renewal of a license.

NEW SECTION. **Sec. 8.** (1)(a) The cities, working through the association of Washington cities, must form a model ordinance development committee made up of a representative sampling of cities that impose a general business license requirement. This committee must work through the association of Washington cities to adopt a model ordinance on general business license requirements by July 1, 2018. The model ordinance and subsequent amendments developed by the committee must be adopted using a process that includes opportunity for substantial input from business stakeholders and other members of the public. Input must be solicited from statewide business associations and from local chambers of commerce and downtown business associations in cities that require a person that conducts business in the city to obtain a general business license.

(b) The department, association of Washington cities, and municipal research and services center must post copies of, or links to, the model ordinance on their internet web sites. Additionally, a city that imposes a general business license requirement must make copies of its general business license ordinance or ordinances available for inspection and copying as provided in chapter 42.56 RCW.

(c) The definitions in the model ordinance may not be amended more frequently than once every four years, except that the model ordinance may be amended at any time to comply with changes in state law or court decisions. Any amendment to a mandatory provision of the model ordinance must be adopted with the same effective date by all cities.

(2) A city that imposes a general business license requirement must adopt the mandatory provisions of the model ordinance by January 1, 2019. The following provisions are mandatory:

(a) A definition of "engaging in business within the city" for purposes of delineating the circumstances under which a general business license is required;

(b) A uniform minimum licensing threshold under which a person would be relieved of the requirement to obtain a city's general business license. A city retains the authority to create a higher threshold for the requirement to obtain a general business license but must not deviate lower than the level required by the model ordinance.

(3)(a) A city may require a person that is under the uniform minimum licensing threshold as provided in subsection (2) of this section to obtain a city registration with no fee due to the city.

(b) A city that requires a city registration as provided in (a) of this subsection must partner with the department to have such registration issued through the business licensing service in accordance with chapter 19.02 RCW. This subsection (3)(b) does not apply to a city that is excluded from the requirement to partner with the department for the issuance and renewal of general business licenses as provided in section 2 of this act.

NEW SECTION. **Sec. 9.** Cities that impose a general business license must adopt the mandatory provisions of the model ordinance as provided in section 8 of this act by January 1, 2019. A city that has not complied with the requirements of this section by January 1, 2019, may not enforce its general business licensing requirements on any person until the date that the mandatory provisions of the model ordinance take effect within the city.

NEW SECTION. **Sec. 10.** Cities must coordinate with the association of Washington cities to submit a report to the governor; legislative fiscal committees; house local government committee; and the senate agriculture, water, trade and economic development committee by January 1, 2019. The report must:

(1) Provide information about the model ordinance adopted by the cities as required in section 8 of this act;

(2) Identify cities that have and have not adopted the mandatory provisions of the model ordinance; and

(3) Incorporate comments from statewide business organizations concerning the process and substance of the model ordinance. Statewide business organizations must be allowed thirty days to submit comments for inclusion in the report.

NEW SECTION. **Sec. 11.** (1) The legislature directs cities, towns, and identified business organizations to partner in recommending changes to simplify the two factor apportionment formula provided in RCW 35.102.130.

(2)(a) The local business and occupation tax apportionment task force is established. The task force must consist of the following seven representatives:

(i) Three voting representatives selected by the association of Washington cities that are tax managers representing municipalities that impose a local business and occupation tax, including at least one jurisdiction that has performed an audit where apportionment errors were discovered.

(ii) Three voting representatives selected by the association of Washington business, including at least one tax practitioner or legal counsel with experience representing business clients during municipal audits that involved apportionment errors or disputes.

(iii) One nonvoting representative from the department.

(b) The task force may seek input or collaborate with other parties, as it deems necessary. The department must serve as the task force chair and must staff the task force.

(c) Beginning in the first month following the effective date of this section, the task force must meet no less frequently than once per month until it reports to the legislature as provided under subsection (3) of this section.

(3) By October 31, 2018, the task force established in subsection (2) of this section must prepare a report to the legislature to recommend changes to RCW 35.102.130 and related sections, as needed, to develop a method for assigning gross receipts to a local jurisdiction using a market-based model. The task force must focus on methods that rely on information typically available in commercial transaction receipts and captured by common business recordkeeping systems.

(4) The task force terminates January 1, 2019, unless legislation is enacted to extend such termination date.

NEW SECTION. Sec. 12. Sections 1 through 10 of this act constitute a new chapter in Title 35 RCW."

Correct the title.

Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Dolan; Pollet; Springer; Stokesbary; Wilcox and Wylie.

Referred to Committee on Rules for second reading.

SECOND SUPPLEMENTAL COMMITTEE REPORT

April 4, 2017

HB 2143 Prime Sponsor, Representative Haler: Expanding opportunities for higher education students. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Buys and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

HB 2179 Prime Sponsor, Representative Clibborn: Extending the duration of the state route number 167 high occupancy toll lane pilot project. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member;

Hayes; Irwin; Pike; Shea; Stambaugh; Van Werven and Young.

Referred to Committee on Rules for second reading.

April 4, 2017

HB 2186 Prime Sponsor, Representative Lytton: Concerning investing in Washington families by improving the fairness of the state's excise tax system by narrowing or eliminating tax preferences, imposing a business and occupation tax surcharge while eliminating tax liability for small businesses, enacting an excise tax on capital gains, modifying the real estate excise tax, making administrative changes, and implementing marketplace fairness in Washington. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Dolan; Pollet; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Stokesbary and Wilcox.

Referred to Committee on Rules for second reading.

April 4, 2017

ESB 5008 Prime Sponsor, Senator King: Facilitating compliance with the federal REAL ID act by modifying driver's license and identicard design and fees. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 46.20 RCW to read as follows:

(1) Beginning July 1, 2018, except for enhanced drivers' licenses and identicards issued under RCW 46.20.202, the department must mark a driver's license or identicard issued under this chapter in accordance with the requirements of 6 C.F.R. Sec. 37.71 as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(2) The department must adopt rules necessary to implement this section.

NEW SECTION. **Sec. 2.** A new section is added to chapter 46.20 RCW to read as follows:

(1) A driver's license or identicard issued with the design features required in section 1 of this act may not be used as evidence of or as a basis to infer an individual's citizenship or immigration status for any purpose.

(2) The presence of the design features required in section 1 of this act on a person's driver's license or identicard may not be used as a basis for the criminal investigation, arrest, or detention of that person in circumstances where a person with a driver's license or identicard without these design features would not be criminally investigated, arrested, or detained.

NEW SECTION. **Sec. 3.** A new section is added to chapter 46.20 RCW to read as follows:

(1) In the absence of express authorization in state law, the department is prohibited from altering department practices to comply with any additional requirements set forth by the federal government as a condition to state compliance with the REAL ID Act of 2005, P.L. 109-13, which are not included in 6 C.F.R. Part 37 as of April 1, 2017.

(2) In the absence of express authorization in state law, the department is prohibited from altering department practices as of April 1, 2017, with respect to the extent to which personally identifying information required to apply for a driver's license or identicard may be released to the federal government or to a party the department has knowledge may intend to release the information for the purpose of it being provided to the federal government, either directly or indirectly.

NEW SECTION. **Sec. 4.** RCW 43.41.390 (Implementation of federal REAL ID Act of 2005) and 2007 c 85 s 1 are each repealed."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member;

Hayes; Irwin; Pike; Shea; Stambaugh; Van Werven and Young.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5022 Prime Sponsor, Committee on Ways & Means: Providing information to students about education loans. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5037 Prime Sponsor, Senator Padden: Making a fourth driving under the influence offense a felony. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Condotta; Fitzgibbon; Haler; Hansen; Harris; Jinkins; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Cody; Hudgins; Kagi; Lytton and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5046 Prime Sponsor, Committee on Local Government: Providing public notices of public health, safety, and welfare in a language other than English. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton;

Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Haler; Manweller; Nealey; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Harris and Tharinger.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5069 Prime Sponsor, Committee on Law & Justice: Providing associate degree education to enhance education opportunities and public safety. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinks; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Manweller; Schmick; Taylor; Vick and Volz.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5070 Prime Sponsor, Senator Rivers: Concerning paraeducators. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** INTENT. Paraeducators provide the majority of instruction in programs designed by the legislature to reduce the opportunity gap. By setting common statewide standards, requiring training in the standards, and offering career development for paraeducators, as well as training for teachers and principals who work with paraeducators, students in these programs have a better chance of succeeding.

NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advanced paraeducator certificate" means a credential earned by a paraeducator who may have the following duties: Assisting in highly impacted classrooms, assisting in specialized instructional support and instructional technology applications, mentoring and coaching other paraeducators, and acting as a short-term emergency substitute teacher.

(2) "Board" means the paraeducator board established in section 3 of this act.

(3) "English language learner programs" means the English language learners program, the transitional bilingual instruction program, and the federal limited English proficiency program.

(4) "English language learner certificate" means a credential earned by a paraeducator working with students in English language learner programs.

(5) "Paraeducator" means a classified public school or school district employee who works under the supervision of a certificated or licensed staff member to support and assist in providing instructional and other services to students and their families. Paraeducators are not considered certificated instructional staff as that term and its meaning are used in this title.

(6) "Special education certificate" means a credential earned by a paraeducator working with students in special education programs.

NEW SECTION. **Sec. 3.** PARAEDUCATOR BOARD CREATED. (1)(a) The paraeducator board is created, consisting of nine members to be appointed to four-year terms.

(b) Vacancies on the board must be filled by appointment or reappointment as described in subsection (2) of this section to terms of four years.

(c) No person may serve as a member of the board for more than two consecutive full four-year terms.

(d) The governor must biennially appoint the chair of the board. No board member may serve as chair for more than four consecutive years.

(2) Appointments to the board must be made as follows, subject to confirmation by the senate:

(a) The superintendent of public instruction shall appoint a basic education paraeducator, a special education paraeducator, an English language learner paraeducator, a teacher, a principal, and a representative of the office of the superintendent of public instruction;

(b) The Washington state parent teacher association shall appoint a parent whose child receives instructional support from a paraeducator;

(c) The state board for community and technical colleges shall appoint a representative of the community and technical college system; and

(d) The student achievement council shall appoint a representative of a four-year institution of higher education as defined in RCW 28B.10.016.

(3) The professional educator standards board shall administer the board.

(4) Each member of the board must be compensated in accordance with RCW 43.03.240 and must be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(5) Members of the board may create informal advisory groups as needed to inform the board's work.

(6) The governor may remove a member of the board for neglect of duty, misconduct, malfeasance or misfeasance in office, or for incompetency or unprofessional conduct as defined in chapter 18.130 RCW. In such a case, the governor shall file with the secretary of state a statement of the causes for and the order of removal from the board, and the secretary of state shall send a certified copy of the statement of causes and order of removal to the last known post office address of the member.

NEW SECTION. Sec. 4. POWERS AND DUTIES OF PARAEDUCATOR BOARD. (1) The paraeducator board has the following powers and duties:

(a) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, adopt: (i) Minimum employment requirements for paraeducators, as described in section 5 of this act; and (ii) paraeducator

standards of practice, as described in section 6 of this act;

(b) Establish requirements and policies for a general paraeducator certificate, as described in section 8 of this act;

(c) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, establish requirements and policies for subject matter certificates in English language learner and special education, as described in section 9 of this act;

(d) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, establish requirements and policies for an advanced paraeducator certificate, as described in section 10 of this act;

(e) By September 1, 2018, approve, and develop if necessary, courses required to meet the provisions of this chapter, where the courses are offered in a variety of means that will limit cost and improve access;

(f) Make policy recommendations, as necessary, for a paraeducator career ladder that will increase opportunities for paraeducator advancement through advanced education, professional learning, and increased instructional responsibility;

(g) Collaborate with the office of the superintendent of public instruction to adapt the electronic educator certification process to include paraeducator certificates; and

(h) Adopt rules under chapter 34.05 RCW that are necessary for the effective and efficient implementation of this chapter.

(2) The superintendent of public instruction shall act as the administrator of any such rules and have the power to issue any paraeducator certificates and revoke the same in accordance with board rules.

NEW SECTION. Sec. 5. PARAEDUCATOR MINIMUM EMPLOYMENT REQUIREMENTS. Effective September 1, 2018, the minimum employment requirements for paraeducators are as provided in this section. The paraeducator must:

(1) Be at least eighteen years of age and hold a high school diploma or its equivalent; and

(2) (a) Have received a passing grade on the education testing service paraeducator assessment; or

(b) Hold an associate of arts degree; or

(c) Have earned seventy-two quarter credits or forty-eight semester credits at an institution of higher education; or

(d) Have completed a registered apprenticeship program.

NEW SECTION. **Sec. 6.** PARAEDUCATOR STANDARDS OF PRACTICE. The board shall adopt state standards of practice for paraeducators that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014. These standards must include:

(1) Supporting instructional opportunities;

(2) Demonstrating professionalism and ethical practices;

(3) Supporting a positive and safe learning environment;

(4) Communicating effectively and participating in the team process; and

(5) Demonstrating cultural competency aligned with standards developed by the professional educator standards board under RCW 28A.410.270.

NEW SECTION. **Sec. 7.** FUNDAMENTAL COURSE OF STUDY. (1) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2019, school districts must provide a four-day fundamental course of study on the state standards of practice, as defined by the board, to paraeducators who have not completed the course, either in the district or in another district within the state. School districts must use best efforts to provide the fundamental course of study before the paraeducator begins to work with students and their families, and at a minimum by the deadlines provided in subsection (2) of this section.

(2) School districts must provide the fundamental course of study required in subsection (1) of this section as follows:

(a) For paraeducators hired on or before September 1st, by September 30th of that year, regardless of the size of the district; and

(b) For paraeducators hired after September 1st:

(i) For districts with ten thousand or more students, within four months of the date of hire; and

(ii) For districts with fewer than ten thousand students, no later than September 1st of the following year.

(3) School districts may collaborate with other school districts or educational service districts to meet the requirements of this section.

NEW SECTION. **Sec. 8.** GENERAL PARAEDUCATOR CERTIFICATE. (1) (a) Paraeducators may become eligible for a general paraeducator certificate by completing the four-day fundamental course of study, as required under section 7 of this act, and an additional ten days of general courses, as defined by the board, on the state paraeducator standards of practice, described in section 6 of this act.

(b) Paraeducators are not required to meet the general paraeducator certificate requirements under this subsection (1) unless amounts are appropriated for the specific purposes of subsection (2) of this section and section 7 of this act.

(2) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2019, school districts must:

(a) Provide paraeducators with general courses on the state paraeducator standards of practice; and

(b) Ensure all paraeducators employed by the district meet the general certification requirements of this section within three years of completing the four-day fundamental course of study.

(3) The general paraeducator certificate does not expire.

NEW SECTION. **Sec. 9.** PARAEDUCATOR SUBJECT MATTER CERTIFICATES. (1) The board shall adopt requirements and policies for paraeducator subject matter certificates in special education and in English language learner that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014.

(2) The rules adopted by the board must include the following requirements:

(a) A subject matter certificate is not a prerequisite for a paraeducator working in any program;

(b) Paraeducators may become eligible for a subject matter certificate by completing twenty hours of professional development in the subject area of the certificate; and

(c) Subject matter certificates expire after five years.

NEW SECTION. Sec. 10. ADVANCED PARAEDUCATOR CERTIFICATE. (1) The board shall adopt requirements and policies for an advanced paraeducator certificate that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014.

(2) The rules adopted by the board must include the following requirements:

(a) An advanced paraeducator certificate is not a prerequisite for a paraeducator working in any program;

(b) Paraeducators may become eligible for an advanced paraeducator certificate by completing seventy-five hours of professional development in topics related to the duties of an advanced paraeducator; and

(c) Advanced paraeducator certificates expire after five years.

NEW SECTION. Sec. 11. PILOTS. (1) By September 1, 2018, and subject to the availability of amounts appropriated for this specific purpose, the board shall distribute grants to a diverse set of school districts that volunteer to pilot the state paraeducator standards of practice, the paraeducator certificates, and the courses described in this chapter.

(2) By September 1, 2019, the volunteer districts must report to the board with the outcomes of the pilot and any recommendations for implementing the paraeducator standards of practice, paraeducator certificates, and courses statewide. The outcomes reported must include:

(a) An analysis of the costs to the district to implement the state standards of practice by making available the required four-day fundamental course of study;

(b) The number of paraeducators who completed the course of study in the state standards of practice;

(c) The number of paraeducators who earned an advanced paraeducator certificate, or a special education or English language learner certificate;

(d) Any cost to the district and the paraeducator to earn a certificate; and

(e) The impact on the size and assignment of the paraeducator workforce as a result of the pilot.

(3) By November 1, 2019, and in compliance with RCW 43.01.036, the board shall submit a report to the appropriate committees of the legislature that summarizes the outcomes of the pilots and recommends any statutory changes necessary to improve the statewide standards of practice, paraeducator certificate requirements, and courses of study necessary to meet these standards and requirements, among other things.

(4) This section expires July 1, 2020.

NEW SECTION. Sec. 12. STUDY ON EFFECTIVENESS OF PARAEDUCATORS. (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington state institute for public policy shall conduct a study on the effectiveness of paraeducators in improving student outcomes in Washington state. The study must examine variation in the use of paraeducators across public schools and school districts and analyze whether and the extent that any differences in students' academic progress can be attributed to the use of paraeducators. The office of the superintendent of public instruction and the education data center shall provide the data necessary to conduct the analysis. The study must also include a review of the national research literature on the effectiveness of paraeducators in improving student outcomes.

(2) By December 15, 2017, and in compliance with RCW 43.01.036, the institute must submit a final report to the appropriate committees of the legislature.

(3) This section expires July 1, 2020.

NEW SECTION. Sec. 13. A new section is added to chapter 28A.300 RCW to read as follows:

TEACHER AND ADMINISTRATOR PROFESSIONAL LEARNING.

(1) The superintendent of public instruction, in consultation with the paraeducator board created in section 3 of this act and the professional educator standards board, shall design a training program for teachers and administrators as it relates to their role working with paraeducators. Teacher training must include how to direct a paraeducator working with students in the paraeducators' classroom. Administrator training must include how to supervise and evaluate paraeducators.

(2) Subject to the availability of amounts appropriated for this specific purpose, the training program designed under subsection (1) of this section must be made available to public schools, school districts, and educational service districts.

NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.410 RCW to read as follows:

TEACHER AND ADMINISTRATOR PREPARATION.

The professional educator standards board, in consultation with the paraeducator board created in section 3 of this act and the office of the superintendent of public instruction, shall incorporate into the content required to complete a professional educator standards board-approved teacher or administrator preparation program the following:

(1) For teachers, information on how to direct a paraeducator working with students in the paraeducators' classroom; and

(2) For administrators, information on how to supervise and evaluate paraeducators.

Sec. 15. RCW 28A.150.203 and 2009 c 548 s 102 are each amended to read as follows:

CLASSIFIED EMPLOYEE MEANS PARAEDUCATOR.

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

(1) "Basic education goal" means the student learning goals and the student knowledge and skills described under RCW 28A.150.210.

(2) "Certificated administrative staff" means all those persons who are chief executive officers, chief administrative officers, confidential employees, supervisors, principals, or assistant principals within the meaning of RCW 41.59.020(4).

(3) "Certificated employee" as used in this chapter and RCW 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250, 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those persons who hold certificates as authorized by rule of the Washington professional educator standards board.

(4) "Certificated instructional staff" means those persons employed by a school

district who are nonsupervisory certificated employees within the meaning of RCW 41.59.020(8), except for paraeducators.

(5) "Class size" means an instructional grouping of students where, on average, the ratio of students to teacher is the number specified.

(6) "Classified employee" means a person who is employed as a paraeducator and a person who does not hold a professional education certificate or is employed in a position that does not require such a certificate.

(7) "Classroom teacher" means a person who holds a professional education certificate and is employed in a position for which such certificate is required whose primary duty is the daily educational instruction of students. In exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision, but the hiring of such classified employees shall not occur during a labor dispute, and such classified employees shall not be hired to replace certificated employees during a labor dispute.

(8) "Instructional program of basic education" means the minimum program required to be provided by school districts and includes instructional hour requirements and other components under RCW 28A.150.220.

(9) "Program of basic education" means the overall program under RCW 28A.150.200 and deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution.

(10) "School day" means each day of the school year on which pupils enrolled in the common schools of a school district are engaged in academic and career and technical instruction planned by and under the direction of the school.

(11) "School year" includes the minimum number of school days required under RCW 28A.150.220 and begins on the first day of September and ends with the last day of August, except that any school district may elect to commence the annual school term in the month of August of any calendar year and in such case the operation of a school district for such period in August shall be credited by the superintendent of public instruction to the succeeding school year for the purpose of the

allocation and distribution of state funds for the support of such school district.

(12) "Teacher planning period" means a period of a school day as determined by the administration and board of ~~(the)~~ directors of the district that may be used by teachers for instruction-related activities including but not limited to preparing instructional materials; reviewing student performance; recording student data; consulting with other teachers, instructional assistants, mentors, instructional coaches, administrators, and parents; or participating in professional development.

Sec. 16. RCW 28A.410.062 and 2011 1st sp.s. c 23 s 1 are each amended to read as follows:

PARAEDUCATOR CERTIFICATE FEES.

(1) The legislature finds that the current economic environment requires that the state, when appropriate, charge for some of the services provided directly to the users of those services. The office of the superintendent of public instruction is currently supported with state funds to process certification fees. In addition, the legislature finds that the processing of certifications should be moved to an online system that allows educators to manage their certifications and provides better information to policymakers. The legislature intends to assess a certification processing fee to eliminate state-funded support of the cost to issue educator certificates.

(2) In addition to the certification fee established under RCW 28A.410.060 for certificated instructional staff as defined in RCW 28A.150.203, the superintendent of public instruction shall charge an application processing fee for initial educator certificates and subsequent actions, and paraeducator certificates and subsequent actions. The superintendent of public instruction shall establish the amount of the fee by rule under chapter 34.05 RCW. The superintendent shall set the fee at a sufficient level to defray the costs of administering the educator certification program under RCW 28A.300.040(9) and the paraeducator certificate program under the chapter created in section 21 of this act. Revenue generated through the processing fee shall be deposited in the educator certification processing account.

(3) The educator certification processing account is established in the

custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received from the fees collected in subsection (2) of this section. Moneys in the account may be spent only for the processing of educator certificates and subsequent actions and paraeducator certificates and subsequent actions. Disbursements from the account shall be on authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

Sec. 17. RCW 28A.630.400 and 2011 1st sp.s. c 11 s 132 are each amended to read as follows:

PARAEDUCATOR ASSOCIATE OF ARTS.

(1) The professional educator standards board and the state board for community and technical colleges, in consultation with the superintendent of public instruction, the state apprenticeship training council, and community colleges, shall adopt rules as necessary under chapter 34.05 RCW to implement the paraeducator associate of arts degree.

(2) As used in this section, a "paraeducator" is an individual who has completed an associate of arts degree for a paraeducator. The paraeducator may be hired by a school district to assist certificated instructional staff in the direct instruction of children in small and large groups, individualized instruction, testing of children, recordkeeping, and preparation of materials. The paraeducator shall work under the direction of instructional certificated staff.

(3)(a) The training program for a paraeducator associate of arts degree shall include, but is not limited to, the general requirements for receipt of an associate of arts degree and training in the areas of introduction to childhood education, orientation to children with disabilities, fundamentals of childhood education, creative activities for children, instructional materials for children, fine art experiences for children, the psychology of learning, introduction to education, child health and safety, child development and guidance, first aid, and a practicum in a school setting.

(b) Subject to the availability of amounts appropriated for this specific

purpose, by September 1, 2018, the training program for a paraeducator associate of arts degree must incorporate the state paraeducator standards of practice adopted by the paraeducator board under section 6 of this act.

(4) Consideration shall be given to transferability of credit earned in this program to teacher preparation programs at colleges and universities.

Sec. 18. RCW 28A.660.040 and 2010 c 235 s 504 are each amended to read as follows:

TEACHER ALTERNATIVE ROUTE PROGRAMS FOR PARAEDUCATORS.

Alternative route programs under this chapter shall operate one to four specific route programs. Successful completion of the program shall make a candidate eligible for residency teacher certification. The mentor of the teacher candidate at the school and the supervisor of the teacher candidate from the teacher preparation program must both agree that the teacher candidate has successfully completed the program.

(1) Alternative route programs operating route one programs shall enroll currently employed classified instructional employees with transferable associate degrees seeking residency teacher certification with (~~endorsements in special education, bilingual education, or English as a second language~~) an endorsement in subject matter shortage areas, as defined by the professional educator standards board. It is anticipated that candidates enrolled in this route will complete both their baccalaureate degree and requirements for residency certification in two years or less, including a mentored internship to be completed in the final year. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) District or building validation of qualifications, including one year of successful student interaction and leadership as a classified instructional employee;

(b) Successful passage of the statewide basic skills exam; and

(c) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers.

(2) Alternative route programs operating route two programs shall enroll

currently employed classified staff with baccalaureate degrees seeking residency teacher certification in subject matter shortage areas and areas with shortages due to geographic location. Candidates enrolled in this route must complete a mentored internship complemented by flexibly scheduled training and coursework offered at a local site, such as a school or educational service district, or online or via videoconference over the K-20 network, in collaboration with the partnership program's higher education partner. In addition, partnership grant programs shall uphold entry requirements for candidates that include:

(a) District or building validation of qualifications, including one year of successful student interaction and leadership as classified staff;

(b) A baccalaureate degree from a regionally accredited institution of higher education. The individual's college or university grade point average may be considered as a selection factor;

(c) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of the statewide basic skills exam.

(3) Alternative route programs seeking funds to operate route three programs shall enroll individuals with baccalaureate degrees, who are not employed in the district at the time of application. When selecting candidates for certification through route three, districts and approved preparation program providers shall give priority to individuals who are seeking residency teacher certification in subject matter shortage areas or shortages due to geographic locations. Cohorts of candidates for this route shall attend an intensive summer teaching academy, followed by a full year employed by a district in a mentored internship, followed, if necessary, by a second summer teaching academy. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) A baccalaureate degree from a regionally accredited institution of higher education. The individual's grade

point average may be considered as a selection factor;

(b) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(c) External validation of qualifications, including demonstrated successful experience with students or children, such as reference letters and letters of support from previous employers;

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of statewide basic skills exam.

(4) Alternative route programs operating route four programs shall enroll individuals with baccalaureate degrees, who are employed in the district at the time of application, or who hold conditional teaching certificates or emergency substitute certificates. Cohorts of candidates for this route shall attend an intensive summer teaching academy, followed by a full year employed by a district in a mentored internship. If employed on a conditional certificate, the intern may serve as the teacher of record, supported by a well-trained mentor. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) A baccalaureate degree from a regionally accredited institution of higher education. The individual's grade point average may be considered as a selection factor;

(b) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(c) External validation of qualifications, including demonstrated successful experience with students or children, such as reference letters and letters of support from previous employers;

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of statewide basic skills exam.

(5) Applicants for alternative route programs who are eligible veterans or national guard members and who meet the

entry requirements for the alternative route program for which application is made shall be given preference in admission.

Sec. 19. RCW 28A.660.042 and 2007 c 396 s 6 are each amended to read as follows:

PIPELINE FOR PARAEDUCATORS SCHOLARSHIP.

(1) The pipeline for paraeducators conditional scholarship program is created. Participation is limited to paraeducators without a college degree who have at least three years of classroom experience. It is anticipated that candidates enrolled in this program will complete their associate of arts degree at a community and technical college in two years or less and become eligible for (~~an endorsement in mathematics, special education, or English as a second language~~) an endorsement in a subject matter shortage area, as defined by the professional educator standards board, via route one in the alternative routes to teacher certification program provided in this chapter.

(2) Entry requirements for candidates include district or building validation of qualifications, including three years of successful student interaction and leadership as a classified instructional employee.

Sec. 20. RCW 28B.50.891 and 2014 c 136 s 4 are each amended to read as follows:

PARAEDUCATOR APPRENTICESHIP AND CERTIFICATE.

Beginning with the 2015-16 academic year, any community or technical college that offers an apprenticeship program or certificate program for paraeducators must provide candidates the opportunity to earn transferable course credits within the program. The programs must also incorporate the standards for cultural competence, including multicultural education and principles of language acquisition, developed by the professional educator standards board under RCW 28A.410.270. Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2018, the paraeducator apprenticeship and certificate programs must also incorporate the state paraeducator standards of practice adopted by the paraeducator board under section 6 of this act.

NEW SECTION. **Sec. 21.** Sections 1 through 12 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. **Sec. 22.** RCW 28A.415.310 (Paraprofessional training program) and 1993 c 336 s 408 are each repealed."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5100 Prime Sponsor, Committee on Ways & Means: Requiring financial literacy seminars for students at institutions of higher education. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Condotta; Manweller; Taylor and Vick.

Referred to Committee on Rules for second reading.

April 4, 2017

2ESSB 5106 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Clarifying obligations under the involuntary treatment act. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Judiciary.

Strike everything after the enacting clause and insert the following:

"Part One - Joel's Law Amendments

Sec. 1. RCW 71.05.201 and 2016 c 107 s 1 are each amended to read as follows:

(1) If a designated mental health professional decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated mental health professional received a request for investigation and the designated mental health professional has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2) A petition under this section must be filed within ten calendar days following the designated mental health professional investigation or the request for a designated mental health professional investigation. If more than ten days have elapsed, the immediate family member, guardian, or conservator may request a new designated mental health professional investigation.

(3)(a) The petition must be filed in the county in which the designated mental health professional investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated mental health professional.

~~((3))~~ (4) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated mental health professional agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated mental health professional's current decision.

~~((4))~~ (5) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

~~((5))~~ (6) The court shall dismiss the petition at any time if it finds that a designated mental health professional has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

~~((6))~~ (7) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

~~((7))~~ (8) If the court enters an order for initial detention, it shall provide the order to the designated mental health professional agency (~~(, which shall execute the order without delay)~~) and issue a written order for apprehension of the person by a peace officer for delivery of the person to a facility or emergency room determined by the designated mental health professional. The designated mental health agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement regarding apprehensions and detentions under this subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a written order issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated mental health professional. An order for initial detention under this section expires one hundred eighty days from issuance.

~~((8))~~ (9) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

~~((9))~~ (10) For purposes of this section, "immediate family member" means

a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

Sec. 2. RCW 71.05.201 and 2016 sp.s. c 29 s 222 and 2016 c 107 s 1 are each reenacted and amended to read as follows:

(1) If a designated crisis responder decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2) A petition under this section must be filed within ten calendar days following the designated crisis responder investigation or the request for a designated crisis responder investigation. If more than ten days have elapsed, the immediate family member, guardian, or conservator may request a new designated crisis responder investigation.

(3)(a) The petition must be filed in the county in which the designated (~~mental health professional~~) crisis responder investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated crisis responder.

~~((3))~~ (4) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated crisis responder agency with an order for the agency to provide the court, within one judicial day, with

a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated crisis responder's current decision.

~~((4))~~ (5) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

~~((5))~~ (6) The court shall dismiss the petition at any time if it finds that a designated crisis responder has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

~~((6))~~ (7) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

~~((7))~~ (8) If the court enters an order for initial detention, it shall provide the order to the designated crisis responder agency ~~(, which shall execute the order without delay)~~ and issue a written order for apprehension of the person by a peace officer for delivery of the person to a facility or emergency room determined by the designated crisis responder. The designated crisis responder agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement regarding apprehensions and detentions under this subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a written order issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated crisis responder. An order for initial detention under this section expires one hundred eighty days from issuance.

~~((8))~~ (9) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW

71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

~~((9))~~ (10) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

Sec. 3. RCW 71.05.203 and 2015 c 258 s 3 are each amended to read as follows:

(1) The department and each ~~((regional support network))~~ behavioral health organization or agency employing designated mental health professionals shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under RCW 71.05.201.

(2) A designated mental health professional or designated mental health professional agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under RCW 71.05.201. If the designated mental health professional decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since the request for investigation was received and the designated mental health professional has not taken action to have the person detained, the designated mental health professional or designated mental health professional agency must ~~((inform))~~ provide the immediate family member, guardian, or conservator who made the request for investigation with written information about the process to petition for court review under RCW 71.05.201 and document the date on which the written information was provided to the immediate family member, guardian, or conservator.

(3) A designated mental health professional or designated mental health professional agency must, upon request, disclose the date of a designated mental health professional investigation under this chapter to an immediate family member, guardian, or conservator of a person to assist in the preparation of a petition under RCW 71.05.201.

Sec. 4. RCW 71.05.203 and 2016 sp.s. c 29 s 223 are each amended to read as follows:

(1) The department and each behavioral health organization or agency employing designated crisis responders shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under RCW 71.05.201.

(2) A designated crisis responder or designated crisis responder agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under RCW 71.05.201. If the designated crisis responder decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since the request for investigation was received and the designated crisis responder has not taken action to have the person detained, the designated crisis responder or designated crisis responder agency must ~~((inform))~~ provide the immediate family member, guardian, or conservator who made the request for investigation with written information about the process to petition for court review under RCW 71.05.201 and document the date on which the written information was provided to the immediate family member, guardian, or conservator.

(3) A designated crisis responder or designated crisis responder agency must, upon request, disclose the date of a designated crisis responder investigation under this chapter to an immediate family member, guardian, or conservator of a person to assist in the preparation of a petition under RCW 71.05.201.

NEW SECTION. Sec. 5. By December 15, 2017, the administrative office of the courts, in collaboration with stakeholders, including but not limited to judges, prosecutors, defense attorneys, the department of social and health services, behavioral health advocates, and families, shall: (1) Develop a user's guide to assist pro se litigants in the preparation and filing of a petition under RCW 71.05.201; and (2) develop a model order of detention under RCW 71.05.201 which contains an advisement of rights for the detained person.

NEW SECTION. Sec. 6. Sections 1 and 3 of this act expire April 1, 2018.

NEW SECTION. Sec. 7. Sections 2 and 4 of this act take effect April 1, 2018.

Part Two - Less Restrictive Alternative Revocations

Sec. 8. RCW 71.05.590 and 2015 c 250 s 13 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated mental health professional, may take action to enforce, modify, or revoke a less restrictive alternative order or conditional release order ((if)). The agency, facility, or designated mental health professional ((determines)) must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel ~~((r))~~ or advise ~~((, or admonish))~~ the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) ~~((To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This~~

subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

~~(d)~~) To cause the person to be transported by a peace officer, designated mental health professional, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or evaluation and treatment facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated mental health professional or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation or modification procedures under ~~(subsection (4) of)~~ this section in appropriate circumstances; and

~~(e)~~) (d) To initiate revocation or modification procedures under ~~(subsection (4) of)~~ this section. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated mental health professional when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) A designated mental health professional or the secretary may upon their own motion or notification by the

facility or agency designated to provide outpatient care order a person subject to a court order under this section to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment, or initiate proceedings under ~~(this)~~ subsection ~~((4))~~ (5) of this section without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated mental health professional or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

~~((e))~~ (5)(a) The designated mental health professional or secretary shall ~~((notify the court that originally ordered commitment within two judicial days of a person's detention and))~~ file a petition for revocation ~~((petition))~~ or modification and an order of apprehension and detention, if applicable, with the court ~~((and))~~ of the county where the person is currently located or being detained. The designated mental health professional shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings ~~((regarding a petition for modification or revocation must be in))~~ is the county ~~((in which))~~ where the petition ~~((was))~~ is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation or modification is filed, within two judicial days of the person's detention.

~~((d))~~ (b) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the

decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order.

~~((e))~~ (c) Revocation proceedings under this subsection ~~((4))~~ (5) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

~~((5))~~ (6) In determining whether or not to take action under this section the designated mental health professional, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Sec. 9. RCW 71.05.590 and 2016 sp.s. c 29 s 242 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative order or conditional release order ~~((if))~~. The agency, facility, or designated crisis responder ~~((determines))~~ must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel ~~((7))~~ or advise ~~((7 or admonish))~~ the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) ~~((To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;~~

~~((d))~~ To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or to an evaluation and treatment facility if the person is committed for mental health treatment, or to a secure detoxification facility with available space or an approved substance use disorder treatment program with available space if the person is committed for substance use disorder treatment. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and

prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation or modification procedures under ~~((subsection (4) of))~~ this section in appropriate circumstances; and

~~((e))~~ (d) To initiate revocation or modification procedures under ~~((subsection (4) of))~~ this section. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4) (a) A designated crisis responder or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a secure detoxification facility or approved substance use disorder treatment program if either is available in or near the county in which he or she is receiving outpatient treatment and has adequate space. Proceedings under ~~((this))~~ subsection ~~((4))~~ (5) of this section may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such

time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

~~((e))~~ (5) (a) The designated crisis responder or secretary shall ~~((notify the court that originally ordered commitment within two judicial days of a person's detention and))~~ file a petition for revocation ~~((petition))~~ or modification and an order of apprehension and detention, if applicable, with the court ~~((and))~~ of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings ~~((regarding a petition for modification or revocation must be in))~~ is the county ~~((in which))~~ where the petition ~~((was))~~ is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation or modification is filed, within two judicial days of the person's detention.

~~((d))~~ (b) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order. A

court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder treatment program under this subsection unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.

~~((4))~~ (c) Revocation proceedings under this subsection ~~((4))~~ (5) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

~~((5))~~ (6) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Sec. 10. RCW 71.05.590 and 2016 sp.s. c 29 s 243 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative order or conditional release order ~~((if))~~. The agency, facility, or designated crisis responder ~~((determines))~~ must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate

to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel ~~((7))~~ or advise ~~((7 or admonish))~~ the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) ~~((To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;~~

~~((d))~~ To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or to an evaluation and treatment facility if the person is committed for mental health treatment, or to a secure detoxification facility or an approved substance use disorder treatment program if the person is committed for substance use disorder treatment. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the

clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation or modification procedures under ~~((subsection (4) of))~~ this section in appropriate circumstances; and

~~((e))~~ (d) To initiate revocation or modification procedures under ~~((subsection (4) of))~~ this section. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4) (a) A designated crisis responder or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a secure detoxification facility or approved substance use disorder treatment program if either is available in or near the county in which he or she is receiving outpatient treatment. Proceedings under ~~((this))~~ subsection ~~((4))~~ (5) of this section may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service

on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

~~((e))~~ (5) (a) The designated crisis responder or secretary shall ~~((notify the court that originally ordered commitment within two judicial days of a person's detention and))~~ file a petition for revocation ((petition)) or modification and an order of apprehension and detention, if applicable, with the court ((and)) of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings ((regarding a petition for modification or revocation must be in)) is the county ((in which)) where the petition ~~((was))~~ is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation or modification is filed, within two judicial days of the person's detention.

~~((e))~~ (b) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order.

~~((e))~~ (c) Revocation proceedings under this subsection ~~((4))~~ (5) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court

order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

~~((45))~~ (6) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Part Three - Initial Detention Investigations

Sec. 11. RCW 71.05.154 and 2013 c 334 s 1 are each amended to read as follows:

((A)) If a person subject to evaluation under RCW 71.05.150 or 71.05.153 is located in an emergency room at the time of evaluation, the designated mental health professional conducting ~~((an))~~ the evaluation ~~((of a person under RCW 71.05.150 or 71.05.153 must consult with any examining emergency room physician regarding the physician's observations and opinions relating to the person's condition, and whether, in the view of the physician, detention is appropriate. The designated mental health professional))~~ shall take serious consideration of observations and opinions by an examining emergency room physician~~((s))~~, advanced registered nurse practitioner, or physician assistant in determining whether detention under this chapter is appropriate. The designated mental health professional must document ~~((the))~~ his or her consultation with ~~((an examining emergency room physician))~~ this professional, ~~((including))~~ if the professional is available, or his or her review of the ~~((physician's))~~ professional's written observations or opinions regarding whether detention of the person is appropriate.

Sec. 12. RCW 71.05.154 and 2016 sp.s. c 29 s 214 are each amended to read as follows:

((A)) If a person subject to evaluation under RCW 71.05.150 or 71.05.153 is located in an emergency room at the time of evaluation, the designated crisis responder conducting ~~((an))~~ the evaluation ~~((of a person under RCW 71.05.150 or 71.05.153 must consult with any examining emergency room physician regarding the physician's observations and opinions relating to the person's condition, and~~

~~whether, in the view of the physician, detention is appropriate. The designated crisis responder))~~ shall take serious consideration of observations and opinions by an examining emergency room physician~~((s))~~, advanced registered nurse practitioner, or physician assistant in determining whether detention under this chapter is appropriate. The designated crisis responder must document ~~((the))~~ his or her consultation with ~~((an examining emergency room physician))~~ this professional, ~~((including))~~ if the professional is available, or his or her review of the ~~((physician's))~~ professional's written observations or opinions regarding whether detention of the person is appropriate.

Part Four - Evaluation and Petition by Chemical

Dependency Professionals

Sec. 13. RCW 70.96A.140 and 2016 sp.s. c 29 s 102 are each amended to read as follows:

(1)(a) When a designated chemical dependency specialist receives information alleging that a person presents a likelihood of serious harm or is gravely disabled as a result of ~~((chemical dependency))~~ a substance use disorder, the designated chemical dependency specialist, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the information, may file a petition for commitment of such person with the superior court, district court, or in another court permitted by court rule.

If a petition for commitment is not filed in the case of a minor, the parent, guardian, or custodian who has custody of the minor may seek review of that decision made by the designated chemical dependency specialist in superior or district court. The parent, guardian, or custodian shall file notice with the court and provide a copy of the designated chemical dependency specialist's report.

If the designated chemical dependency specialist finds that the initial needs of such person would be better served by placement within the mental health system, the person shall be referred to either a designated mental health professional or an evaluation and treatment facility as defined in RCW 71.05.020 or 71.34.020.

(b) If placement in a ~~((chemical dependency))~~ substance use disorder

treatment program is available and deemed appropriate, the petition shall allege that: The person is chemically dependent and presents a likelihood of serious harm or is gravely disabled by alcohol or drug addiction, or that the person has twice before in the preceding twelve months been admitted for withdrawal management, sobering services, or ~~((chemical dependency))~~ substance use disorder treatment pursuant to RCW 70.96A.110 or 70.96A.120, and is in need of a more sustained treatment program, or that the person ~~((is chemically dependent))~~ has a substance use disorder and has threatened, attempted, or inflicted physical harm on another and is likely to inflict physical harm on another unless committed. A refusal to undergo treatment, by itself, does not constitute evidence of lack of judgment as to the need for treatment.

(c) If involuntary detention is sought, the petition must state facts that support a finding of the grounds identified in (b) of this subsection and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition must state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition must state facts that support a finding of the grounds for commitment identified in (b) of this subsection and set forth the proposed less restrictive alternative.

(d) (i) The petition must be signed by:

(A) ~~((Two physicians,))~~ One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(B) ((One physician and a mental health professional;

(C) One physician assistant and a mental health professional; or

(D) One psychiatric advanced registered nurse practitioner and a mental health professional.

~~((ii) The persons signing the petition must have examined the person))~~ One physician, physician assistant, psychiatric advanced registered nurse practitioner, or designated chemical dependency specialist.

(2) Upon filing the petition, the court shall fix a date for a hearing no less

than two and no more than seven days after the date the petition was filed unless the person petitioned against is presently being detained in a program, pursuant to RCW 70.96A.120, 71.05.210, or 71.34.710, in which case the hearing shall be held within seventy-two hours of the filing of the petition ~~((+ PROVIDED, HOWEVER, That))~~. ~~The ((above specified))~~ seventy-two hours shall be computed by excluding Saturdays, Sundays, and holidays ~~((+ PROVIDED FURTHER, That,))~~. The court may, upon motion of the person whose commitment is sought, or upon motion of petitioner with written permission of the person whose commitment is sought, or his or her counsel and, upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of the hearing, including the date fixed by the court, shall be served ~~((by the designated chemical dependency specialist))~~ on the person whose commitment is sought, his or her next of kin, a parent or his or her legal guardian if he or she is a minor, and any other person the court believes advisable. A copy of the petition and certificate shall be delivered to each person notified.

(3) At the hearing the court shall hear all relevant testimony including, if possible, the testimony, which may be telephonic, of at least one licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or ~~((mental health professional))~~ designated chemical dependency specialist who has examined the person whose commitment is sought. Communications otherwise deemed privileged under the laws of this state are deemed to be waived in proceedings under this chapter when a court of competent jurisdiction in its discretion determines that the waiver is necessary to protect either the detained person or the public. The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person, or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical, nursing, or psychological records of detained persons so long as the requirements of RCW 5.45.020 are met, except that portions of the record that contain opinions as to whether the

detailed person (~~is chemically dependent~~) has a substance use disorder shall be deleted from the records unless the person offering the opinions is available for cross-examination. The person shall be present unless the court believes that his or her presence is likely to be injurious to him or her; in this event the court may deem it appropriate to appoint a guardian ad litem to represent him or her throughout the proceeding. If deemed advisable, the court may examine the person out of courtroom. If the person has refused to be examined by a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or (~~mental health professional~~) designated chemical dependency specialist, he or she shall be given an opportunity to be examined by a court appointed licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or other professional person qualified to provide such services. If he or she refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more medical evidence is necessary, the court may make a temporary order committing him or her to the department for a period of not more than five days for purposes of a diagnostic examination.

(4)(a) If, after hearing all relevant evidence, including the results of any diagnostic examination, the court finds that grounds for involuntary commitment have been established by a preponderance of the evidence and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interest of the person or others, it shall make an order of commitment to an approved substance use disorder treatment program. It shall not order commitment of a person unless it determines that an approved substance use disorder treatment program is available and able to provide adequate and appropriate treatment for him or her.

(b) If the court finds that the grounds for commitment have been established by a preponderance of the evidence, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive course of treatment. The less restrictive order may impose treatment conditions and other conditions that are in the best interest of the respondent and others. A

copy of the less restrictive order must be given to the respondent, the designated chemical dependency specialist, and any program designated to provide less restrictive treatment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary treatment, the program so designated must agree in writing to assume such responsibility. The court may not order commitment of a person to a less restrictive course of treatment unless it determines that an approved substance use disorder treatment program is available and able to provide adequate and appropriate treatment for him or her.

(5) A person committed to inpatient treatment under this section shall remain in the program for treatment for a period of fourteen days unless sooner discharged. A person committed to a less restrictive course of treatment under this section shall remain in the program of treatment for a period of ninety days unless sooner discharged. At the end of the fourteen-day period, or ninety-day period in the case of a less restrictive alternative to inpatient treatment, he or she shall be discharged automatically unless the program or the designated chemical dependency specialist, before expiration of the period, files a petition for his or her recommitment upon the grounds set forth in subsection (1) of this section for a further period of ninety days of inpatient treatment or ninety days of less restrictive alternative treatment unless sooner discharged. The petition for ninety-day inpatient or less restrictive alternative treatment must be filed with the clerk of the court at least three days before expiration of the fourteen-day period of intensive treatment.

If a petition for recommitment is not filed in the case of a minor, the parent, guardian, or custodian who has custody of the minor may seek review of that decision made by the designated chemical dependency specialist in superior or district court. The parent, guardian, or custodian shall file notice with the court and provide a copy of the treatment progress report.

If a person has been committed because he or she (~~is chemically dependent~~) has a substance use disorder and is likely to inflict physical harm on another, the program or designated chemical dependency specialist shall apply for recommitment if after examination it is determined that the likelihood still exists.

(6) Upon the filing of a petition for recommitment under subsection (5) of this section, the court shall fix a date for hearing no less than two and no more than seven days after the date the petition was filed (~~(+ PROVIDED, That,)~~). The court may, upon motion of the person whose commitment is sought and upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of hearing, including the date fixed by the court, shall be served by the treatment program on the person whose commitment is sought, his or her next of kin, the original petitioner under subsection (1) of this section if different from the petitioner for recommitment, one of his or her parents or his or her legal guardian if he or she is a minor, and his or her attorney and any other person the court believes advisable. At the hearing the court shall proceed as provided in subsections (3) and (4) of this section, except that the burden of proof upon a hearing for recommitment must be proof by clear, cogent, and convincing evidence.

(7) The approved substance use disorder treatment program shall provide for adequate and appropriate treatment of a person committed to its custody on an inpatient or outpatient basis. A person committed under this section may be transferred from one approved public treatment program to another if transfer is medically advisable.

(8) A person committed to a program for treatment shall be discharged at any time before the end of the period for which he or she has been committed and he or she shall be discharged by order of the court if either of the following conditions are met:

(a) In case of a ~~((chemically dependent))~~ person with a substance use disorder committed on the grounds of likelihood of infliction of physical harm upon himself, herself, or another, the likelihood no longer exists; or further treatment will not be likely to bring about significant improvement in the person's condition, or treatment is no longer adequate or appropriate.

(b) In case of a ~~((chemically dependent))~~ person with a substance use disorder committed on the grounds of the need of treatment and incapacity, that the incapacity no longer exists.

(9) The court shall inform the person whose commitment or recommitment is sought of his or her right to contest the

application, be represented by counsel at every stage of any proceedings relating to his or her commitment and recommitment, and have counsel appointed by the court or provided by the court, if he or she wants the assistance of counsel and is unable to obtain counsel. If the court believes that the person needs the assistance of counsel, the court shall require, by appointment if necessary, counsel for him or her regardless of his or her wishes. The person shall, if he or she is financially able, bear the costs of such legal service; otherwise such legal service shall be at public expense. The person whose commitment or recommitment is sought shall be informed of his or her right to be examined by a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, designated chemical dependency specialist, or other professional person of his or her choice who is qualified to provide such services. If the person is unable to obtain a qualified person and requests an examination, the court shall employ a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, designated chemical dependency specialist, or other professional person to conduct an examination and testify on behalf of the person.

(10) A person committed under this chapter may at any time seek to be discharged from commitment by writ of habeas corpus in a court of competent jurisdiction.

(11) The venue for proceedings under this section is the county in which person to be committed resides or is present.

(12) When in the opinion of the professional person in charge of the program providing involuntary inpatient treatment under this chapter, the committed patient can be appropriately served by less restrictive treatment before expiration of the period of commitment, then the less restrictive care may be required as a condition for early release for a period which, when added to the initial treatment period, does not exceed the period of commitment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary treatment, the program so designated must agree in writing to assume such responsibility. A copy of the conditions for early release shall be given to the patient, the designated chemical

dependency specialist of original commitment, and the court of original commitment. The program designated to provide less restrictive care may modify the conditions for continued release when the modifications are in the best interests of the patient. If the program providing less restrictive care and the designated chemical dependency specialist determine that a conditionally released patient is failing to adhere to the terms and conditions of his or her release, or that substantial deterioration in the patient's functioning has occurred, then the designated chemical dependency specialist shall notify the court of original commitment and request a hearing to be held no less than two and no more than seven days after the date of the request to determine whether or not the person should be returned to more restrictive care. The designated chemical dependency specialist shall file a petition with the court stating the facts substantiating the need for the hearing along with the treatment recommendations. The patient shall have the same rights with respect to notice, hearing, and counsel as for the original involuntary treatment proceedings. The issues to be determined at the hearing are whether the conditionally released patient did or did not adhere to the terms and conditions of his or her release to less restrictive care or that substantial deterioration of the patient's functioning has occurred and whether the conditions of release should be modified or the person should be returned to a more restrictive program. The hearing may be waived by the patient and his or her counsel and his or her guardian or conservator, if any, but may not be waived unless all such persons agree to the waiver. Upon waiver, the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions. The grounds and procedures for revocation of less restrictive alternative treatment ordered by the court must be the same as those set forth in this section for less restrictive care arranged by an approved substance use disorder treatment program as a condition for early release.

Sec. 14. RCW 71.05.020 and 2016 sp.s. c 29 s 204 and 2016 c 155 s 1 are each reenacted and amended to read as follows:

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

(1) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(3) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(4) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(5) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(6) "Chemical dependency" means:

(a) Alcoholism;

(b) Drug addiction; or

(c) Dependence on alcohol and one or more psychoactive chemicals, as the context requires;

(7) "Chemical dependency professional" means a person certified as a chemical dependency professional by the department of health under chapter 18.205 RCW;

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

(9) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(10) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and

treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(11) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(12) "Department" means the department of social and health services;

(13) "Designated crisis responder" means a mental health professional appointed by the behavioral health organization to perform the duties specified in this chapter;

(14) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(15) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(16) "Developmental disability" means that condition defined in RCW 71A.10.020(5);

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

(18) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(19) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons

suffering from a mental disorder, and which is certified as such by the department. The department may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(20) "Gravely disabled" means a condition in which a person, as a result of a mental disorder, or as a result of the use of alcohol or other psychoactive chemicals: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(21) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(22) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, a long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction;

(23) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(24) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with

developmental disabilities, which shall state:

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

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

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

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

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

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

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

(25) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(26) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

(27) "In need of assisted outpatient mental health treatment" means that a person, as a result of a mental disorder:

(a) Has been committed by a court to detention for involuntary mental health treatment at least twice during the preceding thirty-six months, or, if the person is currently committed for involuntary mental health treatment, the person has been committed to detention for involuntary mental health treatment at least once during the thirty-six months preceding the date of initial detention of the current commitment cycle; (b) is unlikely to voluntarily participate in

outpatient treatment without an order for less restrictive alternative treatment, in view of the person's treatment history or current behavior; (c) is unlikely to survive safely in the community without supervision; (d) is likely to benefit from less restrictive alternative treatment; and (e) requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time. For purposes of (a) of this subsection, time spent in a mental health facility or in confinement as a result of a criminal conviction is excluded from the thirty-six month calculation;

(28) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(29) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health and substance use disorder service providers under RCW 71.05.130;

(30) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585;

(31) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

(32) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(33) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder;

(34) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(35) "Mental health professional" means a psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(36) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders or substance use disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or behavioral health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, approved substance use disorder treatment programs as defined in this section, secure detoxification facilities as defined in this section, and correctional facilities operated by state and local governments;

(37) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(38) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW;

(39) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, substance

use disorders, or both mental illness and substance use disorders;

(40) "Professional person" means a mental health professional, chemical dependency professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(41) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(42) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(43) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(44) "Public agency" means any evaluation and treatment facility or institution, secure detoxification facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(45) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness or substance use disorders;

(46) "Release" means legal termination of the commitment under the provisions of this chapter;

(47) "Resource management services" has the meaning given in chapter 71.24 RCW;

(48) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(49) "Secure detoxification facility" means a facility operated by either a public or private agency or by the program of an agency that:

(a) Provides for intoxicated persons:

(i) Evaluation and assessment, provided by certified chemical dependency professionals;

(ii) Acute or subacute detoxification services; and

(iii) Discharge assistance provided by certified chemical dependency professionals, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Includes security measures sufficient to protect the patients, staff, and community; and

(c) Is certified as such by the department;

(50) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(51) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(52) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(53) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(54) "Treatment records" include registration and all other records concerning persons who are receiving or

who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others;

(55) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(56) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

Sec. 15. RCW 71.05.210 and 2016 sp.s. c 29 s 224 and 2016 c 155 s 2 are each reenacted and amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program:

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by:

(i) One physician (~~and a mental health professional~~), physician assistant, or psychiatric advanced registered nurse practitioner; and

(ii) One (~~physician assistant and a~~) mental health professional (~~or~~

~~(iii) One advanced registered nurse practitioner and a mental health~~). If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a chemical

dependency professional instead of a mental health professional; and

(b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional or chemical dependency professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment ((facility)) program, or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the person shall be referred to the more appropriate placement; however, a person may only be referred to a secure detoxification facility or approved substance use disorder treatment program if there is an available secure detoxification facility or approved substance use disorder treatment program with adequate space for the person.

(3) An evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such

person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated crisis responder and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 16. RCW 71.05.210 and 2016 sp.s. c 29 s 225 are each amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program:

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by:

(i) One physician ((and a mental health professional)), physician assistant, or psychiatric advanced registered nurse practitioner; and

(ii) One ((physician assistant and a) mental health professional(~~or~~

~~(iii) One advanced registered nurse practitioner and a mental health)). If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a chemical dependency professional instead of a mental health professional; and~~

(b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no

later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional or chemical dependency professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment ~~((facility))~~ program, or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the person shall be referred to the more appropriate placement.

(3) An evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated crisis responder and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 17. RCW 71.05.230 and 2016 sp.s. c 29 s 230, 2016 c 155 s 5, and 2016 c 45 s 1 are each reenacted and amended to read as follows:

A person detained or committed for seventy-two hour evaluation and treatment or for an outpatient evaluation for the purpose of filing a petition for a less restrictive alternative treatment order may be committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative to involuntary intensive treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by mental disorder or substance use

disorder and results in a likelihood of serious harm, results in the person being gravely disabled, or results in the person being in need of assisted outpatient mental health treatment, and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has evidence that he or she has not in good faith volunteered; and

(3) The agency or facility providing intensive treatment or which proposes to supervise the less restrictive alternative is certified to provide such treatment by the department; and

(4) The professional staff of the agency or facility or the designated crisis responder has filed a petition with the court for a fourteen day involuntary detention or a ninety day less restrictive alternative. The petition must be signed ~~((either))~~ by:

(a) ~~((Two physicians))~~ One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(b) One physician ~~((and a))~~, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional ~~((+))~~

(c) One physician assistant and a mental health professional; or

~~((d) One psychiatric advanced registered nurse practitioner and a mental health professional)).~~ If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional. The persons signing the petition must have examined the person. If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of a mental disorder or substance use disorder, presents a likelihood of serious harm, or is gravely disabled and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition shall state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition shall state facts that support the finding that such person, as a result of a mental disorder or as a result of a

substance use disorder, presents a likelihood of serious harm, is gravely disabled, or is in need of assisted outpatient mental health treatment, and shall set forth any recommendations for less restrictive alternative treatment services; and

(5) A copy of the petition has been served on the detained or committed person, his or her attorney and his or her guardian or conservator, if any, prior to the probable cause hearing; and

(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed for mental health treatment; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated crisis responder may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide less restrictive alternative treatment is other than the facility providing involuntary treatment, the outpatient facility so designated to provide less restrictive alternative treatment has agreed to assume such responsibility.

Sec. 18. RCW 71.05.290 and 2016 sp.s. c 29 s 235, 2016 c 155 s 6, and 2016 c 45 s 3 are each reenacted and amended to read as follows:

(1) At any time during a person's fourteen day intensive treatment period, the professional person in charge of a treatment facility or his or her professional designee or the designated crisis responder may petition the superior court for an order requiring such person to undergo an additional period of treatment. Such petition must be based on one or more of the grounds set forth in RCW 71.05.280.

(2) The petition shall summarize the facts which support the need for further commitment and shall be supported by affidavits based on an examination of the patient and signed by:

(a) (~~Two physicians~~) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(b) One physician (~~and a~~), physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional (~~+~~

(c) One physician assistant and a mental health professional; or

~~(d) One psychiatric advanced registered nurse practitioner and a mental health professional~~). If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional. The affidavits shall describe in detail the behavior of the detained person which supports the petition and shall explain what, if any, less restrictive treatments which are alternatives to detention are available to such person, and shall state the willingness of the affiant to testify to such facts in subsequent judicial proceedings under this chapter. If less restrictive alternative treatment is sought, the petition shall set forth any recommendations for less restrictive alternative treatment services.

(3) If a person has been determined to be incompetent pursuant to RCW 10.77.086(4), then the professional person in charge of the treatment facility or his or her professional designee or the designated crisis responder may directly file a petition for one hundred eighty day treatment under RCW 71.05.280(3). No petition for initial detention or fourteen day detention is required before such a petition may be filed.

Sec. 19. RCW 71.05.760 and 2016 sp.s. c 29 s 201 are each amended to read as follows:

(1)(a) By April 1, 2018, the department, by rule, must combine the functions of a designated mental health professional and designated chemical dependency specialist by establishing a designated crisis responder who is authorized to conduct investigations, detain persons up to seventy-two hours to the proper facility, and carry out the other functions identified in this chapter and chapter 71.34 RCW. The behavioral health organizations shall provide training to the designated crisis responders as required by the department.

(b)(i) To qualify as a designated crisis responder, a person must have received chemical dependency training as determined by the department and be a:

(A) Psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or social worker;

(B) Person with a master's degree or further advanced degree in counseling or one of the social sciences from an accredited college or university and who have, in addition, at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, such experience gained under the direction of a mental health professional;

(C) Person who meets the waiver criteria of RCW 71.24.260, which waiver was granted before 1986;

(D) Person who had an approved waiver to perform the duties of a mental health professional that was requested by the regional support network and granted by the department before July 1, 2001; or

(E) Person who has been granted an exception of the minimum requirements of a mental health professional by the department consistent with rules adopted by the secretary.

(ii) Training must include chemical dependency training specific to the duties of a designated crisis responder, including diagnosis of substance abuse and dependence and assessment of risk associated with substance use.

(c) The department must develop a transition process for any person who has been designated as a designated mental health professional or a designated chemical dependency specialist before April 1, 2018, to be converted to a designated crisis responder. The behavioral health organizations shall provide training, as required by the department, to persons converting to designated crisis responders, which must include both mental health and chemical dependency training applicable to the designated crisis responder role.

(2)(a) The department must ensure that at least one sixteen-bed secure detoxification facility is operational by April 1, 2018, and that at least two sixteen-bed secure detoxification facilities are operational by April 1,

2019. In addition, the department shall ensure that an additional sixteen-bed secure detoxification facility is operational by April 1st of each year beginning in 2020 until there is adequate capacity to meet the involuntary treatment requirements for substance use disorder clients.

(b) If, at any time during the implementation of secure detoxification facility capacity, federal funding becomes unavailable for federal match for services provided in secure detoxification facilities, then the department must cease any expansion of secure detoxification facilities until further direction is provided by the legislature.

Part Five - Technical

NEW SECTION. Sec. 20. Section 13 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. Sec. 21. Sections 8, 11, and 13 of this act expire April 1, 2018.

NEW SECTION. Sec. 22. Sections 9, 12, 14, 15, and 17 through 19 of this act take effect April 1, 2018.

NEW SECTION. Sec. 23. Sections 9 and 15 of this act expire July 1, 2026.

NEW SECTION. Sec. 24. Sections 10 and 16 of this act take effect July 1, 2026."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Manweller; Schmick; Taylor and Volz.

Referred to Committee on Rules for second reading.

April 4, 2017

2SSB 5107

Prime Sponsor, Committee on Ways & Means: Facilitating local funding and involvement in expanding early childhood

education and assistance program eligibility. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Harris; Manweller; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative MacEwen, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

April 4, 2017

ESB 5128 Prime Sponsor, Senator Takko: Allowing incremental electricity produced as a result of certain capital investment projects to qualify as an eligible renewable resource under the energy independence act. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Kagi; Lytton; Manweller; Nealey; Pettigrew; Schmick; Springer; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Bergquist; Hudgins; Pollet; Sawyer; Senn and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Jinkins.

Referred to Committee on Rules for second reading.

April 4, 2017

ESSB 5131 Prime Sponsor, Committee on Commerce, Labor & Sports: Concerning marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, processor wholesale events, certain transfers of plants and seeds, licensing agreements and contracts, residency requirements, and jurisdictional

requirements. (REVISED FOR ENGROSSED: Concerning marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, certain transfers of plants and seeds, licensing agreements and contracts, advertising, and jurisdictional requirements.) Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Commerce & Gaming.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 69.50.325 and 2016 c 170 s 1 are each amended to read as follows:

(1) There shall be a marijuana producer's license regulated by the state liquor and cannabis board and subject to annual renewal. The licensee is authorized to produce: (a) Marijuana for sale at wholesale to marijuana processors and other marijuana producers (~~and to produce marijuana~~); and (b) immature plants or clones and seeds for sale to cooperatives as described under RCW 69.51A.250 (~~regulated by the state liquor and cannabis board and subject to annual renewal~~). The production, possession, delivery, distribution, and sale of marijuana in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.

(2) There shall be a marijuana processor's license to process, package, and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the state liquor and cannabis

board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, and marijuana concentrates in accordance with the provisions of this chapter and chapter 69.51A RCW and the rules adopted to implement and enforce these chapters, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana.

(3)(a) There shall be a marijuana retailer's license to sell marijuana concentrates, useable marijuana, and marijuana-infused products at retail in retail outlets, regulated by the state liquor and cannabis board and subject to annual renewal. The possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates, useable marijuana, and marijuana-infused products.

(b) An individual retail licensee and all other persons or entities with a financial or other ownership interest in

the business operating under the license are limited, in the aggregate, to holding a collective total of not more than five retail marijuana licenses.

(c)(i) A marijuana retailer's license is subject to forfeiture in accordance with rules adopted by the state liquor and cannabis board pursuant to this section.

(ii) The state liquor and cannabis board shall adopt rules to establish a license forfeiture process for a licensed marijuana retailer that is not fully operational and open to the public within a specified period from the date of license issuance, as established by the state liquor and cannabis board, subject to the following restrictions:

(A) No marijuana retailer's license may be subject to forfeiture within the first nine months of license issuance; and

(B) The state liquor and cannabis board must require license forfeiture on or before twenty-four calendar months of license issuance if a marijuana retailer is not fully operational and open to the public, unless the board determines that circumstances out of the licensee's control are preventing the licensee from becoming fully operational and that, in the board's discretion, the circumstances warrant extending the forfeiture period beyond twenty-four calendar months.

(iii) The state liquor and cannabis board has discretion in adopting rules under this subsection (3)(c).

(iv) This subsection (3)(c) applies to marijuana retailer's licenses issued before and after the effective date of this section. However, no license of a marijuana retailer that otherwise meets the conditions for license forfeiture established pursuant to this subsection (3)(c) may be subject to forfeiture within the first nine calendar months of the effective date of this section.

(v) The board may not require license forfeiture if the licensee has been incapable of opening a fully operational retail marijuana business due to actions by the city, town, or county with jurisdiction over the licensee that include any of the following:

(A) The adoption of a ban or moratorium that prohibits the opening of a retail marijuana business; or

(B) The adoption of an ordinance or regulation related to zoning, business licensing, land use, or other regulatory

measure that has the effect of preventing a licensee from receiving an occupancy permit from the jurisdiction or which otherwise prevents a licensed marijuana retailer from becoming operational.

Sec. 2. RCW 69.50.331 and 2015 2nd sp.s. c 4 s 301 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, or for the renewal of a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, the state liquor and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received. As part of the licensing application and renewal process, the board must review and report demographic data regarding the race, ethnic background, and gender of the applicants for the licenses authorized under this chapter.

(a) ((The state liquor and cannabis board must develop a competitive, merit-based application process that includes, at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. The state liquor and cannabis board must give preference between competing applications in the licensing process to applicants that have the following experience and qualifications, in the following order of priority:

(i) First priority is given to applicants who:

(A) Applied to the state liquor and cannabis board for a marijuana retailer license prior to July 1, 2014;

(B) Operated or were employed by a collective garden before January 1, 2013;

(C) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(D) Have had a history of paying all applicable state taxes and fees;

(ii) Second priority must be given to applicants who:

(A) Operated or were employed by a collective garden before January 1, 2013;

(B) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(C) Have had a history of paying all applicable state taxes and fees; and

(iii) Third priority must be given to all other applicants who do not have the experience and qualifications identified in (a) (i) and (ii) of this subsection.

~~(b))~~) The state liquor and cannabis board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor and cannabis board may consider any prior criminal conduct of the applicant including an administrative violation history record with the state liquor and cannabis board and a criminal history record information check. The state liquor and cannabis board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor and cannabis board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW do not apply to these cases. Subject to the provisions of this section, the state liquor and cannabis board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7) (c) and (10) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor and cannabis board to any staff member the board designates in writing. Conditions for granting this authority must be adopted by rule.

~~((b))~~) (b) No license of any kind may be issued to:

(i) A person under the age of twenty-one years;

(ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least six months prior to applying to receive a license;

(iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The state liquor and cannabis board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, researching, or selling marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products thereunder must be suspended or terminated, as the case may be.

(b) The state liquor and cannabis board must immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license is automatic upon the state liquor and cannabis board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor and cannabis board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor and cannabis board may adopt.

(d) Witnesses must be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees

need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor and cannabis board or a subpoena issued by the state liquor and cannabis board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, compels obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee must forthwith deliver up the license to the state liquor and cannabis board. Where the license has been suspended only, the state liquor and cannabis board must return the license to the licensee at the expiration or termination of the period of suspension. The state liquor and cannabis board must notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under this chapter is subject to all conditions and restrictions imposed by this chapter or by rules adopted by the state liquor and cannabis board to implement and enforce this chapter. All conditions and restrictions imposed by the state liquor and cannabis board in the issuance of an individual license must be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee must post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee may employ any person under the age of twenty-one years.

(7)(a) Before the state liquor and cannabis board issues a new or renewed license to an applicant it must give

notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns, or to the tribal government if the application is for a license within Indian country, or to the port authority if the application for a license is located on property owned by a port authority.

(b) The incorporated city or town through the official or employee selected by it, ~~((or))~~ the county legislative authority or the official or employee selected by it, the tribal government, or port authority has the right to file with the state liquor and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The state liquor and cannabis board may extend the time period for submitting written objections upon request from the authority notified by the state liquor and cannabis board.

(c) The written objections must include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor and cannabis board representatives must present and defend the state liquor and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor and cannabis board must send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8)(a) Except as provided in (b) through (d) of this subsection, the state liquor and cannabis board may not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(b) A city, county, or town may permit the licensing of premises within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance authorizing such distance reduction, provided that such distance reduction will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

(c) A city, county, or town may permit the licensing of research premises allowed under RCW 69.50.372 within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection by enacting an ordinance authorizing such distance reduction, provided that the ordinance will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement, public safety, or public health.

(d) The state liquor and cannabis board may license premises located in compliance with the distance requirements set in an ordinance adopted under (b) or (c) of this subsection. Before issuing or renewing a research license for premises within one thousand feet but not less than one hundred feet of an elementary school, secondary school, or playground in compliance with an ordinance passed pursuant to (c) of this subsection, the board must ensure that the facility:

(i) Meets a security standard exceeding that which applies to marijuana producer, processor, or retailer licensees;

(ii) Is inaccessible to the public and no part of the operation of the facility is in view of the general public; and

(iii) Bears no advertising or signage indicating that it is a marijuana research facility.

(e) The state liquor and cannabis board may not issue a license for any premises within Indian country, as defined in 18 U.S.C. Sec. 1151, including any fee patent lands within the exterior boundaries of a reservation, without the consent of the federally recognized tribe associated with the reservation or Indian country.

(9) (~~(Subject to section 1601 of this act,)~~) A city, town, or county may adopt an ordinance prohibiting a marijuana producer or marijuana processor from operating or locating a business within areas zoned primarily for residential use or rural use with a minimum lot size of five acres or smaller.

(10) In determining whether to grant or deny a license or renewal of any license, the state liquor and cannabis board must give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Sec. 3. RCW 69.50.372 and 2016 sp.s. c 9 s 1 are each amended to read as follows:

(1) A marijuana research license is established that permits a licensee to produce, process, and possess marijuana for the following limited research purposes:

(a) To test chemical potency and composition levels;

(b) To conduct clinical investigations of marijuana-derived drug products;

(c) To conduct research on the efficacy and safety of administering marijuana as part of medical treatment; and

(d) To conduct genomic or agricultural research.

(2) As part of the application process for a marijuana research license, an applicant must submit to the liquor and cannabis board's designated scientific reviewer a description of the research that is intended to be conducted. The liquor and cannabis board must select a scientific reviewer to review an applicant's research project and determine that it meets the requirements of subsection (1) of this section, as well as assess the following:

(a) Project quality, study design, value, or impact;

(b) Whether applicants have the appropriate personnel, expertise, facilities/infrastructure, funding, and human/animal/other federal approvals in place to successfully conduct the project; and

(c) Whether the amount of marijuana to be grown by the applicant is consistent with the project's scope and goals.

If the scientific reviewer determines that the research project does not meet the requirements of subsection (1) of this section, the application must be denied.

(3) A marijuana research licensee may only sell marijuana grown or within its operation to other marijuana research licensees. The liquor and cannabis board may revoke a marijuana research license for violations of this subsection.

(4) A marijuana research licensee may contract with the University of Washington or Washington State University to perform research in conjunction with the university. All research projects, not including those projects conducted pursuant to a contract entered into under RCW 28B.20.502(3), must be approved by the scientific reviewer and meet the requirements of subsection (1) of this section.

(5) In establishing a marijuana research license, the liquor and cannabis board may adopt rules on the following:

(a) Application requirements;

(b) Marijuana research license renewal requirements, including whether additional research projects may be added or considered;

- (c) Conditions for license revocation;
- (d) Security measures to ensure marijuana is not diverted to purposes other than research;
- (e) Amount of plants, useable marijuana, marijuana concentrates, or marijuana-infused products a licensee may have on its premises;
- (f) Licensee reporting requirements;
- (g) Conditions under which marijuana grown by licensed marijuana producers and other product types from licensed marijuana processors may be donated to marijuana research licensees; and
- (h) Additional requirements deemed necessary by the liquor and cannabis board.
- (6) The production, processing, possession, delivery, donation, and sale of marijuana, including immature plants or clones and seeds, in accordance with this section, RCW 69.50.366(3), and the rules adopted to implement and enforce ~~((11))~~ this section and RCW 69.50.366(3), by a validly licensed marijuana researcher, shall not be a criminal or civil offense under Washington state law. Every marijuana research license must be issued in the name of the applicant, must specify the location at which the marijuana researcher intends to operate, which must be within the state of Washington, and the holder thereof may not allow any other person to use the license.
- (7) The application fee for a marijuana research license is two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana research license is one thousand dollars. The applicant must pay the cost of the review process directly to the scientific reviewer as designated by the liquor and cannabis board.
- (8) The scientific reviewer shall review any reports made by marijuana research licensees under liquor and cannabis board rule and provide the liquor and cannabis board with its determination on whether the research project continues to meet research qualifications under this section.
- (9) For the purposes of this section, "scientific reviewer" means an organization that convenes or contracts with persons who have the training and experience in research practice and research methodology to determine whether a project meets the criteria for a

marijuana research license under this section and to review any reports submitted by marijuana research licensees under liquor and cannabis board rule. "Scientific reviewers" include, but are not limited to, educational institutions, research institutions, peer review bodies, or such other organizations that are focused on science or research in its day-to-day activities.

Sec. 4. RCW 66.08.100 and 2012 c 117 s 269 are each amended to read as follows:

No court of the state of Washington other than the superior court of Thurston county shall have jurisdiction over any action or proceeding against the board or any member thereof for anything done or omitted to be done in or arising out of the performance of his or her or their duties under this title. Neither the board nor any member or members thereof shall be personally liable in any action at law for damages sustained by any person because of any acts performed or done or omitted to be done by the board or any employee of the board in the performance of his or her duties and in the administration of this title or chapter 69.50 or 69.51A RCW.

Sec. 5. RCW 69.50.101 and 2015 2nd sp.s. c 4 s 901 are each reenacted and amended to read as follows:

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

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(d) "Commission" means the pharmacy quality assurance commission.

(e) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(f)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(g) "Deliver" or "delivery((r))" means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(h) "Department" means the department of health.

(i) "Designated provider" has the meaning provided in RCW 69.51A.010.

(j) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to

prepare that prescription or order for delivery.

(k) "Dispenser" means a practitioner who dispenses.

(l) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(m) "Distributor" means a person who distributes.

(n) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(o) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(p) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(q) "Immature plant or clone" means a plant or clone that has no flowers, is less than twelve inches in height, and is less than twelve inches in diameter.

(r) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

~~((+))~~ (s) "Isomer" means an optical isomer, but in subsection ~~((+))~~ (ee) (5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b) (4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a) (35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

~~((+))~~ (t) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

~~((+))~~ (u) "Lot number" must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

~~((+))~~ (v) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

~~((+))~~ (w) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on

a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

~~((+))~~ (x) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent.

~~((+))~~ (y) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

~~((+))~~ (z) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

~~((+))~~ (aa) "Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section.

~~((+))~~ (bb) "Marijuana researcher" means a person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

~~((+))~~ (cc) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

~~((+))~~ (dd) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection ~~((+))~~ (w) of this section, and have a THC

concentration no greater than ten percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

~~((dd))~~ (ee) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

~~((ee))~~ (ff) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

~~((ff))~~ (gg) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

~~((gg))~~ (hh) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

~~((hh))~~ (ii) "Plant" has the meaning provided in RCW 69.51A.010.

~~((ii))~~ (jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

~~((jj))~~ (kk) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician

assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

~~((kk))~~ (ll) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

~~((ll))~~ (mm) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

~~((mm))~~ (nn) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

~~((nn))~~ (oo) "Recognition card" has the meaning provided in RCW 69.51A.010.

~~((oo))~~ (pp) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

~~((pp))~~ (qq) "Secretary" means the secretary of health or the secretary's designee.

~~((qq))~~ (rr) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

~~((rr))~~ (ss) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

~~((ss))~~ (tt) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the

individual or by a member of the individual's household.

~~((tt))~~ (uu) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

Sec. 6. RCW 69.50.366 and 2015 c 207 s 8 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana producer or employee of a validly licensed marijuana producer in compliance with rules adopted by the state liquor ~~((control))~~ and cannabis board to implement and enforce this chapter ~~((3, Laws of 2013))~~, do not constitute criminal or civil offenses under Washington state law:

(1) Production or possession of quantities of marijuana that do not exceed the maximum amounts established by the state liquor ~~((control))~~ and cannabis board under RCW 69.50.345(3);

(2) Delivery, distribution, and sale of marijuana to a marijuana processor or another marijuana producer validly licensed under this chapter ~~((3, Laws of 2013))~~; ~~((and))~~

(3) Delivery, distribution, and sale of immature plants or clones and marijuana seeds to a licensed marijuana researcher, and to receive or purchase immature plants or clones and seeds from a licensed marijuana researcher; and

(4) Delivery, distribution, and sale of marijuana or useable marijuana to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under RCW 43.06.490.

Sec. 7. RCW 69.50.382 and 2015 2nd sp.s. c 4 s 501 are each amended to read as follows:

(1) A licensed marijuana producer, marijuana processor, marijuana researcher, or marijuana retailer, or their employees, in accordance with the requirements of this chapter and the administrative rules adopted thereunder, may use the services of a common carrier subject to regulation under chapters 81.28 and 81.29 RCW and licensed in compliance with the regulations established under RCW 69.50.385, to physically transport or deliver, as authorized under this chapter, marijuana, useable marijuana, marijuana concentrates, immature plants or clones, marijuana seeds, and marijuana-infused

products between licensed marijuana businesses located within the state.

(2) An employee of a common carrier engaged in marijuana-related transportation or delivery services authorized under subsection (1) of this section is prohibited from carrying or using a firearm during the course of providing such services, unless:

(a) Pursuant to RCW 69.50.385, the state liquor and cannabis board explicitly authorizes the carrying or use of firearms by such employee while engaged in the transportation or delivery services;

(b) The employee has an armed private security guard license issued pursuant to RCW 18.170.040; and

(c) The employee is in full compliance with the regulations established by the state liquor and cannabis board under RCW 69.50.385.

(3) A common carrier licensed under RCW 69.50.385 may, for the purpose of transporting and delivering marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products, utilize Washington state ferry routes for such transportation and delivery.

(4) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized under, and in accordance with, this section and RCW 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

Sec. 8. RCW 69.51A.250 and 2016 c 170 s 2 are each amended to read as follows:

(1) Qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative. No more than four qualifying patients or designated providers may become members of a cooperative under this section and all members must hold valid recognition cards. All members of the cooperative must be at least twenty-one years old. The designated provider of a qualifying patient who is under twenty-one years old may be a member

of a cooperative on the qualifying patient's behalf. All plants grown in the cooperative must be (~~((purchased or cloned))~~) from an immature plant or clone purchased from a licensed marijuana producer as defined in RCW 69.50.101. Cooperatives may also purchase marijuana seeds from a licensed marijuana producer.

(2) Qualifying patients and designated providers who wish to form a cooperative must register the location with the state liquor and cannabis board and this is the only location where cooperative members may grow or process marijuana. This registration must include the names of all participating members and copies of each participant's recognition card. Only qualifying patients or designated providers registered with the state liquor and cannabis board in association with the location may participate in growing or receive useable marijuana or marijuana-infused products grown at that location.

(3) No cooperative may be located in any of the following areas:

(a) Within one mile of a marijuana retailer;

(b) Within the smaller of either:

(i) One thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade that admission to which is not restricted to persons aged twenty-one years or older; or

(ii) The area restricted by ordinance, if the cooperative is located in a city, county, or town that has passed an ordinance pursuant to RCW 69.50.331(8); or

(c) Where prohibited by a city, town, or county zoning provision.

(4) The state liquor and cannabis board must deny the registration of any cooperative if the location does not comply with the requirements set forth in subsection (3) of this section.

(5) If a qualifying patient or designated provider no longer participates in growing at the location, he or she must notify the state liquor and cannabis board within fifteen days of the date the qualifying patient or designated provider ceases participation. The state liquor and cannabis board must remove his or her name from connection to the cooperative. Additional qualifying patients or designated providers may not join the

cooperative until sixty days have passed since the date on which the last qualifying patient or designated provider notifies the state liquor and cannabis board that he or she no longer participates in that cooperative.

(6) Qualifying patients or designated providers who participate in a cooperative under this section:

(a) May grow up to the total amount of plants for which each participating member is authorized on their recognition cards, up to a maximum of sixty plants. At the location, the qualifying patients or designated providers may possess the amount of useable marijuana that can be produced with the number of plants permitted under this subsection, but no more than seventy-two ounces;

(b) May only participate in one cooperative;

(c) May only grow plants in the cooperative and if he or she grows plants in the cooperative may not grow plants elsewhere;

(d) Must provide assistance in growing plants. A monetary contribution or donation is not to be considered assistance under this section. Participants must provide nonmonetary resources and labor in order to participate; and

(e) May not sell, donate, or otherwise provide marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to a person who is not participating under this section.

(7) The location of the cooperative must be the domicile of one of the participants. Only one cooperative may be located per property tax parcel. A copy of each participant's recognition card must be kept at the location at all times.

(8) The state liquor and cannabis board may adopt rules to implement this section including:

(a) Any security requirements necessary to ensure the safety of the cooperative and to reduce the risk of diversion from the cooperative;

(b) A seed to sale traceability model that is similar to the seed to sale traceability model used by licensees that will allow the state liquor and cannabis board to track all marijuana grown in a cooperative.

(9) The state liquor and cannabis board or law enforcement may inspect a cooperative registered under this section to ensure members are in compliance with this section. The state liquor and cannabis board must adopt rules on reasonable inspection hours and reasons for inspections.

Sec. 9. RCW 15.120.020 and 2016 sp.s. c 11 s 3 are each amended to read as follows:

Except as otherwise provided in this chapter, industrial hemp is an agricultural product that may be grown, produced, possessed, processed, and exchanged in the state solely and exclusively as part of an industrial hemp research program supervised by the department. Processing any part of industrial hemp, except seed, as food, extract, oil, cake, concentrate, resin, or other preparation for topical use, oral consumption, or inhalation by humans is prohibited, unless the processing is both authorized by the department under section 10 of this act and in compliance with section 7606 of the federal agricultural act of 2014 (128 Stat. 649, 912; 7 U.S.C. Sec. 5940).

NEW SECTION. Sec. 10. A new section is added to chapter 15.120 RCW to read as follows:

(1) The department may allow a person holding an industrial hemp license authorizing the licensee to grow, produce, possess, or process industrial hemp to sell or transfer industrial hemp to a marijuana processor licensed under chapter 69.50 RCW and the rules adopted by the state liquor and cannabis board, for use by the marijuana processor.

(2) A licensed marijuana processor is required to obtain an industrial hemp license from the department in order to possess or process industrial hemp for the purposes authorized under this section.

(3) A licensed marijuana processor may use any part of industrial hemp obtained in accordance with this section. A licensee's use of industrial hemp must comply with the requirements of chapter 69.50 RCW, the rules adopted by the state liquor and cannabis board, and the rules adopted by the department of health for marijuana products. However, such rules adopted by the state liquor and cannabis board or the department of health may not prohibit the processing or sale of any specific type of marijuana product because such specific type of marijuana product is

derived, in whole or in part, from industrial hemp.

(4) The department may adopt rules, in consultation with the state liquor and cannabis board, to implement this section.

NEW SECTION. Sec. 11. The legislature finds that protecting the state's children, youth, and young adults under the legal age to purchase and consume marijuana, by establishing limited restrictions on the advertising of marijuana and marijuana products, is necessary to assist the state's efforts to discourage and prevent underage consumption and the potential risks associated with underage consumption. The legislature finds that these restrictions assist the state in maintaining a strong and effective regulatory and enforcement system as specified by the federal government. The legislature finds this act leaves ample opportunities for licensed marijuana businesses to market their products to those who are of legal age to purchase them, without infringing on the free speech rights of business owners. Finally, the legislature finds that the state has a substantial and compelling interest in enacting this act aimed at protecting Washington's children, youth, and young adults.

Sec. 12. RCW 69.50.357 and 2016 c 171 s 1 are each amended to read as follows:

(1) Retail outlets may not sell products or services other than marijuana concentrates, useable marijuana, marijuana-infused products, or paraphernalia intended for the storage or use of marijuana concentrates, useable marijuana, or marijuana-infused products.

(2) Licensed marijuana retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed marijuana retailers must ensure that all employees are trained

on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the state liquor and cannabis board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed marijuana retailers with a medical marijuana endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase marijuana for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) Except as otherwise provided under RCW 69.50.369, licensed marijuana retailers may not display any signage outside of the licensed premises, other than two signs identifying the retail outlet by the licensee's business or trade name, stating the location of the business, and identifying the nature of the business. Each sign must be no larger than one thousand six hundred square inches, be permanently affixed to a building or other structure, and be posted not less than one thousand feet from any elementary school, secondary school, or playground. Such signs may not contain any depictions of marijuana plants, marijuana products, or images that might be appealing to children. The content of the signs authorized under this subsection (4) are subject to all requirements and restrictions applicable to outdoor signs as set forth in RCW 69.50.369.

(5) Except for the purposes of disposal as authorized by the state liquor and cannabis board, no licensed marijuana retailer or employee of a retail outlet may open or consume, or allow to be opened or consumed, any marijuana concentrates, useable marijuana, or marijuana-infused product on the outlet premises.

(6) The state liquor and cannabis board must fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated marijuana account created under RCW 69.50.530.

Sec. 13. RCW 69.50.369 and 2015 2nd sp.s. c 4 s 204 are each amended to read as follows:

(1) No licensed marijuana producer, processor, researcher, or retailer may place or maintain, or cause to be placed or maintained, an advertisement of marijuana, useable marijuana, marijuana concentrates, or a marijuana-infused product in any form or through any medium whatsoever((+

~~(a)~~) within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older((+

(b) On or in a public transit vehicle or public transit shelter; or

(c) On or in a publicly owned or operated property)).

(2) A marijuana licensee may not utilize transit advertisements for the purpose of advertising its business or product line. "Transit advertisements" means advertising on or within private or public vehicles and all advertisements placed at, on, or within any bus stop, taxi stand, transportation waiting area, train station, airport, or any similar transit-related location.

(3) A marijuana licensee may not engage in advertising or other marketing practice that specifically targets persons residing outside of the state of Washington.

(4) All signs, billboards, or other print advertising for marijuana businesses or marijuana products must contain text stating that marijuana products may be purchased or possessed only by persons twenty-one years of age or older.

(5) A marijuana licensee may not:

(a) Take any action, directly or indirectly, to target youth in the advertising, promotion, or marketing of marijuana and marijuana products, or take any action the primary purpose of which is to initiate, maintain, or increase the incidence of youth use of marijuana or marijuana products;

(b) Use objects such as toys or inflatables, movie or cartoon characters, or any other depiction or image likely to be appealing to youth, where such objects, images, or depictions indicate an intent to cause youth to become interested in the

purchase or consumption of marijuana products; or

(c) Use or employ a commercial mascot outside of, and in proximity to, a licensed marijuana business. A "commercial mascot" means live human being, animal, or mechanical device used for attracting the attention of motorists and passersby so as to make them aware of marijuana products or the presence of a marijuana business. Commercial mascots include, but are not limited to, inflatable tube displays, persons in costume, or wearing, holding, or spinning a sign with a marijuana-related commercial message or image, where the intent is to draw attention to a marijuana business or its products.

(6) A marijuana licensee that engages in outdoor advertising is subject to the advertising requirements and restrictions set forth in this subsection (6) and elsewhere in this chapter.

(a) All outdoor advertising signs, including billboards, are limited to text that identifies the retail outlet by the licensee's business or trade name, states the location of the business, and identifies the type or nature of the business. Such signs may not contain any depictions of marijuana plants, marijuana products, or images that might be appealing to children. The state liquor and cannabis board is granted rule-making authority to regulate the text and images that are permissible on outdoor advertising. Such rule making must be consistent with other administrative rules generally applicable to the advertising of marijuana businesses and products.

(b) Outdoor advertising is prohibited:

(i) On signs and placards in arenas, stadiums, shopping malls, fairs that receive state allocations, farmers markets, and video game arcades, whether any of the foregoing are open air or enclosed, but not including any such sign or placard located in an adult only facility; and

(ii) Billboards that are visible from any street, road, highway, right-of-way, or public parking area are prohibited, except as provided in (c) of this subsection.

(c)(i) Until July 1, 2018, licensed retail outlets may use a billboard or outdoor sign solely for the purpose of identifying the name of the business, the nature of the business, and providing the public with directional information to the

licensed retail outlet. Billboards advertising is subject to the same requirements and restrictions as set forth in (a) of this subsection.

(ii) After July 1, 2018, the use of a billboard for the advertising or promotion of a retail marijuana business or any marijuana-related product is prohibited.

(d) Advertising signs within the premises of a retail marijuana business outlet that are visible to the public from outside the premises must meet the signage regulations and requirements applicable to outdoor signs as set forth in this section.

(e) The restrictions and regulations applicable to outdoor advertising under this section are not applicable to:

(i) An advertisement inside a licensed retail establishment that sells marijuana products that is not placed on the inside surface of a window facing outward; or

(ii) An outdoor advertisement at the site of an event to be held at an adult only facility that is placed at such site during the period the facility or enclosed area constitutes an adult only facility, but in no event more than fourteen days before the event, and that does not advertise any marijuana product other than by using a brand name to identify the event.

(7) Merchandising within a retail outlet is not advertising for the purposes of this section.

~~((3))~~ (8) This section does not apply to a noncommercial message.

~~((4))~~ (9)(a) The state liquor and cannabis board must:

(i) Adopt rules implementing this section and specifically including provisions regulating the billboards and outdoor signs authorized under this section; and

(ii) Fine a licensee one thousand dollars for each violation of ~~((subsection (1) of))~~ this section until the state liquor and cannabis board adopts rules prescribing penalties for violations of this section. The rules must establish escalating penalties including fines and up to suspension or revocation of a marijuana license for subsequent violations.

(b) Fines collected under this subsection must be deposited into the

dedicated marijuana account created under RCW 69.50.530.

(10) A city, town, or county may adopt rules of outdoor advertising by licensed marijuana retailers that are more restrictive than the advertising restrictions imposed under this chapter. Enforcement of restrictions to advertising by a city, town, or county is the responsibility of the city, town, or county.

Sec. 14. RCW 69.50.4013 and 2015 2nd sp.s. c 4 s 503 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4) The delivery by a person twenty-one years of age or older to one or more persons twenty-one years of age or older, during a twenty-four hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following marijuana products, is not a violation of this section, this chapter, or any other provisions of Washington state law:

(a) One-half ounce of useable marijuana;

(b) Eight ounces of marijuana-infused product in solid form;

(c) Thirty-six ounces of marijuana-infused product in liquid form; or

(d) Three and one-half grams of marijuana concentrates.

(5) No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

~~((5))~~ (6) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

NEW SECTION. **Sec. 15.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A licensed marijuana business may enter into a licensing agreement, or consulting contract, with any individual, partnership, employee cooperative, association, nonprofit corporation, or corporation, for:

(a) Any goods or services that are registered as a trademark under federal law or under chapter 19.77 RCW;

(b) Any unregistered trademark, trade name, or trade dress; or

(c) Any trade secret, technology, or proprietary information used to manufacture a cannabis product or used to provide a service related to a marijuana business.

(2) All agreements or contracts entered into by a licensed marijuana business, as authorized under this section, must be disclosed to the state liquor and cannabis board.

Sec. 16. RCW 42.56.270 and 2016 sp.s. c 9 s 3, 2016 sp.s. c 8 s 1, and 2016 c 178 s 1 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10) (a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1) (b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12) (a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a) (i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a) (ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17) (a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information;

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4);

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities;

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to RCW 90.56.565(1)(a), and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to RCW 90.56.565;

(24) Financial institution and retirement account information, and building security plan information, supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345, when filed by or on behalf of a licensee or prospective licensee for the purpose of obtaining, maintaining, or renewing a license to produce, process, transport, or sell marijuana as allowed under chapter 69.50 RCW; (~~and~~)

(25) Marijuana transport information, vehicle and driver identification data, and account numbers or unique access identifiers issued to private entities for traceability system access, submitted by an individual or business to the liquor and cannabis board under the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345 for the purpose of marijuana product traceability. Disclosure to local,

state, and federal officials is not considered public disclosure for purposes of this section; (~~and~~)

(26) Financial and commercial information submitted to or obtained by the retirement board of any city that is responsible for the management of an employees' retirement system pursuant to the authority of chapter 35.39 RCW, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the retirement fund or to result in private loss to the providers of this information except that (a) the names and commitment amounts of the private funds in which retirement funds are invested and (b) the aggregate quarterly performance results for a retirement fund's portfolio of investments in such funds are subject to disclosure; (~~and~~)

(27) Proprietary financial, commercial, operations, and technical and research information and data submitted to or obtained by the liquor and cannabis board in applications for marijuana research licenses under RCW 69.50.372, or in reports submitted by marijuana research licensees in accordance with rules adopted by the liquor and cannabis board under RCW 69.50.372; and

(28) Trade secrets, technology, proprietary information, and financial considerations contained in any agreements or contracts, entered into by a licensed marijuana business under section 15 of this act, which may be submitted to or obtained by the state liquor and cannabis board.

Sec. 17. RCW 69.07.010 and 1992 c 34 s 3 are each amended to read as follows:

For the purposes of this chapter:

(1) "Department" means the department of agriculture of the state of Washington;

(2) "Director" means the director of the department;

(3) "Food" means any substance used for food or drink by any person, including ice, bottled water, and any ingredient used for components of any such substance regardless of the quantity of such component;

(4) "Sale" means selling, offering for sale, holding for sale, preparing for sale, trading, bartering, offering a gift as an inducement for sale of, and advertising for sale in any media;

(5) "Food processing" means the handling or processing of any food in any manner in preparation for sale for human consumption: PROVIDED, That it shall not include fresh fruit or vegetables merely washed or trimmed while being prepared or packaged for sale in their natural state;

(6) "Food processing plant" includes but is not limited to any premises, plant, establishment, building, room, area, facilities and the appurtenances thereto, in whole or in part, where food is prepared, handled or processed in any manner for distribution or sale for resale by retail outlets, restaurants, and any such other facility selling or distributing to the ultimate consumer: PROVIDED, That, as set forth herein, establishments processing foods in any manner for resale shall be considered a food processing plant as to such processing;

(7) "Food service establishment" shall mean any fixed or mobile restaurant, coffee shop, cafeteria, short order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, night club, roadside stand, industrial-feeding establishment, retail grocery, retail food market, retail meat market, retail bakery, private, public, or nonprofit organization routinely serving food, catering kitchen, commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

For the purpose of this chapter any custom cannery or processing plant where raw food products, food, or food products are processed for the owner thereof, or the food processing facilities are made available to the owners or persons in control of raw food products or food or food products for processing in any manner, shall be considered to be food processing plants;

(8) "Person" means an individual, partnership, corporation, or association;

(9) "Board" means the state liquor and cannabis board;

(10) "Marijuana" has the meaning provided in RCW 69.50.101;

(11) "Marijuana-infused edible" means "marijuana-infused products," which is defined in RCW 69.50.101, but limited to products intended for oral consumption;

(12) "Marijuana-infused edible processing" means processing, packaging, or making marijuana-infused edibles using marijuana, marijuana extract, or marijuana concentrates as an ingredient. The term does not include preparation of marijuana as an ingredient including, but not limited to, processing marijuana extracts or marijuana concentrates;

(13) "Marijuana processor" has the meaning provided in RCW 69.50.101.

Sec. 18. RCW 69.07.020 and 1969 c 68 s 1 are each amended to read as follows:

(1) The department shall enforce and carry out the provisions of this chapter, and may adopt the necessary rules to carry out its purposes.

(2) Such rules may include:

(a) Standards for temperature controls in the storage of foods, so as to provide proper refrigeration.

(b) Standards for temperatures at which low acid foods must be processed and the length of time such temperatures must be applied and at what pressure in the processing of such low acid foods.

(c) Standards and types of recording devices that must be used in providing records of the processing of low acid foods, and how they shall be made available to the department of agriculture for inspection.

(d) Requirements for the keeping of records of the temperatures, times and pressures at which foods were processed, or for the temperatures at which refrigerated products were stored by the licensee and the furnishing of such records to the department.

(e) Standards that must be used to establish the temperature and purity of water used in the processing of foods.

(3) The department may adopt rules specific to marijuana-infused edibles. The rules must be written and interpreted to be consistent with rules adopted by the board and the department of health.

Sec. 19. RCW 19.02.110 and 2013 c 144 s 25 are each amended to read as follows:

(1) In addition to the licenses processed under the business licensing system prior to April 1, 1982, on July 1, 1982, use of the business licensing system is expanded as provided by this section.

(2) Applications for the following must be filed with the business licensing service and must be processed, and renewals must be issued, under the business licensing system:

(a) Nursery dealer's licenses required by chapter 15.13 RCW;

(b) Seed dealer's licenses required by chapter 15.49 RCW;

(c) Pesticide dealer's licenses required by chapter 15.58 RCW;

(d) Shopkeeper's licenses required by chapter 18.64 RCW;

(e) Egg dealer's licenses required by chapter 69.25 RCW; and

(f) Marijuana-infused edible endorsements required by chapter 69.07 RCW.

NEW SECTION. Sec. 20. A new section is added to chapter 69.07 RCW to read as follows:

(1) In addition to the requirements administered by the board under chapter 69.50 RCW, the department shall regulate marijuana-infused edible processing the same as other food processing under this chapter, except:

(a) The department shall not consider foods containing marijuana to be adulterated when produced in compliance with chapter 69.50 RCW and the rules adopted by the board;

(b) Initial issuance and renewal for an annual marijuana-infused edible endorsement in lieu of a food processing license under RCW 69.07.040 must be made through the business licensing system under chapter 19.02 RCW;

(c) Renewal of the endorsement must coincide with renewal of the endorsement holder's marijuana processor license;

(d) The department shall adopt a penalty schedule specific to marijuana processors, which may have values equivalent to the penalty schedule adopted by the board. The penalties are in addition to any penalties imposed under the penalty schedule adopted by the board; and

(e) The department shall notify the board of violations by marijuana processors under this chapter.

(2) A marijuana processor that processes, packages, or makes marijuana-infused edibles must obtain an annual

marijuana-infused edible endorsement, as provided in this subsection (2).

(a) The marijuana processor must apply for issuance and renewal for the endorsement from the department through the business licensing system under chapter 19.02 RCW.

(b) The marijuana processor must have a valid marijuana processor license before submitting an application for initial endorsement. The application and initial endorsement fees total eight hundred ninety-five dollars. Applicants for endorsement otherwise must meet the same requirements as applicants for a food processing license under this chapter including, but not limited to, successful completion of inspection by the department.

(c) Annual renewal of the endorsement must coincide with renewal of the endorsement holder's marijuana processor license. The endorsement renewal fee is eight hundred ninety-five dollars.

(d) A marijuana processor must obtain a separate endorsement for each location at which the marijuana processor intends to process marijuana-infused edibles. Premises used for marijuana-infused edible processing may not be used for processing food that does not use marijuana as an ingredient, with the exception of edibles produced solely for tasting samples or internal product testing.

(3) The department may deny, suspend, or revoke a marijuana-infused edible endorsement on the same grounds as the department may deny, suspend, or revoke a food processing license under this chapter.

(4) Information about processors otherwise exempt from public inspection and copying under chapter 42.56 RCW is also exempt from public inspection and copying if submitted to or used by the department.

NEW SECTION. Sec. 21. The department of agriculture, state liquor and cannabis board, and department of revenue shall take the necessary steps to ensure that section 20 of this act is implemented on its effective date.

NEW SECTION. Sec. 22. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the state liquor and cannabis board.

(2) "Licensee facilities" means any premises regulated by the board for producing, processing, or retailing marijuana or marijuana products.

(3) "Marijuana" has the meaning provided in RCW 69.50.101.

(4) "Marijuana processor" has the meaning provided in RCW 69.50.101.

(5) "Marijuana producer" has the meaning provided in RCW 69.50.101.

(6) "Marijuana products" has the meaning provided in RCW 69.50.101.

(7) "Marijuana retailer" has the meaning provided in RCW 69.50.101.

(8) "Person" means any natural person, firm, partnership, association, private or public corporation, governmental entity, or other business entity.

NEW SECTION. **Sec. 23.** (1) The department may adopt rules establishing:

(a) Standards for marijuana and marijuana products produced and processed in a manner consistent with, to the extent practicable, 7 C.F.R. Part 205;

(b) A self-sustaining program for certifying marijuana producers and marijuana processors as meeting the standards established under (a) of this subsection; and

(c) Other rules as necessary for administration of this chapter.

(2) To the extent practicable, the program must be consistent with the program established by the director under chapter 15.86 RCW.

(3) The rules must include a fee schedule that will provide for the recovery of the full cost of the program including, but not limited to, application processing, inspections, sampling and testing, notifications, public awareness programs, and enforcement.

NEW SECTION. **Sec. 24.** (1) No marijuana or marijuana product may be labeled, sold, or represented as produced or processed under the standards established under this chapter unless produced or processed by a person certified by the department under the program established under this chapter.

(2) No person may represent, sell, or offer for sale any marijuana or marijuana products as produced or processed under standards adopted under this chapter if the person knows, or has reason to know,

that the marijuana or marijuana product has not been produced or processed in conformance with the standards established under this chapter.

(3) No person may represent, sell, or offer for sale any marijuana or marijuana products as "organic products" as that term has meaning under chapter 15.86 RCW.

NEW SECTION. **Sec. 25.** (1) The department may inspect licensee facilities to verify compliance with this chapter and rules adopted under it.

(2) The department may deny, suspend, or revoke a certification provided for in this chapter if the department determines that an applicant or certified person has violated this chapter or rules adopted under it.

(3) The department may impose on and collect from any person who has violated this chapter or rules adopted under it a civil fine not exceeding the total of:

(a) The state's estimated costs of investigating and taking appropriate administrative and enforcement actions for the violation; and

(b) One thousand dollars.

(4) The board may take enforcement actions against a marijuana producer, marijuana processor, or marijuana retailer license issued by the board, including suspension or revocation of the license, when a licensee continues to violate this chapter after revocation of its certification or, if uncertified, receiving written notice from the department of certification requirements.

(5) The provisions of this chapter are cumulative and nonexclusive and do not affect any other remedy at law.

NEW SECTION. **Sec. 26.** Information about marijuana producers, marijuana processors, and marijuana retailers otherwise exempt from public inspection and copying under chapter 42.56 RCW is also exempt from public inspection and copying if submitted to or used by the department.

NEW SECTION. **Sec. 27.** All fees collected under this chapter must be deposited in an account within the agricultural local fund. The revenue from the fees must be used solely for carrying out the provisions of this chapter, and no appropriation is required for disbursement from the fund.

NEW SECTION. **Sec. 28.** This act applies prospectively only and not retroactively. It applies only to causes of action that arise (if change is substantive) or that are commenced (if change is procedural) on or after the effective date of this section.

NEW SECTION. **Sec. 29.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 30.** Sections 22 through 27 of this act constitute a new chapter in Title 15 RCW.

NEW SECTION. **Sec. 31.** Section 20 of this act takes effect April 1, 2018."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Cody; Condotta; Fitzgibbon; Hansen; Harris; Jinkins; Lytton; Nealey; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Bergquist; Buys; Haler; Hudgins; Kagi; Manweller; Schmick; Taylor and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Pettigrew.

Referred to Committee on Rules for second reading.

April 4, 2017

ESSB 5198 Prime Sponsor, Committee on Ways & Means: Concerning fire suppression methodologies. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Buys; Condotta; Haler; Nealey; Schmick; Taylor; Vick and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives

Stokesbary, Assistant Ranking Minority Member; Harris and Manweller.

Referred to Committee on Rules for second reading.

April 4, 2017

2SSB 5201 Prime Sponsor, Committee on Ways & Means: Concerning individuals receiving both employment and community access services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & Human Services. Signed by Representatives Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Ormsby, Chair.

MINORITY recommendation: Without recommendation. Signed by Representative Senn.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5252 Prime Sponsor, Senator Angel: Addressing the effectiveness of document recording fee surcharge funds that support homeless programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

2SSB 5258 Prime Sponsor, Committee on Ways & Means: Creating the Washington academic, innovation, and mentoring

(AIM) program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.215 RCW to read as follows:

(1) The Washington academic, innovation, and mentoring program is established.

(2) The purpose of the program is to enable eligible neighborhood youth development entities to provide out-of-school time programs for youth ages six to eighteen years of age that include educational services, social emotional learning, mentoring, and linkages to positive, prosocial leisure, and recreational activities. The programs must be designed for mentoring and academic enrichment.

(3) Eligible entities must meet the following requirements:

(a) Ensure that sixty percent or more of the academic, innovation, and mentoring program participants must qualify for free or reduced-price lunch;

(b) Have an existing partnership with the school district and a commitment to develop a formalized data-sharing agreement;

(c) Be facility based;

(d) Combine, or have a plan to combine, academics and social emotional learning;

(e) Engage in a continuous program quality improvement process;

(f) Conduct national criminal background checks for all employees and volunteers who work with children; and

(g) Have adopted standards for care including staff training, health and safety standards, and mechanisms for assessing and enforcing the program's compliance with the standards.

(4) Nonprofit entities applying for funding as a statewide network must:

(a) Have an existing infrastructure or network of academic, innovation, and mentoring program grant-eligible entities;

(b) Provide after-school and summer programs with youth development services; and

(c) Provide proven and tested recreational, educational, and character-building programs for children ages six to eighteen years of age.

(5) The office of the superintendent of public instruction must submit a report to the appropriate education and fiscal committees of the legislature by December 31, 2018, and an annual update by December 31 each year thereafter. The report must outline the programs established, target populations, and pretesting and posttesting results.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jenkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Buys; Condotta; Schmick; Taylor and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Nealey and Vick.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5268

Prime Sponsor, Senator Takko: Concerning notice to the licensee before a concealed pistol license expires. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.41.070 and 2011 c 294 s 1 are each amended to read as follows:

(1) The chief of police of a municipality or the sheriff of a county shall within thirty days after the filing of an application of any person, issue a

license to such person to carry a pistol concealed on his or her person within this state for five years from date of issue, for the purposes of protection or while engaged in business, sport, or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. The issuing authority shall not refuse to accept completed applications for concealed pistol licenses during regular business hours.

The applicant's constitutional right to bear arms shall not be denied, unless:

(a) He or she is ineligible to possess a firearm under the provisions of RCW 9.41.040 or 9.41.045, or is prohibited from possessing a firearm under federal law;

(b) The applicant's concealed pistol license is in a revoked status;

(c) He or she is under twenty-one years of age;

(d) He or she is subject to a court order or injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590;

(e) He or she is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense;

(f) He or she has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor; or

(g) He or she has been ordered to forfeit a firearm under RCW 9.41.098(1) (e) within one year before filing an application to carry a pistol concealed on his or her person.

No person convicted of a felony may have his or her right to possess firearms restored or his or her privilege to carry a concealed pistol restored, unless the person has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c), or RCW 9.41.040 (3) or (4) applies.

(2)(a) The issuing authority shall conduct a check through the national instant criminal background check system, the Washington state patrol electronic database, the department of social and health services electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited from possessing a firearm under federal law, and therefore ineligible for a concealed pistol license.

(b) The issuing authority shall deny a permit to anyone who is found to be prohibited from possessing a firearm under federal or state law.

(c) This subsection applies whether the applicant is applying for a new concealed pistol license or to renew a concealed pistol license.

(3) Any person whose firearms rights have been restricted and who has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec. 921(a)(20)(A) shall have his or her right to acquire, receive, transfer, ship, transport, carry, and possess firearms in accordance with Washington state law restored except as otherwise prohibited by this chapter.

(4) The license application shall bear the full name, residential address, telephone number at the option of the applicant, email address at the option of the applicant, date and place of birth, race, gender, description, a complete set of fingerprints, and signature of the licensee, and the licensee's driver's license number or state identification card number if used for identification in applying for the license. A signed application for a concealed pistol license shall constitute a waiver of confidentiality and written request that the department of social and health services, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility for a concealed pistol license to an inquiring court or law enforcement agency.

The application for an original license shall include two complete sets of fingerprints to be forwarded to the Washington state patrol.

The license and application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

The application shall contain questions about the applicant's eligibility under RCW 9.41.040 and federal law to possess a pistol, the applicant's place of birth, and whether the applicant is a United States citizen. If the applicant is not a United States citizen, the applicant must provide the applicant's country of citizenship, United States issued alien number or admission number, and the basis on which the applicant claims to be exempt from federal prohibitions on firearm possession by aliens. The applicant shall not be required to produce a birth certificate or other evidence of citizenship. A person who is not a citizen of the United States shall, if applicable, meet the additional requirements of RCW 9.41.173 and produce proof of compliance with RCW 9.41.173 upon application. The license may be in triplicate or in a form to be prescribed by the department of licensing.

The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing the license.

The department of licensing shall make available to law enforcement and corrections agencies, in an on-line format, all information received under this subsection.

(5) The nonrefundable fee, paid upon application, for the original five-year license shall be thirty-six dollars plus additional charges imposed by the federal bureau of investigation that are passed on to the applicant. No other state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license.

The fee shall be distributed as follows:

(a) Fifteen dollars shall be paid to the state general fund;

(b) Four dollars shall be paid to the agency taking the fingerprints of the person licensed;

(c) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and

(d) Three dollars to the firearms range account in the general fund.

(6) The nonrefundable fee for the renewal of such license shall be thirty-two dollars. No other branch or unit of government may impose any additional charges on the applicant for the renewal of the license.

The renewal fee shall be distributed as follows:

(a) Fifteen dollars shall be paid to the state general fund;

(b) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and

(c) Three dollars to the firearms range account in the general fund.

(7) The nonrefundable fee for replacement of lost or damaged licenses is ten dollars to be paid to the issuing authority.

(8) Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the issuing authority.

(9) If the licensee provides an email address at the time of application, the department of licensing must send notice of the license expiration to the licensee's email address within sixty days prior to the expiration of the license. A licensee may renew a license if the licensee applies for renewal within ninety days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty of ten dollars in addition to the renewal fee specified in subsection (6) of this section. The fee shall be distributed as follows:

(a) Three dollars shall be deposited in the state wildlife account and used exclusively first for the printing and distribution of a pamphlet on the legal limits of the use of firearms, firearms

safety, and the preemptive nature of state law, and subsequently the support of volunteer instructors in the basic firearms safety training program conducted by the department of fish and wildlife. The pamphlet shall be given to each applicant for a license; and

(b) Seven dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

(10) Notwithstanding the requirements of subsections (1) through (9) of this section, the chief of police of the municipality or the sheriff of the county of the applicant's residence may issue a temporary emergency license for good cause pending review under subsection (1) of this section. However, a temporary emergency license issued under this subsection shall not exempt the holder of the license from any records check requirement. Temporary emergency licenses shall be easily distinguishable from regular licenses.

(11) A political subdivision of the state shall not modify the requirements of this section or chapter, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section.

(12) A person who knowingly makes a false statement regarding citizenship or identity on an application for a concealed pistol license is guilty of false swearing under RCW 9A.72.040. In addition to any other penalty provided for by law, the concealed pistol license of a person who knowingly makes a false statement shall be revoked, and the person shall be permanently ineligible for a concealed pistol license.

(13) A person may apply for a concealed pistol license:

(a) To the municipality or to the county in which the applicant resides if the applicant resides in a municipality;

(b) To the county in which the applicant resides if the applicant resides in an unincorporated area; or

(c) Anywhere in the state if the applicant is a nonresident.

(14) Any person who, as a member of the armed forces, including the national guard and armed forces reserves, is unable to renew his or her license under subsections (6) and (9) of this section because of the person's assignment, reassignment, or deployment for out-of-state military

service may renew his or her license within ninety days after the person returns to this state from out-of-state military service, if the person provides the following to the issuing authority no later than ninety days after the person's date of discharge or assignment, reassignment, or deployment back to this state: (a) A copy of the person's original order designating the specific period of assignment, reassignment, or deployment for out-of-state military service, and (b) if appropriate, a copy of the person's discharge or amended or subsequent assignment, reassignment, or deployment order back to this state. A license so renewed under this subsection (14) shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license under this subsection (14) shall pay only the renewal fee specified in subsection (6) of this section and shall not be required to pay a late renewal penalty in addition to the renewal fee.

NEW SECTION. **Sec. 2.** The sum of seventy-five thousand dollars is appropriated for the fiscal biennium ending June 30, 2019, from the firearms range account to the department of licensing solely for the purposes of section 1 of this act."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5274

Prime Sponsor, Senator Conway: Defining salary for purposes of the Washington state patrol retirement system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended by Committee on Appropriations. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Pike; Riccelli;

Shea; Stambaugh; Tarleton; Van Werven; Young Farrell, Member.

Referred to Committee on Rules for second reading.

April 4, 2017

2SSB 5285 Prime Sponsor, Committee on Ways & Means: Conducting a workforce study of employment opportunities in the agriculture, environment, outdoor recreation, and natural resources economic sectors intended to provide educators with the information needed for informing students about employment opportunities in the studied fields. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5289 Prime Sponsor, Committee on Transportation: Modifying the infraction of and penalties for distracted driving. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 46.61 RCW to read as follows:

(1) A person who uses a personal electronic device while driving a motor vehicle on a public highway is guilty of a traffic infraction and must pay a fine as provided in RCW 46.63.110(3).

(2) Subsection (1) of this section does not apply to:

(a) A driver who is using a personal electronic device to contact emergency services;

(b) The use of a system by a transit system employee for time-sensitive relay communication between the transit system employee and the transit system's dispatch services;

(c) An individual employed as a commercial motor vehicle driver who uses a personal electronic device within the scope of such individual's employment if such use is permitted under 49 U.S.C. Sec. 31136 as it existed on the effective date of this section; and

(d) A person operating an authorized emergency vehicle.

(3) The state preempts the field of regulating the use of personal electronic devices in motor vehicles while driving, and this section supersedes any local laws, ordinances, orders, rules, or regulations enacted by any political subdivision or municipality to regulate the use of a personal electronic device by the operator of a motor vehicle.

(4) A second or subsequent offense under this section is subject to two times the penalty amount under RCW 46.63.110.

(5) A finding that a person has committed an offense under this section, if that offense is the first such offense committed within five years, must not be made available to insurance companies.

(6) For purposes of this section:

(a) "Driving" means to operate a motor vehicle on a public highway, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. "Driving" does not include when the vehicle has pulled over to the side of, or off of, an active roadway and has stopped in a location where it can safely remain stationary.

(b) "Personal electronic device" means any portable electronic device that is capable of wireless communication or electronic data retrieval and is not manufactured primarily for hands-free use in a motor vehicle. "Personal electronic device" includes, but is not limited to, a cell phone, tablet, laptop, two-way messaging device, or electronic game. "Personal electronic device" does not include two-way radio, citizens band radio, or amateur radio equipment.

(c) "Use" or "uses" means:

(i) Holding a personal electronic device in either hand or both hands;

(ii) Using your hand or finger to compose, send, read, view, access, browse, transmit, save, or retrieve email, text messages, instant messages, photographs, or other electronic data; however, this does not preclude the minimal use of a finger to activate, deactivate, or initiate a function of the device;

(iii) Watching video on a personal electronic device.

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

(1) RCW 46.61.667 (Using a wireless communications device or handheld mobile telephone while driving) and 2013 c 224 s 15, 2010 c 223 s 3, & 2007 c 417 s 2; and

(2) RCW 46.61.668 (Sending, reading, or writing a text message while driving) and 2013 c 224 s 16, 2010 c 223 s 4, & 2007 c 416 s 1.

NEW SECTION. **Sec. 3.** A new section is added to chapter 46.61 RCW to read as follows:

(1)(a) It is a traffic infraction to drive dangerously distracted. Any driver who commits this infraction must be assessed a base penalty of thirty dollars.

(b) Enforcement of the infraction of driving dangerously distracted may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of a separate traffic infraction or an equivalent local ordinance.

(c) For the purposes of this section, "dangerously distracted" means a person who engages in any activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such motor vehicle on any highway.

(2) The additional monetary penalty imposed under this section must be deposited into the distracted driving prevention account created in subsection (3) of this section.

(3) The distracted driving prevention account is created in the state treasury. All receipts from the base penalty in subsection (1) of this section must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only to support programs dedicated to reducing distracted driving and improving driver education on distracted driving.

Sec. 4. RCW 46.25.010 and 2013 c 224 s 3 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter.

(1) "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) "Alcohol concentration" means:

(a) The number of grams of alcohol per one hundred milliliters of blood; or

(b) The number of grams of alcohol per two hundred ten liters of breath.

(3) "Commercial driver's license" (CDL) means a license issued to an individual under chapter 46.20 RCW that has been endorsed in accordance with the requirements of this chapter to authorize the individual to drive a class of commercial motor vehicle.

(4) The "commercial driver's license information system" (CDLIS) is the information system established pursuant to 49 U.S.C. Sec. 31309 to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers.

(5) "Commercial learner's permit" (CLP) means a permit issued under RCW 46.25.052 for the purposes of behind-the-wheel training.

(6) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(a) Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a [any] towed unit [or units] with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds or more), whichever is greater; or

(b) Has a gross vehicle weight rating or gross vehicle weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater; or

(c) Is designed to transport sixteen or more passengers, including the driver; or

(d) Is of any size and is used in the transportation of hazardous materials as defined in this section; or

(e) Is a school bus regardless of weight or size.

(7) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, entry into a deferred prosecution program under chapter 10.05 RCW, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(8) "Disqualification" means a prohibition against driving a commercial motor vehicle.

(9) "Drive" means to drive, operate, or be in physical control of a motor vehicle in any place open to the general public for purposes of vehicular traffic. For purposes of RCW 46.25.100, 46.25.110, and 46.25.120, "drive" includes operation or physical control of a motor vehicle anywhere in the state.

(10) "Drugs" are those substances as defined by RCW 69.04.009, including, but not limited to, those substances defined by 49 C.F.R. Sec. 40.3.

(11) "Employer" means any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle, or assigns a person to drive a commercial motor vehicle.

(12) "Gross vehicle weight rating" (GVWR) means the value specified by the manufacturer as the maximum loaded weight of a single vehicle. The GVWR of a combination or articulated vehicle, commonly referred to as the "gross combined weight rating" or GCWR, is the GVWR of the power unit plus the GVWR of the towed unit or units. If the GVWR of any unit cannot be determined, the actual gross weight will be used. If a vehicle with a GVWR of less than 11,794 kilograms (26,001 pounds or less) has been structurally modified to carry a heavier load, then the actual gross weight capacity of the modified vehicle, as determined by RCW 46.44.041 and 46.44.042, will be used as the GVWR.

(13) "Hazardous materials" means any material that has been designated as

hazardous under 49 U.S.C. Sec. 5103 and is required to be placarded under subpart F of 49 C.F.R. Part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. Part 73.

(14) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, or any other vehicle required to be registered under the laws of this state, but does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(15) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out-of-service pursuant to 49 C.F.R. Secs. 386.72, 392.5, 395.13, 396.9, or compatible laws, or the North American uniform out-of-service criteria.

(16) "Positive alcohol confirmation test" means an alcohol confirmation test that:

(a) Has been conducted by a breath alcohol technician under 49 C.F.R. Part 40; and

(b) Indicates an alcohol concentration of 0.04 or more.

A report that a person has refused an alcohol test, under circumstances that constitute the refusal of an alcohol test under 49 C.F.R. Part 40, will be considered equivalent to a report of a positive alcohol confirmation test for the purposes of this chapter.

(17) "School bus" means a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier.

(18) "Serious traffic violation" means:

(a) Excessive speeding, defined as fifteen miles per hour or more in excess of the posted limit;

(b) Reckless driving, as defined under state or local law;

(c) Driving while using a (~~handheld wireless communications device~~ [handheld mobile telephone], defined as a violation of ~~RCW 46.61.667(1)(b))~~ personal electronic device, defined as a violation

of section 1 of this act, which includes in the activities it prohibits driving while holding a personal electronic device in either or both hands and using a hand or finger for texting, or an equivalent administrative rule or local law, ordinance, rule, or resolution;

(d) ((Texting, defined as a violation of RCW 46.61.668(1)(b) or an equivalent administrative rule or local law, ordinance, rule, or resolution;

~~(e))~~) A violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death to any person;

~~((f))~~) (e) Driving a commercial motor vehicle without obtaining a commercial driver's license;

~~((g))~~) (f) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession; however, any individual who provides proof to the court by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, is not guilty of a "serious traffic violation";

~~((h))~~) (g) Driving a commercial motor vehicle without the proper class of commercial driver's license endorsement or endorsements for the specific vehicle group being operated or for the passenger or type of cargo being transported; and

~~((i))~~) (h) Any other violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, that the department determines by rule to be serious.

(19) "State" means a state of the United States and the District of Columbia.

(20) "Substance abuse professional" means an alcohol and drug specialist meeting the credentials, knowledge, training, and continuing education requirements of 49 C.F.R. Sec. 40.281.

(21) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle

transporting an empty storage container tank, not designed for transportation, with a rated capacity of one thousand gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle.

(22) "Type of driving" means one of the following:

(a) "Nonexcepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, is both subject to and meets the qualification requirements under 49 C.F.R. Part 391 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is required to obtain a medical examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(b) "Excepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. Secs. 390.3(f), 391.2, 391.68, or 398.3, as they existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, from all or parts of the qualification requirements of 49 C.F.R. Part 391 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is therefore not required to obtain a medical examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(c) "Nonexcepted intrastate," which means the CDL or CLP holder or applicant operates only in intrastate commerce and is therefore subject to state driver qualification requirements; or

(d) "Excepted intrastate," which means the CDL or CLP holder or applicant operates in intrastate commerce, but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements.

(23) "United States" means the fifty states and the District of Columbia.

(24) "Verified positive drug test" means a drug test result or validity testing result from a laboratory certified under the authority of the federal department of health and human services that:

(a) Indicates a drug concentration at or above the cutoff concentration established under 49 C.F.R. Sec. 40.87; and

(b) Has undergone review and final determination by a medical review officer.

A report that a person has refused a drug test, under circumstances that constitute the refusal of a federal department of transportation drug test under 49 C.F.R. Part 40, will be considered equivalent to a report of a verified positive drug test for the purposes of this chapter.

Sec. 5. RCW 46.52.130 and 2015 2nd sp.s. c 3 s 12 are each amended to read as follows:

Upon a proper request, the department may furnish an abstract of a person's driving record as permitted under this section.

(1) **Contents of abstract of driving record.** An abstract of a person's driving record, whenever possible, must include:

(a) An enumeration of motor vehicle accidents in which the person was driving, including:

(i) The total number of vehicles involved;

(ii) Whether the vehicles were legally parked or moving;

(iii) Whether the vehicles were occupied at the time of the accident; and

(iv) Whether the accident resulted in a fatality;

(b) Any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law;

(c) The status of the person's driving privilege in this state; and

(d) Any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon the named individual by an arresting officer.

(2) **Release of abstract of driving record.** An abstract of a person's driving record may be furnished to the following persons or entities:

(a) **Named individuals.** (i) An abstract of the full driving record maintained by the department may be furnished to the individual named in the abstract.

(ii) Nothing in this section prevents a court from providing a copy of the driver's abstract to the individual named in the abstract or that named individual's attorney, provided that the named individual has a pending or open infraction or criminal case in that court. A pending case includes criminal cases that have not reached a disposition by plea, stipulation, trial, or amended charge. An open infraction or criminal case includes cases on probation, payment agreement or subject to, or in collections. Courts may charge a reasonable fee for the production and copying of the abstract for the individual.

(b) **Employers or prospective employers.**

(i) (A) An abstract of the full driving record maintained by the department may be furnished to an employer or prospective employer or an agent acting on behalf of an employer or prospective employer of the named individual for purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer.

(B) Release of an abstract of the driving record of an employee or prospective employee requires a statement signed by: (I) The employee or prospective employee that authorizes the release of the record; and (II) the employer attesting that the information is necessary for employment purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer. If the employer or prospective employer authorizes an agent to obtain this information on their behalf, this must be noted in the statement. The statement must also note that any information contained in the abstract related to an adjudication that is subject to a court order sealing the juvenile record of an employee or prospective employee may not be used by the employer or prospective employer, or an agent authorized to obtain this information on their behalf, unless required by federal regulation or law. The employer or prospective employer must afford the employee or prospective

employee an opportunity to demonstrate that an adjudication contained in the abstract is subject to a court order sealing the juvenile record.

(C) Upon request of the person named in the abstract provided under this subsection, and upon that same person furnishing copies of court records ruling that the person was not at fault in a motor vehicle accident, the department must indicate on any abstract provided under this subsection that the person was not at fault in the motor vehicle accident.

(D) No employer or prospective employer, nor any agent of an employer or prospective employer, may use information contained in the abstract related to an adjudication that is subject to a court order sealing the juvenile record of an employee or prospective employee for any purpose unless required by federal regulation or law. The employee or prospective employee must furnish a copy of the court order sealing the juvenile record to the employer or prospective employer, or the agent of the employer or prospective employer, as may be required to ensure the application of this subsection.

(ii) In addition to the methods described in (b)(i) of this subsection, the director may enter into a contractual agreement with an employer or its agent for the purpose of reviewing the driving records of existing employees for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(c) **Volunteer organizations.** (i) An abstract of the full driving record maintained by the department may be furnished to a volunteer organization or an agent for a volunteer organization for which the named individual has submitted an application for a position that would require driving by the individual at the direction of the volunteer organization.

(ii) Release of an abstract of the driving record of a prospective volunteer requires a statement signed by: (A) The prospective volunteer that authorizes the release of the record; and (B) the volunteer organization attesting that the

information is necessary for purposes related to driving by the individual at the direction of the volunteer organization. If the volunteer organization authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(d) **Transit authorities.** An abstract of the full driving record maintained by the department may be furnished to an employee or agent of a transit authority checking prospective volunteer vanpool drivers for insurance and risk management needs.

(e) **Insurance carriers.** (i) An abstract of the driving record maintained by the department covering the period of not more than the last three years may be furnished to an insurance company or its agent:

(A) That has motor vehicle or life insurance in effect covering the named individual;

(B) To which the named individual has applied; or

(C) That has insurance in effect covering the employer or a prospective employer of the named individual.

(ii) The abstract provided to the insurance company must:

(A) Not contain any information related to actions committed by law enforcement officers or firefighters, as both terms are defined in RCW 41.26.030, or by Washington state patrol officers, while driving official vehicles in the performance of their occupational duty. This does not apply to any situation where the vehicle was used in the commission of a misdemeanor or felony;

(B) Not include any information related to a finding that a person has committed an offense for using a personal electronic device while driving a motor vehicle on a public highway under section 1 of this act if that offense is the first such offense committed within five years;

(C) Include convictions under RCW 46.61.5249 and 46.61.525, except that the abstract must report the convictions only as negligent driving without reference to whether they are for first or second degree negligent driving; and

~~((C))~~ (D) Exclude any deferred prosecution under RCW 10.05.060, except that if a person is removed from a deferred prosecution under RCW 10.05.090, the abstract must show the deferred prosecution as well as the removal.

(iii) Any policy of insurance may not be canceled, nonrenewed, denied, or have the rate increased on the basis of information regarding an accident included in the abstract of a driving record, unless the policyholder was determined to be at fault.

(iv) Any insurance company or its agent, for underwriting purposes relating to the operation of commercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment. Any insurance company or its agent, for underwriting purposes relating to the operation of noncommercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of commercial motor vehicles.

(v) The director may enter into a contractual agreement with an insurance company or its agent for the limited purpose of reviewing the driving records of existing policyholders for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(f) **Alcohol/drug assessment or treatment agencies.** An abstract of the driving record maintained by the department covering the period of not more than the last five years may be furnished to an alcohol/drug assessment or treatment agency approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment, for purposes of assisting employees in making a determination as to what level of treatment, if any, is appropriate, except that the abstract must:

(i) Also include records of alcohol-related offenses, as defined in RCW 46.01.260(2), covering a period of not more than the last ten years; and

(ii) Indicate whether an alcohol-related offense was originally charged as a violation of either RCW 46.61.502 or 46.61.504.

(g) **Attorneys—City attorneys, county prosecuting attorneys, and named individual's attorney of record.** An

abstract of the full driving record maintained by the department, including whether a recorded violation is an alcohol-related offense, as defined in RCW 46.01.260(2), that was originally charged as a violation of either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys, county prosecuting attorneys, or the named individual's attorney of record. City attorneys, county prosecuting attorneys, or the named individual's attorney of record may provide the driving record to alcohol/drug assessment or treatment agencies approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment.

(h) **State colleges, universities, or agencies, or units of local government.** An abstract of the full driving record maintained by the department may be furnished to (i) state colleges, universities, or agencies for employment and risk management purposes or (ii) units of local government authorized to self-insure under RCW 48.62.031 for employment and risk management purposes.

(i) **Superintendent of public instruction.** An abstract of the full driving record maintained by the department may be furnished to the superintendent of public instruction for review of public school bus driver records. The superintendent or superintendent's designee may discuss information on the driving record with an authorized representative of the employing school district for employment and risk management purposes.

(3) **Release to third parties prohibited.** Any person or entity receiving an abstract of a person's driving record under subsection (2)(b) through (i) of this section shall use the abstract exclusively for his, her, or its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party.

(4) **Fee.** The director shall collect a thirteen dollar fee for each abstract of a person's driving record furnished by the department. Fifty percent of the fee must be deposited in the highway safety fund, and fifty percent of the fee must be deposited according to RCW 46.68.038.

(5) **Violation.** (a) Any negligent violation of this section is a gross misdemeanor.

(b) Any intentional violation of this section is a class C felony.

(6) Effective July 1, 2019, the contents of a driving abstract pursuant to this section shall not include any information related to sealed juvenile records unless that information is required by federal law or regulation.

NEW SECTION. **Sec. 6.** This act takes effect January 1, 2019."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Chapman; Gregerson; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Tarleton; Young Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Irwin; Pike; Shea; Stambaugh and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Hayes.

Referred to Committee on Rules for second reading.

April 4, 2017

ESSB 5293 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Concerning court-based and school-based efforts to promote attendance and reduce truancy. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Condotta and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

2ESSB 5294 Prime Sponsor, Committee on Law & Justice: Concerning the department of corrections. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Ormsby, Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; Manweller; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Condotta; Harris and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Robinson, Vice Chair and Nealey.

Referred to Committee on Rules for second reading.

April 4, 2017

ESSB 5312 Prime Sponsor, Committee on Commerce, Labor & Sports: Prohibiting certain employers from including any question on an application about an applicant's criminal record, inquiring either orally or in writing about an applicant's criminal records, or obtaining information from a criminal background check, until after the employer initially determines that the applicant is otherwise qualified. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Labor & Workplace Standards. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Condotta; Haler; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Manweller and Nealey.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5322 Prime Sponsor, Committee on Health Care: Concerning agreements between dentists and third parties that provide supportive services to dentists. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5357 Prime Sponsor, Committee on Ways & Means: Establishing a pilot project to license outdoor early learning and child care programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member; Buys; Condotta; Haler; Schmick; Taylor; Vick; Volz and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Manweller and Nealey.

Referred to Committee on Rules for second reading.

April 4, 2017

2SSB 5474 Prime Sponsor, Committee on Ways & Means: Initiating proactive steps to address elk hoof disease. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Agriculture & Natural Resources. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Pollet.

Referred to Committee on Rules for second reading.

April 4, 2017

2SSB 5546 Prime Sponsor, Committee on Ways & Means: Concerning proactively addressing wildfire risk by creating a forest health treatment assessment. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

3SSB 5558 Prime Sponsor, Committee on Ways & Means: Issuing a two-year identicaid for offenders released from prison facilities. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Hudgins.

Referred to Committee on Rules for second reading.

April 4, 2017

2SSB 5577 Prime Sponsor, Committee on Ways & Means: Concerning the rights and obligations associated with incapacitated persons and other vulnerable adults. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris;

Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Chandler, Ranking Minority Member.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5632 Prime Sponsor, Senator O'Ban: Modifying organized retail theft provisions. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Condotta and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5635 Prime Sponsor, Senator Padden: Concerning retail theft with special circumstances. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5639 Prime Sponsor, Senator Conway: Concerning alternative student assessments. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education.

Strike everything after the enacting clause and insert the following:

"PART I

DISCONTINUING CERTIFICATES OF ACADEMIC AND INDIVIDUAL ACHIEVEMENT AS GRADUATION REQUIREMENTS

Sec. 101. RCW 28A.155.045 and 2007 c 354 s 3 are each amended to read as follows:

Beginning with the graduating class of 2008, students served under this chapter, who are not appropriately assessed by the high school Washington assessment system ~~((as defined in RCW 28A.655.061))~~ established in accordance with RCW 28A.655.070, even with accommodations, may ~~((earn a certificate of individual achievement. The certificate may be earned using multiple ways to))~~, through multiple options, demonstrate skills and abilities commensurate with their individual education programs. The determination of whether the high school assessment system is appropriate shall be made by the student's individual education program team. ~~((Except as provided in RCW 28A.655.0611, for these students, the certificate of individual achievement is required for graduation from a public high school, but need not be the only requirement for graduation.))~~ When measures other than the high school assessment system ~~((as defined in RCW 28A.655.061))~~ established in accordance with RCW 28A.655.070 are used, the measures shall be in agreement with the appropriate educational opportunity provided for the student as required by this chapter. The superintendent of public instruction shall develop the guidelines for determining which students should not be required to participate in the high school assessment system and which types of assessments are appropriate to use.

When measures other than the high school assessment system ~~((as defined in RCW 28A.655.061))~~ established in accordance with RCW 28A.655.070 are used for high school graduation purposes, the student's high school transcript shall note whether that student ~~((has earned a certificate of individual achievement))~~ was assessed with alternative assessments.

Nothing in this section shall be construed to deny a student the right to participation in the high school assessment system ~~((as defined in RCW~~

28A.655.061, and, upon successfully meeting the high school standard, receipt of the certificate of academic achievement)) established in accordance with RCW 28A.655.070.

Sec. 102. RCW 28A.155.170 and 2007 c 318 s 2 are each amended to read as follows:

(1) Beginning July 1, 2007, each school district that operates a high school shall establish a policy and procedures that permit any student who is receiving special education or related services under an individualized education program pursuant to state and federal law and who will continue to receive such services between the ages of eighteen and twenty-one to participate in the graduation ceremony and activities after four years of high school attendance with his or her age-appropriate peers and receive a certificate of attendance.

(2) Participation in a graduation ceremony and receipt of a certificate of attendance under this section does not preclude a student from continuing to receive special education and related services under an individualized education program beyond the graduation ceremony.

(3) A student's participation in a graduation ceremony and receipt of a certificate of attendance under this section shall not be construed as the student's receipt of ~~((either:~~

~~(a))~~ a high school diploma pursuant to RCW 28A.230.120 ~~((or~~

(b) A certificate of individual achievement pursuant to RCW 28A.155.045)).

Sec. 103. RCW 28A.230.090 and 2016 c 162 s 2 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the

culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) ((The certificate of academic achievement requirements under RCW 28A.655.061 or the certificate of individual achievement requirements under RCW 28A.155.045 are required for graduation from a public high school but are not the only requirements for graduation.

~~(e))~~ Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation.

~~((d))~~ (c)(i) The state board of education shall adopt rules to implement the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1) ~~((d))~~ (c). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the state board of education for a waiver to implement the career and college ready graduation requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The state board of education shall grant a waiver under this subsection (1) ~~((d))~~ (c) to an applying school district at the next

subsequent meeting of the board after receiving an application.

(2)(a) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have sufficient opportunity to (~~earn a certificate of academic achievement,~~) complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review. The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

Sec. 104. RCW 28A.230.122 and 2011 c 203 s 1 are each amended to read as follows:

(1) A student who fulfills the requirements specified in subsection (3) of this section toward completion of an international baccalaureate diploma programme is considered to have satisfied state minimum requirements for graduation from a public high school, except that(+

(a) The provisions of RCW 28A.655.061 regarding the certificate of academic achievement or RCW 28A.155.045 regarding the certificate of individual achievement apply to students under this section; and

~~(b))~~ the provisions of RCW 28A.230.170 regarding study of the United States Constitution and the Washington state Constitution apply to students under this section.

(2) School districts may require students under this section to complete local graduation requirements that are in addition to state minimum requirements before issuing a high school diploma under RCW 28A.230.120. However, school districts are encouraged to waive local requirements as necessary to encourage students to pursue an international baccalaureate diploma.

(3) To receive a high school diploma under this section, a student must

complete and pass all required international baccalaureate diploma programme courses as scored at the local level; pass all internal assessments as scored at the local level; successfully complete all required projects and products as scored at the local level; and complete the final examinations administered by the international baccalaureate organization in each of the required subjects under the diploma programme.

Sec. 105. RCW 28A.230.125 and 2014 c 102 s 3 are each amended to read as follows:

(1) The superintendent of public instruction, in consultation with the four-year institutions as defined in RCW 28B.76.020, the state board for community and technical colleges, and the workforce training and education coordinating board, shall develop for use by all public school districts a standardized high school transcript. The superintendent shall establish clear definitions for the terms "credits" and "hours" so that school programs operating on the quarter, semester, or trimester system can be compared.

(2) ((The standardized high school transcript shall include a notation of whether the student has earned a certificate of individual achievement or a certificate of academic achievement.

~~(3)~~) The standardized high school transcript may include a notation of whether the student has earned the Washington state seal of biliteracy established under RCW 28A.300.575.

Sec. 106. RCW 28A.655.070 and 2015 c 211 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop essential academic learning requirements that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the essential academic learning requirements, as needed,

based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements; and

(b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3) (a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and

reducing the number of short answer and extended response questions.

(c) By the 2014-15 school year, the superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium, as provided in this subsection:

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c)(i) of this subsection shall be used for ((the purposes of earning a certificate of academic achievement for high school graduation under the timeline established in RCW 28A.655.061 and for)) assessing student career and college readiness.

((iii) During the transition period specified in RCW 28A.655.061, the superintendent of public instruction shall use test items and other resources from the consortium assessment to develop and administer a tenth grade high school English language arts assessment, an end-of-course mathematics assessment to assess the standards common to algebra I and integrated mathematics I, and an end-of-course mathematics assessment to assess the standards common to geometry and integrated mathematics II.))

(4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the essential academic learning requirements before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning

requirements at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(12) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(13) The superintendent shall post on the superintendent's web site lists of resources and model assessments in social studies, the arts, and health and fitness.

(14) The superintendent shall integrate financial education skills and content knowledge into the state learning standards pursuant to RCW 28A.300.460 (2) (d).

PART II

MODIFICATIONS TO PROVISIONS OF EDUCATION AGENCIES

Sec. 201. RCW 28A.180.100 and 2004 c 19 s 105 are each amended to read as follows:

The office of the superintendent of public instruction and the state board for community and technical colleges shall jointly develop a program plan to provide a continuing education option for students who are eligible for the state transitional bilingual instruction program and who need more time to develop language proficiency but who are more age-appropriately suited for a postsecondary learning environment than for a high school. In developing the plan, the superintendent of public instruction shall consider options to formally recognize the accomplishments of students in the state transitional bilingual instruction program who have completed the twelfth grade but have not ~~((earned a certificate of academic achievement))~~ met all applicable graduation requirements. By December 1, 2004, the agencies shall report to the legislative education and fiscal committees with any recommendations for legislative action and any resources necessary to implement the plan.

Sec. 202. RCW 28A.195.010 and 2009 c 548 s 303 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state

superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. The state board of education shall not require private school students to meet the student learning goals, ~~((obtain a certificate of academic achievement, or a certificate of individual achievement to graduate from high school,))~~ to master the essential academic learning requirements, or to be assessed pursuant to RCW ~~((28A.655.061))~~ 28A.655.070. However, private schools may choose, on a voluntary basis, to have their students master these essential academic learning requirements ~~((, and obtain a certificate of academic achievement or a certificate of individual achievement))~~. Minimum requirements shall be as follows:

(1) The minimum school year for instructional purposes shall consist of no less than one hundred eighty school days or the equivalent in annual minimum instructional hour offerings, with a school-wide annual average total instructional hour offering of one thousand hours for students enrolled in grades one through twelve, and at least four hundred fifty hours for students enrolled in kindergarten.

(2) The school day shall be the same as defined in RCW 28A.150.203.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) An approved private school may operate an extension program for parents, guardians, or persons having legal custody of a child to teach children in their

custody. The extension program shall require at a minimum that:

(a) The parent, guardian, or custodian be under the supervision of an employee of the approved private school who is certified under chapter 28A.410 RCW;

(b) The planning by the certified person and the parent, guardian, or person having legal custody include objectives consistent with this subsection and subsections (1), (2), (5), (6), and (7) of this section;

(c) The certified person spend a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the approved private school extension program;

(d) Each student's progress be evaluated by the certified person; and

(e) The certified employee shall not supervise more than thirty students enrolled in the approved private school's extension program.

(5) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

(6) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements. A residential dwelling of the parent, guardian, or custodian shall be deemed to be an adequate physical facility when a parent, guardian, or person having legal custody is instructing his or her child under subsection (4) of this section.

(7) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

(8) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection (7) of this section provided, school rules and administration, or other matters not

specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

Sec. 203. RCW 28A.200.010 and 2004 c 19 s 107 are each amended to read as follows:

(1) Each parent whose child is receiving home-based instruction under RCW 28A.225.010(4) shall have the duty to:

(a) File annually a signed declaration of intent that he or she is planning to cause his or her child to receive home-based instruction. The statement shall include the name and age of the child, shall specify whether a certificated person will be supervising the instruction, and shall be written in a format prescribed by the superintendent of public instruction. Each parent shall file the statement by September 15th of the school year or within two weeks of the beginning of any public school quarter, trimester, or semester with the superintendent of the public school district within which the parent resides or the district that accepts the transfer, and the student shall be deemed a transfer student of the nonresident district. Parents may apply for transfer under RCW 28A.225.220;

(b) Ensure that test scores or annual academic progress assessments and immunization records, together with any other records that are kept relating to the instructional and educational activities provided, are forwarded to any other public or private school to which the child transfers. At the time of a transfer to a public school, the superintendent of the local school district in which the child enrolls may require a standardized achievement test to be administered and shall have the authority to determine the appropriate grade and course level placement of the child after consultation with parents and review of the child's records; and

(c) Ensure that a standardized achievement test approved by the state board of education is administered annually to the child by a qualified individual or that an annual assessment of the student's academic progress is written by a certificated person who is currently working in the field of education. The state board of education shall not require these children to meet the student learning goals((7)) or master the essential academic learning requirements,

to take the assessments (~~(, or to obtain a certificate of academic achievement or a certificate of individual achievement pursuant to RCW 28A.655.061 and 28A.155.045)~~). The standardized test administered or the annual academic progress assessment written shall be made a part of the child's permanent records. If, as a result of the annual test or assessment, it is determined that the child is not making reasonable progress consistent with his or her age or stage of development, the parent shall make a good faith effort to remedy any deficiency.

(2) Failure of a parent to comply with the duties in this section shall be deemed a failure of such parent's child to attend school without valid justification under RCW 28A.225.020. Parents who do comply with the duties set forth in this section shall be presumed to be providing home-based instruction as set forth in RCW 28A.225.010 (4).

Sec. 204. RCW 28A.305.130 and 2013 2nd sp.s. c 22 s 7 are each amended to read as follows:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing,

science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b)(i) Identify the scores students must achieve in order to meet the standard on the statewide student assessment (~~(and, for high school students, to obtain a certificate of academic achievement)~~). The board shall also determine student scores that identify levels of student performance below and beyond the standard. (~~(The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates.)~~) The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose.

(ii) ((By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the tenth grade English language arts assessment and the end-of-course mathematics assessments developed in accordance with RCW 28A.655.070 to be used

as the state transitions to high school assessments developed with a multistate consortium.

(iii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the high school English language arts assessment and the comprehensive mathematics assessment developed with a multistate consortium in accordance with RCW 28A.655.070. To determine the appropriate score, the state board shall review the transition experience of Washington students to the consortium-developed assessments, examine the student scores used in other states that are administering the consortium-developed assessments, and review the scores in other states that require passage of an eleventh grade assessment as a high school graduation requirement. The scores established by the state board of education for the purposes of earning a certificate of academic achievement and graduation from high school may be different from the scores used for the purpose of determining a student's career and college readiness.

~~(iv)~~) The legislature shall be advised of the initial performance standards for the high school statewide student assessment. Any changes recommended by the board in the performance standards for the high school assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature. The legislature shall be advised of the initial performance standards and any changes made to the elementary level performance standards and the middle school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's web site;

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredit, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

Sec. 205. RCW 28A.320.208 and 2013 2nd sp.s. c 22 s 8 are each amended to read as follows:

(1) At the beginning of each school year, school districts must notify parents and guardians of enrolled students from eighth through twelfth grade about each student assessment required by the state, the minimum state-level graduation requirements, and any additional school district graduation requirements. The information may be provided when the student is enrolled, contained in the student or parent handbook, or posted on the school district's web site. The notification must include the following:

(a) When each assessment will be administered;

(b) ((Which assessments will be required for graduation and what options students have to meet graduation requirements if they do not pass a given assessment;

~~(c))~~ Whether the results of the assessment will be used for program placement or grade-level advancement;

~~((d))~~ (c) When the assessment results will be released to parents or guardians and whether there will be an opportunity for parents and teachers to discuss strategic adjustments; and

~~((e))~~ (d) Whether the assessment is required by the school district, state, federal government, or more than one of these entities.

(2) The office of the superintendent of public instruction shall provide information to the school districts to enable the districts to provide the information to the parents and guardians in accordance with subsection (1) of this section.

PART III

ADDITIONAL AND REPEALED PROVISIONS

Sec. 301. RCW 28A.415.360 and 2009 c 548 s 403 are each amended to read as follows:

(1) Subject to funds appropriated for this purpose, targeted professional development programs, to be known as learning improvement days, are authorized to further the development of outstanding mathematics, science, and reading teaching and learning opportunities in the state of Washington. The intent of this section is to provide guidance for the learning improvement days in the omnibus

appropriations act. The learning improvement days authorized in this section shall not be considered part of the definition of basic education.

(2) A school district is eligible to receive funding for learning improvement days that are limited to specific activities related to student learning that contribute to the following outcomes:

(a) Provision of meaningful, targeted professional development for all teachers in mathematics, science, or reading;

(b) Increased knowledge and instructional skill for mathematics, science, or reading teachers;

(c) Increased use of curriculum materials with supporting diagnostic and supplemental materials that align with state standards;

(d) ((Skillful guidance for students participating in alternative assessment activities;

~~(e))~~ Increased rigor of course offerings especially in mathematics, science, and reading;

~~((f))~~ (e) Increased student opportunities for focused, applied mathematics and science classes;

~~((g))~~ (f) Increased student success on state achievement measures; and

~~((h))~~ (g) Increased student appreciation of the value and uses of mathematics, science, and reading knowledge and exploration of related careers.

(3) School districts receiving resources under this section shall submit reports to the superintendent of public instruction documenting how the use of the funds contributes to measurable improvement in the outcomes described under subsection (2) of this section; and how other professional development resources and programs authorized in statute or in the omnibus appropriations act contribute to the expected outcomes. The superintendent of public instruction and the office of financial management shall collaborate on required report content and format.

Sec. 302. RCW 28A.600.310 and 2015 c 202 s 4 are each amended to read as follows:

(1)(a) Eleventh and twelfth grade students or students who have not yet received the credits required for the

award of a high school diploma and are eligible to be in the eleventh or twelfth grades may apply to a participating institution of higher education to enroll in courses or programs offered by the institution of higher education.

(b) The course sections and programs offered as running start courses must also be open for registration to matriculated students at the participating institution of higher education and may not be a course consisting solely of high school students offered at a high school campus.

(c) A student receiving home-based instruction enrolling in a public high school for the sole purpose of participating in courses or programs offered by institutions of higher education shall not be counted by the school district in any required state or federal accountability reporting if the student's parents or guardians filed a declaration of intent to provide home-based instruction and the student received home-based instruction during the school year before the school year in which the student intends to participate in courses or programs offered by the institution of higher education. Students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW shall not be required to meet the student learning goals (~~(, obtain a certificate of academic achievement or a certificate of individual achievement to graduate from high school,)~~) or to master the essential academic learning requirements. However, students are eligible to enroll in courses or programs in participating universities only if the board of directors of the student's school district has decided to participate in the program. Participating institutions of higher education, in consultation with school districts, may establish admission standards for these students. If the institution of higher education accepts a secondary school pupil for enrollment under this section, the institution of higher education shall send written notice to the pupil and the pupil's school district within ten days of acceptance. The notice shall indicate the course and hours of enrollment for that pupil.

(2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020 and 28B.15.041:

(i) Running start students shall pay to the community or technical college all other mandatory fees as established by each community or technical college and,

in addition, the state board for community and technical colleges may authorize a fee of up to ten percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041; and

(ii) All other institutions of higher education operating a running start program may charge running start students a fee of up to ten percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041 in addition to technology fees.

(b) The fees charged under this subsection (2) shall be prorated based on credit load.

(c) Students may pay fees under this subsection with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.

(3)(a) The institutions of higher education must make available fee waivers for low-income running start students. Each institution must establish a written policy for the determination of low-income students before offering the fee waiver. A student shall be considered low income and eligible for a fee waiver upon proof that the student is currently qualified to receive free or reduced-price lunch. Acceptable documentation of low-income status may also include, but is not limited to, documentation that a student has been deemed eligible for free or reduced-price lunches in the last five years, or other criteria established in the institution's policy.

(b) Institutions of higher education, in collaboration with relevant student associations, shall aim to have students who can benefit from fee waivers take advantage of these waivers. Institutions shall make every effort to communicate to students and their families the benefits of the waivers and provide assistance to students and their families on how to apply. Information about waivers shall, to the greatest extent possible, be incorporated into financial aid counseling, admission information, and individual billing statements. Institutions also shall, to the greatest extent possible, use all means of communication, including but not limited to web sites, online catalogues, admission and registration forms, mass email messaging, social media, and outside marketing to ensure that information about waivers is visible, compelling, and

reaches the maximum number of students and families that can benefit.

(4) The pupil's school district shall transmit to the institution of higher education an amount per each full-time equivalent college student at statewide uniform rates for vocational and nonvocational students. The superintendent of public instruction shall separately calculate and allocate moneys appropriated for basic education under RCW 28A.150.260 to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset program related costs. The calculations and allocations shall be based upon the estimated statewide annual average per full-time equivalent high school student allocations under RCW 28A.150.260, excluding small high school enhancements, and applicable rules adopted under chapter 34.05 RCW. The superintendent of public instruction, participating institutions of higher education, and the state board for community and technical colleges shall consult on the calculation and distribution of the funds. The funds received by the institution of higher education from the school district shall not be deemed tuition or operating fees and may be retained by the institution of higher education. A student enrolled under this subsection shall be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus appropriations act.

NEW SECTION. Sec. 303. A new section is added to chapter 28A.655 RCW to read as follows:

To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district must prepare plans for and notify students and their parents or legal guardians as provided in this section. Student learning plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment during the previous school year or who may not be on track to graduate due to credit deficiencies or absences. The parent or legal guardian must be notified about the information in the student learning plan, preferably through a parent conference and at least annually. To the extent feasible, schools serving English language learner students and their

parents must translate the plan into the primary language of the family. The plan must include the following information as applicable:

(1) The student's results on the state assessment;

(2) If the student is in the transitional bilingual instruction program, the score on his or her Washington language proficiency test II;

(3) Any credit deficiencies;

(4) The student's attendance rates over the previous two years;

(5) The student's progress toward meeting state and local graduation requirements;

(6) The courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation;

(7) Remediation strategies and alternative education options available to students, including informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one;

(8) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements; and

(9) Available programs offered through skill centers or community and technical colleges, including the college high school diploma options under RCW 28B.50.535.

NEW SECTION. Sec. 304. The following acts or parts of acts are each repealed:

(1)RCW 28A.600.405 (Participation in high school completion pilot program—Eligible students—Funding allocations—Rules—Information for students and parents) and 2012 1st sp.s. c 10 s 4 & 2007 c 355 s 4;

(2)RCW 28A.655.061 (High school assessment system—Certificate of academic achievement—Exemptions—Options to retake high school assessment—Objective alternative assessment—Student learning plans) and 2015 3rd sp.s. c 42 s 2, 2013 2nd sp.s. c 22 s 2, 2011 1st sp.s. c 22 s 2, 2010 c 244 s 1, 2009 c 524 s 5, & 2008 c 321 s 2;

(3)RCW 28A.655.063 (Objective alternative assessments—Reimbursement of

costs—Testing fee waivers) and 2007 c 354 s 7 & 2006 c 115 s 5;

(4)RCW 28A.655.065 (Objective alternative assessment methods—Appeals from assessment scores—Waivers and appeals from assessment requirements—Rules) and 2009 c 556 s 19, 2008 c 170 s 205, 2007 c 354 s 6, & 2006 c 115 s 1;

(5)RCW 28A.655.066 (Statewide end-of-course assessments for high school mathematics) and 2013 2nd sp.s. c 22 s 3, 2011 c 25 s 2, 2009 c 310 s 3, & 2008 c 163 s 3; and

(6)RCW 28A.655.068 (Statewide high school assessment in science) and 2013 2nd sp.s. c 22 s 4 & 2011 1st sp.s. c 22 s 3.

NEW SECTION. **Sec. 305.** This act applies beginning with the graduating class of 2014.

NEW SECTION. **Sec. 306.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick and Volz.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member and Wilcox.

Referred to Committee on Rules for second reading.

April 3, 2017

ESB 5647 Prime Sponsor, Senator Honeyford: Creating a low-income home rehabilitation revolving loan program. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.330 RCW to read as follows:

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

(1) "Home" means a single-family residential structure.

(2) "Home rehabilitation" means residential repairs and improvements that address health, safety, and durability issues in existing housing in rural areas.

(3) "Homeowner" means a person who owns and resides permanently in the home the person occupies.

(4) "Low-income" means persons or households with income at or below two hundred percent of the federal poverty level as adjusted for family size and determined annually by the federal department of health and human services.

(5) "Rehabilitation agency" means any approved department grantee, tribal nation, or any public service company, municipality, public utility district, mutual or cooperative, or other entity that bears the responsibility for rehabilitating residences under this chapter and has been approved by the department.

(6) "Rural areas" means areas of Washington state defined as non-entitlement areas by the United States department of housing and urban development.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.330 RCW to read as follows:

(1) Subject to availability of amounts appropriated for this specific purpose, the low-income home rehabilitation revolving loan program is created within the department.

(2) The program must include the following elements:

(a) Eligible homeowners must be low-income and live in rural areas.

(b) Homeowners who are senior citizens, persons with disabilities, families with children five years old and younger, and veterans must receive priority for loans.

(c) The cost of the home rehabilitation must be the lesser of eighty percent of the assessed value of the property post rehabilitation or forty thousand dollars.

(d) The maximum amount that may be loaned under this program may not exceed the cost of the home rehabilitation as

provided in (c) of this subsection, and must not result in total loans borrowed against the property equaling more than eighty percent of the assessed value.

(e) The interest rate of the loan must be equal to the previous calendar year's annual average consumer price index compiled by the bureau of labor statistics, United States department of labor.

(f) The department must allow participating homeowners to defer repayment of the loan principal and interest and any fees related to the administration or issuance of the loan. Any amounts deferred pursuant to this section become a lien in favor of the state. The lien is subordinate to liens for general taxes, amounts deferred under chapter 84.37 or 84.38 RCW, or special assessments as defined in RCW 84.38.020. The lien is also subordinate to the first deed of trust or the first mortgage on the real property but has priority over all other privileges, liens, monetary encumbrances, or other security interests affecting the real property, whenever incurred, filed, or recorded. The department must take such necessary action to file and perfect the state's lien. All amounts due under the loan become due and payable upon the sale of the home or upon change in ownership of the home.

(3) All moneys from repayments must be deposited into the low-income home rehabilitation revolving loan program account created in section 4 of this act.

(4) The department must adopt rules for implementation of this program.

NEW SECTION. Sec. 3. A new section is added to chapter 43.330 RCW to read as follows:

(1) The department must contract with rehabilitation agencies to provide home rehabilitation to participating homeowners. Preference must be given to local agencies delivering programs and services with similar eligibility criteria.

(2) Any rehabilitation agency may charge participating homeowners an administrative fee of no more than seven percent of the home rehabilitation loan amount. The administrative fee must become a component of the total loan amount to be repaid by the participating homeowner.

(3) Any rehabilitation agency receiving funding under this section must report to

the department at least quarterly, or in alignment with federal reporting, whichever is the greater frequency, the project costs and the number of homes repaired or rehabilitated. The director must review the accuracy of these reports.

NEW SECTION. Sec. 4. A new section is added to chapter 43.330 RCW to read as follows:

The low-income home rehabilitation revolving loan program account is created in the custody of the state treasury. All transfers and appropriations by the legislature, repayments of loans, private contributions, and all other sources must be deposited into the account. Expenditures from the account may be used only for the purposes of the low-income home rehabilitation revolving loan program created in section 2 of this act. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 5. RCW 43.79A.040 and 2016 c 203 s 2, 2016 c 173 s 10, 2016 c 69 s 21, and 2016 c 39 s 7 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state

general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation revolving loan program account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced

cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section."

Correct the title.

Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Dye; Johnson; Kraft; Macri; Morris; Reeves; Ryu; Sells; Steele; Stonier; Walsh, J. Koster, Member.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5661

Prime Sponsor, Senator Rolfes: Addressing interruptive service credit for members of the law enforcement officers' and fire fighters' retirement system. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The law enforcement officers' and firefighters'

plan 2 retirement board shall study the requirement that members of plan 2 that are veterans make member contributions to the retirement plan for service credit in cases where the member left employment to serve during a specific conflict, but was not awarded a campaign badge or medal. The conflicts include: The crisis in Lebanon, the invasion of Grenada, Operation Just Cause in Panama, Operation Restore Hope in Somalia, Operation Uphold Democracy in Haiti, Operation Joint Endeavor in Bosnia, Operation Noble Eagle, Operation Enduring Freedom in Southern or Central Asia, and Operation Iraqi Freedom. The board shall work with the department of retirement systems and the military department to estimate the number of additional members that could become eligible for service credit without contributions, estimate the number of members that may be eligible for refunds if such a policy extended to past service credit purchases, and estimate the costs to the plan that would result from such policy changes. The board shall report the findings of the study to the appropriate committees of the legislature by January 1, 2018.

NEW SECTION. **Sec. 2.** Section 1 of this act is added to chapter 41.26 RCW, but because of its temporary nature, shall not be codified."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Stokesbary, Assistant Ranking Minority Member and Vick.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5713 Prime Sponsor, Committee on Higher Education: Creating the skilled worker outreach, recruitment, and career awareness training program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen,

Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5715 Prime Sponsor, Senator Rivers: Limiting nursing home direct care payment adjustments to the lowest case mix weights in the reduced physical function groups and authorizing upward adjustments to case mix weights in the cognitive and behavior groups. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 74.46.485 and 2011 1st sp.s. c 7 s 4 are each amended to read as follows:

(1) The legislature recognizes that staff and resources needed to adequately care for individuals with cognitive or behavioral impairments is not limited to support for activities of daily living. Therefore, the department shall:

(a) Employ the resource utilization group (~~(III)~~) IV case mix classification methodology. The department shall use the (~~(forty-four)~~) fifty-seven group index maximizing model for the resource utilization group (~~(III)~~) IV grouper version (~~(5.10)~~) MDS 3.05, but the department may revise or update the classification methodology to reflect advances or refinements in resident assessment or classification, subject to federal requirements. The department may adjust by no more than thirteen percent the case mix index for (~~(any of the lowest ten)~~) resource utilization group categories beginning with PA1 through (~~(PB2)~~) PB2 to any case mix index that aids in achieving the purpose and intent of RCW 74.39A.007 and cost-efficient care, excluding behaviors, and allowing for exceptions for limited placement options; and

(b) Implement minimum data set 3.0 under the authority of this section (~~(and~~

~~RCW 74.46.431(3)~~). The department must notify nursing home contractors twenty-eight days in advance the date of implementation of the minimum data set 3.0. In the notification, the department must identify for all semiannual rate settings following the date of minimum data set 3.0 implementation a previously established semiannual case mix adjustment established for the semiannual rate settings that will be used for semiannual case mix calculations in direct care until minimum data set 3.0 is fully implemented.

(2) The department is authorized to adjust upward the weights for resource utilization groups BA1-BB2 related to cognitive or behavioral health to ensure adequate access to appropriate levels of care.

(3) A default case mix group shall be established for cases in which the resident dies or is discharged for any purpose prior to completion of the resident's initial assessment. The default case mix group and case mix weight for these cases shall be designated by the department.

~~((3))~~ (4) A default case mix group may also be established for cases in which there is an untimely assessment for the resident. The default case mix group and case mix weight for these cases shall be designated by the department.

Sec. 2. RCW 74.46.561 and 2016 c 131 s 1 are each amended to read as follows:

(1) The legislature adopts a new system for establishing nursing home payment rates beginning July 1, 2016. Any payments to nursing homes for services provided after June 30, 2016, must be based on the new system. The new system must be designed in such a manner as to decrease administrative complexity associated with the payment methodology, reward nursing homes providing care for high acuity residents, incentivize quality care for residents of nursing homes, and establish minimum staffing standards for direct care.

(2) The new system must be based primarily on industry-wide costs, and have three main components: Direct care, indirect care, and capital.

(3) The direct care component must include the direct care and therapy care components of the previous system, along with food, laundry, and dietary services. Direct care must be paid at a fixed rate, based on one hundred percent or greater of

statewide case mix neutral median costs, but shall be set so that a nursing home provider's direct care rate does not exceed one hundred eighteen percent of its base year's direct care allowable costs except if the provider is below the minimum staffing standard established in RCW 74.42.360(2). Direct care must be performance-adjusted for acuity every six months, using case mix principles. Direct care must be regionally adjusted using county wide wage index information available through the United States department of labor's bureau of labor statistics. There is no minimum occupancy for direct care. The direct care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(4) The indirect care component must include the elements of administrative expenses, maintenance costs, and housekeeping services from the previous system. A minimum occupancy assumption of ninety percent must be applied to indirect care. Indirect care must be paid at a fixed rate, based on ninety percent or greater of statewide median costs. The indirect care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(5) The capital component must use a fair market rental system to set a price per bed. The capital component must be adjusted for the age of the facility, and must use a minimum occupancy assumption of ninety percent.

(a) Beginning July 1, 2016, the fair rental rate allocation for each facility must be determined by multiplying the allowable nursing home square footage in (c) of this subsection by the RS means rental rate in (d) of this subsection and by the number of licensed beds yielding the gross unadjusted building value. An equipment allowance of ten percent must be added to the unadjusted building value. The sum of the unadjusted building value and equipment allowance must then be reduced by the average age of the facility as determined by (e) of this subsection using a depreciation rate of one and one-half percent. The depreciated building and equipment plus land valued at ten percent of the gross unadjusted building value before depreciation must then be multiplied by the rental rate at seven and one-half percent to yield an allowable

fair rental value for the land, building, and equipment.

(b) The fair rental value determined in (a) of this subsection must be divided by the greater of the actual total facility census from the prior full calendar year or imputed census based on the number of licensed beds at ninety percent occupancy.

(c) For the rate year beginning July 1, 2016, all facilities must be reimbursed using four hundred square feet. For the rate year beginning July 1, 2017, allowable nursing facility square footage must be determined using the total nursing facility square footage as reported on the medicaid cost reports submitted to the department in compliance with this chapter. The maximum allowable square feet per bed may not exceed four hundred fifty.

(d) Each facility must be paid at eighty-three percent or greater of the median nursing facility RS means construction index value per square foot for Washington state. The department may use updated RS means construction index information when more recent square footage data becomes available. The statewide value per square foot must be indexed based on facility zip code by multiplying the statewide value per square foot times the appropriate zip code based index. For the purpose of implementing this section, the value per square foot effective July 1, 2016, must be set so that the weighted average FRV [fair rental value] rate is not less than ten dollars and eighty cents ppd [per patient day]. The capital component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(e) The average age is the actual facility age reduced for significant renovations. Significant renovations are defined as those renovations that exceed two thousand dollars per bed in a calendar year as reported on the annual cost report submitted in accordance with this chapter. For the rate beginning July 1, 2016, the department shall use renovation data back to 1994 as submitted on facility cost reports. Beginning July 1, 2016, facility ages must be reduced in future years if the value of the renovation completed in any year exceeds two thousand dollars times the number of licensed beds. The cost of the renovation must be divided by the accumulated depreciation per bed in the year of the renovation to determine the equivalent number of new replacement beds. The new age for the facility is a

weighted average with the replacement bed equivalents reflecting an age of zero and the existing licensed beds, minus the new bed equivalents, reflecting their age in the year of the renovation. At no time may the depreciated age be less than zero or greater than forty-four years.

(f) A nursing facility's capital component rate allocation must be rebased annually, effective July 1, 2016, in accordance with this section and this chapter.

(6) A quality incentive must be offered as a rate enhancement beginning July 1, 2016.

(a) An enhancement no larger than five percent and no less than one percent of the statewide average daily rate must be paid to facilities that meet or exceed the standard established for the quality incentive. All providers must have the opportunity to earn the full quality incentive payment.

(b) The quality incentive component must be determined by calculating an overall facility quality score composed of four to six quality measures. For fiscal year 2017 there shall be four quality measures, and for fiscal year 2018 there shall be six quality measures. Initially, the quality incentive component must be based on minimum data set quality measures for the percentage of long-stay residents who self-report moderate to severe pain, the percentage of high-risk long-stay residents with pressure ulcers, the percentage of long-stay residents experiencing one or more falls with major injury, and the percentage of long-stay residents with a urinary tract infection. Quality measures must be reviewed on an annual basis by a stakeholder work group established by the department. Upon review, quality measures may be added or changed. The department may risk adjust individual quality measures as it deems appropriate.

(c) The facility quality score must be point based, using at a minimum the facility's most recent available three-quarter average CMS [centers for medicare and medicaid services] quality data. Point thresholds for each quality measure must be established using the corresponding statistical values for the quality measure (QM) point determinants of eighty QM points, sixty QM points, forty QM points, and twenty QM points, identified in the most recent available five-star quality rating system technical user's guide

published by the center for medicare and medicaid services.

(d) Facilities meeting or exceeding the highest performance threshold (top level) for a quality measure receive twenty-five points. Facilities meeting the second highest performance threshold receive twenty points. Facilities meeting the third level of performance threshold receive fifteen points. Facilities in the bottom performance threshold level receive no points. Points from all quality measures must then be summed into a single aggregate quality score for each facility.

(e) Facilities receiving an aggregate quality score of eighty percent of the overall available total score or higher must be placed in the highest tier (tier V), facilities receiving an aggregate score of between seventy and seventy-nine percent of the overall available total score must be placed in the second highest tier (tier IV), facilities receiving an aggregate score of between sixty and sixty-nine percent of the overall available total score must be placed in the third highest tier (tier III), facilities receiving an aggregate score of between fifty and fifty-nine percent of the overall available total score must be placed in the fourth highest tier (tier II), and facilities receiving less than fifty percent of the overall available total score must be placed in the lowest tier (tier I).

(f) The tier system must be used to determine the amount of each facility's per patient day quality incentive component. The per patient day quality incentive component for tier IV is seventy-five percent of the per patient day quality incentive component for tier V, the per patient day quality incentive component for tier III is fifty percent of the per patient day quality incentive component for tier V, and the per patient day quality incentive component for tier II is twenty-five percent of the per patient day quality incentive component for tier V. Facilities in tier I receive no quality incentive component.

(g) Tier system payments must be set in a manner that ensures that the entire biennial appropriation for the quality incentive program is allocated.

(h) Facilities with insufficient three-quarter average CMS [centers for medicare and medicaid services] quality data must be assigned to the tier corresponding to their five-star quality rating. Facilities

with a five-star quality rating must be assigned to the highest tier (tier V) and facilities with a one-star quality rating must be assigned to the lowest tier (tier I). The use of a facility's five-star quality rating shall only occur in the case of insufficient CMS [centers for medicare and medicaid services] minimum data set information.

(i) The quality incentive rates must be adjusted semiannually on July 1 and January 1 of each year using, at a minimum, the most recent available three-quarter average CMS [centers for medicare and medicaid services] quality data.

(j) Beginning July 1, 2017, the percentage of short-stay residents who newly received an antipsychotic medication must be added as a quality measure. The department must determine the quality incentive thresholds for this quality measure in a manner consistent with those outlined in (b) through (h) of this subsection using the centers for medicare and medicaid services quality data.

(k) Beginning July 1, 2017, the percentage of direct care staff turnover must be added as a quality measure using the centers for medicare and medicaid services' payroll-based journal and nursing home facility payroll data. Turnover is defined as an employee departure. The department must determine the quality incentive thresholds for this quality measure using data from the centers for medicare and medicaid services' payroll-based journal, unless such data is not available, in which case the department shall use direct care staffing turnover data from the most recent medicaid cost report.

(7) Reimbursement of the safety net assessment imposed by chapter 74.48 RCW and paid in relation to medicaid residents must be continued.

(8) The direct care and indirect care components must be rebased in even-numbered years, beginning with rates paid on July 1, 2016. Rates paid on July 1, 2016, must be based on the 2014 calendar year cost report. On a percentage basis, after rebasing, the department must confirm that the statewide average daily rate has increased at least as much as the average rate of inflation, as determined by the skilled nursing facility market basket index published by the centers for medicare and medicaid services, or a comparable index. If after rebasing, the percentage increase to the statewide

average daily rate is less than the average rate of inflation for the same time period, the department is authorized to increase rates by the difference between the percentage increase after rebasing and the average rate of inflation.

(9) The direct care component provided in subsection (3) of this section is subject to the reconciliation and settlement process provided in RCW 74.46.022(6). Beginning July 1, 2016, pursuant to rules established by the department, funds that are received through the reconciliation and settlement process provided in RCW 74.46.022(6) must be used for technical assistance, specialized training, or an increase to the quality enhancement established in subsection (6) of this section. The legislature intends to review the utility of maintaining the reconciliation and settlement process under a price-based payment methodology, and may discontinue the reconciliation and settlement process after the 2017-2019 fiscal biennium.

(10) Compared to the rate in effect June 30, 2016, including all cost components and rate add-ons, no facility may receive a rate reduction of more than one percent on July 1, 2016, more than two percent on July 1, 2017, or more than five percent on July 1, 2018. To ensure that the appropriation for nursing homes remains cost neutral, the department is authorized to cap the rate increase for facilities in fiscal years 2017, 2018, and 2019.

NEW SECTION. **Sec. 3.** If specific funding for the purpose of this act, referencing the act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

April 4, 2017

2SSB 5749 Prime Sponsor, Committee on Ways & Means: Concerning paperwork reduction in order to improve the availability of mental health services to protect children and families. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Early Learning & Human Services.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that a prioritized recommendation of the children's mental health work group, as reported in December 2016, is to reduce burdensome and duplicative paperwork requirements for providers of children's mental health services. This recommendation is consistent with the recommendations of the behavioral health workforce assessment of the workforce training and education coordinating board to reduce time-consuming documentation requirements and the behavioral and primary health regulatory alignment task force to streamline regulations and reduce the time spent responding to inefficient and excessive audits.

The legislature further finds that duplicative and overly prescriptive documentation and audit requirements negatively impact the adequacy of the provider network by reducing workforce morale and limiting the time available for patient care. Such requirements create costly barriers to the efficient provision of services for children and their families. The legislature also finds that current state regulations are often duplicative or conflicting with research-based models and other state-mandated treatment models intended to improve the quality of services and ensure positive outcomes. These barriers can be reduced while creating a greater emphasis on quality, outcomes, and safety.

The legislature further finds that social service specialists and other direct service staff with the children's administration who are serving children are encumbered by burdensome paperwork requirements which can interfere with the effective delivery of services.

Therefore, the legislature intends to require the department of social and health services to take steps to reduce paperwork, documentation, and audit requirements that are inefficient or

duplicative for social service specialists and other direct service staff with the children's administration who serve children and for providers of mental health services to children and families, and to encourage the use of effective treatment models to improve the quality of services.

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

(1) Subject to the availability of amounts appropriated for this specific purpose, the department must immediately perform a review of its rules, policies, and procedures related to the documentation requirements for behavioral health services and identify areas in which duplicative or inefficient documentation requirements can be eliminated or streamlined for providers. Rules adopted by the department relating to the provision of behavioral health services must:

(a) Limit prescriptive requirements for individual initial assessments to allow clinicians to exercise professional judgment to conduct age-appropriate, strength-based psychosocial assessments, including current needs and relevant history according to current best practices;

(b) By April 1, 2018, provide a single set of regulations for agencies to follow that provide mental health, substance use disorder, and co-occurring treatment services;

(c) Exempt providers from duplicative state documentation requirements when the provider is following documentation requirements of an evidence-based, research-based, or state-mandated program that provides adequate protection for patient safety; and

(d) Be clear and not unduly burdensome in order to maximize the time available for the provision of care.

(2) Subject to the availability of amounts appropriated for this specific purpose, audits conducted by the department relating to provision of behavioral health services must:

(a) Rely on a sampling methodology to conduct reviews of personnel files and clinical records based on written guidelines established by the department that are consistent with the standards of other licensing and accrediting bodies;

(b) Treat organizations with multiple locations as a single entity. The department must not require annual visits at all locations operated by a single entity when a sample of records may be reviewed from a centralized location;

(c) Share audit results with behavioral health organizations to assist with their review process and, when appropriate, take steps to coordinate and combine audit activities;

(d) Coordinate audit functions between the department and the department of health to combine audit activities into a single site visit and eliminate redundancies;

(e) Not require information to be provided in particular documents or locations when the same information is included or demonstrated elsewhere in the clinical file, except where required by federal law; and

(f) Ensure that audits involving manualized programs such as wraparound with intensive services or other evidence or research-based programs are conducted to the extent practicable by personnel familiar with the program model and in a manner consistent with the documentation requirements of the program.

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

(1) Subject to the availability of amounts appropriated for this specific purpose, the health care authority must immediately perform a review of its rules, policies, and procedures related to the documentation requirements for behavioral health services. Rules adopted by the health care authority relating to the provision of behavioral health services must:

(a) Identify areas in which duplicative or inefficient documentation requirements can be eliminated or streamlined for providers;

(b) Limit prescriptive requirements for individual initial assessments to allow clinicians to exercise professional judgment to conduct age-appropriate, strength-based psychosocial assessments, including current needs and relevant history according to current best practices;

(c) By April 1, 2018, provide a single set of regulations for agencies to follow that provide mental health, substance use

disorder, and co-occurring treatment services;

(d) Exempt providers from duplicative state documentation requirements when the provider is following documentation requirements of an evidence-based, research-based, or state-mandated program that provides adequate protection for patient safety; and

(e) Be clear and not unduly burdensome in order to maximize the time available for the provision of care.

(2) Subject to the availability of amounts appropriated for this specific purpose, audits conducted by the health care authority relating to provision of behavioral health services must:

(a) Rely on a sampling methodology to conduct reviews of personnel files and clinical records based on written guidelines established by the health care authority that are consistent with the standards of other licensing and accrediting bodies;

(b) Treat organizations with multiple locations as a single entity. The health care authority must not require annual visits at all locations operated by a single entity when a sample of records may be reviewed from a centralized location;

(c) Share audit results with behavioral health organizations to assist with their review process and, when appropriate, take steps to coordinate and combine audit activities;

(d) Coordinate audit functions between the health care authority and the department of health to combine audit activities into a single site visit and eliminate redundancies;

(e) Not require information to be provided in particular documents or locations when the same information is included or demonstrated elsewhere in the clinical file, except where required by federal law; and

(f) Ensure that audits involving manualized programs such as wraparound with intensive services or other evidence or research-based programs are conducted to the extent practicable by personnel familiar with the program model and in a manner consistent with the documentation requirements of the program.

NEW SECTION. Sec. 4. (1) Subject to the availability of amounts appropriated for this specific purpose, the department

of social and health services must immediately perform a review of casework documentation and paperwork requirements for social service specialists and other direct service staff with the children's administration who provide services to children. The review must identify areas in which duplicative or inefficient documentation and paperwork requirements can be eliminated or streamlined in order to allow social service specialists and other direct service staff with the children's administration to spend greater amounts of time and attention on direct services to children and their families. The department must complete the review by November 1, 2017. Upon completion of the review, the department must take immediate steps to amend department rules and procedures accordingly.

(2) This section expires December 31, 2018.

NEW SECTION. Sec. 5. Section 2 of this act takes effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 6. Section 3 of this act takes effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5762

Prime Sponsor, Senator Hunt: Concerning financing of the mercury-containing light stewardship program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Environment. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5778 Prime Sponsor, Senator Wilson: Modifying the definition of resident student to comply with the federal requirements established by the veterans access, choice, and accountability act of 2014. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5779 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Concerning behavioral health integration in primary care. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** Health transformation in Washington state requires a multifaceted approach to implement sustainable solutions for the integration of behavioral and physical health. Effective integration requires a holistic approach and cannot be limited to one strategy or model. Bidirectional integration of primary care and behavioral health is a foundational strategy to reduce health disparities and provide better care coordination for patients

regardless of where they choose to receive care.

An important component to health care integration supported both by research and experience in Washington is primary care behavioral health, a model in which behavioral health providers, sometimes called behavioral health consultants, are fully integrated in primary care. The primary care behavioral health model originated more than two decades ago, has become standard practice nationally in patient centered medical homes, and has been endorsed as a viable integration strategy by Washington's Dr. Robert J. Bree Collaborative.

Primary care settings are a gateway for many individuals with behavioral health and primary care needs. An estimated one in four primary care patients have an identifiable behavioral health need and as many as seventy percent of primary care visits are impacted by a psychosocial component. A behavioral health consultant engages primary care patients and their caregivers on the same day as a medical visit, often in the same exam room. This warm hand-off approach fosters coordinated whole-person care, increases access to behavioral health services, and reduces stigma and cultural barriers in a cost-effective manner. Patients are provided evidence-based brief interventions and skills training, with more severe needs being effectively engaged, assessed, and referred to appropriate specialized care.

While the benefits of primary care behavioral health are not restricted to children, the primary care behavioral health model also provides a unique opportunity to engage children who have a strong relationship with primary care, identify problems early, and assure healthy development. Investment in primary care behavioral health creates opportunities for prevention and early detection that pay dividends throughout the life cycle.

The legislature also recognizes that for individuals with more complex behavioral health disorders, there are tremendous barriers to accessing primary care. Whole-person care in behavioral health is an evidence-based model for integrating primary care into behavioral health settings where these patients already receive care. Health disparities among people with behavioral health disorders have been well-documented for decades. People with serious mental illness or substance use disorders

continue to experience multiple chronic health conditions and dramatically reduced life expectancy while also constituting one of the highest-cost and highest-risk populations. Two-thirds of premature deaths are due to preventable or treatable medical conditions such as cardiovascular, pulmonary, and infectious diseases, and forty-four percent of all cigarettes consumed nationally are smoked by people with serious mental illness.

The whole-person care in behavioral health model allows behavioral health providers to take responsibility for managing the full array of physical health needs, providing routine basic health screening, and ensuring integrated primary care by actively coordinating with or providing on-site primary care services.

Providers in Washington need guidance on how to effectively implement bidirectional integration models in a manner that is also financially sustainable. Payment methodologies must be scrutinized to remove nonessential restrictions and limitations that restrict the scope of practice of behavioral health professionals, impede same-day billing for behavioral health and primary care services, abet billing errors, and stymie innovation that supports wellness and health integration.

NEW SECTION. Sec. 2. A new section is added to chapter 74.09 RCW to read as follows:

(1) By August 1, 2017, the authority must complete a review of payment codes available to health plans and providers related to primary care and behavioral health. The review must include adjustments to payment rules if needed to facilitate bidirectional integration. The review must involve stakeholders and include consideration of the following principles to the extent allowed by federal law:

(a) Payment rules must allow professionals to operate within the full scope of their practice;

(b) Payment rules should allow medically necessary behavioral health services for covered patients to be provided in any setting;

(c) Payment rules should allow medically necessary primary care services for covered patients to be provided in any setting;

(d) Payment rules and provider communications related to payment should facilitate integration of physical and behavioral health services through multifaceted models, including primary care behavioral health, whole-person care in behavioral health, collaborative care, and other models;

(e) Payment rules should be designed liberally to encourage innovation and ease future transitions to more integrated models of payment and more integrated models of care;

(f) Payment rules should allow health and behavior codes to be reimbursed for all patients in primary care settings as provided by any licensed behavioral health professional operating within their scope of practice, including but not limited to psychiatrists, psychologists, psychiatric advanced registered nurse professionals, physician assistants working with a supervising psychiatrist, psychiatric nurses, mental health counselors, social workers, chemical dependency professionals, chemical dependency professional trainees, marriage and family therapists, and mental health counselor associates under the supervision of a licensed clinician;

(g) Payment rules should allow health and behavior codes to be reimbursed for all patients in behavioral health settings as provided by any licensed health care provider within the provider's scope of practice;

(h) Payment rules which limit same-day billing for providers using the same provider number, require prior authorization for low-level or routine behavioral health care, or prohibit payment when the patient is not present should be implemented only when consistent with national coding conventions and consonant with accepted best practices in the field.

(2) Concurrent with the review described in subsection (1) of this section, the authority must create matrices listing the following codes available for provider payment through medical assistance programs: All behavioral health-related codes; and all physical health-related codes available for payment when provided in licensed behavioral health agencies. The authority must clearly explain applicable payment rules in order to increase awareness among providers, standardize billing practices, and reduce common and avoidable billing

errors. The authority must disseminate this information in a manner calculated to maximally reach all relevant plans and providers. The authority must update the provider billing guide to maintain consistency of information.

(3) The authority must inform the governor and relevant committees of the legislature by letter of the steps taken pursuant to this section and results achieved once the work has been completed.

NEW SECTION. Sec. 3. A new section is added to chapter 74.09 RCW to read as follows:

(1) By August 1, 2017, the authority must complete a review of payment codes available to health plans and providers related to primary care and behavioral health. The review must include adjustments to payment rules if needed to facilitate bidirectional integration. The review must involve stakeholders and include consideration of the following principles to the extent allowed by federal law:

(a) Payment rules must allow professionals to operate within the full scope of their practice;

(b) Payment rules should allow medically necessary behavioral health services for covered patients to be provided in any setting;

(c) Payment rules should allow medically necessary primary care services for covered patients to be provided in any setting;

(d) Payment rules and provider communications related to payment should facilitate integration of physical and behavioral health services through multifaceted models, including primary care behavioral health, whole-person care in behavioral health, collaborative care, and other models;

(e) Payment rules should be designed liberally to encourage innovation and ease future transitions to more integrated models of payment and more integrated models of care;

(f) Payment rules should allow health and behavior codes to be reimbursed for all patients in primary care settings as provided by any licensed behavioral health professional operating within their scope of practice, including but not limited to psychiatrists, psychologists, psychiatric advanced registered nurse professionals, physician assistants working with a

supervising psychiatrist, psychiatric nurses, mental health counselors, social workers, substance use disorder professionals, substance use disorder professional trainees, marriage and family therapists, and mental health counselor associates under the supervision of a licensed clinician;

(g) Payment rules should allow health and behavior codes to be reimbursed for all patients in behavioral health settings as provided by any licensed health care provider within the provider's scope of practice;

(h) Payment rules which limit same-day billing for providers using the same provider number, require prior authorization for low-level or routine behavioral health care, or prohibit payment when the patient is not present should be implemented only when consistent with national coding conventions and consonant with accepted best practices in the field.

(2) Concurrent with the review described in subsection (1) of this section, the authority must create matrices listing the following codes available for provider payment through medical assistance programs: All behavioral health-related codes; and all physical health-related codes available for payment when provided in licensed behavioral health agencies. The authority must clearly explain applicable payment rules in order to increase awareness among providers, standardize billing practices, and reduce common and avoidable billing errors. The authority must disseminate this information in a manner calculated to maximally reach all relevant plans and providers. The authority must update the provider billing guide to maintain consistency of information.

(3) The authority must inform the governor and relevant committees of the legislature by letter of the steps taken pursuant to this section and results achieved once the work has been completed.

NEW SECTION. Sec. 4. A new section is added to chapter 74.09 RCW to read as follows:

(1) For children who are eligible for medical assistance and who have been identified as requiring mental health treatment, the authority must oversee the coordination of resources and services through (a) the managed health care system as defined in RCW 74.09.325 and (b) tribal organizations providing health care

services. The authority must ensure the child receives treatment and appropriate care based on their assessed needs, regardless of whether the referral occurred through primary care, school-based services, or another practitioner.

(2) The authority must require each managed health care system as defined in RCW 74.09.325 and each behavioral health organization to develop and maintain adequate capacity to facilitate child mental health treatment services in the community or transfers to a behavioral health organization, depending on the level of required care. Managed health care systems and behavioral health organizations must:

(a) Follow up with individuals to ensure an appointment has been secured;

(b) Coordinate with and report back to primary care provider offices on individual treatment plans and medication management, in accordance with patient confidentiality laws;

(c) Provide information to health plan members and primary care providers about the behavioral health resource line available twenty-four hours a day, seven days a week; and

(d) Maintain an accurate list of providers contracted to provide mental health services to children and youth. The list must contain current information regarding the providers' availability to provide services. The current list must be made available to health plan members and primary care providers.

(3) This section expires June 30, 2020.

Sec. 5. RCW 74.09.010 and 2013 2nd sp.s. c 10 s 8 are each amended to read as follows:

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

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

(2) "Bidirectional integration" means integrating behavioral health services into primary care settings and integrating primary care services into behavioral health settings.

(3) "Children's health program" means the health care services program provided to children under eighteen years of age and in households with incomes at or below the federal poverty level as annually defined by the federal department of

health and human services as adjusted for family size, and who are not otherwise eligible for medical assistance or the limited casualty program for the medically needy.

~~((3))~~ (4) "Chronic care management" means the health care management within a health home of persons identified with, or at high risk for, one or more chronic conditions. Effective chronic care management:

(a) Actively assists patients to acquire self-care skills to improve functioning and health outcomes, and slow the progression of disease or disability;

(b) Employs evidence-based clinical practices;

(c) Coordinates care across health care settings and providers, including tracking referrals;

(d) Provides ready access to behavioral health services that are, to the extent possible, integrated with primary care; and

(e) Uses appropriate community resources to support individual patients and families in managing chronic conditions.

~~((4))~~ (5) "Chronic condition" means a prolonged condition and includes, but is not limited to:

(a) A mental health condition;

(b) A substance use disorder;

(c) Asthma;

(d) Diabetes;

(e) Heart disease; and

(f) Being overweight, as evidenced by a body mass index over twenty-five.

~~((5))~~ (6) "County" means the board of county commissioners, county council, county executive, or tribal jurisdiction, or its designee.

~~((6))~~ (7) "Department" means the department of social and health services.

~~((7))~~ (8) "Department of health" means the Washington state department of health created pursuant to RCW 43.70.020.

~~((8))~~ (9) "Director" means the director of the Washington state health care authority.

~~((9))~~ (10) "Full benefit dual eligible beneficiary" means an individual

who, for any month: Has coverage for the month under a medicare prescription drug plan or medicare advantage plan with part D coverage; and is determined eligible by the state for full medicaid benefits for the month under any eligibility category in the state's medicaid plan or a section 1115 demonstration waiver that provides pharmacy benefits.

~~((10))~~ (11) "Health home" or "primary care health home" means coordinated health care provided by a licensed primary care provider coordinating all medical care services, and a multidisciplinary health care team comprised of clinical and nonclinical staff. The term "coordinating all medical care services" shall not be construed to require prior authorization by a primary care provider in order for a patient to receive treatment for covered services by an optometrist licensed under chapter 18.53 RCW. Primary care health home services shall include those services defined as health home services in 42 U.S.C. Sec. 1396w-4 and, in addition, may include, but are not limited to:

(a) Comprehensive care management including, but not limited to, chronic care treatment and management;

(b) Extended hours of service;

(c) Multiple ways for patients to communicate with the team, including electronically and by phone;

(d) Education of patients on self-care, prevention, and health promotion, including the use of patient decision aids;

(e) Coordinating and assuring smooth transitions and follow-up from inpatient to other settings;

(f) Individual and family support including authorized representatives;

(g) The use of information technology to link services, track tests, generate patient registries, and provide clinical data; and

(h) Ongoing performance reporting and quality improvement.

~~((11))~~ (12) "Internal management" means the administration of medical assistance, medical care services, the children's health program, and the limited casualty program.

~~((12))~~ (13) "Limited casualty program" means the medical care program provided to medically needy persons as defined under Title XIX of the federal

social security act, and to medically indigent persons who are without income or resources sufficient to secure necessary medical services.

~~((13))~~ (14) "Medical assistance" means the federal aid medical care program provided to categorically needy persons as defined under Title XIX of the federal social security act.

~~((14))~~ (15) "Medical care services" means the limited scope of care financed by state funds and provided to persons who are not eligible for medicaid under RCW 74.09.510 and who are eligible for the aged, blind, or disabled assistance program authorized in RCW 74.62.030 or the essential needs and housing support program pursuant to RCW 74.04.805.

~~((15))~~ (16) "Multidisciplinary health care team" means an interdisciplinary team of health professionals which may include, but is not limited to, medical specialists, nurses, pharmacists, nutritionists, dieticians, social workers, behavioral and mental health providers including substance use disorder prevention and treatment providers, doctors of chiropractic, physical therapists, licensed complementary and alternative medicine practitioners, home care and other long-term care providers, and physicians' assistants.

~~((16))~~ (17) "Nursing home" means nursing home as defined in RCW 18.51.010.

~~((17))~~ (18) "Poverty" means the federal poverty level determined annually by the United States department of health and human services, or successor agency.

~~((18))~~ (19) "Primary care behavioral health" means a health care integration model in which behavioral health care is colocated, collaborative, and integrated within a primary care setting.

(20) "Primary care provider" means a general practice physician, family practitioner, internist, pediatrician, ~~((osteopath))~~ osteopathic physician, naturopath, physician assistant, osteopathic physician assistant, and advanced registered nurse practitioner licensed under Title 18 RCW.

~~((19))~~ (21) "Secretary" means the secretary of social and health services.

(22) "Whole-person care in behavioral health" means a health care integration model in which primary care services are integrated into a behavioral health

setting either through colocation or community-based care management.

Sec. 6. RCW 74.09.495 and 2016 c 96 s 3 are each amended to read as follows:

To better assure and understand issues related to network adequacy and access to services, the authority and the department shall report to the appropriate committees of the legislature by December 1, 2017, and annually thereafter, on the status of access to behavioral health services for children birth through age seventeen using data collected pursuant to RCW 70.320.050.

(1) At a minimum, the report must include the following components broken down by age, gender, and race and ethnicity:

~~((1))~~ (a) The percentage of discharges for patients ages six through seventeen who had a visit to the emergency room with a primary diagnosis of mental health or alcohol or other drug dependence during the measuring year and who had a follow-up visit with any provider with a corresponding primary diagnosis of mental health or alcohol or other drug dependence within thirty days of discharge;

~~((2))~~ (b) The percentage of health plan members with an identified mental health need who received mental health services during the reporting period; and

~~((3))~~ (c) The percentage of children served by behavioral health organizations, including the types of services provided.

(2) The report must also include the number of children's mental health providers available in the previous year, the languages spoken by those providers, and the overall percentage of children's mental health providers who were actively accepting new patients.

NEW SECTION. Sec. 7. A new section is added to chapter 74.09 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, in order to increase the availability of behavioral health services and incentivize adoption of the primary care behavioral health model, the authority must establish a methodology and rate which provides increased reimbursement to providers for behavioral health services provided to patients in primary care settings.

Sec. 8. RCW 70.320.020 and 2014 c 225 s 107 are each amended to read as follows:

(1) The authority and the department shall base contract performance measures developed under RCW 70.320.030 on the following outcomes when contracting with service contracting entities: Improvements in client health status and wellness; increases in client participation in meaningful activities; reductions in client involvement with criminal justice systems; reductions in avoidable costs in hospitals, emergency rooms, crisis services, and jails and prisons; increases in stable housing in the community; improvements in client satisfaction with quality of life; and reductions in population-level health disparities.

(2) The performance measures must demonstrate the manner in which the following principles are achieved within each of the outcomes under subsection (1) of this section:

(a) Maximization of the use of evidence-based practices will be given priority over the use of research-based and promising practices, and research-based practices will be given priority over the use of promising practices. The agencies will develop strategies to identify programs that are effective with ethnically diverse clients and to consult with tribal governments, experts within ethnically diverse communities and community organizations that serve diverse communities;

(b) The maximization of the client's independence, recovery, and employment;

(c) The maximization of the client's participation in treatment decisions; and

(d) The collaboration between consumer-based support programs in providing services to the client.

(3) In developing performance measures under RCW 70.320.030, the authority and the department shall consider expected outcomes relevant to the general populations that each agency serves. The authority and the department may adapt the outcomes to account for the unique needs and characteristics of discrete subcategories of populations receiving services, including ethnically diverse communities.

(4) The authority and the department shall coordinate the establishment of the expected outcomes and the performance measures between each agency as well as each program to identify expected outcomes and performance measures that are common

to the clients enrolled in multiple programs and to eliminate conflicting standards among the agencies and programs.

(5) (a) The authority and the department shall establish timelines and mechanisms for service contracting entities to report data related to performance measures and outcomes, including phased implementation of public reporting of outcome and performance measures in a form that allows for comparison of performance measures and levels of improvement between geographic regions of Washington.

(b) The authority and the department may not release any public reports of client outcomes unless the data (~~have~~ ~~has~~) has been deidentified and aggregated in such a way that the identity of individual clients cannot be determined through directly identifiable data or the combination of multiple data elements.

(6) The authority and department must establish a performance measure to be integrated into the statewide common measure set which tracks effective integration practices of behavioral health services in primary care settings.

NEW SECTION. Sec. 9. RCW 18.205.040 (Use of title) and 2014 c 225 s 108, 2008 c 135 s 17, & 1998 c 243 s 4 are each repealed.

NEW SECTION. Sec. 10. Section 2 of this act takes effect only if Engrossed Substitute House Bill No. 1340 (including any later amendments or substitutes) is not signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 11. Section 3 of this act takes effect only if Engrossed Substitute House Bill No. 1340 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Taylor.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5793 Prime Sponsor, Senator Warnick:
Concerning an assessment on cattle.
Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Agriculture & Natural Resources. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan; Tharinger; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Schmick; Taylor and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative MacEwen, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

April 4, 2017

ESSB 5810 Prime Sponsor, Committee on Law & Justice: Adding attempted murder to the list of offenses that may not be prosecuted more than ten years their commission.
Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Assistant Ranking Minority Member Stokesbary, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Vick.

Referred to Committee on Rules for second reading.

April 4, 2017

SSB 5835 Prime Sponsor, Committee on Ways & Means: Promoting healthy outcomes for pregnant women and infants. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair;

MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Chandler, Ranking Minority Member.

Referred to Committee on Rules for second reading.

April 4, 2017

SB 5849 Prime Sponsor, Senator Angel: Addressing the need for veterans' services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary,

Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Jinkins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Pollet; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports and first and second supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:00 a.m., April 5, 2017, the 87th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTY SEVENTH DAY

House Chamber, Olympia, Wednesday, April 5, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Daniel Davis and Naima Pai. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Norma Smith, 10th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

April 4, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1010,
 SUBSTITUTE HOUSE BILL NO. 1036,
 ENGROSSED HOUSE BILL NO. 1248,
 HOUSE BILL NO. 1283,
 SUBSTITUTE HOUSE BILL NO. 1320,
 SUBSTITUTE HOUSE BILL NO. 1369,
 HOUSE BILL NO. 1401,
 SUBSTITUTE HOUSE BILL NO. 1411,
 HOUSE BILL NO. 1593,
 ENGROSSED HOUSE BILL NO. 1654,
 HOUSE BILL NO. 1732,
 SUBSTITUTE HOUSE BILL NO. 1755,
 SUBSTITUTE HOUSE BILL NO. 1905,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 4, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO.
 5303,
 SECOND SUBSTITUTE SENATE BILL NO. 5347,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2196 by Representatives Harmsworth, MacEwen, Stokesbary, Kraft, Caldier, Hargrove, Young, Wilcox, Stambaugh, Rodne, Barkis, Muri and McDonald

AN ACT Relating to nullifying the imposition of certain taxes within regional transit authority boundaries; amending RCW 81.104.150, 81.104.160, 81.104.170, and 81.104.175; adding a new section to chapter 81.112 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 2197 by Representatives Harmsworth, MacEwen, Stokesbary, Graves, Caldier, Hargrove, Young, Wilcox, Stambaugh, Rodne, Barkis, Muri and McDonald

AN ACT Relating to regional transit authority taxes approved after January 1, 2015, being used only to retire debt; amending RCW 81.104.160, 81.104.170, 81.104.175, 81.104.160, and 81.104.170; creating a new section; providing a contingent effective date; providing contingent expiration dates; and declaring an emergency.

Referred to Committee on Transportation.

HB 2198 by Representatives Harmsworth, MacEwen, Stokesbary, Graves, Caldier, Hargrove, Young, Stambaugh, Rodne, Wilcox, Barkis, Muri and McDonald

AN ACT Relating to the administration of motor vehicle excise taxes by regional transit authorities; amending RCW 82.44.135, 81.104.160, 82.44.035, and 81.104.190; and declaring an emergency.

Referred to Committee on Transportation.

HB 2199 by Representatives Harmsworth, MacEwen, Stokesbary, Graves, Caldier, Hargrove, Young, Wilcox, Stambaugh, Rodne, Barkis, Muri and McDonald

AN ACT Relating to the election and authority of regional transit authority board members; amending

RCW 81.112.010 and 81.112.030; adding a new section to chapter 81.112 RCW; creating new sections; repealing RCW 81.112.040; and providing a contingent effective date.

Referred to Committee on Transportation.

HB 2200 by Representatives Hansen, Taylor, Smith, Buys, Harmsworth, Graves, Maycumber, J. Walsh, Kraft, Haler, Condotta, Nealey, Bergquist, Steele, Van Werven, Stonier, Macri, Farrell, Cody, Slatter, Tarleton, Senn, Kagi, Pollet, Frame, Chapman, Dye, Hudgins, Stanford, Reeves, Dent, Hayes, Ryu, Peterson, Sells, Kloba, Santos, Johnson, Fitzgibbon, Holy, Ormsby, Caldier, Sawyer, Wylie, Hargrove, Kilduff, Blake, Orcutt, Gregerson, Young, Appleton, Shea, Koster, Morris, Tharinger, Irwin, Muri, Schmick, Volz, Goodman, Clibborn, McCaslin, Pellicciotti, Doglio, Jinkins, Dolan, Kirby, Sullivan, Lytton, Kretz, Riccelli, Rodne, McBride, McCabe and Pettigrew

AN ACT Relating to protecting the privacy and security of internet users; amending RCW 19.255.010; adding a new chapter to Title 19 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5011, by Senators Pedersen, Padden, Frockt, Fain and Kuderer

Concerning the business corporation act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Muri spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Rodne was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5011.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5011, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5011, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5012, by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen, Padden, Frockt, Fain, Mullet and Kuderer)

Concerning the distribution of a Washington trust's assets to another trust.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Muri spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5012.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5012, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri,

Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5012, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5040, by Senators Pedersen and Padden

Making revisions to the uniform business organizations code.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5040.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5040, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5040, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5042, by Senators Angel, Hobbs and Wellman

Authorizing funeral planning and funeral services as noninsurance benefits under group life and disability insurance policies.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5042.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5042, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

ENGROSSED SENATE BILL NO. 5042, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5049, by Senator King

Concerning relocation assistance following real property acquisition.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 72, March 21, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Muri spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5049, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5049, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5049, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5075, by Senators Takko and Warnick

Concerning dispute resolution between seed buyers and dealers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5075.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5075, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5075, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5083, by Senate Committee on Law & Justice (originally sponsored by Senator Pearson)

Concerning notice of relief from the duty to register. Revised for 1st Substitute: Requiring the prosecuting attorney to use reasonable efforts in notifying a victim of a sex or kidnapping offender's petition for relief from registration.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5083.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5083, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5083, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5097, by Senators Braun and Takko

Clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5097.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5097, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Rodne.

ENGROSSED SENATE BILL NO. 5097, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5118, by Senators Rolfes, Bailey, Darneille, Billig, Keiser, Kuderer and Chase

Increasing the personal needs allowance for persons receiving state-financed care.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Robinson spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5118.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5118, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Rodne.

SENATE BILL NO. 5118, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5138, by Senate Committee on Local Government (originally sponsored by Senators Palumbo, Kuderer, Fain, Billig and Rossi)

Concerning metropolitan park districts.

The bill was read the second time.

Representative Kloba moved the adoption of amendment (400):

On page 5, line 11, after "~~purposes)~~," strike "parkway,"

Representatives Kloba and Griffey spoke in favor of the adoption of the amendment.

Amendment (400) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill, as amended by the House.

Representative Griffey spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5138, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5138, as amended by the House, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5138, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5142, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kuderer, Rolfes, Palumbo, Billig, Pedersen, Mullet, McCoy, Keiser and Wellman)

Concerning educational interpreters.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5142.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5142, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Farrell, Frame and Pollet.
Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5142, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5152, by Senate Committee on Health Care (originally sponsored by Senators Fain, Keiser, Rivers, Becker, Palumbo and Kuderer)

Concerning pediatric transitional care centers. Revised for 1st Substitute: Concerning pediatric transitional care services.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was adopted. (For Committee amendment, see Journal, Day 67, March 16, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Orwall and Dent spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5152, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5152, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5152, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5162, by Senators McCoy, Sheldon, Rolfes, Takko and Chase

Creating the wastewater treatment plant operator certification account.

The bill was read the second time.

Representative Wilcox moved the adoption of amendment (326):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.95B RCW to read as follows:

The wastewater treatment plant operator certification account is created in the state treasury. All fees paid pursuant to RCW 70.95B.095 and any other receipts realized in the administration of this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation. Moneys from the account attributable to the certificate fee must be used by the department to carry out the purposes of the wastewater treatment plant operator certification program. Moneys from the account attributable to the Puget Sound cleanup fee must be used for activities related to the cleanup of wastewater in Puget Sound resulting from the West Point wastewater treatment plant equipment failure that occurred in February of 2017.

Sec. 2. RCW 70.95B.095 and 1987 c 357 s 9 are each amended to read as follows:

Effective January 1, 1988, the department shall establish rules for the collection of fees for the issuance and renewal of certificates as provided for in RCW 70.95B.090. Beginning January 1, 1992, these fees shall be sufficient to recover the costs of the certification program. In addition to the certificate fee established by rule, the department shall collect from operators an annual Puget Sound cleanup fee of \$100.

NEW SECTION. Sec. 3. RCW 70.95B.150 (Administration of chapter—Receipts—Payment to general fund) and 1973 c 139 s 15 are each repealed."

Correct the title.

Representatives Wilcox, Taylor and Buys spoke in favor of the adoption of the striking amendment.

Representative Ormsby spoke against the adoption of the striking amendment.

Amendment (326) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ormsby spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5162.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5162, and the bill passed the House by the following vote: Yeas, 66; Nays, 31; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Holy, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wilcox, Wylie and Mr. Speaker.\par Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dent, Dye, Haler, Hargrove, Harmsworth, Harris, Hayes, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, Manweller, McCabe, McCaslin, Pike, Shea, Smith, Stokesbary, Taylor, Van Werven, Vick, J. Walsh and Young.\par Excused: Representative Rodne.

SENATE BILL NO. 5162 having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5173, by Senate Committee on State Government (originally sponsored by Senators Chase, Miloscia, Hunt and Hobbs)

Concerning loss prevention reviews by state agencies.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government, Elections & Information Technology was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, March 27, 2017).

Representative Wylie moved the adoption of amendment (431) to the committee amendment:

On page 3, after line 10 of the striking amendment, insert the following:

"(6) The director shall submit an annual report to the legislature identifying the reviews conducted in the past year, providing appropriate metrics on effectiveness and efficiency of the loss prevention review team and programs, and summarizing any determinations of trends in incidents such as reductions or increases in the frequency or magnitude of losses and innovative approaches to mitigating risks identified."

Representatives Wylie and Koster spoke in favor of the adoption of the amendment (431) to the committee amendment.

Amendment (431) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Wylie and Koster spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5173, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5173, as amended by

the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5173, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5185, by Senate Committee on State Government (originally sponsored by Senators Wilson, Mullet and Palumbo)

Providing immunity from liability for professional or trade associations providing emergency response volunteers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins, Muri and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5185.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5185, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet,

Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5185, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5207, by Senate Committee on State Government (originally sponsored by Senators Kuderer, Miloscia, Frockt, Zeiger, Hobbs, Keiser, Chase and Hunt)

Concerning the public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Koster and Hudgins spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5207.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5207, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Dye, Jenkin, Kretz, Maycumber, McCaslin, Pike, Shea, Taylor, Vick, Volz and J. Walsh.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5207, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5234, by Senators Mullet, Palumbo, Rivers, Lias, Wilson and Kuderer

Requiring establishment of a systemwide credit policy regarding AP exams. (REVISED FOR PASSED LEGISLATURE: Requiring establishment of a coordinated, evidence-based credit policy regarding AP exams.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 75, March 24, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pollet and Stambaugh spoke in favor of the passage of the bill, as amended by the House.

Representative Manweller spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5234, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5234, as amended by the House, and the bill passed the House by the following vote: Yeas, 71; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kretz, Kristiansen, Lovick, Lytton, Macri, Maycumber, McBride, McDonald, Morris, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, Dye, Hargrove, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, MacEwen, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Pellicciotti, Schmick, Senn, Steele, Stokesbary, Stonier, Volz, J. Walsh and Young.

Excused: Representative Rodne.

ENGROSSED SENATE BILL NO. 5234, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5237, by Senators Bailey, Wilson, Chase, Rivers, Keiser, Rolfes, Zeiger and Kuderer

Updating workforce investment act references and making no substantive changes.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5237.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5237, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5237, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5241, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Carlyle, O'Ban, Darneille, Hasegawa and Wellman)

Concerning the educational success of youth in foster care. Revised for 1st Substitute: Concerning the educational success of youth who are homeless or in foster care.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Santos spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5241.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5241, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5241, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5262, by Senate Committee on Transportation (originally sponsored by Senators King and Hobbs)

Modifying the weight limitation for certain vessels exempt from the pilotage act. Revised for 1st Substitute: Modifying limitations for certain vessels exempt from the pilotage act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5262.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5262, and the bill passed the

House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5262, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

SUBSTITUTE SENATE BILL NO. 5018, by Senate Committee on Transportation (originally sponsored by Senators Hasegawa and Kuderer)

Authorizing wheelchair accessible taxicabs access to high occupancy vehicle lanes. Revised for 1st Substitute: Authorizing wheelchair accessible taxicabs access to high occupancy vehicle lanes.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, March 27, 2017).

Representative Orcutt moved the adoption of amendment (430) to the committee striking amendment:

On page 1, after line 16 of the amendment, insert the following:

"**Sec. 2.** RCW 46.61.165 and 2013 c 26 s 2 are each amended to read as follows:

(1) The state department of transportation and the local authorities are authorized to reserve all or any portion of any highway under their respective jurisdictions, including any designated lane or ramp, for the exclusive or preferential use of one or more of the following: (a) Public transportation vehicles; (b) motorcycles; (c) private motor vehicles carrying no fewer than a specified number of passengers; or (d) the

following private transportation provider vehicles if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle, and if such use does not interfere with the efficiency, reliability, and safety of public transportation operations: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles, when such limitation will increase the efficient utilization of the highway or will aid in the conservation of energy resources.

(2) Any transit-only lanes that allow other vehicles to access abutting businesses that are authorized pursuant to subsection (1) of this section may not be authorized for the use of private transportation provider vehicles as described under subsection (1) of this section.

(3) The state department of transportation and the local authorities authorized to reserve all or any portion of any highway under their respective jurisdictions, for exclusive or preferential use, may prohibit the use of a high occupancy vehicle lane by the following private transportation provider vehicles: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, and marked or unmarked limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles, when the average transit speed in the high occupancy vehicle lane fails to meet department of transportation standards and falls below forty-five miles per hour at least ninety percent of the time during the peak hours, as determined by the department of transportation or the local authority, whichever operates the facility.

(4) Regulations authorizing such exclusive or preferential use of a highway facility may be declared to be effective

at all times or at specified times of day or on specified days. Violation of a restriction of highway usage prescribed by the appropriate authority under this section is a traffic infraction.

(5) Local authorities are encouraged to establish a process for private transportation providers, as described under subsections (1) and (3) of this section, to apply for the use of public transportation facilities reserved for the exclusive or preferential use of public transportation vehicles. The application and review processes should be uniform and should provide for an expeditious response by the local authority. Whenever practicable, local authorities should enter into agreements with such private transportation providers to allow for the reasonable use of these facilities.

(6) When the department of transportation reserves a portion of a highway based on the number of passengers in a vehicle, private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device must be authorized to use the reserved portion of the highway regardless of the number of passengers in the vehicle or the passenger-carrying capacity of the vehicle.

(7) For the purposes of this section, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is similarly marked or identified to display the business name or logo on the driver and passenger sides of the vehicle, meets the annual certification requirements of the department of transportation, and is offered by an employer for the benefit of its employees.

Sec. 3. RCW 47.52.025 and 2013 c 26 s 3 are each amended to read as follows:

(1) Highway authorities of the state, counties, and incorporated cities and towns, in addition to the specific powers granted in this chapter, shall also have, and may exercise, relative to limited access facilities, any and all additional authority, now or hereafter vested in them relative to highways or streets within their respective jurisdictions, and may regulate, restrict, or prohibit the use of such limited access facilities by various classes of vehicles or traffic. Such

highway authorities may reserve any limited access facility or portions thereof, including designated lanes or ramps for the exclusive or preferential use of (a) public transportation vehicles, (b) privately owned buses, (c) motorcycles, (d) private motor vehicles carrying not less than a specified number of passengers, or (e) the following private transportation provider vehicles if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle, and if such use does not interfere with the efficiency, reliability, and safety of public transportation operations: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles, when such limitation will increase the efficient utilization of the highway facility or will aid in the conservation of energy resources. Regulations authorizing such exclusive or preferential use of a highway facility may be declared to be effective at all time or at specified times of day or on specified days.

(2) Any transit-only lanes that allow other vehicles to access abutting businesses that are reserved pursuant to subsection (1) of this section may not be authorized for the use of private transportation provider vehicles as described under subsection (1) of this section.

(3) Highway authorities of the state, counties, or incorporated cities and towns may prohibit the use of limited access facilities by the following private transportation provider vehicles: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, and marked or unmarked limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles, when the average transit speed in the high occupancy vehicle travel lane fails to meet department standards and falls below forty-five miles per hour at

least ninety percent of the time during the peak hours for two consecutive months.

(4) (a) Local authorities are encouraged to establish a process for private transportation providers, described under subsections (1) and (3) of this section, to apply for the use of limited access facilities that are reserved for the exclusive or preferential use of public transportation vehicles.

(b) The process must provide a list of facilities that the local authority determines to be unavailable for use by the private transportation provider and must provide the criteria used to reach that determination.

(c) The application and review processes must be uniform and should provide for an expeditious response by the authority.

(5) When the department reserves a portion of a limited access facility based on the number of passengers in a vehicle, private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device must be authorized to use the reserved portion of the limited access facility regardless of the number of passengers in the vehicle or the passenger-carrying capacity of the vehicle.

(6) For the purposes of this section, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is similarly marked or identified to display the business name or logo on the driver and passenger sides of the vehicle, meets the annual certification requirements of the department, and is offered by an employer for the benefit of its employees.

NEW SECTION. Sec. 4. If any part of this act is found by the federal government to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned."

On page 1, line 17 of the amendment, after "**Sec. 2.**" strike "This" and insert "Section 1 of this"

Correct the title.

Representative Orcutt spoke in favor of the adoption of the amendment (430) to the committee striking amendment.

Representative Clibborn spoke against the adoption of the amendment (430) to the committee striking amendment.

Amendment (430) to the committee striking amendment was not adopted.

The committee striking amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5018, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5018, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldrie, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker. \par Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5018, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5187, by Senators Angel, Takko and Warnick

Concerning county auditors.

The bill was read the second time.

Representative Griffey moved the adoption of amendment (436):

On page 1, at the beginning of line 7, strike "~~((1))~~" and insert "(1)"

On page 2, beginning on line 13, after "~~public.~~" strike all material through "~~misdemeanor.~~" on line 17 and insert ") This inventory must be verified by oath.

~~((3))~~ (2) Any county commissioner failing to file such statement or willfully making any false or incorrect statement therein or aiding or abetting in the making of any false or incorrect statement is guilty of a gross misdemeanor.

((

On page 2, beginning on line 22, after "~~office.~~" strike all material through "~~attorney.)~~" on line 25 and insert ")

~~((5))~~ (3) Any taxpayer of such county is hereby authorized, pursuant to current law, to institute ~~((the))~~ an action to remove such commissioner from office in conjunction with or independent of ~~((the))~~ any action ~~((of))~~ by the prosecuting attorney."

Representatives Griffey and Taylor spoke in favor of the adoption of the amendment (436).

Representative Appleton spoke against the adoption of the amendment (436).

Amendment (436) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5187.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5187 and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith,

Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, McCaslin, Shea, Taylor and Van Werven.

Excused: Representative Rodne.

SENATE BILL NO. 5187, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5244, by Senators O'Ban, Hobbs, Takko and Wilson

Concerning the means of communication between a buyer or lessee and an auto dealer during the "bushing" period.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5244.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5244, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5244, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5272, by Senate Committee on Law & Justice (originally sponsored by Senators Saldaña, Hasegawa, Ranker, Chase, Hunt, Darneille, Wellman, Keiser, Cleveland, Takko and Kuderer)

Vacating convictions arising from offenses committed as a result of being a victim of trafficking, promoting prostitution, or promoting commercial sexual abuse of a minor.

The bill was read the second time.

Representative Holy moved the adoption of amendment (437):

On page 3, beginning on line 30, after "(a)" strike all material through "(b)" on line 33, and insert "Less than four years have passed since the offender was convicted of a prostitution offense;

(b) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal court (~~(for any crime other than prostitution)~~); or

~~((b))~~ (c) "

On page 3, line 35, after "subsection" strike "(3)(b)" and insert "(3)(c)"

Representative Holy spoke in favor of the adoption of the amendment (437).

Representative Goodman spoke against the adoption of the amendment (437).

Amendment (437) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Irwin spoke in favor of the passage of the bill.

Representatives Klippert and Holy spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5272.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5272 and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen,

Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dent, Dye, Holy, Klippert and Taylor.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5272, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5338, by Senate Committee on Transportation (originally sponsored by Senators Wilson and Takko)

Concerning registration enforcement for off-road vehicles and snowmobiles.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 72, March 21, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Condotta and Clibborn spoke in favor of the passage of the bill, as amended by the House.

Representative Buys spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5338, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5338, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson,

Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, McDonald, Taylor and Van Werven.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5338, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5343, by Senate Committee on Transportation (originally sponsored by Senators Warnick and Takko)

Concerning notice sent by and certain release of information affecting registered tow truck operators.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5343.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5343, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5343, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5346, by Senate Committee on Ways & Means (originally sponsored by Senators Walsh, Rolfes, Zeiger, Hobbs, Warnick, Pedersen, Nelson, Darneille, Kuderer, Hunt, Keiser, McCoy, Honeyford, Fain, Liias, Cleveland, Sheldon, Conway, Pearson, Frockt, Wilson, Bailey and Hasegawa)

Creating a legislative page scholarship program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government, Elections & Information Technology was adopted. (For Committee amendment, see Journal, Day 75, March 24, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5346, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5346, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5346, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5374, by Senate Committee on Law & Justice (originally sponsored by Senators Becker, Bailey, Rivers, Brown, Miloscia, O'Ban, Warnick, Angel, Honeyford, Padden and Braun)

Concerning state employee whistleblower protection.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5374.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5374, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5374, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5413, by Senators Cleveland, Bailey and Kuderer

Concerning physician limited licenses.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri and Riccelli spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5413.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5413, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Klippert, McCaslin, Schmick, Shea and Taylor.

Excused: Representative Rodne.

SENATE BILL NO. 5413, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5454, by Senator Frockt

Allowing fire protection district annexations and mergers within a reasonable geographic proximity and eliminating cross-county restrictions for annexations to a fire protection district.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government was adopted. (For Committee amendment, see Journal, Day 78, March 27, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5454, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5454, as amended by the House, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby,

Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Hargrove, Holy, Kretz, McCaslin, Schmick, Shea, Taylor, Van Werven, Vick, Volz and J. Walsh.

Excused: Representative Rodne.

SENATE BILL NO. 5454, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5472, by Senate Committee on State Government (originally sponsored by Senator Pearson)

Requiring ballot drop boxes in all communities.

The bill was read the second time.

Representative Koster moved the adoption of amendment (442):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.40.160 and 2011 c 10 s 43 are each amended to read as follows:

(1) Each county auditor shall open a voting center each primary, special election, and general election. The voting center shall be open during business hours during the voting period, which begins eighteen days before, and ends at 8:00 p.m. on the day of, the primary, special election, or general election.

(2) The voting center must provide voter registration materials, ballots, provisional ballots, disability access voting units, sample ballots, instructions on how to properly vote the ballot, a ballot drop box, and voters' pamphlets, if a voters' pamphlet has been published.

(3) The voting center must be accessible to persons with disabilities. Each state agency and entity of local government shall permit the use of any of its accessible facilities as voting centers when requested by a county auditor.

(4) The voting center must provide at least one voting unit certified by the secretary of state that provides access to individuals who are blind or visually impaired, enabling them to vote with privacy and independence.

(5) No person may interfere with a voter attempting to vote in a voting center.

Interfering with a voter attempting to vote is a violation of RCW 29A.84.510.

(6) Before opening the voting center, the voting equipment shall be inspected to determine if it has been properly prepared for voting. If the voting equipment is capable of direct tabulation of each voter's choices, the county auditor shall verify that no votes have been registered for any issue or office, and that the device has been sealed with a unique numbered seal at the time of final preparation and logic and accuracy testing. A log must be made of all device numbers and seal numbers.

(7) The county auditor shall require any person desiring to vote at a voting center to either sign a ballot declaration or provide identification.

(a) The signature on the declaration must be compared to the signature on the voter registration record before the ballot may be counted. If the voter registered using a mark, or can no longer sign his or her name, the election officers shall require the voter to be identified by another registered voter.

(b) The identification must be valid photo identification, such as a driver's license, state identification card, student identification card, tribal identification card, or employer identification card. Any individual who desires to vote in person but cannot provide identification shall be issued a provisional ballot, which shall be accepted if the signature on the declaration matches the signature on the voter's registration record.

(8) Provisional ballots must be accompanied by a declaration and security envelope, as required by RCW 29A.40.091, and space for the voter's name, date of birth, current and former registered address, reason for the provisional ballot, and disposition of the provisional ballot. The voter shall vote and return the provisional ballot at the voting center. The voter must be provided information on how to ascertain whether the provisional ballot was counted and, if applicable, the reason why the vote was not counted.

(9) Any voter may take printed or written material into the voting device to assist in casting his or her vote. The voter shall not use this material to electioneer and shall remove it when he or she leaves the voting center.

(10) If any voter states that he or she is unable to cast his or her votes due to a disability, the voter may designate a person of his or her choice, or two election officers, to enter the voting booth and record the votes as he or she directs.

(11) No voter is entitled to vote more than once at a primary, special election, or general election. If a voter incorrectly marks a ballot, he or she may be issued a replacement ballot.

(12) A voter who has already returned a ballot but requests to vote at a voting center shall be issued a provisional ballot. The canvassing board shall not count the provisional ballot if it finds that the voter has also voted a regular ballot in that primary, special election, or general election.

(13) The county auditor must prevent overflow of each ballot drop box to allow a voter to deposit his or her ballot securely. Ballots must be removed from a ballot drop box by at least two people, with a record kept of the date and time ballots were removed, and the names of people removing them. Ballots from drop boxes must be returned to the counting center in secured transport containers. A copy of the record must be placed in the container, and one copy must be transported with the ballots to the counting center, where the seal number must be verified by the county auditor or a designated representative. All ballot drop boxes must be secured at 8:00 p.m. on the day of the primary, special election, or general election.

(14) Any voter who is inside or in line at the voting center at 8:00 p.m. on the day of the primary, special election, or general election must be allowed to vote.

(15) For each primary, special election, and general election, the county auditor may provide election services at locations in addition to the voting center. The county auditor has discretion to establish which services will be provided at the additional locations, and which days and hours the locations will be open. The county auditor must establish a minimum of one ballot drop box per fifteen thousand registered voters in the county with preference given to establishing a minimum of one ballot drop box in each city, town, and census-designated place with a post office in the county. The county auditor is authorized to place a

ballot drop box at any public school, public library, or fire station.

NEW SECTION. Sec. 2. A new section is added to chapter 29A.40 RCW to read as follows:

(1) The state is responsible for the cost of obtaining, siting, maintaining, and operating ballot drop boxes for all elections. The county auditor must certify the cost and file expense claims to the office of the secretary of state.

(2) Each county auditor must submit a request with the office of the secretary of state by December 1st for any new ballot drop boxes the county is requesting for the following year. The secretary of state may agree to reimburse the county for the costs of providing any new ballot drop boxes or contract with a third party to fulfill all or some of the counties' requests.

(3) The secretary of state must include in his or her budget requests sufficient funds to carry out this section. Payments for ballot drop box costs must be from appropriations specifically provided by law for that purpose.

NEW SECTION. Sec. 3. This act takes effect July 1, 2018."

Correct the title.

Representatives Koster, Orcutt, McCaslin and Condotta spoke in favor of the adoption of the striking amendment (442).

Representative Hudgins spoke against the adoption of the striking amendment (442).

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 47 - YEAS; 50 - NAYS.

Amendment (442) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Dolan spoke in favor of the passage of the bill.

Representatives Orcutt, MacEwen, Irwin, Koster, Orcutt (again), Johnson, Dent and Dye spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5472.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5472 and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Irwin, Jenkins, Kagi, Kilduff, Kirby, Kloba, Kristiansen, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5472, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute Senate Bill No. 5472.

Representative Irwin, 31st Legislative District

MOTION

Representative Hargrove moved that the House advance to the eighth order of business.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the motion to advance to the eighth order of business.

ROLL CALL

The Clerk called the roll on the motion to advance to the eighth order of business, and the motion failed the House by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

Voting nay: Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker

Excused: Representative Rodne.

The motion to advance to the eighth order was not adopted.

There being no objection, the House adjourned until 10:00 a.m., April 6, 2017, the 88th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTY EIGHTH DAY

House Chamber, Olympia, Thursday, April 6, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the IMF Color Guard comprised of Electronics Technician 2nd Class Glenn Dickey, Electricians Mate 2nd Class Katherine Earls, Machinist Mate Auxiliary 1st Class Michael Dayton, Fire Control Technician 2nd Class Alfredo Bisetti, Hospital Corpsman 3rd Class Daniel Stott, and Sonar Technician Surface 1st Class Jessica Pullen.

The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The National Anthem was performed by Chief Musician Evan Vis.

The prayer was offered by Chaplain Jason Porter, accompanied by the Navy Band Northwest Woodwind Trio performing the Navy Hymn "Eternal Father." The trio was comprised of Musician 1st Class Edgardo Hernandez, Musician 2nd Class Emily Zizza, and Musician Seaman Stefan Lang.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4637, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, and Young

WHEREAS, The citizens of Washington State have set aside this day to honor, appreciate, and remember our Navy personnel; and

WHEREAS, Washington State is uniquely positioned politically, economically, and geographically to deal with the opportunities and challenges presented by Asia and the Pacific Rim countries; and

WHEREAS, The U.S. Navy is the military service that secures sea-lanes, allowing free flow of commerce to and

from our state, and the service whose power projection promotes stability for our friends and deters aggression from our foes; and

WHEREAS, The Navy has been a presence in Puget Sound for over 175 years, and Puget Sound is the Navy's third largest fleet concentration area; and

WHEREAS, The Puget Sound area has four shore installations: Naval Station Everett, Naval Air Station Whidbey Island, Naval Magazine Indian Island, and Naval Base Kitsap; and

WHEREAS, Naval Base Kitsap is the largest naval installation in the Northwest, and third largest in the United States; and

WHEREAS, Naval forces in Washington are comprised of over 10,000 active duty members, 2,000 reservists, and 19,000 civilians; and

WHEREAS, Navy Region Northwest participated in the 2016 Cascadia Rising exercise, contributing over 500 personnel and establishing a disaster relief camp as part of their commitment to disaster assistance and rescue services to Washington State; and

WHEREAS, The motto of the Navy is *Non sibi sed patriae*, not for self but for country, which is embodied in the work that they do; and

WHEREAS, More than 128,000 members of the Navy family, including active duty, retired, dependent, and civilian Navy personnel, consider Washington home; are community leaders, role models, and mentors; and invest millions of dollars and thousands of hours to the economy, local charities, and community programs; and

WHEREAS, The men and women of the U.S. Navy are constantly vigilant, working to keep our state safe from enemies both foreign and domestic;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and express appreciation for all those who have ever served in the United States Navy, and all the family members and friends who shared their sacrifices with them; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize all the many contributions the Navy and its personnel make for everyone living in the United States and the entire global community.

Representative MacEwen moved adoption of HOUSE RESOLUTION NO. 4637

Representatives MacEwen and Appleton spoke in favor of the adoption of the resolution.

There being no objection, HOUSE RESOLUTION NO. 4637 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) recognized Rear Admiral Marcus Hitchcock, Commander, Carrier Strike Group 3, Navy Region Northwest, seated at the rostrum and the delegation of Navy leadership, seated in the Gallery and asked the members to join him in welcoming and recognizing the commanding officers, commander chiefs, and assistants of all the Puget Sound Naval bases and facilities.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE BILL NO. 1001
 SUBSTITUTE HOUSE BILL NO. 1010
 SUBSTITUTE HOUSE BILL NO. 1027
 SUBSTITUTE HOUSE BILL NO. 1036
 SUBSTITUTE HOUSE BILL NO. 1176
 SUBSTITUTE HOUSE BILL NO. 1189
 SUBSTITUTE HOUSE BILL NO. 1199
 SUBSTITUTE HOUSE BILL NO. 1235
 ENGROSSED HOUSE BILL NO. 1248
 SUBSTITUTE HOUSE BILL NO. 1257
 HOUSE BILL NO. 1283
 SUBSTITUTE HOUSE BILL NO. 1320
 HOUSE BILL NO. 1329
 SUBSTITUTE HOUSE BILL NO. 1369
 HOUSE BILL NO. 1400
 HOUSE BILL NO. 1401
 SUBSTITUTE HOUSE BILL NO. 1411
 SUBSTITUTE HOUSE BILL NO. 1420
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1431
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489
 SUBSTITUTE HOUSE BILL NO. 1515
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1531
 HOUSE BILL NO. 1593
 HOUSE BILL NO. 1615
 HOUSE BILL NO. 1616
 HOUSE BILL NO. 1629
 ENGROSSED HOUSE BILL NO. 1654
 HOUSE BILL NO. 1722
 HOUSE BILL NO. 1732
 HOUSE BILL NO. 1734
 SUBSTITUTE HOUSE BILL NO. 1755
 SUBSTITUTE HOUSE BILL NO. 1765
 HOUSE BILL NO. 1832
 SUBSTITUTE HOUSE BILL NO. 1905
 ENGROSSED HOUSE BILL NO. 2073

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

April 5, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO.
 5838,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 5, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1107,
 HOUSE BILL NO. 1148,
 SUBSTITUTE HOUSE BILL NO. 1149,
 HOUSE BILL NO. 1195,
 HOUSE BILL NO. 1204,
 SUBSTITUTE HOUSE BILL NO. 1218,
 SECOND SUBSTITUTE HOUSE BILL NO. 1338,
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1351,
 HOUSE BILL NO. 1449,
 ENGROSSED HOUSE BILL NO. 1450,
 ENGROSSED SUBSTITUTE HOUSE BILL NO.
 1503,
 ENGROSSED SUBSTITUTE HOUSE BILL NO.
 1548,
 SUBSTITUTE HOUSE BILL NO. 1568,
 ENGROSSED HOUSE BILL NO. 1728,
 HOUSE BILL NO. 1754,
 SUBSTITUTE HOUSE BILL NO. 1813,
 SUBSTITUTE HOUSE BILL NO. 1820,
 HOUSE BILL NO. 1853,
 HOUSE BILL NO. 1907,
 SUBSTITUTE HOUSE BILL NO. 2058,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

ESSB 5303 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Rolfes, Chase, Hawkins, Warnick, Bailey and Ranker)

AN ACT Relating to aquatic invasive species management; amending RCW 43.43.400, 77.120.110, 82.16.020, 77.120.070, 77.135.160, 77.120.010, 77.135.110, and 77.135.120; reenacting and amending RCW 88.02.640, 88.02.640, 77.15.160, and 77.135.010; adding new sections to chapter 77.135

RCW; adding new sections to chapter 77.120 RCW; creating a new section; repealing RCW 77.12.879; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

2SSB 5347 by Senate Committee on Ways & Means (originally sponsored by Senators Walsh, Darneille, Zeiger, Rolfes, Sheldon, Angel and Hasegawa)

AN ACT Relating to the definition of work activity for the purposes of the WorkFirst program; and amending RCW 74.08A.250.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5382, by Senators Liias, Hobbs, Walsh, King, Takko, Saldaña, Cleveland, Chase, Kuderer and Wellman

Authorizing the issuance of identicards at a reduced cost to applicants who are under the age of eighteen and without a permanent residence address.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Clibborn spoke in favor of the passage of the bill.

Representative Hargrove spoke against the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Rodne was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5382.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5382, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Hargrove, Harmsworth, Klippert, Koster, Kraft, Kretz, Maycumber, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Van Werven, Vick, J. Walsh, Wilcox and Young.

Excused: Representative Rodne.

SENATE BILL NO. 5382, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5402, by Senate Committee on Transportation (originally sponsored by Senators Liias, Walsh, Billig, Hobbs, King and Sheldon)

Creating the Cooper Jones bicyclist safety advisory council.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 71, March 20, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Kloba spoke in favor of the passage of the bill, as amended by the House.

Representative Hargrove spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5402, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5402, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self,

Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Pike, Schmick, Shea, Smith, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5402, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5436, by Senators Becker, Cleveland, Frockt and Keiser

Expanding patient access to health services through telemedicine by further defining where a patient may receive the service.

The bill was read the second time.

Representative Senn moved the adoption of amendment (443):
0.

On page 8, after line 21, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 71.24 RCW to read as follows:

(1) Upon initiation or renewal of a contract with the department, a behavioral health organization shall reimburse a provider for a behavioral health service provided to a covered person who is under eighteen years old through telemedicine or store and forward technology if:

(a) The behavioral health organization in which the covered person is enrolled provides coverage of the behavioral health service when provided in person by the provider; and

(b) The behavioral health service is medically necessary.

(2)(a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.

(b) For purposes of this section, reimbursement of store and forward technology is available only for those

services specified in the negotiated agreement between the behavioral health organization and provider.

(3) An originating site for a telemedicine behavioral health service subject to subsection (1) of this section means an originating site as defined in rule by the department or the health care authority.

(4) Any originating site, other than a home, under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement must be subject to a negotiated agreement between the originating site and the behavioral health organization. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A behavioral health organization may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A behavioral health organization may subject coverage of a telemedicine or store and forward technology behavioral health service under subsection (1) of this section to all terms and conditions of the behavioral health organization in which the covered person is enrolled, including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable behavioral health care service provided in person.

(7) This section does not require a behavioral health organization to reimburse:

(a) An originating site for professional fees;

(b) A provider for a behavioral health service that is not a covered benefit under the behavioral health organization; or

(c) An originating site or provider when the site or provider is not a contracted provider with the behavioral health organization.

(8) For purposes of this section:

(a) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time

the service is provided through telemedicine;

(b) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(c) "Originating site" means the physical location of a patient receiving behavioral health services through telemedicine;

(d) "Provider" has the same meaning as in RCW 48.43.005;

(e) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical or behavioral health information from an originating site to the provider at a distant site which results in medical or behavioral health diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(f) "Telemedicine" means the delivery of health care or behavioral health services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

(9) The department must, in consultation with the health care authority, adopt rules as necessary to implement the provisions of this section.

NEW SECTION. Sec. 5. A new section is added to chapter 71.24 RCW to read as follows:

(1) Upon initiation or renewal of a contract with the authority, a behavioral health organization shall reimburse a provider for a behavioral health service provided to a covered person who is under eighteen years old through telemedicine or store and forward technology if:

(a) The behavioral health organization in which the covered person is enrolled provides coverage of the behavioral health service when provided in person by the provider; and

(b) The behavioral health service is medically necessary.

(2)(a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring provider.

Nothing in this section prohibits the use of telemedicine for the associated office visit.

(b) For purposes of this section, reimbursement of store and forward technology is available only for those services specified in the negotiated agreement between the behavioral health organization and provider.

(3) An originating site for a telemedicine behavioral health service subject to subsection (1) of this section means an originating site as defined in rule by the department or the authority.

(4) Any originating site, other than a home, under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement must be subject to a negotiated agreement between the originating site and the behavioral health organization. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A behavioral health organization may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A behavioral health organization may subject coverage of a telemedicine or store and forward technology behavioral health service under subsection (1) of this section to all terms and conditions of the behavioral health organization in which the covered person is enrolled, including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable behavioral health care service provided in person.

(7) This section does not require a behavioral health organization to reimburse:

(a) An originating site for professional fees;

(b) A provider for a behavioral health service that is not a covered benefit under the behavioral health organization; or

(c) An originating site or provider when the site or provider is not a contracted provider with the behavioral health organization.

(8) For purposes of this section:

(a) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine;

(b) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(c) "Originating site" means the physical location of a patient receiving behavioral health services through telemedicine;

(d) "Provider" has the same meaning as in RCW 48.43.005;

(e) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical or behavioral health information from an originating site to the provider at a distant site which results in medical or behavioral health diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(f) "Telemedicine" means the delivery of health care or behavioral health services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

(9) The authority must adopt rules as necessary to implement the provisions of this section."

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

On page 8, line 22, after "Sec. 4." insert "(1)"

On page 8, after line 23, insert the following:

"(2) Section 4 of this act of this act takes effect January 1, 2018, but only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

(3) Section 5 of this act takes effect January 1, 2018, only if Substitute House

Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Representatives Senn and Schmick spoke in favor of the adoption of the amendment.

Amendment (443) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5436, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5436, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5436, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5481, by Senate Committee on Health Care (originally sponsored by Senators Cleveland, Rivers, Becker, Kuderer, Keiser, Carlyle and Saldaña)

Requiring the insurance commissioner to educate breast cancer patients about the availability of insurance coverage for breast reconstruction and breast prostheses.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5481.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5481, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5481, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5543, by Senators Padden and Baumgartner

Concerning a reexamination of the classification of land in flood control districts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton, Shea, Riccelli and Shea (again) spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5543.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5543, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5543, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5573, by Senate Committee on State Government (originally sponsored by Senators McCoy, Hunt and Miloscia)

Increasing membership of the state interoperability executive committee in order to foster interoperability. Revised for 1st Substitute: Increasing membership of the state interoperability executive committee and foster radio system interoperability.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins, Koster and Irwin spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5573.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5573, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri,

Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5573, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5649, by Senators Hawkins and Saldaña

Modifying the eligibility requirements for certain counties to form a regional transportation planning organization.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Hargrove spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5649.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5649, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Shea and Taylor.
Excused: Representative Rodne.

SENATE BILL NO. 5649, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5751, by Senate Committee on Health Care (originally sponsored by Senator Schoesler)

Concerning personnel requirements for municipal ambulance services.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5751.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5751, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5751, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5030, by Senators Darneille, Fain, Hasegawa, Miloscia, Carlyle, Frockt, Chase, Saldaña, Mullet, Pedersen, Conway, Keiser and Kuderer

Concerning human trafficking, prostitution, and commercial sexual abuse of a minor.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 71, March 20, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pellicciotti and Klippert spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5030, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5030, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5030, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5035, by Senate Committee on Health Care (originally sponsored by Senators Pedersen, Rivers, Cleveland, Becker, Keiser, Walsh, Conway, Bailey, O'Ban, Mullet, Kuderer, Darneille and Wellman)

Concerning patients' access to investigational medical products.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was not adopted. (For Committee amendment, see Journal, Day 80, March 29, 2017).

Representative Cody moved the adoption of the striking amendment (444):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the process for approval of

investigational drugs, biological products, and devices in the United States protects future patients from premature, ineffective, and unsafe medications and treatments over time, but the process often takes many years. Patients who have a terminal illness do not have the luxury of waiting until an investigational drug, biological product, or device receives final approval from the United States food and drug administration. The legislature further finds that patients who have a terminal illness should be permitted to pursue the preservation of their own lives by accessing available investigational drugs, biological products, and devices. The use of available investigational drugs, biological products, and devices is a decision that should be made by the patient with a terminal illness in consultation with the patient's health care provider so that the decision to use an investigational drug, biological product, or device is made with full awareness of the potential risks, benefits, and consequences to the patient and the patient's family.

The legislature, therefore, intends to allow terminally ill patients to use potentially lifesaving investigational drugs, biological products, and devices.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Eligible patient" means an individual who meets the requirements of section 4 of this act.

(2) "Health care facility" means a clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(3) "Hospital" means a health care institution licensed under chapter 70.41, 71.12, or 72.23 RCW.

(4) "Investigational product" means a drug, biological product, or device that has successfully completed phase one and is currently in a subsequent phase of a clinical trial approved by the United States food and drug administration assessing the safety of the drug, biological product, or device under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355.

(5) "Issuer" means any state purchased health care programs under chapter 41.05 or 74.09 RCW, a disability insurer regulated under chapter 48.20 or 48.21

RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020.

(6) "Manufacturer" means a person or other entity engaged in the manufacture or distribution of drugs, biological products, or devices.

(7) "Physician" means a physician licensed under chapter 18.71 RCW or an osteopathic physician and surgeon licensed under chapter 18.57 RCW.

(8) "Serious or immediately life-threatening disease or condition" means a stage of disease in which there is reasonable likelihood that death will occur within six months or in which premature death is likely without early treatment.

NEW SECTION. Sec. 3. (1) An eligible patient and his or her treating physician may request that a manufacturer make an investigational product available for treatment of the patient. The request must include a copy of the written informed consent form described in section 5 of this act and an explanation of why the treating physician believes the investigational product may help the patient.

(2) Upon receipt of the request and the written informed consent form, the manufacturer may, but is not required to, make the investigational product available for treatment of the eligible patient. Prior to making the investigational product available, the manufacturer shall enter into an agreement with the treating physician and the eligible patient providing that the manufacturer will transfer the investigational product to the physician and the physician will use the investigational product to treat the eligible patient.

NEW SECTION. Sec. 4. A patient is eligible to request access to and be treated with an investigational product if:

(1) The patient is eighteen years of age or older;

(2) The patient is a resident of this state;

(3) The patient's treating physician attests to the fact that the patient has a serious or immediately life-threatening disease or condition;

(4) The patient acknowledges having been informed by the treating physician of all other treatment options currently approved by the United States food and drug administration;

(5) The patient's treating physician recommends that the patient be treated with an investigational product;

(6) The patient is unable to participate in a clinical trial for the investigational product because the patient's physician has contacted one or more clinical trials or researchers in the physician's practice area and has determined, using the physician's professional judgment, that there are no clinical trials reasonably available for the patient to participate in, that the patient would not qualify for a clinical trial, or that delay in waiting to join a clinical trial would risk further harm to the patient; and

(7) In accordance with section 5 of this act, the patient has provided written informed consent for the use of the investigational product, or, if the patient lacks the capacity to consent, the patient's legally authorized representative has provided written informed consent on behalf of the patient.

NEW SECTION. Sec. 5. (1) Prior to treatment of the eligible patient with an investigational product, the treating physician shall obtain written informed consent, consistent with the requirements of RCW 7.70.060(1), and signed by the eligible patient or, if the patient lacks the capacity to consent, his or her legally authorized representative.

(2) Information provided in order to obtain the informed consent must, to the extent possible, include the following:

(a) That the patient has been diagnosed with a serious or immediately life-threatening disease or condition and explains the currently approved products and treatments for the disease or condition from which the eligible patient suffers;

(b) That all currently approved and conventionally recognized treatments are unlikely to prolong the eligible patient's life;

(c) Clear identification of the investigational product that the eligible patient seeks to use;

(d) The potentially best and worst outcomes of using the investigational

product and a realistic description of the most likely outcome. This description must include the possibility that new, unanticipated, different, or worse symptoms may result and that death could be hastened by the proposed treatment. The description must be based on the physician's knowledge of the proposed treatment in conjunction with an awareness of the eligible patient's condition;

(e) That the eligible patient's health benefit plan is not obligated to pay for the investigational product or any harm caused to the eligible patient by the investigational product, unless otherwise specifically required to do so by law or contract, and that in order to receive the investigational product the patient may be required to pay the costs of administering the investigational product; and

(f) That the eligible patient is liable for all expenses consequent to the use of the investigational product, except as otherwise provided in the eligible patient's health benefit plan or a contract between the eligible patient and the manufacturer of the investigational product.

(3) The document must be signed and dated by the eligible patient's treating physician and witnessed in writing by at least one adult.

NEW SECTION. Sec. 6. (1) An issuer may, but is not required to, provide coverage for the cost or the administration of an investigational product provided to an eligible patient pursuant to this chapter.

(2)(a) An issuer may deny coverage to an eligible patient who is treated with an investigational product for harm to the eligible patient caused by the investigational product and is not required to cover the costs associated with receiving the investigational product or the costs demonstrated to be associated with an adverse effect that is a result of receiving the investigational product.

(b) Except as stated in (a) of this subsection, an issuer may not deny coverage to an eligible patient for: (i) The eligible patient's serious or immediately life-threatening disease or condition; (ii) benefits that accrued before the day on which the eligible patient was treated with an investigational product; or (iii) palliative or hospice care for an eligible patient who was previously treated with an investigational product but who is no

longer being treated with an investigational product.

NEW SECTION. Sec. 7. A hospital or health care facility:

(1) May, but is not required to, allow a health care practitioner who is privileged to practice or who is employed at the hospital or health care facility to treat, administer, or provide an investigational product to an eligible patient under this chapter;

(2) May establish a policy regarding treating, administering, or providing investigational products under this chapter; and

(3) Is not obligated to pay for the investigational product or any harm caused to the eligible patient by the product, or any care that is necessary as a result of the use of the investigational product, including under chapter 70.170 RCW.

NEW SECTION. Sec. 8. (1) This act does not create a private right of action.

(2) A health care practitioner does not commit unprofessional conduct under RCW 18.130.180 and does not violate the applicable standard of care by:

(a) Obtaining an investigational product pursuant to this chapter;

(b) Refusing to recommend, request, prescribe, or otherwise provide an investigational product pursuant to this chapter;

(c) Administering an investigational product to an eligible patient pursuant to this chapter; or

(d) Treating an eligible patient with an investigational product pursuant to this chapter.

(3) The following persons and entities are immune from civil or criminal liability and administrative actions arising out of treatment of an eligible patient with an investigational product, other than acts or omissions constituting gross negligence or willful or wanton misconduct:

(a) A health care practitioner who recommends or requests an investigational product for an eligible patient in compliance with this chapter;

(b) A health care practitioner who refuses to recommend or request an investigational product for a patient

seeking access to an investigational product;

(c) A manufacturer that provides an investigational product to a health care practitioner in compliance with this chapter;

(d) A hospital or health care facility where an investigational product is either administered or provided to an eligible patient in compliance with this chapter; and

(e) A hospital or health care facility that does not allow a health care practitioner to provide treatment with an investigational product or enforces a policy it has adopted regarding treating, administering, or providing care with an investigational product.

NEW SECTION. Sec. 9. The pharmacy quality assurance commission may adopt rules necessary to implement this chapter.

Sec. 10. RCW 69.04.570 and 2012 c 117 s 338 are each amended to read as follows:

Except as permitted by chapter 69.---
RCW (the new chapter created in section 12
of this act), no person shall introduce or
deliver for introduction into intrastate
commerce any new drug which is subject to
section 505 of the federal act unless an
application with respect to such drug has
become effective thereunder. No person
shall introduce or deliver for
introduction into intrastate commerce any
new drug which is not subject to section
505 of the federal act, unless (1) it has
been found, by appropriate tests, that
such drug is not unsafe for use under the
conditions prescribed, recommended, or
suggested in the labeling thereof; and (2)
an application has been filed under this
section of this chapter with respect to
such drug: PROVIDED, That the requirement
of subsection (2) of this section shall
not apply to any drug introduced into
intrastate commerce at any time prior to
the enactment of this chapter or
introduced into interstate commerce at any
time prior to the enactment of the federal
act: PROVIDED FURTHER, That if the
director finds that the requirement of
subsection (2) of this section as applied
to any drug or class of drugs, is not
necessary for the protection of the public
health, he or she shall promulgate
regulations of exemption accordingly.

Sec. 11. RCW 69.50.101 and 2015 2nd sp.s. c 4 s 901 are each reenacted and amended to read as follows:

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

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(d) "Commission" means the pharmacy quality assurance commission.

(e) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(f)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or chapter 69.--- RCW (the new chapter created in section 12 of this act) to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(g) "Deliver" or "delivery((~~r~~)" means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(h) "Department" means the department of health.

(i) "Designated provider" has the meaning provided in RCW 69.51A.010.

(j) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(k) "Dispenser" means a practitioner who dispenses.

(l) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(m) "Distributor" means a person who distributes.

(n) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(o) "Drug enforcement administration" means the drug enforcement administration

in the United States Department of Justice, or its successor agency.

(p) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(q) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(r) "Isomer" means an optical isomer, but in subsection (dd)(5) of this section, RCW 69.50.204(a)(12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a)(8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(s) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(t) "Lot number" must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(u) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of

the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(v) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(w) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent.

(x) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

(y) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(z) "Marijuana products" means useable marijuana, marijuana concentrates, and

marijuana-infused products as defined in this section.

(aa) "Marijuana researcher" means a person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

(bb) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(cc) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection (v) of this section, and have a THC concentration no greater than ten percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(dd) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(ff) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

(gg) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(hh) "Plant" has the meaning provided in RCW 69.51A.010.

(ii) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(jj) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with

those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(kk) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(ll) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(mm) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(nn) "Recognition card" has the meaning provided in RCW 69.51A.010.

(oo) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(pp) "Secretary" means the secretary of health or the secretary's designee.

(qq) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(rr) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(ss) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(tt) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

NEW SECTION. **Sec. 12.** Sections 1 through 9 of this act constitute a new chapter in Title 69 RCW.

NEW SECTION. **Sec. 13.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the striking amendment.

Amendment (444) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody, Vick and Riccelli spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5035, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5035, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5035, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5144, by Senators Angel, Mullet and Hobbs

Addressing the Washington state credit union act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5144.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5144, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5144, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5256, by Senate Committee on Law & Justice (originally sponsored by Senators Fain, Pedersen, Zeiger, Palumbo, Miloscia, Frockt, Darneille, Chase, Kuderer and Hunt)

Concerning sexual assault protection orders.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5256.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5256, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Hudgins, Irwin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Griffey, Harris, Hayes, Holy, Jenkin, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Smith, Taylor and Vick.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5256, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute Senate Bill No. 5256.

Representative Smith, 10th Legislative District

SECOND READING

SENATE BILL NO. 5306, by Senators Rolfes and Takko

Concerning secondary commercial fish receivers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Buys and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5306.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5306, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Ryu.

Excused: Representative Rodne.

SENATE BILL NO. 5306, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5306.

Representative Ryu, 32nd Legislative District

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5449, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Liias, Zeiger, Billig, Hunt and Frockt)

Concerning digital citizenship, media literacy, and internet safety in schools.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5449.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5449, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Hargrove, Hayes, Holy, Jenkin, Klippert, Kretz, MacEwen, Maycumber, Pike, Schmick, Shea, Smith, Taylor, Vick, Volz, J. Walsh and Young.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5449, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5618, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Darneille and Keiser)

Concerning arrest of sixteen and seventeen year olds for domestic violence assault.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, March 29, 2017).

Representative Klippert moved the adoption of amendment (399) to the committee striking amendment:

On page 5, beginning on line 12 of the amendment, strike all material through "~~10.99.020~~)" on line 15 and insert the following:

"~~((10))~~ (17) A juvenile detention facility shall book ~~((into detention))~~ any person under age eighteen brought to that

detention facility pursuant to an arrest for assaulting a family or household member as defined in RCW 10.99.020."

Representatives Klippert, Irwin, Dent, Manweller, Hayes, Shea, Smith, Irwin (again) and Maycumber spoke in favor of the adoption of the amendment (399) to the committee striking amendment.

Representatives Kagi and Jinkins spoke against the adoption of the amendment (399) to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 48 - YEAS; 49- NAYS.

Amendment (399) to the committee striking amendment was not adopted.

The committee striking amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Kagi and Dent spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5618, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5618, as amended by the House, and the bill passed the House by the following vote:Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Kretz, Maycumber, McCaslin, Shea and Taylor.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5618, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5813, by Senator Padden**Concerning crimes against minors.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5813.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5813, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5813, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

ENGROSSED SENATE BILL NO. 5761, by Senators McCoy, Hunt and Hasegawa**Exempting certain confidential fish and shellfish harvest information from disclosure under chapter 42.56 RCW, the public records act.**

The bill was read the second time.

With the consent of the House, amendment (432) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Koster spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Wilcox was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5761.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5761, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

ENGROSSED SENATE BILL NO. 5761, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5806, by Senate Committee on Transportation (originally sponsored by Senators Cleveland, Rivers, Wilson, Hobbs, Chase and Nelson)**Concerning preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river.**

The bill was read the second time.

Representative Wylie moved the adoption of amendment (446):

Beginning on page 6, line 26, strike all of subsection (2) and insert the following:

"(2) (a) The joint Oregon-Washington legislative action committee is established, with sixteen members as provided in this subsection:

(i) The speaker and minority leader of the house of representatives of each state shall jointly appoint four members, two from each of the two largest caucuses of their state's house of representatives.

(ii) The majority leader and minority leader of the senate of each state shall jointly appoint four members, two from each of the two largest caucuses of their state's senate.

(b) The legislative action committee shall choose its cochair from among its membership, one each from the senate and the house of representatives of both states.

(c) Executive agencies, including the departments of transportation and the transportation commissions, shall cooperate with the committee and provide information and other assistance as the cochair may reasonably request.

(d) Staff support for the legislative action committee must be provided by the Washington house of representatives office of program research, Washington senate committee services, and, contingent upon the acceptance by the legislature of the state of Oregon of the invitation in subsection (1) of this section to participate in the legislative action committee, the Oregon legislative policy and research office.

(e) Legislative members of the legislative action committee are reimbursed for travel expenses. For Washington legislative members, this reimbursement must be in accordance with RCW 44.04.120.

(f) The expenses of the legislative action committee must be paid jointly by both states' senate and house of representatives. In Washington, committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(g) Each meeting of the legislative action committee must allow an opportunity for public comment. Legislative action committee meetings must be scheduled and conducted in accordance with the requirements of both the senate and the house of representatives of both states."

Representatives Wylie and Orcutt spoke in favor of the adoption of the amendment.

Amendment (446) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Wylie spoke in favor of the passage of the bill, as amended by the House.

Representative Orcutt spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5806, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5806, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 37; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Hayes, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McCaslin, Morris, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Hargrove, Harmsworth, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McDonald, Muri, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Taylor, Van Werven, Volz, J. Walsh and Young.

Excused: Representatives Rodne and Wilcox.

SUBSTITUTE SENATE BILL NO. 5806, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute Senate Bill No. 5806.

Representative McCaslin, 4th Legislative District

SECOND READING

SENATE BILL NO. 5122, by Senators Takko and Rivers

Concerning fire commissioner compensation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5122.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5122, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SENATE BILL NO. 5122, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5125, by Senators Braun, Conway, Rossi and Wilson

Defining independent contractor relationships in the context of real estate licensing.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5125.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5125, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SENATE BILL NO. 5125, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5129, by Senators Hunt, Fain, Zeiger, Mullet and Palumbo

Concerning charter school students participating in interschool athletics and extracurricular activities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dolan and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5129.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5129, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SENATE BILL NO. 5129, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5270, by Senators Hawkins, Takko and Pearson

Concerning expiration dates affecting the department of natural resources' contract harvesting program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chapman and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5270.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5270, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SENATE BILL NO. 5270, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5277, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Pedersen, Darneille and Kuderer)

Concerning disqualification of judges.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Graves, Jinkins and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5277.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5277, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SUBSTITUTE SENATE BILL NO. 5277, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5356, by Senate Committee on Law & Justice (originally sponsored by Senators Fain, Palumbo, Miloscia, Frock, Bailey, Rolfes, Angel, Keiser, Conway, Pedersen and Wilson)

Concerning the humane treatment of dogs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman, Graves and Goodman (again) spoke in favor of the passage of the bill.

Representatives Klippert and DeBolt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5356.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5356, and the bill passed the

House by the following vote: Yeas, 68; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Holy, Jenkin, Johnson, Klippert, Koster, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Nealey, Schmick, Shea, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives Rodne and Wilcox.

SUBSTITUTE SENATE BILL NO. 5356, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5388, by Senate Committee on Law & Justice (originally sponsored by Senators Zeiger, Sheldon, Kuderer, Padden, Wilson, Conway, Fortunato, Hobbs, Becker, Warnick and Honeyford)

Concerning unlawful entry on certain properties. Revised for 1st Substitute: Concerning the removal of unauthorized persons from certain premises.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 78, March 27, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Barkis, Kirby, Stambaugh and Klippert spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5388, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5388, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman,

Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5388, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5595, by Senators Billig, O'Ban, Darneille and Padden

Concerning maintaining the quarterly average census method for calculating state hospital reimbursements.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Griffey was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5595.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5595, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells,

Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Griffey, Rodne and Wilcox.

SENATE BILL NO. 5595, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5631, by Senators Becker and Frockt

Concerning the University of Washington's alternative process for awarding contracts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Tharinger spoke in favor of the passage of the bill.

Representatives Holy and Buys spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5631.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5631, and the bill passed the House by the following vote: Yeas, 68; Nays, 27; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Hargrove, Harmsworth, Holy, Jenkin, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Nealey, Pike, Schmick, Shea, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives Griffey, Rodne and Wilcox.

SENATE BILL NO. 5631, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5675, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Mullet and Angel)

Addressing the minimum operating requirements and the review of plans necessary to be included in the small business retirement marketplace.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5675.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5675, and the bill passed the House by the following vote: Yeas, 73; Nays, 22; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Hargrove, Holy, Jenkin, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Steele, Taylor, Volz and Young.

Excused: Representatives Griffey, Rodne and Wilcox.

SUBSTITUTE SENATE BILL NO. 5675, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1032, by Representatives Ryu, Orcutt, Kirby, Vick, Santos, Nealey, Appleton, Manweller, Sawyer, Muri, Blake, Goodman, Stonier, Ortiz-Self, Springer, Hargrove, Peterson, Tarleton, Pettigrew, Stokesbary, Farrell, Clibborn, Stanford, Lytton, Pollet, Kagi, Fitzgibbon, Barkis, Van Werven, Frame, Dolan, Buys, Gregerson, Haler, Young, Dent, Kilduff, Shea and Macri

Concerning the excise taxation of martial arts.

The bill was read the second time.

Representative Ryu moved the adoption of amendment (294):

On page 13, line 33, strike "April" and insert "July"

Representatives Ryu and Orcutt spoke in favor of the adoption of the amendment.

Amendment (294) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu, Orcutt, Graves, Dent, Van Werven and Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1032.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1032, and the bill passed the House by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey,

Fitzgibbon, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Frame and Kloba.

Excused: Representatives Griffey, Rodne and Wilcox.

ENGROSSED HOUSE BILL NO. 1032, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:00 a.m., April 7, 2017, the 89th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

EIGHTY NINTH DAY

House Chamber, Olympia, Friday, April 7, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the Washington National Guard Color Guard. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance.

The National Anthem was performed by members of the 133rd Army National Guard Band.

The prayer was offered by Chaplain Willie Toguchi, Washington State National Guard.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4639, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, and Young

WHEREAS, More than eight thousand men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, voluntarily serve and put personal lives aside when the needs of the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts to protect lives and property, and recently mobilized more than 40 soldiers and airmen to respond to flooding in eastern Washington; and

WHEREAS, The Guard continues to train and prepare for both natural disasters and threats to our national security, including cyber threats; and

WHEREAS, The Guard continues to improve the lives of Washington's young adults, many on the brink of dropping out of school, through its Washington Youth Academy; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for community and youth activities, and uses these facilities to enhance education, add to quality of life, and increase economic vitality; and

WHEREAS, Washington National Guard soldiers and airmen continue to provide critical support to federal missions around the world and are willing to make the ultimate sacrifice to protect our freedoms and enhance our safety, including Sergeant First Class Matthew McClintock, First Lieutenant David Bauders, and Lieutenant Colonel Flando Jackson who made the ultimate sacrifice for our country;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the Readiness Centers and Armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to The Adjutant General of the Washington National Guard, the Governor of the State of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Representative Klippert moved adoption of HOUSE RESOLUTION NO. 4639

Representatives Klippert, J. Walsh and Slatter spoke in favor of the adoption of the resolution.

There being no objection, HOUSE RESOLUTION NO. 4639 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) recognized the National Guard Delegation, Assistant Adjutant General, Army, Brigadier General Wallace Turner;

Assistant Adjutant General, Air, Brigadier General John Touhy; and Brigadier General, Air, Jill Lannan.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) also acknowledged members of the Washington National Guard seated in the galleries and asked them to stand and be recognized.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

April 6, 2017

MR. SPEAKER:

The Senate has passed:

- SUBSTITUTE HOUSE BILL NO. 1100,
- SUBSTITUTE HOUSE BILL NO. 1121,
- SUBSTITUTE HOUSE BILL NO. 1130,
- HOUSE BILL NO. 1166,
- HOUSE BILL NO. 1198,
- SUBSTITUTE HOUSE BILL NO. 1266,
- HOUSE BILL NO. 1285,
- SUBSTITUTE HOUSE BILL NO. 1344,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1375,
- SUBSTITUTE HOUSE BILL NO. 1838,
- SUBSTITUTE HOUSE BILL NO. 1877,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 6, 2017

MR. SPEAKER:

The President has signed:

- HOUSE BILL NO. 1001,
- SUBSTITUTE HOUSE BILL NO. 1010,
- SUBSTITUTE HOUSE BILL NO. 1027,
- SUBSTITUTE HOUSE BILL NO. 1036,
- SUBSTITUTE HOUSE BILL NO. 1176,
- SUBSTITUTE HOUSE BILL NO. 1189,
- SUBSTITUTE HOUSE BILL NO. 1199,
- SUBSTITUTE HOUSE BILL NO. 1235,
- ENGROSSED HOUSE BILL NO. 1248,
- SUBSTITUTE HOUSE BILL NO. 1257,
- HOUSE BILL NO. 1283,
- SUBSTITUTE HOUSE BILL NO. 1320,
- HOUSE BILL NO. 1329,
- SUBSTITUTE HOUSE BILL NO. 1369,

- HOUSE BILL NO. 1400,
- HOUSE BILL NO. 1401,
- SUBSTITUTE HOUSE BILL NO. 1411,
- SUBSTITUTE HOUSE BILL NO. 1420,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1431,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489,
- SUBSTITUTE HOUSE BILL NO. 1515,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1531,
- HOUSE BILL NO. 1593,
- HOUSE BILL NO. 1615,
- HOUSE BILL NO. 1616,
- HOUSE BILL NO. 1629,
- ENGROSSED HOUSE BILL NO. 1654,
- HOUSE BILL NO. 1722,
- HOUSE BILL NO. 1732,
- HOUSE BILL NO. 1734,
- SUBSTITUTE HOUSE BILL NO. 1755,
- SUBSTITUTE HOUSE BILL NO. 1765,
- HOUSE BILL NO. 1832,
- SUBSTITUTE HOUSE BILL NO. 1905,
- ENGROSSED HOUSE BILL NO. 2073,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 6, 2017

MR. SPEAKER:

The Senate has passed:

- ENGROSSED SENATE BILL NO. 5096,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5189,
- SECOND ENGROSSED SENATE BILL NO. 5893,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 6, 2017

MR. SPEAKER:

The President has signed:

- SENATE BILL NO. 5011,
- SUBSTITUTE SENATE BILL NO. 5012,
- SENATE BILL NO. 5040,
- ENGROSSED SENATE BILL NO. 5042,
- SENATE BILL NO. 5075,
- SUBSTITUTE SENATE BILL NO. 5083,
- ENGROSSED SENATE BILL NO. 5097,
- SENATE BILL NO. 5118,
- SUBSTITUTE SENATE BILL NO. 5142,
- SENATE BILL NO. 5162,
- SUBSTITUTE SENATE BILL NO. 5185,
- SENATE BILL NO. 5187,
- SUBSTITUTE SENATE BILL NO. 5207,
- SENATE BILL NO. 5237,

SUBSTITUTE SENATE BILL NO. 5241,
 SENATE BILL NO. 5244,
 SUBSTITUTE SENATE BILL NO. 5262,
 SUBSTITUTE SENATE BILL NO. 5272,
 SUBSTITUTE SENATE BILL NO. 5343,
 SUBSTITUTE SENATE BILL NO. 5374,
 SENATE BILL NO. 5413,
 SUBSTITUTE SENATE BILL NO. 5472,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

ESSB 5838 by Senate Committee on Ways & Means (originally sponsored by Senators Rossi, Kuderer, Palumbo, Braun, Hunt, Fain, O'Ban, Hawkins, Brown, Sheldon, Rivers, Zeiger, Angel, Bailey, Honeyford, Miloscia, Walsh, Wilson, Becker, Warnick, Mullet and Hobbs)

AN ACT Relating to the capital construction of and bonding for addressing the facilities maintenance backlog for the state parks and recreation commission; and adding a new chapter to Title 79A RCW.

Referred to Committee on Capital Budget.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 6, 2017

ESSB 5628 Prime Sponsor, Committee on Local Government: Providing for fire protection district formation by the legislative authority of a city or town subject to voter approval. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended by Committee on Local Government. Signed by Representatives Lytton, Chair; Frame, Vice Chair; Nealey, Ranking Minority Member; Dolan; Pollet; Springer; Stokesbary and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Condotta.

Referred to Committee on Rules for second reading.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5391, by Senators Zeiger, Hobbs, O'Ban, Conway, Chase and Hunt

Clarifying the powers, duties, and functions of the department of veterans affairs.

The bill was read the second time.

Representative Ryu moved the adoption of amendment (461):

On page 3, at the beginning of line 29, strike "conversation" and insert "conservation"

Representatives Ryu and McCabe spoke in favor of the adoption of the amendment.

Amendment (461) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Ryu and McCabe spoke in favor of the passage of the bill, as amended by the House.

MOTIONS

On motion of Representative Riccelli, Representative Pollet was excused.

On motion of Representative Hayes, Representative Rodne was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5391, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5391, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin,

McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5391, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2138, by Representatives Kraft, Kirby, Lovick, Klippert, Smith, Haler and McDonald

Concerning tax relief for the construction of adapted housing for disabled veterans.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2138 was substituted for House Bill No. 2138 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2138 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kraft, Springer and Pike spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2138.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2138, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Frame.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE HOUSE BILL NO. 2138, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Pike congratulated Representative Kraft on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

SENATE BILL NO. 5826, by Senators Hobbs, Zeiger, O'Ban, Conway, Fain, Keiser, Hunt and Saldaña

Concerning eligibility for veteran or national guard tuition waivers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tarleton and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5826.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5826, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5826, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5359, by Senators Conway, Zeiger, Bailey, Rolfes, Hobbs and Kuderer

Requiring annual reporting on the implementation of laws to streamline licensing processes for military service members and their spouses.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Community Development, Housing & Tribal Affairs was adopted. (For Committee amendment, see Journal, Day 79, March 28, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff, McCabe, and Kilduff (again) spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5359, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5359, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5359, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5661, by Senator Rolfes

Addressing interruptive service credit for members of the law enforcement officers' and fire fighters' retirement system.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Robinson spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5661, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5661, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5661, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5031, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Angel and Mullet)

Addressing licensing and enforcement provisions applicable to money transmitters and currency exchanges under the uniform money services act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5031.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5031, and the bill passed the House by the following vote: Yeas, 89; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Kretz, Maycumber, McCaslin, Shea and Taylor.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5031, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5036, by Senators Takko and Sheldon

Clarifying the authority and procedures for unit priced contracting by public utility districts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5036.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5036, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-

Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5036, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5085, by Senators Pedersen, Padden, Frockt and O'Ban

Enacting the uniform voidable transactions act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Graves spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5085.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5085, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Morris.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5085, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5227, by Senators King, Hobbs, Hasegawa, Saldaña and Kuderer

Requiring drivers to stop for approaching other on-track equipment at railroad grade crossings.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5227.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5227, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5227, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5235, by Senate Committee on Local Government (originally sponsored by Senator Takko)

Withdrawing territory from a cemetery district.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton, Graves and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5235.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5235, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5235, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5261, by Senator Warnick

Concerning irrigation district authority.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5261.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5261, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor,

Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5261, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5274, by Senators Conway, Bailey, Schoesler and Hobbs

Defining salary for purposes of the Washington state patrol retirement system.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 79, March 28, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Fey and Orcutt spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5274, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5274, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5274, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5322, by Senate Committee on Health Care (originally sponsored by

Senators King, Frockt, Miloscia, Conway, Hobbs and Becker)

Concerning agreements between dentists and third parties that provide supportive services to dentists.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris, Caldier and Macri spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5322.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5322, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5322, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5372, by Senate Committee on State Government (originally sponsored by Senators Becker, Rivers, Brown, Miloscia, O'Ban, Zeiger and Angel)

Addressing state audit findings of noncompliance with state law.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Koster spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5372.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5372, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5372, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5640, by Senators Conway, Cleveland, Frockt, Zeiger and Saldaña

Concerning technical college diploma programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5640.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5640, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves,

Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5640, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5734, by Senators Chase, Baumgartner, Miloscia, Saldaña, Keiser, Conway, Hasegawa, McCoy, Braun, Honeyford, Brown, Kuderer, Rivers and Warnick

Bringing Washington state government contracting provisions into compliance with federal law as it relates to small works bonding requirements.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Peterson and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5734.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5734, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5734, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5837, by Senate Committee on Transportation (originally sponsored by Senators Saldaña, Hawkins, Hobbs, Hasegawa, Frockt and Kuderer)

Expanding high occupancy vehicle lane access to blood-collecting or distributing establishment vehicles. Revised for 1st Substitute: Addressing high occupancy vehicle lane access for blood-collecting or distributing establishment vehicles.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Hargrove spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5837.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5837, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5837, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

HOUSE BILL NO. 1452, by Representatives Holy, Tarleton, Van Werven, Springer, Stambaugh, Haler, Pollet and Slatter

Concerning the opportunity scholarship program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was not adopted. (For Committee amendment, see Journal, Day 47, February 24, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Holy and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1452.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1452, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

HOUSE BILL NO. 1452, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2143, by Representatives Haler, Hansen, Holy, Stanford and Muri

Expanding opportunities for higher education students.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2143 was substituted for House Bill No. 2143 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2143 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2143.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2143, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.
Excused: Representatives Pollet and Rodne.

SECOND SUBSTITUTE HOUSE BILL NO. 2143, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5808, by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senators Warnick, Chase, Walsh, Brown, Becker, Short and Bailey)

Concerning agritourism.

The bill was read the second time.

With the consent of the House, amendment (445) was withdrawn.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 78, March 27, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Manweller and Jinkins spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5808, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5808, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5808, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5051, by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senators Brown, Warnick, Honeyford, Becker and Schoesler)

Concerning nondefault termination provisions in state land leases for agricultural or grazing purposes. Revised for 1st Substitute: Concerning nondefault or early termination provisions in state land leases for agricultural or grazing purposes.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chapman and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5051.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5051, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5051, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5200, by Senators Becker, Warnick, Fain, Bailey, Brown, Hasegawa and Rolfes

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

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5200.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5200, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith,

Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Tarleton and Tharinger.

Excused: Representatives Pollet and Rodne.

SENATE BILL NO. 5200, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5644, by Senate Committee on Ways & Means (originally sponsored by Senator Honeyford)

Concerning skill center facility maintenance.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Capital Budget was adopted. (For Committee amendment, see Journal, Day 80, March 29, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Tharinger and DeBolt spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5644, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5644, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5644, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5435, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Rivers, Cleveland and Darnelle)

Specifying to whom information and records related to mental health services may be disclosed for the purposes of care coordination and treatment.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5435.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5435, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5435, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5764, by Senate Committee on Higher Education (originally sponsored by Senators Wellman, Hasegawa and Rolfes)

Concerning higher education records.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5764.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5764, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5764, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5301, by Senate Committee on State Government (originally sponsored by Senators Miloscia, Hunt, Hasegawa, Chase and Conway)

Including repeat and willful violations of certain state laws to the state's responsible bidder criteria. Revised for 1st Substitute: Including willful violations of certain state laws to the state's responsible bidder criteria.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Graves spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5301.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5301, and the bill passed the House by the following vote: Yeas, 63; Nays, 33; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Pike, Schmick, Shea, Taylor, Van Werven, Vick and Volz.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE SENATE BILL NO. 5301, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5107, by Senate Committee on Ways & Means (originally sponsored by Senators Billig, Fain, Rolfes, Wellman, Walsh, Zeiger, Liias, Cleveland, Hunt, Conway, Saldaña, Kuderer and Mullet)

Creating a local pathway for local governments, school districts, and nonprofit organizations to provide more high quality early learning opportunities by reducing barriers and increasing efficiency. Revised for 2nd Substitute: Facilitating local funding and involvement in expanding early childhood education and assistance program eligibility.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Senn spoke in favor of the passage of the bill.

Representative Dent spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5107.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5107, and the bill passed the

House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Haler, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, Pike, Schmick, Shea, Smith, Taylor, Van Werven, Vick, Volz and Young.

Excused: Representative Rodne.

SECOND SUBSTITUTE SENATE BILL NO. 5107, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Second Substitute Senate Bill No. 5107.

Representative Harmsworth, 44th Legislative District

SECOND READING

SUBSTITUTE SENATE BILL NO. 5357, by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Fain, Billig, Sheldon, Hunt, Palumbo, Zeiger, Hobbs, Rolfes, Pearson, Rivers, Carlyle, Saldaña, Walsh, Liias, Conway, Kuderer and Hasegawa)

Establishing a pilot project to license outdoor early learning and child care programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5357.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5357, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kristiansen, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Haler, Hargrove, Holy, Jenkin, Johnson, Koster, Kraft, Kretz, MacEwen, Manweller, Maycumber, McCaslin, Pike, Schmick, Shea, Taylor, Vick, Volz, J. Walsh and Young.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5357, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5552, by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen, Zeiger, Frockt, Takko, O'Ban, Fain and Hobbs)

Concerning firearms sales and transfers.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 72, March 21, 2017).

Representative Koster moved the adoption of amendment (439) to the committee striking amendment:

On page 8, line 9 of the striking amendment, after "laws;" strike "or"

On page 8, line 12 of the striking amendment, after "relic" insert "; or"

(j) The sale or transfer of a firearm where the seller or transferor and the purchaser or transferee both possess a valid concealed pistol license"

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (439) to the committee striking amendment to ESSB 5552.

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding): *ESSB 5552 has a specific and narrow title:*

"An act relating to background checks for firearms sales or transfers, but only with respect to clarifying that the term firearm does not include flare guns and construction tools, clarifying that the term transfer does not include transfers between an entity and its employee or agents for lawful purposes in the ordinary course of business, defining licensed collector and curio or relic, expanding the family member exemption to include loans and parents-in-law and siblings-in-law, providing an exemption for temporary transfers for the purpose of preventing suicide or self-inflicted great bodily harm, providing an exemption for licensed collectors when the firearm is a curio or relic, and providing an exemption for temporary transfers where the transferee and the firearm are in the presence of the transferor."

Amendment 439 exempts from background check requirements the sale or transfer of a firearm where both the seller or transferor and the purchaser or transferee possess a valid concealed pistol license.

The Speaker finds and rules that the amendment is outside the scope of the bill as defined by its title. The point of order is well taken.

Amendment (439) was not adopted.

The committee striking amendment was not adopted.

Amendment (438) was ruled out of order.

POINT OF PARLIAMENTARY INQUIRY

Representative Shea: "Thank you Mr. Speaker. Point of parliamentary inquiry: the previous amendment could not have been out of order if the striker failed."

SPEAKER'S RULING

Mr. Speaker: "The gentleman is correct, give us just a moment to straighten things out."

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which the committee striking amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5552 was not adopted.

There being no objection, the committee striking amendment was adopted.

Amendment (438) was ruled out of order.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Jinkins and Muri spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of

Engrossed Substitute Senate Bill No. 5552, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5552, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5552, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fourth order of business.

SUPPLEMENTAL INTRODUCTION & FIRST READING

ESB 5096 by Senators King and Hobbs

AN ACT Relating to transportation funding and appropriations; amending RCW 47.56.403, 43.19.642, 46.68.325, 47.56.876, 46.68.030, 46.68.060, 46.68.280, and 46.68.290; creating new sections; making appropriations and authorizing expenditures for capital improvements; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

ESSB 5819 by Senate Committee on Transportation (originally sponsored by Senators King and Hobbs)

AN ACT Relating to the board of pilotage commissioners; amending RCW 88.16.035, 88.16.061, and 88.16.090; reenacting and amending RCW 43.79A.040 and 43.84.092; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

2ESB 5893 by Senators O'Ban, Rossi, Becker, Rivers, Miloscia, King, Bailey, Braun, Wilson, Walsh, Zeiger, Angel, Warnick, Brown, Honeyford, Fortunato, Pearson, Padden, Fain, Schoesler and Hawkins

AN ACT Relating to the administration of motor vehicle excise taxes by regional transit authorities; amending RCW 82.44.135, 81.104.160, 82.44.035, and 81.104.190; and declaring an emergency.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's supplemental introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of ENGROSSED SENATE BILL NO. 5096 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, SENATE BILL NO. 5126 and SECOND SUBSTITUTE SENATE BILL NO. 5749 were referred to the Committee on Rules.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SUBSTITUTE SENATE BILL NO. 5022
ENGROSSED SUBSTITUTE SENATE BILL NO. 5038
SENATE BILL NO. 5039
SUBSTITUTE SENATE BILL NO. 5046
SUBSTITUTE SENATE BILL NO. 5069
SUBSTITUTE SENATE BILL NO. 5077
SUBSTITUTE SENATE BILL NO. 5081
SUBSTITUTE SENATE BILL NO. 5100
ENGROSSED SUBSTITUTE SENATE BILL NO. 5106
SENATE BILL NO. 5119
ENGROSSED SENATE BILL NO. 5128
ENGROSSED SUBSTITUTE SENATE BILL NO. 5131
SUBSTITUTE SENATE BILL NO. 5133
SENATE BILL NO. 5189
SUBSTITUTE SENATE BILL NO. 5196
SENATE BILL NO. 5252
SECOND SUBSTITUTE SENATE BILL NO. 5258
SENATE BILL NO. 5268
SECOND SUBSTITUTE SENATE BILL NO. 5285
SUBSTITUTE SENATE BILL NO. 5289
ENGROSSED SUBSTITUTE SENATE BILL NO. 5293
SENATE BILL NO. 5315
SENATE BILL NO. 5316
SENATE BILL NO. 5331
SUBSTITUTE SENATE BILL NO. 5404

ENGROSSED SUBSTITUTE SENATE BILL NO.
5470
SECOND SUBSTITUTE SENATE BILL NO. 5474
SENATE BILL NO. 5488
SUBSTITUTE SENATE BILL NO. 5514
SECOND SUBSTITUTE SENATE BILL NO. 5546
SUBSTITUTE SENATE BILL NO. 5560
SECOND SUBSTITUTE SENATE BILL NO. 5577
SUBSTITUTE SENATE BILL NO. 5589
SENATE BILL NO. 5614
SENATE BILL NO. 5635
SENATE BILL NO. 5639
SENATE BILL NO. 5662
SENATE BILL NO. 5674
SENATE BILL NO. 5691
SUBSTITUTE SENATE BILL NO. 5705
SUBSTITUTE SENATE BILL NO. 5713

SENATE BILL NO. 5715
SENATE BILL NO. 5762
SENATE BILL NO. 5778
SUBSTITUTE SENATE BILL NO. 5779
SUBSTITUTE SENATE BILL NO. 5790
ENGROSSED SENATE BILL NO. 5834
SUBSTITUTE SENATE BILL NO. 5835

There being no objection, the House adjourned until 9:00 a.m., April 10, 2017, the 92nd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

NINETY SECOND DAY

House Chamber, Olympia, Monday, April 10, 2017

The House was called to order at 9:00 a.m. by the Speaker (Representative Sullivan presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julia Kilduff and Todd Bonnes. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Fred Williams, Snohomish Community Church, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2201 by Representatives Pellicciotti, Slatter, Reeves, Clibborn, Lovick, Ormsby, Pollet, Kilduff, Kloba, Orwall, Sells, Stanford, Wylie and Senn

AN ACT Relating to the collection of a motor vehicle excise tax approved by voters of a regional transit authority in 2016 by creating a market value adjustment program to provide a credit based on the difference between the vehicle valuation schedule used by the authority to determine the tax amount under current law and the vehicle valuation schedule in RCW 82.44.035 in a manner that limits the delay of the voter approved 2016 plan; adding a new section to chapter 82.44 RCW; adding a new section to chapter 81.112 RCW; and declaring an emergency.

Referred to Committee on Transportation.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

RESOLUTIONS

HOUSE RESOLUTION NO. 2017-4638, by Representatives Tarleton, Frame, and Macri

WHEREAS, In 1906, under the command of Hiram M. Chittenden, the U.S. Army Corps of Engineers initiated preliminary planning for construction of a navigable connection to transport logs, milled lumber, and fishing vessels between Lake Washington and the Puget Sound; and

WHEREAS, In early 1909, the Washington State legislature appropriated \$250,000 to excavate the canal between Lake Union and Lake Washington; and

WHEREAS, In June 1910, on the condition that all other canals along the route be paid for locally, the U.S. Congress gave its approval for the U.S. Army Corps of Engineers to construct the Ballard Locks; and

WHEREAS, Construction of the Ballard Locks commenced in 1911, connecting Salmon Bay to Shilshole Bay; and

WHEREAS, In July 1912, the Ballard Locks' gates closed for the first time, turning Salmon Bay from saltwater to freshwater; and

WHEREAS, On August 3, 1916, the first boat passed through the Ballard Locks; and

WHEREAS, In order to allow for the intended boat traffic, three existing bridges were removed along the ship canal route at Latona Avenue, Fremont Avenue, and Stone Way; and

WHEREAS, The newly constructed Ballard and Fremont Bridges were completed in 1917, followed by the University Bridge in 1919, and the Montlake Bridge in 1925; and

WHEREAS, The Lake Washington Ship Canal Project was declared completed in 1934; and

WHEREAS, Since its official opening on July 4, 1917, the Ballard Locks have continued to serve the city of Seattle and the Puget Sound region as a critical transportation corridor for commercial fishing and seafood processing vessels, tugs, barges, and recreational boats; and

WHEREAS, The Corps of Engineers also built a fish ladder at the Locks to allow salmon returning to spawning grounds to pass around the locks and dam; and

WHEREAS, The fish ladder was reconstructed in 1976 to improve water flow and fish passage and to create an underground viewing window for visitors to watch the returning salmon; and

WHEREAS, The nation's largest commercial fishing fleet, the North Pacific Fishing Fleet, is homeported on Salmon Bay at Port of Seattle's Fishermen's Terminal; and the Fleet goes to sea and returns home through the Ballard Locks; and

WHEREAS, Because the Ballard Locks and the Lake Washington Ship Canal provide access to Puget Sound and the Pacific Ocean, some of the nation's largest seafood

processing vessels are based on the north end of Lake Union; and

WHEREAS, Averaging 50,000 vessels each year, the Ballard Locks carry more boat traffic annually than any other lock in the United States; and

WHEREAS, Together with the Fish Ladder and the Carl S. English Jr. Botanical Gardens, the Ballard Locks attract more than 1.2 million visitors annually, making it one of the most popular tourist attractions in the city of Seattle and in Washington State; and

WHEREAS, The Ballard Locks have connected the salt waters of Puget Sound to Seattle's freshwater bays and lakes for 100 years, allowing the maritime and fishing industries to remain a core part of Seattle's economy and way of life;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives celebrate the Centennial birthday for the Hiram M. Chittenden Locks on July 4, 2017; extend recognition of, and appreciation for, the impact that the Ballard Locks have had on Seattle's way of life; and hope that these working locks will contribute to a better quality of life for all future generations.

There being no objection, HOUSE RESOLUTION NO. 4638 was adopted.

HOUSE RESOLUTION NO. 2017-4640, by Representatives Stambaugh, Kilduff, Kraft, McDonald, Ryu, Smith, Steele, Klippert, Barkis, Dent, Nealey, and Muri

WHEREAS, The annual Daffodil Festival is a cherished tradition for the people of Pierce County and the Northwest; and

WHEREAS, 2017 marks the 84th annual Daffodil Festival, and the theme of this year's festival is "Fun in the Sun"; and

WHEREAS, The mission of the Daffodil Festival is to focus national and regional attention on our local area as a place to live and visit, to give citizens of Pierce County a civic endeavor where a "Daffodil Paradise" comes alive, to foster civic pride, to give young people and organizations of the local area an opportunity to display their talents and abilities, to give voice to citizens' enthusiasm through parades, pageantry, and events, and to stimulate the economy through expenditures by and for the Festival and by visitors attracted during Festival Week; and

WHEREAS, The Festival began in 1926 as a modest garden party in Sumner and grew steadily each year until 1934, when flowers, which previously had been largely discarded in favor of daffodil bulbs, were used to decorate cars and bicycles for a short parade through Tacoma; and

WHEREAS, The Festival's 2017 events include the 84th Annual Grand Floral Street Parade on April 8, 2017—winding its way from downtown Tacoma through the

communities of Puyallup, Sumner, and Orting, and consisting of approximately 150 entries, including bands, marching and mounted units, and floats that are decorated with fresh-cut Daffodils numbering in the thousands—and will culminate with the Marine parade on April 23, 2017; and

WHEREAS, This year's Festival royalty includes Naravie Phaisan, Lincoln High School; Mabel Thompson, Spanaway Lake High School; Vilma Alvarado Garcia, Clover Park High School; Jalin Whitemarsh, Washington High School; Serena Bolden, Graham-Kapowsin High School; Thipsuda Srinakrungs, Henry Foss High School; Meghan LaLiberte, Rogers High School; Jane McDonald, Emerald Ridge High School; Macy Nuber, Puyallup High School; Brianna Bryant, Bethel High School; Haley Leeper, Curtis High School; Bridget Gray, Stadium High School; Leilani Espino, Mount Tahoma High School; Amanda Fisher, Franklin Pierce High School; Courtney Gelmini, White River High School; Christine Lew, Lakes High School; Sarah Litzenberger, Eatonville High School; Marin Sasaki, Orting High School; Kate Meinecke, Fife High School; Elizabeth Larios, Sumner High School; Heather Haugen, Bonney Lake High School; and Tallia Campbell, Chief Leschi High School;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the many contributions made to our state by the Daffodil Festival and its organizers for the past eighty-four years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the 2017 Daffodil Festival Officers and to the members of the 2017 Daffodil Festival Royalty.

There being no objection, HOUSE RESOLUTION NO. 4640 was adopted.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1100
HOUSE BILL NO. 1107
SUBSTITUTE HOUSE BILL NO. 1121
SUBSTITUTE HOUSE BILL NO. 1130
HOUSE BILL NO. 1148
SUBSTITUTE HOUSE BILL NO. 1149
HOUSE BILL NO. 1166
HOUSE BILL NO. 1195
HOUSE BILL NO. 1198
HOUSE BILL NO. 1204
SUBSTITUTE HOUSE BILL NO. 1218
SUBSTITUTE HOUSE BILL NO. 1266
HOUSE BILL NO. 1285
SECOND SUBSTITUTE HOUSE BILL NO. 1338

SUBSTITUTE HOUSE BILL NO. 1344
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1351
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1375
 HOUSE BILL NO. 1449
 ENGROSSED HOUSE BILL NO. 1450
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1503
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1548
 SUBSTITUTE HOUSE BILL NO. 1568
 ENGROSSED HOUSE BILL NO. 1728
 HOUSE BILL NO. 1754
 SUBSTITUTE HOUSE BILL NO. 1813
 SUBSTITUTE HOUSE BILL NO. 1820
 SUBSTITUTE HOUSE BILL NO. 1838
 HOUSE BILL NO. 1853
 SUBSTITUTE HOUSE BILL NO. 1877
 HOUSE BILL NO. 1907
 SUBSTITUTE HOUSE BILL NO. 2058
 SENATE BILL NO. 5011
 SUBSTITUTE SENATE BILL NO. 5012
 SENATE BILL NO. 5040
 ENGROSSED SENATE BILL NO. 5042
 SENATE BILL NO. 5075
 SUBSTITUTE SENATE BILL NO. 5083
 ENGROSSED SENATE BILL NO. 5097
 SENATE BILL NO. 5118
 SUBSTITUTE SENATE BILL NO. 5142
 SENATE BILL NO. 5162
 SUBSTITUTE SENATE BILL NO. 5185
 SENATE BILL NO. 5187
 SUBSTITUTE SENATE BILL NO. 5207
 SENATE BILL NO. 5237
 SUBSTITUTE SENATE BILL NO. 5241
 SENATE BILL NO. 5244
 SUBSTITUTE SENATE BILL NO. 5262
 SUBSTITUTE SENATE BILL NO. 5272
 SUBSTITUTE SENATE BILL NO. 5343
 SUBSTITUTE SENATE BILL NO. 5374
 SENATE BILL NO. 5413
 SUBSTITUTE SENATE BILL NO. 5472

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

April 7, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1018,
 HOUSE BILL NO. 1064,
 HOUSE BILL NO. 1071,
 SECOND SUBSTITUTE HOUSE BILL NO. 1120,
 SUBSTITUTE HOUSE BILL NO. 1346,
 SUBSTITUTE HOUSE BILL NO. 1626,
 HOUSE BILL NO. 1794,

HOUSE BILL NO. 2052,
 and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5022, by Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Rolfes, Liias, Keiser, Conway, Wellman, Hasegawa, Mullet, Frockt and Kuderer)

Providing information to students about education loans.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pollet and Holy spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5022, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5022, as amended by the House, and the bill passed the House by the following vote:

Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, Koster, Kretz, Kristiansen, Maycumber, Orcutt and Taylor.

SUBSTITUTE SENATE BILL NO. 5022, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5039, by Senators Pedersen, O'Ban, Frockt and Padden)

Adopting the uniform electronic legal material act.

The bill was read the second time.

Representative Shea moved the adoption of amendment (327):

On page 4, at the beginning of line 13, strike "national standard-setting bodies" and insert "the National Institute of Standards and Technology"

Representative Shea and Shea (again) spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (327) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins, Rodne and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5039.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5039 and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Halder, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5039, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5069, by Senate Committee on Law & Justice (originally sponsored by Senators Walsh, Frockt, O'Ban, Zeiger, Chase, Hasegawa, Conway and Palumbo)

Providing associate degree education to enhance education opportunities and public safety.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Frame spoke in favor of the passage of the bill.

Representative Holy spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5069.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5069, and the bill passed the House by the following vote: Yeas, 78; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Halder, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Dye, Hayes, Holy, Johnson, Koster, Kretz, Kristiansen, Manweller, Maycumber, McCaslin, Pike, Schmick, Shea, Smith, Taylor, Vick and Volz.

SUBSTITUTE SENATE BILL NO. 5069, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5077, by Senate Committee on Law & Justice (originally sponsored by Senators Angel, Darneille, Padden, Wilson, Rolfes, Keiser, Mullet, Wellman, Conway and Saldaña)

Allowing the department of corrections to provide temporary housing assistance to individuals being released from certain corrections centers for women.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5077.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5077, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz and J. Walsh.

SUBSTITUTE SENATE BILL NO. 5077, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5081, by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen and Miloscia)

Adopting the revised uniform law on notarial acts.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 72, March 21, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5081, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5081, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5081, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

was not found

SUBSTITUTE SENATE BILL NO. 5081, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5128, by Senators Takko, Rivers and Chase

Allowing incremental electricity produced as a result of certain capital investment projects to qualify as an eligible renewable resource under the energy independence act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives J. Walsh and Morris spoke in favor of the passage of the bill

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5128.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5128, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Goodman, Hudgins, Peterson, Pollet, Senn and Stanford.

ENGROSSED SENATE BILL NO. 5128, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5196, by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senators Warnick, Hobbs, Takko, King, Chase and Honeyford)

Including cattle feedlots implementing best management practices within the statutory exemption for odor or fugitive dust caused by agricultural activity.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5196.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5196, and the bill passed the

House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Pollet and Stanford.

SUBSTITUTE SENATE BILL NO. 5196, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5258, by Senate Committee on Ways & Means (originally sponsored by Senators Zeiger, Fain, Mullet, Rolfes, Chase, Kuderer and Hunt)

Creating the Washington academic, innovation, and mentoring (AIM) program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Dolan, Harris and Jenkin spoke in favor of the passage of the bill as amended by the House.

Representative MacEwen spoke against the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5258, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5258, as amended by the House, and the bill passed the House by the following vote: Yeas, 77; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame,

Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, DeBolt, Dent, Dye, Griffey, Holy, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Orcutt, Schmick, Shea, Taylor, Volz and Wilcox.

SECOND SUBSTITUTE SENATE BILL NO. 5258, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5404, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Rivers, Liias, Zeiger, Wellman, Keiser, Fain, Kuderer and Carlyle)

Permitting the possession and application of topical sunscreen products at schools.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was adopted. (For Committee amendment, see Journal, Day 78, March 27, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Dolan and Harris spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5404, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5404, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer,

Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5404, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5470, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Brown, Hobbs, Rivers, Becker, Takko, Ericksen, Honeyford and Schoesler)

Advancing the development of renewable energy by improving the permitting process for geothermal resources exploration.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was adopted. (For Committee amendment, see Journal, Day 80, March 29, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Fitzgibbon and Taylor spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5470, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5470, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5470, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5474, by Senate Committee on Ways & Means (originally sponsored by Senator Pearson)

Initiating proactive steps to address elk hoof disease.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5474, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5474, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE SENATE BILL NO. 5474, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5488, by Senators Zeiger, Rolfes, Chase and Saldaña

Changing the annual reporting date for the transitional bilingual instruction program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dolan and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5488.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5488, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5488, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5639, by Senators Conway and Zeiger

Concerning alternative student assessments.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stonier and MacEwen spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5639, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5639, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives DeBolt, Graves, Hargrove, Orcutt, Stokesbary and Wilcox.

SENATE BILL NO. 5639, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5662, by Senator Zeiger

Authorizing the superintendent of public instruction to designate a member of the professional educator standards board.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5662.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5662, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter,

Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, MacEwen and Taylor.

SENATE BILL NO. 5662, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5835, by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Baumgartner, Fain, Conway, Cleveland, Rivers, Kuderer, Braun, Rossi, Hasegawa, Hunt and Saldaña)

Promoting healthy outcomes for pregnant women and infants.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5835.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5835, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5835, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5177, by Senators Bailey, Keiser, Palumbo and Conway

Requiring long-term care workers to be trained to recognize hearing loss.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 68, March 17, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5177, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5177, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5177, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5119, by Senators Takko, Dansel, Sheldon, Angel, Chase, Palumbo and Wellman

Concerning water-sewer districts.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government was adopted. (For Committee amendment, see Journal, Day 74, March 23, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Griffey and McBride spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5119, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5119, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5119, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5514, by Senate Committee on Health Care (originally sponsored by Senators Rivers, Cleveland and Keiser)

Concerning rapid health information network data reporting.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Macri spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5514.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5514, and the bill passed the House by the following vote: Yeas, 65; Nays, 33; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Maycumber, McCaslin, McDonald, Orcutt, Pike, Schmick, Shea, Smith, Taylor, Van Werven, Volz, J. Walsh, Wilcox and Young.

SUBSTITUTE SENATE BILL NO. 5514, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5546, by Senate Committee on Ways & Means (originally sponsored by Senators Hawkins, McCoy, Fortunato, Pearson, Braun, Sheldon, Rivers and O'Ban)

Concerning proactively addressing wildfire risk by creating a forest health treatment assessment.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5546.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5546, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri,

Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE SENATE BILL NO. 5546, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5635, by Senators Padden, Pedersen, Angel, Palumbo, O'Ban, Wilson, Rossi and Zeiger

Concerning retail theft with special circumstances.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5635, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5635, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5635, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5691, by Senators Bailey, Rivers, Becker and Warnick

Modifying or terminating a guardianship when a less restrictive alternative is available to provide for the needs of an incapacitated person.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 74, March 23, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jenkins and Rodne spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5691, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5691, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5691, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5705, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, O'Ban, Rivers, Bailey, Miloscia, Schoesler, Warnick, Brown, Zeiger and Honeyford)

Concerning inspection and review of state contracted behavioral health and recovery agencies.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 75, March 24, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5705, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5705, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5705, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5713, by Senate Committee on Higher Education (originally sponsored by Senators Palumbo, Wilson, Zeiger and King)

Creating the skilled worker outreach, recruitment, and career awareness training program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pollet and Stambaugh spoke in favor of the passage of the bill as amended by the House.

Representative Buys spoke against the passage of the bill as amended by the House.

MOTION

On motion of Representative Riccelli, Representative Appleton was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5713, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5713, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, McCaslin, Taylor and Wilcox.

Excused: Representative Appleton.

SUBSTITUTE SENATE BILL NO. 5713, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5715, by Senators Rivers, Keiser, Cleveland, Becker, Hunt, Billig, Bailey and Kuderer

Limiting nursing home direct care payment adjustments to the lowest case mix weights in the reduced physical function groups and authorizing upward adjustments to case mix weights in the cognitive and behavior groups.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5715, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5715, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Appleton.

SENATE BILL NO. 5715, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5762, by Senators Hunt, Short and Sheldon

Concerning financing of the mercury-containing light stewardship program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was adopted. (For Committee amendment, see Journal, Day April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Fitzgibbon and Taylor spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5762, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5762, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Appleton.

SENATE BILL NO. 5762, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5778, by Senators Wilson and Zeiger

Modifying the definition of resident student to comply with the federal requirements established by the veterans access, choice, and accountability act of 2014.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pollet and Holy spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5778, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5778, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff,

Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Appleton.

SENATE BILL NO. 5778, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5779, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Brown and O'Ban)

Concerning behavioral health integration in primary care.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5779, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5779, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger,

Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Haler, Holy and Taylor.
Excused: Representative Appleton.

SUBSTITUTE SENATE BILL NO. 5779, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Sullivan to preside.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 7, 2017

HB 1075 Prime Sponsor, Representative Tharinger: Concerning the capital budget. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

April 7, 2017

HB 1080 Prime Sponsor, Representative Tharinger: Concerning state general obligation bonds and related accounts. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

Referred to Committee on Rules for second reading.

April 7, 2017

HB 2182 Prime Sponsor, Representative Peterson: Relating to providing a tiered tax on the possession of hazardous substances to provide for the current program's immediate needs and a more stable source of revenue in the future. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Doglio,

Vice Chair; Peterson, Vice Chair; Macri; Morris; Reeves; Riccelli; Ryu; Sells and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Johnson; Koster; Kraft; MacEwen; Steele and Walsh, J..

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt, Ranking Minority Member Smith, Assistant Ranking Minority Member.

April 7, 2017

ESSB 5033 Prime Sponsor, Committee on Ways & Means: Concerning financing essential public infrastructure. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.155.010 and 1996 c 168 s 1 are each amended to read as follows:

The legislature finds that there exists in the state of Washington over four billion dollars worth of critical projects for the planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, and storm and sanitary sewage systems. The December, 1983 Washington state public works report prepared by the planning and community affairs agency documented that local governments expect to be capable of financing over two billion dollars worth of the costs of those critical projects but will not be able to fund nearly half of the documented needs.

The legislature further finds that Washington's local governments have unmet financial needs for solid waste disposal, including recycling, and encourages the board to make an equitable geographic distribution of the funds.

It is the policy of the state of Washington to encourage self-reliance by local governments in meeting their public works needs and to assist in the financing of critical public works projects by making loans, grants, financing guarantees, and technical assistance available to local governments for these projects.

Sec. 2. RCW 43.155.020 and 2009 c 565 s 33 are each amended to read as follows:

~~((Unless the context clearly requires otherwise,))~~ The definitions in this section ~~((shall))~~ apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the public works board created in RCW 43.155.030.

(2) "Capital facility plan" means a capital facility plan required by the growth management act under chapter 36.70A RCW or, for local governments not fully planning under the growth management act, a plan required by the public works board.

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

(4) "Financing guarantees" means the pledge of money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects.

(5) "Local governments" means cities, towns, counties, special purpose districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts and port districts.

(6) "Public works project" means a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, or storm and sanitary sewage systems, lead remediation of drinking water systems, and solid waste facilities, including recycling facilities. A planning project may include the compilation of biological, hydrological, or other data on a county, drainage basin, or region necessary to develop a base of information for a capital facility plan.

(7) "Solid waste or recycling project" means remedial actions necessary to bring abandoned or closed landfills into compliance with regulatory requirements and the repair, restoration, and replacement of existing solid waste transfer, recycling facilities, and landfill projects limited to the opening

of landfill cells that are in existing and permitted landfills.

(8) "Technical assistance" means training and other services provided to local governments to: (a) Help such local governments plan, apply, and qualify for loans, grants, and financing guarantees from the board, and (b) help local governments improve their ability to plan for, finance, acquire, construct, repair, replace, rehabilitate, and maintain public facilities.

(9) "Value planning" means a uniform approach to assist in decision making through systematic evaluation of potential alternatives to solving an identified problem.

Sec. 3. RCW 43.155.030 and 1999 c 153 s 58 are each amended to read as follows:

(1) The public works board is hereby created.

(2) The board shall be composed of seventeen members as provided in this subsection:

(a) Thirteen members appointed by the governor for terms of four years, except that five members initially shall be appointed for terms of two years. ~~((The board))~~ These members shall include: ~~((a) Three)~~ (i) Two members, ~~((two))~~ one of whom shall be an elected official~~((s))~~ and one shall be a public works manager or a finance director, appointed from a list of at least six persons nominated by ~~((the))~~ a state association of ~~((Washington))~~ cities or its successor; ~~((b) three)~~ (ii) two members, ~~((two))~~ one of whom shall be an elected official~~((s))~~ and one shall be a public works manager or a finance director, appointed from a list of at least six persons nominated by ~~((the Washington))~~ a state association of counties or its successor; ~~((c) three)~~ (iii) one member~~((s))~~ appointed from a list of at least ~~((six))~~ three persons nominated ~~((jointly))~~ by ~~((the Washington))~~ a state association of public utility districts ~~((association and))~~ or its successor; (iv) one member appointed from a list of at least three persons nominated by a state association of water-sewer districts~~((r))~~ or ~~((their))~~ its successor~~((s))~~; and ~~((d) four))~~ (v) seven members appointed from the general public with expertise in relevant fields. In appointing the ~~((four))~~ seven general public members, the governor shall ~~((endeavor to))~~ balance the geographical composition of

the board and ~~((to))~~ include members with special expertise in relevant fields such as public finance, architecture and civil engineering, and public works construction. The governor shall appoint one of the general public members of the board as chair. The term of the chair shall coincide with the term of the governor.

(b) Four members from the legislature appointed for terms of four years. The speaker of the house of representatives shall appoint one member from each of the two major caucuses of the house of representatives and the president of the senate shall appoint one member from each of the two major caucuses of the senate. Additionally, the speaker of the house of representatives may designate one member from each of the two major caucuses of the house of representatives and the president of the senate may appoint one member from each of the two major caucuses of the senate as alternate members to take the place of the appointed member on the board for meetings at which the member will be absent. The alternate member shall have all powers to vote and participate in board deliberations as the other board members.

(3) Staff support to the board shall be provided by the department.

(4) Nonlegislative members of the board shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060. Legislative members of the board shall be reimbursed for travel in accordance with RCW 44.04.120.

(5) If a vacancy on the board occurs by death, resignation, or otherwise, the governor shall fill the vacant position for the unexpired term. Each vacancy in a position appointed from lists provided by the associations under subsection (2) of this section shall be filled from a list of at least three persons nominated by the relevant association or associations. Any members of the board, appointive or otherwise, may be removed by the governor for cause in accordance with RCW 43.06.070 and 43.06.080.

Sec. 4. RCW 43.155.040 and 1985 c 446 s 10 are each amended to read as follows:

The board may:

(1) Accept from any state or federal agency, loans or grants for the planning or financing of any public works project

and enter into agreements with any such agency concerning the loans or grants;

(2) Provide technical assistance to local governments;

(3) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(4) Develop a program that provides grants and additional assistance to leverage federal programs, and other opportunities to target deeper financial assistance to communities with economic distress or projects that would result in rate increases to residential utility rates that exceed a determined percentage of median household income;

(5) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter;

~~((+5))~~ (6) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

Sec. 5. RCW 43.155.050 and 2015 3rd sp.s. c 4 s 959 and 2015 3rd sp.s. c 3 s 7032 are each reenacted and amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and grants and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than ~~((fifteen))~~ twenty percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans and grants, emergency loans and grants, or loans and grants for capital facility planning under this chapter ~~((, of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans))~~. Not

more than ten percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated as grants for preconstruction, emergency, capital facility planning, and construction projects. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such amounts as reflect the excess fund balance of the account. ~~((During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature.))~~ During the 2015-2017 fiscal biennium, the legislature may appropriate moneys from the account for activities related to the growth management act and the voluntary stewardship program. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the state general fund such amounts as specified by the legislature. ~~((In the 2017-2019 fiscal biennium the legislature intends to allocate seventy-three million dollars of future loan repayments paid into the public works assistance account to support basic education.))~~

Sec. 6. RCW 43.155.060 and 1988 c 93 s 2 are each amended to read as follows:

(1) In order to aid the financing of public works projects, the board may:

~~((1))~~ (a) Make ~~((low interest or interest free))~~ loans or grants to local governments from the public works assistance account or other funds and accounts for the purpose of assisting local governments in financing public works projects. ~~((The board may require such terms and conditions and may charge such rates of interest on its loans as it deems necessary or convenient to carry out the purposes of this chapter.))~~ Money received from local governments in repayment of loans made under this section shall be paid into the public works assistance account for uses consistent with this chapter.

~~((2))~~ (b) Pledge money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works

projects. The board shall not pledge any amount greater than the sum of money in the public works assistance account plus money to be received from the payment of the debt service on loans made from that account, nor shall the board pledge the faith and credit or the taxing power of the state or any agency or subdivision thereof to the repayment of obligations issued by any local government.

~~((3))~~ (c) Create such subaccounts in the public works assistance account as the board deems necessary to carry out the purposes of this chapter.

~~((4))~~ (d) Provide a method for the allocation of loans, grants, and financing guarantees and the provision of technical assistance under this chapter.

(2)(a) When establishing interest rates for loan programs authorized in this chapter for projects which are supported by a rate base of at least fifty thousand equivalent residential units, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle.

(b) For projects with a repayment period between five and twenty years, the rate must be fifty percent of the market rate.

(c) For projects with a repayment period under five years, the rate must be twenty-five percent of the market rate.

(d) For any year in which the average daily market interest rate for tax-exempt municipal bonds for the period from sixty to thirty days before the start of an application cycle is nine percent or greater, the board may cap interest rates at four percent for projects with a repayment period between five and twenty years and at two percent for projects with a repayment period under five years.

(e) The board may also provide reduced interest rates, extended repayment periods, or grants for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship. The board may provide reduced interest rates, extended repayment periods, or grants for projects that are supported by a rate base of less than fifty thousand equivalent residential units.

(3) All local public works projects aided in whole or in part under the provisions of this chapter shall be put out for competitive bids, except for emergency public works under RCW 43.155.065 for which the recipient jurisdiction shall comply with this requirement to the extent feasible and practicable. The competitive bids called for shall be administered in the same manner as all other public works projects put out for competitive bidding by the local governmental entity aided under this chapter.

Sec. 7. RCW 43.155.065 and 2001 c 131 s 3 are each amended to read as follows:

The board may make low-interest or interest-free loans or grants to local governments for emergency public works projects. Emergency public works projects shall include the construction, repair, reconstruction, replacement, rehabilitation, or improvement of a public water system that is in violation of health and safety standards and is being operated by a local government on a temporary basis. The loans or grants may be used to help fund all or part of an emergency public works project less any reimbursement from any of the following sources: (1) Federal disaster or emergency funds, including funds from the federal emergency management agency; (2) state disaster or emergency funds; (3) insurance settlements; or (4) litigation.

Sec. 8. RCW 43.155.068 and 2001 c 131 s 4 are each amended to read as follows:

(1) The board may make (~~low-interest or interest-free~~) loans or grants to local governments for preconstruction activities on public works projects before the legislature approves the construction phase of the project. Preconstruction activities include design, engineering, bid-document preparation, environmental studies, right-of-way acquisition, value planning, and other preliminary phases of public works projects as determined by the board. The purpose of the loans and grants authorized in this section is to accelerate the completion of public works projects by allowing preconstruction activities to be performed before the approval of the construction phase of the project by the legislature.

(2) Projects receiving loans or grants for preconstruction activities under this section must be evaluated using the

priority process and factors in RCW 43.155.070(~~(+2+)~~). The receipt of a loan or grant for preconstruction activities does not ensure the receipt of a construction loan or grant for the project under this chapter. Construction loans or grants for projects receiving a loan or grant for preconstruction activities under this section are subject to legislative approval under RCW 43.155.070 (~~(+4) and (+5)~~) (7). The board shall adopt a single application process for local governments seeking both a loan or grant for preconstruction activities under this section and a construction loan for the project.

Sec. 9. RCW 43.155.070 and 2015 3rd sp.s. c 3 s 7033 are each amended to read as follows:

(1) To qualify for financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by

RCW 36.70A.040 before executing a contractual agreement for financial assistance with the board.

(3) In considering awarding financial assistance for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4) ~~((The board must develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board must attempt to assure a geographical balance in assigning priorities to projects. The board must consider at least the following factors in assigning a priority to a project:~~

~~(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;~~

~~(b) Except as otherwise conditioned by RCW 43.155.110, whether the entity receiving assistance is a Puget Sound partner, as defined in RCW 90.71.010;~~

~~(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310;~~

~~(d) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;~~

~~(e) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance;~~

~~(f) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007;~~

~~(g) The cost of the project compared to the size of the local government and amount of loan money available;~~

~~(h) The number of communities served by or funding the project;~~

~~(i) Whether the project is located in an area of high unemployment, compared to the average state unemployment;~~

~~(j) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public water system that is in violation of health and safety standards, including the cost of extending existing service to such a system;~~

~~(k) Except as otherwise conditioned by RCW 43.155.120, and effective one calendar year following the development of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030;~~

~~(l) The relative benefit of the project to the community, considering the present level of economic activity in the community and the existing local capacity to increase local economic activity in communities that have low economic growth; and~~

~~(m) Other criteria that the board considers advisable.~~

~~(5) For the 2015-2017 fiscal biennium, in place of the criteria, ranking, and submission processes for construction loan lists provided in subsections (4) and (7) of this section:))~~

(a) The board must develop a process ~~((for numerically ranking))~~ to prioritize applications ~~((for construction))~~ and funding of loans and grants for public works projects submitted by local governments. The board must consider, at a minimum and in any order, the following factors in ~~((assigning a numerical ranking to a))~~ prioritizing projects:

(i) Whether the project is critical in nature and would affect the health and safety of many people;

(ii) The extent to which the project leverages ~~((nonstate))~~ other funds;

(iii) The extent to which the project is ready to proceed to construction;

(iv) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(v) Whether the project promotes the sustainable use of resources and environmental quality, as applicable;

(vi) Whether the project consolidates or regionalizes systems;

(vii) Whether the project encourages economic development through mixed-use and mixed income development consistent with chapter 36.70A RCW;

(viii) Whether the system is being well-managed in the present and for long-term sustainability;

(ix) Achieving equitable distribution of funds by geography and population;

(x) The extent to which the project meets the following state policy objectives:

(A) Efficient use of state resources;

(B) Preservation and enhancement of health and safety;

(C) Abatement of pollution and protection of the environment;

(D) Creation of new, family-wage jobs, and avoidance of shifting existing jobs from one Washington state community to another;

(E) Fostering economic development consistent with chapter 36.70A RCW;

(F) Efficiency in delivery of goods and services (~~(, public transit,)~~) and transportation; and

(G) (~~(Avoidance of additional costs to state and local governments that adversely impact local residents and small businesses; and~~

~~(H))~~) Reduction of the overall cost of public infrastructure; (~~and~~)

(xi) Whether the applicant sought or is seeking funding for the project from other sources; and

(xii) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before (~~(November)~~) September 1, ((2016)) 2018, and each year thereafter, the board must develop and submit a report regarding the construction loans and grants to the office of financial management and appropriate fiscal committees of the senate and house of representatives (~~(a ranked list of qualified public works projects which have been evaluated by the board and are~~

~~recommended for funding by the legislature)).~~ The report must include:

(i) The total number of applications and amount of funding requested for public works projects;

(ii) A list and description of projects approved in the preceding fiscal year with project scores against the board's prioritization criteria;

(iii) The total amount of loan and grants disbursements made from the public works assistance account in the preceding fiscal year;

(iv) The total amount of loan repayments in the preceding fiscal year for outstanding loans from the public works assistance account;

(v) The total amount of loan repayments due for outstanding loans for each fiscal year over the following ten-year period; and

(vi) The total amount of funds obligated and timing of when the funds were obligated in the preceding fiscal year.

(c) The maximum amount of funding that the board may ((recommend)) provide for any jurisdiction is ten million dollars per biennium. ((For each project on the ranked list, as well as for eligible projects not recommended for funding, the board must document the numerical ranking that was assigned.

~~((7))~~ (5) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

~~((7))~~ (6) Before (~~(November)~~) September 1st of each (~~(even-numbered)~~) year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans and grants made under RCW 43.155.065 ~~((7))~~ and 43.155.068 ~~((, and subsection (10) of this section during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list must include, but not be limited to, a description of each project and recommended financing, the terms and~~

~~conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list must also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes, real estate excise taxes, property taxes, and charges for or taxes on sewerage, water, garbage, and other utilities).~~

~~((8)) (7) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds to the board for ((a specific list of)) the purpose of funding public works projects under this chapter. ((The legislature may remove projects from the list recommended by the board. The legislature may not change the order of the priorities recommended for funding by the board.~~

~~(9) Subsection (8) of this section does not apply to loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section.~~

~~(10) Loans made for the purpose of capital facilities plans are exempted from subsection (8) of this section.~~

~~((11)) (8) To qualify for loans, grants, or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.~~

~~((12)) (9) After January 1, 2010, any project designed to address the effects of storm water or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.~~

~~((13) During the 2015-2017 fiscal biennium,) (10) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the public works board must require as a contract~~

condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan or grant.

~~((14) (a) For public works assistance account application rounds conducted during the 2015-2017 fiscal biennium,))~~

~~(11) The board must implement policies and procedures designed to maximize local government ((use)) consideration of ((federal)) other funds to finance local infrastructure ((including, but not limited to, drinking water and clean water state revolving funds operated by the state departments of health and ecology. Projects that are eligible for the drinking water and clean water state revolving funds may receive public works board preconstruction loans. Projects that are eligible for the drinking water and clean water state revolving funds are not eligible for public works board construction loans. For purposes of this subsection "eligible for drinking water and clean water state revolving funds" means:~~

~~(i) Projects that have applied to the state revolving funds and are awaiting a funding decision;~~

~~(ii) Projects that have been rejected for funding solely due to not meeting readiness requirements; and~~

~~(iii) Projects that have not applied, but would likely be eligible if the project applied and met the project readiness requirements.~~

~~(b) For all construction loan projects proposed to the legislature for funding during the 2015-2017 fiscal biennium, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle. For projects with a repayment period between five and twenty years, the rate must be sixty percent of the market rate. For projects with a repayment period under five years, the rate must be thirty percent of the market rate. The board must also provide reduced interest rates, extended repayment periods, or forgivable principal loans for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship).~~

Sec. 10. RCW 43.155.075 and 2001 c 227 s 10 are each amended to read as follows:

In providing loans and grants for public works projects, the board shall require recipients to incorporate the environmental benefits of the project into their applications, and the board shall utilize the statement of environmental benefits in its prioritization and selection process, when applicable. For projects funded under this chapter, the board may require a local government to have sustainable asset management best practices in place; provide a long-term financial plan to demonstrate a sound maintenance program; have a long-term financial plan for loan repayments in place; and undergo value planning at the predesign project stage, where the greatest productivity gains and cost savings can be found. The board shall also develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the loan and grant program. To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270. The board shall consult with affected interest groups in implementing this section.

NEW SECTION. Sec. 11. (1) An interagency, multijurisdictional system improvement team must identify, implement, and report on system improvements that achieve the designated outcomes, including:

(a) Projects that maximize value, minimize overall costs and disturbance to the community, and ensure long-term durability and resilience;

(b) Projects that are designed to meet the unique needs of each community, rather than the needs of particular funding programs;

(c) Project designs that maximize long-term value by fully considering and responding to anticipated long-term environmental, technological, economic and population changes;

(d) The flexibility to innovate, including utilizing natural systems, addressing multiple regulatory drivers, and forming regional partnerships;

(e) The ability to plan and collaborate across programs and jurisdictions so that different

investments are packaged to be complementary, timely, and responsive to economic and community opportunities;

(f) The needed capacity for communities, appropriate to their unique financial, planning, and management capacities, so they can design, finance, and build projects that best meet their long-term needs and minimize costs;

(g) Optimal use and leveraging of federal and private infrastructure dollars; and

(h) Mechanisms to ensure periodic, system-wide review and ongoing achievement of the designated outcomes.

(2) The system improvement team must consist of representatives of state infrastructure programs that provide funding for drinking water, wastewater, and storm water programs, including but not limited to representatives from the department of ecology, department of health, and the department of commerce. The system improvement team may invite representatives of other infrastructure programs, such as transportation and energy, as needed in order to achieve efficiency, minimize costs, and maximize value across infrastructure programs. The system improvement team shall also consist of representatives of users of those programs, representatives of infrastructure project builders, and other parties the system improvement team determines would contribute to achieving the desired outcomes, including but not limited to representatives from a state association of cities, a state association of counties, a state association of public utility districts, a state association of water and sewer districts, a state association of general contractors, and a state organization representing building trades. A representative from the department of ecology, department of health, and department of commerce shall facilitate the work of the system improvement team.

(3) The system improvement team must focus on achieving the designated outcomes within existing program structures and authorities. The system improvement team shall use lean practices to achieve the designated outcomes.

(4) The system improvement team shall provide briefings as requested to the public works board on the current state of infrastructure programs to build an understanding of the infrastructure

investment program landscape and the interplay of its component parts.

(5) If the system improvement team encounters statutory or regulatory barriers to system improvements, the system improvement team must inform the public works board and consult on possible solutions. When achieving the designated outcomes would be best served through changes in program structures or authorities, the system improvement team must report those findings to the public works board.

(6) This section expires June 30, 2021.

NEW SECTION. **Sec. 12.** The public works board, in consultation with stakeholders, including the system improvement team and financing experts, must evaluate and report on other financing approaches that could be established to provide access to financing for local governments who have trouble accessing the existing private credit market at reasonable rates for infrastructure. The public works board must submit the report to the appropriate fiscal committees of the senate and house of representatives and the office of financial management by December 1, 2018."

Correct the title.

Signed by Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Johnson; Koster; Kraft; MacEwen; Macri; Morris; Reeves; Riccelli; Ryu; Sells; Steele; Stonier and Walsh, J..

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 2182 and ENGROSSED SUBSTITUTE SENATE BILL NO. 5033 which were placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Appropriations was relieved of SECOND SUBSTITUTE SENATE BILL NO. 5347, and the bill was placed on the second reading calendar.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SECOND ENGROSSED SUBSTITUTE SENATE
BILL NO. 5294
SUBSTITUTE SENATE BILL NO. 5327
SUBSTITUTE SENATE BILL NO. 5358
SUBSTITUTE SENATE BILL NO. 5366
SENATE BILL NO. 5437
SENATE BILL NO. 5442
SENATE BILL NO. 5581
ENGROSSED SUBSTITUTE SENATE BILL NO.
5810

There being no objection, the House adjourned until 10:00 a.m., April 11, 2017, the 93rd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

NINETY THIRD DAY

House Chamber, Olympia, Tuesday, April 11, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Zachary Stonier and Nikki Robinson. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Cindy Ryu, 32nd Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2017-4641, by Representatives Shea, Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young, and Irwin

WHEREAS, Upon entering WWI in April 1917, the U.S. had thousands of Americans answer the call to arms and leave for the green fields and muddy trenches of France, while others served in military facilities throughout the states and in the territories; and

WHEREAS, Out of the 60,617 officers and enlisted men from Washington who served in WWI, 1,642 did not come home alive; some were killed in action, some died from wounds received in action, and others died of influenza and pneumonia that was spreading through Europe; and

WHEREAS, WWI was supposed to be the "war to end all wars"; unfortunately, that was not the case; and

WHEREAS, WWI introduced ordinary Americans to a broader geopolitical view of the world and at the same time the world was introduced to a people who transcended borders to extend the hope of freedom and aid in the release from tyranny; and

WHEREAS, Let us remember the great sacrifices made by Washington's WWI veterans and reflect on the purpose for which they sacrificed; our WWI veterans risked their lives for a reason, they risked their lives for life itself, and may God rest their souls;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the Washingtonians who served in WWI, acknowledge their contribution to our nation, and remember their great sacrifices on the 100th anniversary of the U.S.'s entry into WWI.

There being no objection, HOUSE RESOLUTION NO. 4641 was adopted.

HOUSE RESOLUTION NO. 2017-4642, by Representatives Stanford, McBride, and Peterson

WHEREAS, In 1996, the Academy of American Poets established the month of April as National Poetry Month; and

WHEREAS, National Poetry Month highlights the extraordinary legacy and ongoing achievements of American poets, introduces Americans to the pleasures and benefits of reading poetry, assists teachers in bringing poetry into their classrooms, encourages the reading of poems, and encourages increased publication and distribution of poetry books; and

WHEREAS, Poetry is an essential part of the arts and humanities and affects every aspect of life in America today, including education, the economy, and development; and

WHEREAS, Poetry is a means for building community and culture, expressing deeply held beliefs and values, and passing on cultural heritage to future generations; and

WHEREAS, Poetry has been an inherent part of the work of many of the nation's leading creative artists and has inspired other artists in fields such as music, theatre, film, dance, and the visual arts;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the Academy of American Poets' designation of the month of April as "National Poetry Month."

There being no objection, HOUSE RESOLUTION NO. 4642 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

April 10, 2017

MR. SPEAKER:

and the same are herewith transmitted.

The President has signed:

Hunter G. Goodman, Secretary

SENATE BILL NO. 5122,
 SENATE BILL NO. 5125,
 SENATE BILL NO. 5129,
 SENATE BILL NO. 5144,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5256,
 SENATE BILL NO. 5270,
 SUBSTITUTE SENATE BILL NO. 5277,
 SENATE BILL NO. 5306,
 SUBSTITUTE SENATE BILL NO. 5356,
 SENATE BILL NO. 5382,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5449,
 SUBSTITUTE SENATE BILL NO. 5481,
 SENATE BILL NO. 5543,
 SUBSTITUTE SENATE BILL NO. 5573,
 SENATE BILL NO. 5595,
 SENATE BILL NO. 5631,
 SENATE BILL NO. 5649,
 SUBSTITUTE SENATE BILL NO. 5675,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5751,
 ENGROSSED SENATE BILL NO. 5761,
 SENATE BILL NO. 5813,

April 10, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1153,
 ENGROSSED HOUSE BILL NO. 1201,
 SUBSTITUTE HOUSE BILL NO. 1258,
 HOUSE BILL NO. 1281,
 SUBSTITUTE HOUSE BILL NO. 1417,
 SUBSTITUTE HOUSE BILL NO. 1490,
 HOUSE BILL NO. 1578,
 HOUSE BILL NO. 1623,
 SUBSTITUTE HOUSE BILL NO. 1671,
 SUBSTITUTE HOUSE BILL NO. 1683,
 SUBSTITUTE HOUSE BILL NO. 1741,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1808,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1809,
 HOUSE BILL NO. 1931,
 HOUSE BILL NO. 1959,

and the same are herewith transmitted.

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

Hunter G. Goodman, Secretary

April 10, 2017

There being no objection, the House advanced to the sixth order of business.

MR. SPEAKER:

SECOND READING

The President has signed:

**ENGROSSED SENATE BILL NO. 5665, by
 Senators Wilson, Keiser, Conway and King**

SUBSTITUTE SENATE BILL NO. 5031,
 SENATE BILL NO. 5036,
 SUBSTITUTE SENATE BILL NO. 5051,
 SENATE BILL NO. 5085,
 SECOND SUBSTITUTE SENATE BILL NO. 5107,
 SENATE BILL NO. 5200,
 SENATE BILL NO. 5227,
 SUBSTITUTE SENATE BILL NO. 5235,
 SENATE BILL NO. 5261,
 SUBSTITUTE SENATE BILL NO. 5301,
 SUBSTITUTE SENATE BILL NO. 5322,
 SUBSTITUTE SENATE BILL NO. 5357,
 SUBSTITUTE SENATE BILL NO. 5372,
 SUBSTITUTE SENATE BILL NO. 5435,
 SENATE BILL NO. 5640,
 SENATE BILL NO. 5734,
 SUBSTITUTE SENATE BILL NO. 5764,
 SENATE BILL NO. 5826,
 SUBSTITUTE SENATE BILL NO. 5837,

Concerning the use of credit cards for purchases of beer, spirits, and wine by the purchaser licensed to sell beer, spirits, and/or wine for consumption on the licensed premises.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Commerce & Gaming was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 74, March 23, 2017).

Representative Condotta moved the adoption of amendment (451) to the committee striking amendment:

and the same are herewith transmitted.

On page 1, line 23 of the striking amendment, after "licensee." strike all material through "issuer" on line 25 and insert "In establishing the fees to be passed on as authorized in this section a distributor must use the same method of determining or calculating such fees for all customers who elect to use a credit card when accepting delivery of beer, spirits and/or wine. The aggregate of all credit card fees passed on to customers by a distributor as authorized under this section during a calendar month, or such longer time as may be established by the board, may not exceed the aggregate of the

Hunter G. Goodman, Secretary

April 10, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5205,
 SUBSTITUTE SENATE BILL NO. 5768,

fees imposed on that distributor by credit card issuers during that same time period"

Representatives Condotta and Sawyer spoke in favor of the adoption of the amendment (451) to the committee striking amendment.

Amendment (451) was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Sawyer and Condotta spoke in favor of the passage of the bill as amended by the House.

MOTION

On motion of Representative Riccelli, Representative Hansen was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5665, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5665, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Hansen.

ENGROSSED SENATE BILL NO. 5665, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5537, by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators King and Keiser)

Authorizing licensed spirits and wine distributors to sell spirits and wine products to their employees in certain circumstances.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Sawyer spoke in favor of the passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5537.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5537, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Hargrove, Harmsworth, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Condotta, Dent, Dye, Goodman, Haler, Harris, Holy, Jenkin, Klippert, McCabe, McCaslin, McDonald, Nealey, Pellicciotti, Schmick, Shea, Smith, Steele, Volz and Wilcox.

Excused: Representative Hansen.

SUBSTITUTE SENATE BILL NO. 5537, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5834, by Senator Baumgartner

Concerning the licensing of bonded spirits warehouses.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Gaming was adopted. (For Committee amendment, see Journal, Day 74, March 23, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Sawyer and Condotta spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5834, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5834, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Hansen.

ENGROSSED SENATE BILL NO. 5834, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5293, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Darnelle and Chase)

Concerning court-based and school-based efforts to promote attendance and reduce truancy.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5293.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5293, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 1; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Dye, Hayes, McCaslin, Schmick, Shea, Smith, Taylor, Van Werven, and Vick.

Absent: Representative Caldier.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5293, having received the necessary constitutional majority, was declared passed.

MOTION

On motion of Representative Hayes, Representative Caldier was excused.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE SENATE BILL NO. 5293 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of ENGROSSED SUBSTITUTE SENATE BILL NO. 5293 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5293, on reconsideration, and the bill passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Dye, Hayes, Jenkin, Kretz, Manweller, Maycumber, McCaslin, Schmick, Shea, Smith, Taylor, Van Werven, Vick and Young.

Excused: Representative Caldier.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5293, on reconsideration, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5327, by Senate Committee on Law & Justice (originally sponsored by Senators Angel and Padden)

Clarifying the duties of court clerks.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal Day 78, March 27, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Graves and Jenkins spoke in favor of the passage of the bill as amended by the House.

MOTION

On motion of Representative Hayes, Representative Johnson was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5327, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5327, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Johnson.

SUBSTITUTE SENATE BILL NO. 5327, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5358, by Senate Committee on Ways & Means (originally sponsored by Senators Schoesler and Ranker)

Improving tax and licensing laws administered by the department of revenue, but not including changes to tax laws that are estimated to affect state or local tax collections as reflected in any fiscal note prepared and approved under the process established in chapter 43.88A RCW.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Finance was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Frame and Nealey spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5358, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5358, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Johnson.

SUBSTITUTE SENATE BILL NO. 5358, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5366, by Senate Committee on Transportation (originally sponsored by Senators Hobbs, King, Liias and Fortunato)

Concerning the authorization of and deposit of moneys from department of transportation advertising activities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5366.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5366, and the bill passed the House by the following vote: Yeas, 91; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Smith, Stanford and Taylor.

Excused: Representatives Caldier and Johnson.

SUBSTITUTE SENATE BILL NO. 5366, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5437, by Senators Chase and Honeyford

Concerning the weighmaster program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 74 March 23, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Buys and Blake spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5437, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5437, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Johnson.

SENATE BILL NO. 5437, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5581, by Senators Angel and Mullet

Authorizing public hospital districts to participate in self-insurance risk pools with nonprofit hospitals.

The bill was read the second time.

Representative Santos moved the adoption of amendment (502):

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** This chapter is intended to provide authority for two or more public benefit hospital entities to participate in a joint self-insurance program covering property or liability risks. This chapter provides public benefit hospital entities with the exclusive source of authority to jointly self-insure property and liability risks,

jointly purchase insurance or reinsurance, and to contract for risk management, claims, and administrative services with other public benefit hospital entities, except as otherwise provided in this chapter. This chapter must be liberally construed to grant public benefit hospital entities maximum flexibility in jointly self-insuring to the extent the self-insurance programs are operated in a safe and sound manner. This chapter is intended to require prior approval for the establishment of every joint self-insurance program. In addition, this chapter is intended to require every joint self-insurance program for public benefit hospital entities established under this chapter to notify the state of the existence of the program and to comply with the regulatory and statutory standards governing the management and operation of the programs as provided in this chapter. This chapter is not intended to authorize or regulate self-insurance of unemployment compensation under chapter 50.44 RCW or industrial insurance under chapter 51.14 RCW.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Hospital services" means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services provided in a hospital setting.

(2) "Property and liability risks" include the risk of property damage or loss sustained by a public benefit hospital entity and the risk of claims arising from the tortious or negligent conduct or any error or omission of the entity, its officers, employees, agents, or volunteers as a result of which a claim may be made against the entity.

(3) "Public benefit hospital entity" means any of the following:

(a) A public hospital district organized under the laws of this state or another state and any agency or instrumentality of a public hospital district including, but not limited to, a legal entity created to conduct a joint self-insurance program for public hospital districts that is operating in accordance with chapter 48.62 RCW; or

(b) A nonprofit corporation, whether organized under the laws of this state or another state, that meets the following requirements:

(i) The nonprofit corporation operates one or more hospitals each of which is licensed for three hundred sixty or fewer beds by the department of health pursuant to chapter 70.41 RCW; and

(ii) The nonprofit corporation is engaged in providing hospital services.

(4) "Self-insurance" means a formal program of advance funding and management of entity financial exposure to a risk of loss that is not transferred through the purchase of an insurance policy or contract.

(5) "State risk manager" means the risk manager of the office of risk management within the department of enterprise services.

NEW SECTION. Sec. 3. (1) The governing body of a public benefit hospital entity may join or form a self-insurance program together with one or more other public benefit hospital entities, and may jointly purchase insurance or reinsurance with one or more other public benefit hospital entities for property and liability risks only as permitted under this chapter. Public benefit hospital entities may contract for or hire personnel to provide risk management, claims, and administrative services in accordance with this chapter.

(2) The agreement to form a joint self-insurance program may include the organization of a separate legal or administrative entity with powers delegated to the entity.

(3) If provided for in the organizational documents, a joint self-insurance program may, in conformance with this chapter:

(a) Contract or otherwise provide for risk management and loss control services;

(b) Contract or otherwise provide legal counsel for the defense of claims and other legal services;

(c) Consult with the state insurance commissioner and the state risk manager;

(d) Jointly purchase insurance and reinsurance coverage in a form and amount as provided for in the organizational documents;

(e) Obligate the program's participants to pledge revenues or contribute money to secure the obligations or pay the expenses of the program, including the establishment of a reserve or fund for coverage; and

(f) Possess any other powers and perform all other functions reasonably necessary to carry out the purposes of this chapter.

(4) Every joint self-insurance program governed by this chapter must appoint the state risk manager as its attorney to receive service of, and upon whom must be served, all legal process issued against the program in this state upon causes of action arising in this state.

(a) Service upon the state risk manager as attorney constitutes service upon the program. Service upon joint self-insurance programs subject to this chapter may only occur by service upon the state risk manager. At the time of service, the plaintiff shall pay to the state risk manager a fee to be set by the state risk manager, taxable as costs in the action.

(b) With the initial filing for approval with the state risk manager, each joint self-insurance program must designate by name and address the person to whom the state risk manager must forward legal process that is served upon him or her. The joint self-insurance program may change this person by filing a new designation.

(c) The appointment of the state risk manager as attorney is irrevocable, binds any successor in interest or to the assets or liabilities of the joint self-insurance program, and remains in effect as long as there is in force in this state any contract made by the joint self-insurance program or liabilities or duties arising from the contract.

(d) The state risk manager shall keep a record of the day and hour of service upon him or her of all legal process. A copy of the process, by registered mail with return receipt requested, must be sent by the state risk manager to the person designated to receive legal process by the joint self-insurance program in its most recent designation filed with the state risk manager. Proceedings must not commence against the joint self-insurance program, and the program must not be required to appear, plead, or answer, until the expiration of forty days after the date of service upon the state risk manager.

NEW SECTION. **Sec. 4.** This chapter does not apply to a public benefit hospital entity that:

(1) Individually self-insures for property and liability risks; or

(2) Participates in a risk pooling arrangement, including a risk retention group or a risk purchasing group, regulated under chapter 48.92 RCW, is a captive insurer authorized in its state of domicile, or participates in a local government risk pool formed under chapter 48.62 RCW.

NEW SECTION. **Sec. 5.** The state risk manager shall adopt rules governing the management and operation of joint self-insurance programs for public benefit hospital entities that cover property or liability risks. All rules must be appropriate for the type of program and class of risk covered. The state risk manager's rules must include:

(1) Standards for the management, operation, and solvency of joint self-insurance programs, including the necessity and frequency of actuarial analyses and claims audits;

(2) Standards for claims management procedures;

(3) Standards for contracts between joint self-insurance programs and private businesses, including standards for contracts between third-party administrators and programs; and

(4) Standards that preclude public hospital districts or other public entities participating in the joint self-insurance program from subsidizing, regardless of the form of subsidy, public benefit hospital entities that are not public hospital districts or public entities. These standards do not apply to the consideration attributable to the ownership interest of a public hospital district or other public entity in a separate legal or administrative entity organized with respect to the program.

NEW SECTION. **Sec. 6.** Before the establishment of a joint self-insurance program covering property or liability risks by public benefit hospital entities, the entities must obtain the approval of the state risk manager. The entities proposing the creation of a joint self-insurance program requiring prior approval shall submit a plan of management and operation to the state risk manager that provides at least the following information:

(1) The risk or risks to be covered, including any coverage definitions, terms, conditions, and limitations;

(2) The amount and method of funding the covered risks, including the initial capital and proposed rates and projected premiums;

(3) The proposed claim reserving practices;

(4) The proposed purchase and maintenance of insurance or reinsurance in excess of the amounts retained by the joint self-insurance program;

(5) The legal form of the program including, but not limited to, any articles of incorporation, bylaws, charter, or trust agreement or other agreement among the participating entities;

(6) The agreements with participants in the program defining the responsibilities and benefits of each participant and management;

(7) The proposed accounting, depositing, and investment practices of the program;

(8) The proposed time when actuarial analysis will be first conducted and the frequency of future actuarial analysis;

(9) A designation of the individual to whom service of process must be forwarded by the state risk manager on behalf of the program;

(10) All contracts between the program and private persons providing risk management, claims, or other administrative services;

(11) A professional analysis of the feasibility of the creation and maintenance of the program;

(12) A legal determination of the potential federal and state tax liabilities of the program; and

(13) Any other information required by rule of the state risk manager that is necessary to determine the probable financial and management success of the program or that is necessary to determine compliance with this chapter.

NEW SECTION. Sec. 7. A public benefit hospital entity may participate in a joint self-insurance program covering property or liability risks with similar public benefit hospital entities from other states if the program satisfies the following requirements:

(1) An ownership interest in the program is limited to some or all of the

public benefit hospital entities of this state and public benefit hospital entities of other states that are provided insurance by the program;

(2) The participating public benefit hospital entities of this state and other states shall elect a board of directors to manage the program, a majority of whom must be affiliated with one or more of the participating public benefit hospital entities;

(3) The program must provide coverage through the delivery to each participating public benefit hospital entity of one or more written policies affecting insurance of covered risks;

(4) The program must be financed, including the payment of premiums and the contribution of initial capital, in accordance with the plan of management and operation submitted to the state risk manager in accordance with this chapter;

(5) The financial statements of the program must be audited annually by the certified public accountants for the program, and these audited financial statements must be delivered to the state risk manager not more than one hundred twenty days after the end of each fiscal year of the program;

(6) The investments of the program must be initiated only with financial institutions or broker-dealers, or both, doing business in those states in which participating public benefit hospital entities are located, and these investments must be audited annually by the certified public accountants for the program;

(7) The treasurer of a multistate joint self-insurance program must be designated by resolution of the program and the treasurer must be located in the state of one of the participating entities;

(8) The participating entities may have no contingent liabilities for covered claims, other than liabilities for unpaid premiums, retrospective premiums, or assessments, if assets of the program are insufficient to cover the program's liabilities; and

(9) The program must obtain approval from the state risk manager in accordance with this chapter and must remain in compliance with this chapter, except if provided otherwise under this section.

NEW SECTION. Sec. 8. (1) Within one hundred twenty days of receipt of a plan

of management and operation, the state risk manager shall either approve or disapprove of the formation of the joint self-insurance program after reviewing the plan to determine whether the proposed program complies with this chapter and all rules adopted in accordance with this chapter.

(2) If the state risk manager denies a request for approval, the state risk manager shall specify in detail the reasons for denial and the manner in which the program fails to meet the requirements of this chapter or any rules adopted in accordance with this chapter.

(3) If the state risk manager determines that a joint self-insurance program covering property or liability risks is in violation of this chapter or is operating in an unsafe financial condition, the state risk manager may issue and serve upon the program an order to cease and desist from the violation or practice.

(a) The state risk manager shall deliver the order to the appropriate entity or entities directly or mail it to the appropriate entity or entities by certified mail with return receipt requested.

(b) If the program violates the order or has not taken steps to comply with the order after the expiration of twenty days after the cease and desist order has been received by the program, the program is deemed to be operating in violation of this chapter, and the state risk manager shall notify the attorney general of the violation.

(c) After hearing or with the consent of a program governed under this chapter and in addition to or in lieu of a continuation of the cease and desist order, the state risk manager may levy a fine upon the program in an amount not less than three hundred dollars and not more than ten thousand dollars. The order levying the fine must specify the period within which the fine must be fully paid. The period within which the fine must be paid must not be less than fifteen and no more than thirty days from the date of the order. Upon failure to pay the fine when due, the state risk manager shall request the attorney general to bring a civil action on the state risk manager's behalf to collect the fine. The state risk manager shall pay any fine collected to the state treasurer for the account of the general fund.

(4) Each joint self-insurance program approved by the state risk manager shall annually file a report with the state risk manager providing:

(a) Details of any changes in the articles of incorporation, bylaws, charter, or trust agreement or other agreement among the participating public benefit hospital entities;

(b) Copies of all the insurance coverage documents;

(c) A description of the program structure, including participants' retention, program retention, and excess insurance limits and attachment point;

(d) An actuarial analysis;

(e) A list of contractors and service providers;

(f) The financial and loss experience of the program; and

(g) Other information as required by rule of the state risk manager.

(5) A joint self-insurance program requiring the state risk manager's approval may not engage in an act or practice that in any respect significantly differs from the management and operation plan that formed the basis for the state risk manager's approval of the program unless the program first notifies the state risk manager in writing and obtains the state risk manager's approval. The state risk manager shall approve or disapprove the proposed change within sixty days of receipt of the notice. If the state risk manager denies a requested change, the state risk manager shall specify in detail the reasons for the denial and the manner in which the program would fail to meet the requirements of this chapter or any rules adopted in accordance with this chapter.

NEW SECTION. Sec. 9. (1) A joint self-insurance program may by resolution of the program designate a person having experience with investments or financial matters as treasurer of the program. The program must require a bond obtained from a surety company in an amount and under the terms and conditions that the program finds will protect against loss arising from mismanagement or malfeasance in investing and managing program funds. The program may pay the premium on the bond.

(2) All interest and earnings collected on joint self-insurance program funds belong to the program and must be

deposited to the program's credit in the proper program account.

NEW SECTION. Sec. 10. (1) An employee or official of a participating public benefit hospital entity in a joint self-insurance program may not directly or indirectly receive anything of value for services rendered in connection with the operation and management of a self-insurance program other than the salary and benefits provided by his or her employer or the reimbursement of expenses reasonably incurred in furtherance of the operation or management of the program. An employee or official of a participating public benefit hospital entity in a joint self-insurance program may not accept or solicit anything of value for personal benefit or for the benefit of others under circumstances in which it can be reasonably inferred that the employee's or official's independence of judgment is impaired with respect to the management and operation of the program.

(2) RCW 48.30.140, 48.30.150, and 48.30.157 apply to the use of insurance producers by a joint self-insurance program.

NEW SECTION. Sec. 11. A joint self-insurance program approved in accordance with this chapter is exempt from insurance premium taxes, fees assessed under chapter 48.02 RCW, chapters 48.32 and 48.32A RCW, business and occupation taxes imposed under chapter 82.04 RCW, and any assigned risk plan or joint underwriting association otherwise required by law. This section does not apply to, and no exemption is provided for, insurance companies issuing policies to cover program risks, and does not apply to or provide an exemption for third-party administrators or insurance producers serving the joint self-insurance program.

NEW SECTION. Sec. 12. (1) The state risk manager shall establish and charge an investigation fee in an amount necessary to cover the costs for the initial review and approval of a joint self-insurance program. The fee must accompany the initial submission of the plan of operation and management.

(2) The costs of subsequent reviews and investigations must be charged to the joint self-insurance program being reviewed or investigated in accordance with the actual time and expenses incurred in the review or investigation.

(3) Any program failing to remit its assessment when due is subject to denial

of permission to operate or to a cease and desist order until the assessment is paid.

NEW SECTION. Sec. 13. (1) Any person who files reports or furnishes other information required under this title, required by the state risk manager under the authority granted under this title, or which is useful to the state risk manager in the administration of this title, is immune from liability in any civil action or suit arising from the filing of any such report or furnishing such information to the state risk manager, unless actual malice, fraud, or bad faith is shown.

(2) The state risk manager and his or her agents and employees are immune from liability in any civil action or suit arising from the publication of any report or bulletins or arising from dissemination of information related to the official activities of the state risk manager unless actual malice, fraud, or bad faith is shown.

(3) The immunity granted under this section is in addition to any common law or statutory privilege or immunity enjoyed by such person. This section is not intended to abrogate or modify in any way such common law or statutory privilege or immunity.

NEW SECTION. Sec. 14. Sections 1 through 13 of this act constitute a new chapter in Title 48 RCW."

Correct the title.

Representatives Santos and Vick spoke in favor of the adoption of the striking amendment (502).

Amendment (502) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5581, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5581, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell,

Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Johnson.

SENATE BILL NO. 5581, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SENATE BILL NO. 5037
 SECOND SUBSTITUTE SENATE BILL NO. 5201
 SENATE BILL NO. 5230
 SUBSTITUTE SENATE BILL NO. 5628
 SENATE BILL NO. 5632
 SENATE BILL NO. 5736
 SENATE BILL NO. 5849

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE BILL NO. 1018
 HOUSE BILL NO. 1064
 HOUSE BILL NO. 1071
 SECOND SUBSTITUTE HOUSE BILL NO. 1120
 SUBSTITUTE HOUSE BILL NO. 1346
 SUBSTITUTE HOUSE BILL NO. 1626
 HOUSE BILL NO. 1794
 HOUSE BILL NO. 2052
 SUBSTITUTE SENATE BILL NO. 5031
 SENATE BILL NO. 5036
 SUBSTITUTE SENATE BILL NO. 5051
 SENATE BILL NO. 5085
 SECOND SUBSTITUTE SENATE BILL NO. 5107
 SENATE BILL NO. 5122
 SENATE BILL NO. 5125
 SENATE BILL NO. 5129
 SENATE BILL NO. 5144
 SENATE BILL NO. 5200
 SENATE BILL NO. 5227
 SUBSTITUTE SENATE BILL NO. 5235

ENGROSSED SUBSTITUTE SENATE BILL NO.
 5256

SENATE BILL NO. 5261

SENATE BILL NO. 5270

SUBSTITUTE SENATE BILL NO. 5277

SUBSTITUTE SENATE BILL NO. 5301

SENATE BILL NO. 5306

SUBSTITUTE SENATE BILL NO. 5322

SUBSTITUTE SENATE BILL NO. 5356

SUBSTITUTE SENATE BILL NO. 5357

SUBSTITUTE SENATE BILL NO. 5372

SENATE BILL NO. 5382

SUBSTITUTE SENATE BILL NO. 5435

ENGROSSED SUBSTITUTE SENATE BILL NO.
 5449

SUBSTITUTE SENATE BILL NO. 5481

SENATE BILL NO. 5543

SUBSTITUTE SENATE BILL NO. 5573

SENATE BILL NO. 5595

SENATE BILL NO. 5631

SENATE BILL NO. 5640

SENATE BILL NO. 5649

SUBSTITUTE SENATE BILL NO. 5675

SENATE BILL NO. 5734

ENGROSSED SUBSTITUTE SENATE BILL NO.
 5751

ENGROSSED SENATE BILL NO. 5761

SUBSTITUTE SENATE BILL NO. 5764

SENATE BILL NO. 5813

SENATE BILL NO. 5826

SUBSTITUTE SENATE BILL NO. 5837

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 5008, by Senators King, Hunt, Sheldon, Hobbs, Mullet and Warnick

Facilitating compliance with the federal REAL ID act by modifying driver's license and identocard design and fees.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 4, 2017).

With the consent of the House, amendments (523), (505), (482) and (522) to the committee striking amendment were withdrawn.

Representative Shea moved the adoption of amendment (521) to the committee striking amendment:

On page 1, after line 25 of the striking amendment, insert the following:

"(3) An employer is immune from civil liability for relying on a standard driver's license or identicard issued with the design features required under section 1 of this act to establish an employment applicant's identity to the extent that this form of identification is used to comply with federal employment eligibility verification requirements and is authorized by the United States citizenship and immigration services for this purpose."

Representative Shea spoke in favor of the adoption of the amendment (521) to the committee striking amendment.

Representative Clibborn spoke against the adoption of the amendment (521) to the committee striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (521) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Caldier.

Amendment (521) was not adopted.

Representative Orcutt moved the adoption of amendment (504) to the committee striking amendment:

On page 2, after line 11 of the striking amendment, insert the following:

"**Sec. 4.** RCW 46.20.202 and 2016 c 32 s 2 are each amended to read as follows:

(1) The department may enter into a memorandum of understanding with any federal agency for the purposes of facilitating the crossing of the border

between the state of Washington and the Canadian province of British Columbia.

(2) The department may enter into an agreement with the Canadian province of British Columbia for the purposes of implementing a border-crossing initiative.

(3)(a) The department may issue an enhanced driver's license or identicard for the purposes of crossing the border between the state of Washington and the Canadian province of British Columbia to an applicant who provides the department with proof of: United States citizenship, identity, and state residency. The department shall continue to offer a standard driver's license and identicard. If the department chooses to issue an enhanced driver's license, the department must allow each applicant to choose between a standard driver's license or identicard, or an enhanced driver's license or identicard.

(b) The department shall implement a one-to-many biometric matching system for the enhanced driver's license or identicard. An applicant for an enhanced driver's license or identicard shall submit a biometric identifier as designated by the department. The biometric identifier must be used solely for the purpose of verifying the identity of the holders and for any purpose set out in RCW 46.20.037. Applicants are required to sign a declaration acknowledging their understanding of the one-to-many biometric match.

(c) The enhanced driver's license or identicard must include reasonable security measures to protect the privacy of Washington state residents, including reasonable safeguards to protect against unauthorized disclosure of data about Washington state residents. If the enhanced driver's license or identicard includes a radio frequency identification chip, or similar technology, the department shall ensure that the technology is encrypted or otherwise secure from unauthorized data access.

(d) The requirements of this subsection are in addition to the requirements otherwise imposed on applicants for a driver's license or identicard. The department shall adopt such rules as necessary to meet the requirements of this subsection. From time to time the department shall review technological innovations related to the security of identity cards and amend the rules related

to enhanced driver's licenses and identicards as the director deems consistent with this section and appropriate to protect the privacy of Washington state residents.

(e) Notwithstanding RCW 46.20.118, the department may make images associated with enhanced drivers' licenses or identicards from the negative file available to United States customs and border agents for the purposes of verifying identity.

(4)((a) Between July 15, 2015, and June 30, 2016, the fee for an enhanced driver's license or enhanced identicard is eighteen dollars, which is in addition to the fees for any regular driver's license or identicard. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the fee for each class is three dollars for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended.

~~(b)) Beginning ((July 1, 2016)) on the effective date of this section, the total issuance ((fee)) fees for an enhanced driver's license or enhanced identicard ((is fifty four dollars, which is in addition to the fees for any)) must equal the total issuance fees for the issuance of a regular driver's license or regular identicard. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the fee ((for each class is nine dollars)) for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended must equal the fee for each year that a regular driver's license or regular identicard is issued, renewed, or extended.~~

((5) The enhanced driver's license and enhanced identicard fee under this section must be deposited into the highway safety fund unless prior to July 1, 2023, the actions described in (a) or (b) of this subsection occur, in which case the portion of the revenue that is the result of the fee increased in section 209, chapter 44, Laws of 2015 3rd sp. sess. must be distributed to the connecting Washington account created under RCW 46.68.395.

(a) Any state agency files a notice of rule making under chapter 34.05 RCW for a rule regarding a fuel standard based upon or defined by the carbon intensity of

fuel, including a low carbon fuel standard or clean fuel standard.

(b) Any state agency otherwise enacts, adopts, orders, or in any way implements a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(c) Nothing in this subsection acknowledges, establishes, or creates legal authority for the department of ecology or any other state agency to enact, adopt, order, or in any way implement a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.))"

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

Representatives Orcutt, Shea, Orcutt (again), and DeBolt spoke in favor of the adoption of the amendment (504) to the committee striking amendment.

Representative Clibborn spoke against the adoption of the amendment (504) to the committee striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (504) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Caldier.

Amendment (504) to the committee striking amendment was not adopted.

Representative Hargrove moved the adoption of amendment (483) to the committee striking amendment:

Beginning on page 1, line 3 of the amendment, strike all of sections 1 through 3 and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 46.20 RCW to read as follows:

(1) As required in section 202 of the REAL ID Act, P.L. 109-13, and 6 C.F.R. Part 37, the department must issue to a qualifying applicant a driver's license or identicard that is accepted by the federal government for official purposes, as defined in 6 C.F.R. Sec. 37.3, as such federal laws and regulations existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(2) An applicant for a driver's license or identicard for federal purposes must:

(a) Submit to a mandatory facial image capture, even if a driver's license or identicard is not issued;

(b) Sign a declaration under penalty of perjury, as proscribed under RCW 9A.72.030, that the information presented on the application is true and correct;

(c) Present at least one of the following documents required for proof of identity:

(i) Valid, unexpired United States passport;

(ii) Certified copy of a birth certificate from the Washington state department of health or filed with an equivalent government agency in the individual's state of birth;

(iii) Consular report of birth abroad issued by the United States department of state, form FS-240, DS-1350, or FS-545;

(iv) Valid, unexpired permanent resident card (form I-551) issued by the United States department of homeland security or immigration and naturalization service or its successor agency;

(v) Unexpired employment authorization document issued by the United States department of homeland security, form I-766 or form I-688B;

(vi) Unexpired foreign passport with a valid, unexpired United States visa affixed accompanied by the approved I-94 form documenting the applicant's most recent admittance into the United States;

(vii) Certificate of naturalization issued by the United States department of homeland security, form N-550 or form N-570;

(viii) Certificate of citizenship issued by the United States department of homeland security, form N-560 or form N-561;

(ix) REAL ID driver's license or identification card issued in compliance with federal standards; or

(x) Such other documents as the department of homeland security has designated by rule as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(d) Present at least one document required under (c) of this subsection that establishes the applicant's date of birth;

(e) Except for applicants who present a foreign passport as proof of identity, present his or her social security administration account number card. If the card is not available, the applicant must present a W-2 form, a SSA-1099 form, a non-SSA-1099 form, or a pay stub with the applicant's name and social security number on it. If the applicant is establishing identity with a foreign passport, the applicant must present a social security number or demonstrate nonwork-authorized status;

(f) Present at least two documents establishing a person's Washington state residence address, as required in 6 C.F.R. Secs. 37.11(f) and 37.17(f), as each existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; and

(g) Present satisfactory evidence of lawful status in the United States.

(i) The verification of an applicant's identity through the systematic alien verification for entitlements system, or equivalent federally approved lawful status verification system, using one of any of the documents listed in (c)(i), (ii), (iii), (iv), (vii), or (viii) of this subsection satisfies proof of lawful status in the United States.

(ii) An applicant that has provided an identity document listed in (c)(v), (vi), or (ix) of this subsection must also present a second document to establish

lawful status in the United States. The second document must be one of the documents identified in (g)(i) of this subsection or documentation issued by the department of homeland security or other federal agencies demonstrating lawful status as determined by the United States citizenship and immigration services.

(3) Unless provided otherwise in this section, the applicant must pay the fee as provided in RCW 46.20.161 or 46.20.117, as applicable.

(4) Unless provided otherwise in this section, the expiration date and renewal fees are provided in RCW 46.20.117 and 46.20.181, as applicable.

(5) When issuing a driver's license or identicard under this section, the department must follow the procedures and meet the applicable requirements and standards in 6 C.F.R. Part 37, as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(6) The department may adjust fees for limited-term drivers' licenses and identicards issued to persons who have temporary lawful status in the United States as defined in 6 C.F.R. Sec. 37.3, as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(7) The department must provide a security marking for drivers' licenses and identicards issued under this section to distinguish the documents from other types of drivers' licenses or identicards issued by the department, as required under 6 C.F.R. Secs. 37.17 and 37.27, as each existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section. Drivers' licenses and identicards issued under RCW 46.20.091 and 46.20.117, respectively, must include a statement on the front of the document that states it is not for federal purposes.

(8) The requirements of this section are in addition to the requirements otherwise imposed on applicants for a driver's license or identicard. The department may adopt rules to implement this section.

Sec. 2. RCW 46.20.091 and 2000 c 115 s 4 are each amended to read as follows:

(1) **Application.** In order to apply for a driver's license or instruction permit, the applicant must provide his or her:

(a) Name of record, as established by documentation required under RCW 46.20.035;

(b) Date of birth, as established by satisfactory evidence of age;

(c) Sex;

(d) Washington residence address;

(e) Description;

(f) Driving licensing history, including:

(i) Whether the applicant has ever been licensed as a driver or chauffeur and, if so, (A) when and by what state or country; (B) whether the license has ever been suspended or revoked; and (C) the date of and reason for the suspension or revocation; or

(ii) Whether the applicant's application to another state or country for a driver's license has ever been refused and, if so, the date of and reason for the refusal; and

(g) Any additional information required by the department.

(2) **Sworn statement.** An application for an instruction permit or for an original driver's license must be made upon a form provided by the department. The form must include a section for the applicant to indicate whether he or she has received driver training and, if so, where. The identifying documentation verifying the name of record must be accompanied by the applicant's written statement that it is valid. The information provided on the form must be sworn to and signed by the applicant before a person authorized to administer oaths. An applicant who makes a false statement on an application for a driver's license or instruction permit is guilty of false swearing, a gross misdemeanor, under RCW 9A.72.040.

(3) **Driving records from other jurisdictions.** If a person previously licensed in another jurisdiction applies for a Washington driver's license, the department shall request a copy of the applicant's driver's record from the other jurisdiction. The driving record from the other jurisdiction becomes a part of the driver's record in this state.

(4) **Driving records to other jurisdictions.** If another jurisdiction requests a copy of a person's Washington driver's record, the department shall provide a copy of the record. The department shall forward the record without charge if the other jurisdiction extends the same privilege to the state of Washington. Otherwise the department shall charge a reasonable fee for transmittal of the record.

(5) **Federal purposes.** Any driver's license or instruction permit issued under this section must include a statement on the front of the document that states it is not for federal purposes.

Sec. 3. RCW 46.20.117 and 2012 c 80 s 6 are each amended to read as follows:

(1) **Issuance.** The department shall issue an identicard, containing a picture, if the applicant:

(a) Does not hold a valid Washington driver's license;

(b) Proves his or her identity as required by RCW 46.20.035; and

(c) Pays the required fee. Except as provided in subsection (5) of this section, the fee is forty-five dollars from October 1, 2012, to June 30, 2013, and fifty-four dollars after June 30, 2013, unless an applicant is a recipient of continuing public assistance grants under Title 74 RCW, who is referred in writing by the secretary of social and health services. For those persons the fee must be the actual cost of production of the identicard.

(2) **Design and term.** The identicard must:

(a) Be distinctly designed so that it will not be confused with the official driver's license; and

(b) Except as provided in subsection (5) of this section, expire on the sixth anniversary of the applicant's birthdate after issuance.

(3) **Renewal.** An application for identicard renewal may be submitted by means of:

(a) Personal appearance before the department; or

(b) Mail or electronic commerce, if permitted by rule of the department and if the applicant did not renew his or her identicard by mail or by electronic commerce when it last expired.

An identicard may not be renewed by mail or by electronic commerce unless the renewal issued by the department includes a photograph of the identicard holder.

(4) **Cancellation.** The department may cancel an identicard if the holder of the identicard used the card or allowed others to use the card in violation of RCW 46.20.0921.

(5) **Alternative issuance/renewal/extension.**

The department may issue or renew an identicard for a period other than five years from October 1, 2012, to June 30, 2013, or six years after June 30, 2013, or may extend by mail or electronic commerce an identicard that has already been issued, in order to evenly distribute, as nearly as possible, the yearly renewal rate of identicard holders. The fee for an identicard issued or renewed for a period other than five years from October 1, 2012, to June 30, 2013, or six years after June 30, 2013, or that has been extended by mail or electronic commerce, is nine dollars for each year that the identicard is issued, renewed, or extended. The department may adopt any rules as are necessary to carry out this subsection.

(6) **Federal purposes.** Any identicard issued under this section must include a statement on the front of the document that states it is not for federal purposes.

Sec. 4. RCW 46.20.117 and 2014 c 185 s 2 are each amended to read as follows:

(1) **Issuance.** The department shall issue an identicard, containing a picture, if the applicant:

(a) Does not hold a valid Washington driver's license;

(b) Proves his or her identity as required by RCW 46.20.035; and

(c) Pays the required fee. Except as provided in subsection (5) of this section, the fee is forty-five dollars from October 1, 2012, to June 30, 2013, and fifty-four dollars after June 30, 2013, unless an applicant is a recipient of continuing public assistance grants under Title 74 RCW, who is referred in writing by the secretary of social and health services. For those persons the fee must be the actual cost of production of the identicard.

(2)(a) **Design and term.** The identicard must:

(i) Be distinctly designed so that it will not be confused with the official driver's license; and

(ii) Except as provided in subsection (5) of this section, expire on the sixth anniversary of the applicant's birthdate after issuance.

(b) The identicard may include the person's status as a veteran, consistent with RCW 46.20.161(2).

(3) **Renewal.** An application for identicard renewal may be submitted by means of:

(a) Personal appearance before the department; or

(b) Mail or electronic commerce, if permitted by rule of the department and if the applicant did not renew his or her identicard by mail or by electronic commerce when it last expired.

An identicard may not be renewed by mail or by electronic commerce unless the renewal issued by the department includes a photograph of the identicard holder.

(4) **Cancellation.** The department may cancel an identicard if the holder of the identicard used the card or allowed others to use the card in violation of RCW 46.20.0921.

(5) **Alternative issuance/renewal/extension.** The department may issue or renew an identicard for a period other than five years from October 1, 2012, to June 30, 2013, or six years after June 30, 2013, or may extend by mail or electronic commerce an identicard that has already been issued, in order to evenly distribute, as nearly as possible, the yearly renewal rate of identicard holders. The fee for an identicard issued or renewed for a period other than five years from October 1, 2012, to June 30, 2013, or six years after June 30, 2013, or that has been extended by mail or electronic commerce, is nine dollars for each year that the identicard is issued, renewed, or extended. The department may adopt any rules as are necessary to carry out this subsection.

(6) **Federal purposes.** Any identicard issued under this section must include a statement on the front of the document that states it is not for federal purposes.

Sec. 5. RCW 46.01.130 and 2013 c 336 s 1 and 2013 c 224 s 1 are each reenacted and amended to read as follows:

The director:

(1) Shall supervise and control the issuing of vehicle certificates of title, vehicle registrations, and vehicle license plates, and has the full power to do all things necessary and proper to carry out the provisions of the law relating to the registration of vehicles;

(2) May appoint and employ deputies, assistants, representatives, and clerks;

(3) May establish branch offices in different parts of the state;

(4) May appoint county auditors in Washington state or, in the absence of a county auditor, the department or an official of county government as agents for applications for and the issuance of vehicle certificates of title and vehicle registrations; and

(5) (a) Shall investigate the conviction records and pending charges of any current employee of or prospective employee being considered for any position with the department who has or will have:

(i) (A) The ability to create or modify records of applicants for enhanced drivers' licenses and identicards issued under RCW 46.20.202; and

(B) The ability to issue enhanced drivers' licenses and identicards under RCW 46.20.202; (~~or~~)

(ii) The ability to conduct examinations under RCW 46.25.060; (~~or~~)

(iii) Access to information pertaining to vehicle license plates, drivers' licenses, or identicards under RCW 46.08.066, or vessel registrations issued under RCW 88.02.330 that, alone or in combination with any other information, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement, confidential public health work, public assistance fraud, or child support investigative activity;

(iv) The ability to create or modify records of applicants for a federally compliant driver's license under section 1 of this act; or

(v) The ability to issue a federally compliant driver's license under section 1 of this act.

(b) The investigation consists of a background check as authorized under RCW 10.97.050, 43.43.833, and 43.43.834, and the federal bureau of investigation. The

background check must be conducted through the Washington state patrol criminal identification section and may include a national check from the federal bureau of investigation, which is through the submission of fingerprints. The director shall use the information solely to determine the character, suitability, and competence of current or prospective employees subject to this section.

(c) The director shall investigate the conviction records and pending charges of an employee subject to:

(i) Subsection (5)(a)(i) of this section every five years; and

(ii) Subsection (5)(a)(ii) of this section as required under 49 C.F.R. Sec. 384.228 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(d) Criminal justice agencies shall provide the director with information that they may possess and that the director may require solely to determine the employment suitability of current or prospective employees subject to this section."

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

On page 2, after line 13 of the amendment, insert the following:

"**NEW SECTION. Sec. 5.** Section 3 of this act expires August 30, 2017.

NEW SECTION. Sec. 6. Section 4 of this act takes effect August 30, 2017."

Correct the title.

Representatives Hargrove and Shea spoke in favor of the adoption of the amendment (483) to the committee striking amendment.

Representative Clibborn spoke against the adoption of the amendment (483) to the committee striking amendment.

Amendment (483) was not adopted.

The committee striking amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn, Orcutt, Riccelli, Santos, Farrell and Stambaugh spoke in favor of the passage of the bill as amended by the House.

Representatives Irwin, Shea and Young spoke against the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5008, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5008, as amended by the House, and the bill passed the House by the following vote: Yeas, 69; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hayes, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Condotta, Griffey, Haler, Hargrove, Harmsworth, Harris, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Maycumber, McCaslin, McDonald, Nealey, Pike, Rodne, Schmick, Shea, Smith, Taylor, Vick, Volz, J. Walsh and Young.

Excused: Representative Caldier.

ENGROSSED SENATE BILL NO. 5008, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5106, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senator O'Ban)

Clarifying obligations under the involuntary treatment act.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 4, 2017).

With the consent of the House, amendment (455) to the committee striking amendment was withdrawn.

Representative Kilduff moved the adoption of amendment (505) to the committee striking amendment:

On page 3, line 14, after "the" strike "fee" and insert "~~(fee)~~ total issuance fees"

On page 3, beginning on line 15, after "identocard" strike all material

through "identocard" on line 16 and insert "~~(is fifty four dollars, which is in addition to the fees for any regular driver's license or identocard)~~ must equal the total issuance fees for the issuance of a regular driver's license or regular identocard"

On page 3, beginning on line 18, after "fee" strike all material through "dollars" on line 19 and insert "~~(for each class is nine dollars)~~"

On page 3, line 20, after "extended" insert "must equal the fee for each year that a regular driver's license or regular identocard is issued, renewed, or extended"

On page 3, beginning on line 21, strike all of subsection (5) and insert "~~((5) The enhanced driver's license and enhanced identocard fee under this section must be deposited into the highway safety fund unless prior to July 1, 2023, the actions described in (a) or (b) of this subsection occur, in which case the portion of the revenue that is the result of the fee increased in section 209, chapter 44, Laws of 2015 3rd sp. sess. must be distributed to the connecting Washington account created under RCW 46.68.395.~~

(a) Any state agency files a notice of rule making under chapter 34.05 RCW for a rule regarding a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(b) Any state agency otherwise enacts, adopts, orders, or in any way implements a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(c) Nothing in this subsection acknowledges, establishes, or creates legal authority for the department of ecology or any other state agency to enact, adopt, order, or in any way implement a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.)"

Representatives Kilduff and Rodne spoke in favor of the adoption of the amendment (505) to the committee striking amendment.

Amendment (505) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Jenkins and Rodne spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5106, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5106, as amended by the House, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, Holy, McCaslin, Orcutt, Schmick, Shea, Taylor and Volz.

Excused: Representative Calder.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5106, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

SECOND SUBSTITUTE SENATE BILL NO. 5285, by Senate Committee on Ways & Means (originally sponsored by Senators Wilson and Palumbo)

Conducting a workforce study of employment opportunities in the agriculture, environment, and natural resources economic sectors intended to provide educators with the information needed for informing students about employment opportunities in the studied fields. Revised for 2nd Substitute: Conducting a workforce study of employment opportunities in the agriculture, environment, outdoor recreation, and natural resources economic sectors intended to provide educators with the information needed for informing

students about employment opportunities in the studied fields.

The bill was read the second time.

With the consent of the House, amendment (440) to the committee striking amendment was withdrawn.

There being no objection, the committee striking amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hansen, Holy and DeBolt spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5285, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5285, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Caldier.

SECOND SUBSTITUTE SENATE BILL NO. 5285, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5628, by Senate Committee on Local Government (originally sponsored by Senators Takko, Fortunato and Sheldon)

Providing for fire protection district formation by the legislative authority of a city or town subject to voter approval.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government was adopted. (For Committee amendment, see Journal, Day 78, March 27, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Appleton and Griffey spoke in favor of the passage of the bill as amended by the House.

Representatives Orcutt and Holy spoke against the passage of the bill as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5628, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5628, as amended by the House, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dye, Haler, Hargrove, Harris, Holy, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Maycumber, McCaslin, McDonald, Nealey, Orcutt, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Caldier.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5628, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5632, by Senators O'Ban, Palumbo, Angel, Wilson, Zeiger, Rossi and Padden

Modifying organized retail theft provisions.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Public Safety was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 4, 2017).

Representative Taylor moved the adoption of amendment (434) to the committee striking amendment:

On page 2, line 17 of the striking amendment, after "decision." insert the following:

"(6) (a) In any investigation of or arrest for a suspected violation of this section, a law enforcement agency or other governmental entity may not access or search an electronic communication device without a valid search warrant issued by a court of competent jurisdiction, unless: (i) the law enforcement agency or governmental entity obtains the informed consent of the owner of the electronic communication device; or (ii) the owner voluntarily abandoned the electronic communication device.

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

(i) "Electronic communication device" means a device that enables access to or use of an electronic communication service or remote computing service.

(ii) "Electronic communication service" means a service that provides users the ability to send or receive wire or electronic communications.

(iii) "Owner" means the individual or person having the legal title, claim, or right to an electronic communication device.

(iv) "Remote computing service" means computer storage or processing services provided by means of an electronic communication service."

Representatives Taylor and Shea spoke in favor of the adoption of the amendment (434) to the committee striking amendment.

Representative Goodman and Goodman (again) spoke against the adoption of the amendment (434) to the committee striking amendment.

Amendment (434) to the committee striking amendment was not adopted.

The committee striking amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5632, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5632, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton and Taylor.

Excused: Representative Caldier.

SENATE BILL NO. 5632, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5736, by Senators Brown, Palumbo, Keiser, Rossi, Frockt, Braun, Bailey, Hasegawa and Rolfes

Concerning the expansion of nutrition programs for older adults.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson, Jenkin and Kraft spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5736.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5736, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Caldier.

SENATE BILL NO. 5736, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5046, by Senate Committee on Local Government (originally sponsored by Senators Hasegawa, Chase, Darneille and Rolfes)

Providing public notices of public health, safety, and welfare in a language other than English.

The bill was read the second time.

With the consent of the House, amendments (514) and (449) to the committee amendment were withdrawn.

There being no objection, the committee striking amendment by the Committee on Public Safety was not adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017)

Representative Santos moved the adoption of the striking amendment (506):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that, as a matter of human dignity, all persons are to be informed of emergency notifications in a manner in which they can understand. It is the intent of the legislature that all persons who may be in harm's way in an emergency are informed of their peril, and informed of appropriate actions they should take to protect themselves and their families.

NEW SECTION. **Sec. 2.** A new section is added to chapter 38.52 RCW to read as follows:

(1) When a state agency provides life safety information during an emergency or disaster, it shall provide the life safety information in a language or manner that can be understood by significant population segments as defined in RCW 38.52.070, unless technologically infeasible.

(2) When an emergency is proclaimed by a political subdivision, the proclaiming political subdivision shall provide life safety information in a language or manner that can be understood by significant population segments as defined in RCW 38.52.070, unless technologically infeasible.

(3) If a state agency or political subdivision does not provide life safety information during an emergency or disaster as provided in subsection (1) or (2) of this section due to its determination that it was technologically infeasible, the state agency or political subdivision must report to the relevant committees of the legislature as soon as possible, but in no event later than thirty days following the incident, describing the nature of the technological infeasibility and a plan to remedy the issue.

Sec. 3. RCW 38.52.010 and 2015 c 61 s 1 are each reenacted and amended to read as follows:

As used in this chapter:

(1) "Communication plan," as used in RCW 38.52.070, means a section in a local comprehensive emergency management plan that addresses emergency notification of life safety information.

(2) "Continuity of operations planning" means the internal effort of an organization to assure that the capability exists to continue essential functions and services in response to a comprehensive array of potential emergencies or disasters.

~~((2))~~ (3) "Department" means the state military department.

~~((3))~~ (4) "Director" means the adjutant general.

~~((4))~~ (5) "Emergency management" or "comprehensive emergency management" means the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid

victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, technological, or human caused, and to provide support for search and rescue operations for persons and property in distress. However, "emergency management" or "comprehensive emergency management" does not mean preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack.

~~((5))~~ (6) (a) "Emergency or disaster" as used in all sections of this chapter except RCW 38.52.430 shall mean an event or set of circumstances which: (i) Demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences, or (ii) reaches such a dimension or degree of destructiveness as to warrant the governor declaring a state of emergency pursuant to RCW 43.06.010.

(b) "Emergency" as used in RCW 38.52.430 means an incident that requires a normal police, coroner, fire, rescue, emergency medical services, or utility response as a result of a violation of one of the statutes enumerated in RCW 38.52.430.

~~((6))~~ (7) "Emergency response" as used in RCW 38.52.430 means a public agency's use of emergency services during an emergency or disaster as defined in subsection ~~((5))~~ (6) (b) of this section.

~~((7))~~ (8) "Emergency worker" means any person who is registered with a local emergency management organization or the department and holds an identification card issued by the local emergency management director or the department for the purpose of engaging in authorized emergency management activities or is an employee of the state of Washington or any political subdivision thereof who is called upon to perform emergency management activities.

~~((8))~~ (9) "Executive head" and "executive heads" means the county executive in those charter counties with an elective office of county executive, however designated, and, in the case of other counties, the county legislative authority. In the case of cities and towns, it means the mayor in those cities and towns with mayor-council or commission forms of government, where the mayor is directly elected, and it means the city manager in those cities and towns with council manager forms of government.

Cities and towns may also designate an executive head for the purposes of this chapter by ordinance.

~~((9))~~ (10) "Expense of an emergency response" as used in RCW 38.52.430 means reasonable costs incurred by a public agency in reasonably making an appropriate emergency response to the incident, but shall only include those costs directly arising from the response to the particular incident. Reasonable costs shall include the costs of providing police, coroner, firefighting, rescue, emergency medical services, or utility response at the scene of the incident, as well as the salaries of the personnel responding to the incident.

~~((10))~~ (11) "Incident command system" means: (a) An all-hazards, on-scene functional management system that establishes common standards in organization, terminology, and procedures; provides a means (unified command) for the establishment of a common set of incident objectives and strategies during multiagency/multijurisdiction operations while maintaining individual agency/jurisdiction authority, responsibility, and accountability; and is a component of the national interagency incident management system; or (b) an equivalent and compatible all-hazards, on-scene functional management system.

~~((11))~~ (12) "Injury" as used in this chapter shall mean and include accidental injuries and/or occupational diseases arising out of emergency management activities.

~~((12))~~ (13) "Life safety information" means information or instructions provided to people to reduce their risk of harm and to keep them safe in response to life-threatening events. Such information may include, but is not limited to, information regarding evacuation, sheltering, sheltering-in-place, facility lockdown, and where to obtain food and water.

(14) "Local director" means the director of a local organization of emergency management or emergency services.

~~((13))~~ (15) "Local organization for emergency services or management" means an organization created in accordance with the provisions of this chapter by state or local authority to perform local emergency management functions.

~~((14))~~ (16) "Political subdivision" means any county, city or town.

~~((15))~~ (17) "Public agency" means the state, and a city, county, municipal corporation, district, town, or public authority located, in whole or in part, within this state which provides or may provide firefighting, police, ambulance, medical, or other emergency services.

~~((16))~~ (18) "Radio communications service company" has the meaning ascribed to it in RCW 82.14B.020.

~~((17))~~ (19) "Search and rescue" means the acts of searching for, rescuing, or recovering by means of ground, marine, or air activity any person who becomes lost, injured, or is killed while outdoors or as a result of a natural, technological, or human caused disaster, including instances involving searches for downed aircraft when ground personnel are used. Nothing in this section shall affect appropriate activity by the department of transportation under chapter 47.68 RCW.

Sec. 4. RCW 38.52.070 and 1997 c 49 s 4 are each amended to read as follows:

(1) Each political subdivision of this state is hereby authorized and directed to establish a local organization or to be a member of a joint local organization for emergency management in accordance with the state comprehensive emergency management plan and program: PROVIDED, That a political subdivision proposing such establishment shall submit its plan and program for emergency management to the state director and secure his or her recommendations thereon, and verification of consistency with the state comprehensive emergency management plan, in order that the plan of the local organization for emergency management may be coordinated with the plan and program of the state. Local comprehensive emergency management plans must specify the use of the incident command system for multiagency/multijurisdiction operations. No political subdivision may be required to include in its plan provisions for the emergency evacuation or relocation of residents in anticipation of nuclear attack. If the director's recommendations are adverse to the plan as submitted, and, if the local organization does not agree to the director's recommendations for modification to the proposal, the matter shall be referred to the council for final action. The director may authorize two or more political subdivisions to join in the establishment and operation of a joint

local organization for emergency management as circumstances may warrant, in which case each political subdivision shall contribute to the cost of emergency management upon such fair and equitable basis as may be determined upon by the executive heads of the constituent subdivisions. If in any case the executive heads cannot agree upon the proper division of cost the matter shall be referred to the council for arbitration and its decision shall be final. When two or more political subdivisions join in the establishment and operation of a joint local organization for emergency management each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision, which fund shall be known as the emergency management fund. Each local organization or joint local organization for emergency management shall have a director who shall be appointed by the executive head of the political subdivision, and who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency management, subject to the direction and control of such executive officer or officers. In the case of a joint local organization for emergency management, the director shall be appointed by the joint action of the executive heads of the constituent political subdivisions. Each local organization or joint local organization for emergency management shall perform emergency management functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this chapter.

(2) In carrying out the provisions of this chapter each political subdivision, in which any disaster as described in RCW 38.52.020 occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited

to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds.

(3) (a) Each local organization or joint local organization for emergency management that produces a local comprehensive emergency management plan must include a communication plan for notifying significant population segments of life safety information during an emergency. Local organizations and joint local organizations are encouraged to consult with affected community organizations in the development of the communication plans.

(i) In developing communication plans, local organizations and joint organizations should consider, as part of their determination of the extent of the obligation to provide emergency notification to significant population segments, the following factors: The number or proportion of the limited English proficiency persons eligible to be served or likely to be encountered; the frequency with which limited English proficiency individuals come in contact with the emergency notification; the nature and importance of the emergency notification, service, or program to people's lives; and the resources available to the political subdivision to provide emergency notifications.

(ii) "Significant population segment" means, for the purposes of this subsection (3), each limited English proficiency language group that constitutes five percent or one thousand residents, whichever is less, of the population of persons eligible to be served or likely to be affected within a city, town, or county. The office of financial management forecasting division's limited English proficiency population estimates are the demographic data set for determining eligible limited English proficiency language groups.

(b) Local organizations and joint local organizations must submit the plans produced under (a) of this subsection to the Washington military department emergency management division. An initial communication plan must be submitted with the local organization or joint local

organization's next local emergency management plan update following the effective date of this section, and subsequent plans must be reviewed in accordance with the director's schedule.

(c) Beginning on December 1, 2019, the Washington military department emergency management division must submit a report every five years to the relevant committees of the legislature containing the communication plans produced under (a) of this subsection.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Hayes moved the adoption of amendment (524) to the striking amendment (506):

On page 1, line 5 of the striking amendment, after "in a" strike "manner in which" and insert "language or manner"

On page 1, line 5 of the striking amendment, after "understand" insert ", to the extent technologically feasible"

On page 1, line 10 of the striking amendment, after "chapter" strike "38.52" and insert "1.20"

On page 1, beginning on line 12 of the striking amendment, beginning with "(1)" strike all material through "infeasible" on line 16 and insert "When an emergency is proclaimed by the governor, state agencies required by law or rule to provide life safety information shall provide life safety information, to the extent technologically feasible, in a language or manner that can be understood to significant population segments as defined in RW 38.52.070."

On page 1, beginning on line 17 of the striking amendment, strike all of subsections (2) and (3)

On page 2, beginning on line 1 of the striking amendment, strike all of section 3

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

On page 6, line 16 of the striking amendment, after "management" strike "that" and insert "which"

On page 6, line 19 of the striking amendment, after ". Local organizations" strike "and" and insert "or"

On page 6, beginning on line 23 of the striking amendment, after "consider" strike all material through "segments," on line 25

On page 6, line 25 of the striking amendment, after "following" insert "four"

On page 6, line 30 of the striking amendment, after "service," strike "or" and insert "and/or"

On page 6, line 31 of the striking amendment, after "to the" insert "state agency or"

On page 6, beginning on line 33 of the striking amendment, after "segment" strike all material through "(3)," on line 34 and insert "," for the purposes of this section, means"

On page 6, line 35 of the striking amendment, after "thousand" strike "residents" and insert "people"

On page 6, line 39 of the striking amendment, after "estimates" strike "are" and insert "will be"

On page 7, beginning on line 1 of the striking amendment, after "(b)" strike all material through "plans" on line 2 and insert "Plans"

On page 7, line 2 of the striking amendment, after "subsection" insert "must be submitted"

On page 7, beginning on line 3 of the striking amendment, after "division" strike all material through "must" on line 7 and insert "on behalf of the local organization or joint local organization for emergency management that activity supports. Each initial communication plan must be submitted in accordance with the next local emergency management plan update for the local organization or joint local organization. Subsequent plans will"

On page 7, beginning on line 10 of the striking amendment, after "years" strike all material through "subsection" on line 11 and insert "updating the relevant committee of the legislature regarding communication plan development and implementation progress"

Representative Hayes spoke in favor of the adoption of the amendment (524) to the striking amendment (506).

Representative Goodman spoke against the adoption of the amendment (524) to the striking amendment (506).

Amendment (524) to the striking amendment (506) was not adopted.

The striking amendment (506) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Santos and Goodman spoke in favor of the passage of the bill as amended by the House.

Representatives Hayes, Koster, Condotta, Klippert and Manweller spoke against the passage of the bill as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5046, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5046, as amended by the House, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Caldier.

SUBSTITUTE SENATE BILL NO. 5046, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5849, by Senators Angel, Bailey, Rolfes, Braun, Brown, Sheldon, Pearson, Becker, Fortunato, Wilson, Palumbo, O'Ban, Warnick and Conway

Addressing the need for veterans' services.

The bill was read the second time.

Representative Reeves moved the adoption of the striking amendment (530):

Strike everything after the enacting clause and insert the following:

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

(1) Veterans are national heroes who have made great sacrifices in their lives for the protection of our nation;

(2) Due to the relatively high number of military installations in our state, as well as the standard of living in our state, many veterans choose to live in Washington;

(3) Many veterans have a need for support services, including peer-to-peer counseling services. Some veterans need to talk about their experiences with combat, deployment, or other situations experienced during their time in the military. Often, there is no person better prepared to speak with a veteran about his or her experiences than another veteran;

(4) In 2009, the state of Texas created an award winning peer-to-peer counseling network, called the military veteran peer network. On a voluntary basis, veterans elect to receive specialized training about the facilitation of group counseling sessions. After receiving their training, the volunteers create peer-to-peer support groups in their local communities;

(5) Veterans living in Washington would benefit from a program that is similar to the military veteran peer network.

Sec. 2. RCW 43.60A.100 and 1991 c 55 s 1 are each amended to read as follows:

The department of veterans affairs, to the extent funds are made available, shall: (1) Contract with professional counseling specialists to provide a range of direct treatment services to ~~((war))~~ combat-affected state veterans and to those national guard and reservists who served in the Middle East, and their family members; (2) provide additional treatment services to Washington state Vietnam veterans for posttraumatic stress disorder, particularly for those veterans whose posttraumatic stress disorder has intensified or initially emerged due to ~~((the war))~~ combat in the Middle East; (3) provide an educational program designed to train primary care professionals, such as ~~((mental))~~ behavioral health professionals, about the effects of ~~((war))~~ combat-related stress and trauma; (4) provide informational and counseling services for the purpose of establishing and fostering peer-support networks

throughout the state for families of deployed members of the reserves and the Washington national guard; (5) provide for veterans' families, a referral network of community mental health providers who are skilled in treating deployment stress, combat stress, and posttraumatic stress; and (6) offer training and support for volunteers interested in providing peer-to-peer support to other veterans.

NEW SECTION. Sec. 3. The legislature finds that:

(1) Washington state provides a stated preference for hiring veterans and provides a scoring preference for hiring and promotional opportunities to veterans in the form of enhanced test scores;

(2) Few agencies outside of law enforcement use tests in hiring or promotion;

(3) Veterans have experience that is broader than law enforcement and the state can benefit by recruiting people with this experience;

(4) Veterans leave service with experience in transportation, teaching and education, logistics, computer technology, health care, media and communications, construction and engineering, and administrative support;

(5) Many state agencies and other public employers are struggling to fill and retain employees in key positions;

(6) Many public and private employers have developed veteran hiring and recruitment programs that take advantage of the broad experience that veterans bring to the job market.

NEW SECTION. Sec. 4. A new section is added to chapter 43.41 RCW to read as follows:

(1) The office shall develop a military recruitment program that targets veterans and gives them credit for their knowledge, skills, and leadership abilities. In developing the program, the office shall consult with the department of enterprise services, department of veteran affairs, the state military transition council, the veterans employee resource group, and other interested stakeholders. Program development must include, but is not limited to, identifying: (a) Public and private military recruitment programs and ways those programs can be used in Washington; (b) similar military and state job classes and develop a system to provide veterans with experience credit

for similar work; and (c) barriers to state employment and opportunities to better utilize veterans experience.

(2) The office shall report to the legislature with a draft plan by January 1, 2018, that includes draft bill language if necessary.

NEW SECTION. **Sec. 5.** A new section is added to chapter 43.60A RCW to read as follows:

By December 31, 2018, the department of veterans affairs must submit a report to the legislature on the veteran peer-to-peer training and support program authorized in section 2 of this act to determine the effectiveness of the program in meeting the needs of veterans in the state. The report must include the number of veterans receiving peer-to-peer support and the location of such support services; the number of veterans trained through the program to provide peer-to-peer support; and the types of training and support services provided by the program. The report must also include an analysis of peer-to-peer training and support programs developed by other states, as well as in the private and nonprofit sectors, in order to evaluate best practices for implementing and managing the veteran peer-to-peer training and support program authorized in section 2 of this act."

Correct the title.

Representatives Reeves and McCabe spoke in favor of the adoption of the striking amendment (530).

Amendment (530) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Ryu, McCabe and Ryu (again) spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5849, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5849, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5849, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5266, by Senators O'Ban, Pedersen, Angel and Darneille

Modifying theft of rental, leased, lease-purchased, or loaned property provisions. (REVISED FOR PASSED LEGISLATURE: Concerning theft of rental or leased property.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal Day 78, March 27, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff and Stokesbary spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5266, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5266, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan,

Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SENATE BILL NO. 5266, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5347, by Senate Committee on Ways & Means (originally sponsored by Senators Walsh, Darneille, Zeiger, Rolfes, Sheldon, Angel and Hasegawa)

Concerning the definition of work activity for the purposes of the WorkFirst program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pellicciotti and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5347.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5347, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Haler, McCaslin, Shea, Taylor and Wilcox.

SECOND SUBSTITUTE SENATE BILL NO. 5347, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5133, by Senate Committee on Local Government (originally sponsored by Senator Takko)

Concerning county boards of equalization.

The bill was read the second time.

Representative Pike moved the adoption of amendment (508):

On page 3, beginning on line 9, after "equalization" strike all material through "~~equalization~~)" on line 14 and insert ", and the assessor shall make duplicate abstracts of such corrected values, one copy of which shall be retained in the office, and one copy forwarded to the department of revenue on or before the eighteenth day of August next following the meeting of the county board of equalization"

Representatives Pike and Taylor spoke in favor of the adoption of the amendment (508).

Representative Appleton spoke against the adoption of the amendment (508).

Amendment (508) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill.

Representative Griffey spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5133.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5133, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

SUBSTITUTE SENATE BILL NO. 5133, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5331, by Senators Takko and Warnick

Concerning irrigation district administration.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McBride and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5331.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5331, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5331, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5131, by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Rivers and Conway)

Addressing provisions concerning marijuana with respect to research licenses, local authority notifications, the retail licensing application process, processor wholesale events, and jurisdictional requirements. Revised for 1st Substitute: Concerning marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, processor wholesale events, certain transfers of plants and seeds, licensing agreements and contracts,

residency requirements, and jurisdictional requirements. (REVISED FOR ENGROSSED: Concerning marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, certain transfers of plants and seeds, licensing agreements and contracts, advertising, and jurisdictional requirements.)

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 4, 2017).

Representative Condotta moved the adoption of amendment (470) to the committee striking amendment:

On page 3, line 23 of the striking amendment, after "first" strike "three" and insert "nine"

On page 3, after line 24 of the striking amendment, insert the following:

"(v) The board may not require license forfeiture if the licensee has been incapable of opening a fully operational retail marijuana business due to actions by the city, town, or county with jurisdiction over the licensee that include any of the following:

(A) The adoption of a ban or moratorium that prohibits the opening of a retail marijuana business; or

(B) The adoption of an ordinance or regulation related to zoning, business licensing, land use, or other regulatory measure that has the effect of preventing a licensee from receiving an occupancy permit from the jurisdiction or which otherwise prevents a licensed marijuana retailer from becoming operational."

Representatives Condotta and Sawyer spoke in favor of the adoption of the amendment (470) to the committee striking amendment.

Amendment (470) to the committee striking amendment was adopted.

Representative Manweller moved the adoption of amendment (471) to the committee striking amendment:

On page 23, line 10 of the amendment, after "unless" insert "the processing is both"

On page 23, line 10 of the amendment, after "act" insert "and in compliance with section 7606 of the federal agricultural act of 2014 (128 Stat. 649, 912; 7 U.S.C. Sec. 5940)"

On page 23, line 19 of the amendment, after "processor is" strike "not"

On page 23, line 27 of the amendment, after "products." insert "However, such rules adopted by the state liquor and cannabis board or the department of health may not prohibit the processing or sale of any specific type of marijuana product because such specific type of marijuana product is derived, in whole or in part, from industrial hemp."

Representatives Manweller and Sawyer spoke in favor of the adoption of the amendment (471) to the committee striking amendment.

Amendment (471) to the committee striking amendment was adopted.

Representative McDonald moved the adoption of amendment (467) to the committee striking amendment:

On page 27, line 17 of the striking amendment, after "(c)", strike "Licensed" and insert "(i) Until July 1, 2018, licensed"

On page 27, after line 22 of the striking amendment, insert the following:

"(ii) After July 1, 2018, the use of a billboard for the advertising or promotion of a retail marijuana business or any marijuana-related product is prohibited."

Representatives McDonald, Dent and Klippert spoke in favor of the adoption of the amendment (471) to the committee striking amendment.

Representatives Sawyer, Condotta, Young and Pollet spoke against the adoption of the amendment (471) to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 51 - YEAS; 47- NAYS.

Amendment (467) to the committee striking amendment was adopted.

Representative Klippert moved the adoption of amendment (480) to the committee striking amendment:

On page 28, beginning on line 20 of the striking amendment, strike all of section 14

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

Correct the title.

Representatives Klippert and Irwin spoke in favor of the adoption of the amendment (480) to the committee striking amendment.

Representatives Sawyer and Condotta spoke against the adoption of the amendment (480) to the committee striking amendment.

Amendment (480) to the committee striking amendment was not adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Sawyer and Condotta spoke in favor of the passage of the bill as amended by the House.

Representative Klippert spoke against the passage of the bill as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5131, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5131, as amended by the House, and the bill passed the House by the following vote: Yeas, 74; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kristiansen, Lytton, MacEwen, Macri, McBride, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Chandler, DeBolt, Dent, Dye, Haler, Hargrove, Harmsworth, Hayes, Klippert, Koster, Kraft, Kretz, Lovick, Manweller, Maycumber, McCabe, McCaslin, McDonald, Orcutt, Pike, Rodne, Schmick and Smith.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5131, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5268, by Senators Takko, Chase, Warnick, Schoesler, King, Sheldon, Saldaña, Cleveland, Pearson, Honeyford, Hawkins, Wilson, Becker and Hasegawa

Concerning notice to the licensee before a concealed pistol license expires.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5268, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5268, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SENATE BILL NO. 5268, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 10, 2017

HB 2201 Prime Sponsor, Representative Pellicciotti:
Concerning the collection of a motor vehicle excise tax approved by voters of a regional transit authority in 2016.
Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Irwin; Kloba; Lovick; McBride; Morris; Ortiz-Self; Pellicciotti; Riccelli; Rodne; Stambaugh; Tarleton Farrell, Member.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes; Pike; Shea; Van Werven and Young.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved SENATE BILL NO. 5126 and the bill was placed on the second reading calendar:

There being no objection, the House adjourned until 10:00 a.m., April 12, 2017, the 94th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

NINETY FOURTH DAY

House Chamber, Olympia, Wednesday, April 12, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jaden Anderson and Madeline Jorgenson. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Crystal Krachunis, Faith and Victory Church, Auburn, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

April 11, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5646,
SUBSTITUTE SENATE BILL NO. 5915,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1262,
HOUSE BILL NO. 1274,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1296,
ENGROSSED HOUSE BILL NO. 1322,
HOUSE BILL NO. 1395,
HOUSE BILL NO. 1475,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493,
HOUSE BILL NO. 1530,
HOUSE BILL NO. 1676,
SUBSTITUTE HOUSE BILL NO. 1717,
HOUSE BILL NO. 1721,
SUBSTITUTE HOUSE BILL NO. 1747,
HOUSE BILL NO. 1757,
SUBSTITUTE HOUSE BILL NO. 1815,
HOUSE BILL NO. 1829,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1100,
HOUSE BILL NO. 1107,
SUBSTITUTE HOUSE BILL NO. 1121,
SUBSTITUTE HOUSE BILL NO. 1130,
HOUSE BILL NO. 1148,
SUBSTITUTE HOUSE BILL NO. 1149,
HOUSE BILL NO. 1166,
HOUSE BILL NO. 1195,
HOUSE BILL NO. 1198,
HOUSE BILL NO. 1204,
SUBSTITUTE HOUSE BILL NO. 1218,
SUBSTITUTE HOUSE BILL NO. 1266,
HOUSE BILL NO. 1285,
SECOND SUBSTITUTE HOUSE BILL NO. 1338,
SUBSTITUTE HOUSE BILL NO. 1344,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1351,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1375,
HOUSE BILL NO. 1449,
ENGROSSED HOUSE BILL NO. 1450,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1503,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1548,
SUBSTITUTE HOUSE BILL NO. 1568,
ENGROSSED HOUSE BILL NO. 1728,
HOUSE BILL NO. 1754,
SUBSTITUTE HOUSE BILL NO. 1813,
SUBSTITUTE HOUSE BILL NO. 1820,
SUBSTITUTE HOUSE BILL NO. 1838,
HOUSE BILL NO. 1853,
SUBSTITUTE HOUSE BILL NO. 1877,
HOUSE BILL NO. 1907,
SUBSTITUTE HOUSE BILL NO. 2058,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2017

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5039,
SUBSTITUTE SENATE BILL NO. 5069,
SUBSTITUTE SENATE BILL NO. 5077,
ENGROSSED SENATE BILL NO. 5128,
SUBSTITUTE SENATE BILL NO. 5196,
SENATE BILL NO. 5488,
SUBSTITUTE SENATE BILL NO. 5514,
SECOND SUBSTITUTE SENATE BILL NO. 5546,
SENATE BILL NO. 5662,

SUBSTITUTE SENATE BILL NO. 5835,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 10, 2017

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
5890,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SB 5205 by Senators Fain, Palumbo, Zeiger, Keiser, Angel and Hasegawa

AN ACT Relating to the excise taxation of martial arts; amending RCW 82.04.050; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

SSB 5768 by Senate Committee on Ways & Means (originally sponsored by Senators Rossi and Frockt)

AN ACT Relating to a leasehold excise tax credit for properties of market value in excess of ten million dollars and for certain major international airport leases; amending RCW 82.29A.120; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

2ESSB 5890 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Braun and Rolfes)

AN ACT Relating to foster care and adoption support; amending RCW 74.13.270, 74.15.125, 74.15.110, 13.34.136, 74.13A.025, 74.13A.030, 74.13A.047, and 28B.118.010; reenacting and amending RCW 13.34.138 and 13.34.145; adding a new section to chapter 41.04 RCW; adding a new section to chapter 43.06 RCW; adding a new section to chapter 74.13 RCW; creating new sections; repealing RCW 74.13.107, 74.12.037, 43.131.415, and 43.131.416; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of ENGROSSED SENATE BILL NO. 5375 the bill was placed on the second reading calendar:

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5790, by Senate Committee on Local Government (originally sponsored by Senators Short, Sheldon, Angel and Wilson)

Concerning the economic development element of the growth management act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was not adopted. (For committee amendment, see Journal, Day 80, March 29, 2017).

Representative Maycumber moved the adoption of the striking amendment (539):

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** This act may be known and cited as the economic revitalization act.

Sec. 2. RCW 36.70A.070 and 2015 c 241 s 2 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general

location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing

plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural economic advancement, densities, and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into

sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public

services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(15). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(15). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride-sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after full payment of all impact fees is due to the county or city.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies,

objectives, and provisions for economic growth and vitality and a high quality of life. The element (~~shall~~) may include (~~(a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs~~) the provisions in section 3 of this act. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

NEW SECTION. Sec. 3. A new section is added to chapter 36.70A RCW to read as follows:

(1) The economic development element required by RCW 36.70A.070(7) may include the following:

(a) A summary of the local economy, such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate;

(b) A summary of the strengths and weaknesses of the local economy, which may include the commercial, industrial, manufacturing, natural resource, and other locally significant economic sectors and

supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources;

(c) An identification of policies, programs, and projects to foster economic growth and development and to address future needs;

(d) Policies to promote increases in family, individual, and business incomes;

(e) An examination of whether sites planned for economic development have adequate public facilities and services, and, as appropriate, a plan for any needed public facilities and services;

(f) Policies to encourage access to education and training for family wage jobs; and

(g) Policies and opportunities to address economic development including existing industries and businesses, value added manufacturing of locally produced natural resources, and the use of locally produced energy and other natural resources.

(2) Each county and city planning under this chapter is encouraged to adopt comprehensive plans and development regulations that promote economic development in urban and rural areas, and evaluate economic performance in the jurisdiction in the time since the most recent update to the comprehensive plan. Each county and city planning under this chapter may make findings regarding the economic condition of the jurisdiction. If there is stagnation or economic deterioration during the period of time since the most recent update to the comprehensive plan, the comprehensive plan and development regulations may be modified to increase economic development opportunities.

(3)(a) Counties with a population of less than seventy-five thousand as of January 1, 2014, as determined by the office of financial management and published on April 1, 2016, that are planning under this chapter, and the cities within those counties, may identify policies, programs, and development opportunities to address the potential for economic deterioration and to seize economic development opportunities that may deviate from prescriptive interpretations of this chapter.

(b) For purposes of this section, economic deterioration is exemplified by,

but not limited to, any combination of the following performance outcomes:

(i) Incomes that are at least ten thousand dollars less than the statewide median household income for the same year as established by the office of financial management;

(ii) A decrease in the county's household median income during any year within the prior eight years;

(iii) The inability of the jurisdiction to add new full-time jobs in sufficient quantities to provide for population increases;

(iv) Decreases or stagnation of economic start-ups during multiple years within the prior eight years;

(v) Unemployment rates that are higher than the national and statewide averages over multiple years within the prior eight years; and

(vi) Decreases or stagnation in the issuance of commercial building permits during multiple years.

(4) In situations where the competing goals of this chapter would restrain economic development in the counties described in subsection (3)(a) of this section, and the cities within those counties, that are experiencing economic deterioration, the growth management hearings board and courts shall afford deference to local development choices that make economic development a priority, consistent with the presumption of validity required under RCW 36.70A.320."

Correct the title.

Representatives Maycumber and Fitzgibbon spoke in favor of the adoption of the amendment.

Amendment (539) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Maycumber, Fitzgibbon and Griffey spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5790, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5790, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Santos, Sawyer, Schmick, Sells, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Goodman, Macri, Pollet, Sawyer and Stanford.

SUBSTITUTE SENATE BILL NO. 5790, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5589, by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Keiser and Baumgartner)

Concerning distillery promotional items and spirit sample sales.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Gaming was adopted. (For committee amendment, see Journal, Day 75, March 24, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Sawyer and Condotta spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5589, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5589, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Graves, Gregerson, Griffey,

Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Santos, Sawyer, Schmick, Sells, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dent, Goodman, Harris, Hudgins, Kilduff, Ryu, Senn and Stanford.

SUBSTITUTE SENATE BILL NO. 5589, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5100, by Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Wilson, Angel, Zeiger and Darneille)

Requiring live financial literacy seminars for students at institutions of higher education.

The bill was read the second time.

With the consent of the House, amendments (520) and (527) were withdrawn.

Representative Bergquist moved the adoption of the striking amendment (543):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28B.76.502 and 2013 c 23 s 59 are each amended to read as follows:

(1) The office must provide a financial aid counseling curriculum to institutions of higher education with state need grant recipients. The curriculum must be available via a web site. The curriculum must include, but not be limited to:

(a) An explanation of the state need grant program rules, including maintaining satisfactory progress, repayment rules, and usage limits;

(b) Information on campus and private scholarships and work-study opportunities, including the application processes;

(c) An overview of student loan options with an emphasis on the repayment obligations a student borrower assumes regardless of program completion, including the likely consequences of default and sample monthly repayment amounts based on a range of student levels of indebtedness;

(d) An overview of (~~financial literacy~~) personal finance, including basic money management skills such as living within a budget and handling credit and debt;

(e) Average salaries for a wide range of jobs;

(f) (~~Perspectives~~) Financial education that meets the needs of, and includes perspectives from, a diverse group of students who are or were recipients of financial aid, including student loans, who may be trained by the financial education public-private partnership; and

(g) Contact information for local financial aid resources and the federal student aid ombuds' (~~(S)~~) office.

(2) By the 2013-14 academic year, the institution of higher education must take reasonable steps to ensure that each state need grant recipient receives information outlined in subsection (1)(a) through (g) of this section by directly referencing or linking to the web site on the conditions of award statement provided to each recipient.

(3) By July 1, 2013, the office must disseminate the curriculum to all institutions of higher education participating in the state need grant program. The institutions of higher education may require nonstate need grant recipients to participate in all or portions of the financial aid counseling.

(4) Subject to the availability of amounts appropriated for this specific purpose, by the 2017-18 academic year, each institution of higher education must take reasonable steps to ensure that the institution presents, and each incoming student participates in, a financial education workshop. The scope of the workshop must include, but is not limited to, the information outlined in subsection (1)(b) through (g) of this section, and include recommendations by the financial education public-private partnership. The institutions are encouraged to present these workshops during student orientation or as early as possible in the academic year."

Representatives Bergquist and Holy spoke in favor of the adoption of the striking amendment.

Amendment (543) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hansen, Holy, Santos, Nealey and Jenkin spoke in favor of the passage of the bill, as amended by the House.

Representative Stonier spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5100, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5100, as amended by the House, and the bill passed the House by the following vote: Yeas, 83; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen, Lovick, Lytton, Macri, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Goodman, Koster, Kretz, MacEwen, Manweller, Maycumber, Riccelli, Stanford, Stokesbary, Stonier, Taylor and Vick.

SUBSTITUTE SENATE BILL NO. 5100, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5647, by Senators Honeyford, Takko, Schoesler and Saldaña

Creating a low-income home rehabilitation revolving loan program.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Transportation was before the House for purpose of amendment. (For committee amendment, see Journal, Day 86, April 4, 2017).

Representative Ryu moved the adoption of amendment (533) to the committee striking amendment:

On page 2, on line 22 of the striking amendment, after "also" strike "secondary

in rank to" insert "subordinate to the first deed of trust or the first mortgage on the real property but has priority over all other"

Representatives Ryu and Barkis spoke in favor of the adoption of the amendment (533) to the committee striking amendment.

Amendment (533) to the committee striking amendment, was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Blake and Barkis spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5647, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5647, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta and Taylor.

ENGROSSED SENATE BILL NO. 5647, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5289, by Senate Committee on Transportation (originally sponsored by Senators Rivers, Liias, Miloscia, Carlyle and Kuderer)

Modifying the infraction of and penalties for distracted driving.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Transportation was before the House for purpose of amendment. (For committee amendment, see Journal, Day 86, April 4, 2017).

With the consent of the House, amendment (507) was withdrawn.

Representative Farrell moved the adoption of amendment (547) to the committee striking amendment:

On page 1, line 27 of the striking amendment, after "(5)" insert "A finding that a person has committed an offense under this section, if that offense is the first such offense committed within five years, must not be made available to insurance companies.

(6)"

On page 8, after line 7 of the striking amendment, insert the following:

"Sec. 5. RCW 46.52.130 and 2015 2nd sp.s. c 3 s 12 are each amended to read as follows:

Upon a proper request, the department may furnish an abstract of a person's driving record as permitted under this section.

(1) **Contents of abstract of driving record.** An abstract of a person's driving record, whenever possible, must include:

(a) An enumeration of motor vehicle accidents in which the person was driving, including:

(i) The total number of vehicles involved;

(ii) Whether the vehicles were legally parked or moving;

(iii) Whether the vehicles were occupied at the time of the accident; and

(iv) Whether the accident resulted in a fatality;

(b) Any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law;

(c) The status of the person's driving privilege in this state; and

(d) Any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon the named individual by an arresting officer.

(2) **Release of abstract of driving record.** An abstract of a person's driving

record may be furnished to the following persons or entities:

(a) **Named individuals.** (i) An abstract of the full driving record maintained by the department may be furnished to the individual named in the abstract.

(ii) Nothing in this section prevents a court from providing a copy of the driver's abstract to the individual named in the abstract or that named individual's attorney, provided that the named individual has a pending or open infraction or criminal case in that court. A pending case includes criminal cases that have not reached a disposition by plea, stipulation, trial, or amended charge. An open infraction or criminal case includes cases on probation, payment agreement or subject to, or in collections. Courts may charge a reasonable fee for the production and copying of the abstract for the individual.

(b) **Employers or prospective employers.**

(i)(A) An abstract of the full driving record maintained by the department may be furnished to an employer or prospective employer or an agent acting on behalf of an employer or prospective employer of the named individual for purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer.

(B) Release of an abstract of the driving record of an employee or prospective employee requires a statement signed by: (I) The employee or prospective employee that authorizes the release of the record; and (II) the employer attesting that the information is necessary for employment purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer. If the employer or prospective employer authorizes an agent to obtain this information on their behalf, this must be noted in the statement. The statement must also note that any information contained in the abstract related to an adjudication that is subject to a court order sealing the juvenile record of an employee or prospective employee may not be used by the employer or prospective employer, or an agent authorized to obtain this information on their behalf, unless required by federal regulation or law. The employer or prospective employer must afford the employee or prospective employee an opportunity to demonstrate that an adjudication contained in the

abstract is subject to a court order sealing the juvenile record.

(C) Upon request of the person named in the abstract provided under this subsection, and upon that same person furnishing copies of court records ruling that the person was not at fault in a motor vehicle accident, the department must indicate on any abstract provided under this subsection that the person was not at fault in the motor vehicle accident.

(D) No employer or prospective employer, nor any agent of an employer or prospective employer, may use information contained in the abstract related to an adjudication that is subject to a court order sealing the juvenile record of an employee or prospective employee for any purpose unless required by federal regulation or law. The employee or prospective employee must furnish a copy of the court order sealing the juvenile record to the employer or prospective employer, or the agent of the employer or prospective employer, as may be required to ensure the application of this subsection.

(ii) In addition to the methods described in (b)(i) of this subsection, the director may enter into a contractual agreement with an employer or its agent for the purpose of reviewing the driving records of existing employees for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(c) **Volunteer organizations.** (i) An abstract of the full driving record maintained by the department may be furnished to a volunteer organization or an agent for a volunteer organization for which the named individual has submitted an application for a position that would require driving by the individual at the direction of the volunteer organization.

(ii) Release of an abstract of the driving record of a prospective volunteer requires a statement signed by: (A) The prospective volunteer that authorizes the release of the record; and (B) the volunteer organization attesting that the information is necessary for purposes related to driving by the individual at

the direction of the volunteer organization. If the volunteer organization authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(d) **Transit authorities.** An abstract of the full driving record maintained by the department may be furnished to an employee or agent of a transit authority checking prospective volunteer vanpool drivers for insurance and risk management needs.

(e) **Insurance carriers.** (i) An abstract of the driving record maintained by the department covering the period of not more than the last three years may be furnished to an insurance company or its agent:

(A) That has motor vehicle or life insurance in effect covering the named individual;

(B) To which the named individual has applied; or

(C) That has insurance in effect covering the employer or a prospective employer of the named individual.

(ii) The abstract provided to the insurance company must:

(A) Not contain any information related to actions committed by law enforcement officers or firefighters, as both terms are defined in RCW 41.26.030, or by Washington state patrol officers, while driving official vehicles in the performance of their occupational duty. This does not apply to any situation where the vehicle was used in the commission of a misdemeanor or felony;

(B) Not include any information related to a finding that a person has committed an offense for using a personal electronic device while driving a motor vehicle on a public highway under section 1 of this act if that offense is the first such offense committed within five years;

(C) Include convictions under RCW 46.61.5249 and 46.61.525, except that the abstract must report the convictions only as negligent driving without reference to whether they are for first or second degree negligent driving; and

~~((C))~~ (D) Exclude any deferred prosecution under RCW 10.05.060, except that if a person is removed from a deferred prosecution under RCW 10.05.090, the abstract must show the deferred prosecution as well as the removal.

(iii) Any policy of insurance may not be canceled, nonrenewed, denied, or have

the rate increased on the basis of information regarding an accident included in the abstract of a driving record, unless the policyholder was determined to be at fault.

(iv) Any insurance company or its agent, for underwriting purposes relating to the operation of commercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment. Any insurance company or its agent, for underwriting purposes relating to the operation of noncommercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of commercial motor vehicles.

(v) The director may enter into a contractual agreement with an insurance company or its agent for the limited purpose of reviewing the driving records of existing policyholders for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(f) **Alcohol/drug assessment or treatment agencies.** An abstract of the driving record maintained by the department covering the period of not more than the last five years may be furnished to an alcohol/drug assessment or treatment agency approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment, for purposes of assisting employees in making a determination as to what level of treatment, if any, is appropriate, except that the abstract must:

(i) Also include records of alcohol-related offenses, as defined in RCW 46.01.260(2), covering a period of not more than the last ten years; and

(ii) Indicate whether an alcohol-related offense was originally charged as a violation of either RCW 46.61.502 or 46.61.504.

(g) **Attorneys—City attorneys, county prosecuting attorneys, and named individual's attorney of record.** An abstract of the full driving record maintained by the department, including

whether a recorded violation is an alcohol-related offense, as defined in RCW 46.01.260(2), that was originally charged as a violation of either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys, county prosecuting attorneys, or the named individual's attorney of record. City attorneys, county prosecuting attorneys, or the named individual's attorney of record may provide the driving record to alcohol/drug assessment or treatment agencies approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment.

(h) **State colleges, universities, or agencies, or units of local government.** An abstract of the full driving record maintained by the department may be furnished to (i) state colleges, universities, or agencies for employment and risk management purposes or (ii) units of local government authorized to self-insure under RCW 48.62.031 for employment and risk management purposes.

(i) **Superintendent of public instruction.** An abstract of the full driving record maintained by the department may be furnished to the superintendent of public instruction for review of public school bus driver records. The superintendent or superintendent's designee may discuss information on the driving record with an authorized representative of the employing school district for employment and risk management purposes.

(3) **Release to third parties prohibited.** Any person or entity receiving an abstract of a person's driving record under subsection (2)(b) through (i) of this section shall use the abstract exclusively for his, her, or its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party.

(4) **Fee.** The director shall collect a thirteen dollar fee for each abstract of a person's driving record furnished by the department. Fifty percent of the fee must be deposited in the highway safety fund, and fifty percent of the fee must be deposited according to RCW 46.68.038.

(5) **Violation.** (a) Any negligent violation of this section is a gross misdemeanor.

(b) Any intentional violation of this section is a class C felony.

(6) Effective July 1, 2019, the contents of a driving abstract pursuant to this section shall not include any information related to sealed juvenile records unless that information is required by federal law or regulation."

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

Representatives Farrell and Orcutt spoke in favor of the adoption of the amendment (547) to the committee striking amendment.

Amendment (547) to the committee striking amendment, was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Farrell, Hayes and Kirby spoke in favor of the passage of the bill, as amended by the House.

Representatives Orcutt and McCaslin spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5289, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5289, as amended by the House, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kretz, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Vick, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Holy, Jenkin, Klippert, Koster, Kraft, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Muri, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Volz, J. Walsh and Wilcox.

SUBSTITUTE SENATE BILL NO. 5289, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5201, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille and Zeiger)

Concerning individuals receiving both employment and community access services.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Early Learning & Human Services was adopted. (For committee amendment, see Journal, Day 86, April 4, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff and Dent spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5201, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5201, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Kagi

SECOND SUBSTITUTE SENATE BILL NO. 5201, as amended by the House, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SECOND SUBSTITUTE

SENATE BILL NO. 5201, as amended by the House, passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5201, as amended by the House, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5201, as amended by the House, on reconsideration, and the bill passed the House by the following vote:Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE SENATE BILL NO. 5201, as amended by the House, on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

ENGROSSED SUBSTITUTE SENATE BILL NO.

5198

SENATE BILL NO. 5336

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5198, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Warnick, Fain, Bailey and Brown)

Concerning fire suppression methodologies.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Lytton spoke in favor of the passage of the bill.

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5198.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5198, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pellicciotti, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5198, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5674, by Senators Palumbo and Fain

Addressing the final approval of subdivisions of land.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Muri spoke in favor of the passage of the bill.

Representatives Fey, Appleton, Griffey and Johnson spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5674.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5674, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

Voting yea: Representatives Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fitzgibbon, Frame, Graves, Hansen, Hargrove, Harmsworth, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Riccelli, Robinson, Rodne, Ryu, Santos, Sells, Slatter, Smith, Springer, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Appleton, Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Fey, Goodman, Gregerson, Griffey, Haler, Harris, Holy, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, MacEwen, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pellicciotti, Pollet, Reeves, Sawyer, Schmick, Senn, Shea, Stambaugh, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

SENATE BILL NO. 5674, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5336, by Senators Miloscia, Hunt, Zeiger, Kuderer, Wellman and Fortunato

Criminalizing damaging, destroying, tampering, or removing ballot return boxes or contents.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Public Safety was adopted. (For committee amendment, see Journal, Day 80, March 29, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5336, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5336, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins,

Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Volz.

SENATE BILL NO. 5336, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5086, by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford and Frockt)

Concerning the capital budget.

The bill was read the second time.

Representative Tharinger moved the adoption amendment (469):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2019, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2018" or "FY 2018" means the period beginning July 1, 2017, and ending June 30, 2018.

(b) "Fiscal year 2019" or "FY 2019" means the period beginning July 1, 2018, and ending June 30, 2019.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified

purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2019-2021 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2017, from previous biennial appropriations for each project.

PART 1

GENERAL GOVERNMENT

NEW SECTION. Sec. 1001. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Washington Wildlife and Recreation Program and State Land Acquisition Study (92000003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 1001, chapter 35, Laws of 2016 sp. sess. and section 6005, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State \$350,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$350,000

NEW SECTION. Sec. 1002. FOR THE COURT OF APPEALS

Spokane Court Facility Upgrade (92000001)

Reappropriation:

State Building Construction Account—
State \$66,000

Prior Biennia (Expenditures)
\$37,000

Future Biennia (Projected Costs) \$0

TOTAL \$103,000

NEW SECTION. Sec. 1003. FOR THE
SECRETARY OF STATE

Library - Archives Building (30000033)

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

(1) The appropriation is provided
solely for design.

(2) All capital budget requirements,
including the use of fees collected by the
secretary of state that will support a
certificate of participation or other
alternative financing for the financing,
future operating costs, and projected
efficiencies of electronic document
storage in determining necessary space,
must be developed for construction
funding.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures)
\$300,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,300,000

NEW SECTION. Sec. 1004. FOR THE
SECRETARY OF STATE

Ballot Boxes (91000015)

The appropriation in this section is
subject to the following conditions and
limitations: The appropriation is provided
solely for grants for distressed rural
counties that have difficulty implementing
Substitute Senate Bill No. 5472. Grants
must be administered to counties at no
more than \$1,000 per location by the
secretary of state. If the bill referenced
in this section is not enacted by June 30,
2017, the amounts provided in this section
shall lapse.

Appropriation:

State Building Construction Account—
State \$100,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$100,000

NEW SECTION. Sec. 1005. FOR THE
DEPARTMENT OF COMMERCE

Local and Community Projects (20064008)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions in section 131,
chapter 488, Laws of 2005.

Reappropriation:

State Building Construction Account—
State \$235,000

Prior Biennia (Expenditures)
\$45,657,000

Future Biennia (Projected Costs) \$0

TOTAL \$45,892,000

NEW SECTION. Sec. 1006. FOR THE
DEPARTMENT OF COMMERCE

Rural Washington Loan Fund (20074008)

Reappropriation:

Rural Washington Loan Account—
State \$840,000

Prior Biennia (Expenditures)
\$1,187,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,027,000

NEW SECTION. Sec. 1007. FOR THE
DEPARTMENT OF COMMERCE

Housing Assistance, Weatherization, and
Affordable Housing (20074009)

Reappropriation:

State Taxable Building Construction
Account—State \$477,000

Prior Biennia (Expenditures)
\$199,435,000

Future Biennia (Projected Costs) \$0

TOTAL \$199,912,000

NEW SECTION. Sec. 1008. FOR THE
DEPARTMENT OF COMMERCE

Community Development Fund (20084850)

Reappropriation:

State Building Construction Account—
State \$1,049,000

Prior Biennia (Expenditures)
\$19,867,000

Future Biennia (Projected Costs) \$0
 TOTAL \$20,916,000

NEW SECTION. Sec. 1009. FOR THE DEPARTMENT OF COMMERCE

Housing Assistance, Weatherization, and Affordable Housing (30000013)

Reappropriation:

Washington Housing Trust Account—State \$104,000

Prior Biennia (Expenditures) \$129,895,000

Future Biennia (Projected Costs) \$0
 TOTAL \$129,999,000

NEW SECTION. Sec. 1010. FOR THE DEPARTMENT OF COMMERCE

2010 Local and Community Projects (30000082)

The reappropriation in this section is subject to the following conditions and limitations: The projects must comply with RCW 43.63A.125 and other requirements for community projects administered by the department of commerce.

Reappropriation:

State Building Construction Account—State \$1,975,000

Prior Biennia (Expenditures) \$11,447,000

Future Biennia (Projected Costs) \$0
 TOTAL \$13,422,000

NEW SECTION. Sec. 1011. FOR THE DEPARTMENT OF COMMERCE

Community Economic Revitalization Board (30000097)

Appropriation:

Public Facility Construction Loan Revolving

Account—State \$8,020,000

Prior Biennia (Expenditures) \$5,000,000

Future Biennia (Projected Costs) \$0
 TOTAL \$13,020,000

NEW SECTION. Sec. 1012. FOR THE DEPARTMENT OF COMMERCE

Housing Assistance, Weatherization, Affordable Housing Trust Fund (30000098)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1026, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Taxable Building Construction Account—State \$477,000

Prior Biennia (Expenditures) \$49,523,000

Future Biennia (Projected Costs) \$0
 TOTAL \$50,000,000

NEW SECTION. Sec. 1013. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Program (30000103)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

Public Works Assistance Account—State \$17,128,000

Prior Biennia (Expenditures) \$132,896,000

Future Biennia (Projected Costs) \$0
 TOTAL \$150,024,000

NEW SECTION. Sec. 1014. FOR THE DEPARTMENT OF COMMERCE

Local and Community Projects (30000166)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State \$292,000

Prior Biennia (Expenditures) \$16,525,000

Future Biennia (Projected Costs) \$0
 TOTAL \$16,817,000

NEW SECTION. Sec. 1015. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Program 2013 Loan List (30000184)

Reappropriation:

Public Works Assistance Account—
State \$16,511,000

Prior Biennia (Expenditures)
\$21,630,000

Future Biennia (Projected Costs) \$0

TOTAL \$38,141,000

NEW SECTION. Sec. 1016. FOR THE
DEPARTMENT OF COMMERCE

Community Economic Revitalization Board
(30000190)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1070, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Public Facility Construction Loan
Revolving

Account—State \$8,750,000

Prior Biennia (Expenditures)
\$250,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,000,000

NEW SECTION. Sec. 1017. FOR THE
DEPARTMENT OF COMMERCE

2013-2015 Energy Efficiency Grants
(30000193)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1075, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$3,404,000

Prior Biennia (Expenditures)
\$21,596,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,000,000

NEW SECTION. Sec. 1018. FOR THE
DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program
(30000726)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6003 of this act.

Reappropriation:

State Building Construction Account—
State \$21,322,000

State Taxable Building Construction
Account—State \$9,538,000

Subtotal Reappropriation \$30,860,000

Prior Biennia (Expenditures)
\$9,540,000

Future Biennia (Projected Costs) \$0

TOTAL \$40,400,000

NEW SECTION. Sec. 1019. FOR THE
DEPARTMENT OF COMMERCE

Building for the Arts Program
(30000731)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1029, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$770,000

Prior Biennia (Expenditures)
\$5,027,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,797,000

NEW SECTION. Sec. 1020. FOR THE
DEPARTMENT OF COMMERCE

Youth Recreational Facilities Program
(30000792)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1030, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$3,969,000

Prior Biennia (Expenditures)
\$3,386,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,355,000

NEW SECTION. Sec. 1021. FOR THE
DEPARTMENT OF COMMERCE

Building Communities Fund Program
(30000803)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is

subject to the provisions of section 1031, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$10,357,000

Prior Biennia (Expenditures)
\$10,502,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,859,000

NEW SECTION. Sec. 1022. FOR THE
DEPARTMENT OF COMMERCE

Housing Trust Fund Appropriation
(30000833)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1005, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Taxable Building Construction
Account—State \$59,701,000

Washington Housing Trust Account—
State \$3,000,000

Subtotal Reappropriation \$62,701,000

Prior Biennia (Expenditures)
\$20,299,000

Future Biennia (Projected Costs) \$0

TOTAL \$83,000,000

NEW SECTION. Sec. 1023. FOR THE
DEPARTMENT OF COMMERCE

2015-2017 Community Economic
Revitalization Board Program (30000834)

Reappropriation:

Public Facility Construction Loan
Revolving

Account—State \$10,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,600,000

NEW SECTION. Sec. 1024. FOR THE
DEPARTMENT OF COMMERCE

Energy Efficiency and Solar Grants
(30000835)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1035, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$21,276,000

Prior Biennia (Expenditures)
\$3,724,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,000,000

NEW SECTION. Sec. 1025. FOR THE
DEPARTMENT OF COMMERCE

Ultra-Efficient Affordable Housing
Demonstration (30000836)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1006, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Washington Housing Trust Account—
State \$2,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,500,000

NEW SECTION. Sec. 1026. FOR THE
DEPARTMENT OF COMMERCE

Community Energy Efficiency Program
(30000845)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1039, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,983,000

Prior Biennia (Expenditures)
\$3,017,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 1027. FOR THE
DEPARTMENT OF COMMERCE

2017 Local and Community Projects
(30000846)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1008, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Building Construction Account—
State \$8,528,000

Prior Biennia (Expenditures)
\$2,835,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,363,000

NEW SECTION. Sec. 1028. FOR THE
DEPARTMENT OF COMMERCE

Rapid Housing Improvement Program
(30000863)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Washington Housing Trust Account—
State \$194,000

Prior Biennia (Expenditures)
\$31,000

Future Biennia (Projected Costs) \$0

TOTAL \$225,000

NEW SECTION. Sec. 1029. FOR THE
DEPARTMENT OF COMMERCE

2017-19 Housing Trust Fund Program
(30000872)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$64,000,000 of the state taxable building construction account—state appropriation, \$38,000,000 of the state building construction account—state appropriation, and \$4,370,000 of the Washington housing trust account—state appropriation are provided solely for affordable housing and preservation of affordable housing. Of the amounts in this subsection:

(a) \$24,370,000 is provided solely for housing projects that provide supportive housing and case-management services to persons with chronic mental illness. The department must prioritize low-income supportive housing unit proposals that provide services or include a partner community behavioral health treatment provider;

(b) \$10,000,000 is provided solely for housing preservation grants to be awarded competitively. The grants may be provided for major building improvements, preservation, and system replacements,

necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require that a capital needs assessment is performed to estimate the cost of the preservation project at contract execution. Funds may not be used to add or expand the capacity of the property. To receive grants, housing projects must meet the following requirements:

(i) The property is more than fifteen years old;

(ii) At least 50 percent of the housing units are occupied by families and individuals at or below 30 percent area median income.

(iii) The improvements will result in reduction of operating or utilities costs, or both; and

(iv) Other criteria that the department considers necessary to achieve the purpose of this program.

(c) \$5,000,000 is provided solely for housing projects that benefit people at or below 80 percent of the area median income who have been displaced by a natural disaster declared by the governor, including people who have been displaced within the last two biennia.

(d) \$1,000,000 of the Washington housing trust account—state appropriation is provided solely for the department to work with the communities of concern commission to focus on creating capital assets that will help reduce poverty and build stronger and more sustainable communities using the communities' cultural understanding and vision. The funding must be used for predevelopment costs for capital projects identified by the commission and for other activities to assist communities in developing capacity to create community-owned capital assets.

(e) \$10,098,000 is provided solely for the following list of housing projects:

(i) Cross-Laminated Timber Spokane
Housing Predesign \$500,000

(ii) El Centro de la Raza \$737,000

(iii) Highland Village
Preservation \$1,500,000

(iv) Justice Housing Yakima
\$3,111,000

(v) Nisqually Tribal Housing
\$1,250,000

(vi) Othello Homesight Community Center
\$3,000,000

(f) Of the amounts appropriated remaining after (a) through (e) of this subsection, the department must allocate the funds as follows:

(i) 10 percent is provided solely for housing projects that benefit veterans;

(ii) 10 percent is provided solely for housing projects that benefit homeownership;

(iii) 5 percent is provided solely for housing projects that benefit people with developmental disabilities;

(iv) 5 percent is provided solely for grants for high quality low-income housing projects that quickly move people from homelessness into secure housing and are significantly less expensive to construct than traditional housing. In awarding grants, the department must prioritize projects that:

(A) Provide permanent, high-quality housing or safe, lockable temporary shelter structures that provide significantly greater safety and security than tents;

(B) Serve chronically homeless adults or people being discharged from inpatient mental health or addiction treatment;

(C) Offer a community setting that supports residents' transition to stability and self-determination; and

(D) Site the housing on under-utilized public land; and

(v) The remaining amount is provided solely for projects that serve low-income and special needs populations in need of housing, including, but not limited to, homeless families with children, homeless youth, farmworkers, and seniors.

(2) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(3) The department must strive to allocate all of the amounts appropriated in this section within the 2017-2019 fiscal biennium in the manner prescribed in subsection (1) of this section. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and

special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Building Construction Account—
State \$38,000,000

State Taxable Building Construction
Account—State \$64,000,000

Washington Housing Trust Account—
State \$4,370,000

Subtotal Appropriation \$106,370,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$400,000,000

TOTAL \$506,370,000

NEW SECTION. Sec. 1030. FOR THE
DEPARTMENT OF COMMERCE

Economic Opportunity Grants (30000873)

Appropriation:

Rural Washington Loan Account—
State \$6,750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$6,750,000

NEW SECTION. Sec. 1031. FOR THE
DEPARTMENT OF COMMERCE

2017-19 Youth Recreational Facilities
Grant Program (30000875)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.135.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Cocoon House (Colby Avenue Youth Center) \$438,000

Boys and Girls Club of Chehalis (Growing Places Farm and Energy Park) \$200,000

Boys & Girls Clubs of Snohomish County (Lake Stevens

Boys & Girls Club Teen Center Expansion) \$120,000

Boys & Girls Clubs of Southwest Washington (Teen

Expansion at the Clinton & Gloria John Club) \$328,000

Boys & Girls Clubs of Snohomish County (Arlington

Boys & Girls Club Expansion) \$99,000

Boys & Girls Clubs of the Olympic Peninsula

(Port Angeles Boys & Girls Club) \$1,000,000

Boys & Girls Clubs of South Puget Sound (Eastside Branch) \$1,200,000

YMCA of Greater Seattle (Kent YMCA Youth

Recreational Facilities Grant) \$1,170,000

YMCA of Greater Seattle (Auburn Valley YMCA Youth

Recreational Facilities Grant) \$763,000

YMCA of Greater Seattle (University YMCA Youth

Recreational Facilities Grant) \$1,114,000

Friends of Lopez Island Pool (Lopez Island Pool) \$175,000

Spokane Valley HUB (HUB Capital Campaign) \$300,000

Appropriation:

State Building Construction Account—State \$6,907,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$27,628,000

TOTAL \$34,535,000

NEW SECTION. Sec. 1032. FOR THE DEPARTMENT OF COMMERCE

2017-19 Building for the Arts Grant Program (30000877)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Town Hall Association (Campaign for Town Hall) \$1,520,000

Pacific Northwest Ballet Association (Replacement

PNB School at the Francia Russell Center) \$1,520,000

Seattle Art Museum (Asian Art Museum Renovation) \$1,520,000

Chewelah PACA (Chewelah Center for the Arts) \$97,000

Seattle Opera (Seattle Opera at the Center) \$1,520,000

Tacoma Art Museum (Benaroya Building Project) \$1,020,000

Fort Worden Foundation (Sage Arts and Education

Building) \$1,270,000

Seattle Repertory Theatre (Renovating the PONCHO

Forum) \$258,000

Richard Hugo House (Hugo House: Building an Enduring

Home for Words) \$1,032,000

Washington Center for the Performing Arts (Theater

and Interior Revitalization) \$689,000

Admiral Theatre Foundation (Admiral Theatre

Renovation Part II) \$150,000

Pratt Fine Arts Center (Pratt's Campus Expansion) \$520,000

Northwest Choirs (Northwest Choirs - Building

for Today and Tomorrow) \$75,000

Power House Theatre Walla Walla Inc. (Power House

Theatre Walla Walla Acquisition) \$335,000

Delridge Neighborhoods Development Association (DNDA)

(Youngstown Theater & Kitchen Renovation Project) \$140,000

iDiOM Theater/Sylvia Center for the Arts (Sylvia Center

for the Arts) \$334,000

Appropriation:

State Building Construction Account- State \$12,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$36,000,000

TOTAL \$48,000,000

NEW SECTION. Sec. 1033. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Construction Loans (30000878)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of public works projects:

180th St SE SR 527 Brook Blvd (Everett) \$3,000,000

35th Ave SE Phase II SR 524 to 180th St SE

(Everett) \$3,000,000

61st/190th Culvert Replacement & Embankment Repair

(Kenmore) \$1,500,000

Automated Meter Reading System (Birch Bay) \$1,500,000

Cedar Hills Regional Landfill North Flare Statn

Repair (Seattle) \$1,583,000

Cedar Hills Regional Landfill Pump Station Repairs

(Seattle) \$3,000,000

City Street Light Conversion to Light Emitting Diode

(Vancouver) \$4,816,000

Fairview Ave N Bridge Replacement (Seattle) \$10,000,000

Georgetown Wet Weather Treatment Station (Seattle) \$3,500,000

Isaacs Avenue Improvements - Phase 2 (Walla Walla) \$3,962,000

Kennewick Automated Meter Reading Project

(Kennewick) \$6,000,000

Landslide Repairs (Aberdeen) \$373,000

McKinnon Creek Wellfield Infrastructure Improvements

(Lake Forest) \$200,000

Miller Street Re-Alignment and Storm Repairs

(Wenatchee) \$4,826,000

NE 10th Avenue (Vancouver) \$10,000,000

Ostrich Creek Culvert Improvements (Bremerton) \$4,688,000

Pine Basin Watershed Storm Sewer Improvements

(Bremerton) \$3,881,000

Slater Road/Jordan Creek Fish Passage Project

(Bellingham) \$5,000,000

South Fork McCorkle Creek Stormwater Detention

Facility (Kelso) \$4,700,000

Sudbury Landfill Area 7 Cell 3 Construction

(Walla Walla) \$2,978,000

Sunset Reservoir Rehabilitation (Spokane) \$1,412,000

Thurston Co. PUD No. 1 Replacement and Upgrades

(Olympia) \$1,028,000

Tipping Floor Restoration & Safety Upgrades

(Davenport) \$156,000

US 395/Ridgeline Interchange
(Kennewick) \$6,000,000

Wastewater Reuse Project
(Quincy) \$10,000,000

Appropriation:

Public Works Assistance Account—
State \$97,103,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$97,103,000

NEW SECTION. Sec. 1034. FOR THE
DEPARTMENT OF COMMERCE

Weatherization Plus Health Matchmaker
Program (30000879)

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

(1) \$1,000,000 is provided solely for
lead remediation projects, and this is the
maximum amount the department may expend
for this purpose.

(2) \$5,000,000 is provided solely for
projects pursuant to Second Substitute
House Bill No. 1980 (home rehabilitation
loan program) and this is the maximum
amount the department may expend for this
purpose. The department may prioritize
rehabilitation projects in coordination
with weatherization projects.

(3) \$5,000,000 is provided solely for
grants for the Washington State University
energy extension community energy
efficiency program (CEEP) to support
homeowners, tenants, and small business
owners to make sound energy efficiency
investments by providing consumer
education and marketing, workforce support
via training and lead generation, and
direct consumer incentives for upgrades to
existing homes and small commercial
buildings, and this is the maximum amount
the department may expend for this
purpose.

Appropriation:

State Building Construction Account—
State \$16,000,000

State Taxable Building Construction
Account—State \$5,000,000

Subtotal Appropriation \$21,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$80,000,000

TOTAL \$101,000,000

NEW SECTION. Sec. 1035. FOR THE
DEPARTMENT OF COMMERCE

Clean Energy Funds 3 (30000881)

The appropriations in this section are
subject to the following conditions and
limitations:

(1) The appropriations are provided
solely for projects that provide a benefit
to the public through development,
demonstration, and deployment of clean
energy technologies that save energy and
reduce energy costs, reduce harmful air
emissions, or increase energy independence
for the state.

(2) In soliciting and evaluating
proposals, awarding contracts, and
monitoring projects under this section,
the department must:

(a) Ensure that competitive processes,
rather than sole source contracting
processes, are used to select all
projects, except as otherwise noted in
this section; and

(b) Conduct due diligence activities
associated with the use of public funds
including, but not limited to, oversight
of the project selection process, project
monitoring and ensuring that all
applications and contracts fully comply
with all applicable laws including
disclosure and conflict of interest
statutes.

(3)(a) Pursuant to chapter 42.52 RCW,
the ethics in public service act, the
department must require a project
applicant to identify in application
materials any state of Washington
employees or former state employees
employed by the firm or on the firm's
governing board during the past twenty-
four months. Application materials must
identify the individual by name, the
agency previously or currently employing
the individual, job title or position
held, and separation date. If it is
determined by the department that a
conflict of interest exists, the applicant
may be disqualified from further
consideration for award of funding.

(b) If the department finds, after due
notice and examination, that there is a
violation of chapter 42.52 RCW, or any
similar statute involving a grantee who
received funding under this section,
either in procuring or performing under
the grant, the department in its sole
discretion may terminate the funding grant

by written notice. If the grant is terminated, the department must reserve its right to pursue all available remedies under law to address the violation.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) \$13,000,000 of the state building construction account is provided solely for grid modernization grants for projects that advance clean and renewable energy technologies, and transmission and distribution control systems; that support integration of renewable energy sources, deployment of distributed energy resources, and sustainable microgrids; and that increase utility customer options for energy sources, energy efficiency, energy equipment, and utility services.

(a) Projects must be implemented by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) Applications for grants must disclose all sources of public funds invested in a project.

(6) \$13,000,000 of the state building construction account is provided solely for grants to demonstrate new approaches to electrification of transportation systems.

(a) Projects must be implemented by local governments, or by public and private electrical utilities that serve retail customers in the state. Eligible parties may partner with other public and private sector research organizations and businesses in applying for funding. The department of commerce must coordinate with other electrification programs, including projects the department of transportation is developing and projects funded by the Volkswagen consent decree,

to determine the most effective distribution of the systems.

(b) Priorities must be given to eligible technologies that reduce the top two hundred hours of demand and the demand side.

(c) Eligible technologies for these projects include, but are not limited to:

(i) Electric vehicle and transportation system charging and open source control infrastructure, including inductive charging systems;

(ii) Electric vehicle sharing in low-income, multi-unit housing communities in urban areas;

(iii) Grid-related vehicle electrification, connecting vehicle fleets to grid operations, including school and transit buses;

(iv) Electric vehicle fleet management tools with open source software;

(v) Maritime electrification, such as electric ferries, water taxis, and shore power infrastructure.

(7)(a) \$10,000,000 of the state building construction account is provided solely for strategic research and development for new and emerging clean energy technologies, as needed to match federal or other nonstate funds to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult and coordinate with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the grant program unless the organization prefers to compete for the grants. If the organization prefers to receive grants from the program they may not participate in the consultant process determining how the grant process is structured. The program shall offer matching funds for competitively selected clean energy projects, including but not limited to: Solar technologies, advanced bioenergy and biofuels, development of new earth abundant materials or lightweight materials, advanced energy storage, battery components recycling, and new renewable energy and energy efficiency technologies. Criteria for the grant program must include life cycle cost analysis for projects that are part of the competitive process.

(8) (a) \$8,000,000 is provided solely for scientific instruments to help accelerate research in advanced materials at the proposed science laboratories infrastructure facility at the Pacific Northwest national laboratory. These state funds are contingent on securing federal funds for the new facility, and are provided as match to the federal funding. The instruments will support researchers at the bioproducts sciences and engineering laboratory, the joint center for deployment research in earth abundant materials, the center for advanced materials and clean energy technology, and other energy and materials collaborations with the University of Washington and Washington State University.

(b) If by December 30, 2017, federal funding is not secured, the funds in this subsection (8) may be used for a pilot project by the Pacific Northwest national laboratory to use demand side management and analyze electricity use by the Washington state penitentiary. The department of corrections must make any electric utility record at the Washington state penitentiary available. Based on this analysis, a report must be provided to fiscal committees of the legislature by January 15, 2018.

(9) \$4,000,000 of the state building construction account is provided solely for grants to be awarded in competitive rounds for the deployment of solar projects located in Washington state.

(a) Priority must be given to distribution side projects that reduce peak electricity demand.

(b) Projects must be capable of generating at least five hundred kilowatts of direct current generating capacity.

(c) Grants shall not exceed \$200,000 per megawatt of direct current generating capacity and total grant funds per project shall not exceed \$1,000,000 per applicant. Applicants may not use other state grants.

(d) At least 25 percent of the total allocation of a project shall be provided solely for projects that provide direct benefits to low-income residents or communities. The department must attempt to prioritize an equal geographic distribution.

(e) Priority must be given to major components made in Washington.

Appropriation:

State Building Construction Account—
State \$38,000,000

State Taxable Building Construction
Account—State \$10,000,000

Subtotal Appropriation \$48,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$200,000,000

TOTAL \$248,000,000

NEW SECTION. Sec. 1036. FOR THE
DEPARTMENT OF COMMERCE

Energy Efficiency and Solar Grants
(30000882)

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

(1) (a) \$6,675,000 for fiscal year 2018 and \$6,675,000 for fiscal year 2019 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, school districts, and state agencies for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings.

(b) At least twenty percent of each competitive grant round must be awarded to small cities or towns with a population of five thousand or fewer residents.

(c) In each competitive round, the higher the leverage ratio of nonstate funding sources to state grant and the higher the energy savings, the higher the project ranking.

(d) For school district applicants, priority consideration must be given to school districts that demonstrate improved health and safety through: (i) Reduced exposure to polychlorinated biphenyl; or (ii) replacing outdated heating systems that use oil or propane as fuel sources as identified by the Washington State University extension energy program. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(2) \$1,750,000 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, school districts, and state agencies for projects that involve the purchase and installation of solar energy systems, including solar modules and

inverters, with a preference for products manufactured in Washington.

(3) \$1,400,000 is provided solely for energy efficiency improvements to minor works and stand-alone projects at state-owned facilities that repair or replace existing building systems including, but not limited to HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life-cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the cost to improve the project's energy efficiency compared to the original project request will be added to the project appropriation after construction bids are received. The department of commerce shall coordinate with the office of financial management to develop a process for project submittal, review, approval criteria, tracking project budget adjustments, and performance measures.

(4) \$500,000 is provided solely for resource conservation managers in the department of enterprise services to coordinate with state agencies and school districts to assess and adjust existing building systems and operations to optimize the efficiency in use of energy and other resources in state-owned facilities. The department of commerce will oversee an interagency agreement with the department of enterprise services to fund the resource conservation managers.

(5) The department shall develop metrics that indicate the performance of energy efficiency efforts and provide a report of the metrics, including at a minimum the current energy used by the building, the energy use after efficiencies are completed, and cost of energy saved. The report must include these metrics from other states.

Appropriation:

Energy Efficiency Account--State	
\$17,000,000	
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$60,000,000
TOTAL	\$77,000,000

NEW SECTION. Sec. 1037. FOR THE DEPARTMENT OF COMMERCE

2017-19 Building Communities Fund Grant (30000883)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.125.

(2) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Boys & Girls Clubs of Snohomish County (Inchelium Boys & Girls Club Expansion)	\$27,000
Cocoon House (Colby Avenue Youth Center)	\$635,000
Mercy Housing Northwest (Historic Building 9 Center Building)	\$1,000,000
Skagit Valley Family YMCA (New Skagit Valley Family YMCA)	\$3,500,000
Edmonds Senior Center (Edmonds Waterfront Center)	\$2,250,000
Opportunity Council (East Whatcom Regional Resource Center Phase 2)	\$500,000
Filipino Community of Seattle (Filipino Community Innovation Learning Center)	\$600,000
Amara (Amara Building Renovation/Addition)	\$1,550,000
YMCA of Yakima (Yakima YMCA/Aquatic Center)	\$3,500,000
Northwest Indian College (Health and Wellness Center)	\$1,750,000
Lydia Place (Bell Tower Service Center)	\$96,000

Tacoma Community House (Tacoma Community House) \$2,500,000

Peace Community Center (Peace Community Center Renovation and Expansion) \$330,000

North Kitsap Fishline Food Bank (Transforming Lives in North Kitsap) \$530,000

Martha & Mary Health Services (Martha & Mary Health and Rehab Campus Renovation) \$1,000,000

Share (Share Day Center) \$180,000

Country Doctor Community Clinic (Campaign for Country Doctor) \$1,575,000

CDM Caregiving Services (Aging with Dignity) \$395,000

Friends of Youth (Friends of Youth Snoqualmie Office) \$300,000

Helping Hands Food Bank (Helping Hands Food Bank Building) \$350,000

Catholic Community Services of King County (New Hope House) \$190,000

Bridgeview Housing (Bridgeview Education & Employment Resource Center) \$700,000

Aging in PACE Washington (Aging in PACE) \$3,000,000

YMCA of Greater Seattle (Kent YMCA Building Communities Grant) \$3,000,000

Appropriation:

State Building Construction Account—State \$29,458,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$72,000,000

TOTAL \$101,458,000

NEW SECTION. Sec. 1038. FOR THE DEPARTMENT OF COMMERCE

2018 Local and Community Projects (40000005)

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriation is provided solely for the following list of projects:

Aberdeen Gateway Center (Aberdeen) \$1,750,000

Adams County Industrial Wastewater Treatment &

Reuse Facility (Othello) \$500,000

Adna Elementary Playshed (Chehalis) \$104,000

Airway Heights Recreation Complex (Airway Heights) \$515,000

Alder Creek Pioneer Museum Expansion (Bickleton) \$138,000

Anderson Island Historical Society (Anderson Island) \$26,000

Appleway Trail Amenities (Spokane Valley) \$556,000

ARC Community Center Renovation (Bremerton) \$81,000

Arlington Pocket Park Downtown Business District

(Arlington) \$46,000

Belfair Sewer Extension to Puget Sound

Industrial Center (Belfair) \$515,000

Billy Frank Jr. Heritage Center (Olympia) \$206,000

Bothell Parks Projects (Bothell) \$309,000

Bridgeview Education and Employment Resource

Center (Vancouver) \$500,000

Camp Schechter New Infrastructure and Dining Hall

(Tumwater) \$26,000

Capitol Campus E. WA Butte (Olympia) \$52,000

Captain Joseph House \$225,000

Carnation Central Business District Revitalization

(Carnation) \$515,000

Castle Rock Fair LED Lighting (Castle Rock) \$10,000

Centennial Trail - Southern Extension #1 (Snohomish) \$206,000

Centerville Grange Renovation (Centerville) \$134,000

Centralia Fox Theatre Restoration (Centralia) \$299,000

Chelan County Emergency Operations Center

(Wenatchee) \$400,000

Chelatchie Prairie Railroad Maintenance Bldg.

Phase 2 (Yacolt) \$250,000

Cherry St Fellowship (Seattle) \$360,000

Children's Playgarden (Seattle) \$315,000

Chimacum Ridge Forest Pilot (Port Townsend) \$3,400,000

City of Brewster Manganese Abatement (Brewster) \$752,000

Clymer Museum and Gallery Remodel (Ellensburg) \$258,000

Coastal Harvest Roof Replacement (Hoquiam) \$206,000

College Place Well Consolidation and Replacement

(College Place) \$750,000

Confluence Park Improvements (P2&3) (Issaquah) \$206,000

Covington Town Center Civic Plaza Development

(Covington) \$206,000

Cross Park (Puyallup) \$1,000,000

Daffodil Heritage Float Barn (Puyallup) \$103,000

Darrington Rodeo Grounds (Darrington) \$250,000

Disaster Response Communications Project

(Colville) \$1,000,000

Downtown Pocket Park at Rockwell (Port Orchard) \$309,000

DuPont Historical Museum Renovation HVAC (DuPont) \$53,000

Eastside Community Center (Tacoma) \$2,550,000

Emmanuel Life Center Kitchen (Spokane) \$155,000

Evergreen Pool Resurfacing (White Center) \$247,000

Fall City Wastewater Infrastructure Planning &

Design (Fall City) \$618,000

Family Medicine Remodel (Goldendale) \$195,000

Federal Way Camera Replacement (Federal Way) \$250,000	Inland Northwest Rail Museum (Reardan) \$170,000
Federal Way Senior Center (Federal Way) \$175,000	Interbay PDAC (Seattle) \$900,000
Flood Protection Wall and Storage Building (Sultan) \$286,000	Intrepid Spirit Center (Tacoma) \$1,000,000
Food Lifeline Food Bank \$250,000	Japanese Gulch Creek Restoration (Mukilteo) \$504,000
Forestry Museum Building (Tenino) \$16,000	Key Peninsula Civic Center Generator (Vaughn) \$60,000
Fox Island Catastrophic Emergency Prep. (Fox Island) \$17,000	Key Peninsula Elder Community (Lakebay) \$515,000
Frances Anderson Center Roofing Project (Edmonds) \$391,000	Kitchen Upgrade Belfair Senior Center Meals on Wheels (Belfair) \$12,000
Freeland Water & Sewer District Sewer Project (Freeland) \$1,000,000	Kona Kai Coffee Training Center (Tukwila) \$407,000
Fusion Transitional Housing/Fusion Decor Boutique (Federal Way) \$500,000	La Conner New Regional Library (La Conner) \$500,000
Gig Harbor Sports Complex (Gig Harbor) \$206,000	Lacey Boys and Girls Club (Lacey) \$30,000
Goodwill Job Training & Resource Center (Pasco) \$132,000	Lake Chelan Community Hospital & Clinic Replacement (Chelan) \$300,000
Greater Maple Valley Veterans Memorial Foundation (Maple Valley) \$258,000	Lake Stevens Civic Center (Lake Stevens) \$1,400,000
Greenbridge/4th Ave Streetscaping (White Center) \$1,195,000	Lake Stevens Food Bank (Lake Stevens) \$300,000
Harmony Sports Complex Infrastructure and Safety Improvements (Vancouver) \$1,177,000	Lake Sylvia State Park Legacy Pavilion (Montesano) \$696,000
Harrington School District #204, Pool Renovation (Harrington) \$97,000	Lake Tye All-Weather Fields (Monroe) \$800,000
Holly Ridge Center Building (Bremerton) \$176,000	Lakewood Playhouse Lighting System Upgrade (Lakewood) \$60,000
HopeWorks TOD Center (Everett) \$2,160,000	Larson Playfield Lighting Renovation (Moses Lake) \$146,000
Hoquiam Library (Hoquiam) \$250,000	Lewis Co. Fire District #1 Emergency Services Building and Resource Center (Onalaska) \$80,000
HUB Sports Center (Liberty Lake) \$516,000	LIGO STEM Exploration Center (Richland) \$411,000
Industrial Park No. 5 Road Improvements (George) \$412,000	Longbranch Marina (Longbranch) \$248,000
Industrial Park No. 5 Water System Improvements (George) \$400,000	Longview Police Department Range & Training Facility (Castle Rock) \$271,000
	McChord Airfield North Clear Zone (Lakewood) \$2,000,000

Millionair Club Charity Kitchen (Seattle) \$167,000	Scott Hill Park (Woodland) \$500,000
Morrow Manor (Poulsbo) \$773,000	Seattle Aquarium (Seattle) \$400,000
Mt. Rainier Early Warning System (Pierce County) \$1,000,000	Seattle Opera (Seattle) \$465,000
Mukilteo Tank Farm Remediation (Mukilteo) \$257,000	Skagit County Public Safety Emergency Communications
NE Snohomish County Community Services Campus (Granite Falls) \$375,000	Center Expansion & Remodel (Mt. Vernon) \$525,000
New Fire Station at Lake Lawrence (Yelm) \$252,000	Skagit Valley YMCA (Mt. Vernon) \$400,000
North Cove Erosion Control (South Bend) \$650,000	Snohomish JROTC Program (Snohomish) \$189,000
Northwest Improvement Company Building (Roslyn) \$1,000,000	Southwest WA Agricultural Business Park (Tenino) \$618,000
Olmstead-Smith Historical Gardens Replacement	Southwest Washington Fair Grange Building
Well (Ellensburg) \$17,000	Re-Roof (Chehalis) \$54,000
Orting's Pedestrian Evacuation Crossing SR162 (Orting) \$500,000	Spanaway Lake Management Plan (Spanaway) \$26,000
Paradise Point Water Supply System Phase IV (Ridgefield) \$500,000	Steilacoom Historical Museum Storage Building (Steilacoom) \$31,000
Pepin Creek Realignment (Lynden) \$1,300,000	Sultan Public Safety Center (Sultan) \$721,000
Pioneer Village ADA Accessible Pathways (Ferndale) \$154,000	Sunset Career Center (Renton) \$412,000
Ponders Wells Treatment Replacement (Lakewood) \$500,000	Sunset Neighborhood Park (Renton) \$1,000,000
Port of Ilwaco & Port of Chinook Marina Maintenance Dredging and Material Disposal	Tacoma's Historic Theater District (Tacoma) \$1,000,000
(Chinook) \$77,000	Toledo Beautification (Toledo) \$52,000
Port Orchard Marina Breakwater Refurbishment	Trout Lake School/Community Soccer and Track Facility (Trout Lake) \$77,000
(Port Orchard) \$258,000	Tumwater Boys and Girls Club (Olympia) \$36,000
Quincy Square on 4th (Bremerton) \$250,000	Turning Pointe Domestic Violence Services:
R.A. Long Park (Longview) \$296,000	Shelter Improvements and Repairs (Shelton) \$27,000
Ridgefield Outdoor Recreation Complex (Ridgefield) \$250,000	Twisp Civic Building (Twisp) \$750,000
Rochester Boys & Girls Club Upgrades (Rochester) \$26,000	Veterans Memorial Museum (Chehalis) \$354,000
Safe Service Center (Redmond) \$300,000	Wesley Homes Bradley Park (Puyallup) \$530,000
Schilling Road Fire Station (Lyle) \$448,000	Westport Marina (Westport) \$2,500,000

Weyerhaeuser Land Preservation (Federal Way) \$250,000

Whidbey Island Youth Project (Oak Harbor) \$300,000

White Pass Country Historical Museum (Packwood) \$283,000

Winlock HS Track (Winlock) \$103,000

Wishram School CTE Facility (Wishram) \$150,000

Yakima Valley SunDome Repairs (Yakima) \$206,000

Yelm City Park Playground Modernization (Yelm) \$247,000

Yelm Senior Center Meals on Wheels Kitchen Upgrade

(Yelm) \$30,000

YWCA Family Justice Center (Spokane) \$103,000

(8) \$26,000 of the appropriation in this section is provided solely for implementation of the Spanaway lake management plan, contingent on commitment of local funding to support the on-going operational costs of the project, including but not limited to the creation of a lake management district.

(9) \$250,000 of the appropriation in this section is provided solely for the planning, development, acquisition, and other activities pursuing open space conservation strategies for the historic Federal Way Weyerhaeuser campus. The grant recipient must be a regional nonprofit nature conservancy that works to conserve keystone properties selected by the city of Federal Way.

(10) (a) \$900,000 of the appropriation in this section is provided solely for an Interbay public development advisory committee. It is the intent of the legislature to examine current and future needs of a state entity that performs an essential public function on state-owned property located in one of the state's designated manufacturing industrial centers. The legislature further intends to explore the potential future uses of this state-owned property in the event that the state entity determines that it must relocate in order to protect its ability to perform its essential public function.

(b) The Interbay public development advisory committee is created to make recommendations regarding the highest

public benefit and future economic development uses for the Washington army national guard armory facility in the city of Seattle, pier 91 property, located at the descriptions referred to in the quit claim deeds for two parcels of land, 24.75 acres total, dated January 8, 1971, and December 22, 2009.

(c) The Interbay advisory committee consists of seven persons appointed as follows:

(i) One person appointed by the speaker of the house of representatives;

(ii) One person appointed by the president of the senate; and

(iii) Five persons appointed by the governor, who must collectively have experience in forming public-private partnerships to develop workforce housing or affordable housing; knowledge of project financing options for public-private partnerships related to housing; architectural design and development experience related to industrial lands and mixed-use zoning to include housing; and experience leading public processes to engage communities and other stakeholders in public discussions regarding economic development decisions.

(d) The Interbay public development advisory committee must:

(i) Work in collaboration with the military department to determine the needs of the military department if it is relocated from the land described in subsection (1) of this section, including identifying:

(A) Current uses;

(B) Future needs of the units currently at this location;

(C) Potential suitable publicly owned sites in Washington for relocation of current units; and

(D) The costs associated with acquisition, construction, and relocation to another site or sites for these units;

(ii) Explore the future economic development opportunities if the land described in subsection (1) of this section is vacated by the military department, and make recommendations, including identifying:

(A) Suitable and unsuitable future uses for the land;

(B) Environmental issues and associated costs;

(C) Current public infrastructure availability, future public infrastructure plans by local or regional entities, and potential public infrastructure needs;

(D) Transportation corridors in the immediate area and any potential right-of-way needs; and

(E) Existing zoning regulations for the land and potential future zoning needs to evaluate workforce housing, affordable housing, and other commercial and industrial development compatible with the Ballard-Interbay manufacturing industrial center designation;

(iii) Explore the potential funding sources and partners as well as any needed transactions, and make recommendations, including:

(A) Any potential private partners or investors;

(B) Necessary real estate transactions;

(C) Federal funding opportunities; and

(D) State and local funding sources, including any tax-related programs;

(iv) Conduct at least three public meetings at a location within the Ballard-Interbay manufacturing industrial center, where a quorum of the Interbay public development advisory committee members are present, at which members of the public are invited to present to the Interbay advisory committee regarding the future uses of the site and potential issues such as industrial land use, commercial development, residential zoning, and public infrastructure needs; and

(v) Provide a report to the legislature and office of the governor with recommendations for each area described in this subsection (10)(d) by June 29, 2019. The Interbay advisory committee's recommendations must include recommendations regarding the structure, composition, and scope of authority of any subsequent state public development authority that may be established to implement the recommendations of the Interbay advisory committee created in this section.

(e) The Interbay advisory committee created in this section terminates June 30, 2019.

(f) Nothing in this section authorizes the solicitation of interest or bids for work related to the purposes of this section.

(g) The department of commerce shall provide staff support to the Interbay advisory committee. The department may contract with outside consultants to provide any needed expertise.

(h) Legislative members of the Interbay advisory committee are reimbursed for travel in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

Appropriation:

State Building Construction Account—
State \$62,659,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$62,659,000

NEW SECTION. Sec. 1039. FOR THE DEPARTMENT OF COMMERCE

Early Learning Facility Grants (40000006)

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

(1) \$2,524,000 of the appropriation is provided solely for the following list of early learning facility projects in the following amounts:

Pasco Early Learning Center
\$1,030,000

Discover! Children's Museum
\$1,030,000

West Hills Early Learning Center
\$464,000

(2) The remaining appropriation in this section is provided solely for early learning facility grants and loans specified in sections 3 through 10, chapter . . . (Second Substitute House Bill No. 1777), Laws of 2017 to provide state assistance for designing, constructing, or modernizing public or private early learning education facilities for eligible organizations or school districts.

(3) Religiously affiliated entities are eligible to receive grants authorized in subsection (2) of this section, subject to the conditions and limitations in this subsection. The facility for which the grant is awarded must be used to provide child care and education services of a nonsectarian nature, and the facility may not be used for religious worship, exercise, or instruction. The grant agreements must specify that the grantee must repay the grant to the state if the facility is used for purposes other than those authorized.

(4) If the bill referenced in subsection (2) of this section is not enacted by June 30, 2017, the amount provided in subsection (2) of this section shall lapse.

Appropriation:

State Building Construction Account—
State \$15,500,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$52,000,000
TOTAL	\$67,500,000

NEW SECTION. Sec. 1040. FOR THE DEPARTMENT OF COMMERCE

Dental Clinic Capacity Grants (40000007)

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

(1) (a) Funding provided in this section may be used for the construction and equipment directly associated with dental facilities. The funding provided in this section is for projects that are maintained for at least a ten-year period and provide capacity to address unmet patient need and increase efficiency in dental access.

(b) \$10,988,000 of the amount provided in this section is provided solely for the following list of projects and is subject to the criteria in (a) of this subsection:

Community Health Association of Spokane (Spokane Valley)	\$581,000
Community Health Association of Spokane (Clarkston)	\$391,000
Columbia Valley Community Health (Chelan)	\$753,000

East Central Community Center (Spokane)	\$750,000
HealthPoint (Federal Way)	\$900,000
International Community Health Services (Shoreline)	\$605,000
Jefferson Healthcare Dental Clinic (Port Townsend)	\$1,000,000
Neighborcare (Seattle)	\$1,388,000
North East Washington Health Programs (Springdale)	\$465,000
North Olympia Healthcare Network (Port Angeles)	\$610,000
Peninsula Community Health Services (Poulsbo)	\$395,000
Sea Mar (Burien)	\$252,000
Sea Mar (Seattle)	\$183,000
Sea Mar (Oak Harbor)	\$149,000
Sea Mar (Tacoma)	\$149,000
Sea Mar (Vancouver)	\$167,000
Seattle Indian Health Board (Seattle)	\$250,000
Valley View Health Center (Chehalis)	\$1,000,000
Yakima Valley Farm Workers Clinic (Kennewick)	\$1,000,000

(c) \$2,800,000 is provided solely for the following list of projects to increase the capacity of dental residencies:

Spokane Dental Residency (Spokane)	\$2,000,000
St. Peter Dental Residency (Olympia)	\$800,000

Appropriation:

State Building Construction Account—
State \$13,788,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,788,000

NEW SECTION. Sec. 1041. FOR THE DEPARTMENT OF COMMERCE

PWAA Preconstruction and Emergency Loan Programs (40000009)

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

(1) \$5,000,000 is provided solely for the public works board's emergency loan program.

(2) \$14,000,000 is provided solely for the public works board's preconstruction loan program.

Appropriation:

Public Works Assistance Account—	
State	\$19,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$19,000,000

NEW SECTION. Sec. 1042. FOR THE DEPARTMENT OF COMMERCE

Behavioral Health Community Capacity (40000018)

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

(1) The appropriation in this section is provided solely for the department of commerce, in collaboration with the health care authority and department of social and health services, to issue grants to community hospitals or other community entities to expand and establish new capacity for behavioral health services in communities. Amounts provided in this section may be used for construction and equipment costs associated with establishment of the facilities. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services. The department shall establish criteria for the issuance of the grants, which must include:

(a) Evidence that the application was developed in collaboration with one or more behavioral health organizations, as defined in RCW 71.24.025;

(b) Evidence that the applicant has assessed and would meet gaps in geographical behavioral health services needs in their region;

(c) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act under chapter 71.05 RCW;

(d) A commitment by the applicant to maintain the beds or facility for at least a ten-year period;

(e) The date upon which structural modifications or construction would begin

and the anticipated date of completion of the project;

(f) A detailed estimate of the costs associated with opening the beds; and

(g) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(2) In awarding funding for projects in subsection (3), the department, in consultation with the health care authority, department of social and health services, and behavioral health organizations, must strive for geographic distribution and allocate funding based on population and service needs of an area. The department must consider current services available, anticipated services available based on projects underway, and the service delivery needs of an area.

(3) \$46,600,000 is provided solely for a competitive process for each category listed and is subject to the criteria in subsections (1) and (2) of this section:

(a) \$4,600,000 is provided solely for at least two enhanced service facilities for long-term placement of geriatric or traumatic brain injury patients and that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(b) \$2,000,000 is provided solely for at least one facility with secure detox treatment beds that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(c) \$2,000,000 is provided solely for at least one facility with acute detox treatment beds that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(d) \$3,000,000 is provided solely for at least one facility with crisis diversion beds that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(e) \$20,000,000 is provided solely for the department to provide grants to community hospitals or freestanding evaluation and treatment providers to develop capacity for at least sixty-four beds to serve individuals on ninety or one hundred eighty day civil commitments as an alternative to treatment in the state hospitals. In awarding this funding, the

department must coordinate with the health care authority, the department of social and health services, and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the health care authority;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet applicable licensing and certification requirements in the facility that will be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes; and

(f) \$15,000,000 is provided solely for the department to provide grants to community providers to develop at least forty-eight psychiatric residential treatment beds to serve individuals being diverted or transitioned from the state hospitals. In awarding this funding, the department must coordinate with the health care authority, the department of social and health services, the department of health, and the local behavioral health organization jurisdiction for which a proposal has been submitted and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the behavioral health organization in the region;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet applicable licensing and certification

requirements in the facility that will be used to provide services; and

(v) The behavioral health organization has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes.

(4) \$26,000,000 is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section:

North Sound Behavioral Health
Organization Denny

Youth Center \$5,000,000

North Sound Behavioral Health
Organization Substance

Use Disorder Intensive Treatment
\$5,000,000

Bellingham Mental Health Triage
\$5,000,000

Bellingham Acute Detox \$2,000,000

SWWA Diversion Crisis and Involuntary
Treatment \$3,000,000

Daybreak Center for Adolescent Recovery
\$3,000,000

Nexus Youth and Families \$500,000

Valley City Recovery Place \$2,000,000

Geriatric Diversion \$500,000

(5) \$3,000,000 is provided solely for a Multicare-Franciscan joint venture and is subject to the criteria in subsection (1) of this section. The amount provided in this subsection is contingent upon Pierce county adopting the tax authorized under RCW 82.14.460.

(6) The department of commerce shall notify all applicants that they may be required to have a construction review performed by the department of health.

(7) To accommodate the emergent need for behavioral health services, the department of health and the department of commerce, in collaboration with the health care authority and the department of social and health services, shall establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, detox, or secure detox.

Appropriation:
 State Building Construction Account—
 State \$75,600,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$75,600,000

NEW SECTION. Sec. 1043. FOR THE
 DEPARTMENT OF COMMERCE

Housing for the Homeless (91000413)

The reappropriation in this section is
 subject to the following conditions and
 limitations: The reappropriation is
 subject to the provisions of section 1011,
 chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
 Account—State \$408,000

Prior Biennia (Expenditures)
 \$28,536,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$28,944,000

NEW SECTION. Sec. 1044. FOR THE
 DEPARTMENT OF COMMERCE

2012 Local and Community Projects
 (91000417)

The reappropriation in this section is
 subject to the following conditions and
 limitations: The reappropriation is
 subject to the provisions of section 302,
 chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—
 State \$181,000

Prior Biennia (Expenditures)
 \$9,442,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$9,623,000

NEW SECTION. Sec. 1045. FOR THE
 DEPARTMENT OF COMMERCE

Sand Point Building 9 (91000446)

The reappropriation in this section is
 subject to the following conditions and
 limitations: The reappropriation is
 subject to the provisions of section 1068,
 chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
 Account—State \$9,703,000

Prior Biennia (Expenditures)
 \$4,296,000

Future Biennia (Projected Costs) \$0

TOTAL \$13,999,000

NEW SECTION. Sec. 1046. FOR THE
 DEPARTMENT OF COMMERCE

Mental Health Beds (91000447)

The reappropriation in this section is
 subject to the following conditions and
 limitations: The reappropriation is
 subject to the provisions of section 1071,
 chapter 19, Laws of 2013 2nd sp. sess

Reappropriation:

State Building Construction Account—
 State \$1,329,000

Prior Biennia (Expenditures)
 \$3,671,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 1047. FOR THE
 DEPARTMENT OF COMMERCE

Housing for Homeless Veterans
 (91000455)

The reappropriation in this section is
 subject to the following conditions and
 limitations: The reappropriation is
 subject to the provisions of section 1064,
 chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
 Account—State \$1,404,000

Prior Biennia (Expenditures)
 \$7,963,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,367,000

NEW SECTION. Sec. 1048. FOR THE
 DEPARTMENT OF COMMERCE

Housing for Farmworkers (91000457)

The reappropriation in this section is
 subject to the following conditions and
 limitations: The reappropriation is
 subject to the provisions of section 1065,
 chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
 Account—State \$5,000,000

Prior Biennia (Expenditures)
 \$22,050,000

Future Biennia (Projected Costs) \$0

TOTAL \$27,050,000

NEW SECTION. Sec. 1049. FOR THE DEPARTMENT OF COMMERCE

Housing for People with Developmental Disabilities (91000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State \$540,000

Prior Biennia (Expenditures)
\$8,479,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,019,000

NEW SECTION. Sec. 1050. FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (91000582)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1074, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State \$3,387,000

Prior Biennia (Expenditures)
\$29,783,000

Future Biennia (Projected Costs) \$0

TOTAL \$33,170,000

NEW SECTION. Sec. 1051. FOR THE DEPARTMENT OF COMMERCE

CERB Administered Broadband Infrastructure (91000943)

The appropriation in this section is subject to the following conditions and limitations: During the 2017-2019 fiscal biennium, the community economic revitalization board may make grants and loans to local governments and federally recognized tribes to build infrastructure to provide high-speed, open-access broadband service, with a minimum of 25 megabits per second download speed, to rural and underserved communities, for the purpose of economic development.

(1) "Local governments" means cities, towns, counties, municipal corporations, public port districts, quasi-municipal corporations, and special purpose districts.

(2) "Broadband" means networks of deployed telecommunications equipment and technologies necessary to provide high-speed Internet access and other advanced telecommunications services.

(3) The board is authorized to make rural broadband loans to local governments and to federally recognized Indian tribes for the purposes of financing the cost to build infrastructure to provide high-speed, open-access broadband service, to rural and underserved communities, for the purpose of economic development. Grants may also be authorized for purposes designated in this chapter, but only when, and to the extent that, a loan is not reasonably possible, given the limited resources of the local government or the federally recognized Indian tribe, and subject to a finding by the board that financial circumstances require grant assistance to enable the project to move forward. However, no more than 25 percent of all financial assistance approved by the board in any biennium may consist of grants to local governments and federally recognized Indian tribes.

(4) Application for funding must be made in the form and manner as the board may prescribe. In making grants or loans the board must conform to the following requirements:

(a) The board may not provide financial assistance:

(i) For a project the primary purpose of which is to facilitate or promote a retail shopping development or expansion.

(ii) For any project that evidence exists would result in a development or expansion that would displace existing jobs in any other community in the state.

(iii) For a project the primary purpose of which is to facilitate or promote gambling.

(iv) For a project located outside the jurisdiction of the applicant local government or federally recognized Indian tribe.

(v) For equipment or facilities which would enable a public entity to provide retail telecommunications services or services that the entity is not authorized by statute to provide.

(vi) For the deployment of publicly-owned telecommunication network infrastructure ("backbone") solely for the sake of creating competitive, publicly-owned telecommunication network infrastructure.

(b) The board may provide financial assistance only:

(i) For projects demonstrating convincing evidence that a specific private development or expansion is ready to occur and will occur only if the public facility improvement is made that:

(A) Results in the creation of significant private sector jobs or significant private sector capital investment as determined by the board;

(B) Will improve the opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities; and

(C) Is located in a rural community as defined by the board, or a rural county; or

(ii) For a project that does not meet the requirements of (b)(i) of this subsection but is a project that:

(A) Results in the creation of significant private sector jobs or significant private sector capital investment as determined by the board;

(B) Is part of a local economic development plan consistent with applicable state planning requirements;

(C) Can demonstrate project feasibility using standard economic principles; and

(D) Is located in a rural community as defined by the board, or a rural county;

(c) The board must develop guidelines for local participation and allowable match and activities.

(d) An application must demonstrate local match and local participation, in accordance with guidelines developed by the board.

(e) An application must be approved by the local government and supported by the local associate development organization or local workforce development council or approved by the governing body of the federally recognized Indian tribe.

(f) The board may allow de minimis general system improvements to be funded

if they are critically linked to the viability of the project.

(g) An application must demonstrate convincing evidence that the median hourly wage of the private sector jobs created after the project is completed will exceed the countywide median hourly wage.

(h) The board must prioritize each proposed project according to:

(i) The relative benefits provided to the community by the jobs the project would create, not just the total number of jobs it would create after the project is completed, but also giving consideration to the unemployment rate in the area in which the jobs would be located;

(ii) The rate of return of the state's investment, including, but not limited to, the leveraging of private sector investment, anticipated job creation and retention, and expected increases in state and local tax revenues associated with the project;

(iii) Whether the proposed project offers a health insurance plan for employees that includes an option for dependents of employees;

(iv) Whether the public facility investment will increase existing capacity necessary to accommodate projected population and employment growth in a manner that supports infill and redevelopment of existing urban or industrial areas that are served by adequate public facilities. Projects should maximize the use of existing infrastructure and provide for adequate funding of necessary transportation improvements;

(v) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance; and

(vi) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007.

(i) A responsible official of the local government or the federally recognized Indian tribe must be present during board deliberations and provide information that the board requests.

(5) Before any financial assistance application is approved, the local government or the federally recognized

Indian tribe seeking the assistance must demonstrate to the community economic revitalization board that no other timely source of funding is available to it at costs reasonably similar to financing available from the community economic revitalization board.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 1052. FOR THE
DEPARTMENT OF COMMERCE

FY 2019 Public Works Assistance Account
Construction Loans (91000944)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for the public works board to administer funds for public works projects pursuant to House Bill No. 1677 (local government infrastructure). Of the amount appropriated, the public works board is authorized to issue up to \$10,000,000 for local government infrastructure grants. Future funding for local government infrastructure grants is dependent on taxes under RCW 82.45.060, 82.16.020, and 82.18.040 reverting back to the public works assistance account, as scheduled to occur beginning July 1, 2019.

Appropriation:

Public Works Assistance Account—
State \$105,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$105,000,000

NEW SECTION. Sec. 1053. FOR THE
DEPARTMENT OF COMMERCE

Seismic Inventory: Unreinforced Masonry
Buildings (91000959)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for the department to contract for a seismic study regarding suspected unreinforced masonry buildings in Washington state. The study must include a list and map of suspected unreinforced masonry buildings, excluding single-family housing, and be produced by utilizing existing survey and data sources

to the greatest extent possible. The study may incorporate random sampling, site visits, and other means to inform the study. The study must be provided to the office of financial management and fiscal committees of the legislature by September 1, 2018.

Appropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$200,000

NEW SECTION. Sec. 1054. FOR THE
DEPARTMENT OF COMMERCE

2017-19 Stormwater Pilot Project
(91001099)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department of commerce to establish a community-based public-private partnership stormwater pilot program using the United States environmental protection agency guidelines for local governments. The department must establish goals and geographical areas and identify ongoing revenue structures, as well as develop a request for qualifications with the department of ecology using the environmental protection agency guidelines to support future stormwater public-private partnerships. The department must report to the office of financial management and fiscal committees of the legislature by September 1, 2018, regarding the establishment of the pilot project and any barriers in implementing projects using this model.

Appropriation:

State Building Construction Account—
State \$250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

NEW SECTION. Sec. 1055. FOR THE
DEPARTMENT OF COMMERCE

CERB Administered Econ Dev, Innovation
& Expo Grants (92000096)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is

subject to the provisions of section 304, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$2,944,000

Prior Biennia (Expenditures)
\$17,136,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,080,000

NEW SECTION. Sec. 1056. FOR THE
DEPARTMENT OF COMMERCE

Brownfield Redevelopment Grants
(92000100)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1067, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Local Toxics Control Account—
State \$160,000

Prior Biennia (Expenditures)
\$1,340,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 1057. FOR THE
DEPARTMENT OF COMMERCE

Port and Export Related Infrastructure
(92000102)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 306, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$7,376,000

Prior Biennia (Expenditures)
\$25,774,000

Future Biennia (Projected Costs) \$0

TOTAL \$33,150,000

NEW SECTION. Sec. 1058. FOR THE
DEPARTMENT OF COMMERCE

Projects for Jobs & Economic
Development (92000151)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are

subject to the provisions of section 6004 of this act.

Reappropriation:

Public Facility Construction Loan
Revolving

Account—State \$5,368,000

State Building Construction Account—
State \$3,000,000

Subtotal Reappropriation \$8,368,000

Prior Biennia (Expenditures)
\$28,741,000

Future Biennia (Projected Costs) \$0

TOTAL \$37,109,000

NEW SECTION. Sec. 1059. FOR THE
DEPARTMENT OF COMMERCE

Projects that Strengthen Youth &
Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,003,000

Prior Biennia (Expenditures)
\$18,674,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,677,000

NEW SECTION. Sec. 1060. FOR THE
DEPARTMENT OF COMMERCE

Projects that Strengthen Communities &
Quality of Life (92000230)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6006, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Environmental Legacy Stewardship
Account—State \$89,000

State Building Construction Account—
State \$5,904,000

Subtotal Reappropriation \$5,993,000

Prior Biennia (Expenditures)
\$26,135,000

Future Biennia (Projected Costs) \$0

TOTAL \$32,128,000

NEW SECTION. Sec. 1061. FOR THE DEPARTMENT OF COMMERCE

Community Behavioral Health Beds - Acute & Residential (92000344)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1007, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—State \$38,857,000

Prior	Biennia	(Expenditures)
	\$5,542,000	

Future Biennia (Projected Costs) \$0

TOTAL	\$44,399,000
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NEW SECTION. Sec. 1062. FOR THE DEPARTMENT OF COMMERCE

Local & Community Projects 2016 (92000369)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—State \$88,204,000

Prior	Biennia	(Expenditures)
	\$41,965,000	

Future Biennia (Projected Costs) \$0

TOTAL	\$130,169,000
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NEW SECTION. Sec. 1063. FOR THE DEPARTMENT OF COMMERCE

Disaster Emergency Response (92000377)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1009, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—State \$1,807,000

Prior	Biennia	(Expenditures)
	\$2,000	

Future Biennia (Projected Costs) \$0

TOTAL	\$1,809,000
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NEW SECTION. Sec. 1064. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Cowlitz River Dredging (20082856)

Reappropriation:

State Building Construction Account—State \$800,000

Prior	Biennia	(Expenditures)
	\$700,000	

Future Biennia (Projected Costs) \$0

TOTAL	\$1,500,000
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NEW SECTION. Sec. 1065. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Catastrophic Flood Relief (20084850)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1074, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$15,571,000

Prior	Biennia	(Expenditures)
	\$72,116,000	

Future Biennia (Projected Costs) \$0

TOTAL	\$87,687,000
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NEW SECTION. Sec. 1066. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Oversight of State Facilities (30000039)

Appropriation:

State Building Construction Account—State \$1,458,000

Thurston County Capital Facilities Account—State \$1,000,000

Subtotal Appropriation \$2,458,000

Prior Biennia (Expenditures)	\$0
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Future Biennia (Projected Costs)	\$10,000,000
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TOTAL	\$12,458,000
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NEW SECTION. Sec. 1067. FOR THE OFFICE OF FINANCIAL MANAGEMENT

OFM Capital Budget Staff (30000040)

Appropriation:

State Building Construction Account—State \$1,221,000

Prior Biennia (Expenditures)	\$0
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Future Biennia (Projected Costs)	\$5,000,000
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TOTAL \$6,221,000

NEW SECTION. Sec. 1068. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Emergency Repairs (30000041)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be eligible for funds from the emergency repair pool, an emergency declaration signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The emergency declaration must include a description of the health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project. For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as emergency projects are approved for funding.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,000,000

TOTAL \$25,000,000

NEW SECTION. Sec. 1069. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Contingency Pool
(90000300)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6005 of this act.

Reappropriation:

State Building Construction Account—
State \$1,853,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,853,000

NEW SECTION. Sec. 1070. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Behavioral Health Statewide Plan
(91000434)

The appropriation in this section is subject to the following conditions and limitations: The office of financial management, in collaboration with the health care authority, the department of social and health services, the department of health, and behavioral health organizations, shall establish a statewide plan to inform future grant allocations by assessing and prioritizing facility needs and gaps in the behavioral health continuum of care. The department must provide the plan to the fiscal committees of the legislature by September 1, 2018. The plan must include:

(1) An assessment of the continuum of care, including new community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced service facilities, triage facilities, crisis stabilization facilities for short-term detention services through the publicly funded mental health system, crisis walk-in clinics, residential treatment facilities, and supportive housing units;

(2) A prioritization of facility type by geographic region covering the full continuum of care defined in subsection (1) of this section;

(3) A systematic method to distribute resources across geographical regions so that over time all regions are moving forward in strengthening the local continuum of behavioral health facilities; and

(4) An assessment of the feasibility of establishing state-operated, community-based mental health hospitals.

Appropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$200,000

NEW SECTION. Sec. 1071. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

East Plaza - Water Infiltration and Elevator Repairs (30000548)

Appropriation:

State Building Construction Account—State \$5,168,000

Prior Biennia (Expenditures) \$3,103,000

Future Biennia (Projected Costs) \$11,120,000

TOTAL \$19,391,000

NEW SECTION. Sec. 1072. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Minor Works Preservation (30000722)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1088, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$3,141,000

Thurston County Capital Facilities Account—State \$1,550,000

Subtotal Reappropriation \$4,691,000

Prior Biennia (Expenditures) \$2,727,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,418,000

NEW SECTION. Sec. 1073. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Old Capitol - Exterior and Interior Repairs (30000724)

Reappropriation:

State Building Construction Account—State \$314,000

Thurston County Capital Facilities Account—State \$360,000

Subtotal Reappropriation \$674,000

Prior Biennia (Expenditures) \$2,326,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

NEW SECTION. Sec. 1074. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

West Campus Historic Buildings Exterior Preservation (30000727)

Reappropriation:

State Building Construction Account—State \$500,000

Prior Biennia (Expenditures) \$1,500,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 1075. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Critical Network Standardization & Connectivity (30000732)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1093, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Thurston County Capital Facilities Account—State \$50,000

Prior Biennia (Expenditures) \$200,000

Future Biennia (Projected Costs) \$10,351,000

TOTAL \$10,601,000

NEW SECTION. Sec. 1076. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Exterior Lighting Upgrades (30000736)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1098, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Thurston County Capital Facilities Account—State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 1077. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capital Furnishings Preservation Committee Projects (92000013)

Reappropriation:

State Building Construction Account—State \$63,000

Prior Biennia (Expenditures) \$5,000

Future Biennia (Projected Costs) \$0

TOTAL \$68,000

NEW SECTION. Sec. 1078. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Lake Long-Term Management Planning (30000740)

The appropriation in this section is subject to the following conditions and limitations: The department shall develop an environmental impact statement to consider alternatives for Capitol Lake. The alternatives considered must include, at a minimum, a lake option, an estuary option, and a hybrid option. The environmental impact statement will also consider sediment transport and locations within lower Budd Inlet. The department must work with affected stakeholders to develop mitigation plans. The environmental impact statement must also consider an expanded area around Capitol Lake and Budd Inlet including the Port of Olympia for the economic analysis.

Appropriation:

State Building Construction Account-State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$940,000

TOTAL \$3,940,000

NEW SECTION. Sec. 1079. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Transportation Building Preservation (30000777)

The appropriation in this section is subject to the following conditions and limitations: \$350,000 is provided solely for a predesign, to include an evaluation of temporary work space options for employees displaced by the proposed renovation.

Appropriation:

Capitol Building Construction Account-State \$3,982,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$12,889,000

TOTAL \$16,871,000

NEW SECTION. Sec. 1080. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Elevator Modernization (30000786)

Appropriation:

Thurston County Capital Facilities Account-State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$7,971,000

TOTAL \$9,971,000

NEW SECTION. Sec. 1081. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Systems Rehabilitation (30000791)

Appropriation:

Capitol Building Construction Account-State \$993,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$6,000,000

TOTAL \$6,993,000

NEW SECTION. Sec. 1082. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Statewide Minor Works - Preservation Projects (30000825)

Appropriation:

Enterprise Services Account-State \$314,000

State Building Construction Account-State \$135,000

State Vehicle Parking Account-State \$80,000

Thurston County Capital Facilities Account-State \$2,529,000

Subtotal Appropriation \$3,058,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$9,970,000

TOTAL \$13,028,000

NEW SECTION. Sec. 1083. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Building Envelope Repairs (30000829)

Appropriation:

Capitol Building Construction Account-State \$4,564,000

State Building Construction Account-State \$3,736,000

Subtotal Appropriation \$8,300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$8,300,000

NEW SECTION. Sec. 1084. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Engineering and Architectural Services: Staffing (30000889)

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

(1) The appropriation in this section is provided solely for architectural and engineering services to manage public works contracting for all state facilities pursuant to RCW 43.19.450.

(2) At the end of each fiscal year, the department must report to the office of financial management and the fiscal committees of the legislature on performance, including the following:

(a) The number of projects managed by each manager compared to previous biennia;

(b) Projects that were not completed on schedule and the reasons for the delays; and

(c) The number and cost of the change orders and the reason for each change order.

(3) At least twice per year, the department shall convene a group of private sector architects, contractors, and state agency facilities personnel to share, at a minimum, information on high performance methods, ideas, operating and maintenance issues, and cost. The facilities personnel must be from the community and technical colleges, the four-year institutions of higher education, and any other state agencies that have recently completed a new building or are currently in the construction phase.

(4) The department shall create a plan for scheduled renovations on the capitol campus, to include phasing and swing space for the predesigns for the department of transportation building, temple of justice, and employment security building.

Appropriation:

State Building Construction Account—State \$12,900,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$73,255,000

TOTAL \$86,155,000

NEW SECTION. Sec. 1085. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Next Century Capitol Campus (40000028)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a predesign to analyze the current heat and power configuration and compare it to a minimum of two new configurations on the capitol campus. A life-cycle cost analysis shall identify the preferred option over thirty years.

Appropriation:

Thurston County Capital Facilities Account—State \$250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

NEW SECTION. Sec. 1086. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

1063 Building Furniture and Equipment (40000029)

The appropriations in this section are subject to the following conditions and limitations: \$2,414,000 is provided solely for the department for furniture, fixtures, and equipment for common areas in the building.

Appropriation:

Thurston County Capital Facilities Account—State \$2,414,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,414,000

NEW SECTION. Sec. 1087. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Childcare Center (40000030)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department to develop a predesign. The report must evaluate, at a minimum, the following criteria: (1) A minimum of two locations on the capitol campus or Heritage Park; (2) a survey of employees on the capitol campus to determine the need and capacity; (3) the necessary rate to support operations, maintenance, and debt service; (4) the existing child care capacity within a five mile radius of the capitol campus; and (5) a description of a public private

partnership and the competitive process used to select the contractor to operate the facility.

Appropriation:

Thurston County Capital Facilities Account—State \$250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

NEW SECTION. Sec. 1088. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Conservatory Demolition (91000442)

Appropriation:

Thurston County Capital Facilities Account—State \$650,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$650,000

NEW SECTION. Sec. 1089. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capital Campus Utility Renewal Plan (92000012)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1105, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$282,000

Appropriation:

Thurston County Capital Facilities Account—State \$1,936,000

Prior Biennia (Expenditures) \$368,000

Future Biennia (Projected Costs) \$1,877,000

TOTAL \$4,463,000

NEW SECTION. Sec. 1090. FOR THE MILITARY DEPARTMENT

Minor Works Preservation - 2015-2017 Biennium (30000702)

Reappropriation:

General Fund—Federal \$3,584,000

State Building Construction Account—State \$1,473,000

Subtotal Reappropriation \$5,057,000

Prior Biennia (Expenditures) \$7,541,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,598,000

NEW SECTION. Sec. 1091. FOR THE MILITARY DEPARTMENT

Minor Works Program - 2015-2017 Biennium (30000744)

Reappropriation:

General Fund—Federal \$14,235,000

State Building Construction Account—State \$4,332,000

Subtotal Reappropriation \$18,567,000

Prior Biennia (Expenditures) \$3,049,000

Future Biennia (Projected Costs) \$0

TOTAL \$21,616,000

NEW SECTION. Sec. 1092. FOR THE MILITARY DEPARTMENT

Minor Works Preservation 2017-19 Biennium (30000811)

Appropriation:

General Fund—Federal \$3,776,000

State Building Construction Account—State \$1,821,000

Subtotal Appropriation \$5,597,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,597,000

NEW SECTION. Sec. 1093. FOR THE MILITARY DEPARTMENT

Minor Works Program 2017-19 Biennium (30000812)

Appropriation:

General Fund—Federal \$10,171,000

State Building Construction Account—State \$2,661,000

Subtotal Appropriation \$12,832,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$12,832,000

NEW SECTION. Sec. 1094. FOR THE MILITARY DEPARTMENT

Thurston County Readiness Center (30000594)

Reappropriation:
 General Fund—Federal \$1,097,000
 State Building Construction Account—
 State \$865,000
 Subtotal Reappropriation \$1,962,000
 Appropriation:
 General Fund—Federal \$33,315,000
 Military Department Capital Account—
 State \$375,000
 State Building Construction Account—
 State \$7,863,000
 Subtotal Appropriation \$41,553,000
 Prior Biennia (Expenditures)
 \$3,273,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$46,788,000

NEW SECTION. Sec. 1095. FOR THE
 MILITARY DEPARTMENT

Tri-Cities Readiness Center - Land
 (30000808)

Appropriation:
 General Fund—Federal \$500,000
 State Building Construction Account—
 State \$300,000
 Subtotal Appropriation \$800,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$16,200,000
 TOTAL \$17,000,000

NEW SECTION. Sec. 1096. FOR THE
 MILITARY DEPARTMENT

Centralia Readiness Center Major
 Renovation (30000818)

Appropriation:
 General Fund—Federal \$2,000,000
 State Building Construction Account—
 State \$2,000,000
 Subtotal Appropriation \$4,000,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,000,000

NEW SECTION. Sec. 1097. FOR THE
 DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
 PRESERVATION

Heritage Barn Preservation Program
 (30000009)

Reappropriation:
 State Building Construction Account—
 State \$305,000
 Appropriation:
 State Building Construction Account—
 State \$250,000
 Prior Biennia (Expenditures)
 \$145,000
 Future Biennia (Projected Costs)
 \$2,060,000
 TOTAL \$2,760,000

NEW SECTION. Sec. 1098. FOR THE
 DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
 PRESERVATION

Historic County Courthouse Grants
 Program (30000010)

The appropriation in this section is
 provided solely for the following list of
 projects:

Pacific County \$364,041
 Lewis County \$230,000
 Grant County \$543,576
 Pend Oreille County \$400,000
 Grays Harbor County \$322,850

Reappropriation:
 State Building Construction Account—
 State \$1,031,000
 Appropriation:
 State Building Construction Account—
 State \$1,916,000
 Prior Biennia (Expenditures)
 \$1,469,000
 Future Biennia (Projected Costs)
 \$10,400,000
 TOTAL \$14,816,000

NEW SECTION. Sec. 1099. FOR THE
 DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
 PRESERVATION

Historic Cemetery Grant Program
 (30000021)

Appropriation:
 State Building Construction Account—
 State \$515,000
 Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$2,060,000

TOTAL \$2,575,000

NEW SECTION. Sec. 1100. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Acquisition/Rehabilitation of Historic Matsuda and Mukai Sites (91000006)

Reappropriation:

State Building Construction Account—State \$382,000

Prior Biennia (Expenditures)
\$118,000

Future Biennia (Projected Costs) \$0

TOTAL \$500,000

PART 2

HUMAN SERVICES

NEW SECTION. Sec. 2001. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

Omnibus Minor Works (30000021)

Appropriation:

State Building Construction Account—State \$740,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$740,000

NEW SECTION. Sec. 2002. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital New Kitchen and Commissary Building (20081319)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The department shall redesign the kitchen and commissary building to account for a reduced client population at western state hospital.

(2) The department shall submit an updated project proposal by October 15, 2017 and return any excess funds.

Reappropriation:

State Building Construction Account—State \$28,000,000

Prior Biennia (Expenditures)
\$1,828,000

Future Biennia (Projected Costs) \$0

TOTAL \$29,828,000

NEW SECTION. Sec. 2003. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School - Back-Up Power & Electrical Feeders (30000415)

Reappropriation:

State Building Construction Account—State \$4,800,000

Prior Biennia (Expenditures)
\$400,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,200,000

NEW SECTION. Sec. 2004. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects: Statewide (30001859)

Appropriation:

State Building Construction Account—State \$700,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$21,145,000

TOTAL \$21,845,000

NEW SECTION. Sec. 2005. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects: Statewide (30002235)

Appropriation:

State Building Construction Account—State \$12,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$171,510,000

TOTAL \$183,510,000

NEW SECTION. Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Lakeland Village: Code Required Campus Infrastructure Upgrades (30002238)

Reappropriation:

State Building Construction Account—State \$950,000

Appropriation:

State Building Construction Account—State \$1,810,000

Charitable, Educational, Penal, and Reformatory

Institutions Account—State \$1,290,000

Subtotal Appropriation \$3,100,000
 Prior Biennia (Expenditures)
 \$250,000
 Future Biennia (Projected Costs)
 \$15,200,000
 TOTAL \$19,500,000

NEW SECTION. Sec. 2007. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study & Treatment Center - Orcas:
 Acute Treatment Addition (30002733)

Reappropriation:

State Building Construction Account—
 State \$750,000

Prior Biennia (Expenditures)
 \$350,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,100,000

NEW SECTION. Sec. 2008. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - South Hall:
 Building Systems Replacement (30002735)

Reappropriation:

Charitable, Educational, Penal, and
 Reformatory

Institutions Account—State \$3,905,000

Prior Biennia (Expenditures)
 \$545,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,450,000

NEW SECTION. Sec. 2009. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Echo Glen - Housing Unit: Acute Mental
 Health Unit (30002736)

Reappropriation:

State Building Construction Account—
 State \$75,000

Appropriation:

State Building Construction Account—
 State \$9,520,000

Prior Biennia (Expenditures)
 \$375,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,970,000

NEW SECTION. Sec. 2010. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Statewide - RA Community Facilities:
 Safety & Security Improvements (30002737)

Appropriation:

Charitable, Educational, Penal, and
 Reformatory

Institutions Account—State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 2011. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital - Westlake:
 Nurse Call System (30002739)

Reappropriation:

State Building Construction Account—
 State \$500,000

Prior Biennia (Expenditures)
 \$700,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,200,000

NEW SECTION. Sec. 2012. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Green Hill School: New Acute Mental
 Health Unit (30002745)

Reappropriation:

State Building Construction Account—
 State \$2,950,000

Prior Biennia (Expenditures)
 \$2,000,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,950,000

NEW SECTION. Sec. 2013. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Juvenile Rehabilitation - Pine Lodge:
 Youth Training Programs (30002748)

Appropriation:

State Building Construction Account—
 State \$700,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$5,400,000

TOTAL \$6,100,000

NEW SECTION. Sec. 2014. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School - Multiple Buildings:
 Roofing Replacement & Repairs (30002752)

Appropriation:
 State Building Construction Account—
 State \$863,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$863,000

NEW SECTION. Sec. 2015. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital - Water System:
 Improvements (30003215)

Reappropriation:

State Building Construction Account—
 State \$1,500,000

Prior Biennia (Expenditures)
 \$615,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,115,000

NEW SECTION. Sec. 2016. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Green Hill School - Recreation
 Building: Replacement (30003237)

Appropriation:

State Building Construction Account—
 State \$1,312,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$11,000,000

TOTAL \$12,312,000

NEW SECTION. Sec. 2017. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - South Hall:
 Wards Preservation & Renewal (30003240)

Reappropriation:

State Building Construction Account—
 State \$1,150,000

Prior Biennia (Expenditures)
 \$200,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,350,000

NEW SECTION. Sec. 2018. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - East Campus:
 Wards Preservation & Renewal (30003241)

Reappropriation:

State Building Construction Account—
 State \$1,355,000

Prior Biennia (Expenditures)
 \$245,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,600,000

NEW SECTION. Sec. 2019. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - East Campus:
 Building Systems Replacement (30003244)

Reappropriation:

State Building Construction Account—
 State \$3,100,000

Prior Biennia (Expenditures)
 \$300,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,400,000

NEW SECTION. Sec. 2020. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study and Treatment Center: CLIP
 Capacity (30003324)

Reappropriation:

State Building Construction Account—
 State \$100,000

Appropriation:

State Building Construction Account—
 State \$12,130,000

Prior Biennia (Expenditures)
 \$350,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,580,000

NEW SECTION. Sec. 2021. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital - Eastlake:
 Emergency Generator Replacement
 (30003326)

Reappropriation:

State Building Construction Account—
 State \$665,000

Prior Biennia (Expenditures)
 \$635,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,300,000

NEW SECTION. Sec. 2022. FOR THE
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center - King County
 SCTF: Expansion (30003564)

The appropriation in this section is
 subject to the following conditions and

limitations: No funds may be allotted until the department consults with the city of Seattle.

Appropriation:

State Building Construction Account—
State \$2,570,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,570,000

NEW SECTION. Sec. 2023. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

State Psychiatric Hospitals: Compliance with Federal Requirements (30003569)

The appropriation in this section is subject to the following conditions and limitations: The department shall submit a report on the use of this funding, to include the identification of the institution, project scope, associated federal requirements, and the remaining balance. The report shall be submitted to the office of financial management and the appropriate committees of the legislature at the end of each fiscal year.

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$5,000,000
TOTAL	\$7,000,000

NEW SECTION. Sec. 2024. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: Master Plan Update (30003571)

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

(1) The appropriation in this section is provided solely for a master plan for western state hospital and the child study and treatment center. The master plan shall assume a reduced client population at western state hospital that is focused on forensic commitments.

(2) By June 30, 2019, the department of social and health services must transfer deed of the property known as the Fort Steilacoom park to the city of Lakewood. The city of Lakewood will receive the land covered by its current lease. Liabilities existing on the land at the time of

transfer will transfer with the land. The transfer must be at no cost to the city. The department may reserve easements in the transferred property at no cost to the department. When the deed is transferred to the city, the lease expires. The department may include a restriction on the property requiring the city of Lakewood to maintain and operate the land as a park.

(3) By June 30, 2019, the department of social and health services must transfer deed of the property known as the Pierce College Fort Steilacoom campus to Pierce College. Pierce College will receive the land covered by its current lease. The transfer must be at no cost to the college. When the deed is transferred to the college, the lease expires.

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State	\$400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$400,000

NEW SECTION. Sec. 2025. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - East Campus: New Security Fence (30003578)

Appropriation:

State Building Construction Account—
State \$1,720,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,720,000

NEW SECTION. Sec. 2026. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Multiple Buildings: Fire Suppression (30003579)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,000,000
TOTAL	\$3,000,000

NEW SECTION. Sec. 2027. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Green Hill School - Campus: Security & Surveillance Upgrades (30003580)

Appropriation:

State Building Construction Account—State \$1,400,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,400,000

NEW SECTION. Sec. 2028. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Multiple Buildings: Windows Security (30003585)

Appropriation:

State Building Construction Account—State \$2,550,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$10,000,000
 TOTAL \$12,550,000

NEW SECTION. Sec. 2029. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School: Campus Master Plan & Rezone (30003601)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is for the fircrest school campus master plan and rezone.

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State \$200,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$200,000

NEW SECTION. Sec. 2030. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Forensic Services: Roofing Replacement (30003603)

Appropriation:

State Building Construction Account—State \$1,955,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,955,000

NEW SECTION. Sec. 2031. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital: Emergency Electrical System Upgrades (30003616)

Appropriation:

State Building Construction Account—State \$1,500,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,500,000

NEW SECTION. Sec. 2032. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

State Operated Living Facilities (40000022)

Appropriation:

State Building Construction Account—State \$1,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,000,000

NEW SECTION. Sec. 2033. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Building 28: Treatment & Recovery Center (40000024)

Appropriation:

State Building Construction Account—State \$1,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$6,475,000
 TOTAL \$7,475,000

NEW SECTION. Sec. 2034. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: Wards Renovations for Forensic Services (40000026)

Appropriation:

State Building Construction Account—State \$1,560,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$9,600,000
 TOTAL \$11,160,000

NEW SECTION. Sec. 2035. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

ESH and WSH - All Wards: Patient Safety
Improvements (91000019)

Reappropriation:

Charitable, Educational, Penal, and
Reformatory

Institutions Account—State \$2,426,000

Appropriation:

Charitable, Educational, Penal, and
Reformatory

Institutions Account—State \$2,500,000

Prior Biennia (Expenditures)
\$4,943,000

Future Biennia (Projected Costs)
\$2,000,000

TOTAL \$11,869,000

NEW SECTION. Sec. 2036. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: 30 Forensic
Beds (91000049)

Appropriation:

State Building Construction Account—
State \$1,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 2037. FOR THE
DEPARTMENT OF HEALTH

Newborn Screening Wing Addition
(30000301)

Reappropriation:

State Building Construction Account—
State \$1,500,000

Prior Biennia (Expenditures)
\$1,549,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,049,000

NEW SECTION. Sec. 2038. FOR THE
DEPARTMENT OF HEALTH

Newborn Screening Lab Conversion
(30000302)

Reappropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$141,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,141,000

NEW SECTION. Sec. 2039. FOR THE
DEPARTMENT OF HEALTH

Drinking Water Preconstruction Loans
(30000334)

Reappropriation:

Drinking Water Assistance Account—State
\$5,800,000

Prior Biennia (Expenditures)
\$200,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,000,000

NEW SECTION. Sec. 2040. FOR THE
DEPARTMENT OF HEALTH

Drinking Water Assistance Program
(30000336)

Reappropriation:

Drinking Water Assistance Account—
Federal \$28,494,000

Appropriation:

Drinking Water Assistance Account—
Federal \$32,000,000

Prior Biennia (Expenditures)
\$3,506,000

Future Biennia (Projected Costs)
\$128,000,000

TOTAL \$192,000,000

NEW SECTION. Sec. 2041. FOR THE
DEPARTMENT OF HEALTH

Minor Works - Preservation (30000382)

Appropriation:

State Building Construction Account—
State \$593,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$593,000

NEW SECTION. Sec. 2042. FOR THE
DEPARTMENT OF HEALTH

Minor Works - Program (30000383)

Appropriation:

State Building Construction Account—
State \$868,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$868,000

NEW SECTION. Sec. 2043. FOR THE DEPARTMENT OF HEALTH

Drinking Water Construction Loans (30000409)

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

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department of health must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(2) The agency must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Drinking Water Assistance Account—State	
\$118,000,000	
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$472,000,000
TOTAL	\$590,000,000

NEW SECTION. Sec. 2044. FOR THE DEPARTMENT OF HEALTH

Drinking Water System Repairs and Consolidation (40000006)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to well-managed, publicly-owned group A water utilities for the repair and consolidation of group A and B water systems under the following conditions:

(1) A grant can be provided when a water system has been voluntarily transferred to a publicly owned water utility within the last three years. The grant may be used for repair and consolidation costs.

(2) The grant applicant must provide the department of health with an accounting of rehabilitation costs and the value of the system. The grant must be used primarily to cover project design and construction costs, and only in limited cases to cover the cost of system

acquisitions, as determined by the department of health in evaluating grant applications.

(3) Grants must primarily be used to cover project construction costs that customers benefiting from the project cannot afford to repay through loans, as determined by the department of health and the publicly owned utility receiving the grant to complete the project.

(4) Applicants must provide a plan demonstrating that project completion will occur within three years of the grant contract execution.

(5) Each grant must be less than twenty-five percent of the total appropriation.

(6) The primary purpose of this appropriation is to fund water system repair and consolidation construction costs. However, the department may use a limited amount of funds under this section for grants for feasibility review of water system repair and consolidation projects that would meet the objectives of this section and RCW 70.119A.190.

Appropriation:

Public Works Assistance Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 2045. FOR THE DEPARTMENT OF HEALTH

Drinking Water Assistance Program - State Match (40000007)

Appropriation:

Drinking Water Assistance Account—State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. Sec. 2046. FOR THE DEPARTMENT OF HEALTH

Othello Water Supply and Storage (40000008)

Appropriation:

State Building Construction Account—State	\$1,550,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs) \$0
 TOTAL \$1,550,000

NEW SECTION. Sec. 2047. FOR THE DEPARTMENT OF VETERANS AFFAIRS
 Walla Walla Nursing Facility (20082008)
 Reappropriation:
 State Building Construction Account—State \$1,050,000
 Prior Biennia (Expenditures) \$39,875,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$40,925,000

NEW SECTION. Sec. 2048. FOR THE DEPARTMENT OF VETERANS AFFAIRS
 Minor Works Facilities Preservation (30000094)
 Appropriation:
 State Building Construction Account—State \$2,000,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$11,085,000
 TOTAL \$13,085,000

NEW SECTION. Sec. 2049. FOR THE DEPARTMENT OF VETERANS AFFAIRS
 Minor Works Program (30000131)
 Appropriation:
 State Building Construction Account—State \$670,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$7,609,000
 TOTAL \$8,279,000

NEW SECTION. Sec. 2050. FOR THE DEPARTMENT OF VETERANS AFFAIRS
 WSVC Additional Internment Vaults and Roadway (30000215)
 Appropriation:
 General Fund—Federal \$2,700,000
 State Building Construction Account—State \$300,000
 Subtotal Appropriation \$3,000,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,000,000

NEW SECTION. Sec. 2051. FOR THE DEPARTMENT OF CORRECTIONS
 CBCC: Boiler Replacement (30000130)
 The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department to develop a predesign. The department shall develop a predesign for replacing the current boilers. The alternatives must include replacing the current boiler configuration with three or less boilers with a life cycle cost analysis that identifies the most efficient solution over thirty years. At least one alternative must consider cogeneration.
 Appropriation:
 State Building Construction Account—State \$200,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$200,000

NEW SECTION. Sec. 2052. FOR THE DEPARTMENT OF CORRECTIONS
 Washington Corrections Center: Transformers and Switches (30000143)
 Reappropriation:
 State Building Construction Account—State \$11,000
 Appropriation:
 State Building Construction Account—State \$4,000,000
 Prior Biennia (Expenditures) \$139,000
 Future Biennia (Projected Costs) \$11,833,000
 TOTAL \$15,983,000

NEW SECTION. Sec. 2053. FOR THE DEPARTMENT OF CORRECTIONS
 Washington Corrections Center: Roof and Equipment Replacement (30000195)
 Reappropriation:
 State Building Construction Account—State \$1,910,000
 Prior Biennia (Expenditures) \$3,748,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$5,658,000

NEW SECTION. Sec. 2054. FOR THE
DEPARTMENT OF CORRECTIONS

SCCC: Replace Heat Exchangers
(30000523)

Appropriation:

State Building Construction Account—
State \$2,032,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,032,000

NEW SECTION. Sec. 2055. FOR THE
DEPARTMENT OF CORRECTIONS

WCC Replace Roofs (30000654)

Appropriation:

State Building Construction Account—
State \$2,270,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,540,000

TOTAL \$6,810,000

NEW SECTION. Sec. 2056. FOR THE
DEPARTMENT OF CORRECTIONS

WCC: Security Video System (30000791)

Reappropriation:

State Building Construction Account—
State \$3,228,000

Prior Biennia (Expenditures)
\$4,568,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,796,000

NEW SECTION. Sec. 2057. FOR THE
DEPARTMENT OF CORRECTIONS

MCC: WSR Security Video System
(30000795)

Reappropriation:

State Building Construction Account—
State \$1,090,000

Prior Biennia (Expenditures)
\$4,143,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,233,000

NEW SECTION. Sec. 2058. FOR THE
DEPARTMENT OF CORRECTIONS

CBCC: Security Video System (30000800)

Reappropriation:

State Building Construction Account—
State \$5,439,000

Prior Biennia (Expenditures)
\$599,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,038,000

NEW SECTION. Sec. 2059. FOR THE
DEPARTMENT OF CORRECTIONS

MCC: TRU Security Video System
(30000801)

Reappropriation:

State Building Construction Account—
State \$631,000

Prior Biennia (Expenditures)
\$3,650,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,281,000

NEW SECTION. Sec. 2060. FOR THE
DEPARTMENT OF CORRECTIONS

MCC: SOU IMU Security Video (30000803)

Reappropriation:

State Building Construction Account—
State \$440,000

Prior Biennia (Expenditures)
\$2,265,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,705,000

NEW SECTION. Sec. 2061. FOR THE
DEPARTMENT OF CORRECTIONS

MCC: MSU Bathroom Renovation (30000975)

Reappropriation:

State Building Construction Account—
State \$1,090,000

Prior Biennia (Expenditures)
\$630,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,720,000

NEW SECTION. Sec. 2062. FOR THE
DEPARTMENT OF CORRECTIONS

CBCC: Access Road Culvert Replacement
and Road Resurfacing (30001078)

Reappropriation:

State Building Construction Account—
State \$1,991,000

Appropriation:

State Building Construction Account—
State \$1,100,000

Prior Biennia (Expenditures)
\$509,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,600,000

NEW SECTION. Sec. 2063. FOR THE
DEPARTMENT OF CORRECTIONS

WSP: Program and Support Building
(30001101)

Reappropriation:

State Building Construction Account—
State \$856,000

Appropriation:

State Building Construction Account—
State \$9,685,000

Prior Biennia (Expenditures)
\$1,044,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,585,000

NEW SECTION. Sec. 2064. FOR THE
DEPARTMENT OF CORRECTIONS

Prison Capacity Expansion (30001105)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 2059,
chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$2,981,000

Prior Biennia (Expenditures)
\$1,819,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,800,000

NEW SECTION. Sec. 2065. FOR THE
DEPARTMENT OF CORRECTIONS

Minor Works - Preservation Projects
(30001114)

Appropriation:

State Building Construction Account—
State \$10,909,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$55,712,000

TOTAL \$66,621,000

NEW SECTION. Sec. 2066. FOR THE
DEPARTMENT OF CORRECTIONS

MCC ADA Compliance Retrofit (30001118)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 2067. FOR THE
DEPARTMENT OF CORRECTIONS

SW IMU Recreation Yard Improvement
(30001123)

Appropriation:

State Building Construction Account—
State \$1,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 2068. FOR THE
DEPARTMENT OF CORRECTIONS

CRCC Security Electronics Network
Renovation (30001124)

Appropriation:

State Building Construction Account—
State \$4,229,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,229,000

NEW SECTION. Sec. 2069. FOR THE
DEPARTMENT OF CORRECTIONS

AVWR: WR Bed Capacity - 41 Beds at WR
Facility (30001166)

Appropriation:

State Building Construction Account—
State \$740,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$740,000

NEW SECTION. Sec. 2070. FOR THE
DEPARTMENT OF CORRECTIONS

MLCC: 128 Bed Minimum Camp (30001168)

The appropriations in this section are
subject to the following conditions and
limitations: The department must establish

a mental health program for women offenders. The program must at a minimum provide programs and treatment for female offenders diagnosed with a mental illness.

Appropriation:

State Building Construction Account—
State \$2,551,000

Charitable, Educational, Penal, and
Reformatory

Institutions Account—State \$1,790,000

Subtotal Appropriation \$4,341,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,500,000

TOTAL \$5,841,000

NEW SECTION. Sec. 2071. FOR THE
DEPARTMENT OF CORRECTIONS

Correctional Industries: Laundry
Feasibility Study (40000002)

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

(1) The department shall conduct a feasibility study to assess whether correctional industries can efficiently provide laundry services to Lakeland Village, eastern state hospital, and/or the Spokane veteran's home.

The study shall include: (a) The identification of the resources required, including the estimated capital and operating investment costs and ongoing operating costs for the department at the airway heights corrections center to provide laundry services to the facilities referenced in this section; (b) an assessment of contraband management and the resources needed to do so; (c) an assessment of how the department will meet health regulations for laundry in a hospital setting; (d) the advantages and disadvantages of the department providing laundry services to the facilities referenced in this section; and (e) identification of logistics and operations to meet the demands.

The department shall provide the feasibility study to the office of financial management and appropriate committees of the legislature by October 15, 2018.

(2) The department of social and health services and the department of veterans affairs shall provide to the department of

corrections detailed information on their current laundry operations at Lakeland Village, eastern state hospital and the Spokane veteran's home including but not limited to pounds of laundry per day, staffing, equipment inventory, materials purchased, and estimated utility costs.

Appropriation:

State Building Construction Account—
State \$250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

NEW SECTION. Sec. 2072. FOR THE
EMPLOYMENT SECURITY DEPARTMENT

Building Systems Preservation
(30000004)

The appropriation in this section is provided solely for a predesign of the employment security department headquarters renovation. The predesign shall incorporate the findings of the recently completed investment grade audit and shall include an evaluation of temporary work space options for employees displaced by the proposed renovation.

Appropriation:

State Building Construction Account—
State \$241,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$34,000,000

TOTAL \$34,241,000

PART 3

NATURAL RESOURCES

NEW SECTION. Sec. 3001. FOR THE
DEPARTMENT OF ECOLOGY

Water Supply Facilities (19742006)

Reappropriation:

State and Local Improvements Revolving
Account (Water Supply Facilities)—
State \$295,000

Prior Biennia (Expenditures)
\$20,255,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,550,000

NEW SECTION. Sec. 3002. FOR THE
DEPARTMENT OF ECOLOGY

Low-Level Nuclear Waste Disposal Trench Closure (19972012)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3002, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Site Closure Account—State \$8,550,000

Prior	Biennia	(Expenditures)
\$6,883,000		

Future Biennia (Projected Costs) \$0

TOTAL \$15,433,000

NEW SECTION. Sec. 3003. FOR THE DEPARTMENT OF ECOLOGY

Twin Lake Aquifer Recharge Project (20042951)

Reappropriation:

State Building Construction Account—State \$157,000

Prior	Biennia	(Expenditures)
\$593,000		

Future Biennia (Projected Costs) \$0

TOTAL \$750,000

NEW SECTION. Sec. 3004. FOR THE DEPARTMENT OF ECOLOGY

Quad Cities Water Right Mitigation (20052852)

Reappropriation:

State Building Construction Account—State \$116,000

Prior	Biennia	(Expenditures)
\$1,484,000		

Future Biennia (Projected Costs) \$0

TOTAL \$1,600,000

NEW SECTION. Sec. 3005. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (20062003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 136, chapter 371, Laws of 2006.

Reappropriation:

State Building Construction Account—State \$99,000

Prior	Biennia	(Expenditures)
\$12,697,000		

Future Biennia (Projected Costs) \$0

TOTAL \$12,796,000

NEW SECTION. Sec. 3006. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Basin Water Supply Development Program (20062950)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3008, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

Columbia River Basin Water Supply Development

Account—State \$3,219,000

Prior	Biennia	(Expenditures)
\$88,281,000		

Future Biennia (Projected Costs) \$0

TOTAL \$91,500,000

NEW SECTION. Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY

Local Toxics Grants for Cleanup and Prevention (20064008)

Reappropriation:

State Building Construction Account—State \$624,000

Prior	Biennia	(Expenditures)
\$98,276,000		

Future Biennia (Projected Costs) \$0

TOTAL \$98,900,000

NEW SECTION. Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY

Transfer of Water Rights for Cabin Owners (20081951)

Reappropriation:

State Building Construction Account—State \$102,000

Prior	Biennia	(Expenditures)
\$348,000		

Future Biennia (Projected Costs) \$0

TOTAL \$450,000

NEW SECTION. Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (20084008)

Reappropriation:

State Building Construction Account—
State \$508,000

Prior Biennia (Expenditures)
\$92,367,000

Future Biennia (Projected Costs) \$0

TOTAL \$92,875,000

NEW SECTION. Sec. 3010. FOR THE
DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (20084029)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 3054,
chapter 520, Laws of 2007.

Reappropriation:

State Building Construction Account—
State \$1,013,000

Prior Biennia (Expenditures)
\$12,987,000

Future Biennia (Projected Costs) \$0

TOTAL \$14,000,000

NEW SECTION. Sec. 3011. FOR THE
DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (30000028)

Reappropriation:

State Building Construction Account—
State \$373,000

Prior Biennia (Expenditures)
\$5,623,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,996,000

NEW SECTION. Sec. 3012. FOR THE
DEPARTMENT OF ECOLOGY

Remedial Action Grant Program
(30000039)

The reappropriations in this section
are subject to the following conditions
and limitations: The reappropriations are
subject to the provisions of section 3006,
chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

Local Toxics Control Account—
State \$5,239,000

State Building Construction Account—
State \$757,000

Subtotal Reappropriation \$5,996,000

Prior Biennia (Expenditures)
\$69,113,000

Future Biennia (Projected Costs) \$0

TOTAL \$75,109,000

NEW SECTION. Sec. 3013. FOR THE
DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound
(30000144)

The reappropriations in this section
are subject to the following conditions
and limitations: The reappropriations are
subject to the provisions of section 3021,
chapter 48, Laws of 2011 1st sp. sess. and
section 3002, chapter 35, Laws of 2016 1st
sp. sess.

Reappropriation:

Cleanup Settlement Account—State
\$1,014,000

State Toxics Control Account—
State \$549,000

Subtotal Reappropriation \$1,563,000

Prior Biennia (Expenditures)
\$37,471,000

Future Biennia (Projected Costs) \$0

TOTAL \$39,034,000

NEW SECTION. Sec. 3014. FOR THE
DEPARTMENT OF ECOLOGY

Centennial Clean Water Program
(30000208)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 3003,
chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Toxics Control Account—
State \$2,656,000

Prior Biennia (Expenditures)
\$30,614,000

Future Biennia (Projected Costs) \$0

TOTAL \$33,270,000

NEW SECTION. Sec. 3015. FOR THE
DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (30000213)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 3030,
chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Building Construction Account—
State \$834,000

Prior Biennia (Expenditures)
\$7,166,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,000,000

NEW SECTION. Sec. 3016. FOR THE
DEPARTMENT OF ECOLOGY

Remedial Action Grant Program
(30000216)

Reappropriation:

Local Toxics Control Account—
State \$22,343,000

Prior Biennia (Expenditures)
\$40,521,000

Future Biennia (Projected Costs) \$0

TOTAL \$62,864,000

NEW SECTION. Sec. 3017. FOR THE
DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites
Initiative (30000217)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3004, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Toxics Control Account—
State \$146,000

Prior Biennia (Expenditures)
\$4,488,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,634,000

NEW SECTION. Sec. 3018. FOR THE
DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound
(30000265)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3005, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Toxics Control Account—
State \$258,000

Prior Biennia (Expenditures)
\$14,944,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,202,000

NEW SECTION. Sec. 3019. FOR THE
DEPARTMENT OF ECOLOGY

Yakima Basin Integrated Water
Management Plan Implementation (30000278)

Reappropriation:

State Building Construction Account—
State \$52,000

Prior Biennia (Expenditures)
\$1,827,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,879,000

NEW SECTION. Sec. 3020. FOR THE
DEPARTMENT OF ECOLOGY

ASARCO - Tacoma Smelter Plume and Mines
(30000280)

Reappropriation:

Cleanup Settlement Account—State
\$3,011,000

Prior Biennia (Expenditures)
\$17,636,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,647,000

NEW SECTION. Sec. 3021. FOR THE
DEPARTMENT OF ECOLOGY

Padilla Bay Federal Capital Projects
(30000282)

Reappropriation:

General Fund—Federal \$665,000

Prior Biennia (Expenditures)
\$135,000

Future Biennia (Projected Costs) \$0

TOTAL \$800,000

NEW SECTION. Sec. 3022. FOR THE
DEPARTMENT OF ECOLOGY

Coastal Wetlands Federal Funds
Administration (30000283)

Reappropriation:

General Fund—Federal \$2,810,000

Prior Biennia (Expenditures)
\$20,390,000

Future Biennia (Projected Costs) \$0

TOTAL \$23,200,000

NEW SECTION. Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY

Mercury Switch Removal (30000323)

Reappropriation:

State Toxics Control Account—
State \$138,000

Prior Biennia (Expenditures)
\$362,000

Future Biennia (Projected Costs) \$0

TOTAL \$500,000

NEW SECTION. Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program
(30000326)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Environmental Legacy Stewardship
Account—State \$13,662,000

Prior Biennia (Expenditures)
\$36,338,000

Future Biennia (Projected Costs) \$0

TOTAL \$50,000,000

NEW SECTION. Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving
Program (30000327)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Water Pollution Control Revolving
Account—Federal \$4,032,000

Water Pollution Control Revolving
Account—State \$154,280,000

Subtotal Reappropriation \$158,312,000

Prior Biennia (Expenditures)
\$91,688,000

Future Biennia (Projected Costs) \$0

TOTAL \$250,000,000

NEW SECTION. Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY

Coastal Wetlands Federal Funds
(30000328)

Reappropriation:

General Fund—Federal \$9,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$9,800,000

NEW SECTION. Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (30000331)

Reappropriation:

State Building Construction Account—
State \$4,993,000

Prior Biennia (Expenditures)
\$5,007,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District
Water Conservation (30000332)

Reappropriation:

State Building Construction Account—
State \$221,000

Prior Biennia (Expenditures)
\$2,834,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,055,000

NEW SECTION. Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY

Dungeness Water Supply & Mitigation
(30000333)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3082, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,426,000

Prior Biennia (Expenditures)
\$624,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,050,000

NEW SECTION. Sec. 3030. FOR THE DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000334)

The reappropriations in this section are subject to the following conditions and limitations: \$400,000 of the reappropriations in this section are provided solely for the department to contract with the city of Ruston for the cleanup and remediation of the Ruston Way tunnel. Funding for the remediation shall not be released to the city of Ruston unless the city of Ruston signs by January 1, 2018, an interlocal agreement with the city of Tacoma that provides for expediting the issuance of building and other related permits for the Point Ruston development.

Reappropriation:

Cleanup Settlement Account-State
\$9,238,000

State Building Construction Account-State \$122,000

Subtotal Reappropriation \$9,360,000

Prior Biennia (Expenditures)
\$27,300,000

Future Biennia (Projected Costs) \$0

TOTAL \$36,660,000

NEW SECTION. Sec. 3031. FOR THE DEPARTMENT OF ECOLOGY

Padilla Bay Federal Capital Projects - Programmatic (30000335)

Reappropriation:

General Fund-Federal \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$500,000

NEW SECTION. Sec. 3032. FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (30000337)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3007, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Environmental Legacy Stewardship
Account-State \$2,578,000

Prior Biennia (Expenditures)
\$22,477,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,055,000

NEW SECTION. Sec. 3033. FOR THE DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites Initiative (30000351)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3008, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Environmental Legacy Stewardship
Account-State \$477,000

Prior Biennia (Expenditures)
\$7,123,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,600,000

NEW SECTION. Sec. 3034. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000372)

Reappropriation:

Columbia River Basin Tax Bond Water Supply

Development Account-State \$2,194,000

Columbia River Basin Water Supply Development

Account-State \$5,463,000

Subtotal Reappropriation \$7,657,000

Prior Biennia (Expenditures)
\$66,843,000

Future Biennia (Projected Costs) \$0

TOTAL \$74,500,000

NEW SECTION. Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY

Yakima River Basin Water Supply (30000373)

Reappropriation:

State Building Construction Account-State \$1,812,000

Prior Biennia (Expenditures)
\$30,288,000

Future Biennia (Projected Costs) \$0

TOTAL \$32,100,000

NEW SECTION. Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000374)

Reappropriation:
 Local Toxics Control Account-
 State \$25,385,000
 Prior Biennia (Expenditures)
 \$37,152,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$62,537,000

NEW SECTION. Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies Program (30000389)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3080, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
 State Building Construction Account-
 State \$1,590,000
 Prior Biennia (Expenditures)
 \$2,410,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,000,000

NEW SECTION. Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (30000427)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3009, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:
 Local Toxics Control Account-
 State \$9,858,000
 State Building Construction Account-
 State \$6,852,000
 Subtotal Reappropriation \$16,710,000
 Prior Biennia (Expenditures)
 \$5,790,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$22,500,000

NEW SECTION. Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY

Reducing Toxic Diesel Emissions (30000428)

Reappropriation:

State Toxics Control Account-
 State \$475,000
 Prior Biennia (Expenditures)
 \$525,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,000,000

NEW SECTION. Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY

Reducing Toxic Woodstove Emissions (30000429)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3010, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Building Construction Account-
 State \$1,152,000
 State Toxics Control Account-
 State \$347,000
 Subtotal Reappropriation \$1,499,000
 Prior Biennia (Expenditures)
 \$2,001,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,500,000

NEW SECTION. Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY

Waste Tire Pile Cleanup and Prevention (30000431)

Reappropriation:

Waste Tire Removal Account-State
 \$496,000
 Prior Biennia (Expenditures)
 \$504,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,000,000

NEW SECTION. Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites Initiative (30000432)

Reappropriation:

State Toxics Control Account-
 State \$9,413,000
 Prior Biennia (Expenditures)
 \$487,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$9,900,000

NEW SECTION. Sec. 3043. FOR THE
DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3011, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Local Toxics Control Account—
State \$45,476,000

Prior Biennia (Expenditures)
\$7,271,000

Future Biennia (Projected Costs) \$0

TOTAL \$52,747,000

NEW SECTION. Sec. 3044. FOR THE
DEPARTMENT OF ECOLOGY

Leaking Tank Model Remedies (30000490)

Reappropriation:

State Toxics Control Account—
State \$1,679,000

Prior Biennia (Expenditures)
\$321,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 3045. FOR THE
DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving
Program (30000534)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3061, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Water Pollution Control Revolving
Account—

Federal \$50,000,000

Water Pollution Control Revolving
Account—

State \$139,671,000

Subtotal Reappropriation \$189,671,000

Prior Biennia (Expenditures)
\$13,329,000

Future Biennia (Projected Costs) \$0

TOTAL \$203,000,000

NEW SECTION. Sec. 3046. FOR THE
DEPARTMENT OF ECOLOGY

Storm Water Financial Assistance
Program (30000535)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3012, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Local Toxics Control Account—
State \$31,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$31,200,000

NEW SECTION. Sec. 3047. FOR THE
DEPARTMENT OF ECOLOGY

Coastal Wetlands Federal Funds
(30000536)

Reappropriation:

General Fund—Federal \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3048. FOR THE
DEPARTMENT OF ECOLOGY

Floodplains by Design (30000537)

Reappropriation:

State Building Construction Account—
State \$34,826,000

Prior Biennia (Expenditures)
\$734,000

Future Biennia (Projected Costs) \$0

TOTAL \$35,560,000

NEW SECTION. Sec. 3049. FOR THE
DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000538)

Reappropriation:

Cleanup Settlement Account—State
\$7,697,000

Prior Biennia (Expenditures)
\$4,449,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,146,000

NEW SECTION. Sec. 3050. FOR THE
DEPARTMENT OF ECOLOGY

Cleanup Toxics Sites - Puget Sound
(30000542)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3013, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Toxics Control Account—
State \$12,763,000

Prior Biennia (Expenditures)
\$1,618,000

Future Biennia (Projected Costs) \$0

TOTAL \$14,381,000

NEW SECTION. Sec. 3051. FOR THE
DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies Program
(30000587)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3067, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$3,746,000

Prior Biennia (Expenditures)
\$254,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3052. FOR THE
DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development
Program (30000588)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3068, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Columbia River Basin Water Supply
Development

Account—State \$4,957,000

Columbia River Basin Water Supply
Revenue

Recovery Account—State \$2,189,000

Subtotal Reappropriation \$7,146,000

Prior Biennia (Expenditures)
\$11,854,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,000,000

NEW SECTION. Sec. 3053. FOR THE
DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District
Water Conservation (30000589)

Reappropriation:

State Building Construction Account—
State \$2,861,000

Prior Biennia (Expenditures)
\$194,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,055,000

NEW SECTION. Sec. 3054. FOR THE
DEPARTMENT OF ECOLOGY

Yakima River Basin Water Supply
(30000590)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3070, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$8,053,000

State Taxable Building Construction
Account—State \$9,660,000

Subtotal Reappropriation \$17,713,000

Prior Biennia (Expenditures)
\$12,287,000

Future Biennia (Projected Costs) \$0

TOTAL \$30,000,000

NEW SECTION. Sec. 3055. FOR THE
DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (30000591)

Reappropriation:

State Building Construction Account—
State \$3,829,000

Prior Biennia (Expenditures)
\$1,171,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3056. FOR THE
DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000670)

Appropriation:

Cleanup Settlement Account--State
\$28,760,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$22,599,000

TOTAL \$51,359,000

NEW SECTION. Sec. 3057. FOR THE
DEPARTMENT OF ECOLOGY

Reducing Toxic Diesel Emissions
(30000671)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for projects that are not eligible for the Volkswagen "clean diesel" marketing, sales practice, and products liability litigation settlement.

Appropriation:

State Building Construction Account--
State \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,000,000

TOTAL \$4,500,000

NEW SECTION. Sec. 3058. FOR THE
DEPARTMENT OF ECOLOGY

Waste Tire Pile Cleanup and Prevention
(30000672)

Appropriation:

Waste Tire Removal Account--State
\$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,000,000

TOTAL \$5,000,000

NEW SECTION. Sec. 3059. FOR THE
DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District
Water Conservation (30000673)

Appropriation:

State Building Construction Account--
State \$4,684,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,000,000

TOTAL \$24,684,000

NEW SECTION. Sec. 3060. FOR THE
DEPARTMENT OF ECOLOGY

Reducing Toxic Woodstove Emissions
(30000674)

Appropriation:

State Building Construction Account--
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,000,000

TOTAL \$5,000,000

NEW SECTION. Sec. 3061. FOR THE
DEPARTMENT OF ECOLOGY

2015-2017 Restored Eastern Washington
Clean Sites Initiative (30000704)

Appropriation:

State Building Construction Account--
State \$2,436,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,436,000

NEW SECTION. Sec. 3062. FOR THE
DEPARTMENT OF ECOLOGY

2017-19 Centennial Clean Water Program
(30000705)

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

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department of health must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its centennial program grant.

(2) The agency must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

State Building Construction Account--
State \$30,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$120,000,000

TOTAL \$150,000,000

NEW SECTION. Sec. 3063. FOR THE DEPARTMENT OF ECOLOGY

Floodplains by Design (30000706)

Appropriation:

State Building Construction Account—
State \$51,362,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$51,362,000

NEW SECTION. Sec. 3064. FOR THE DEPARTMENT OF ECOLOGY

Coordinated Prevention Grants (30000709)

Appropriation:

Local Toxics Control Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$40,000,000

TOTAL \$50,000,000

NEW SECTION. Sec. 3065. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000710)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,000,000 of the water pollution control revolving account—state appropriation is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department of health must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control state revolving fund program loan.

(3) The agency must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Water Pollution Control Revolving Account—

Federal \$50,000,000

Water Pollution Control Revolving Account—

State \$160,000,000

Subtotal Appropriation \$210,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$840,000,000

TOTAL \$1,050,000,000

NEW SECTION. Sec. 3066. FOR THE DEPARTMENT OF ECOLOGY

Yakima River Basin Water Supply (30000711)

The appropriation in this section is subject to the following conditions and limitations: The legislature finds that it is important to apportion financial responsibility for the substantial capital projects proposed under the Yakima river basin integrated plan consistent with RCW 90.38.120, which directs that "at least one-half of the total costs to finance the implementation of the [Yakima] integrated plan... be funded through federal, private, and other nonstate sources, including a significant contribution of funding from local project beneficiaries."

Appropriation:

State Building Construction Account—
State \$18,900,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$76,000,000

TOTAL \$94,900,000

NEW SECTION. Sec. 3067. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000712)

The appropriations in this section are subject to the following conditions and limitations:

(1) In any future requests for project funding under the Columbia river water supply development program, the department must prepare and submit with the budget request an analysis that estimates the total costs of developing and delivering water through the project. For each project, the department must:

(a) Identify the project beneficiaries;

(b) Estimate the project timeline, from feasibility through water development and delivery;

(c) Delineate the total estimated public and private costs and fund sources for developing the water; and

(d) Delineate the total estimated public and private costs and fund sources for delivering the water.

(2) The department must prepare and submit the same analysis as required in subsection (1) of this section for existing water development projects, including those in the feasibility phase.

Appropriation:

State Building Construction Account—
State \$9,950,000

Columbia River Basin Water Supply
Development

Account—State \$12,250,000

Columbia River Basin Water Supply
Revenue Recovery

Account—State \$2,000,000

Subtotal Appropriation \$24,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$72,000,000

TOTAL \$96,200,000

NEW SECTION. Sec. 3068. FOR THE
DEPARTMENT OF ECOLOGY

Lacey Headquarters Facility
Preservation Projects (30000713)

Appropriation:

State Building Construction Account—
State \$635,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$635,000

NEW SECTION. Sec. 3069. FOR THE
DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (30000714)

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

The appropriation is provided solely for activities that improve rural water

supplies and help achieve instream flows by implementing locally developed projects and watershed plans, as follows:

(1) Surface or ground water storage projects. The department shall consult with the departments of agriculture and fish and wildlife before issuing water storage grants.

(2) Infrastructure or water management projects that resolve conflicts among water needs for municipal, agricultural, rural, and fish restoration purposes.

(3) Agricultural water supply projects that improve water conservation and water use efficiency.

(4) Purchase and installation of water measuring devices in water-short basins, salmon critical basins, other basins participating in the department of fish and wildlife fish screening and cooperative compliance program, and basins where watershed plans call for additional water use measurement.

(5) Acquisition of water to achieve instream flows or to establish water banks. The department must give priority to acquisitions in water short basins. The department must place acquired water into the state's trust water rights program pursuant to chapters 90.38 and 90.42 RCW.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,000,000

TOTAL \$35,000,000

NEW SECTION. Sec. 3070. FOR THE
DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies Program
(30000740)

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

(1) The appropriation is provided solely for technical assistance and grants to conservation districts for the purpose of implementing water conservation measures and irrigation efficiencies. The department and the state conservation commission shall give preference to projects located in the 16 fish critical basins, other water-short or drought impacted basins, and basins with significant water resource and instream

flow issues. Projects that are not within the basins described in this subsection are also eligible to receive funding.

(2) Conservation districts statewide are eligible for grants listed in subsection (1) of this section. A conservation district receiving funds shall manage each grant to ensure that a portion of the water saved by the water conservation measure or irrigation efficiency will be placed as a purchase or a lease in the trust water rights program to enhance instream flows. The proportion of saved water placed in the trust water rights program must be equal to the percentage of the public investment in the conservation measure or irrigation efficiency. The percentage of the public investment may not exceed eighty-five percent of the total cost of the conservation measure or irrigation efficiency.

(3) Up to \$300,000 of the appropriation in this section may be allocated for the purchase and installation of flow meters that are implemented in cooperation with the Washington state department of fish and wildlife fish screening program authorized under RCW 77.57.070.

Appropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 3071. FOR THE DEPARTMENT OF ECOLOGY

Eastern Regional Office Improvements and Storm Water Treatment (30000741)

Appropriation:

State Building Construction Account—
State \$1,920,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,682,000
TOTAL	\$3,602,000

NEW SECTION. Sec. 3072. FOR THE DEPARTMENT OF ECOLOGY

2015-2017 Restored Clean Up Toxic Sites - Puget Sound (30000763)

Appropriation:

State Building Construction Account—
State \$2,840,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,840,000

NEW SECTION. Sec. 3073. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Stormwater Financial Assistance Program (30000796)

Appropriation:

State Building Construction Account—
State \$9,900,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$120,000,000
TOTAL	\$129,900,000

NEW SECTION. Sec. 3074. FOR THE DEPARTMENT OF ECOLOGY

2015-2017 Restored Stormwater Financial Assistance (30000797)

Appropriation:

State Building Construction Account—
State \$30,100,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$30,100,000

NEW SECTION. Sec. 3075. FOR THE DEPARTMENT OF ECOLOGY

Catastrophic Flood Relief (40000006)

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$30,400,000 of the appropriation is for advancing the long-term strategy for the Chehalis basin projects to reduce flood damage and restore aquatic species including project level environmental review, data collection, engineering design of future construction projects, feasibility analysis, and engagement of state agencies, tribes, and other parties.

(2) Up to \$19,600,000 of the state building construction account appropriation and \$10,000,000 from the federal account is for construction of local priority flood protection and habitat restoration projects.

(3) Up to one and a half percent of the appropriation provided in this section may

be used by the recreation and conservation office to administer contracts associated with the subprojects funded through this section. Contract administration includes, but is not limited to: Drafting and amending contracts, reviewing and approving invoices, tracking expenditures, and performing field inspections to assess project status when conducting similar assessments related to other agency contracts in the same geographic area.

Appropriation:

State Building Construction Account—
State \$50,000,000

General Fund—Federal	\$10,000,000
Subtotal Appropriation	\$60,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$200,000,000
TOTAL	\$260,000,000

NEW SECTION. Sec. 3076. FOR THE
DEPARTMENT OF ECOLOGY

Water Pollution Control State Match
(40000013)

Appropriation:

Water Pollution Control Revolving
Account—

State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. Sec. 3077. FOR THE
DEPARTMENT OF ECOLOGY

VW Settlement Funded Projects
(40000018)

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

(1) The legislature finds that it is appropriate to provide a framework for the administration of mitigation funds provided to the state as a beneficiary under the terms of the consent decrees entered into by the United States, Volkswagen AG, and other participating parties that settle emissions-related claims for 2.0 and 3.0 liter diesel vehicles of certain models and years. The legislature deems the department of ecology the responsible agency for the

administration and expenditure of funds provided by the trustee under the terms of the consent decrees, including the development of a mitigation plan to guide the use of the funds, whether or not the department receives funds directly for projects included in the plan.

(2) The mitigation plan and the stewardship of project implementation must adhere to the following guidelines:

(a) Consideration must be given to investments in areas where public health is most impacted by nitrogen oxides pollution, and especially in areas where disadvantaged communities reside;

(b) Investments must fund, to the extent possible: (i) Projects that have not been funded or implemented by or before June 30, 2017, to mitigate nitrogen oxides pollution; and (ii) projects that do not replace projects and activities that were funded on or before June 30, 2017, for implementation after that date, to address such pollution by achieving an identical or substantially similar objective;

(c) Investments in clean vehicles or clean engine replacements must be shown to be cost-effective and, for the purposes of leveraging funding, may not exceed the incremental cost of the clean vehicle or clean engine replacement, relative to the cost of a similar conventionally fueled vehicle or conventionally fueled engine replacement;

(d) Consideration must be given to investments in projects that employ a range of fueling technologies and emissions reduction technologies; and

(e) Priority must be given to projects that have the highest benefit-cost ratios, in terms of the amount of nitrogen oxides emissions reduced per dollar invested.

(3) Funding must be allocated to eligible projects under the terms of the consent decrees in the following manner:

(a)(i) No more than thirty percent of funding provided for commercial vehicle class four through eight transit buses;

(ii) No more than twenty percent of funding provided for commercial vehicle class four through eight school and shuttle buses;

(iii) No more than twenty percent of funding provided for (A) commercial vehicle class eight local freight trucks and port drayage trucks and (B) commercial

vehicle class four through seven local freight trucks;

(iv) No more than fifteen percent of funding provided for light duty, zero emission vehicle supply equipment;

(v) No more than thirty percent of funding provided for nonfederal matching funds for projects eligible under the diesel emission reduction act option; and

(vi) No more than ten percent of funding provided for other mitigation actions that are eligible under the consent decrees but not otherwise specified under this subsection (3) (a).

(b) Projects that receive funding under (a) (iii) of this subsection (3) and ocean-going vessels shorepower projects that receive funding under (a) (vi) of this subsection (3) must include electric technologies, if practicable.

(4) (a) (i) For the purposes of administering subsections (3) (a) (i), (iii), and (iv) of this section, and, as needed, subsection (3) (a) (vi) of this section, the department of ecology shall enter into an interagency agreement with the department of transportation. The department of transportation shall be responsible for proposing candidate projects under these subsections, for working with the department of ecology to determine their benefit-cost ratios under subsection (2) (e) of this section, and for prioritizing these candidate projects accordingly. The department of ecology shall work collaboratively with the department of transportation to develop and implement the elements of the mitigation plan that address these categories of projects.

(ii) In meeting its requirements under (a) (i) of this subsection (4), the department of transportation shall consider plans approved under the consent decrees governing zero emission vehicle infrastructure development identified in subsection (1) of this section, making reasonable efforts to select candidate projects that are complementary to those plans. The department of transportation shall also consider and utilize, where appropriate and to the extent possible, the following existing programs for alternative fuels and zero emission vehicles:

(A) The department of transportation's electric vehicle infrastructure bank program;

(B) The state alternative fuel commercial vehicle tax credit;

(C) The state sales and use tax exemption for clean vehicles; and

(D) Public transportation grant programs administered by the department of transportation.

(iii) To guide the department of transportation in meeting its responsibilities under (a) (i) of this subsection (4) during the 2017-2019 fiscal biennium, a steering committee is established, consisting of: The chairs and the ranking minority members of the house of representatives and senate transportation committees, or their designees; the director of the department of ecology; and the secretary of transportation or his or her designee. The steering committee must meet as needed to support the department of transportation's contribution to the elements of the mitigation plan that address the categories of projects referenced in (a) (i) of this subsection (4). Staff support must be provided by the joint transportation committee and nonpartisan committee staff of the house of representatives and senate transportation committees. The department of transportation staff must provide technical support, as needed.

(b) For the purposes of administering subsection (3) (a) (ii) of this section, including the development of the mitigation plan, the department of ecology shall enter into an interagency agreement with the office of the superintendent of public instruction.

(c) The department of ecology shall complete development of the mitigation plan according to the timeline required by the trustee. The department of ecology must submit the mitigation plan to the appropriate committees of the legislature, as well as benefit-cost information for projects pursuant to the guideline under subsection (2) (e) of this section, on the same day that the plan is submitted to the trustee.

(5) To the extent this section conflicts with the consent decrees, the consent decrees supersede it.

(6) The department of ecology may modify the mitigation plan as needed to comply with trustee requirements, including to the extent these modifications conflict with this section. In making any adjustments, the department

of ecology shall consult with the department of transportation and the office of the superintendent of public instruction and provide notice to the steering committee of any significant changes to the plan submitted.

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

(a) "Project" means an eligible mitigation action under the terms of the consent decrees entered into by the United States, Volkswagen AG, and other participating parties that settle emissions-related claims for 2.0 and 3.0 liter diesel vehicles of certain models and years.

(b) "Trustee" means the entity selected under the terms of the consent decrees to administer the disbursement of funds to eligible projects for the purposes of mitigating nitrogen oxides emission pollution.

Appropriation:

General Fund—Private/Local \$75,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$75,000,000

NEW SECTION. Sec. 3078. FOR THE DEPARTMENT OF ECOLOGY

Habitat Mitigation (91000007)

Reappropriation:

State Building Construction Account—State \$1,600,000

Prior Biennia (Expenditures) \$2,342,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,942,000

NEW SECTION. Sec. 3079. FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (91000032)

Reappropriation:

State Toxics Control Account—State \$870,000

Prior Biennia (Expenditures) \$8,400,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,270,000

NEW SECTION. Sec. 3080. FOR THE DEPARTMENT OF ECOLOGY

Skagit Mitigation (91000181)

Reappropriation:

State Building Construction Account—State \$1,024,000

Prior Biennia (Expenditures) \$1,201,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,225,000

NEW SECTION. Sec. 3081. FOR THE DEPARTMENT OF ECOLOGY

Integrated Planning Grant: Port Townsend (91000338)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for an integrated planning grant to the port of Port Townsend to perform an environmental site assessment and development plan to guide redevelopment of the marina and shipyard.

Appropriation:

State Building Construction Account—State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$200,000

NEW SECTION. Sec. 3082. FOR THE DEPARTMENT OF ECOLOGY

Storm Water Improvements (92000076)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3016, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Building Construction Account—State \$18,525,000

Environmental Legacy Stewardship Account—State \$51,528,000

Subtotal Reappropriation \$70,053,000

Prior Biennia (Expenditures) \$26,947,000

Future Biennia (Projected Costs) \$0

TOTAL \$97,000,000

NEW SECTION. Sec. 3083. FOR THE DEPARTMENT OF ECOLOGY

Floodplain Management and Control Grants (92000078)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3069, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$18,090,000

Prior Biennia (Expenditures)
\$31,910,000

Future Biennia (Projected Costs) \$0

TOTAL \$50,000,000

NEW SECTION. Sec. 3084. FOR THE DEPARTMENT OF ECOLOGY

Lower Yakima GWMA Program Development (92000085)

Reappropriation:

State Building Construction Account—
State \$1,200,000

Prior Biennia (Expenditures)
\$414,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,614,000

NEW SECTION. Sec. 3085. FOR THE DEPARTMENT OF ECOLOGY

Drought Response (92000142)

Reappropriation:

State Drought Preparedness Account—
State \$1,757,000

Prior Biennia (Expenditures)
\$4,966,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,723,000

NEW SECTION. Sec. 3086. FOR THE DEPARTMENT OF ECOLOGY

Port Angeles Municipal Landfill (92000155)

Reappropriation:

State Building Construction Account—
State \$2,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,200,000

NEW SECTION. Sec. 3087. FOR THE DEPARTMENT OF ECOLOGY

Water Treatment Plant (Lakewood) (92000156)

Reappropriation:

State Building Construction Account—
State \$1,319,000

Prior Biennia (Expenditures)
\$181,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 3088. FOR THE DEPARTMENT OF ECOLOGY

Port of Tacoma Arkema/Dunlap Mound (92000158)

Reappropriation:

State Building Construction Account—
State \$803,000

Prior Biennia (Expenditures)
\$2,097,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,900,000

NEW SECTION. Sec. 3089. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital Program Demonstration and Design (30000001)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3085, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Pollution Liability Insurance Program Trust

Account—State \$538,000

Prior Biennia (Expenditures)
\$1,262,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,800,000

NEW SECTION. Sec. 3090. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital Financial Assistance Program (30000002)

Reappropriation:

PLIA Underground Storage Tank Revolving

Account—State \$9,050,000

Appropriation:

PLIA Underground Storage Tank Revolving

Account—State \$20,000,000

NEW SECTION. Sec. 3099. FOR THE STATE
PARKS AND RECREATION COMMISSION

Lake Chelan State Park Moorage Dock
Pile Replacement (30000416)

Reappropriation:

State Building Construction Account—
State \$150,000

Appropriation:

State Building Construction Account—
State \$1,357,000

Prior Biennia (Expenditures)
\$98,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,605,000

NEW SECTION. Sec. 3100. FOR THE STATE
PARKS AND RECREATION COMMISSION

Cape Disappointment North Head Parking
(30000522)

Reappropriation:

State Building Construction Account—
State \$400,000

Prior Biennia (Expenditures)
\$1,890,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,290,000

NEW SECTION. Sec. 3101. FOR THE STATE
PARKS AND RECREATION COMMISSION

Beacon Rock Entrance Road Realignment
(30000647)

Appropriation:

State Building Construction Account—
State \$348,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$17,346,000

TOTAL \$17,694,000

NEW SECTION. Sec. 3102. FOR THE STATE
PARKS AND RECREATION COMMISSION

Mount Spokane Road Improvements, Stage
2D (30000693)

Reappropriation:

State Building Construction Account—
State \$106,000

Prior Biennia (Expenditures)
\$1,823,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,929,000

NEW SECTION. Sec. 3103. FOR THE STATE
PARKS AND RECREATION COMMISSION

Goldendale Observatory - Expansion
(30000709)

Reappropriation:

State Building Construction Account—
State \$1,511,000

Prior Biennia (Expenditures)
\$1,138,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,649,000

NEW SECTION. Sec. 3104. FOR THE STATE
PARKS AND RECREATION COMMISSION

Steamboat Rock Build Dunes Campground
(30000729)

Reappropriation:

State Building Construction Account—
State \$2,300,000

Prior Biennia (Expenditures)
\$1,199,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,499,000

NEW SECTION. Sec. 3105. FOR THE STATE
PARKS AND RECREATION COMMISSION

Camano Island Day Use Access and
Facility Renovation (30000782)

Reappropriation:

State Building Construction Account—
State \$79,000

Prior Biennia (Expenditures)
\$1,434,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,513,000

NEW SECTION. Sec. 3106. FOR THE STATE
PARKS AND RECREATION COMMISSION

Belfair Replace Failing Electrical
Supply to Main Camp Loop (30000813)

Reappropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures)
\$980,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,180,000

NEW SECTION. Sec. 3107. FOR THE STATE
PARKS AND RECREATION COMMISSION

Kopachuck Day Use Development
(30000820)

Appropriation:

State Building Construction Account—
State \$4,776,000

Prior Biennia (Expenditures)
\$296,000

Future Biennia (Projected Costs)
\$2,812,000

TOTAL \$7,884,000

NEW SECTION. Sec. 3108. FOR THE STATE
PARKS AND RECREATION COMMISSION

Minor Works - Health and Safety
(30000839)

Reappropriation:

State Building Construction Account—
State \$827,000

Prior Biennia (Expenditures)
\$7,098,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,925,000

NEW SECTION. Sec. 3109. FOR THE STATE
PARKS AND RECREATION COMMISSION

Clean Vessel Boating Pump-Out Grants
(30000856)

Appropriation:

General Fund—Federal \$2,600,000

Prior Biennia (Expenditures)
\$4,106,000

Future Biennia (Projected Costs)
\$10,400,000

TOTAL \$17,106,000

NEW SECTION. Sec. 3110. FOR THE STATE
PARKS AND RECREATION COMMISSION

Local Grant Authority (30000857)

Appropriation:

Parks Renewal and Stewardship Account—
Private/Local \$2,000,000

Prior Biennia (Expenditures)
\$2,326,000

Future Biennia (Projected Costs)
\$8,000,000

TOTAL \$12,326,000

NEW SECTION. Sec. 3111. FOR THE STATE
PARKS AND RECREATION COMMISSION

Federal Grant Authority (30000858)

Appropriation:

General Fund—Federal \$750,000

Prior Biennia (Expenditures)
\$1,550,000

Future Biennia (Projected Costs)
\$3,000,000

TOTAL \$5,300,000

NEW SECTION. Sec. 3112. FOR THE STATE
PARKS AND RECREATION COMMISSION

Fort Worden - Replace Failing Sewer
Lines (30000860)

Appropriation:

State Building Construction Account—
State \$1,972,000

Prior Biennia (Expenditures)
\$234,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,206,000

NEW SECTION. Sec. 3113. FOR THE STATE
PARKS AND RECREATION COMMISSION

Sequim Bay Address Failing Retaining
Wall (30000861)

Reappropriation:

State Building Construction Account—
State \$895,000

Prior Biennia (Expenditures)
\$227,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,122,000

NEW SECTION. Sec. 3114. FOR THE STATE
PARKS AND RECREATION COMMISSION

Statewide - Improve Camp Host Sites
(30000864)

Appropriation:

State Building Construction Account—
State \$850,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$850,000

NEW SECTION. Sec. 3115. FOR THE STATE
PARKS AND RECREATION COMMISSION

Lake Sammamish Dock Grant Match
(30000872)

Reappropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$100,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,100,000

NEW SECTION. Sec. 3116. FOR THE STATE
PARKS AND RECREATION COMMISSION

Birch Bay - Replace Failing Bridge
(30000876)

Appropriation:

State Building Construction Account—
State \$320,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,032,000

TOTAL \$1,352,000

NEW SECTION. Sec. 3117. FOR THE STATE
PARKS AND RECREATION COMMISSION

Mount Spokane - Nordic Area
Improvements & Horse Camp Development
(30000877)

Reappropriation:

State Building Construction Account—
State \$100,000

Prior Biennia (Expenditures)
\$82,000

Future Biennia (Projected Costs) \$0

TOTAL \$182,000

NEW SECTION. Sec. 3118. FOR THE STATE
PARKS AND RECREATION COMMISSION

Statewide - Cabins, Yurts, and
Associated Park Improvement (30000883)

Reappropriation:

State Building Construction Account—
State \$600,000

Prior Biennia (Expenditures)
\$553,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,153,000

NEW SECTION. Sec. 3119. FOR THE STATE
PARKS AND RECREATION COMMISSION

Minor Works - Facilities and
Infrastructures (30000947)

Reappropriation:

State Building Construction Account—
State \$625,000

Prior Biennia (Expenditures)
\$9,859,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,484,000

NEW SECTION. Sec. 3120. FOR THE STATE
PARKS AND RECREATION COMMISSION

Steamboat Rock - Replace Failing Sewage
Lift Stations (30000948)

Reappropriation:

State Building Construction Account—
State \$122,000

Prior Biennia (Expenditures)
\$1,029,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,151,000

NEW SECTION. Sec. 3121. FOR THE STATE
PARKS AND RECREATION COMMISSION

Fort Worden - Pier & Marine Learning
Center Improve or Replace (30000950)

Appropriation:

State Building Construction Account—
State \$697,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$9,072,000

TOTAL \$9,769,000

NEW SECTION. Sec. 3122. FOR THE STATE
PARKS AND RECREATION COMMISSION

Field Spring Replace Failed Sewage Syst
and Non-ADA Comfort Station (30000951)

Reappropriation:

State Building Construction Account—
State \$60,000

Appropriation:

State Building Construction Account—
State \$992,000

Prior Biennia (Expenditures)
\$41,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,093,000

NEW SECTION. Sec. 3123. FOR THE STATE
PARKS AND RECREATION COMMISSION

Mount Spokane - Maintenance Facility
Relocation From Harms Way (30000959)

Reappropriation:

State Building Construction Account—
State \$200,000

Appropriation:

State Building Construction Account—
State \$1,805,000

Prior Biennia (Expenditures)
\$184,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,189,000

NEW SECTION. Sec. 3124. FOR THE STATE
PARKS AND RECREATION COMMISSION

Fort Worden - Maintenance Shop Relocat
From Center of Hist District (30000960)

Reappropriation:

State Building Construction Account—
State \$1,271,000

Prior Biennia (Expenditures)
\$800,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,071,000

NEW SECTION. Sec. 3125. FOR THE STATE
PARKS AND RECREATION COMMISSION

Sun Lakes - Dry Falls - Upgrade Failing
Water Supply Systems (30000962)

Reappropriation:

State Building Construction Account—
State \$600,000

Prior Biennia (Expenditures)
\$150,000

Future Biennia (Projected Costs) \$0

TOTAL \$750,000

NEW SECTION. Sec. 3126. FOR THE STATE
PARKS AND RECREATION COMMISSION

Statewide - Depression Era Structures
Restoration Assessment (30000966)

Appropriation:

State Building Construction Account—
State \$978,000

Prior Biennia (Expenditures)
\$121,000

Future Biennia (Projected Costs)
\$3,859,000

TOTAL \$4,958,000

NEW SECTION. Sec. 3127. FOR THE STATE
PARKS AND RECREATION COMMISSION

Alta Lake - Replace Failing Waterlines
and RV Electrical (30000968)

Appropriation:

State Building Construction Account—
State \$1,369,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,369,000

NEW SECTION. Sec. 3128. FOR THE STATE
PARKS AND RECREATION COMMISSION

Ocean City - Replace Non-Compliant
Comfort Stations (30000970)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a pilot program for new Firelight toilets. The commission may sole source for the equipment. The commission must operate and maintain the equipment for a minimum of two years and report annually to legislative fiscal committees on: (1) The ease of use by parks patrons and (2) the cost and time to maintain the equipment.

Appropriation:

State Building Construction Account—
State \$1,365,000

Prior Biennia (Expenditures)
\$152,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,517,000

NEW SECTION. Sec. 3129. FOR THE STATE
PARKS AND RECREATION COMMISSION

Riverside Fisk Property Lk Spokane
(Long Lake) Initial Pk Access (30000971)

Reappropriation:

State Building Construction Account—
State \$700,000

Prior Biennia (Expenditures)
\$372,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,072,000

NEW SECTION. Sec. 3130. FOR THE STATE
PARKS AND RECREATION COMMISSION

Dash Point - Replace Bridge
(Pedestrian) (30000972)

Appropriation:

State Building Construction Account—
State \$553,000

Prior Biennia (Expenditures)
\$165,000

Future Biennia (Projected Costs) \$0

TOTAL \$718,000

NEW SECTION. Sec. 3131. FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Chelan Replace Non-Compliant Comfort Station and Drainfield (30000974)

Appropriation:

State Building Construction Account— State \$1,170,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,170,000

NEW SECTION. Sec. 3132. FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Program (30000975)

Reappropriation:

State Building Construction Account— State \$425,000

Prior Biennia (Expenditures) \$66,000

Future Biennia (Projected Costs) \$0

TOTAL \$491,000

NEW SECTION. Sec. 3133. FOR THE STATE PARKS AND RECREATION COMMISSION

Parkland Acquisition (30000976)

The appropriation in this section is subject to the following conditions and limitations: Landowners adjacent to the John Wayne trail may use motorized vehicles on the trail adjacent to their property. The state parks and recreation commission shall waive permit fees for any motorized vehicles adjacent landowners deem necessary and appropriate.

Appropriation:

Parkland Acquisition Account— State \$2,000,000

Prior Biennia (Expenditures) \$2,000,000

Future Biennia (Projected Costs) \$8,000,000

TOTAL \$12,000,000

NEW SECTION. Sec. 3134. FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Health and Safety (30000977)

The appropriation in this section is subject to the following conditions and

limitations: The state parks and recreation commission shall only provide the projects listed, may only use the funding provided, and may not transfer any funds between projects or add projects to the list.

Fort Worden Campus Fire Alarm Systems \$192,000

Statewide - Code/Regulatory Compliance \$857,000

Appropriation:

State Building Construction Account— State \$1,049,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,049,000

NEW SECTION. Sec. 3135. FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Facilities and Infrastructure (30000978)

The appropriation in this section is subject to the following conditions and limitations: The state parks and recreation commission shall only provide the projects listed, may only use the funding provided, and may not transfer any funds between projects or add projects to the list.

Blake Island Replace Main Lift Station \$460,000

Fort Casey Building 25 Rehabilitation \$295,000

Fort Worden Replace Overhead Electrical Supply \$479,000

Illahee Replace Failing Drainfield \$807,000

Schafer Renovate Historic Structures \$862,000

Statewide - Historic Window Rehabilitation \$695,000

Statewide - Provide Event Infrastructure \$993,000

Appropriation:

State Building Construction Account— State \$4,591,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,591,000

NEW SECTION. Sec. 3136. FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Program (30000979)

The appropriation in this section is subject to the following conditions and limitations: The state parks and recreation commission shall only provide the projects listed, may only use the funding provided, and may not transfer any funds between projects or add projects to the list.

Fort Casey ADA Improvement (Battery Worth) \$359,000

Ike Kinswa ADA Dock \$298,000

Statewide - Ice Age Floods Interpretive Exhibits \$389,000

Statewide - Provide Event Infrastructure \$604,000

Statewide Electric Vehicle Charging Stations \$195,000

Appropriation:

State Building Construction Account- State \$1,845,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,845,000

NEW SECTION. Sec. 3137. FOR THE STATE PARKS AND RECREATION COMMISSION

Moran Summit Learning Center - Interpretive Facility (30000980)

Appropriation:

State Building Construction Account- State \$863,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$863,000

NEW SECTION. Sec. 3138. FOR THE STATE PARKS AND RECREATION COMMISSION

Penrose Point Sewer Improvements (30000981)

Appropriation:

State Building Construction Account- State \$428,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$428,000

NEW SECTION. Sec. 3139. FOR THE STATE PARKS AND RECREATION COMMISSION

Palouse Falls Day Use Area Renovation (30000983)

Appropriation:

State Building Construction Account- State \$209,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$4,359,000

TOTAL \$4,568,000

NEW SECTION. Sec. 3140. FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Sammamish Sunset Beach Picnic Area (30000984)

Appropriation:

State Building Construction Account- State \$2,346,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,346,000

NEW SECTION. Sec. 3141. FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide - ADA Compliance (30000985)

Appropriation:

State Building Construction Account- State \$1,117,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,117,000

NEW SECTION. Sec. 3142. FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide Cabins (30000988)

The appropriation in this section is subject to the following conditions and limitations: The state parks and recreation commission must construct at a minimum thirteen cabins. The cost for each cabin must include all costs including but not limited to site work, design, taxes, furnishings, and permits. The state parks and recreation commission must not transfer any funds from other resources. The new cabin sites must not be located where revenue generating sites currently exist.

Appropriation:

State Building Construction Account- State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0
 TOTAL \$2,000,000

NEW SECTION. Sec. 3143. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Statewide Water System Renovation
 (30001016)

Appropriation:

State Building Construction Account-
 State \$475,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$4,996,000

TOTAL \$5,471,000

NEW SECTION. Sec. 3144. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Statewide Septic System Renovation
 (30001017)

Appropriation:

State Building Construction Account-
 State \$238,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$5,016,000

TOTAL \$5,254,000

NEW SECTION. Sec. 3145. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Statewide Electrical System Renovation
 (30001018)

Appropriation:

State Building Construction Account-
 State \$713,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$5,058,000

TOTAL \$5,771,000

NEW SECTION. Sec. 3146. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Statewide New Park (30001019)

Appropriation:

State Building Construction Account-
 State \$297,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$11,114,000

TOTAL \$11,411,000

NEW SECTION. Sec. 3147. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Statewide Trail Renovations
 (Footbridges) (30001021)

Appropriation:

State Building Construction Account-
 State \$266,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$798,000

TOTAL \$1,064,000

NEW SECTION. Sec. 3148. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Fort Worden Replace Failing Water Lines
 (30001022)

Appropriation:

State Building Construction Account-
 State \$358,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$3,817,000

TOTAL \$4,175,000

NEW SECTION. Sec. 3149. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Statewide Facility and Infrastructure
 Backlog Reduction (30001031)

Appropriation:

State Building Construction Account-
 State \$4,250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,250,000

NEW SECTION. Sec. 3150. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Steptoe Butte Road Improvements
 (30001076)

Appropriation:

State Building Construction Account-
 State \$443,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$3,789,000

TOTAL \$4,232,000

NEW SECTION. Sec. 3151. FOR THE STATE
 PARKS AND RECREATION COMMISSION

Cape Disappointment North Head
Buildings and Ground Improvements
(40000005)

Appropriation:

State Building Construction Account—
State \$2,291,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,291,000

NEW SECTION. Sec. 3152. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants
(20084011)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 3146,
chapter 520, Laws of 2007.

Reappropriation:

Habitat Conservation Account—
State \$1,587,000

Prior Biennia (Expenditures)
\$96,905,000

Future Biennia (Projected Costs) \$0

TOTAL \$98,492,000

NEW SECTION. Sec. 3153. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants
(30000002)

Reappropriation:

Riparian Protection Account—
State \$423,000

Habitat Conservation Account—
State \$1,949,000

Subtotal Reappropriation \$2,372,000

Prior Biennia (Expenditures)
\$67,073,000

Future Biennia (Projected Costs) \$0

TOTAL \$69,445,000

NEW SECTION. Sec. 3154. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (30000138)

Reappropriation:

Recreation Resources Account—
State \$767,000

Prior Biennia (Expenditures)
\$7,233,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,000,000

NEW SECTION. Sec. 3155. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants
(30000139)

The reappropriations in this section
are subject to the following conditions
and limitations: The reappropriations are
provided solely for the list of projects
in LEAP capital document No. 2011-3A,
developed May 24, 2011.

Reappropriation:

Outdoor Recreation Account—State
\$2,216,000

Habitat Conservation Account—
State \$1,867,000

Subtotal Reappropriation \$4,083,000

Prior Biennia (Expenditures)
\$37,917,000

Future Biennia (Projected Costs) \$0

TOTAL \$42,000,000

NEW SECTION. Sec. 3156. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs
(30000140)

Reappropriation:

General Fund—Federal \$3,804,000

State Building Construction Account—
State \$1,269,000

Subtotal Reappropriation \$5,073,000

Prior Biennia (Expenditures)
\$64,989,000

Future Biennia (Projected Costs) \$0

TOTAL \$70,062,000

NEW SECTION. Sec. 3157. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account
(30000143)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
provided solely for the list of projects
in LEAP capital document No. 2011-3B,
revised April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account—State
\$255,000

Prior Biennia (Expenditures)
 \$6,206,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,461,000

NEW SECTION. Sec. 3158. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Restoration (30000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3149, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$425,000

Prior Biennia (Expenditures)
 \$14,575,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,000,000

NEW SECTION. Sec. 3159. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Estuary and Salmon Restoration Program (30000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3150, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$163,000

Prior Biennia (Expenditures)
 \$4,837,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3160. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (30000205)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3161, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Outdoor Recreation Account—State
 \$7,344,000

Farm and Forest Account—State
 \$2,080,000

Riparian Protection Account—State \$759,000

Habitat Conservation Account—State \$10,072,000

Subtotal Reappropriation \$20,255,000

Prior Biennia (Expenditures)
 \$44,745,000

Future Biennia (Projected Costs) \$0

TOTAL \$65,000,000

NEW SECTION. Sec. 3161. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (30000206)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3162, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

General Fund—Federal \$16,250,000

State Building Construction Account—State \$2,553,000

Subtotal Reappropriation \$18,803,000

Prior Biennia (Expenditures)
 \$56,197,000

Future Biennia (Projected Costs) \$0

TOTAL \$75,000,000

NEW SECTION. Sec. 3162. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (30000207)

Reappropriation:

Recreation Resources Account—State \$1,197,000

Prior Biennia (Expenditures)
 \$5,166,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,363,000

NEW SECTION. Sec. 3163. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000210)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2013-2B, developed April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account—State
\$1,162,000

Prior Biennia (Expenditures)
\$4,838,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,000,000

NEW SECTION. Sec. 3164. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Acquisition and Restoration (30000211)

Reappropriation:

State Building Construction Account—State \$10,806,000

Prior Biennia (Expenditures)
\$59,194,000

Future Biennia (Projected Costs) \$0

TOTAL \$70,000,000

NEW SECTION. Sec. 3165. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Estuary and Salmon Restoration Program (30000212)

Reappropriation:

State Building Construction Account—State \$2,404,000

Prior Biennia (Expenditures)
\$7,596,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3166. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Firearms and Archery Range Recreation (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3168, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Firearms Range Account—State
\$158,000

Prior Biennia (Expenditures)
\$642,000

Future Biennia (Projected Costs) \$0

TOTAL \$800,000

NEW SECTION. Sec. 3167. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Land and Water Conservation (30000216)

Reappropriation:

General Fund—Federal \$1,497,000

Prior Biennia (Expenditures)
\$2,503,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3168. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Family Forest Fish Passage Program (30000218)

Reappropriation:

State Building Construction Account—State \$119,000

Prior Biennia (Expenditures)
\$1,881,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 3169. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (30000220)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-1, developed June 30, 2015.

Reappropriation:

Outdoor Recreation Account—State
\$13,633,000

Farm and Forest Account—State
\$2,572,000

Riparian Protection Account—State \$3,163,000

Habitat Conservation Account—State \$15,423,000

Subtotal Reappropriation \$34,791,000

Prior Biennia (Expenditures)
\$20,532,000

Future Biennia (Projected Costs) \$0

TOTAL \$55,323,000

NEW SECTION. Sec. 3170. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (30000221)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are

subject to the provisions of section 3164, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

General Fund—Federal	\$36,117,000
State Building Construction Account—State	\$12,493,000
Subtotal Reappropriation	\$48,610,000
Prior Biennia (Expenditures)	\$17,890,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$66,500,000

NEW SECTION. Sec. 3171. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (30000222)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Recreation Resources Account—State	\$9,989,000
Prior Biennia (Expenditures)	\$4,221,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,210,000

NEW SECTION. Sec. 3172. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Nonhighway Off-Road Vehicle Activities (30000223)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3025, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

NOVA Program Account—State	\$9,603,000
Prior Biennia (Expenditures)	\$1,567,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,170,000

NEW SECTION. Sec. 3173. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Youth Athletic Facilities (30000224)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is

subject to the provisions of section 3167, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State	\$5,698,000
Prior Biennia (Expenditures)	\$4,302,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 3174. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000225)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2015-2, developed June 30, 2015.

Reappropriation:

Aquatic Lands Enhancement Account—State	\$2,372,000
Prior Biennia (Expenditures)	\$2,897,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,269,000

NEW SECTION. Sec. 3175. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Acquisition and Restoration (30000226)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3169, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State	\$27,521,000
Prior Biennia (Expenditures)	\$9,479,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$37,000,000

NEW SECTION. Sec. 3176. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Estuary and Salmon Restoration Program (30000227)

Reappropriation:

State Building Construction Account—
State \$5,451,000

Prior Biennia (Expenditures)
\$2,549,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,000,000

NEW SECTION. Sec. 3177. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Firearms and Archery Range Recreation
(30000228)

Reappropriation:

Firearms Range Account—State
\$333,000

Prior Biennia (Expenditures)
\$247,000

Future Biennia (Projected Costs) \$0

TOTAL \$580,000

NEW SECTION. Sec. 3178. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Recreational Trails Program (30000229)

Reappropriation:

General Fund—Federal \$3,005,000

Prior Biennia (Expenditures)
\$1,995,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3179. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Boating Infrastructure Grants
(30000230)

Reappropriation:

General Fund—Federal \$1,700,000

Prior Biennia (Expenditures)
\$500,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,200,000

NEW SECTION. Sec. 3180. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Land and Water Conservation (30000231)

Reappropriation:

General Fund—Federal \$3,845,000

Prior Biennia (Expenditures)
\$155,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3181. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Family Forest Fish Passage Program
(30000233)

Reappropriation:

State Building Construction Account—
State \$2,592,000

Prior Biennia (Expenditures)
\$2,408,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3182. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs
(30000408)

The appropriations in this section are
subject to the following conditions and
limitations:

(1) \$170,000 of the state building
construction account—state is provided
solely to execute a Lean study to bring
efficiencies to the project development
and prioritization process, and this is
the maximum amount the department may
expend for this purpose.

(2) \$2,400,000 of the state building
construction account—state appropriation
is provided solely for predesign planning
grants for lead entities, and this is the
maximum amount the department may expend
for this purpose.

(3) \$641,000 of the state building
construction account—state appropriation
is provided solely for predesign planning
grants for regional fisheries enhancement
groups, and this is the maximum amount the
department may expend for this purpose.

Appropriation:

General Fund—Federal \$50,000,000

State Building Construction Account—
State \$19,711,000

Subtotal Appropriation \$69,711,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$320,000,000

TOTAL \$389,711,000

NEW SECTION. Sec. 3183. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

2017-19 Washington Wildlife Recreation
Grants (30000409)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for the list of projects identified in LEAP capital document number 2017-3H, developed April 6, 2017.

(2) One percent of the farm and forest account-state is provided solely for the prioritized list of projects to be provided by the recreation and conservation funding board by November 1, 2017, pursuant to section 11, chapter 149, Laws of 2016, and the appropriated funds may be spent after the board provides the list.

Appropriation:

Outdoor Recreation Account-State	
\$50,232,000	
Farm and Forest Account-State	
\$11,093,000	
Habitat Conservation Account-State	
\$18,675,000	
Subtotal Appropriation	\$80,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$340,000,000
TOTAL	\$420,000,000

NEW SECTION. Sec. 3184. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (30000410)

The appropriations in this section are subject to the following conditions and limitations: \$220,000 of the recreation resources account-state appropriation is provided solely for the Port of Garfield for the central ferry boat launch.

Appropriation:

Boating Activities Account-State	
\$10,000	
Recreation Resources Account-State	
\$17,165,000	
Subtotal Appropriation	\$17,175,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$68,800,000
TOTAL	\$85,975,000

NEW SECTION. Sec. 3185. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Nonhighway Off-Road Vehicle Activities (30000411)

Appropriation:

NOVA Program Account-State	\$13,195,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$52,800,000
TOTAL	\$65,995,000

NEW SECTION. Sec. 3186. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Youth Athletic Facilities (30000412)

Appropriation:

State Building Construction Account-State	\$4,077,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,000,000
TOTAL	\$20,077,000

NEW SECTION. Sec. 3187. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000413)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the Barnum Point waterfront.

Appropriation:

Aquatic Lands Enhancement Account-State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 3188. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Acquisition and Restoration (30000414)

Appropriation:

State Building Construction Account-State	\$40,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$180,000,000
TOTAL	\$220,000,000

NEW SECTION. Sec. 3189. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Estuary and Salmon
Restoration Program (30000415)

Appropriation:

State Building Construction Account—
State \$8,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$48,000,000

NEW SECTION. Sec. 3190. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Firearms and Archery Range Recreation
(30000416)

Appropriation:

Firearms Range Account—State
\$813,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,100,000

TOTAL \$3,913,000

NEW SECTION. Sec. 3191. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Recreational Trails Program (30000417)

Appropriation:

General Fund—Federal \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,000,000

TOTAL \$25,000,000

NEW SECTION. Sec. 3192. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Boating Infrastructure Grants
(30000418)

Appropriation:

General Fund—Federal \$2,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$8,800,000

TOTAL \$11,000,000

NEW SECTION. Sec. 3193. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Land and Water Conservation (30000419)

Appropriation:

General Fund—Federal \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$16,000,000

TOTAL \$20,000,000

NEW SECTION. Sec. 3194. FOR THE
RECREATION AND CONSERVATION FUNDING BOARD

Washington Coastal Restoration
Initiative (30000420)

The appropriation in this section is
subject to the following conditions and
limitations: The appropriation in this
section is provided solely for the
following list of projects:

Pulling together in restoration
\$531,000

Smith creek \$1,630,000

Elochman knotweed elimination
\$205,000

Hoh - Clearwater restoration
\$1,041,000

Elochman river community
watershed \$165,000

McClellan-Skamokawa creek community
watershed \$161,000

Satterland-Grays river \$70,000

Lower Satsop river restoration
\$1,030,000

Chehalis basin native seeds
\$341,000

Baldwin-Skamokawa creek community
watershed \$90,000

Kugel creek restoration \$780,000

Goldinov-Wilson creek \$309,000

Grayland acquisition \$500,000

Hungry harbor access \$452,000

Moon island road design \$150,000

Moon island road implementation
\$250,000

Fry creek restoration and flood
reduction design \$315,000

Fry creek restoration and flood
reduction phase 1 \$1,915,000

Upper Quinault river restoration
\$65,000

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$45,000,000

TOTAL \$55,000,000

NEW SECTION. Sec. 3195. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Public Lands Inventory Update (30000422)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to update the public lands inventory with current information on state agency habitat and recreation land acquisitions and easements and to further develop the inventory to respond to the recommendations of the joint legislative audit and review committee for a single source of information about land acquisitions.

Appropriation:

State Building Construction Account—State \$230,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$230,000

NEW SECTION. Sec. 3196. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Family Forest Fish Passage Program (40000001)

Appropriation:

State Building Construction Account—State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3197. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Coastal Restoration Grants (91000448)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3177, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$5,700,000

Prior Biennia (Expenditures) \$5,485,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,185,000

NEW SECTION. Sec. 3198. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Brian Abbott Fish Passage Barrier Removal Board (91000566)

The appropriation in this section is provided solely for the following list of projects:

Chico Creek, Suquamish Tribe \$3,785,000

Johnson Creek, North Olympic Salmon Coalition \$3,008,000

Buford Creek, Nez Perce Tribe or Asotin C.D. \$4,721,000

Middle Fork Newaukum, Lewis County \$572,000

Unnamed Tributary to Arkansas Creek, Cowlitz County \$285,000

Coleman Creek, Kittitas Conservation District \$771,000

Catherine Creek, Sound Salmon Solutions \$566,000

Coffee Creek, Mason County \$327,000

Johnson Creek, Trout Unlimited/CCT \$544,000

Baxter Creek, Cowlitz County \$2,181,000

Turner Creek, Cowlitz County \$1,090,000

Cottonwood Creek, Asotin Conservation District \$62,000

Unnamed Tributary to Johnson Creek, Clallam County \$1,835,000

Appropriation:

State Building Construction Account—State \$19,747,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$40,000,000

TOTAL \$59,747,000

NEW SECTION. Sec. 3199. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Recreation and Conservation Office Recreation Grants (92000131)

The reappropriation in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6022 of this act.

Reappropriation:
 State Building Construction Account—
 State \$24,269,000
 Outdoor Recreation Account—State
 \$4,653,000
 Subtotal Reappropriation \$28,922,000
 Prior Biennia (Expenditures)
 \$5,859,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$34,781,000

NEW SECTION. Sec. 3200. FOR THE STATE
 CONSERVATION COMMISSION

CREP Riparian Cost Share - State Match
 (30000009)

Reappropriation:
 State Building Construction Account—
 State \$100,000
 Appropriation:
 State Building Construction Account—
 State \$2,600,000
 Prior Biennia (Expenditures)
 \$5,090,000
 Future Biennia (Projected Costs)
 \$14,000,000
 TOTAL \$21,790,000

NEW SECTION. Sec. 3201. FOR THE STATE
 CONSERVATION COMMISSION

Natural Resources Investment for the
 Economy and Environment (30000010)

The appropriation in this section is
 subject to the following conditions and
 limitations: Up to five percent of the
 appropriation provided in this section may
 be used by the conservation commission to
 acquire services of licensed engineers for
 project development, predesign and design
 services, and construction oversight for
 natural resource enhancement and
 conservation projects.

Reappropriation:
 State Building Construction Account—
 State \$800,000
 Appropriation:
 General Fund—Federal \$1,000,000
 State Building Construction Account—
 State \$4,000,000
 Subtotal Appropriation \$5,000,000

Prior Biennia (Expenditures)
 \$12,200,000
 Future Biennia (Projected Costs)
 \$18,000,000
 TOTAL \$36,000,000

NEW SECTION. Sec. 3202. FOR THE STATE
 CONSERVATION COMMISSION

CREP PIP Loan Program (30000011)
 Reappropriation:
 Conservation Assistance Revolving
 Account—State \$49,000

Appropriation:
 Conservation Assistance Revolving
 Account—State \$50,000
 Prior Biennia (Expenditures)
 \$131,000
 Future Biennia (Projected Costs)
 \$200,000
 TOTAL \$430,000

NEW SECTION. Sec. 3203. FOR THE STATE
 CONSERVATION COMMISSION

CREP Riparian Contract Funding
 (30000012)
 Reappropriation:

State Building Construction Account—
 State \$100,000

Appropriation:
 State Building Construction Account—
 State \$2,300,000
 Prior Biennia (Expenditures)
 \$4,362,000
 Future Biennia (Projected Costs)
 \$16,028,000
 TOTAL \$22,790,000

NEW SECTION. Sec. 3204. FOR THE STATE
 CONSERVATION COMMISSION

Match for Federal RCPP Program
 (30000017)

The appropriations in this section are
 subject to the following conditions and
 limitations:

(1) The state building construction
 account—state appropriation is provided
 solely for a state match to the United
 States department of agriculture regional
 conservation partnership.

(2) The commission will, to the
 greatest extent possible, leverage other

state and local projects in funding the match and the development of regional conservation partnership program grant applications.

(3) The reappropriations are subject to the provisions of section 3033, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

General Fund—Federal	\$19,600,000
State Building Construction Account—State	\$3,962,000
Subtotal Reappropriation	\$23,562,000

Appropriation:

State Building Construction Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$4,438,000
Future Biennia (Projected Costs)	\$1,752,000
TOTAL	\$31,752,000

NEW SECTION. Sec. 3205. FOR THE STATE CONSERVATION COMMISSION

Improve Shellfish Growing Areas (30000018)

The appropriation in this section is subject to the following conditions and limitations: Up to five percent of the appropriation provided in this section may be used by the conservation commission to acquire services of licensed engineers for project development, pre-design and design services, and construction oversight for natural resource enhancement and conservation projects.

Reappropriation:

State Building Construction Account—State \$800,000

Appropriation:

State Building Construction Account—State	\$4,000,000
Prior Biennia (Expenditures)	\$3,200,000
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$28,000,000

NEW SECTION. Sec. 3206. FOR THE STATE CONSERVATION COMMISSION

Conservation Commission Ranch & Farmland Preservation Projects (92000004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3188, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State	\$8,780,000
Prior Biennia (Expenditures)	\$412,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,192,000

NEW SECTION. Sec. 3207. FOR THE STATE CONSERVATION COMMISSION

R&D Grant - Deep Furrow Conservation Drill to Conserve Soil/Water (92000008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3186, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State	\$140,000
Prior Biennia (Expenditures)	\$210,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$350,000

NEW SECTION. Sec. 3208. FOR THE STATE CONSERVATION COMMISSION

Dairy Nutrient Demonstrations Low Interest Loans (92000009)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6023 of this act.

Reappropriation:

State Building Construction Account—State	\$2,000,000
State Taxable Building Construction Account—State	\$2,000,000
Subtotal Reappropriation	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 3209. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Deschutes Watershed Center (20062008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3205, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State \$9,500,000

Prior Biennia (Expenditures) \$5,995,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,495,000

NEW SECTION. Sec. 3210. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Migratory Waterfowl Habitat (20082045)

Appropriation:

State Wildlife Account—State \$600,000

Prior Biennia (Expenditures) \$1,680,000

Future Biennia (Projected Costs) \$2,400,000

TOTAL \$4,680,000

NEW SECTION. Sec. 3211. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding (20082048)

Reappropriation:

General Fund—Federal \$15,000,000

General Fund—Private/Local \$1,350,000

Special Wildlife Account—Federal \$1,000,000

Special Wildlife Account—Private/Local \$1,900,000

State Wildlife Account—State \$500,000

Subtotal Reappropriation \$19,750,000

Appropriation:

General Fund—Federal \$10,000,000

General Fund—Private/Local \$1,000,000

Special Wildlife Account—Federal \$1,000,000

Special Wildlife Account—Private/Local \$1,000,000

State Wildlife Account—State \$500,000

Subtotal Appropriation \$13,500,000

Prior Biennia (Expenditures) \$84,612,000

Future Biennia (Projected Costs) \$54,000,000

TOTAL \$171,862,000

NEW SECTION. Sec. 3212. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Spring Hatchery Renovation (30000214)

Appropriation:

State Building Construction Account—State \$1,400,000

Prior Biennia (Expenditures) \$93,000

Future Biennia (Projected Costs) \$7,410,000

TOTAL \$8,903,000

NEW SECTION. Sec. 3213. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Samish Hatchery Intakes (30000276)

Reappropriation:

State Building Construction Account—State \$350,000

Appropriation:

State Building Construction Account—State \$350,000

Prior Biennia (Expenditures) \$350,000

Future Biennia (Projected Costs) \$4,547,000

TOTAL \$5,597,000

NEW SECTION. Sec. 3214. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minter Hatchery Intakes (30000277)

Appropriation:

State Building Construction Account—State \$6,500,000

Prior Biennia (Expenditures) \$105,000

Future Biennia (Projected Costs) \$2,167,000

TOTAL \$8,772,000

NEW SECTION. Sec. 3215. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Kalama Falls Hatchery Renovate Adult Handling Facilities (30000480)

Reappropriation:
 State Building Construction Account—
 State \$3,550,000
 Prior Biennia (Expenditures)
 \$1,000,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,550,000

NEW SECTION. Sec. 3216. FOR THE
 DEPARTMENT OF FISH AND WILDLIFE

Wooten Wildlife Area Improve Flood
 Plain (30000481)

Reappropriation:
 State Building Construction Account—
 State \$1,600,000

General Fund—Federal \$1,600,000
 Subtotal Reappropriation \$3,200,000

Appropriation:

General Fund—Federal \$500,000
 State Building Construction Account—
 State \$1,000,000

Subtotal Appropriation \$1,500,000

Prior Biennia (Expenditures)
 \$4,500,000

Future Biennia (Projected Costs)
 \$14,584,000

TOTAL \$23,784,000

NEW SECTION. Sec. 3217. FOR THE
 DEPARTMENT OF FISH AND WILDLIFE

Wallace River Hatchery - Replace
 Intakes and Ponds (30000660)

Appropriation:

State Building Construction Account—
 State \$2,001,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$13,000,000

TOTAL \$15,001,000

NEW SECTION. Sec. 3218. FOR THE
 DEPARTMENT OF FISH AND WILDLIFE

Soos Creek Hatchery Renovation
 (30000661)

Reappropriation:

State Building Construction Account—
 State \$9,933,000

Prior Biennia (Expenditures)
 \$1,000

Future Biennia (Projected Costs)
 \$14,103,000

TOTAL \$24,037,000

NEW SECTION. Sec. 3219. FOR THE
 DEPARTMENT OF FISH AND WILDLIFE

Cooperative Elk Damage Fencing
 (30000662)

The appropriation in this section is
 subject to the following conditions and
 limitations: The appropriation is provided
 solely for the elk fence cost sharing
 program.

Appropriation:

State Building Construction Account—
 State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$300,000

NEW SECTION. Sec. 3220. FOR THE
 DEPARTMENT OF FISH AND WILDLIFE

Hazard Fuel Reductions, Forest Health
 and Ecosystem Improvement (30000665)

Appropriation:

State Building Construction Account—
 State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$20,000,000

TOTAL \$25,000,000

NEW SECTION. Sec. 3221. FOR THE
 DEPARTMENT OF FISH AND WILDLIFE

Marblemount Hatchery - Renovating
 Jordan Creek Intake (30000666)

Reappropriation:

State Building Construction Account—
 State \$2,068,000

Prior Biennia (Expenditures)
 \$225,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,293,000

NEW SECTION. Sec. 3222. FOR THE
 DEPARTMENT OF FISH AND WILDLIFE

Lake Whatcom Hatchery - Replace Intake
 and Pipeline (30000667)

Reappropriation:

State Building Construction Account—
 State \$1,200,000

Prior	Biennia	(Expenditures)
\$154,000		
Future Biennia (Projected Costs) \$0		
TOTAL	\$1,354,000	

NEW SECTION. Sec. 3223. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Naselle Hatchery Renovation (30000671)

Appropriation:

State Building Construction Account—State \$8,000,000

Prior	Biennia	(Expenditures)
\$132,000		
Future Biennia (Projected Costs) \$15,673,000		
TOTAL	\$23,805,000	

NEW SECTION. Sec. 3224. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hoodsport Hatchery Adult Pond Renovation (30000686)

Reappropriation:

State Building Construction Account—State \$340,000

Appropriation:

State Building Construction Account—State \$4,756,000

Prior	Biennia	(Expenditures)
\$360,000		
Future Biennia (Projected Costs) \$0		
TOTAL	\$5,456,000	

NEW SECTION. Sec. 3225. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Springs Production Shift (30000723)

Reappropriation:

State Building Construction Account—State \$1,950,000

Prior	Biennia	(Expenditures)
\$2,120,000		
Future Biennia (Projected Costs) \$0		
TOTAL	\$4,070,000	

NEW SECTION. Sec. 3226. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation (30000727)

Reappropriation:

State Building Construction Account—State \$2,250,000

Prior	Biennia	(Expenditures)
\$6,980,000		
Future Biennia (Projected Costs) \$0		
TOTAL	\$9,230,000	

NEW SECTION. Sec. 3227. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Puget Sound and Adjacent Waters Nearshore Restoration - Match (30000753)

Reappropriation:

General Fund—Federal \$500,000

State Building Construction Account—State \$450,000

Subtotal Reappropriation \$950,000

Prior	Biennia	(Expenditures)
\$50,000		
Future Biennia (Projected Costs) \$0		
TOTAL	\$1,000,000	

NEW SECTION. Sec. 3228. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation (30000756)

Appropriation:

State Building Construction Account—State \$9,500,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,500,000

NEW SECTION. Sec. 3229. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Programmatic (30000782)

Appropriation:

State Building Construction Account—State \$2,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 3230. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Snow Creek Reconstruct Facility (30000826)

The appropriation in this section is subject to the following conditions and limitations: The department must submit the completed feasibility study report to the office of financial management and the legislature by October 1, 2018.

Appropriation:

State Building Construction Account—
State \$100,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$3,660,000
TOTAL \$3,760,000

NEW SECTION. Sec. 3231. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Forks Creek Hatchery - Renovate Intake
and Diversion (30000827)

Appropriation:

State Building Construction Account—
State \$2,425,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$0
TOTAL \$2,425,000

NEW SECTION. Sec. 3232. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Dungeness Hatchery - Replace Main
Intake (30000844)

Appropriation:

State Building Construction Account—
State \$615,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$2,921,000
TOTAL \$3,536,000

NEW SECTION. Sec. 3233. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

PSNERP Match (30000846)

Appropriation:

General Fund—Federal \$4,950,000

State Building Construction Account—
State \$3,590,000

Subtotal Appropriation \$8,540,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$428,676,000

TOTAL \$437,216,000

NEW SECTION. Sec. 3234. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Kalama Falls Hatchery Replace Raceways
and P A System (30000848)

Appropriation:

State Building Construction Account—
State \$816,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$6,463,000
TOTAL \$7,279,000

NEW SECTION. Sec. 3235. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act Federal Grant (91000021)

Reappropriation:

General Fund—Federal \$2,372,000

Prior Biennia (Expenditures) \$4,628,000
Future Biennia (Projected Costs) \$0
TOTAL \$7,000,000

NEW SECTION. Sec. 3236. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Hatchery Improvements (91000036)

Reappropriation:

State Building Construction Account—
State \$10,300,000

Prior Biennia (Expenditures) \$24,475,000
Future Biennia (Projected Costs) \$0
TOTAL \$34,775,000

NEW SECTION. Sec. 3237. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Access Sites (91000044)

Reappropriation:

State Building Construction Account—
State \$549,000

Prior Biennia (Expenditures) \$6,857,000
Future Biennia (Projected Costs) \$0
TOTAL \$7,406,000

NEW SECTION. Sec. 3238. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Lake Rufus Woods Fishing Access
(91000151)

Reappropriation:

State Building Construction Account—
State \$1,864,000

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$136,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

NEW SECTION. Sec. 3239. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Leque Island Highway 532 Road
Protection (92000019)

Reappropriation:

State Building Construction Account—
State \$304,000

Prior Biennia (Expenditures)
\$376,000

Future Biennia (Projected Costs) \$0

TOTAL \$680,000

NEW SECTION. Sec. 3240. FOR THE
DEPARTMENT OF FISH AND WILDLIFE

Clarks Creek Hatchery Rebuild
(92000038)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely to rebuild the Clarks creek (Puyallup) hatchery and fulfill Washington department of transportation mitigation requirements as agreed to with the Puyallup Indian nation for the widening of Interstate 5. The new hatchery must be devoted to salmon production. The department must relocate trout production to other hatcheries.

Reappropriation:

State Building Construction Account—
State \$9,267,000

Appropriation:

State Building Construction Account—
State \$6,350,000

Prior Biennia (Expenditures)
\$800,000

Future Biennia (Projected Costs) \$0

TOTAL \$16,417,000

NEW SECTION. Sec. 3241. FOR THE
DEPARTMENT OF NATURAL RESOURCES

Land Acquisition Grants (20052021)

Reappropriation:

General Fund—Federal \$2,000,000

Prior Biennia (Expenditures)
\$87,518,000

Future Biennia (Projected Costs) \$0

TOTAL \$89,518,000

NEW SECTION. Sec. 3242. FOR THE
DEPARTMENT OF NATURAL RESOURCES

Forest Legacy (30000060)

Reappropriation:

General Fund—Federal \$4,200,000

Appropriation:

General Fund—Federal \$15,000,000

Prior Biennia (Expenditures)
\$30,800,000

Future Biennia (Projected Costs)
\$60,000,000

TOTAL \$110,000,000

NEW SECTION. Sec. 3243. FOR THE
DEPARTMENT OF NATURAL RESOURCES

Sustainable Recreation (30000207)

Reappropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures)
\$6,600,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,100,000

NEW SECTION. Sec. 3244. FOR THE
DEPARTMENT OF NATURAL RESOURCES

Forest Hazard Reduction (30000224)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3230, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures)
\$13,700,000

Future Biennia (Projected Costs) \$0

TOTAL \$14,000,000

NEW SECTION. Sec. 3245. FOR THE
DEPARTMENT OF NATURAL RESOURCES

Blanchard Working Forest (30000231)

Reappropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,000,000
NEW SECTION. Sec. 3246. FOR THE DEPARTMENT OF NATURAL RESOURCES
 2015-2017 Minor Works Preservation (30000238)
 Reappropriation:
 State Building Construction Account—State \$885,000
 Prior Biennia (Expenditures) \$2,951,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,836,000
NEW SECTION. Sec. 3247. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Natural Areas Facilities Preservation and Access (30000241)
 Reappropriation:
 State Building Construction Account—State \$1,285,000
 Prior Biennia (Expenditures) \$1,815,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,100,000
NEW SECTION. Sec. 3248. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Road Maintenance and Abandonment Plan (RMAP) (30000261)
 Appropriation:
 State Building Construction Account—State \$2,302,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$13,000,000
 TOTAL \$15,302,000
NEW SECTION. Sec. 3249. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Fire Communications Base Stations & Mountain Top Repeaters (30000262)
 Appropriation:
 State Building Construction Account—State \$1,320,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$2,640,000

TOTAL \$3,960,000
NEW SECTION. Sec. 3250. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Sustainable Recreation (30000263)
 Appropriation:
 State Building Construction Account—State \$2,500,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$25,200,000
 TOTAL \$27,700,000
NEW SECTION. Sec. 3251. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Trust Land Replacement (30000264)
 Appropriation:
 Resources Management Cost Account—State \$30,000,000
 Natural Resources Real Property Replacement—State \$30,000,000
 Community and Technical College Forest Reserve
 Account—State \$1,000,000
 Subtotal Appropriation \$61,000,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$61,000,000
NEW SECTION. Sec. 3252. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Natural Areas Facilities Preservation and Access (30000266)
 Appropriation:
 State Building Construction Account—State \$2,000,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$8,000,000
 TOTAL \$10,000,000
NEW SECTION. Sec. 3253. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Puget SoundCorps (30000267)
 Appropriation:
 State Building Construction Account—State \$5,000,000
 Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,000,000

TOTAL \$25,000,000

NEW SECTION. Sec. 3254. FOR THE
DEPARTMENT OF NATURAL RESOURCES

Trust Land Transfer Program (30000269)

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

(1) The appropriation is provided solely to the department of natural resources to transfer from trust status certain trust lands of statewide significance deemed appropriate for state parks, fish and wildlife habitats, natural area preserves, natural resources conservation areas, department of natural resources community forest open spaces, or recreation purposes. The approved property for transfer is identified in the LEAP capital document no. 2017-2H, developed April 5, 2017.

(2) Property transferred under this section must be appraised and transferred at fair market value. By September 30, 2018, the department must deposit in the common school construction account the portion of the appropriation in this section that represents the estimated value of the timber on the transferred properties. This transfer must be made in the same manner as timber revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. The portion of the appropriation in this section that represents the value of the land transferred must be deposited in the natural resources real property replacement account.

(3) All reasonable costs incurred by the department to implement this section are authorized to be paid out of the appropriations. Authorized costs include the actual cost of appraisals, staff time, environmental reviews, surveys, and other similar costs, and may not exceed one and nine-tenths percent of the appropriation.

(4) By June 30, 2018, land within the common school trust shall be exchanged for land of equal value held for other trust beneficiaries of the property identified in subsection (1) of this section.

(5) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the

transferred properties to the purposes identified in subsection (1) of this section. Fee transfer agreements for properties identified in subsection (1) of this section must include terms that perpetually restrict the use of the property to the intended purpose. Transfer agreements may include provisions for receiving agencies to request alternative uses of the property, provided the alternative uses are compatible with the originally intended public purpose and the department and legislature approves such uses.

(6) The department shall work in good faith to carry out the intent of this section.

(7) By June 30, 2019, the state treasurer shall transfer to the common school construction account any unexpended balance of the appropriation in this section.

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3255. FOR THE
DEPARTMENT OF NATURAL RESOURCES

State Forest Land Replacement
(30000277)

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

(1) \$60,000 of the appropriation is provided solely for the department to assess options to replace timber trust revenues for counties with populations of twenty-five thousand or fewer that are subject to timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act. The department must consult with the qualifying counties and other stakeholders in conducting the assessment. The department shall report the findings of its assessment, including recommendations for addressing decreased revenues from state forestlands and improving the forest products economy in the qualifying counties, by December 15, 2017.

(2)(a) The remaining portion of the appropriation is provided solely to the

department to transfer from state forestland status to natural resources conservation area status certain state forestlands in counties:

(i) With a population of twenty-five thousand or fewer; and

(ii) With risks of timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act.

(b) This appropriation must be used equally for the transfer of qualifying state forestlands in the qualifying counties.

(3) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110. The value of the land transferred must be deposited in the park land trust revolving account and be used solely to buy replacement state forestland, consistent with RCW 79.22.060.

(4) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (2) of this section. Transfer agreements for properties identified in subsection (2) of this section must include terms that restrict the use of the property to the intended purpose.

(5) The department and applicable counties shall work in good faith to carry out the intent of this section. The department will identify eligible properties for transfer, consistent with subsections (2) and (3) of this section, in consultation with the applicable counties, and will not execute any property transfers that are not in the statewide interest of either the state forest trust or the natural resources conservation area program.

Appropriation:

State Building Construction Account—
State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

NEW SECTION. Sec. 3256. FOR THE DEPARTMENT OF NATURAL RESOURCES

2017-2019 Minor Works Preservation (30000278)

Appropriation:

State Building Construction Account—
State \$3,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,800,000

NEW SECTION. Sec. 3257. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forestry Riparian Easement Program (FREP) (30000279)

Appropriation:

State Building Construction Account—
State \$3,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$27,000,000

TOTAL \$30,500,000

NEW SECTION. Sec. 3258. FOR THE DEPARTMENT OF NATURAL RESOURCES

Rivers and Habitat Open Space Program (RHOSP) (30000284)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$14,400,000

TOTAL \$15,400,000

NEW SECTION. Sec. 3259. FOR THE DEPARTMENT OF NATURAL RESOURCES

2017-2019 Minor Works Programmatic (30000287)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$2,990,000

TOTAL \$3,990,000

NEW SECTION. Sec. 3260. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forest Hazard Reduction (30000290)

The appropriation in this section is subject to the following conditions and limitations: Pursuant to Engrossed Second Substitute House Bill No. 1711 (forest health treatments), \$450,000 of the appropriation is provided solely for planning and analysis to support a prioritized list of forest health treatments, and that is the maximum amount the department may expend for this purpose.

Appropriation:

State Building Construction Account—
State \$13,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$78,000,000
TOTAL	\$91,000,000

NEW SECTION. Sec. 3261. FOR THE DEPARTMENT OF NATURAL RESOURCES

Road Maintenance and Abandonment Plan (91000040)

Reappropriation:

State Building Construction Account—
State \$1,161,000

Prior Biennia (Expenditures)	\$10,673,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,834,000

NEW SECTION. Sec. 3262. FOR THE DEPARTMENT OF NATURAL RESOURCES

Federal ESA Mitigation Grants (91000087)

Appropriation:

General Fund—Federal	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 3263. FOR THE DEPARTMENT OF NATURAL RESOURCES

Statewide Stormwater & Impervious Surface Study (91000088)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department, in consultation with the Washington State University-Puyallup research and extension center, to conduct

a statewide stormwater and impervious surface study of its facilities. The department shall report its findings and recommendations, including a statewide strategy to mitigate impacts of stormwater and impervious surfaces of its facilities in the most cost-effective manner, by December 1, 2018.

Appropriation:

State Building Construction Account—
State \$250,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 3264. FOR THE DEPARTMENT OF NATURAL RESOURCES

Public School Seismic Safety Assessment (91000091)

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

(1) The department, in consultation with the office of emergency management, the office of the superintendent of public instruction, and the state board of education, shall develop a prioritized seismic risk assessment that includes seismic safety surveys of public facilities that are subject to high seismic risk as a consequence of high earthquake hazard and soils that amplify that hazard. The seismic safety surveys must be conducted for the following types of public facilities in the following order:

(a) Facilities that have a capacity of two hundred fifty or more persons and are routinely used for student activities by kindergarten through twelfth grade public schools; and

(b) Fire stations located within a one-mile radius of a facility described in subsection (1)(a) of this section.

(2) The initial phase of the prioritized seismic needs assessment of the facilities specified in subsections (1)(a) and (b) shall include, but is not limited to, the following:

(a) An on-site assessment, under the supervision of licensed geologists, of the seismic site class of the soils at the facilities;

(b) An on-site inspection of the facility buildings, including structural systems using structural plans where

available, condition, maintenance, and nonstructural seismic hazards following standardized methods by licensed structural engineers;

(c) An estimate of costs to retrofit facilities specified in subsection (1) (a) of this section to life safety standards as defined by the American society of civil engineers; and

(d) An estimate of costs to retrofit facilities specified in subsection (1) (b) of this section to immediate occupancy standards as defined by the American society of civil engineers.

(3) The department shall develop geographic information system databases of survey data and must share that data with the governor, the superintendent of public instruction, and the appropriate legislative committees.

(4) The statewide seismic needs assessment specified in this section shall be submitted to the office of financial management and the appropriate committees of the legislature by December 1, 2018.

Appropriation:

State Building Construction Account—
State \$1,200,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,200,000

NEW SECTION. Sec. 3265. FOR THE DEPARTMENT OF AGRICULTURE

Craft Brewing and Distilling Center (91000006)

Appropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$500,000

PART 4

TRANSPORTATION

NEW SECTION. Sec. 4001. FOR THE WASHINGTON STATE PATROL

FTA Access Road Reconstruction (30000059)

Reappropriation:

Fire Service Training Account—
State \$760,000

Prior Biennia (Expenditures)
\$140,000

Future Biennia (Projected Costs) \$0

TOTAL \$900,000

NEW SECTION. Sec. 4002. FOR THE WASHINGTON STATE PATROL

Fire Training Academy Stormwater Remediation (30000030)

Appropriation:

Fire Service Training Account—
State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

NEW SECTION. Sec. 4003. FOR THE WASHINGTON STATE PATROL

FTA Campus Communication Infrastructure Improvement (30000101)

Reappropriation:

Fire Service Training Account—
State \$212,000

Prior Biennia (Expenditures)
\$188,000

Future Biennia (Projected Costs) \$0

TOTAL \$400,000

PART 5

EDUCATION

NEW SECTION. Sec. 5001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2007-09 School Construction Assistance Grant Program (20084200)

Reappropriation:

Common School Construction Account—
State \$105,000

Prior Biennia (Expenditures)
\$747,218,000

Future Biennia (Projected Costs) \$0

TOTAL \$747,323,000

NEW SECTION. Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Northeast King County Skills Center (20084855)

Reappropriation:

School Construction and Skill Centers Building

Account-State \$41,000

Prior Biennia (Expenditures)
\$8,163,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,204,000

NEW SECTION. Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Pierce County Skills Center (20084856)

Reappropriation:

State Building Construction Account-State \$801,000

Prior Biennia (Expenditures)
\$34,743,000

Future Biennia (Projected Costs) \$0

TOTAL \$35,544,000

NEW SECTION. Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2009-11 School Construction Assistance Grant Program (30000031)

Reappropriation:

Common School Construction Account-State \$130,000

Prior Biennia (Expenditures)
\$389,439,000

Future Biennia (Projected Costs) \$0

TOTAL \$389,569,000

NEW SECTION. Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2011-13 School Construction Assistance Program (30000071)

Reappropriation:

Common School Construction Account-State \$1,267,000

Prior Biennia (Expenditures)
\$528,761,000

Future Biennia (Projected Costs) \$0

TOTAL \$530,028,000

NEW SECTION. Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

SEA-Tech Branch Campus of Tri-Tech Skills Center (30000078)

Reappropriation:

State Building Construction Account-State \$47,000

Prior Biennia (Expenditures)
\$11,470,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,517,000

NEW SECTION. Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Grant County Branch Campus of Wenatchee Valley Skills Center (30000091)

Reappropriation:

State Building Construction Account-State \$64,000

Prior Biennia (Expenditures)
\$19,144,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,208,000

NEW SECTION. Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Clark County Skills Center (30000093)

Reappropriation:

State Building Construction Account-State \$117,000

Prior Biennia (Expenditures)
\$7,784,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,901,000

NEW SECTION. Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2013-15 School Construction Assistance Program - Maintenance (30000145)

Reappropriation:

State Building Construction Account-State \$40,220,000

Prior Biennia (Expenditures)
\$347,162,000

Future Biennia (Projected Costs) \$0

TOTAL \$387,382,000

NEW SECTION. Sec. 5010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Tri-Tech Skills Center East Growth (30000159)

Reappropriation:

State Building Construction Account-State \$1,702,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,702,000

NEW SECTION. Sec. 5011. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2015-17 School Construction Assistance Program (30000169)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5013, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$119,576,000

Common School Construction Account—State \$209,150,000

Subtotal Reappropriation \$328,726,000

Prior Biennia (Expenditures) \$225,410,000

Future Biennia (Projected Costs) \$0

TOTAL \$554,136,000

NEW SECTION. Sec. 5012. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Emergency Repairs and Equal Access Grants for K-12 Public Schools (30000182)

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

(1) \$2,000,000 of the common school construction account—state appropriation is provided solely for emergency repair grants to address unexpected and imminent health and safety hazards at K-12 public schools, including skill centers, that will impact the day-to-day operations of the school facility, and this is the maximum amount that may be spent for this purpose. For emergency repair grants only, an emergency declaration must be signed by the school district board of directors and submitted to the superintendent of public instruction for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable.

(2) \$3,000,000 of the state building construction account—state appropriation

is provided solely for urgent repair grants to address non-reoccurring urgent small repair projects at K-12 public schools, excluding skill centers, that could impact the health and safety of students and staff if not completed, and this is the maximum amount that may be spent for this purpose. The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts, shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) Limiting school districts to one grant, not to exceed \$200,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a comprehensive description of the health and safety issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Grants may be used for, but are not limited to: Repair or replacement of failing building systems; abatement of potentially hazardous materials; and safety-related structural improvements.

(3) \$1,000,000 of the state building construction account—state appropriation is provided solely for equal access grants for facility repairs and alterations at K-12 public schools, including skills centers, to improve compliance with the Americans with disabilities act and individuals with disabilities education act, and this is the maximum amount that may be spent for this purpose. The superintendent of public instruction shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) Limiting districts to one grant, not to exceed \$100,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring recipient districts to demonstrate a consistent commitment to addressing school facility needs. The

grant applications must include a description of the Americans with disabilities act or individuals with disabilities education act compliance deficiency, a comprehensive description of the facility accessibility issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Priority for grant funding must be given to school districts that demonstrate a lack of capital resources to address the compliance deficiencies outlined in the grant application.

(4) The superintendent of public instruction must notify the office of financial management, the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as projects described in subsection (1) of this section are approved for funding.

Appropriation:

State Building Construction Account—
State \$4,000,000

Common School Construction Account—
State \$2,000,000

Subtotal Appropriation \$6,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,000,000

TOTAL \$36,000,000

NEW SECTION. Sec. 5013. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION

Healthy Kids / Healthy Schools
(30000184)

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

(1) The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts and the department of health, shall develop criteria for providing funding for specific projects that are consistent with the healthiest next generation priorities. The criteria must include, but are not limited to, the following:

(a) Districts or schools may apply for grants but no single district may receive more than \$200,000 of the appropriation;

(b) Any district receiving funding provided in this section must demonstrate a consistent commitment to addressing school facilities' needs; and

(c) Applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program must be prioritized.

(2) A maximum of \$1,000,000 of the appropriation may be used for the replacement of lead-contaminated drinking water fixtures.

(3) A maximum of \$1,000,000 of the appropriation may be used to purchase equipment or make repairs related to improving children's physical health and may include, but is not limited to: Fitness playground equipment, covered play areas, and physical education equipment or related structures or renovation.

(4) A maximum of \$250,000 of the appropriation may be used to purchase equipment or make repairs related to improving children's awareness and participation in sustaining efficient schools and may include, but is not limited to: Dashboards that display energy savings, composting systems, and recycling stations.

(5) The remaining portion of the appropriation is provided solely for the apple a day grant program specified in chapter . . . (Engrossed House Bill No. 1551), Laws of 2017.

(6) If the bill referenced in subsection (5) of this section is not enacted by June 30, 2017, the amount provided in subsection (5) is provided solely to purchase equipment or make repairs related to improving children's nutrition and may include, but is not limited to: Garden related structures and greenhouses to provide students access to fresh produce, and kitchen equipment or upgrades.

Appropriation:

Common School Construction Account—
State \$3,250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$24,000,000

TOTAL \$27,250,000

NEW SECTION. Sec. 5014. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION

Skill Centers - Minor Works (30000187)

Appropriation:

School Construction and Skill Centers Building

Account-State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 5015. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

STEM Classrooms and Labs (30000203)

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

(1) \$2,000,000 of the appropriation is provided solely for Everett public schools to modernize the vocational building at Everett high school to house the pathway to medical professions program.

(2) \$2,800,000 of the appropriation is provided solely for the Federal Way school district to merge STEM facilities.

(3) \$200,000 of the appropriation is provided solely for the contract with the statewide STEM organization described in subsection (6) of this section.

(4) The remaining portion of the appropriation in this section is provided solely for the superintendent of public instruction to provide STEM classrooms and labs grants to school districts for public school facilities serving students in grades nine through twelve, or any combination thereof, to construct classrooms, or labs, as additions to existing school buildings or to modernize specialized STEM facilities.

(5) The superintendent shall award grants to school districts under the following conditions:

(a) Districts eligible to receive STEM classrooms and labs grants include:

(i) Districts that demonstrate a lack of sufficient space of STEM classrooms or labs to provide opportunities for students to meet statutory graduation requirements;

(ii) Districts that demonstrate that their current STEM classrooms or labs are insufficient to provide opportunities for students to meet statutory graduation requirements;

(iii) Districts that have not received state capital funding assistance in the

previous ten years for the STEM classrooms or labs project proposals; and

(iv) Districts that have secured private donations of cash, like-kind, or equipment in a value of no less than \$100,000. Prior to receiving grant funding, the district must provide verification of the donation to the superintendent within ninety days of notification of grant award.

(b) Allowable project costs under the grant program include design, renovation, or modernization of existing science labs or classrooms; project management costs; furnishings, fixtures, and equipment; and necessary utility and information technology systems upgrades to support specialized STEM facilities.

(c) At least one grant award is made to school districts located in southwest Washington;

(d) At least one grant award is made to school districts located in the Puget Sound region; and

(e) At least two grant awards are made to school districts located east of the crest of the Cascade mountain range.

(6) The STEM classrooms and labs grants program must be administered by the superintendent of public instruction in consultation with the STEM education innovation alliance specified in RCW 28A.188.030 and the statewide STEM organization specified in RCW 28A.188.050. The superintendent of public instruction must develop grant application materials and criteria in consultation with the statewide STEM organization, must review applications for accuracy and financial reasonableness, and must administer awarded grants. With funding specifically appropriated for this purpose, the superintendent of public instruction must contract with the statewide STEM organization specified in RCW 28A.188.050 to evaluate applications against the criteria developed for the program and develop a single prioritized list. The superintendent of public instruction must award grants within the appropriated funding and may depart from the recommended prioritized list only after consulting with the office of financial management and the appropriate committees of the legislature. The criteria must include, but are not limited to, the following:

(a) Priority for school districts that have experienced decreased enrollments of

more than ten percent over the previous five year period due to interdistrict transfers to schools with STEM facilities constructed or modernized in that same period of time;

(b) Priority for applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program;

(c) Economic conditions within the school district that limits their ability to finance the modernization of STEM classrooms and labs from local funding sources;

(d) Educational benefits of proposed projects;

(e) Age and condition of existing STEM classroom and lab space, if applicable;

(f) The extent that existing STEM facilities are inadequate including the lack of adequate STEM facilities to meet graduation requirements in RCW 28A.150.220;

(g) Financial reasonableness based on total project cost per square foot; and

(h) Demonstration of readiness to proceed that may include, but is not limited to:

(i) A demonstration that existing STEM faculty are in place and are qualified to deliver an interactive, project-based STEM curriculum in the proposed specialized STEM facilities; or

(ii) A plan and budget in place to recruit or train such STEM faculty.

(7) For purposes of grant applications made in the 2017-2019 biennium, additional square footage funded through this grant program is excluded from the school district's inventory of available educational space for determining eligibility for state assistance for new construction until the earlier of:

(a) Five years following acceptance of the project by the school district board of directors; or

(b) The date of the final review of the latest study and survey of the affected school district following acceptance of the project by the school district board of directors.

(8) Each school district is limited to one grant award, which may be used for more than one school facility within the district, of no more than \$2,000,000.

(9) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(10) The superintendent of public instruction must report to the appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

Appropriation:

State Building Construction Account—	
State	\$15,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$80,000,000
TOTAL	\$95,000,000

NEW SECTION. Sec. 5016. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2017-19 School Construction Assistance Program (40000003)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,005,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for all public school districts every six years.

(2) The office of the superintendent of public instruction shall calculate school district square footage eligible for state funds under this appropriation at the rate of one-hundred and ten square feet per student in kindergarten through the sixth grade.

Appropriation:

State Building Construction Account—	
State	\$851,157,000
Common School Construction Account—	
State	\$178,222,000
Common School Construction Account—	
Federal	\$3,000,000
School Construction and Skill Centers	
Building	
Account—State	\$1,559,000
Subtotal	Appropriation
	\$1,033,938,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs)
\$5,136,856,000

TOTAL \$6,170,794,000

NEW SECTION. Sec. 5017. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Capital Program Administration (40000007)

Appropriation:

Common School Construction Account—State \$3,100,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$13,097,000

TOTAL \$16,197,000

NEW SECTION. Sec. 5018. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

STEM Pilot Program (91000402)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5026, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$10,556,000

Prior Biennia (Expenditures) \$1,944,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,500,000

NEW SECTION. Sec. 5019. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Distressed Schools (91000404)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5027, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$10,000,000

Prior Biennia (Expenditures) \$5,000,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,000,000

NEW SECTION. Sec. 5020. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Healthy Kids - Healthy Schools Grants (91000406)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5014, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$2,071,000

Prior Biennia (Expenditures) \$2,929,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 5021. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Career and Technical Education Equipment Grants (91000408)

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

(1) \$72,000 of the appropriation is provided solely for the Bellevue school district for career and technical education equipment.

(2) \$50,000 of the appropriation is provided solely for the Issaquah school district for career and technical education equipment.

(3) The remaining portion of the appropriation in this section is provided solely for the superintendent of public instruction to provide career and technical education equipment grants to school districts. The office of the superintendent of public instruction, after consulting with school districts and the workforce training and education coordinating board, shall develop criteria for providing funding and outcomes for specific projects to stay within the appropriation level provided in this section consistent with the following priorities. The criteria must include, but are not limited to, the following:

(a) Districts or schools must demonstrate that the request provides necessary equipment to deliver career and technical education;

(b) districts or schools must demonstrate a consistent commitment to maintaining school facilities and equipment by participating in the asset preservation program administered by the office of the superintendent of public instruction; and

(c) prioritizing applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(4) The superintendent must award grants to applicants on a first-come, first-serve basis if the district or school demonstrates that the request meets the criteria set by the office of superintendent of public instruction as described in subsection (3) of this section and the site is prepared to receive the equipment.

(5) No single district may receive more than \$100,000 of the appropriation.

Appropriation:

Common School Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 5022. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION

Distressed Schools (91000409)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for renovations of no more than three elementary schools for school districts with enrollment exceeding forty-five thousand full-time equivalent students.

Appropriation:

State Building Construction Account—
State \$15,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$15,000,000

NEW SECTION. Sec. 5023. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION

Small Rural School District
Construction Assistance Grants (91000410)

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

(1) The appropriation in this section is provided solely for small rural school district construction assistance grants specified in section 1, chapter . . . (Substitute Senate Bill No. 5453), Laws of 2017 to provide state assistance for modernizing public school facilities for

school districts with enrollments that are less than or equal to one thousand full-time equivalent students.

(2) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering grants under subsection (1) of this section.

(3) If the bill referenced in subsection (1) of this section is not enacted by June 30, 2017, the amount provided in this section shall lapse.

Appropriation:

State Building Construction Account—
State \$15,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$15,000,000

NEW SECTION. Sec. 5024. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION

Wenatchee Valley Skills Center
(92000004)

Reappropriation:

State Building Construction Account—
State \$331,000

Prior Biennia (Expenditures)
\$9,169,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,500,000

NEW SECTION. Sec. 5025. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION

NEWTECH (Spokane Area Professional-
Technical Skills Center) (92000005)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5020, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$436,000

Prior Biennia (Expenditures)
\$21,401,000

Future Biennia (Projected Costs) \$0

TOTAL \$21,837,000

NEW SECTION. Sec. 5026. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION

Puget Sound Skills Center (92000007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5021, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$9,071,000

Prior Biennia (Expenditures)
\$11,862,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,933,000

NEW SECTION. Sec. 5027. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center
Sunnyside Satellite (92000013)

Reappropriation:

State Building Construction Account—
State \$244,000

Prior Biennia (Expenditures)
\$5,981,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,225,000

NEW SECTION. Sec. 5028. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

K-3 Class-size Reduction Grants
(92000039)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5028, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$213,943,000

Prior Biennia (Expenditures)
\$20,557,000

Future Biennia (Projected Costs) \$0

TOTAL \$234,500,000

NEW SECTION. Sec. 5029. FOR THE STATE SCHOOL FOR THE BLIND

General Campus Preservation (30000088)

Reappropriation:

State Building Construction Account—
State \$117,000

Prior Biennia (Expenditures)
\$523,000

Future Biennia (Projected Costs) \$0

TOTAL \$640,000

NEW SECTION. Sec. 5030. FOR THE STATE SCHOOL FOR THE BLIND

2017-19 Campus Preservation (30000100)

Appropriation:

State Building Construction Account—
State \$570,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$2,755,000

TOTAL \$3,325,000

NEW SECTION. Sec. 5031. FOR THE STATE SCHOOL FOR THE BLIND

Independent Living Skills Center
(30000107)

Appropriation:

State Building Construction Account—
State \$50,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$50,000

NEW SECTION. Sec. 5032. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

2017-19 Minor Public Works (30000029)

Appropriation:

State Building Construction Account—
State \$307,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,000,000

TOTAL \$4,307,000

NEW SECTION. Sec. 5033. FOR THE UNIVERSITY OF WASHINGTON

Burke Museum (20082850)

Reappropriation:

State Building Construction Account—
State \$10,000,000

Appropriation:

State Building Construction Account—
State \$24,200,000

Prior Biennia (Expenditures)
\$19,800,000

Future Biennia (Projected Costs) \$0

TOTAL \$54,000,000

NEW SECTION. Sec. 5034. FOR THE
UNIVERSITY OF WASHINGTON

UW Bothell (30000378)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits.

(2) The appropriation in this section is provided solely for design for the building that may be delivered using design-build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance.

(3) Criteria for selecting the design-build contractor must include life cycle costs, energy costs, or energy use index. Contractors and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business.

(4) The building must be built using sustainable building standards as defined in section 7009 of this act.

Reappropriation:

State Building Construction Account—
State \$120,000

Appropriation:

State Building Construction Account—
State \$3,000,000

Prior Biennia (Expenditures)
\$380,000

Future Biennia (Projected Costs)
\$51,000,000

TOTAL \$54,500,000

NEW SECTION. Sec. 5035. FOR THE
UNIVERSITY OF WASHINGTON

Health Sciences Education - T-Wing
Renovation/Addition (30000486)

Reappropriation:

State Building Construction Account—
State \$150,000

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures)
\$473,000

Future Biennia (Projected Costs)
\$55,000,000

TOTAL \$60,623,000

NEW SECTION. Sec. 5036. FOR THE
UNIVERSITY OF WASHINGTON

School of Nursing Simulation Learning
Lab (30000600)

Reappropriation:

State Building Construction Account—
State \$850,000

Prior Biennia (Expenditures)
\$3,150,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 5037. FOR THE
UNIVERSITY OF WASHINGTON

Health Sciences Interprofessional
Education Classroom (30000602)

Reappropriation:

State Building Construction Account—
State \$350,000

Prior Biennia (Expenditures)
\$2,360,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,710,000

NEW SECTION. Sec. 5038. FOR THE
UNIVERSITY OF WASHINGTON

Computer Science and Engineering
Expansion (30000603)

Reappropriation:

State Building Construction Account—
State \$10,895,000

University of Washington Building
Account—State \$15,000,000

Subtotal Reappropriation \$25,895,000

Appropriation:

University of Washington Building
Account—State \$7,500,000

Prior Biennia (Expenditures)
\$6,605,000

Future Biennia (Projected Costs) \$0

TOTAL \$40,000,000

NEW SECTION. Sec. 5039. FOR THE UNIVERSITY OF WASHINGTON

UW Minor Capital Repairs - Preservation (30000604)

Reappropriation:

University of Washington Building Account-State \$5,000,000

Prior Biennia (Expenditures) \$23,175,000

Future Biennia (Projected Costs) \$0

TOTAL \$28,175,000

NEW SECTION. Sec. 5040. FOR THE UNIVERSITY OF WASHINGTON

2017-19 Minor Works - Preservation (30000736)

Appropriation:

University of Washington Building Account-State \$28,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$304,108,000

TOTAL \$332,108,000

NEW SECTION. Sec. 5041. FOR THE UNIVERSITY OF WASHINGTON

UW Major Infrastructure (30000808)

Appropriation:

State Building Construction Account-State \$3,000,000

University of Washington Building Account-State \$11,500,000

Subtotal Appropriation \$14,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$30,000,000

TOTAL \$44,500,000

NEW SECTION. Sec. 5042. FOR THE UNIVERSITY OF WASHINGTON

Population Health Sciences Building (30000811)

Appropriation:

State Building Construction Account-State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 5043. FOR THE UNIVERSITY OF WASHINGTON

Ctr for Advanced Materials and Clean Energy Research Test Beds (91000016)

Reappropriation:

State Building Construction Account-State \$3,270,000

Appropriation:

State Building Construction Account-State \$12,500,000

Prior Biennia (Expenditures) \$5,730,000

Future Biennia (Projected Costs) \$0

TOTAL \$21,500,000

NEW SECTION. Sec. 5044. FOR THE UNIVERSITY OF WASHINGTON

Preventive Facility Maintenance and Building System Repairs (91000019)

Appropriation:

University of Washington Building Account-State \$25,825,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$103,300,000

TOTAL \$129,125,000

NEW SECTION. Sec. 5045. FOR THE UNIVERSITY OF WASHINGTON

UW Tacoma Campus Soil Remediation (92000002)

Reappropriation:

State Toxics Control Account \$400,000

Appropriation:

State Toxics Control Account-State \$1,000,000

Prior Biennia (Expenditures) \$5,600,000

Future Biennia (Projected Costs) \$8,500,000

TOTAL \$15,500,000

NEW SECTION. Sec. 5046. FOR THE WASHINGTON STATE UNIVERSITY

WSU Pullman - Troy Hall Renovation (20061030)

Reappropriation:

State Building Construction Account—
State \$4,500,000

Washington State University Building
Account—State \$500,000

Subtotal Reappropriation \$5,000,000

Prior Biennia (Expenditures)
\$27,303,000

Future Biennia (Projected Costs) \$0

TOTAL \$32,303,000

NEW SECTION. Sec. 5047. FOR THE
WASHINGTON STATE UNIVERSITY

Washington State University Pullman -
Plant Sciences Building (REC#5) (30000519)

Reappropriation:

Washington State University Building
Account—State \$3,600,000

Prior Biennia (Expenditures)
\$3,500,000

Future Biennia (Projected Costs)
\$58,900,000

TOTAL \$66,000,000

NEW SECTION. Sec. 5048. FOR THE
WASHINGTON STATE UNIVERSITY

Washington State University Vancouver -
Life Sciences Building (30000840)

Appropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$58,500,000

TOTAL \$59,000,000

NEW SECTION. Sec. 5049. FOR THE
WASHINGTON STATE UNIVERSITY

2015-17 Minor Works - Preservation
(30001188)

Reappropriation:

Washington State University Building
Account—State \$1,000,000

Prior Biennia (Expenditures)
\$26,000,000

Future Biennia (Projected Costs) \$0

TOTAL \$27,000,000

NEW SECTION. Sec. 5050. FOR THE
WASHINGTON STATE UNIVERSITY

Washington State University Tri-Cities
- Academic Building (30001190)

Reappropriation:

Washington State University Building
Account—State \$50,000

Appropriation:

State Building Construction Account—
State \$3,000,000

Prior Biennia (Expenditures)
\$350,000

Future Biennia (Projected Costs)
\$27,000,000

TOTAL \$30,400,000

NEW SECTION. Sec. 5051. FOR THE
WASHINGTON STATE UNIVERSITY

Global Animal Health Building
(30001322)

Appropriation:

State Building Construction Account—
State \$38,100,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$21,300,000

TOTAL \$59,400,000

NEW SECTION. Sec. 5052. FOR THE
WASHINGTON STATE UNIVERSITY

Washington State University Pullman -
STEM Teaching Labs (30001326)

Appropriation:

Washington State University Building

Account—State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$19,600,000

TOTAL \$20,600,000

NEW SECTION. Sec. 5053. FOR THE
WASHINGTON STATE UNIVERSITY

2017-19 Minor Works - Preservation
(MCR) (30001342)

Appropriation:

Washington State University Building
Account—State \$28,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$28,000,000

NEW SECTION. Sec. 5054. FOR THE
WASHINGTON STATE UNIVERSITY

Everett University Center (91000026)

Reappropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures)
\$59,563,000

Future Biennia (Projected Costs) \$0

TOTAL \$64,563,000

NEW SECTION. Sec. 5055. FOR THE
WASHINGTON STATE UNIVERSITY

Preventive Facility Maintenance and
Building System Repairs (91000037)

Appropriation:

Washington State University Building

Account—State \$10,115,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,115,000

NEW SECTION. Sec. 5056. FOR THE
WASHINGTON STATE UNIVERSITY

Joint Center for Deployment and
Research in Earth Abundant Materials
(91000039)

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

(1) Funding is provided solely for
capital improvements, infrastructure, and
equipment, to support: (a) A
transformative program in earth-abundant
materials to accelerate the development of
next generation clean energy and
transportation technologies in
Washington; (b) a coordinated framework
and resources that can facilitate and
promote multi-institution collaborations
to drive research, development, and
deployment efforts in the use of earth-
abundant materials for manufactured clean
technologies or recycling of advanced
materials used in clean technologies; and
(c) environmentally responsible processes
in the areas of manufacturing and
recycling of advanced materials used in
clean technologies.

(2) Administration of the appropriation
is under the authority of Washington State
University in collaboration with the
University of Washington. Washington State
University and the University of
Washington, in consultation with the
regional universities, the Pacific

Northwest national laboratory, and
industry experts, shall develop criteria
for providing grant funding for specific
projects at public four-year institutions
of higher education to stay within the
appropriation level provided in this
section. Funding for administrative
offices may be provided for administrative
offices west of the crest of the Cascade
mountains only.

(3) The office of the state treasurer
must manage the issuance of bonds
associated with these grants so as to
incur the lowest possible cost of funds in
recognition of the short useful life of
the equipment purchased with the bond
proceeds.

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 5057. FOR THE
EASTERN WASHINGTON UNIVERSITY

Infrastructure Renewal I (30000506)

Reappropriation:

State Building Construction Account—
State \$4,500,000

Prior Biennia (Expenditures)
\$5,449,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,949,000

NEW SECTION. Sec. 5058. FOR THE
EASTERN WASHINGTON UNIVERSITY

Minor Works - Facility Preservation
(30000513)

Reappropriation:

Eastern Washington University Capital
Projects

Account—State \$2,000,000

Prior Biennia (Expenditures)
\$4,017,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,017,000

NEW SECTION. Sec. 5059. FOR THE
EASTERN WASHINGTON UNIVERSITY

Minor Works - Program (30000516)

Reappropriation:

Eastern Washington University Capital
Projects

Account-State \$500,000
 Prior Biennia (Expenditures)
 \$1,000,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,500,000

NEW SECTION. Sec. 5060. FOR THE
EASTERN WASHINGTON UNIVERSITY

Engineering Building (30000556)

Appropriation:

Eastern Washington University Capital
Projects

Account-State \$345,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$56,695,000
 TOTAL \$57,040,000

NEW SECTION. Sec. 5061. FOR THE
EASTERN WASHINGTON UNIVERSITYInterdisciplinary Science Center
(30000558)

Appropriation:

State Building Construction Account-
State \$67,009,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$67,009,000

NEW SECTION. Sec. 5062. FOR THE
EASTERN WASHINGTON UNIVERSITYPreventative Maintenance/Backlog
Reduction (30000615)

Appropriation:

Eastern Washington University Capital
Projects

Account-State \$2,217,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,217,000

NEW SECTION. Sec. 5063. FOR THE
EASTERN WASHINGTON UNIVERSITYMinor Works - Facility Preservation
(91000019)

Appropriation:

Eastern Washington University Capital
Projects

Account-State \$7,500,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$21,000,000
 TOTAL \$28,500,000

NEW SECTION. Sec. 5064. FOR THE
EASTERN WASHINGTON UNIVERSITY

Minor Works - Program (91000021)

Appropriation:

Eastern Washington University Capital
Projects

Account-State \$1,655,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$21,000,000
 TOTAL \$22,655,000

NEW SECTION. Sec. 5065. FOR THE
CENTRAL WASHINGTON UNIVERSITYSamuelson Communication and Technology
Center (SCTC) (30000451)

Reappropriation:

State Building Construction Account-
State \$29,084,000

Prior Biennia (Expenditures)
 \$31,957,000

Future Biennia (Projected Costs) \$0
 TOTAL \$61,041,000

NEW SECTION. Sec. 5066. FOR THE
CENTRAL WASHINGTON UNIVERSITY

Nutrition Science (30000456)

Reappropriation:

State Building Construction Account-
State \$1,522,000

Prior Biennia (Expenditures)
 \$3,078,000

Future Biennia (Projected Costs) \$0
 TOTAL \$4,600,000

NEW SECTION. Sec. 5067. FOR THE
CENTRAL WASHINGTON UNIVERSITY

Minor Works Preservation (30000684)

Reappropriation:

State Building Construction Account-
State \$400,000

Central Washington University Capital Projects

Prior Biennia (Expenditures) \$4,400,000

Account-State \$400,000

Subtotal Reappropriation \$800,000

Prior Biennia (Expenditures) \$5,135,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,935,000

NEW SECTION. Sec. 5068. FOR THE CENTRAL WASHINGTON UNIVERSITY

Bouillon Hall Renovation (30000711)

Reappropriation:

State Building Construction Account-State \$500,000

Prior Biennia (Expenditures) \$4,477,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,977,000

NEW SECTION. Sec. 5069. FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works Program (30000723)

Reappropriation:

Central Washington University Capital Projects

Account-State \$300,000

Prior Biennia (Expenditures) \$3,477,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,777,000

NEW SECTION. Sec. 5070. FOR THE CENTRAL WASHINGTON UNIVERSITY

Lind Hall Renovation (30000738)

Reappropriation:

State Building Construction Account-State \$500,000

Prior Biennia (Expenditures) \$4,400,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,900,000

NEW SECTION. Sec. 5071. FOR THE CENTRAL WASHINGTON UNIVERSITY

Old Heat - Plant Annex (30000767)

Reappropriation:

State Building Construction Account-State \$500,000

Prior Biennia (Expenditures) \$4,400,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,900,000

NEW SECTION. Sec. 5072. FOR THE CENTRAL WASHINGTON UNIVERSITY

Energy Efficiency Systems (30000772)

Appropriation:

State Building Construction Account-State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$16,000,000

TOTAL \$26,000,000

NEW SECTION. Sec. 5073. FOR THE CENTRAL WASHINGTON UNIVERSITY

Aviation Degree Expansion (30000780)

Appropriation:

State Building Construction Account-State \$2,900,000

Central Washington University Capital Projects

Account-State \$7,000,000

Subtotal Appropriation \$9,900,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$9,900,000

NEW SECTION. Sec. 5074. FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works Preservation (30000783)

Appropriation:

Central Washington University Capital Projects

Account-State \$7,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$33,915,000

TOTAL \$41,415,000

NEW SECTION. Sec. 5075. FOR THE CENTRAL WASHINGTON UNIVERSITY

Preventive Facility Maintenance and Building System Repairs (91000017)

Appropriation:

Central Washington University Capital Projects

Account—State \$2,422,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,422,000

NEW SECTION. Sec. 5076. FOR THE
 EVERGREEN STATE COLLEGE

Seminar I Renovation (30000125)

Reappropriation:
 State Building Construction Account—
 State \$175,000

Appropriation:
 State Building Construction Account—
 State \$3,000,000

Prior Biennia (Expenditures)
 \$225,000

Future Biennia (Projected Costs)
 \$23,900,000

TOTAL \$27,300,000

NEW SECTION. Sec. 5077. FOR THE
 EVERGREEN STATE COLLEGE

Facilities Preservation (30000457)

Reappropriation:
 State Building Construction Account—
 State \$1,195,000

The Evergreen State College Capital
 Projects

Account—State \$2,217,000
 Subtotal Reappropriation \$3,412,000

Prior Biennia (Expenditures)
 \$6,936,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,348,000

NEW SECTION. Sec. 5078. FOR THE
 EVERGREEN STATE COLLEGE

Lecture Hall Remodel (30000493)

Reappropriation:
 State Building Construction Account—
 State \$719,000

Prior Biennia (Expenditures)
 \$17,142,000

Future Biennia (Projected Costs) \$0

TOTAL \$17,861,000

NEW SECTION. Sec. 5079. FOR THE
 EVERGREEN STATE COLLEGE

Preventive Facility Maintenance and
 Building System Repairs (30000612)

Appropriation:
 The Evergreen State College Capital
 Projects

Account—State \$830,000
 Prior Biennia (Expenditures)
 \$783,000

Future Biennia (Projected Costs)
 \$3,803,000

TOTAL \$5,416,000

NEW SECTION. Sec. 5080. FOR THE
 EVERGREEN STATE COLLEGE

Critical Power, Safety, and Security
 Systems (30000613)

Appropriation:
 State Building Construction Account—
 State \$8,674,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0

TOTAL \$8,674,000

NEW SECTION. Sec. 5081. FOR THE
 EVERGREEN STATE COLLEGE

Health and Counseling Center (30000614)

Appropriation:
 State Building Construction Account—
 State \$1,125,000

The Evergreen State College Capital
 Projects

Account—State \$4,475,000
 Subtotal Appropriation \$5,600,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0

TOTAL \$5,600,000

NEW SECTION. Sec. 5082. FOR THE
 EVERGREEN STATE COLLEGE

Facilities Preservation (91000010)

Appropriation:
 The Evergreen State College Capital
 Projects

Account—State \$7,500,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$30,000,000

TOTAL \$37,500,000

NEW SECTION. Sec. 5083. FOR THE
WESTERN WASHINGTON UNIVERSITY

Carver Academic Renovation (20081060)

Reappropriation:

State Building Construction Account-
State \$5,000,000

Western Washington University Capital
Projects

Account-State \$3,500,000

Subtotal Reappropriation \$8,500,000

Prior Biennia (Expenditures)
\$62,874,000

Future Biennia (Projected Costs) \$0

TOTAL \$71,374,000

NEW SECTION. Sec. 5084. FOR THE
WESTERN WASHINGTON UNIVERSITY

Minor Works - Preservation (30000615)

Reappropriation:

State Building Construction Account-
State \$1,200,000

Western Washington University Capital
Projects

Account-State \$1,825,000

Subtotal Reappropriation \$3,025,000

Prior Biennia (Expenditures)
\$5,856,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,881,000

NEW SECTION. Sec. 5085. FOR THE
WESTERN WASHINGTON UNIVERSITY

2017-19 Classroom & Lab Upgrades
(30000769)

Appropriation:

State Building Construction Account-
State \$6,180,000

Western Washington University Capital
Projects

Account-State \$470,000

Subtotal Appropriation \$6,650,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$6,650,000

NEW SECTION. Sec. 5086. FOR THE
WESTERN WASHINGTON UNIVERSITY

Elevator Preservation Safety and ADA
Upgrades (30000772)

Appropriation:

State Building Construction Account-
State \$3,188,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,188,000

NEW SECTION. Sec. 5087. FOR THE
WESTERN WASHINGTON UNIVERSITY

Minor Works - Preservation (30000781)

Appropriation:

Western Washington University Capital
Projects

Account-State \$7,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,000,000

TOTAL \$37,500,000

NEW SECTION. Sec. 5088. FOR THE
WESTERN WASHINGTON UNIVERSITY

Preventive Facility Maintenance and
Building System Repairs (91000010)

Appropriation:

Western Washington University Capital
Projects

Account-State \$3,614,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$14,456,000

TOTAL \$18,070,000

NEW SECTION. Sec. 5089. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY

Heritage Capital Grants Projects
(30000170)

Reappropriation:

State Building Construction Account-
State \$483,000

Prior Biennia (Expenditures)
\$9,348,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,831,000

NEW SECTION. Sec. 5090. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY

Facilities Preservation - Minor Works
Projects (30000222)

Reappropriation:

State Building Construction Account-
State \$150,000

Prior Biennia (Expenditures)
\$2,534,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,684,000

NEW SECTION. Sec. 5091. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY

Washington Heritage Grants (30000237)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 5099,
chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account-
State \$3,653,000

Prior Biennia (Expenditures)
\$6,347,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 5092. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY

Minor Works - Preservation (30000288)

Appropriation:

State Building Construction Account-
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 5093. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY

Heritage Capital Grants Projects
(30000297)

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

(1) The appropriation is subject to the
provisions of RCW 27.34.330.

(2) The appropriation is provided
solely for the following list of projects:

Capstone Phase: Adventuress Centennial
Restoration

Project \$394,000

The Paramount Theatre Upgrades
\$573,000

Stimson-Green Mansion Rehabilitation -
Phase III \$193,000

Restoration of the German American Bank
Building \$45,000

Capitol Theater Roof Replacement and
Awning Restoration \$118,000

Appropriation:

State Building Construction Account-
State \$1,323,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,323,000

NEW SECTION. Sec. 5094. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY

Strategic Facility Master Plan
(40000004)

Appropriation:

State Building Construction Account-
State \$75,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$75,000

NEW SECTION. Sec. 5095. FOR THE
EASTERN WASHINGTON STATE HISTORICAL
SOCIETY

Minor Works - Preservation (30000038)

Reappropriation:

State Building Construction Account-
State \$322,000

Prior Biennia (Expenditures)
\$380,000

Future Biennia (Projected Costs) \$0

TOTAL \$702,000

NEW SECTION. Sec. 5096. FOR THE
EASTERN WASHINGTON STATE HISTORICAL
SOCIETY

Minor Works - Preservation (40000001)

Appropriation:

State Building Construction Account-
State \$424,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$424,000

NEW SECTION. Sec. 5097. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Falls Community College: Campus Classrooms (20062696)

Reappropriation:

State Building Construction Account—State \$157,000

Prior Biennia (Expenditures) \$19,459,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,616,000

NEW SECTION. Sec. 5098. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clover Park Technical College: Allied Health Care Facility (20062699)

Reappropriation:

State Building Construction Account—State \$170,000

Prior Biennia (Expenditures) \$22,163,000

Future Biennia (Projected Costs) \$0

TOTAL \$22,333,000

NEW SECTION. Sec. 5099. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Community College: Technical Education Building (20081220)

Reappropriation:

State Building Construction Account—State \$2,903,000

Prior Biennia (Expenditures) \$23,527,000

Future Biennia (Projected Costs) \$0

TOTAL \$26,430,000

NEW SECTION. Sec. 5100. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Grays Harbor College: Science and Math Building (20081226)

Reappropriation:

State Building Construction Account—State \$243,000

Prior Biennia (Expenditures) \$43,901,000

Future Biennia (Projected Costs) \$0

TOTAL \$44,144,000

NEW SECTION. Sec. 5101. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Tacoma Community College: Health Careers Center (20082701)

Reappropriation:

State Building Construction Account—State \$6,979,000

Prior Biennia (Expenditures) \$34,194,000

Future Biennia (Projected Costs) \$0

TOTAL \$41,173,000

NEW SECTION. Sec. 5102. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bellevue Community College: Health Science Building (20082702)

Reappropriation:

State Building Construction Account—State \$351,000

Prior Biennia (Expenditures) \$31,375,000

Future Biennia (Projected Costs) \$0

TOTAL \$31,726,000

NEW SECTION. Sec. 5103. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates Technical College: Mohler Communications Technology Center (20082703)

Reappropriation:

State Building Construction Account—State \$128,000

Prior Biennia (Expenditures) \$26,319,000

Future Biennia (Projected Costs) \$0

TOTAL \$26,447,000

NEW SECTION. Sec. 5104. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Columbia Basin College: Social Science Center (20082704)

Reappropriation:

State Building Construction Account—State \$50,000

Prior Biennia (Expenditures) \$15,531,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,581,000

NEW SECTION. Sec. 5105. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: Health and Advanced Technologies Building (20082705)

Reappropriation:

State Building Construction Account—
State \$144,000

Prior Biennia (Expenditures)
\$36,908,000

Future Biennia (Projected Costs) \$0

TOTAL \$37,052,000

NEW SECTION. Sec. 5106. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Seattle Central Community College:
Seattle Maritime Academy (30000120)

Reappropriation:

State Building Construction Account—
State \$777,000

Prior Biennia (Expenditures)
\$16,051,000

Future Biennia (Projected Costs) \$0

TOTAL \$16,828,000

NEW SECTION. Sec. 5107. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Yakima Valley Community College: Palmer
Martin Building (30000121)

Reappropriation:

State Building Construction Account—
State \$1,794,000

Prior Biennia (Expenditures)
\$18,446,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,240,000

NEW SECTION. Sec. 5108. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Olympic College: College Instruction
Center (30000122)

Reappropriation:

State Building Construction Account—
State \$28,141,000

Prior Biennia (Expenditures)
\$21,999,000

Future Biennia (Projected Costs) \$0

TOTAL \$50,140,000

NEW SECTION. Sec. 5109. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Centralia Community College: Student
Services (30000123)

Reappropriation:

State Building Construction Account—
State \$5,165,000

Prior Biennia (Expenditures)
\$29,441,000

Future Biennia (Projected Costs) \$0

TOTAL \$34,606,000

NEW SECTION. Sec. 5110. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Peninsula College: Allied Health and
Early Childhood Dev Center (30000126)

Reappropriation:

State Building Construction Account—
State \$6,686,000

Prior Biennia (Expenditures)
\$18,914,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,600,000

NEW SECTION. Sec. 5111. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

South Seattle Community College:
Cascade Court (30000128)

Reappropriation:

State Building Construction Account—
State \$19,071,000

Prior Biennia (Expenditures)
\$11,247,000

Future Biennia (Projected Costs) \$0

TOTAL \$30,318,000

NEW SECTION. Sec. 5112. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

North Seattle Community College:
Technology Building Renewal (30000129)

Reappropriation:

State Building Construction Account—
State \$788,000

Prior Biennia (Expenditures)
\$24,631,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,419,000

NEW SECTION. Sec. 5113. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Renton Technical College: Automotive
Complex Renovation (30000134)

Reappropriation:

State Building Construction Account—
State \$86,000

Prior Biennia (Expenditures)
\$16,747,000

Future Biennia (Projected Costs) \$0

TOTAL \$16,833,000

NEW SECTION. Sec. 5114. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: North County Satellite
(30000135)

Appropriation:

State Building Construction Account-
State \$5,212,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$48,603,000

TOTAL \$53,815,000

NEW SECTION. Sec. 5115. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Edmonds Community College: Science,
Engineering, Technology Bldg (30000137)

Reappropriation:

State Building Construction Account-
State \$3,726,000

Appropriation:

State Building Construction Account-
State \$37,757,000

Prior Biennia (Expenditures)
\$4,094,000

Future Biennia (Projected Costs) \$0

TOTAL \$45,577,000

NEW SECTION. Sec. 5116. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Whatcom Community College: Learning
Commons (30000138)

Reappropriation:

State Building Construction Account-
State \$73,000

Appropriation:

State Building Construction Account-
State \$33,960,000

Prior Biennia (Expenditures)
\$1,749,000

Future Biennia (Projected Costs) \$0

TOTAL \$35,782,000

NEW SECTION. Sec. 5117. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Big Bend: Professional - Technical
Education Center (30000981)

Reappropriation:

State Building Construction Account-
State \$1,200,000

Appropriation:

State Building Construction Account-
State \$35,063,000

Prior Biennia (Expenditures)
\$840,000

Future Biennia (Projected Costs) \$0

TOTAL \$37,103,000

NEW SECTION. Sec. 5118. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane: Main Building South Wing
Renovation (30000982)

The appropriations in this section are
subject to the following conditions and
limitations:

(1) The reappropriation in this section
is provided solely for predesign and
design, which may also serve as bridging
documents, design, competition honoraria,
project management, and other planning
activities including permits.

(2) The appropriation in this section
is provided solely for construction that
may be delivered using design-build, as
defined by chapter 39.10 RCW, with a
guarantee for energy, operations, and
maintenance performance. The term for
performance guarantee must not be less
than one year. The state may use state
employees for services not related to
building performance.

(3) Criteria for selecting the design-
build contractor must include life cycle
costs, energy costs, or energy use index.
Contractors and architectural and
engineering firms may be eligible for
additional points during the scoring
process if they have experience with the
state agency, or if they are considered a
small business.

(4) The building must be built using
sustainable building standards as defined
in section 7009 of this act.

Reappropriation:

State Building Construction Account-
State \$2,700,000

Appropriation:

State Building Construction Account—
State \$24,919,000

Prior Biennia (Expenditures)
\$123,000

Future Biennia (Projected Costs) \$0

TOTAL \$27,742,000

NEW SECTION. Sec. 5119. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Highline: Health and Life Sciences
(30000983)

Reappropriation:

State Building Construction Account—
State \$1,768,000

Appropriation:

State Building Construction Account—
State \$23,372,000

Prior Biennia (Expenditures)
\$1,164,000

Future Biennia (Projected Costs) \$0

TOTAL \$26,304,000

NEW SECTION. Sec. 5120. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clover Park: Center for Advanced
Manufacturing Technologies (30000984)

The reappropriation in this section is
subject to the following conditions and
limitations:

(1) The reappropriation in this section
is provided solely for predesign and
design, which may also serve as bridging
documents, design, competition honoraria,
project management, and other planning
activities including permits.

(2) Funding authorized pursuant to
section 7002(6)(g) of this act for
construction may be delivered using
design-build, as defined by chapter 39.10
RCW, with a guarantee for energy,
operations, and maintenance performance.
The term for performance guarantee must
not be less than one year. The state may
use state employees for services not
related to building performance.

(3) Criteria for selecting the design-
build contractor must include life cycle
costs, energy costs, or energy use index.
Contractors and architectural and
engineering firms may be eligible for
additional points during the scoring
process if they have experience with the
state agency, or if they are considered a
small business.

(4) The building must be built using
sustainable building standards as defined
in section 7009 of this act.

Reappropriation:

State Building Construction Account—
State \$2,929,000

Prior Biennia (Expenditures)
\$215,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,144,000

NEW SECTION. Sec. 5121. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Wenatchee Valley: Wells Hall
Replacement (30000985)

Appropriation:

State Building Construction Account—
State \$2,772,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$29,048,000

TOTAL \$31,820,000

NEW SECTION. Sec. 5122. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Olympic: Shop Building Renovation
(30000986)

Appropriation:

State Building Construction Account—
State \$929,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$7,368,000

TOTAL \$8,297,000

NEW SECTION. Sec. 5123. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Pierce Fort Steilacoom: Cascade
Building Renovation - Phase 3 (30000987)

Appropriation:

State Building Construction Account—
State \$3,438,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$29,982,000

TOTAL \$33,420,000

NEW SECTION. Sec. 5124. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM

South Seattle: Automotive Technology
Renovation and Expansion (30000988)

Appropriation:
 State Building Construction Account—
 State \$2,241,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$21,873,000
 TOTAL \$24,114,000

NEW SECTION. Sec. 5125. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates: Medical Mile Health Science
 Center (30000989)

Appropriation:
 State Building Construction Account—
 State \$3,150,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$39,208,000
 TOTAL \$42,358,000

NEW SECTION. Sec. 5126. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Shoreline: Allied Health, Science &
 Manufacturing Replacement (30000990)

Appropriation:
 State Building Construction Account—
 State \$3,546,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$35,972,000
 TOTAL \$39,518,000

NEW SECTION. Sec. 5127. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Preventive Facility Maintenance and
 Building System Repairs (30001291)

Appropriation:
 Community/Technical College Capital
 Projects
 Account—State \$22,800,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$91,200,000
 TOTAL \$114,000,000

NEW SECTION. Sec. 5128. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Roof Repairs (30001293)
 Appropriation:

Community/Technical Colleges Capital
 Projects
 Account—State \$8,433,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$8,433,000

NEW SECTION. Sec. 5129. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Facility Repairs (30001294)
 Appropriation:
 State Building Construction Account—
 State \$5,861,000

Community/Technical Colleges Capital
 Projects
 Account—State \$20,815,000
 Subtotal Appropriation \$26,676,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$26,676,000

NEW SECTION. Sec. 5130. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Site Repairs (30001295)
 Appropriation:
 State Building Construction Account—
 State \$4,166,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,166,000

NEW SECTION. Sec. 5131. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Program (30001368)
 Appropriation:
 State Building Construction Account—
 State \$26,630,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$26,630,000

NEW SECTION. Sec. 5132. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Preservation (30001369)
 Appropriation:
 Community/Technical College Capital
 Projects
 Account—State \$21,309,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$21,309,000

NEW SECTION. Sec. 5133. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Falls: Fine and Applied Arts Replacement (30001458)

Appropriation:
 State Building Construction Account—State \$2,766,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$34,728,000
 TOTAL \$37,494,000

PART 6

SUPPLEMENTAL CAPITAL BUDGET

Sec. 6001. 2015 3rd sp.s. c 3 s 1002 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

Library - Archives Building (30000033)

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

(1) The appropriation is provided solely for a predesign to determine: (a) Necessary program space for the state library currently located in Tumwater, and additional archive space; (b) capital budget requirements, including the use of fees collected by the secretary of state that will support a certificate of participation for the financing of the construction of the facility, and future operating costs; and (c) projected efficiencies of electronic document storage in determining necessary space.

(2) The study must consider the use of the general administration building site as a possible location; and any benefits or consequences may be identified at this site or other sites considered; and lease options.

(3) The office of financial management shall determine the maximum use of the site and consider the consolidation of other state agencies, including separately elected officials.

(4) The building must be a high performance building as described in section 7008 of this act and the construction must be procured using a

performance based method including design-build or design-build-operate-maintain.

Appropriation:

State Building Construction Account—State (~~(\$400,000)~~)

\$300,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$55,428,000

TOTAL \$55,828,000

\$55,728,000

Sec. 6002. 2015 3rd sp.s. c 3 s 1026 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Renton Aerospace Training Center Construction (30000724)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3, chapter 1, Laws of 2013 3rd sp. sess.

Reappropriation:

State Building Construction Account—State (~~(\$10,000,000)~~)

\$1,089,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

\$1,089,000

Sec. 6003. 2015 3rd sp.s. c 3 s 1028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (30000726)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state.

(2) In soliciting and evaluating proposals, awarding contracts, and

monitoring projects under this section, the department must:

(a) Ensure that competitive bidding processes, rather than sole source contracting processes, are used to select all projects;

(b) Require that all expenditures be used for projects that develop and acquire asset that have a useful life of at least thirteen years; and

(c) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project monitoring and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(3)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require an applicant to identify in application materials any state of Washington employees or former state employees employed or on the firm's governing board during the past twenty-four months. Application materials must identify the individual by name, the agency previously or currently employed by, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of a contract.

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a contractor either in procuring or performing under the contract, the department in its sole discretion may terminate the contract by written notice. If the contract is terminated, the department must be entitled to pursue the same remedies against the contractor as it could pursue in the event of a breach of the contract by the contractor.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) The department may not obligate or expend any of the amounts provided in this section on new projects that involve the Snohomish county public utilities district or its subcontractors until the executive ethics board responds to the department's

June 17, 2015, request for an advisory opinion on poststate employment.

(6)(a) (~~(\$10,000,000)~~) \$13,250,000 of the state taxable building construction account is provided solely to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy, and transportation electrification technologies now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(d) Loan applications must disclose all sources of public funds invested in the project. The nonprofit lender must make loans available to the following types of projects that include, but are not limited to: Residential, commercial, industrial, and agricultural energy retrofits(~~(7)~~); residential and community-scale solar installations(~~(7)~~); anaerobic digesters to treat dairy and organic waste(~~(7 and)~~); combined heat and power projects using woody biomass as a fuel source; electric vehicle charging infrastructure and equipment for cars, trucks, and buses; upgrades to facilitate such equipment and infrastructure; and acquisition of zero-emission buses and class 4-8 vehicles, including but not limited to trucks and passenger shuttles.

(e) State funds may not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(7) (~~(\$6,600,000)~~) \$100,000 of the state taxable building construction account is provided solely for credit enhancements of advanced solar and renewable energy manufacturing within Washington state. The department shall develop an application process to competitively select projects.

(8) (a) \$13,000,000 of the state building construction account is provided solely for grants to advance clean and renewable energy technologies and advance transmission and distribution control system improvements for increased reliability, resiliency, and enabling integration of distributed and renewable resources and technology by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) The department shall convene an advisory panel of electric utility representatives to identify program objectives, near term priorities and long term goals.

(d) Applications for grants must disclose all sources of public funds invested in a project.

(e) Grant funds must be used for research, development, or demonstration projects that integrate intermittent renewables through energy storage, information technology or other smart grid technologies, dispatch energy storage resources from utility control rooms, use demand response, transactive control, or the thermal properties and electric load of commercial buildings and district energy systems to store energy, reduce transmission congestion or otherwise improve system reliability and resiliency and enable integration of distributed and renewable energy sources.

(9) (a) \$10,000,000 of the state building construction account is provided solely for grants to match federal funds or other nonstate funding sources used to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the program. The program shall offer matching funds for

competitively selected clean energy projects including, but not limited to: Advancing energy storage and solar technologies, advancing bioenergy, developing new lightweight materials, and advancing renewable energy and energy efficiency technologies.

(10) \$400,000 of the state building construction account—state is provided solely for capital funding of competitively selected wood energy conversion projects at public facilities.

(11) The department must report on number and results of projects that receive grants or loans through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2016.

(12) The department shall develop metrics that indicate the performance of energy efficiency efforts and provide a report of the metrics, including at a minimum the current energy used by the building, the energy use after efficiencies are completed, and cost of energy saved, to the house of representatives technology & economic development committee and the senate energy, environment & telecommunications committee. The report must include these metrics from other states.

(13) \$3,250,000 of the state building construction account—state appropriation is provided for the Pacific Northwest national laboratory to use demand side management and analyze electricity use by the department of corrections. After the analysis is performed any remaining funds may be used for reducing energy use of the department of corrections. The department must make energy records available.

Appropriation:

State Taxable Building Construction Account—State \$17,000,000

State Building Construction Account—State \$23,400,000

Subtotal Appropriation \$40,400,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$240,000,000

TOTAL \$280,400,000

Sec. 6004. 2015 3rd sp.s. c 3 s 6005 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs and Economic Development (92000151)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriations are released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriations are provided solely for the following list of projects:

Projects for Jobs & Economic Development	Authorized Amount
City of Bremerton Puget Sound Naval Safety Project	\$1,300,000

Fairchild Airforce Base	\$2,700,000
City of Lynnwood Main Street Improvements	\$250,000
Port of Everett: Roll-On/Roll-Off Cargo Berth	\$1,500,000
Kittitas County Infrastructure and Facilities	\$5,000,000
City of Kennewick Industrial Land	\$1,000,000
Perry Tech Institute Building	\$1,000,000
City of Buckley Drinking Water Improvements	\$350,000
Carbonado Reservoir Replacement	\$525,000
Hopelink Cleveland Street Project	\$1,000,000
Redmond Connector	\$1,300,000
Washougal Wastewater Treatment Plant	\$1,000,000
Roslyn Renaissance Northwest Improvement Company Building	\$500,000
Everett/Tulalip Water Pipeline Construction	\$1,000,000
Renton Riverview Bridge Replacement	\$1,100,000
Omak City Sewer, Collection System, and Treatment Plant	\$2,000,000
Harper Pier Replacement	\$800,000
University Place Main Street Redevelopment	\$975,000
Sultan Alder Avenue Water/Sewer Line Replacement	\$185,000
Quincy Industrial Water Reclamation & Reuse	\$700,000
NW Medical School	\$136,000
Ione - 8th St Lift Station Replacement	\$165,000
Stevens PUD Projects	\$532,000

Port Orchard Bay St. Pedestrian Path - Phase 2	\$336,000
Dekalb Pier - Phase 2	\$255,000
Kenmore Village	\$300,000
South Kirkland TOD/Cross Kirkland Corridor	\$1,300,000
Washington Agriculture Discovery Center	\$100,000
Mountlake Terrace Mainstreet Grant	\$2,000,000
Issaquah - North Roadway Network Improvement	\$5,000,000
TRIDEC Development of Small Modular Reactor Proposal	\$500,000
((City of Shelton Wastewater)) <u>Basin 3 Sewer Rehabilitation</u>	\$1,500,000
Port of Moses Lake Firefighting System	\$300,000
Seattle Chinatown/ID Development	\$500,000
TOTAL	\$37,109,000

Appropriation:

State Building Construction Account- State	\$30,009,000
Public Facility Construction Loan Revolving Account-State	\$7,100,000
Subtotal Appropriation	\$37,109,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$37,109,000

Sec. 6005. 2016 sp.s. c 35 s 1015 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Contingency Pool
(90000300)

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

(1) The appropriation in this section is provided solely for construction projects that confront emergent and unavoidable costs in excess of the construction contingency included in the project appropriation. For requests occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting contingency funds from the office of financial management. Eligible agencies that may apply to the pool include higher education institutions, the department of corrections, the department of social and health services, the department of enterprise services, the department of veterans affairs, the parks and recreation commission, and the department of fish and wildlife. Eligible construction projects are only projects that had cost reductions as kept on file with the office of financial management, and the carver academic renovation project funded in section 5084, chapter 3, Laws of 2015 3rd sp.s. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as projects are approved for funding.

(2)(a) The legislature intends to use the 1063 Block building development project as a model of efficient space and energy use for both owned and leased state office buildings.

(b) To achieve this intent, the office of financial management must reconsider tenants for the building, including consideration of the utilities and transportation commission, all current tenants of the general administration building with operations compatible with a high density office building, and other possible tenants. The measure of achieving a higher space efficiency is measured by the average square feet per housed employee.

(c) The office of financial management must provide a report to the appropriate committees of the legislature on the redesign and the increase space efficiency by October 15, 2015.

Appropriation:

State Building Construction Account- State	\$8,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,000,000

Sec. 6006. 2016 sp.s c 35 s 2011 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: New Civil Ward (92000022)

Appropriation:

State Building Construction Account—State (~~(\$450,000)~~)

\$0

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$450,000

\$0

NEW SECTION. Sec. 6007. A new section is added to 2015 3rd sp.s. c 3 (uncodified) to read as follows:**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Behavioral Health: Compliance with Systems Improvement Agreement (30003849)

Appropriation:

State Building Construction Account—State \$9,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$9,000,000

NEW SECTION. Sec. 6008. A new section is added to 2015 3rd sp.s. c 3 (uncodified) to read as follows:**FOR THE DEPARTMENT OF CORRECTIONS**

MCCCW: Critical DNR Replacement (30001170)

Appropriation:

State Building Construction Account—State \$375,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$375,000

Sec. 6009. 2016 sp.s c 35 s 3018 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Low Interest Loans for Drought Wells (92000148)

The appropriation in this section is subject to the following conditions and

limitations: The department shall establish a low-interest loan program to allow agricultural or public entities to drill or retrofit wells to mitigate the effects of drought. For loans that are repaid within five years, the interest rate must be thirty percent of the average rate for twenty year municipal bonds as published in the bond buyer index, and for loans that are repaid between five and twenty years, the rate must be sixty percent of the average rate for twenty year municipal bonds as published in the bond buyer index. A well that is funded by this program may be operated only during a drought declaration.

Appropriation:

State Building Construction Account—State (~~(\$4,000,000)~~)

\$0

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

\$0

Sec. 6010. 2015 3rd sp.s. c 3 s 3128 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Dosewallips Replace Failing Electrical Supply (30000814)

Appropriation:

State Building Construction Account—State (~~(\$1,040,000)~~)

\$979,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL APPROPRIATION ~~\$1,040,000~~

\$979,000

Sec. 6011. 2015 3rd sp.s. c 3 s 3118 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Facilities and Infrastructures (30000947)

Appropriation:

State Building Construction Account—State (~~(\$11,117,000)~~)

\$10,484,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 (~~(\$250,000)~~)

\$0

TOTAL \$11,367,000

\$10,484,000

Sec. 6012. 2015 3rd sp.s. c 3 s 3097 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Belfair Replace Failing Electrical Supply to Main Camp Loop (30000813)

Appropriation:

State Building Construction Account-
 State (~~(\$1,180,000)~~)

\$1,084,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,180,000

\$1,084,000

Sec. 6013. 2015 3rd sp.s. c 3 s 3098 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler - Replace Failing Electrical Power Historic District (30000815)

Appropriation:

State Building Construction Account-
 State (~~(\$1,173,000)~~)

\$949,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,173,000

\$949,000

Sec. 6014. 2015 3rd sp.s. c 3 s 3101 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Health and Safety (30000839)

Appropriation:

State Building Construction Account-
 State (~~(\$5,160,000)~~)

\$4,590,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,160,000

\$4,590,000

Sec. 6015. 2015 3rd sp.s. c 3 s 3130 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Iron Horse - Tunnel 46 and 47 Repairs (30000870)

Appropriation:

State Building Construction Account-
 State (~~(\$1,481,000)~~)

\$1,353,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$1,600,000

TOTAL \$3,081,000

\$2,953,000

Sec. 6016. 2015 3rd sp.s. c 3 s 3119 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Steamboat Rock - Replace Failing Sewage Lift Stations (30000948)

Appropriation:

State Building Construction Account-
 State (~~(\$1,229,000)~~)

\$1,151,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,229,000

\$1,151,000

Sec. 6017. 2015 3rd sp.s. c 3 s 3198 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Spring Hatchery Renovation (30000214)

Appropriation:

State Building Construction Account-
State (~~(\$500,000)~~)

\$93,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
(~~(\$11,722,000)~~)
\$13,222,000
TOTAL \$12,222,000
\$13,315,000

Sec. 6018. 2015 3rd sp.s. c 3 s 3200 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE
Minter Hatchery Intakes (30000277)

Appropriation:

State Building Construction Account-
State (~~(\$250,000)~~)

\$105,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
(~~(\$7,948,000)~~)
\$8,948,000
TOTAL \$8,198,000
\$9,053,000

Sec. 6019. 2015 3rd sp.s. c 3 s 3202 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE
(~~(Naselle)~~) Naselle Hatchery
Renovation (30000671)

Appropriation:

State Building Construction Account-
State (~~(\$275,000)~~)

\$132,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
(~~(\$13,556,000)~~)
\$17,056,000
TOTAL \$13,831,000
\$17,188,000

Sec. 6020. 2015 3rd sp.s. c 3 s 3204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Soos Creek Hatchery Renovation
(30000661)

Appropriation:

State Building Construction Account-
State (~~(\$15,000,000)~~)

\$9,933,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
(~~(\$9,103,000)~~)
\$14,103,000
TOTAL \$24,103,000
\$24,036,000

Sec. 6021. 2015 3rd sp.s. c 3 s 3197 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Clarks Creek Hatchery Rebuild
(92000038)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to substantially rebuild the Clarks creek (Puyallup) hatchery and fulfill Washington department of transportation mitigation requirements as agreed to with the Puyallup Indian nation for the widening of Interstate 5. The new hatchery must be devoted to salmon production. The department must relocate trout production to other hatcheries.

Appropriation:

State Building Construction Account-
State (~~(\$5,000,000)~~)

\$10,067,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$0
TOTAL \$5,000,000
\$10,067,000

Sec. 6022. 2016 sp.s. c 35 s 3026 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION
FUNDING BOARD

Recreation and Conservation Office
Recreation Grants (92000131)

The appropriations in this section are subject to the following conditions and limitations:

(1) The recreation and conservation office may retain up to four percent of these appropriations to administer the grants.

(2) A maximum of \$1,000,000 of unused funds in this appropriation may be used for further planning, acquisition, and development of the Olympic discovery trail project between Discovery Bay and the trail's intersection with the Larry Scott trail in Jefferson county, without requiring matching resources.

(3) Matching resources are not required for the Concrete water spray park project.

(4) A maximum of \$1,100,000 of unused funds in this appropriation may be used for the willows road regional trail connection, without requiring matching resources.

(5) A maximum of \$500,000 of unused funds in this appropriation may be used for the wilburton trestle section of the eastside rail corridor, without requiring matching resources.

Appropriation:

State Building Construction Account—	
State \$29,170,000	
Outdoor Recreation Account—State	
\$5,611,000	
Subtotal Appropriation	\$34,781,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$34,781,000

Sec. 6023. 2015 3rd sp.s. c 3 s 3187 (uncodified) is amended to read as follows:

FOR THE STATE CONSERVATION COMMISSION

Dairy Nutrient Demonstration Low Interest Loans (92000009)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for ~~((low interest loans for two or more))~~ nonshellfish projects assisting landowners to address impacts to water quality, air quality, and water resources, and other impacts to natural resources. Of this amount, \$2,000,000 is provided solely for grants for dairy nutrient management ~~((demonstration))~~ projects, with at least one located west of the cascades and one east of the cascades.

Appropriation:

State Building Construction Account—	
State \$2,000,000	
State Taxable Building Construction	
Account—State	((5,000,000))
	\$2,000,000
Subtotal Appropriation	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000
	\$4,000,000

Sec. 6024. 2016 sp.s. c 35 s 5004 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2015-17 School Construction Assistance Program (30000169)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$990,000 of the common school construction account—state is provided solely for the Spokane Valley technical skills center to construct five science classrooms.

(2) \$675,000 of the common school construction account—state is provided solely for study and survey grants. In calculating study and survey grants, for the 2015-2017 fiscal biennium, the office of the superintendent of public instruction shall award no more than fifty percent of the dollar amount for the minimum grants and square footage allocations. School districts receiving these grants in the 2015-2017 fiscal biennium must use data collected or validated by the Washington State University extension energy office for the inventory and condition of existing school facilities.

(3) School districts receiving funding through the 2015-17 school construction assistance program must map the design of new facilities and remap the design of facilities to be remodeled.

(4) The office of the superintendent of public instruction must weight and prioritize grant requests on the following criteria and in the following order: (a) Will provide facility capacity needs to reduce kindergarten through third grade class sizes at high poverty schools; (b) will provide facility capacity needs to

reduce kindergarten through third grade class sizes in remaining schools.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program for the appropriations provided to the superintendent of public instruction in this act for distressed schools, STEM pilot projects, or skill centers. For purposes of determining state funding assistance, eligible area must be calculated as follows: (a) Eligible area for STEM pilot projects is 1,440 square feet per science lab or classroom combination, or both; and 1,040 square feet per science classroom. Total eligible area per STEM pilot project must not exceed 15,840 square feet, and total eligible area of all STEM pilot projects from this section must not exceed 36,880 square feet; (b) eligible area for skill centers is gross square feet of the proposed project as submitted to the office of financial management as requested by the superintendent for consideration in the 2015-2017 capital budget. Eligible area for the Spokane Valley technical skills center must not exceed 5,400 square feet, and; (c) eligible area for replacement of the cafeteria at Marysville-Pilchuck high school is 13,500 square feet.

Appropriation:

State Building Construction Account— State (\$305,721,000)	
\$313,292,000	
Common School Construction Account— State (\$337,135,000)	
\$237,094,000	
Common School Construction Account— Federal (\$3,000,000)	
\$3,750,000	
Subtotal	Appropriation
(\$645,856,000)	
\$554,136,000	
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	
\$3,638,150,000	
TOTAL	\$4,284,006,000
\$4,192,286,000	

Sec. 6025. RCW 70.340.130 and 2016 c 161 s 21 are each amended to read as follows:

(1) On July 1, 2016, if the cash balance amount in the pollution liability insurance program trust account exceeds seven million five hundred thousand dollars after excluding the reserves under RCW 70.148.020(2), the state treasurer shall transfer the amount exceeding seven million five hundred thousand dollars, up to a transfer of ten million dollars, from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account. If ten million dollars is not available to be transferred on July 1, 2016, then by the end of fiscal year 2017, if the cash balance amount in the pollution liability insurance program trust account exceeds seven million five hundred thousand dollars after excluding the reserves under RCW 70.148.020(2), the state treasurer shall transfer the amount exceeding seven million five hundred thousand dollars from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account. The total amount transferred in fiscal year 2017 from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account may not exceed ten million dollars.

(2) On July 1, 2017, and every two years thereafter at the start of each successive biennium, if the cash balance amount in the pollution liability insurance program trust account exceeds seven million five hundred thousand dollars, the state treasurer shall transfer the amount exceeding seven million five hundred thousand dollars after excluding the reserves under RCW 70.148.020(2), up to a transfer of twenty million dollars, from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account. If twenty million dollars is not available to be transferred at the beginning of the first fiscal year of the biennium, (~~on July 1st~~) by the end of the subsequent fiscal year, if the cash balance amount in the pollution liability insurance program trust account exceeds seven million five hundred thousand dollars after excluding the reserves under RCW 70.148.020(2), the state treasurer shall transfer the amount exceeding seven million five hundred

thousand dollars from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account. The total amount transferred in a biennium from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account may not exceed twenty million dollars.

Sec. 6026. 2016 sp.s. c 35 s 6015 (uncodified) is amended to read as follows:

STATE TREASURER TRANSFER AUTHORITY

State toxics control account: For transfer to the

environmental legacy stewardship account \$24,000,000

Local toxics control account: For transfer to the

environmental legacy stewardship account \$30,000,000

(1) As directed by the department of ecology in consultation with the office of financial management, the state treasurer shall transfer amounts among the state toxics control account, the local toxics control account, and the environmental legacy stewardship account as needed during the 2015-2017 fiscal biennium to maintain positive account balances in all three accounts.

(2) As directed by the department of ecology in consultation with the office of financial management, the state treasurer shall transfer amounts from the cleanup settlement account established in RCW 70.105D.130 to the state toxics control account, the local toxics control account or the environmental legacy stewardship account to maintain positive account balances up to an amount not to exceed (~~(\$23,000,000)~~) \$13,000,000 that must be considered an (~~(inter-fund)~~) interfund loan that must be repaid with interest to the cleanup settlement account in three equal repayments in fiscal years 2019, 2020, and 2021.

(3) If, after using the (~~(inter-fund)~~) interfund transfer authority granted in this section, the department of ecology determines that further reductions are needed to maintain positive account balances in the state toxics control account, the local toxics control account, and the environmental legacy stewardship account, the department is authorized to delay the start of clean-up projects based

on acuity of need, readiness to proceed, cost-efficiency, or need to ensure geographic distribution.

(4) By June 30, 2017, the department must submit a list of projects that were delayed to the office of financial management and the appropriate fiscal committees of the legislature.

PART 7

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 7001. RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are forty million nine hundred ten thousand dollars for the 2017-2019 biennium, two hundred fifty-two million seven hundred thirty-four thousand dollars for the 2019-2021 biennium, and three hundred fifty-two million seven hundred thirty-four thousand dollars for the 2021-2023 biennium.

NEW SECTION. Sec. 7002. ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS. (1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Department of enterprise services: Enter into a financing contract for up to \$5,323,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to repair the east plaza garage in Olympia.

(4) Washington state patrol:

(a) Enter into a financing contract for up to \$7,450,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a burn building for live fire training.

(b) Enter into a financing contract for up to \$2,700,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for furnishings and equipment at the 1063 building.

(5) Department of labor and industries: Enter into a financing contract for up to \$12,700,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to modernize a lab and training facility.

(6) Community and technical colleges:

(a) Enter into a financing contract on behalf of Cascadia College for up to \$29,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a parking structure.

(b) Enter into a financing contract on behalf of Renton Community College for up to \$2,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to acquire property in Renton.

(c) Enter into a financing contract on behalf of South Seattle College for up to \$10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student wellness and fitness center.

(d) Enter into a financing contract on behalf of Shoreline Community College for up to \$31,100,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build student housing.

(e) Enter into a financing contract on behalf of Clark College for up to \$35,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student recreation center.

(f) Enter into a financing contract on behalf of Lower Columbia College for up to \$3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the main building.

(g) Enter into a financing contract on behalf of Clover Park Technical College for up to \$33,288,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a center for advanced manufacturing technologies.

NEW SECTION. Sec. 7003. To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act in excess of \$5,000,000, or \$10,000,000 for higher education institutions, may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign. The predesign document must include, but not be limited to, program, site, and cost analysis, and an analysis of the life-cycle costs of the alternatives explored, in accordance with the predesign manual adopted by the office of financial management. The results of life-cycle cost analysis must be a primary consideration in the selection of a building design. Construction may proceed only upon providing to the office of financial management the life-cycle costs. To improve monitoring of major construction projects, progress reports must be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports must be submitted on July 1st and December 31st each year in a format to be developed by the office of financial management.

NEW SECTION. Sec. 7004. (1) The legislature finds that use of life-cycle cost analysis will aid public entities, architects, engineers, and contractors in making design and construction decisions that positively impact both the initial construction cost and the ongoing operating and maintenance cost of a project. To ensure that the total cost of a project is accounted for and the most reasonable and cost efficient design is used, agencies shall develop life-cycle costs for any construction project over \$10,000,000. The life-cycle costs must represent the present value sum of capital costs, installation costs, operating costs, and maintenance costs over the life expectancy of the project. The legislature further finds the most effective approach to the life-cycle cost analysis is to integrate it into the early part of the design process.

(2) Agencies shall develop a minimum of three project alternatives for use in the

life-cycle cost analysis. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative must be the most reasonable and cost-effective solution. A brief description of each project alternative and why it was chosen must be included in the life-cycle cost analysis section of the predesign.

(3) The office of financial management shall: (a) Make available a life-cycle cost model to be used for analysis; (b) in consultation with the department of enterprise services, provide assistance in using the life-cycle cost model; and (c) update the life-cycle cost model annually including assumptions for inflation rates, discount rates, and energy rates.

(4) Agencies shall consider architectural and engineering firms' and general contractors' experience using life-cycle costs, operating costs, and energy efficiency measures when selecting an architectural and engineering firm, or when selecting contractors using alternative contracting methods.

NEW SECTION. Sec. 7005. To improve monitoring of major construction projects, progress reports must be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports must be submitted on July 1st and December 31st each year in a format to be determined by the office of financial management.

NEW SECTION. Sec. 7006. (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. Sec. 7007. (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the

capacity of any facility beyond that intended in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under \$250,000, shall be filed with the legislative fiscal committees of the senate and house of representatives by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.

(5) The transfer authority granted in this section does not apply to appropriations for projects for the state parks and recreation commission. Appropriations for commission projects may be spent only for the specified projects, and funding may not be transferred from one commission project to another or from other sources to a commission project.

NEW SECTION. Sec. 7008. (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is

the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from predesign to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to:

(a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. Sec. 7009. (1) Any building project that receives over \$10,000,000 in funding from the capital budget must be built to sustainable standards. "Sustainable building" means a building that integrates and optimizes all major high-performance building attributes, including energy efficiency, durability, life-cycle performance, and occupant productivity. The following design and construction attributes must be integrated into the building project:

(a) Employ integrated design principles: Use a collaborative, integrated planning and design process that initiates and maintains an integrated project team in all stages of a project's planning and delivery. Establish performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorporation of these goals throughout the design and life-cycle of the building. Considers all stages of the building's life-cycle, including deconstruction.

(b) Commissioning: Employ commissioning practices tailored to the size and

complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include an experienced commissioning provider, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.

(c) Optimize energy performance: Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the ENERGY STAR targets for new construction and major renovation where applicable. For new construction target low energy use index. For major renovations, reduce the energy use by fifty percent below prerenovations baseline.

(d) On-site renewable energy: Meet at least thirty percent of the hot water demand through the installation of solar hot water heaters, when life-cycle cost effective. Implement renewable energy generation projects on agency property for agency use, when life-cycle cost effective.

(e) Measurement and verification: Install building level electricity meters in new major construction and renovation projects to track and continuously optimize performance. Include equivalent meters for natural gas and steam, where natural gas and steam are used. Install dashboards inside buildings to display and incentivize occupants on energy use.

(f) Benchmarking: Compare actual performance data from the first year of operation with the energy design target. Verify that the building performance meets or exceeds the design target. For other building and space types, use an equivalent benchmarking tool for laboratory buildings. Web-based data collection and dashboards must also be provided.

NEW SECTION. Sec. 7010. State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. Sec. 7011. Executive Order No. 05-05, archaeological and cultural resources, was issued effective November 10, 2005. Agencies shall comply

with the requirements set forth in this executive order.

NEW SECTION. Sec. 7012. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE. (1) One-half of one percent of moneys appropriated in this act for original construction of school plant facilities is provided solely for the purposes of RCW 28A.335.210.

(2) One-half of one percent of moneys appropriated in this act for original construction or any major renovation or remodel work exceeding \$200,000 by colleges or universities is provided solely for the purposes of RCW 28B.10.027.

(3) One-half of one percent of moneys appropriated in this act for original construction of any public building by a state agency identified in RCW 43.17.020 is provided solely for the purposes of RCW 43.17.200.

(4) At least eighty-five percent of the moneys spent by the Washington state arts commission during the 2017-2019 biennium for the purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended solely for direct acquisition of works of art. Art allocations not expended within the ensuing two biennia will lapse. The commission may use up to \$150,000 of this amount to conserve or maintain existing pieces in the state art collection pursuant to RCW 28A.335.210.

(5) The executive director of the arts commission shall appoint a study group to review the operations of the one-half of one percent for works of art purchased or commissioned as required by RCW 28A.335.210, 28B.10.027, and 43.17.200. The findings of the review must be reported annually to the office of financial management and the fiscal committees of the legislature by September 15th. The review must include, but is not limited to, the following: (a) Projects purchased or commissioned per biennium; (b) partner agencies; (c) funding sources by fiscal year; (d) artwork costs; (e) administrative costs; (f) collection care costs; and (g) project status.

Sec. 7013. RCW 28B.10.027 and 2016 sp.s. c 35 s 6008 are each amended to read as follows:

(1) All universities and colleges shall allocate as a nondeductible item, out of any moneys appropriated for the original construction or any major renovation or remodel work exceeding two hundred thousand dollars of any building, an amount of one-half of one percent of the

appropriation to be expended by the Washington state arts commission with the approval of the board of regents or trustees for the acquisition of works of art.

(2) For projects funded in the 2015-2017 capital budget and the 2017-2019 capital budget, an institution of higher education, working with the Washington arts commission, may expend up to ten percent of the projected art allocation for a project during the design phase in order to select an artist and design art to be integrated in the building design. The one-half of one percent to be expended by the Washington arts commission must be adjusted downward by the amount expended by a university or college during the design phase of the capital project.

(3) The works of art may be placed on public lands of institutions of higher education, integral to or attached to a public building or structure of institutions of higher education, detached within or outside a public building or structure of institutions of higher education, part of a portable exhibition or collection, part of a temporary exhibition, or loaned or exhibited in other public facilities.

(4) In addition to the cost of the works of art, the one-half of one percent of the appropriation shall be used to provide for the administration of the visual arts program, including conservation of the state art collection, by the Washington state arts commission and all costs for installation of the work of art. For the purpose of this section building shall not include sheds, warehouses, and other buildings of a temporary nature.

NEW SECTION. Sec. 7014. To carry out the provisions of this act, the governor may assign responsibility for predesign, design, construction, and other related activities to any appropriate agency.

NEW SECTION. Sec. 7015. If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with funds available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the senate ways and means committee and the house of representatives capital budget committee.

NEW SECTION. **Sec. 7016.** (1) Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditures of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs.

(2) Provision of the full amount of required matching funds is not required to permit the expenditure of capital budget appropriations for phased projects if a proportional amount of the required matching funds is provided for each distinct, identifiable phase of the project.

NEW SECTION. **Sec. 7017.** NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. Portions of the general obligation bond proceeds authorized by chapter . . . , Laws of 2017 (Substitute House Bill No. 1080, the general obligation bond bill) for deposit into the state taxable building construction account that are in excess of amounts required to comply with the federal internal revenue service rules and regulations shall be deposited into the state building construction account. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the state building construction account, or any other account receiving bond proceeds, and the state taxable building construction account is necessary, or that a shift of appropriation authority from the state taxable building construction account to the state building construction account may be made.

NEW SECTION. **Sec. 7018.** COLUMBIA RIVER BASIN NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the Columbia river basin water supply development account may be transferred to the Columbia river basin taxable bond water supply development account as deemed necessary by the state finance committee

to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the Columbia river basin water supply development account and the Columbia river basin taxable bond water supply development account is necessary, or that a shift of appropriation authority from the Columbia river basin taxable bond water supply development account to the Columbia river basin water supply development account may be made.

Sec. 7019. RCW 28B.20.725 and 2015 3rd sp.s. c 3 s 7025 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. (~~However, during the 2013-2015 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.~~) However, during the 2015-2017 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2017-

2019 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2017-2019 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7020. RCW 28B.30.750 and 2015 3rd sp.s. c 3 s 7028 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the Washington State University building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the Washington State University building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. ~~((However, during the 2013-2015 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.))~~ However, during the 2015-2017 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2017-2019 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2017-2019 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7021. RCW 28B.15.210 and 2015 3rd sp.s. c 3 s 7027 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees at the University of Washington, including building fees to be charged students registering in the schools of medicine and dentistry, shall be paid into the state treasury and credited as follows:

One-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of the bond retirement fund to the "University of Washington bond retirement fund" and the remainder thereof to the "University of Washington building account." The sum so credited to the University of Washington building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping, or furnishing buildings, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized in RCW 28B.20.725(3). The sum so credited to the University of Washington bond retirement fund shall be used for the payment of principal of and interest on bonds outstanding as provided by chapter 28B.20 RCW except for any sums transferred as authorized in RCW 28B.20.725(5). ~~((During the 2013-2015 biennium, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ During the 2015-2017 biennium, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2017-2019 biennium, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments.

Sec. 7022. RCW 28B.15.310 and 2015 3rd sp.s. c 3 s 7026 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees shall be paid and credited as follows: To the Washington State University bond retirement fund, one-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; and the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized by law. (~~During the 2013-2015 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments.~~) During the 2015-2017 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2017-2019 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. Expenditures so made shall be accounted for in accordance with existing law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the payment of the principal of and interest on building bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

Sec. 7023. RCW 28B.35.370 and 2015 3rd sp.s. c 3 s 7029 are each amended to read as follows:

Within thirty-five days from the date of collection thereof all building fees of each regional university and The Evergreen State College shall be paid into the state treasury and these together with such normal school fund revenues as provided in RCW 28B.35.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each regional university and The Evergreen State College, if issuing bonds payable out of its building fees and above described normal school fund revenues, shall certify to the state treasurer the amounts required in the ensuing twelve months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each regional university and The Evergreen State College

shall be a prior lien and charge against all building fees and above described normal school fund revenues of such institution. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The amounts deposited in the respective capital projects accounts shall be used to pay and secure the payment of the principal of and interest on the building bonds issued by such regional universities and The Evergreen State College as authorized by law. If in any twelve month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding building and above described normal school fund revenue bonds of its institution, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All normal school fund revenue pursuant to RCW 28B.35.751 shall be deposited in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The sums deposited in the respective capital projects accounts shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and normal school revenue and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law. (~~However, during the 2013-2015 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and~~

~~facility condition assessments.))~~
 However, during the 2015-2017 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and facility condition assessments. However, during the 2017-2019 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and facility condition assessments.

(3) Funds available in the respective capital projects accounts may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7024. RCW 28B.50.360 and 2015 3rd sp.s. c 3 s 7030 are each amended to read as follows:

Within thirty-five days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board, if issuing bonds payable out of building fees, shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that purpose. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the

building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. ~~((However, during the 2013-2015 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.))~~ However, during the 2015-2017 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs. However, during the 2017-2019 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7025. RCW 43.155.050 and 2015 3rd sp.s. c 4 s 959 and 2015 3rd sp.s. c 3 s 7032 are each reenacted and amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning

loans. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such amounts as reflect the excess fund balance of the account. During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature. During the 2015-2017 fiscal biennium, the legislature may appropriate moneys from the account for activities related to the growth management act and the voluntary stewardship program. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the state general fund such amounts as specified by the legislature. In the 2017-2019 fiscal biennium the legislature intends to allocate seventy-three million dollars of future loan repayments paid into the public works assistance account to support basic education. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the public works assistance account to the drinking water assistance account and the water pollution control revolving account. During the 2017-2019 fiscal biennium, the legislature may appropriate moneys from the account for drinking water consolidation grants administered by the department of health.

Sec. 7026. RCW 70.105D.070 and 2016 sp.s. c 36 s 943 are each amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to

the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics control account: (i) The costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (ii) penalties collected or recovered under this chapter; and (iii) any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the state toxics control account must be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(a) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(b) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

(k) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW

70.105D.040(4) and when the director has found that the funding will achieve both: (i) A substantially more expeditious or enhanced cleanup than would otherwise occur; and (ii) the prevention or mitigation of unfair economic hardship;

(l) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;

(m) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(n) Storm water pollution control projects and activities that protect or preserve existing remedial actions or prevent hazardous clean-up sites;

(o) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(p) Air quality programs and actions for reducing public exposure to toxic air pollution;

(q) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) if:

(i) The facility is located within a redevelopment opportunity zone designated under RCW 70.105D.150;

(ii) The amount and terms of the funding are established under a settlement agreement under RCW 70.105D.040(5); and

(iii) The director has found the funding meets any additional criteria established in rule by the department, will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, and will provide a public benefit in addition to cleanup commensurate with the scope of the public funding;

(r) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters;

(s) Appropriations to the local toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts;

(t) During the 2013-2015 and 2015-2017 fiscal biennia, the department of ecology's water quality, shorelands,

environmental assessment, administration, and air quality programs;

(u) During the 2013-2015 fiscal biennium, actions at the state conservation commission to improve water quality for shellfish;

(v) During the 2013-2015 and 2015-2017 fiscal biennia, actions at the University of Washington for reducing ocean acidification;

(w) During the 2015-2017 and 2017-2019 fiscal ~~((biennium))~~ biennia, for the University of Washington Tacoma soil remediation project;

(x) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be spent on projects in section 3160, chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local toxics control account;

(y) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be transferred to the radioactive mixed waste account; and

(z) For the 2015-2017 fiscal biennium, forest practices regulation at the department of natural resources.

(4)(a) The department shall use moneys deposited in the local toxics control account for grants or loans to local governments for the following purposes in descending order of priority:

(i) Extended grant agreements entered into under (e)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under (e)(iv) of this subsection. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Storm water pollution source projects that: (A) Work in conjunction with a remedial action; (B) protect completed remedial actions against

recontamination; or (C) prevent hazardous clean-up sites;

(iv) Hazardous waste plans and programs under chapter 70.105 RCW;

(v) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters; and

(vii) Appropriations to the state toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts.

(b) Funds for plans and programs must be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW.

(c) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(d) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund, such amounts as reflect the excess fund balance in the account.

(e) To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(i) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds twenty million dollars. The agreement is subject to the following limitations:

(A) The initial duration of such an agreement may not exceed ten years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(B) Extended grant agreements may not exceed fifty percent of the total eligible remedial action costs at the facility; and

(C) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(ii) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(iii) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(iv) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to: Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(v) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(vi) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of

brownfield property under RCW 70.105D.040(5) that would not otherwise occur;

(vii) When pending grant applications under (e)(iv) and (v) of this subsection (4) exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(f) To expedite multiparty clean-up efforts, the department may purchase remedial action cost-cap insurance. For the 2013-2015 fiscal biennium, moneys in the local toxics control account may be spent on projects in sections 3024, 3035, 3036, and 3059, chapter 19, Laws of 2013 2nd sp. sess.

(5) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

(6) No moneys deposited into either the state or local toxics control account may be used for: Natural disasters where there is no hazardous substance contamination; high performance buildings; solid waste incinerator facility feasibility studies, construction, maintenance, or operation; or after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310. However, this subsection does not prevent an appropriation from the state toxics control account to the department of revenue to enforce compliance with the hazardous substance tax imposed in chapter 82.21 RCW.

(7) Except during (~~the 2011-2013 and~~) the 2015-2017 and the 2017-2019 fiscal biennia, one percent of the moneys collected under RCW 82.21.030 shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for

public participation that are not expended at the close of any biennium revert to the state toxics control account.

(8) The department shall adopt rules for grant or loan issuance and performance. To accelerate both remedial action and economic recovery, the department may expedite the adoption of rules necessary to implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited procedures in RCW 34.05.353. The department shall initiate the award of financial assistance by August 1, 2013. To ensure the adoption of rules will not delay financial assistance, the department may administer the award of financial assistance through interpretive guidance pending the adoption of rules through July 1, 2014.

(9) Except as provided under subsection (3)(k) and (q) of this section, nothing in chapter 1, Laws of 2013 2nd sp. sess. affects the ability of a potentially liable person to receive public funding.

(10) During the 2015-2017 fiscal biennium the local toxics control account may also be used for the centennial clean water program and for the storm water financial assistance program administered by the department of ecology.

(11) During the 2017-2019 biennium the state toxics control account, the local toxics control account, and the environmental legacy stewardship account may be used for interchangeable purposes and funds may be transferred between accounts to accomplish those purposes.

Sec. 7027. RCW 79A.15.030 and 2016 c 149 s 3 are each amended to read as follows:

(1) Moneys appropriated prior to July 1, 2016, for this chapter shall be divided as follows:

(a) Appropriations for a biennium of forty million dollars or less must be allocated equally between the habitat conservation account and the outdoor recreation account.

(b) If appropriations for a biennium total more than forty million dollars, the money must be allocated as follows: (i) Twenty million dollars to the habitat conservation account and twenty million dollars to the outdoor recreation account; (ii) any amount over forty million dollars up to fifty million dollars shall be allocated as follows: (A) Ten percent to the habitat conservation account; (B) ten

percent to the outdoor recreation account; (C) forty percent to the riparian protection account; and (D) forty percent to the farmlands preservation account; and (iii) any amounts over fifty million dollars must be allocated as follows: (A) Thirty percent to the habitat conservation account; (B) thirty percent to the outdoor recreation account; (C) thirty percent to the riparian protection account; and (D) ten percent to the farmlands preservation account.

(2) Beginning July 1, 2016, moneys appropriated for this chapter must be allocated as follows: (a) Forty-five percent to the habitat conservation account; (b) forty-five percent to the outdoor recreation account; and (c) ten percent to the farm and forest account. However, for the 2017-2019 biennium, moneys appropriated for this chapter must be allocated as specified in section 3183 of this act.

(3) Moneys deposited in these accounts shall be invested as authorized for other state funds, and any earnings on them shall be credited to the respective account.

(4) All moneys deposited in the habitat conservation, outdoor recreation, and farm and forest accounts shall be allocated as provided under RCW 79A.15.040, 79A.15.050, and 79A.15.130 as grants to state or local agencies or nonprofit nature conservancies for acquisition, development, and renovation within the jurisdiction of those agencies, subject to legislative appropriation. The board may use or permit the use of any funds appropriated for this chapter as matching funds where federal, local, or other funds are made available for projects within the purposes of this chapter. Moneys appropriated to these accounts that are not obligated to a specific project may be used to fund projects from lists of alternate projects from the same account in biennia succeeding the biennium in which the moneys were originally appropriated.

(5) Projects receiving grants for development, recreational access, or fee simple acquisition of land under this chapter must be accessible for public recreation and outdoor education unless the board specifically approves limiting public access in order to protect sensitive species, water quality, or public safety.

(6) The board may make grants to an eligible project from the habitat

conservation, outdoor recreation, and farm and forest accounts and any one or more of the applicable categories under such accounts described in RCW 79A.15.040, 79A.15.050, and 79A.15.130.

(7) The board may accept private donations to the habitat conservation account, the outdoor recreation account, and the farm and forest account for the purposes specified in this chapter.

(8) The board may retain a portion of the funds appropriated for this chapter for its office for the administration of the programs and purposes specified in this chapter. The portion of the funds retained for administration may not exceed: (a) The actual administration costs averaged over the previous five biennia as a percentage of the legislature's new appropriation for this chapter; or (b) the amount specified in the appropriation, if any. Each biennium the percentage specified under (a) of this subsection must be approved by the office of financial management and submitted along with the prioritized lists of projects to be funded in RCW 79A.15.060, 79A.15.070, and 79A.15.130.

(9) Habitat and recreation land and facilities acquired or developed with moneys appropriated for this chapter may not, without prior approval of the board, be converted to a use other than that for which funds were originally approved. The board shall adopt rules and procedures governing the approval of such a conversion.

Sec. 7028. RCW 79A.15.050 and 2016 c 149 s 5 are each amended to read as follows:

(1) Moneys appropriated prior to July 1, 2016, for this chapter to the outdoor recreation account shall be distributed in the following way:

(a) Not less than thirty percent to the state parks and recreation commission for the acquisition and development of state parks, with at least fifty percent of the money for acquisition costs;

(b) Not less than thirty percent for the acquisition, development, and renovation of local parks, with at least fifty percent of this money for acquisition costs;

(c) Not less than twenty percent for the acquisition, renovation, or development of trails;

(d) Not less than fifteen percent for the acquisition, renovation, or development of water access sites, with at least seventy-five percent of this money for acquisition costs; and

(e) Not less than five percent for development and renovation projects on state recreation lands. Only the department of natural resources and the department of fish and wildlife may apply for these funds to be used on their existing recreation lands.

(2) Moneys appropriated beginning July 1, 2016, for this chapter to the outdoor recreation account shall be distributed in the following way:

(a) Not less than thirty percent to the state parks and recreation commission for the acquisition and development of state parks, with at least forty percent but no more than fifty percent of the money for acquisition costs;

(b) Not less than thirty percent for the acquisition, development, and renovation of local parks, with at least forty percent but no more than fifty percent of this money for acquisition costs;

(c) Not less than twenty percent for the acquisition, renovation, or development of trails;

(d) Not less than ten percent for the acquisition, renovation, or development of water access sites, with at least seventy-five percent of this money for acquisition costs; and

(e) Not less than ten percent or three million dollars, whichever is less, for development and renovation projects on state recreation lands. Any amount above three million dollars must be distributed for the purposes of (d) of this subsection.

(3)(a) In distributing these funds, the board retains discretion to meet the most pressing needs for state and local parks, trails, and water access sites, and is not required to meet the percentages described in subsections (1) and (2) of this section in any one biennium. However, for the 2017-2019 biennium, moneys appropriated for this chapter must be allocated as specified in section 3183 of this act.

(b) If not enough project applications are submitted in a category within the outdoor recreation account to meet the percentages described in subsections (1) and (2) of this section in any biennium,

the board retains discretion to distribute any remaining funds to the other categories within the account.

(4) Only the state parks and recreation commission may apply for acquisition and development funds for state parks under subsections (1)(a) and (2)(a) of this section.

(5) Only local agencies may apply for acquisition, development, or renovation funds for local parks under subsections (1)(b) and (2)(b) of this section.

(6) Only state and local agencies may apply for funds for trails under subsections (1)(c) and (2)(c) of this section.

(7) Only state and local agencies may apply for funds for water access sites under subsections (1)(d) and (2)(d) of this section.

(8) Only the department of natural resources and the department of fish and wildlife may apply for funds for development and renovation projects on existing state recreation lands under subsections (1)(e) and (2)(e) of this section.

Sec. 7029. RCW 79A.15.130 and 2016 c 149 s 10 are each amended to read as follows:

(1) The farm and forest account is established in the state treasury. The board will administer the account in accordance with chapter 79A.25 RCW and this chapter, and hold it separate and apart from all other money, funds, and accounts of the board. Moneys appropriated for this chapter to the farm and forest account must be distributed for the acquisition and preservation of farmlands and forestlands in order to maintain the opportunity for agricultural and forest management activity upon these lands.

(2) Moneys appropriated beginning July 1, 2016, for this chapter shall be divided as follows:

(a) Not less than ninety percent for the acquisition and preservation of farmlands.

(b) Not less than ten percent for the acquisition and preservation of forestlands.

(c) However, for the 2017-2019 biennium, moneys appropriated for this chapter must be allocated as specified in section 3183 of this act.

(3) Moneys appropriated for this chapter to the farm and forest account may be distributed for: (a) The acquisition of a less than fee simple interest in farmlands or forestland, such as a conservation easement or lease; (b) the enhancement or restoration of ecological functions on those properties; or (c) both. In order for a farmland or forestland preservation grant to provide for an environmental enhancement or restoration project, the project must include the acquisition of a real property interest.

(4) Cities, counties, nonprofit nature conservancies, and the conservation commission may apply for acquisition and enhancement or restoration funds for farmland or forestland preservation projects within their jurisdictions under subsection (1) of this section.

(5) The board may adopt rules establishing acquisition and enhancement or restoration policies and priorities for distributions from the farm and forest account.

(6) The acquisition of a property interest in a project under this section does not provide a right of access to the property by the public unless explicitly provided for in a conservation easement or other form of deed restriction.

(7) Except as provided in RCW 79A.15.030(8), moneys appropriated for this section may not be used by the board to fund staff positions or other overhead expenses, or by cities, counties, nonprofit nature conservancies, or the conservation commission to fund operation or maintenance of areas acquired under this chapter.

(8) Moneys appropriated for this section may be used by grant recipients for costs incidental to restoration and acquisition, including, but not limited to, surveying expenses, fencing, noxious weed control, and signing.

(9) The board may not approve a local project where the local agency's or nonprofit nature conservancies' share is less than the amount to be awarded from the farm and forest account. In-kind contributions, including contributions of a real property interest in land, may be used to satisfy the local agency's or nonprofit nature conservancies' share.

(10) In determining the acquisition priorities for farmland projects, the

board must consider, at a minimum, the following criteria:

- (a) Community support for the project;
- (b) A recommendation as part of a limiting factors or critical pathways analysis, a watershed plan or habitat conservation plan, or a coordinated regionwide prioritization effort;
- (c) The likelihood of the conversion of the site to nonagricultural or more highly developed usage;
- (d) Consistency with a local land use plan, or a regional or statewide recreational or resource plan. The projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130 must be highly considered in the process;
- (e) Benefits to salmonids;
- (f) Benefits to other fish and wildlife habitat;
- (g) Integration with recovery efforts for endangered, threatened, or sensitive species;
- (h) The viability of the site for continued agricultural production, including, but not limited to:
 - (i) Soil types;
 - (ii) On-site production and support facilities such as barns, irrigation systems, crop processing and storage facilities, wells, housing, livestock sheds, and other farming infrastructure;
 - (iii) Suitability for producing different types or varieties of crops;
 - (iv) Farm-to-market access;
 - (v) Water availability; and
- (i) Other community values provided by the property when used as agricultural land, including, but not limited to:
 - (i) Viewshed;
 - (ii) Aquifer recharge;
 - (iii) Occasional or periodic collector for storm water runoff;
 - (iv) Agricultural sector job creation;
 - (v) Migratory bird habitat and forage area; and
 - (vi) Educational and curriculum potential.

(11) In allotting funds for environmental enhancement or restoration projects, the board will require the projects to meet the following criteria:

(a) Enhancement or restoration projects must further the ecological functions of the farmlands;

(b) The projects, such as fencing, bridging watercourses, replanting native vegetation, replacing culverts, clearing of waterways, etc., must be less than fifty percent of the acquisition cost of the project including any in-kind contribution by any party;

(c) The projects should be based on accepted methods of achieving beneficial enhancement or restoration results; and

(d) The projects should enhance the viability of the preserved farmland to provide agricultural production while conforming to any legal requirements for habitat protection.

(12) In determining the acquisition priorities for forestland projects, the board must consider, at a minimum, the following criteria:

(a) Community support for the project;

(b) A recommendation as part of a limiting factors or critical pathways analysis, a watershed plan or habitat conservation plan, or a coordinated regionwide prioritization effort;

(c) The likelihood of conversion of the site to nontimber or more highly developed use;

(d) Consistency with a local land use plan, or a regional or statewide recreational or resource plan. The projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130 must be highly considered in the process;

(e) Multiple benefits of the project;

(f) Project attributes, including but not limited to:

(i) Clean air and water;

(ii) Storm water management;

(iii) Wildlife habitat; and

(iv) Potential for carbon sequestration.

(13) In allotting funds for environmental enhancement or restoration

projects, the board must require the projects to meet the following criteria:

(a) Enhancement or restoration projects must further the ecological functions of the forestlands;

(b) The projects, such as fencing, bridging watercourses, replanting native vegetation, replacing culverts, etc., must be less than fifty percent of the acquisition cost of the project including any in-kind contribution by any party;

(c) The projects should be based on accepted methods of achieving beneficial enhancement or restoration results;

(d) The projects should enhance the viability of the preserved forestland to provide timber production while conforming to any legal requirements for habitat protection.

(14) Before November 1st of each even-numbered year, the board will recommend to the governor a prioritized list of all projects to be funded under this section. The governor may remove projects from the list recommended by the board and must submit this amended list in the capital budget request to the legislature. The list must include, but not be limited to, a description of each project and any particular match requirement.

NEW SECTION. Sec. 7030. (1) Funds appropriated in this act for minor works may not be allotted until final project lists are submitted to the office of financial management. Revisions to the project lists are allowed for projects not anticipated at the time of budget development but must be submitted to the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee for review and comment and must include an explanation of variances from the prior lists before funds may be expended on the revisions. Any project list revisions must be approved by the office of financial management before funds may be expended from the minor works appropriation.

(2)(a) Minor works project lists are single line appropriations that include multiple projects of a similar nature and that are valued between \$25,000 and \$1,000,000 each, with the exception of higher education minor works projects that may be valued up to \$2,000,000. All projects must meet the criteria included in this subsection (2)(a). These projects should be completed within two years of

the appropriation with the funding provided. Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed \$1,000,000, or \$2,000,000 for higher education minor works projects. Improvements for accessibility in compliance with the Americans with disabilities act may be included in any of the minor works categories.

(b) Minor works appropriations may not be used for the following: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; movable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; rolling stock; computers; or to supplement funding for projects with funding shortfalls unless expressly authorized. The office of financial management may make an exception to the limitations described in this subsection (2)(b) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(c) Minor works preservation projects may include program improvements of no more than twenty-five percent of the individual minor works preservation project cost.

(d) This section does not apply to sections 3134 through 3136 of this act.

NEW SECTION. Sec. 7031. FOR THE STATE TREASURER—TRANSFERS

Public works assistance account—state: For transfer

to the water pollution control revolving account, up to

\$5,000,000 for fiscal year 2018 and up to \$5,000,000 for

fiscal year 2019 \$10,000,000

Public works assistance account—state: For transfer

to the drinking water assistance account, up to \$5,000,000

for fiscal year 2018 and up to \$5,000,000 for fiscal

year 2019 \$10,000,000

NEW SECTION. Sec. 7032. STATE TREASURER TRANSFER AUTHORITY

State Toxics Control Account: For transfer to the

environmental legacy stewardship account, \$5,125,000 for

fiscal year 2018 and \$5,125,000 for fiscal year 2019 \$10,250,000

Local Toxics Control Account: For transfer to the

environmental legacy stewardship account, \$18,625,000 in

fiscal year 2018 and \$18,625,000 in fiscal year 2019 \$37,250,000

(1) (a) As directed by the department of ecology in consultation with the office of financial management, the state treasurer shall transfer amounts among the state toxics control account, the local toxics control account, and the environmental legacy stewardship account as needed during the 2017-2019 fiscal biennium to maintain positive account balances in all three accounts.

(b) If, after using the interfund transfer authority granted in this section, the department of ecology determines that further reductions are needed to maintain positive account balances in the state toxics control account, the local toxics control account, and the environmental legacy stewardship account, the department is authorized to delay the start of stormwater and clean-up projects based on acuity of need, readiness to proceed, cost-efficiency, purposes of increasing affordable housing, or need to ensure geographic distribution. If the department uses this authority, the department must submit a prioritized list of projects that may be delayed to the office of financial management and the appropriate fiscal committees of the legislature.

(2) As directed by the pollution liability insurance agency in consultation with the office of financial management, the state treasurer shall transfer from the pollution liability insurance program trust account to the underground storage tank revolving account the lesser of \$20,000,000 or the balance of the fund exceeding \$7,500,000 after excluding the

reserves during the 2017-2019 fiscal biennium.

NEW SECTION. **Sec. 7033.** To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 7034.** The energy efficiency account is hereby created in the state treasury. The sums deposited in the energy recovery act account shall be appropriated and expended for loans, loan guarantees, and grants for projects that encourage the establishment and use of innovative and sustainable industries for renewable energy and energy efficiency technology. The balance of state funds, federal funds, and loan repayments, from the energy recovery act account, are deposited in this account.

NEW SECTION. **Sec. 7035.** (1) (a) A legislative task force on projecting costs to complete the Columbia basin project is established, with members as provided in this subsection.

(i) The president of the senate shall appoint two members from the senate, one from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint two members from the house of representatives, one from each of the two largest caucuses of the house of representatives.

(iii) The governor shall appoint one member representing the governor.

(b) The task force shall choose its chair from among the legislators in its membership. Legislative members shall convene the initial meeting of the task force.

(2) The task force shall review the following issues:

(a) Costs to complete the project;

(b) Timeline, stages, and stakeholders needed to complete the project; and

(c) Feasibility of completing the project.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the appropriate committees of the legislature by September 30, 2017.

NEW SECTION. **Sec. 7036.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Tharinger moved the adoption of amendment (544) to the striking amendment (469):

On page 271, line 23 of the amendment, after "force." insert "All meetings of the task force must be scheduled and conducted in accordance with the requirements of both the senate and the house of representatives."

Representatives Tharinger and DeBolt spoke in favor of the adoption of the amendment (544) to the striking amendment (469).

Amendment (544) to the striking amendment (469) was adopted.

Representatives Tharinger and DeBolt spoke in favor of the adoption of the striking amendment (469), as amended.

Amendment (469), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Tharinger and DeBolt spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5086, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5086, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5086, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5033, by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Honeyford, Frockt, Warnick, Conway and Palumbo)

Concerning financing essential public infrastructure.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Capital Budget was adopted. (For committee amendment, see Journal, Day 92, April 10, 2017).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Doglio and Kraft spoke in favor of the passage of the bill, as amended by the House.

MOTION

On motion of Representative Hayes, Representative Haler was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5033, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5033, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler.

Excused: Representative Haler.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5033, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2182, by Representative Peterson

Relating to providing a tiered tax on the possession of hazardous substances to provide for the current program's immediate needs and a more stable source of revenue in the future.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2182 was substituted for House Bill No. 2182 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2182 was read the second time.

Representative DeBolt moved the adoption of amendment (549):

On page 1, beginning on line 10, after "otherwise in" strike "subsection (2)" and insert "subsections (2) and (6)"

On page 1, line 13, after "2025," insert "for hazardous substances, excluding aircraft fuel as defined in RCW 82.42.010"

purchased by an air carrier domiciled in Washington,"

On page 2, line 30, after "changes in" strike "subsection (2)" and insert "subsections (2) and (6)"

On page 2, line 32, after "under" strike "subsection (2)(a), (b), and (c)" and insert "subsections (2)(a), (b), and (c) and (6)(a) or (b)"

On page 2, beginning on line 35, after "pursuant to" strike "subsection (2)(a), (b), or (c)" and insert "subsections (2)(a), (b), and (c) and (6)(a) or (b)"

On page 3, after line 4, insert the following:

"(6) From July 1, 2017, through June 30, 2025, for aircraft fuel as defined in RCW 82.42.010 purchased by an air carrier domiciled in Washington, the rate of the tax is:

(a) Beginning on July 1st of each fiscal year, 0.7 percent multiplied by the wholesale value of the substance until the department determines that total aggregate taxes for the current fiscal year collected pursuant to this section equal or exceed one hundred seventy million dollars. This rate applies until the rate in (b) of this subsection (6) takes effect as provided in subsection (4) of this section; and

(b) 0.21 percent multiplied by the wholesale value of the substance when the department determines that total aggregate taxes for the current fiscal year collected pursuant to this section equal or exceed one hundred seventy million dollars. This rate applies until the first day of the next fiscal year.

(7)(a) By July 1, 2019, the department must increase the revenue thresholds provided in subsection (6)(a) and (b) of this section by the most current fiscal growth factor for the fiscal year ending June 30, 2019, as computed by the state expenditure limit committee according to RCW 43.135.025.

(b) By July 1, 2021, the department must increase the revenue thresholds provided in subsection (6)(a) and (b) of this section, as adjusted in (a) of this subsection (7), by the most current fiscal growth factor for the fiscal year ending June 30, 2021, as computed by the state expenditure limit committee according to RCW 43.135.025.

(c) By July 1, 2023, the department must increase the revenue thresholds provided in subsection (6)(a) and (b) of this section, as adjusted in (a) and (b) of this subsection (7), by the most current fiscal growth factor for the fiscal year ending June 30, 2023, as computed by the state expenditure limit committee according to RCW 43.135.025."

Representative DeBolt spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (549) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representative DeBolt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2182.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2182, and the bill passed the House by the following vote: Yeas, 50; Nays, 47; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Haler.

SUBSTITUTE HOUSE BILL NO. 2182, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE SENATE BILL NO. 5033 passed the House.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE SENATE BILL NO. 5033, as amended by the House, was returned to second reading for the purpose of amendment.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5033, by Senators Keiser, Honeyford, Frockt, Warnick, Conway and Palumbo

Concerning financing essential public infrastructure.

There being no objection, the House immediately reconsidered the vote by which the striking amendment by the Committee on Capitol Budget was adopted.

There being no objection, the striking amendment by the Committee on Capitol Budget was before the House for purpose of amendment. (For committee amendment, see Journal, Day 92, April 10, 2017).

Representative DeBolt moved the adoption of amendment (552) to the committee striking amendment:

On page 16, after line 37 of the striking amendment, insert the following:

"Sec. 13. RCW 82.45.060 and 2013 2nd sp.s. c 9 s 6 are each amended to read as follows:

There is imposed an excise tax upon each sale of real property at the rate of one and twenty-eight one-hundredths percent of the selling price. Beginning July 1, 2013, and ending June 30, (~~2019~~) 2021, an amount equal to two percent of the proceeds of this tax must be deposited in the public works assistance account created in RCW 43.155.050, and an amount equal to four and one-tenth percent must be deposited in the education legacy trust account created in RCW 83.100.230. Thereafter, an amount equal to six and one-tenth percent of the proceeds of this tax to the state treasurer must be deposited in the public works assistance account created in RCW 43.155.050. Except as otherwise provided in this section, an amount equal to one and six-tenths percent of the proceeds of this tax to the state treasurer must be deposited in the city-county assistance account created in RCW 43.08.290.

Sec. 14. RCW 82.16.020 and 2015 3rd sp.s. c 6 s 703 are each amended to read as follows:

(1) There is levied and collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax is equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

(a) Express, sewerage collection, and telegraph businesses: Three and six-tenths percent;

(b) Light and power business: Three and sixty-two one-hundredths percent;

(c) Gas distribution business: Three and six-tenths percent;

(d) Urban transportation business: Six-tenths of one percent;

(e) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

(f) Motor transportation, railroad, railroad car, and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent;

(g) Water distribution business: Four and seven-tenths percent;

(h) Log transportation business: One and twenty-eight one-hundredths percent. The reduced rate established in this subsection (1)(h) is not subject to the ten-year expiration provision in RCW 82.32.805(1)(a).

(2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.

(3) Twenty percent of the moneys collected under subsection (1) of this section on water distribution businesses and sixty percent of the moneys collected under subsection (1) of this section on sewerage collection businesses must be deposited in the education legacy trust account created in RCW 83.100.230 from July 1, 2013, through June 30, (~~2019~~) 2021, and thereafter in the public works assistance account created in RCW 43.155.050.

Sec. 15. RCW 82.18.040 and 2013 2nd sp.s. c 9 s 8 are each amended to read as follows:

(1) Taxes collected under this chapter must be held in trust until paid to the state. Except as otherwise provided in

this subsection (1), taxes received by the state must be deposited in the public works assistance account created in RCW 43.155.050. For the period beginning July 1, 2011, and ending June 30, 2015, taxes received by the state under this chapter must be deposited in the general fund for general purpose expenditures. For fiscal years 2016, 2017, and 2018, one-half of the taxes received by the state under this chapter must be deposited in the general fund for general purpose expenditures and the remainder deposited in the education legacy trust account created in RCW 83.100.230. For fiscal years 2019, 2020, and 2021, taxes received by the state under this chapter must be deposited in the education legacy trust account created in RCW 83.100.230. Any person collecting the tax who appropriates or converts the tax collected is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. If a taxpayer fails to pay the tax imposed by this chapter to the person charged with collection of the tax and the person charged with collection fails to pay the tax to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the tax.

(2) The tax is due from the taxpayer within twenty-five days from the date the taxpayer is billed by the person collecting the tax.

(3) The tax is due from the person collecting the tax at the end of the tax period in which the tax is received from the taxpayer. If the taxpayer remits only a portion of the total amount billed for taxes, consideration, and related charges, the amount remitted must be applied first to payment of the solid waste collection tax and this tax has priority over all other claims to the amount remitted."

Amendment (552) to the committee striking amendment, was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5033, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5033, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representative Haler.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5033, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 2201, by Representatives Pellicciotti, Slatter, Reeves, Clibborn, Lovick, Ormsby, Pollet, Kilduff, Kloba, Orwall, Sells, Stanford, Wylie and Senn

Concerning the collection of a motor vehicle excise tax approved by voters of a regional transit authority in 2016.

The bill was read the second time.

Representative Harmsworth moved the adoption of amendment (538):

On page 2, line 7, after "2017." insert "The authority may not issue contracts or conduct other activities with respect to the design, planning, or implementation of the system and financing plan approved by the authority's voters in 2016 until the program has been implemented."

Representative Harmsworth spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (538).

ROLL CALL

The Clerk called the roll on the adoption of amendment (538) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Reeves, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (538) was not adopted.

Representative Harmsworth moved the adoption of amendment (541):

On page 2, line 10, after "to" insert "two times the difference between"

On page 2, line 11, after "1996," strike "less" and insert "and"

Representative Harmsworth spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (541).

ROLL CALL

The Clerk called the roll on the adoption of amendment (541) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick,

Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (541) was not adopted.

Representative Harmsworth moved the adoption of amendment (535):

On page 2, line 13, after "positive." insert "The net result of the amount of tax owed under current law and the amount of any credit applied must not exceed five-tenths of one percent of the value of the vehicle."

Representative Harmsworth spoke in favor of the adoption of the amendment.

Representative Fey spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (535).

ROLL CALL

The Clerk called the roll on the adoption of amendment (535) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (535) was not adopted.

Representative Harmsworth moved the adoption of amendment (536):

On page 2, line 20, after "(4)" insert "Before the authority may use unrestricted tax proceeds to fund the program, the governing board of the authority must submit a proposition to its voters at the next general election for approval of such use of the unrestricted tax proceeds.

(5) "

Renumber remaining subsections consecutively and correct any internal references accordingly.

Representative Harmsworth spoke in favor of the adoption of the amendment.

Representative Farrell spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (536).

ROLL CALL

The Clerk called the roll on the adoption of amendment (536) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (536) was not adopted.

Representative Pellicciotti moved the adoption of amendment (548):

On page 2, line 20, after "must" strike "be" and insert "provide credit"

On page 2, line 21, after "RCW 81.104.160(1)." insert "The authority, in consultation with the department of

licensing, must develop a system to issue refunds of credits with respect to vehicles for which the registrations were renewed before January 1, 2018."

On page 3, after line 9, insert the following:

"NEW SECTION. **Sec. 3.** Section 1 of this act applies to registrations that are due or become due on or after January 1, 2018."

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

Representatives Pellicciotti and Harmsworth spoke in favor of the adoption of the amendment.

Amendment (548) was adopted.

Representative Harmsworth moved the adoption of amendment (537):

On page 3, line 1, after "First, from" strike all material through "rail" on line 3 and insert "light rail projects; second, from transit bus-related projects; third, from commuter rail projects; and fourth, from parking facility"

Representatives Harmsworth and Stambaugh spoke in favor of the adoption of the amendment.

Representative Fitzgibbon spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (537).

ROLL CALL

The Clerk called the roll on the adoption of amendment (537) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford,

Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (537) was not adopted.

Representative Stokesbary moved the adoption of amendment (550):

On page 3, line 1, after "First, from" strike all material through "rail" on line 3 and insert "parking facility projects located within fifteen miles of the King street station in Seattle; second, from transit bus-related projects that provide service only within a single county; third, from commuter rail projects located north of the King street station in Seattle; fourth, from all other transit bus-related projects; fifth, from all other commuter rail projects; sixth, from all other light rail projects; and seventh, from all other parking facility"

On page 3, line 3, after "projects." insert "The authority may not identify savings and cost reductions relating to services or parking facilities that are provided as part of agency operations as of March, 2017."

Representative Stokesbary and Stokesbary (again) spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (550).

ROLL CALL

The Clerk called the roll on the adoption of amendment (550) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford,

Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (550) was not adopted.

Representative Harmsworth moved the adoption of amendment (534):

On page 3, after line 9, insert the following:

"Sec. 3. RCW 82.44.035 and 2010 c 161 s 910 are each amended to read as follows:

(1) For the purpose of determining any locally imposed motor vehicle excise tax, the value of a truck or trailer (~~shall be~~) is the latest purchase price of the vehicle, excluding applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the following percentage based on year of service of the vehicle since last sale. The latest purchase year (~~shall be~~) is considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
1	100
2	81
3	67
4	55
5	45
6	37
7	30
8	25
9	20
10	16
11	13
12	11
13	9
14	7
15	3
16 or older	0

(2) The reissuance of a certificate of title and registration certificate for a truck or trailer because of the installation of body or special equipment (~~shall be~~) is treated as a sale, and the value of the truck or trailer at that time, as determined by the department from such information as may be available, (~~shall~~

be) is considered the latest purchase price.

(3) For the purpose of determining any locally imposed motor vehicle excise tax, the value of a vehicle other than a truck or trailer (~~shall be eighty five percent of the manufacturer's base suggested retail price of the vehicle when first offered for sale as a new vehicle, excluding any optional equipment, applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the applicable percentage listed in this subsection (3) based on year of service of the vehicle.~~

If the manufacturer's base suggested retail price is unavailable or otherwise unascertainable at the time of initial registration in this state, the department shall determine a value equivalent to a manufacturer's base suggested retail price as follows:

(a) The department shall determine a value using any information that may be available, including any guidebook, report, or compendium of recognized standing in the automotive industry or the selling price and year of sale of the vehicle. The department may use an appraisal by the county assessor. In valuing a vehicle for which the current value or selling price is not indicative of the value of similar vehicles of the same year and model, the department shall establish a value that more closely represents the average value of similar vehicles of the same year and model. The value determined in this subsection (3) (a) shall be divided by the applicable percentage listed in (b) of this subsection (3) to establish a value equivalent to a manufacturer's base suggested retail price and this value shall be multiplied by eighty-five percent.

(b) The year the vehicle is offered for sale as a new vehicle shall be considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
1	100
2	81
3	72
4	63
5	55

6	47
7	41
8	36
9	32
10	27
11	26
12	24
13	23
14	21
15	16
16 or older	10

(4) For purposes of this chapter, value shall exclude value attributable to modifications of a vehicle and equipment that are designed to facilitate the use or operation of the vehicle by a person with a disability)) must be based on base model Kelley blue book values, or the national automobile dealers association values, whichever is lower."

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

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (534) to House Bill No. 2201.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *The title of House Bill 2201 is lengthy but includes language limiting the scope of the bill to creation of "a market value adjustment program to provide a credit" for certain taxes authorized by the voters in 2016 "in a manner that limits the delay of the voter approved 2016 plan".*

In addition to a credit, the amendment both changes the administration of the valuation schedule used to determine those taxes, and would have the effect of delaying the voter approved projects.

The Speaker therefore finds and rules that the amendment is beyond the scope of the bill as defined by its title.

The point of order is well taken.

Representative Harmsworth moved the adoption of amendment (542):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 82.44 RCW to read as follows:

If the department enters into a contract with a regional transit authority for the collection of a motor vehicle excise tax authorized in RCW 81.104.160(1), and after the regional transit authority implements a market value adjustment program as directed in section 2 of this act, the department must clearly indicate, when notifying taxpayers of the expected tax due and when collecting the tax: The amount of tax owed under current law, the amount of any credit applied, and the net result.

NEW SECTION. Sec. 2. A new section is added to chapter 81.112 RCW to read as follows:

(1) A regional transit authority that includes portions of a county with a population of more than one million five hundred thousand and that imposes a motor vehicle excise tax under RCW 81.104.160(1) must establish a market value adjustment program to be implemented by December 31, 2017.

(2) Under the market value adjustment program, the authority must provide a credit against the motor vehicle excise tax due in an amount equal to two times the difference between the tax due calculated using the vehicle valuation schedule in chapter 82.44 RCW as it existed on January 1, 1996, and the tax otherwise due calculated using the vehicle valuation schedule in RCW 82.44.035, if the resulting difference is positive. The net result of the amount of tax owed under current law and the amount of any credit applied must not exceed five-tenths of one percent of the value of the vehicle. The credit applies only to the motor vehicle excise tax authorized in RCW 81.104.160(1).

(3) The program may be funded by any resources available to the authority including, but not limited to:

(a) Unrestricted tax proceeds or other revenues; and

(b) Savings from the delivery of projects.

(4) The program must be retroactive to the date that the authority first imposed the tax under RCW 81.104.160(1).

(5)(a) The program must be implemented in a manner that allows the delivery of the system and financing plan approved by

the authority's voters in 2016 to the extent practicable. Building on past and ongoing cost-savings efforts, the agency must continue to evaluate measures that may be needed to reduce costs. These measures include, but are not limited to:

(i) Designing projects using the principles of practical design, as described for use by the department of transportation under RCW 47.01.480;

(ii) Efficiencies realized in coordinating and integrating activities with other transit agencies and local governments, including through shared maintenance and operations, joint procurement, joint marketing, joint customer services, and joint capital projects; and

(iii) Revising project contingency budgets, if practicable.

(b) If, when implementing the program, the authority is not able to deliver projects according to the system and financing plan approved by the authority's voters in 2016, the authority must identify savings and cost reductions in the following priority order: First, from light rail projects; second, from transit bus-related projects; third, from commuter rail projects; and fourth, from parking facility projects.

(6) Until the plan has been completed, the authority must submit an annual report to the transportation committees of the legislature by December 31st of each year on the status of the delivery of the plan. The report must include detail on the extent to and manner in which the authority has used cost savings to maintain the delivery of the plan as approved by the voters.

Sec. 3. RCW 82.44.035 and 2010 c 161 s 910 are each amended to read as follows:

(1) For the purpose of determining any locally imposed motor vehicle excise tax, the value of a truck or trailer (~~shall be~~) is the latest purchase price of the vehicle, excluding applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the following percentage based on year of service of the vehicle since last sale. The latest purchase year (~~shall be~~) is considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
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1	100
2	81
3	67
4	55
5	45
6	37
7	30
8	25
9	20
10	16
11	13
12	11
13	9
14	7
15	3
16 or older	0

(2) The reissuance of a certificate of title and registration certificate for a truck or trailer because of the installation of body or special equipment (~~shall be~~) is treated as a sale, and the value of the truck or trailer at that time, as determined by the department from such information as may be available, (~~shall be~~) is considered the latest purchase price.

(3) For the purpose of determining any locally imposed motor vehicle excise tax, the value of a vehicle other than a truck or trailer (~~shall be eighty five percent of the manufacturer's base suggested retail price of the vehicle when first offered for sale as a new vehicle, excluding any optional equipment, applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the applicable percentage listed in this subsection (3) based on year of service of the vehicle.~~

If the manufacturer's base suggested retail price is unavailable or otherwise unascertainable at the time of initial registration in this state, the department shall determine a value equivalent to a manufacturer's base suggested retail price as follows:

(a) The department shall determine a value using any information that may be available, including any guidebook, report, or compendium of recognized

standing in the automotive industry or the selling price and year of sale of the vehicle. The department may use an appraisal by the county assessor. In valuing a vehicle for which the current value or selling price is not indicative of the value of similar vehicles of the same year and model, the department shall establish a value that more closely represents the average value of similar vehicles of the same year and model. The value determined in this subsection (3) (a) shall be divided by the applicable percentage listed in (b) of this subsection (3) to establish a value equivalent to a manufacturer's base suggested retail price and this value shall be multiplied by eighty-five percent.

(b) The year the vehicle is offered for sale as a new vehicle shall be considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
1	100
2	81
3	72
4	63
5	55
6	47
7	41
8	36
9	32
10	27
11	26
12	24
13	23
14	21
15	16
16 or older	10

(4) For purposes of this chapter, value shall exclude value attributable to modifications of a vehicle and equipment that are designed to facilitate the use or operation of the vehicle by a person with a disability)) must be based on base model Kelley blue book values, or the national automobile dealers association values, whichever is lower.

NEW SECTION. **Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or

support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (542) to House Bill No. 2201.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *The title of House Bill 2201 is lengthy but includes language limiting the scope of the bill to creation of "a market value adjustment program to provide a credit" for certain taxes authorized by the voters in 2016 "in a manner that limits the delay of the voter approved 2016 plan".*

In addition to a credit, the amendment both changes the administration of the valuation schedule used to determine those taxes, and would have the effect of delaying the voter approved projects.

The Speaker therefore finds and rules that the amendment is beyond the scope of the bill as defined by its title.

The point of order is well taken.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pellicciotti, Harmsworth, Fey, Stokesbary, Farrell, Irwin, Hudgins, Fitzgibbon, Orcutt and Stokesbary (again) spoke in favor of the passage of the bill.

Representatives Young, Buys and Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2201.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2201, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hargrove, Harmsworth, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer,

Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Harris, Hayes, Holy, Jenkin, Johnson, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Pike, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Haler.

ENGROSSED HOUSE BILL NO. 2201, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1958, by Representatives Harmsworth, Young, Rodne and Stanford

Prohibiting the imposition of regional transit authority property taxes on less than a whole parcel.

The bill was read the second time.

Representative Lovick moved the adoption of amendment (474):

On page 2, after line 17, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 84.56 RCW to read as follows:

(1) The county treasurer must waive interest and penalties for delinquencies on property taxes imposed by a regional transit authority under RCW 81.104.175 and collected before June 30, 2017, if the property is exempted from such tax under this act.

(2) This section expires on January 1, 2019."

Re-number remaining sections consecutively, correct internal references accordingly, and correct the title.

Representatives Lovick and Harmsworth spoke in favor of the adoption of the amendment.

Amendment (474) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Harmsworth spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1958.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1958, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Haler.

ENGROSSED HOUSE BILL NO. 1958, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5096, by Senators King and Hobbs

Making transportation appropriations for the 2017-2019 fiscal biennium.

The bill was read the second time.

Representative Clibborn moved the adoption of amendment (464):

Strike everything after the enacting clause and insert the following:

"2017-2019 FISCAL BIENNIUM

NEW SECTION. **Sec. 1.** (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2019.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2018" or "FY 2018" means the fiscal year ending June 30, 2018.

(b) "Fiscal year 2019" or "FY 2019" means the fiscal year ending June 30, 2019.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

GENERAL GOVERNMENT AGENCIES—OPERATING

NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor	Vehicle	Account—State
Appropriation	\$516,000	

NEW SECTION. Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State
Appropriation \$1,604,000

NEW SECTION. Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor	Vehicle	Account—State
Appropriation	\$2,714,000	

Puget Sound Ferry Operations Account—State	Appropriation	\$116,000
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TOTAL APPROPRIATION \$2,830,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the motor vehicle account—state appropriation is provided

solely for the office of financial management to work with the department of transportation on integrating the transportation reporting and accounting information system or its successor system with the One Washington project. The office of financial management and the department of transportation must provide a joint status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: The status of the department's ability to integrate the transportation reporting and accounting information system or its successor system with the One Washington project; the status of the One Washington project; and a description of significant changes to planned timelines or deliverables.

(2) The office of financial management, in conjunction with the office of the chief information officer, shall provide oversight and review of the department of transportation's competitive procurement process for a new ferry dispatch system as required in section 309(7) of this act.

(3) \$1,100,000 of the motor vehicle account-state appropriation is provided solely for the office of financial management, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to: Provide statewide updates to transportation metrics and financial reporting, develop and implement an inventory of county culvert and short-span bridge infrastructure, and develop and implement enhanced road safety data in support of county road systemic safety programs. The Washington state association of counties must develop and implement data collection, management, and reporting in cooperation with state agencies involved with the collection and maintenance of related inventory systems.

NEW SECTION. Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION

Motor	Vehicle	Account-State
Appropriation	\$986,000	

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE

Motor	Vehicle	Account-State
Appropriation	\$1,308,000	

NEW SECTION. Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor	Vehicle	Account-State
Appropriation	\$616,000	

NEW SECTION. Sec. 107. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Motor	Vehicle	Account-State
Appropriation	\$250,000	

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

(1) The department must work with the Washington state association of counties to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. Such programmatic agreements when agreed to by the department and participating counties are binding agreements for permitting, design, and mitigation of county water crossing structures.

(2) \$250,000 of the motor vehicle account-state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the Washington state association of cities to identify city-owned fish passage barriers that share the same stream system as state-owned fish passage barriers. The study must identify, map, and provide a preliminary assessment of city-owned barriers that need correction. The study must provide recommendations on: (a) How to prioritize city-owned barriers within the same stream system of state-owned barriers in the current six-year construction plan to maximize state investment; and (b) how future state six-year construction plans should incorporate city-owned barriers. A report must be provided to the office of financial management and the transportation committees of the legislature by July 1, 2018.

NEW SECTION. Sec. 108. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

The department must provide a detailed accounting of the revenues and expenditures of the self-insurance fund for transportation agencies included in this act and a copy of the most recent annual actuarial review to the

transportation committees of the legislature on December 31st and June 30th of each year.

TRANSPORTATION AGENCIES—OPERATING

NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State
Appropriation \$3,326,000

Highway Safety Account—Federal
Appropriation \$22,216,000

Highway Safety Account—Private/Local
Appropriation \$118,000

School Zone Safety Account—State
Appropriation \$850,000

TOTAL APPROPRIATION \$26,510,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,000,000 of the highway safety account—federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2017–2019 fiscal biennium.

(2) \$118,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed House Bill No. 1795), Laws of 2017 (bicyclist safety advisory council). If chapter . . . (Engrossed House Bill No. 1795), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State
Appropriation \$1,065,000

Motor Vehicle Account—State
Appropriation \$2,590,000

County Arterial Preservation Account—State

Appropriation \$1,601,000

TOTAL APPROPRIATION \$5,256,000

NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State

Appropriation \$4,293,000

NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account—State
Appropriation \$1,537,000

Multimodal Transportation Account—State

Appropriation \$950,000

TOTAL APPROPRIATION \$2,487,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$200,000 of the multimodal transportation account—state appropriation is for a consultant study of marine pilotage in Washington state, with a goal of recommending best practices for: An analytically-driven pilotage tariff and fee setting process; pilot recruitment, training, review, and selection, with a focus on increasing pilot diversity; and selection of governance structures for the oversight and management of pilotage activities. The study must include the following:

(i)(A) An examination of current practices of the board of pilotage related to pilotage tariff and fee setting, pilot candidate recruitment and training, and pilot review and selection processes;

(B) An examination of the current oversight, administrative practices, and governance of the board of pilotage commissioners and the two pilotage districts;

(ii) A comparison of current practices identified under this subsection (1)(a) to best practices in marine pilotage elsewhere in the United States, and a comparison to marine pilotage activities outside of the United States, to the extent these marine pilotage activities can inform the evaluation process and identify additional best practices that could be implemented in Washington state;

(iii) A comparison of the results of the examination of current practices to best practices in the United States in areas other than marine pilotage for which similar activities are conducted;

(iv) An evaluation of the extent to which the best practices examined can be implemented and would be effective in Washington state; and

(v) A recommendation for the best practices that should be adopted by Washington state for each of the areas examined.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by January 8, 2018.

(2) \$80,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the center for transportation studies at the University of Minnesota to independently analyze and assess traffic data for the express toll lanes and general purpose lanes of the Interstate 405 tolled corridor.

(3)(a) \$250,000 of the multimodal transportation account—state appropriation is for a consultant study of state and local regulation of commercial passenger transportation services provided in Washington state. Services covered by the study may include, but are not limited to, transportation services regulated by the utilities and transportation commission, for hire services regulated by counties and the department of licensing, taxi services regulated by cities, transportation network companies regulated by cities, and services regulated by port districts. The study must compare and contrast the state and local laws and rules that govern these passenger transportation services.

In conducting the study, the joint transportation committee shall consult with the department of licensing, the utilities and transportation commission, the Washington state patrol, appropriate local entities engaged in the regulation of commercial passenger transportation services, and other relevant stakeholders. The joint transportation committee shall also obtain input from stakeholder groups representing commercial passenger transportation services.

(b) The joint transportation committee must issue a report of its recommendations and findings on passenger transportation services to the house of representatives and senate transportation committees by January 7, 2019. The report must:

(i) Review laws and rules governing, among other topics, driver qualifications, vehicle and passenger safety, and vehicle insurance;

(ii) Compare existing laws and rules as applied to each type of regulated commercial passenger transportation service;

(iii) Identify any regulatory differences, redundancies, or inconsistencies in regulation;

(iv) Identify opportunities to improve consistency in regulation; and

(v) Make policy recommendations for greater regulatory consistency that do not reduce competition and innovation in the existing marketplace.

(4)(a) \$500,000 of the multimodal transportation account—state appropriation is for a consultant study of air cargo congestion at Washington airports. The study must:

(i) Evaluate the current and projected future capacity of the air cargo system;

(ii) Identify underutilized capacity; and

(iii) Evaluate what would be needed to more effectively use existing capacity at airports across the state. As part of this evaluation, the study must:

(A) Evaluate air, land, and surface transportation constraints, including intermodal constraints, to accommodate current demand and future growth;

(B) Evaluate impediments to addressing those constraints; and

(C) Evaluate options to address those constraints.

(b) The study must also identify the state's interest in reducing air cargo congestion and evaluate ways to address this interest on a statewide basis.

(c) The study must provide recommendations regarding:

(i) Options to reduce air cargo congestion and more efficiently use available capacity at Washington airports;

(ii) Options to address the state's interest in reducing air cargo congestion on a statewide basis;

(iii) Strategies to accomplish the recommendations; and

(iv) Statutory changes needed to implement the recommendations.

(d) The department of transportation shall provide technical support to the study.

(e) The joint transportation committee shall issue a report of its findings and recommendations to the house of

representatives and senate transportation committees by December 14, 2018.

(5) \$100,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct an assessment of the current roles and responsibilities of the transportation commission. The purpose of the assessment is to review the current membership, functions, powers, and duties of the transportation commission beyond those granted to the transportation commission as the tolling authority under RCW 47.56.850, for the adoption of ferry fares and pricing policies under RCW 47.60.315, or for work related to the road usage charge pilot project as directed by the legislature. When conducting the assessment, the joint transportation committee must consult with the transportation commission and the office of financial management.

(a) The assessment must consist of a review of the following:

(i) The primary enabling statutes of the transportation commission contained in RCW 47.01.051 through 47.01.075;

(ii) The transportation commission's functions relating to ferries under chapters 47.60 and 47.64 RCW beyond those granted by the legislature for adoption of fares and pricing policies;

(iii) The existing budget of the transportation commission to ensure it is appropriate for the roles and responsibilities it is directed to do by the governor and the legislature;

(iv) The transportation commission's current roles and responsibilities relating to transportation planning, transportation policy development, and other functions; and

(v) Other issues related to the transportation commission as determined by the joint transportation committee.

(b) A report of the assessment findings is due to the transportation committees of the legislature by December 31, 2017.

NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION

Motor Vehicle	Account—State
Appropriation	\$2,506,000

Multimodal Transportation	Account—State
Appropriation	\$112,000

TOTAL APPROPRIATION \$2,618,000

The appropriations in this section are subject to the following conditions and limitations:

The commission shall coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available to fund a road usage charge pilot project. Where feasible, grant application content prepared by the commission must reflect the direction provided by the road usage charge steering committee on the preferred road usage charge pilot project approach. One or more grant applications may be developed as part of the road usage charge pilot project implementation plan development work, but the pilot project implementation plan must nevertheless include any details necessary for a full launch of the pilot project not required to be included in any grant application.

The commission shall reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, as well as the addition of a representative from the Puget Sound regional council, and, upon finalization of the federal grant award for stage 1 of the road usage charge pilot project, shall report at least once every three months to the steering committee with updates on project progress, key project milestones, and developments related to securing additional federal funding for future road usage charge pilot work. Each report must include a phone or in-person meeting with the steering committee, with a maximum of two in-person meetings to be held in 2017. A year-end report on the status of the project must be provided to the governor's office and the transportation committees of the house of representatives and the senate by December 1, 2017. If the year-end report is not the final report for stage 1 of the pilot project, a final report that includes an evaluation of stage 1 of the pilot project must be provided to the governor's office and the transportation committees of the house of representatives and the senate following completion of stage 1 of the pilot project.

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor Vehicle	Account—State
Appropriation	\$778,000

NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL

State Patrol Highway	Account—State
Appropriation	\$493,016,000

State Patrol Highway Account—Federal
Appropriation \$14,665,000

State Patrol Highway Account—
Private/Local

Appropriation \$4,036,000

Highway Safety Account—State
Appropriation \$1,086,000

Ignition Interlock Device Revolving
Account—State

Appropriation \$510,000

Multimodal Transportation Account—
State Appropriation \$276,000

TOTAL APPROPRIATION \$513,589,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the ignition interlock device revolving account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$1,000,000 of the state patrol highway account—state appropriation is provided solely for ongoing support, system updates, maintenance, and an independent assessment of the P25 digital land mobile radio system. Of the amount provided in this subsection, \$400,000 must be used for the independent assessment of the P25 digital land mobile radio system. The independent assessment must identify implementation issues and recommend strategies to address these issues. The assessment must be submitted to the governor and the transportation committees of the legislature by September 1, 2018.

(4) The Washington state patrol and the department of transportation shall jointly submit a prioritized list of weigh station projects to the office of financial management by October 1, 2017. Projects submitted must include estimated costs for preliminary engineering, rights-of-way, and construction and must also consider the timing of any available funding for weigh station projects.

(5) The department of transportation must consult with the Washington state patrol and the office of financial management during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department of transportation must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

(6) \$510,000 of the state patrol highway account—state appropriation is provided solely for the operation of the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of sales and use taxes remitted to the state pursuant to activity conducted by the license investigation unit. At the end of the calendar quarter in which it is estimated that more than \$625,000 in taxes have been remitted to the state since the effective date of this section, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 408(26) of this act.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State
Appropriation \$34,000

Motorcycle Safety Education Account—
State

Appropriation \$4,605,000

State Wildlife Account—State
Appropriation \$1,064,000

Highway Safety Account—State
Appropriation \$211,509,000

Highway Safety Account—Federal
Appropriation \$3,215,000

Motor Vehicle Account—State
Appropriation \$93,220,000

Motor Vehicle Account—Federal
Appropriation \$329,000

Motor Vehicle Account—Private/Local
Appropriation \$2,048,000

Ignition Interlock Device Revolving
Account—State

Appropriation \$5,258,000

Department of Licensing Services
Account—State

Appropriation \$6,784,000

License Plate Technology Account—State

Appropriation \$3,000,000

TOTAL APPROPRIATION \$331,066,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$20,810,000 of the highway safety account—state appropriation and \$3,000,000 of the license plate technology account—state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(2) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. A person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(3) \$4,471,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers'

licenses and enhanced identicards. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2016. The department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait times and volume data for enhanced drivers' licenses and enhanced identicards.

(4) The department shall continue to encourage the use of online vehicle registration renewal reminders and minimize the number of letters mailed by the department. To further this goal, the department shall develop a pilot program to replace first-class mail, letter-form renewal reminders with postcard renewal reminders. The goal of the pilot program is to realize substantial savings on printing and postage costs. The pilot program must include customers who performed their last renewal online and still receive a paper renewal notice. The appropriations in this section reflect savings in postage and printing costs of at least \$250,000 in the 2017-2019 fiscal biennium.

(5) \$3,082,000 of the highway safety account—state appropriation is provided solely for examination and licensing activities, including the workload associated with providing driving record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2) (e) (v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2) (e) (v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(6) \$350,000 of the highway safety account—state appropriation is provided solely for communication and outreach activities necessary to inform the public of federally acceptable identification options including, but not limited to, enhanced drivers' licenses and enhanced identicards. The department shall develop and implement an outreach plan that includes informational material that can be effectively communicated to all communities and populations in Washington.

(7) \$88,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 1371), Laws of 2017 (distracted driving). If chapter . . . (Engrossed Substitute House Bill No. 1371), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(8) \$57,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 1400), Laws of 2017 (aviation license plate). If chapter . . . (House Bill No. 1400), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(9) \$208,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1421), Laws of 2017 (sensitive data/state networks). If chapter . . . (Substitute House Bill No. 1421), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(10) \$70,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed House Bill No. 1480), Laws of 2017 (driver's license suspension). If chapter . . . (Engrossed House Bill No. 1480), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(11) \$572,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 1481), Laws of 2017 (driver education uniformity). If chapter . . . (Engrossed Substitute House Bill No. 1481), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(12) \$208,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No.

1513), Laws of 2017 (youth voter registration information). If chapter . . . (Engrossed Substitute House Bill No. 1513), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(13) \$39,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1568), Laws of 2017 (Fred Hutch license plate). If chapter . . . (Substitute House Bill No. 1568), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(14) \$104,000 of the ignition interlock device revolving account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 1614), Laws of 2017 (impaired driving). If chapter . . . (Engrossed Second Substitute House Bill No. 1614), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(15) \$500,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 1808), Laws of 2017 (foster youth/driving). If chapter . . . (Engrossed Substitute House Bill No. 1808), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

High Occupancy Toll Lanes Operations Account—State

Appropriation \$4,241,000

Motor Vehicle Account—State Appropriation \$513,000

State Route Number 520 Corridor Account—State

Appropriation \$57,410,000

State Route Number 520 Civil Penalties Account—State

Appropriation \$4,361,000

Tacoma Narrows Toll Bridge Account—State

Appropriation \$33,942,000

Interstate 405 Express Toll Lanes Operations

and the office of the chief information officer that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation.

(ii) The office of financial management and the office of the chief information officer shall review the draft project management plan to ensure that it contains adequate contract management and quality assurance measures.

(iii) The department shall submit the project management plan to the transportation committees of the legislature before the commencement of system implementation.

(5) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION-INFORMATION TECHNOLOGY-PROGRAM C

Transportation Partnership Account-
State Appropriation \$1,460,000

Motor Vehicle Account-State
Appropriation \$85,859,000

Puget Sound Ferry Operations Account-
State

Appropriation \$263,000

Multimodal Transportation Account-
State

Appropriation \$2,876,000

Transportation 2003 Account (Nickel
Account)-State

Appropriation \$1,460,000

TOTAL APPROPRIATION \$91,918,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,588,000 of the motor vehicle account-state appropriation is provided solely for the development of the labor system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. It is the intent of the legislature that if any portion of the labor system replacement project is leveraged in the future for the time, leave, and labor distribution of any other agencies, the motor vehicle account will be reimbursed proportionally for the development of the system since amounts expended from the motor vehicle account must be used exclusively for highway purposes in conformance with Article II, section 40 of the state Constitution.

(2) \$2,296,000 of the motor vehicle account-state appropriation is provided solely for the development of ferries network systems support and is subject to the conditions, limitations, and review provided in section 701 of this act.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State
Appropriation \$28,871,000

State Route Number 520 Corridor
Account—State

Appropriation \$34,000

TOTAL APPROPRIATION \$28,905,000

The appropriations in this section are subject to the following conditions and limitations: \$100,000 of the motor vehicle account—state appropriation is provided solely for the completion of an infrastructure analysis of the 15700 Dayton Avenue, Shoreline, Washington property. By September 30, 2017, the department shall report to the office of financial management and the transportation committees of the legislature on the resulting infrastructure analysis. The analysis must include all major building systems, current condition status, standard life-cycle replacement timeline, replacement cost, and all code requirements to fully utilize the facility.

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State
Appropriation \$6,847,000

Aeronautics Account—Federal
Appropriation \$4,900,000

Aeronautics Account—Private/Local
Appropriation \$171,000

TOTAL APPROPRIATION \$11,918,000

The appropriations in this section are subject to the following conditions and limitations: \$2,637,000 of the aeronautics account—state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public airports for pavement, safety, planning, and security.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State
Appropriation \$57,644,000

Motor Vehicle Account—Federal
Appropriation \$5,500,000

Multimodal Transportation Account—
State Appropriation \$259,000

TOTAL APPROPRIATION \$63,403,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$200,000 of the motor vehicle account—state appropriation is provided solely for contracted appraisals to determine property valuations for surplus properties to be sold. The real estate services division of the department must recover the cost of its efforts from the sale of surplus property. Proceeds for surplus property sales must fund additional future sales, and the real estate services division shall prioritize staff resources to meet revenue assumptions for surplus property sales.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the

transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(3) \$350,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed House Bill No. 2095), Laws of 2017 (I-5 Columbia river bridge). If chapter . . . (Engrossed House Bill No. 2095), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(4) \$288,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 1849), Laws of 2017 (apprenticeship utilization). If chapter . . . (House Bill No. 1849), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(5) \$5,000,000 of the motor vehicle account—federal appropriation is provided solely for city and county fish passage barrier removal projects identified by the fish passage barrier removal board, with the goal of utilizing a coordinated approach to maximize the investment and open as much habitat as possible. The department must make the funds available to the recreation and conservation office.

NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor	Vehicle	Account—State
Appropriation	\$645,000	
Electric	Vehicle	Charging
Infrastructure		
Account—State		Appropriation
\$1,000,000		
Multimodal	Transportation	Account—
State		State
Appropriation	\$35,000	
TOTAL APPROPRIATION	\$1,680,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$35,000 of the multimodal transportation account—state appropriation is provided solely for the public-private partnerships program to conduct an outreach effort to assess

interest in a public-private partnership to rebuild the Anacortes ferry terminal. The public-private partnerships program shall issue a request for letters of interest, similar to the request issued in 2009, in a public-private partnership to rebuild the Anacortes ferry terminal by combining the ferry terminal functions and structure with one or more commercial ventures, including, but not limited to, ventures to provide lodging, conference and meeting facilities, food service, shopping, or other retail operations. The public-private partnerships program shall notify the transportation committees of the legislature upon release of the request for letters of interest and shall provide the transportation committees of the legislature with a summary of the information collected once the letters of interest have been received.

(2) \$1,000,000 of the electric vehicle charging infrastructure account—state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor	Vehicle	Account—State
Appropriation	\$458,915,000	
Motor	Vehicle	Account—Federal
Appropriation	\$7,000,000	
State	Route	Number
Account—State	520	Corridor
Appropriation	\$4,447,000	
Tacoma	Narrows	Toll
State	Bridge	Account—
Appropriation	\$1,233,000	State
TOTAL APPROPRIATION	\$471,595,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,092,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways.

(2) \$4,447,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520

floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) \$1,233,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) \$15,226,000 of the motor vehicle account—state appropriation is provided solely for known third-party damages expenditures.

(5) \$20,000 of the motor vehicle account—state appropriation is provided solely for the department to submit a request for proposals as part of a pilot project that explores the use of rotary auger ditch cleaning and reshaping service technology in maintaining roadside ditches for state highways. The pilot project must consist of at least one technology test on each side of the Cascade mountain range.

(6) \$250,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle. Direct or contracted activities shall include collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements. Funds may also be used to contract with the city of Seattle to provide mutual services in rights-of-way similar to contract agreements in the 2015-2017 fiscal biennium.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Motor	Vehicle	Account—State
Appropriation	\$66,335,000	

Motor	Vehicle	Account—Federal
Appropriation	\$2,050,000	

Motor	Vehicle	Account—Private/Local
Appropriation	\$250,000	

TOTAL APPROPRIATION \$68,635,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost

enhancement projects completed in the prior fiscal biennium.

(2) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(3) The department must make signage for low-height bridges a high priority.

(4) \$39,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (House Joint Memorial No. 4002), Laws of 2017 (state route number 395). If chapter . . . (House Joint Memorial No. 4002), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor	Vehicle	Account—State
Appropriation	\$34,396,000	

Motor	Vehicle	Account—Federal
Appropriation	\$1,656,000	

Multimodal	Transportation	Account—State
Appropriation	\$1,128,000	

TOTAL APPROPRIATION \$37,180,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonprofit agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2017, and annually thereafter.

(2) \$389,000 of the motor vehicle account—state appropriation is provided solely for leadership training and succession planning. By December 31, 2017, and annually thereafter, the department

must report on the number of employees trained in the previous year and on any impacts on retention rates.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Motor Vehicle Account—State
Appropriation \$24,990,000

Motor Vehicle Account—Federal
Appropriation \$34,303,000

Multimodal Transportation Account—
State Appropriation \$660,000

Multimodal Transportation Account—
Federal

Appropriation \$2,809,000

Multimodal Transportation Account—
Private/Local

Appropriation \$100,000

TOTAL APPROPRIATION \$62,862,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall host and maintain the road-rail conflict database and online mapping components produced as a result of the joint transportation committee's "Study of Road-rail Conflicts in Cities (2016)." The department shall update the database at least biennially as new information becomes available. The database may be used by stakeholders to evaluate road-rail conflicts and prioritize future at-grade rail crossing solutions.

(2) State route number 26 is considered a high-priority safety corridor, and the department must endeavor to reduce the number of collisions and other incidents on the corridor. The department must study potential safety improvements and submit a report to the transportation committees of the legislature by October 1, 2017, including a list of recommended safety improvements for the corridor. The department must identify and expedite those improvements that can be implemented within existing appropriation levels and identify any safety improvements that may require additional resources.

(3) The department shall investigate opportunities for a transit-oriented development pilot project at the existing Kingsgate park and ride at Interstate 405 and 132nd. The department must coordinate

with the city of Kirkland and other key stakeholders to determine the feasibility and cost of transit-oriented development at Kingsgate. A report on the process and outcomes is due to the transportation committees of the legislature no later than December 1, 2017.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U

Motor Vehicle Account—State
Appropriation \$69,997,000

Multimodal Transportation Account—
State

Appropriation \$1,285,000

TOTAL APPROPRIATION \$71,282,000

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

State Vehicle Parking Account—State
Appropriation \$754,000

Regional Mobility Grant Program
Account—State

Appropriation \$94,347,000

Rural Mobility Grant Program
Account—State

Appropriation \$32,223,000

Multimodal Transportation Account—
State

Appropriation \$93,148,000

Multimodal Transportation Account—
Federal

Appropriation \$3,574,000

TOTAL APPROPRIATION \$224,046,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,679,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$11,036,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate

trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$41,643,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2015 as reported in the "Summary of Public Transportation - 2015" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$32,223,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) \$10,290,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(4) \$16,668,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017, Program - Public Transportation Program (V).

(5) \$77,679,000 of the regional mobility grant program account—state

appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2017, and December 15, 2018, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$5,920,000 of the multimodal transportation account—state appropriation and \$754,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Of this amount, \$250,000 of the multimodal transportation account—state appropriation is provided solely for a voluntary pilot program to expand public-private partnership CTR incentives to make measurable reductions in off-peak, weekend, and nonwork trips. Ridesharing may be integrated into grant proposals. The department shall prioritize grant proposals that focus on the Interstate 90, Interstate 5, or Interstate 405 corridor. The department shall offer competitive trip-reduction grants. The department shall report to the transportation committees of the

legislature by December 1, 2018, on the pilot program's impacts to the transportation system and potential improvements to the CTR grant program.

(8) \$200,000 of the multimodal transportation account-state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(9) \$17,915,000 of the multimodal transportation account-state appropriation is provided solely for projects identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017. It is the intent of the legislature that entities identified to receive funding in the LEAP document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(10) \$2,000,000 of the multimodal transportation account-state appropriation is provided solely for transit coordination grants.

(11) \$250,000 of the multimodal transportation account-state appropriation is provided solely for King county for a pilot program to provide certain students in the Highline and Lake Washington school districts with an ORCA card during the summer. To be eligible for an ORCA card under this program, a student must also be in high school, be eligible for free and reduced-price lunches, and have a job or other responsibility during the summer. King county must provide a report to the department and the transportation committees of legislature by December 15, 2018, regarding: The annual student usage of the pilot program, available ridership data, the cost to expand the program to other King county school districts, the cost to expand the program to student populations other than high school or eligible for free and reduced-price lunches, opportunities for subsidized ORCA cards or local grant or matching funds, and any additional information that would help determine if the pilot program should be extended or expanded.

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION-MARINE-PROGRAM X

Puget Sound Ferry Operations Account-State

Appropriation \$503,966,000

Puget Sound Ferry Operations Account-Federal

Appropriation \$8,743,000

Puget Sound Ferry Operations Account-Private/Local

Appropriation \$121,000

TOTAL APPROPRIATION \$512,830,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2017-2019 supplemental and 2019-2021 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) For the 2017-2019 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(3) \$68,049,000 of the Puget Sound ferry operations account-state appropriation is provided solely for auto ferry vessel operating fuel in the 2017-2019 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 704 of this act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(4) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(5) \$30,000 of the Puget Sound ferry operations account-state appropriation is provided solely for the marine division assistant secretary's designee to the

board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2017, and annually thereafter, and that the report include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(6) \$15,000 of the Puget Sound ferry operations account-state appropriation is provided solely for completion of a market analysis by a commercial real estate broker for the relocation of the ferry division's headquarters. By September 30, 2017, the department shall report to the office of financial management and the transportation committees of the legislature on the resulting market analysis. The analysis must include the most cost-effective solution for both leased and owned options at Puget Sound locations with existing ferries facilities.

(7) \$8,743,000 of the Puget Sound ferry operations account-federal appropriation is provided solely for vessel maintenance.

(8) \$1,000,000 of the Puget Sound ferry operations account-state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(9) During the 2017-2019 fiscal biennium, the department shall not operate a winter sailing schedule for a time period longer than twelve weeks.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-OPERATING

Multimodal Transportation Account-State

Appropriation \$80,499,000

Multimodal Transportation Account-Private/Local

Appropriation \$46,000

TOTAL APPROPRIATION \$80,545,000

The appropriations in this section are subject to the following conditions and limitations: \$500,000 of the multimodal transportation account-state appropriation is provided solely for a consultant study of ultra high-speed ground transportation. "Ultra high-speed" means two hundred fifty miles per hour or more. The study must identify the costs and benefits of ultra high-speed ground transportation along a north-south alignment in Washington state. The study must provide:

(1) An update to the high speed ground transportation study commissioned pursuant to chapter 231, Laws of 1991 and delivered to the governor and legislature on October 15, 1992;

(2) An analysis of an ultra high-speed ground transportation alignment between Vancouver, British Columbia and Portland, Oregon with stations in: Vancouver, British Columbia; Bellingham, Everett, Seattle, SeaTac, Tacoma, Olympia, and Vancouver, Washington; and Portland, Oregon, with an option to connect with an east-west alignment in Washington state and with a similar system in the state of California;

(3) An analysis of the following key elements:

(a) Economic feasibility;

(b) Forecasted demand;

(c) Corridor identification;

(d) Land use and economic development and environmental implications;

(e) Compatibility with other regional transportation plans, including interfaces and impacts on other travel modes such as air transportation;

(f) Technological options for ultra high-speed ground transportation, both foreign and domestic;

(g) Required specifications for speed, safety, access, and frequency;

(h) Identification of existing highway or railroad rights-of-way that are suitable for ultra high-speed travel, including identification of additional rights-of-way that may be needed and the process for acquiring those rights-of-way;

(i) Institutional arrangements for carrying out detailed system planning, construction, and operations; and

(j) An analysis of potential financing mechanisms for an ultra high-speed travel system.

The department shall provide a report of its study findings to the governor and transportation committees of the legislature by December 15, 2017.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION-LOCAL PROGRAMS-PROGRAM Z-OPERATING

Motor Vehicle Account-State
Appropriation \$10,141,000

Motor Vehicle Account-Federal
Appropriation \$2,567,000

Multiuse Roadway Safety Account-State
Appropriation \$132,000

TOTAL APPROPRIATION \$12,840,000

TRANSPORTATION AGENCIES-CAPITAL

NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account-State

Appropriation \$22,462,000

Highway Safety Account-State
Appropriation \$1,900,000

Motor Vehicle Account-Federal
Appropriation \$3,250,000

Freight Mobility Multimodal Account-State

Appropriation \$21,843,000

Freight Mobility Multimodal Account-Private/Local

Appropriation \$1,320,000

TOTAL APPROPRIATION \$50,775,000

NEW SECTION. Sec. 302. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account-State
Appropriation \$3,703,000

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

(1) \$250,000 of the state patrol highway account-state appropriation is provided solely for unforeseen emergency repairs on facilities.

(2) \$728,000 of the state patrol highway account-state appropriation is provided solely for the replacement of the roofs of the Okanogan detachment building, Chehalis detachment building, Ellensburg

detachment building, and Hoquiam detachment building.

(3) \$1,700,000 of the state patrol highway account-state appropriation is provided solely for a replacement skid pan at the Shelton academy.

(4) \$200,000 of the state patrol highway account-state appropriation is provided solely for HVAC replacements at the Shelton academy.

(5) \$700,000 of the state patrol highway account-state appropriation is provided solely for the repair of the Shelton academy training tank.

(6) \$125,000 of the state patrol highway account-state appropriation is provided solely for the construction of a weatherproof enclosure of the generator at the Whiskey Ridge radio communication site.

NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account-State
Appropriation \$58,186,000

Motor Vehicle Account-State
Appropriation \$706,000

County Arterial Preservation Account-State

Appropriation \$30,434,000

TOTAL APPROPRIATION \$89,326,000

NEW SECTION. Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account-State

Appropriation \$5,780,000

Highway Safety Account-State
Appropriation \$3,000,000

Transportation Improvement Account-State

Appropriation \$240,300,000

Multimodal Transportation Account-State

Appropriation \$14,670,000

TOTAL APPROPRIATION \$263,750,000

The appropriations in this section are subject to the following conditions and limitations: The entire multimodal transportation account-state appropriation is provided solely for the complete streets program.

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION-FACILITIES-PROGRAM D-(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)-CAPITAL

Motor Vehicle Account-State
Appropriation \$6,087,000

Connecting Washington Account-State
Appropriation \$24,257,000

TOTAL APPROPRIATION \$30,344,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$16,170,000 of the connecting Washington account-state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue in Lacey, Washington.

(2) \$8,087,000 of the connecting Washington account-state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION-IMPROVEMENTS-PROGRAM I

Transportation Partnership Account-State

Appropriation \$570,992,000

Motor Vehicle Account-State
Appropriation \$42,056,000

Motor Vehicle Account-Federal
Appropriation \$215,647,000

Motor Vehicle Account-Private/Local
Appropriation \$23,929,000

Connecting Washington Account-State

Appropriation \$1,158,822,000

Special Category C Account-State
Appropriation \$6,146,000

Multimodal Transportation Account-State

Appropriation \$17,989,000

Alaskan Way Viaduct Replacement Project Account-State

Appropriation \$122,046,000

Transportation 2003 Account (Nickel Account)-State

Appropriation \$51,115,000

Interstate 405 Express Toll Lanes Operations Account-State

Appropriation \$12,000,000

TOTAL APPROPRIATION \$2,220,742,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account-state appropriation and the entire transportation partnership account-state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2017-1 as developed March 25, 2017, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as otherwise provided in this section, the entire transportation 2003 account (nickel account)-state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document 2017-1 as developed March 25, 2017, Program - Highway Improvements Program (I).

(3) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(5) The connecting Washington account-state appropriation includes up to \$356,744,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(6) The transportation 2003 account (nickel account)-state appropriation

includes up to \$51,115,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(7) The special category C account—state appropriation includes up to \$169,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(8) The transportation partnership account—state appropriation includes up to \$326,446,000 in proceeds from the sale of bonds authorized in RCW 47.10.873. Of this amount, \$122,046,000 must be transferred to the Alaskan Way viaduct replacement project account.

(9) \$159,407,000 of the transportation partnership account—state appropriation, \$7,000 of the motor vehicle account—federal appropriation, \$8,000,000 of the motor vehicle account—private/local appropriation, \$29,100,000 of the transportation 2003 account (nickel account)—state appropriation, \$122,046,000 of the Alaskan Way viaduct replacement project account—state appropriation, and \$2,662,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(10) \$15,327,000 of the multimodal transportation account—state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

(11) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(12) \$5,804,000 of the transportation partnership account—state appropriation, \$5,162,000 of the transportation 2003 account (nickel account)—state appropriation, and \$146,000 of the special category C account—state appropriation are provided solely for the US 395/North

Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2017-2019.

(13) \$28,101,000 of the transportation partnership account—state appropriation and \$10,956,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C) or the I-405 Renton to Bellevue project in the 2017-2019 fiscal biennium. The transportation partnership account—state appropriation in this subsection includes funding to begin preliminary engineering for adding capacity on Interstate 405 between state route number 522 and Interstate 5.

(14) (a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$924,615,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) \$44,311,000 of the transportation partnership account—state appropriation is provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003).

(c) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(15) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2018 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(16) \$49,014,000 of the motor vehicle account—federal appropriation and \$6,800,000 of the motor vehicle account—state appropriation are provided solely

for fish passage barrier and chronic deficiency improvements (OBI4001).

(17) Any advisory group that the department convenes during the 2017-2019 fiscal biennium must consider the interests of the entire state of Washington.

(18) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(19) \$93,500,000 of the connecting Washington account-state appropriation is provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R). Any savings on the project must stay on the Puget Sound gateway corridor.

(20) (a) In making budget allocations to the Puget Sound gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(b) The secretary of transportation must develop a memorandum of understanding with local project stakeholders that identifies a schedule for stakeholders to provide local matching funds for the Puget Sound gateway project. Criteria for eligibility of local match includes matching funds and equivalent in-kind contributions including, but not limited to, land donations. The memorandum of understanding must be finalized by January 1, 2018. The department must submit a copy of the memorandum of understanding to the transportation committees of the

legislature and report regularly on the status of local match funding.

(21) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(22) \$600,000 of the motor vehicle account-state appropriation is provided solely for the department to complete an interchange justification report (IJR) for the U.S. 2 trestle (L1000158), covering the state route number 204 and 20th Street interchanges at the end of the westbound structure.

(a) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

(b) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

(c) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(23) (a) The legislature recognizes that the city of Mercer Island has unique access issues that require the use of Interstate 90 to leave the island and that this access may be affected by the I-90/Two-Way Transit and HOV Improvements project. One of the most heavily traveled on-ramps from Mercer Island to the westbound Interstate 90 general purpose lanes is from Island Crest Way. The department must continue to consult with the city of Mercer Island and the other signatories to the 1976 memorandum of agreement to preserve access provided to Mercer Island by the Island Crest Way on-ramp, and thus grandfather-in the current use of the on-ramp for both high occupancy vehicles as well as vehicles seeking to access the general purpose lanes of Interstate 90. The department must consider all reasonable access solutions, including allowing all vehicles to use the Island Crest Way on-ramp to access the new high occupancy vehicle lane with a reasonable and safe distance provided for

single-occupancy vehicles to merge into the general purpose lanes. A final access solution must consider all safety, operational, and enforcement requirements, not benefit one group of commuters at the expense of another group, and meet applicable requirements of state and federal law.

(b) The department may not close or restrict, in any way, the westbound on-ramp from Island Crest Way to the current westbound Interstate 90 general purpose lanes until a mutually acceptable final access solution has been reached.

(24) \$2,000,000 of the Interstate 405 express toll lanes operations account-state appropriation is provided solely for the I-405 NB Hard Shoulder Running - SR 527 to I-5 project (L1000163).

(25) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Before the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2019, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION-PRESERVATION-PROGRAM P

Recreational Vehicle Account-State
Appropriation \$2,480,000

Transportation Partnership Account-State

Appropriation \$1,637,000

Motor Vehicle Account-State
Appropriation \$48,894,000

Motor Vehicle Account-Federal
Appropriation \$550,752,000

Motor Vehicle Account-Private/Local
Appropriation \$10,400,000

State Route Number 520 Corridor
Account-State

Appropriation \$498,000

Connecting Washington Account-State
Appropriation \$185,030,000

Tacoma Narrows Toll Bridge Account-State
Appropriation \$384,000

Transportation 2003 Account (Nickel
Account)-State

Appropriation \$58,894,000

TOTAL APPROPRIATION \$858,969,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account-state appropriation and the entire transportation partnership account-state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2017-1 as developed March 25, 2017, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as otherwise provided in this section, the entire transportation 2003 account (nickel account)-state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document 2017-1 as developed March 25, 2017, Program - Highway Preservation Program (P).

(3) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(5) The transportation 2003 account (nickel account)—state appropriation includes up to \$13,233,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(6) It is the intent of the legislature that, with respect to the amounts provided for highway preservation from the connecting Washington account, the department consider the preservation and rehabilitation of concrete roadway on Interstate 5 from the Canadian border to the Oregon border to be a priority within the preservation program.

(7) \$7,200,000 of the connecting Washington account—state appropriation is provided solely for the land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701 of this act. The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(8) \$3,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR99/Alaskan Way viaduct replacement project.

(9) \$19,635,000 of the motor vehicle account—federal appropriation and \$365,000 of the motor vehicle account—

state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington.

(10) \$43,800,000 of the motor vehicle account—federal appropriation is provided solely for the National Highway Freight program (L1000169). The funds provided in this subsection may be spent only on the tier one projects on the prioritized freight project list submitted on November 1, 2016. Before programming federal national highway freight program funds designated for the national highway freight network under this subsection, the department shall validate projects on the prioritized freight project list. Only projects that are validated by the department may receive funding under this subsection. The department shall continue to work with the Washington state freight advisory committee to improve project screening and validation to support project prioritization and selection, including during the freight mobility plan update in 2017.

(11) The appropriation in this section includes funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(12) (a) \$4,820,000 of the motor vehicle account—federal appropriation and \$182,000 of the motor vehicle account—state appropriation are provided solely for weigh station preservation (OBP3006). These amounts must be held in unallotted status, except that the director of the office of financial management may approve allotment of the funds upon fulfillment of the conditions of (b) of this subsection.

(b) The department and the Washington state patrol shall jointly submit a prioritized list of weigh station projects to the office of financial management by October 1, 2017. Projects submitted must include estimated costs for preliminary engineering, rights-of-way, and construction and must also consider the timing of any available funding for weigh station projects.

(13) The department must consult with the Washington state patrol and the office of financial management during the design phase of any improvement or preservation project that could impact Washington state

patrol weigh station operations. During the design phase of any such project, the department must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION-TRAFFIC OPERATIONS-PROGRAM Q-CAPITAL

Motor Vehicle Account-State
Appropriation \$4,826,000

Motor Vehicle Account-Federal
Appropriation \$5,106,000

Motor Vehicle Account-Private/Local
Appropriation \$500,000

TOTAL APPROPRIATION \$10,432,000

The appropriations in this section are subject to the following conditions and limitations: The department shall set aside a sufficient portion of the motor vehicle account-state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION-WASHINGTON STATE FERRIES CONSTRUCTION-PROGRAM W

Puget Sound Capital Construction
Account-State
Appropriation \$64,542,000

Puget Sound Capital Construction
Account-Federal
Appropriation \$152,838,000

Puget Sound Capital Construction
Account-Private/Local
Appropriation \$15,654,000

Transportation Partnership Account-
State
Appropriation \$2,923,000

Connecting Washington Account-State
Appropriation \$143,337,000

TOTAL APPROPRIATION \$379,294,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in

this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017, Program - Washington State Ferries Capital Program (W).

(2) \$40,000,000 of the connecting Washington account-state appropriation is provided solely for the acquisition of a 144-car vessel (L20000109).

(3) \$26,252,000 of the Puget Sound capital construction account-federal appropriation and \$63,804,000 of the connecting Washington account-state appropriation are provided solely for the Mukilteo ferry terminal (952515P). It is the intent of the legislature, over the sixteen-year investment program, to provide \$159,061,000 to complete the Mukilteo Terminal Replacement project (952515P). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section. To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net-zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal.

(4) \$61,729,000 of the Puget Sound capital construction account-federal appropriation, \$37,029,000 of the connecting Washington account-state appropriation, and \$15,554,000 of the Puget Sound capital construction account-private/local appropriation are provided solely for the Seattle Terminal Replacement project (900010L). It is the intent of the legislature, over the sixteen-year investment program, to provide \$320,267,000 to complete the project. These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(5) \$6,000,000 of the Puget Sound capital construction account-state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(6) If the department pursues a conversion of the existing diesel powered Issaquah class fleet to a different fuel source or engine technology or the construction of a new vessel powered by a fuel source or engine technology that is

not diesel powered, the department must use a design-build procurement process.

(7) (a) (i) During the competitive procurement process and before its release, the office of financial management shall review the request for proposals and all other related competitive procurement documents for a new dispatch system to ensure the request for proposals:

(A) Provides for the business needs of the state; and

(B) Mitigates risk to the state.

(ii) During development of the request for proposals and before its release, the office of the chief information officer shall review the request for proposals and all other related competitive procurement documents for a dispatch system to ensure the request for proposals:

(A) Contains requirements that meet the security standards and policies of the office of the chief information officer; and

(B) Is flexible and adaptable to advances in technology.

(b) (i) Before commencement of the new dispatch system implementation, the department shall submit a draft technology management plan to the office of financial management and the office of the chief information officer that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation;

(ii) The technology management plan must include:

(A) A technology budget, identifying project costs, funding sources, and anticipated deliverables through each stage of the investment and across fiscal periods and biennia from project initiation to implementation;

(B) An organizational chart of the project management team that identifies team members and their roles and responsibilities;

(C) A risk management plan;

(D) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project; and

(E) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product.

(c) The department must provide a project status report to the office of financial management and the transportation committees of the legislature on at least a calendar quarterly basis. The report must include, but is not limited to:

(i) Detailed information about the planned and actual scope, schedule, and budget;

(ii) Status of key vendor and other project deliverables; and

(iii) A description of significant changes to planned deliverables or system functions over the life of the project.

(8) \$2,056,000 of the Puget Sound capital construction account—state appropriation is provided solely for an assessment of capital and operational needs at the Southworth terminal. The assessment must consider alternatives to the construction of a new drive-on slip. The department shall provide a report of its findings to the governor and transportation committees of the legislature by January 1, 2019.

(9) The department, in consultation with the transportation commission, shall update the ferries division long-range plan by January 1, 2019. The update must include, but is not limited to: Fare and pricing policies; demand management strategies; ridership demand analysis; vessel preservation, rebuild, and replacement plans, including an analysis of alternative fuel sources; long-term terminal needs; and level of service standards and system service levels. The department shall submit a status report on the long-range plan update to the governor and the transportation committees of the legislature by June 30, 2018, and a final report by January 1, 2019.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Essential Rail Assistance Account—State
Appropriation \$424,000

Transportation Infrastructure Account—State

Appropriation \$5,367,000

Multimodal Transportation Account—State

Appropriation \$51,665,000
 Multimodal Transportation Account—
 Federal
 Appropriation \$1,487,000
 TOTAL APPROPRIATION \$58,943,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017, Program - Rail Program (Y).

(2) \$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) \$7,017,000 of the multimodal transportation account—state appropriation and \$24,000 of the essential rail assistance account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent

industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(5) (a) \$400,000 of the essential rail assistance account—state appropriation and \$305,000 of the multimodal transportation account—state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2017, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Highway Infrastructure Account—State Appropriation \$293,000

Highway Infrastructure Account—Federal Appropriation \$218,000

Transportation Partnership Account—State

Appropriation \$1,143,000

Highway Safety Account—State Appropriation \$2,388,000

Motor Vehicle Account-State
Appropriation \$7,620,000

Motor Vehicle Account-Federal
Appropriation \$21,387,000

Motor Vehicle Account-Private/Local
Appropriation \$18,000,000

Connecting Washington Account-State
Appropriation \$115,293,000

Multimodal Transportation Account-State

Appropriation \$50,026,000

TOTAL APPROPRIATION \$216,368,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$18,380,000 of the multimodal transportation account-state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. \$6,432,000 of the multimodal transportation account-state appropriation and \$1,143,000 of the transportation partnership account-state appropriation are reappropriated for pedestrian and bicycle safety program projects selected in the previous biennia (L2000188).

(b) \$11,400,000 of the motor vehicle account-federal appropriation and \$7,750,000 of the multimodal transportation account-state appropriation are provided solely for newly selected safe routes to school projects. \$6,372,000 of the motor vehicle account-federal appropriation, \$923,000 of the multimodal transportation account-state appropriation, and \$2,388,000 of the highway safety account-state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in

which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2017, and December 1, 2018, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) \$16,241,000 of the multimodal transportation account-state appropriation is provided solely for bicycle and pedestrian projects listed in LEAP Transportation Document 2017-1 as developed March 25, 2017.

(5) \$420,000 of the motor vehicle account-state appropriation is provided solely for engineering and design work for the SR 9/4th Street NE access improvement project in Lake Stevens.

(6) \$300,000 of the multimodal transportation account-state appropriation is provided solely for replacement of the Riverfront Park Triangle Truss bridge deck in Spokane.

(7) \$8,000,000 of the connecting Washington account-state appropriation is provided solely for the Covington Connector (L2000104). The amounts described in the LEAP transportation document referenced in this section are not a commitment by future legislatures, but it is the legislature's intent that future legislatures will work to approve appropriations in the 2019-2021 fiscal biennium to reimburse the city of Covington for approved work completed on the project up to the full \$24,000,000 cost of this project.

NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

(1) As part of its budget submittal for the 2018 supplemental budget, the department of transportation shall provide an update to the report provided to the legislature in 2017 that: (a) Compares the original project cost estimates approved in the 2003 and 2005 project lists to the

completed cost of the project, or the most recent legislatively approved budget and total project costs for projects not yet completed; (b) identifies highway projects that may be reduced in scope and still achieve a functional benefit; (c) identifies highway projects that have experienced scope increases and that can be reduced in scope; (d) identifies highway projects that have lost significant local or regional contributions that were essential to completing the project; and (e) identifies contingency amounts allocated to projects.

(2) As part of its budget submittal for the 2018 supplemental budget, the department of transportation shall provide an annual report on the number of toll credits the department has accumulated and how the department has used the toll credits.

NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

(1) For active projects, the report must include:

(a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(c) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;

(d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;

(e) Highway projects that may be reduced in scope and still achieve a functional benefit;

(f) Highway projects that have experienced scope increases and that can be reduced in scope;

(g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and

(h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

(2) For completed projects, the report must:

(a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and

(b) Provide a list of nickel and TPA projects charging to the nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount each project is charging.

(3) For prospective projects, the report must:

(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

NEW SECTION. Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES

To the greatest extent practicable, the department of transportation shall expend federal funds received for capital project expenditures before state funds.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT

TO BE PAID BY MOTOR VEHICLE ACCOUNT AND
TRANSPORTATION FUND REVENUE

Transportation Partnership Account—
State

Appropriation \$2,242,000

Connecting Washington Account—State
Appropriation \$1,784,000

Special Category C Account—State
Appropriation \$1,000

Highway Bond Retirement Account—State

Appropriation \$1,237,005,000

Ferry Bond Retirement Account—State
Appropriation \$28,873,000

Transportation Improvement Board Bond
Retirement

Account—State Appropriation
\$13,254,000

Nondebt-Limit Reimbursable Bond
Retirement

Account—State Appropriation
\$26,609,000

Toll Facility Bond Retirement Account—
State

Appropriation \$86,493,000

Transportation 2003 Account (Nickel
Account)—State

Appropriation \$322,000

TOTAL APPROPRIATION \$1,396,583,000

NEW SECTION. Sec. 402. FOR THE STATE
TREASURER—BOND RETIREMENT AND INTEREST,
AND ONGOING BOND REGISTRATION AND TRANSFER
CHARGES: FOR BOND SALE EXPENSES AND FISCAL
AGENT CHARGES

Transportation Partnership Account—
State

Appropriation \$449,000

Connecting Washington Account—State
Appropriation \$357,000

Transportation 2003 Account (Nickel
Account)—State

Appropriation \$64,000

TOTAL APPROPRIATION \$870,000

NEW SECTION. Sec. 403. FOR THE STATE
TREASURER—BOND RETIREMENT AND INTEREST,
AND ONGOING BOND REGISTRATION AND TRANSFER
CHARGES: FOR DEBT TO BE PAID BY
STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—
Federal

Appropriation \$199,901,000

Toll Facility Bond Retirement Account—
State

Appropriation \$25,372,000

TOTAL APPROPRIATION \$225,273,000

NEW SECTION. Sec. 404. FOR THE STATE
TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State
Appropriation:

For motor vehicle fuel tax
distributions to

cities and counties \$514,648,000

NEW SECTION. Sec. 405. FOR THE STATE
TREASURER—STATE REVENUES FOR DISTRIBUTION

Multimodal Transportation Account—
State

Appropriation: For distribution to

cities and counties \$26,786,000

Motor Vehicle Account—State

Appropriation: For distribution to

cities and counties \$23,438,000

TOTAL APPROPRIATION \$50,224,000

NEW SECTION. Sec. 406. FOR THE STATE
TREASURER—TRANSFERS

Motor Vehicle Account—State
Appropriation:

For motor vehicle fuel tax refunds and

statutory transfers \$2,196,693,000

NEW SECTION. Sec. 407. FOR THE
DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State
Appropriation:

For motor vehicle fuel tax refunds and

transfers \$200,747,000

NEW SECTION. Sec. 408. FOR THE STATE
TREASURER—ADMINISTRATIVE TRANSFERS

(1) State Patrol Highway Account—State

Appropriation: For transfer to the
Connecting

Washington Account—State \$21,221,000

(2) Transportation Partnership Account—
State

Appropriation: For transfer to the Connecting

Washington Account-State \$10,946,000

(3) Highway Safety Account-State

Appropriation: For transfer to the State Patrol

Highway Account-State \$30,000,000

(4) Motor Vehicle Account-State
Appropriation:

For transfer to the Connecting Washington

Account-State \$56,464,000

(5) Motor Vehicle Account-State
Appropriation:

For transfer to the Freight Mobility Investment

Account-State \$8,511,000

(6) Motor Vehicle Account-State
Appropriation:

For transfer to the Puget Sound Capital Construction Account-State \$30,500,000

(7) Motor Vehicle Account-State
Appropriation:

For transfer to the Rural Arterial Trust

Account-State \$4,844,000

(8) Motor Vehicle Account-State
Appropriation:

For transfer to the Transportation Improvement

Account-State \$9,688,000

(9) Motor Vehicle Account-State
Appropriation:

For transfer to the State Patrol Highway

Account-State \$33,000,000

(10) Puget Sound Ferry Operations Account-State

Appropriation: For transfer to the Connecting

Washington Account-State \$1,305,000

(11) Rural Mobility Grant Program Account-State

Appropriation: For transfer to the Multimodal

Transportation Account-State \$3,000,000

(12) State Route Number 520 Civil Penalties

Account-State Appropriation: For transfer to

the State Route Number 520 Corridor

Account-State \$1,240,000

(13) Capital Vessel Replacement Account-State

Appropriation: For transfer to the Connecting

Washington Account-State \$36,500,000

(14) Multimodal Transportation Account-State

Appropriation: For transfer to the Freight

Mobility Multimodal Account-State \$8,511,000

(15) Multimodal Transportation Account-State

Appropriation: For transfer to the Puget Sound

Capital Construction Account-State \$30,500,000

(16) Multimodal Transportation Account-State

Appropriation: For transfer to the Puget Sound

Ferry Operations Account-State \$25,000,000

(17) Multimodal Transportation Account-State

Appropriation: For transfer to the Regional

Mobility Grant Program Account-State \$27,679,000

(18) Multimodal Transportation Account-State

Appropriation: For transfer to the Rural

Mobility Grant Program Account-State \$15,223,000

(19) Multimodal Transportation Account-State

Appropriation: For transfer to the Pilotage

Account-State \$2,000,000

(20) Tacoma Narrows Toll Bridge Account-State

Appropriation: For transfer to the Motor

Vehicle Account—State \$950,000

(21) Transportation 2003 Account (Nickel Account)—

State Appropriation: For transfer to the Connecting

Washington Account—State \$22,970,000

(22) Interstate 405 Express Toll Lanes Operations

Account—State Appropriation: For transfer to the

Motor Vehicle Account—State \$2,019,000

(23) (a) Transportation Partnership Account—State

Appropriation: For transfer to the Alaskan Way Viaduct

Replacement Project Account—State \$122,046,000

(b) The amount transferred in this subsection represents that portion of the up to \$200,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873, intended to be sold through the 2021-2023 fiscal biennium, used only for construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z), and that must be repaid from the Alaskan Way viaduct replacement project account consistent with RCW 47.56.864.

(24) (a) Motor Vehicle Account—State

Appropriation: For transfer to the Tacoma Narrows Toll

Bridge Account—State \$5,000,000

(b) The transfer in this subsection must be made in April 2019. It is the intent of the legislature that this transfer is temporary, and an equivalent reimbursing transfer is to occur in November 2019.

(25) Motor Vehicle Account—State

Appropriation: For transfer to the County Arterial

Preservation Account—State \$4,844,000

(26) General Fund Account—State Appropriation:

For transfer to the State Patrol Highway

Account—State \$625,000

The treasurer must hold the funding provided under this subsection in unallotted status. The treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207(6) of this act.

NEW SECTION. **Sec. 409.** The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

COMPENSATION

NEW SECTION. **Sec. 501.** COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. **Sec. 502.** COLLECTIVE BARGAINING AGREEMENTS

Sections 503 through 519 of this act represent the results of the 2017-2019 collective bargaining process required under chapters 47.64, 41.80, and 41.56 RCW. Provisions of the collective bargaining agreements contained in sections 503 through 516 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in sections 503 through 519 of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. **Sec. 503.** DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—OPEIU

An agreement has been reached between the governor and the office and professional employees international union local eight (OPEIU) through an

interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded six and one-half percent general wage increase effective July 1, 2017, and six and one-half percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and restructuring of the pay schedule.

NEW SECTION. Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-FASPAA

An agreement has been reached between the governor and the ferry agents, supervisors, and project administrators association pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018.

NEW SECTION. Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-SEIU LOCAL 6

An agreement has been reached between the governor and the service employees international union local 6 pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a six percent general wage increase effective July 1, 2017, and a four percent general wage increase effective July 1, 2018.

NEW SECTION. Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-CARPENTERS

An agreement has been reached between the governor and the Pacific Northwest regional council of carpenters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded four percent general wage increase effective July 1, 2017, and three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications.

NEW SECTION. Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-METAL TRADES

An agreement has been reached between the governor and the Puget Sound metal trades council through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal

biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2017, and three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications.

NEW SECTION. Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MEBA-UL

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018.

NEW SECTION. Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MEBA-L

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for an additional pay increase to address inversion among certain job classifications.

NEW SECTION. Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MM&P MATES

An agreement has been reached between the governor and the master, mates, and pilots - mates pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018.

NEW SECTION. Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MM&P MASTERS

An agreement has been reached between the governor and the master, mates, and pilots - masters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a five and one-half percent general wage increase effective July 1, 2017, and a two and one-half percent general wage increase

effective July 1, 2018. The award also includes and funding is provided for an additional pay increase to address inversion among certain job classifications.

NEW SECTION. Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MM&P WATCH CENTER SUPERVISORS

An agreement has been reached between the governor and the master, mates, and pilots - watch center supervisors pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for an increase for the fleet safety and training administrators equal to the same hourly rate of pay as the watch center supervisors.

NEW SECTION. Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-IBU

An agreement has been reached between the governor and the inlandboatmen's union pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a four percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications and for employees hired on or after June 30, 2011, an increase in leave earned.

NEW SECTION. Sec. 514. COLLECTIVE BARGAINING AGREEMENT-PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local 17 pursuant to chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 515. COLLECTIVE BARGAINING AGREEMENT-WFSE

An agreement has been reached between the governor and the Washington federation of state employees general government pursuant to chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 516. COLLECTIVE BARGAINING AGREEMENT-WPEA

An agreement has been reached between the governor and the Washington public employees association general government pursuant to chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 517. COLLECTIVE BARGAINING AGREEMENT-COALITION OF UNIONS

An agreement has been reached between the governor and the coalition of unions pursuant to chapter 41.80 RCW for the 2017-2019 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2017, a two percent general wage increase effective July 1, 2018, and a two percent general wage increase effective January 1, 2019. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and increases to vacation leave accruals.

NEW SECTION. Sec. 518. COLLECTIVE BARGAINING AGREEMENT-WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol troopers association pursuant to chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a sixteen percent general wage increase for troopers effective July 1, 2017, and a three percent general wage increase for troopers effective July 1, 2018. Funding is also provided for a twenty percent general wage increase for sergeants effective July 1, 2017, and a three

percent general wage increase for sergeants effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay, changes to specialty pay, and an increase to vacation accruals.

NEW SECTION. Sec. 519. COLLECTIVE BARGAINING AGREEMENT-WSP LIEUTENANTS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants association pursuant to chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a twenty percent general wage increase effective July 1, 2017, and a three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay.

IMPLEMENTING PROVISIONS

NEW SECTION. Sec. 601. FUND TRANSFERS

(1) The 2005 transportation partnership projects or improvements and 2015 connecting Washington projects or improvements are listed in the LEAP Transportation Document 2017-1 as developed March 25, 2017, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and connecting Washington account projects on the LEAP transportation documents referenced in this act. For the 2017-2019 project appropriations, unless otherwise provided in this act, the director of the office of financial management may authorize a transfer of appropriation authority funds between projects funded with transportation partnership account appropriations or connecting Washington account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers may not be made while the legislature is in session;

(f) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(g) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2018 supplemental omnibus transportation appropriations act, any unexpended 2015-2017 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects; and

(i) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount does not exceed two hundred fifty thousand dollars or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(5) No fewer than ten days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section.

NEW SECTION. **Sec. 602.** To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 603.** BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. **Sec. 604.** FOR THE DEPARTMENT OF TRANSPORTATION

(1) As part of its 2018 supplemental budget submittal, the department shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2015-2017 fiscal biennium into the 2017-2019 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2015 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2017-2019 fiscal biennium into budgeting systems.

NEW SECTION. **Sec. 605.** FOR THE DEPARTMENT OF TRANSPORTATION—WEB SITE REPORTING REQUIREMENTS

(1) The department of transportation shall post on its web site every report that is due from the department to the legislature during the 2017-2019 fiscal biennium on one web page. The department must post both completed reports and planned reports on a single web page.

(2) The department shall provide a web link for each change order that is more than five hundred thousand dollars on the affected project web page.

NEW SECTION. **Sec. 606.** (1) By November 15, 2017, and annually thereafter, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed March 25, 2017. The report must address each modal category separately and identify if eighteenth amendment protected funds have been used and, if not, the source of funding.

(2) To facilitate the report in subsection (1) of this section, the department of transportation must require that all bids on connecting Washington projects include an estimate on the cost to implement any transit, bicycle, or pedestrian project elements.

NEW SECTION. **Sec. 607.** PROJECT SCOPE CHANGES

(1) The legislature finds that in the course of efficiently delivering connecting Washington projects, it is necessary to create a process for the department of transportation to request and receive approval of practical design-

related project scope changes while the legislature is not in session. During the 2017-2019 fiscal biennium, the director of the office of financial management may approve project scope change requests to connecting Washington projects in the highway improvements program, provided that the requests meet the criteria outlined in RCW 47.01.480 and are subject to the limitations in this section.

(2) At the time the department of transportation submits a request for a project scope change under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested project scope changes.

(4) No fewer than ten days after the receipt of a scope change request, the director of the office of financial management must provide written notification to the department of any decision regarding project scope changes, with copies submitted to the transportation committees of the legislature.

(5) As part of its annual budget submittal, the department of transportation must report on all approved scope change requests from the prior year, including a comparison of the scope before and after the requested change.

NEW SECTION. Sec. 608. FOR THE DEPARTMENT OF TRANSPORTATION

The department of transportation may provide up to three million dollars in toll credits to Kitsap transit for its role in passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

MISCELLANEOUS 2017-2019 FISCAL BIENNIUM

NEW SECTION. Sec. 701. INFORMATION TECHNOLOGY PROJECTS

(1) All appropriations for designated information technology projects in this act must be placed in unallotted status and must not be expended before the office

of the chief information officer certifies that the project complies with state information technology and security policy and strategies. At a minimum, the office of the chief information officer must certify, if the chief information officer deems appropriate, that the project meets critical project success factors, aligns with statewide technology strategy and architecture, reuses existing technology services and solutions, minimizes custom development, complies with security and other policy requirements, and uses modularized, component-based architectures. The office of the chief information officer must evaluate the project at the appropriate stages. The office of the chief information officer must notify the office of financial management and the legislative fiscal committees each time it certifies a project is ready to proceed with the next stage. Appropriations may then be allotted for that certified phase only.

(2) The chief information officer may suspend or terminate a project at any time if the chief information officer determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall not make additional expenditures on the project without approval of the chief information officer.

The following projects are subject to the conditions, limitations, and review provided in this section: Department of Transportation - Labor System Replacement, Department of Transportation - Ferry Network System Support, Department of Transportation - Land Mobile Radio System Replacement, and Department of Transportation - New CSC System and Operator.

(3) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section other than those listed in subsection (2) of this section, including projects that are not separately identified within an agency budget.

NEW SECTION. Sec. 702. FINANCIAL CONTRACTS

The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus

financing expenses and required reserves pursuant to chapter 39.94 RCW. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein. The department of transportation may enter into a financing contract up to \$14,600,000 plus financing expenses and required reserves using certificates of participation under chapter 39.94 RCW for energy efficiency upgrades at department-owned buildings.

NEW SECTION. Sec. 703. SETTLEMENT FUNDS EXPENDITURE

(1) The legislature finds that it is appropriate to provide a framework for the administration of mitigation funds provided to the state as a beneficiary under the terms of the consent decrees entered into by the United States, Volkswagen AG, and other participating parties that settle emissions-related claims for 2.0 and 3.0 liter diesel vehicles of certain models and years. The legislature deems the department of ecology the responsible agency for the administration and expenditure of funds provided by the trustee under the terms of the consent decrees, including the development of a mitigation plan to guide the use of the funds, whether or not the department receives funds directly for projects included in the plan.

(2) The mitigation plan and the stewardship of project implementation must adhere to the following guidelines:

(a) Consideration must be given to investments in areas where public health is most impacted by nitrogen oxides pollution, and especially in areas where disadvantaged communities reside;

(b) Investments must fund, to the extent possible: (i) Projects that have not been funded or implemented by June 30, 2017, to mitigate nitrogen oxides pollution; and (ii) projects that do not replace projects and activities that were funded on or before June 30, 2017, for implementation after that date, to address such pollution by achieving an identical or substantially similar objective;

(c) Investments in clean vehicles or clean engine replacements must be shown to be cost-effective and, for the purposes of leveraging funding, may not exceed the incremental cost of the clean vehicle or

clean engine replacement, relative to the cost of a similar conventionally fueled vehicle or conventionally fueled engine replacement;

(d) Consideration must be given to investments in projects that employ a range of fueling technologies and emissions reduction technologies; and

(e) Priority must be given to projects that have the highest benefit-cost ratios, in terms of the amount of nitrogen oxides emissions reduced per dollar invested.

(3) Funding must be allocated to eligible projects under the terms of the consent decrees in the following manner:

(a)(i) No more than thirty percent of funding provided for commercial vehicle class four through eight transit buses;

(ii) No more than twenty percent of funding provided for commercial vehicle class four through eight school and shuttle buses;

(iii) No more than twenty percent of funding provided for (A) commercial vehicle class eight local freight trucks and port drayage trucks and (B) commercial vehicle class four through seven local freight trucks;

(iv) No more than fifteen percent of funding provided for light duty, zero emission vehicle supply equipment;

(v) No more than thirty percent of funding provided for nonfederal matching funds for projects eligible under the diesel emission reduction act option; and

(vi) No more than ten percent of funding provided for other mitigation actions that are eligible under the consent decrees but not otherwise specified under this subsection (3)(a).

(b) Projects that receive funding under subsection (3)(a)(iii) of this section and ocean-going vessels shorepower projects that receive funding under subsection (3)(a)(vi) of this section must include electric technologies, if practicable.

(4)(a)(i) For the purposes of administering subsection (3)(a)(i), (iii), (iv), and, as needed, (vi) of this section, the department of ecology shall enter into an interagency agreement with the department of transportation. The department of transportation is responsible for proposing candidate projects under these subsections, for working with the department of ecology to determine its benefit-cost ratios under

subsection (2) (e) of this section, and for prioritizing these candidate projects accordingly. The department of ecology shall work collaboratively with the department of transportation to develop and implement the elements of the mitigation plan that address these categories of projects.

(ii) In meeting its requirements under (a) (i) of this subsection, the department of transportation shall consider plans approved under the consent decrees governing zero emission vehicle infrastructure development identified in subsection (1) of this section, making reasonable efforts to select candidate projects that are complementary to those plans. The department of transportation shall also consider and utilize, where appropriate and to the extent possible, the following existing programs for alternative fuels and zero emission vehicles:

(A) The department of transportation's electric vehicle infrastructure bank program;

(B) The state alternative fuel commercial vehicle tax credit;

(C) The state sales and use tax exemption for clean vehicles; and

(D) Public transportation grant programs administered by the department of transportation.

(iii) To guide the department of transportation in meeting its responsibilities under (a) (i) of this subsection during the 2017-2019 fiscal biennium, a steering committee is established, consisting of: The chairs and ranking minority members of the house of representatives and senate transportation committees, or their designees; the director of the department of ecology; and the secretary of transportation or his or her designee. The steering committee must meet as needed to support the department of transportation's contribution to the elements of the mitigation plan that address the categories of projects referenced in subsection (3) (a) (i), (iii), (iv), and (vi) of this section. Staff support must be provided by the joint transportation committee and nonpartisan committee staff of the house of representatives and senate transportation committees. The department of transportation staff must provide technical support, as needed.

(b) For the purposes of administering subsection (3) (a) (ii) of this section, including the development of the mitigation plan, the department of ecology shall enter into an interagency agreement with the office of the superintendent of public instruction. The superintendent, in consultation with the director of the department of ecology, is authorized to establish a grant program for the purposes of providing funding to school districts for school bus-related projects. Pursuant to the guidelines in subsection (2) (c) of this section, funding may be provided for only the incremental costs of projects above the costs of standard school bus or school bus engine replacement under current school bus depreciation funding requirements. Any grant funding provided under this subsection is temporary in nature and is for enhancements outside the basic education program.

(c) The department of ecology shall complete development of the mitigation plan according to the timeline required by the trustee. The department of ecology must submit the mitigation plan to the appropriate committees of the legislature, as well as benefit-cost information for projects pursuant to the guideline under subsection (2) (e) of this section, on the same day that the plan is submitted to the trustee.

(5) To the extent this section conflicts with the consent decrees, the consent decrees supersede it.

(6) The department of ecology may modify the mitigation plan as needed to comply with trustee requirements, including to the extent these modifications conflict with this section. In making any adjustments, the department of ecology shall consult with the department of transportation and the office of the superintendent of public instruction and provide notice to the steering committee of any significant changes to the plan submitted.

(7) For the purposes of this section:

(a) "Project" means an eligible mitigation action under the terms of the consent decrees entered into by the United States, Volkswagen AG, and other participating parties that settle emissions-related claims for 2.0 and 3.0 liter diesel vehicles of certain models and years.

(b) "Trustee" means the entity selected under the terms of the consent decrees to administer the disbursement of funds to

eligible projects for the purposes of mitigating nitrogen oxides emission pollution.

Sec. 704. RCW 43.19.642 and 2016 c 197 s 2 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the (~~2011-2013, 2013-2015, and~~) 2015-2017 and 2017-2019 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

Sec. 705. RCW 46.20.745 and 2013 c 306 s 712 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the (~~2013-2015~~) 2017-2019 fiscal biennium, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

Sec. 706. RCW 46.68.030 and 2016 c 28 s 2 are each amended to read as follows:

(1) The director shall forward all fees for vehicle registrations under chapters

46.16A and 46.17 RCW, unless otherwise specified by law, to the state treasurer with a proper identifying detailed report. The state treasurer shall credit these moneys to the motor vehicle fund created in RCW 46.68.070.

(2) Proceeds from vehicle license fees and renewal vehicle license fees must be deposited by the state treasurer as follows:

(a) \$23.60 of each initial or renewal vehicle license fee must be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal vehicle license fees, and all other funds in the state patrol highway account must be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations.

(b) \$2.02 of each initial vehicle license fee and \$0.93 of each renewal vehicle license fee must be deposited each biennium in the Puget Sound ferry operations account.

(c) Any remaining amounts of vehicle license fees and renewal vehicle license fees that are not distributed otherwise under this section must be deposited in the motor vehicle fund.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the state patrol highway account to the connecting Washington account such amounts as reflect the excess fund balance of the state patrol highway account.

(4) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the state patrol highway account to the connecting Washington account.

Sec. 707. RCW 46.68.060 and 2015 3rd sp.s. c 43 s 602 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-

2017 fiscal biennia, the legislature may transfer from the highway safety fund to the Puget Sound ferry operations account, the motor vehicle fund, and the multimodal transportation account such amounts as reflect the excess fund balance of the highway safety fund. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the state patrol highway account and the connecting Washington account.

Sec. 708. RCW 46.68.280 and 2015 3rd sp.s. c 43 s 603 are each amended to read as follows:

(1) The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements, moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

(2) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation 2003 account (nickel account) to the connecting Washington account such amounts as reflect the excess fund balance of the transportation 2003 account (nickel account).

(3) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the connecting Washington account.

(4) The "nickel account" means the transportation 2003 account.

Sec. 709. RCW 46.68.290 and 2015 3rd sp.s. c 43 s 604 are each amended to read as follows:

(1) The transportation partnership account is hereby created in the state treasury. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within thirty days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency

does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation partnership account to the connecting Washington account such amounts as reflect the excess fund balance of the transportation partnership account.

(12) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the connecting Washington account.

Sec. 710. RCW 46.68.325 and 2015 1st sp.s. c 10 s 703 are each amended to read as follows:

(1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the ((2013-2015 and)) 2015-2017 fiscal ((biennia)) biennium, the

legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

(4) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the rural mobility grant program account to the multimodal transportation account.

Sec. 711. RCW 47.26.086 and 2011 c 120 s 7 are each amended to read as follows:

Transportation improvement account projects selected for funding programs after fiscal year 1995 are governed by the requirements of this section.

The board shall allocate funds from the account by June 30th of each year for the ensuing fiscal year to urban counties, cities with a population of five thousand and over, and to transportation benefit districts. Projects may include, but are not limited to, multiagency projects and arterial improvement projects in fast-growing areas. During the 2017-2019 fiscal biennium, projects may also include the relight Washington program. The board shall endeavor to provide geographical diversity in selecting improvement projects to be funded from the account.

To be eligible to receive these funds, a project must be consistent with the growth management act, the clean air act including conformity, and the commute trip reduction law and consideration must have been given to the project's relationship, both actual and potential, with the statewide rail passenger program and rapid mass transit. Projects must be consistent with any adopted high capacity transportation plan, must consider existing or reasonably foreseeable congestion levels attributable to economic development or growth and all modes of transportation and safety, and must be partially funded by local government or private contributions, or a combination of such contributions. Priority consideration shall be given to those projects with the greatest percentage of local or private contribution, or both.

Within one year after board approval of an application for funding, the lead agency shall provide written certification to the board of the pledged local and private funding for the phase of the project approved. Funds allocated to an applicant that does not certify its

funding within one year after approval may be reallocated by the board.

Sec. 712. RCW 47.56.876 and 2015 1st sp.s. c 10 s 706 are each amended to read as follows:

A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state route number 520 civil penalties account to the state route number 520 corridor account such amounts as reflect the excess fund balance of the state route number 520 civil penalties account. Funds transferred must be used solely for capital expenditures for the state route number 520 bridge replacement and HOV project. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account.

Sec. 713. RCW 81.53.281 and 2016 c 14 s 701 are each amended to read as follows:

There is hereby created in the state treasury a "grade crossing protective fund" to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or subsidies to public, private, and nonprofit entities for rail safety projects authorized or ordered by the commission; and for personnel and associated costs related to supervising and administering rail safety grants and/or subsidies. During the 2013-2015 fiscal biennium, funds in this account may also be used to conduct the study required under section 102, chapter 222, Laws of 2014. The commission shall transfer from the public service revolving fund's miscellaneous fees and penalties accounts moneys appropriated for these purposes as needed. At the time the commission makes each allocation of cost to said grade crossing protective fund, it shall certify that such cost shall be payable out of

said fund. When federal-aid highway funds are involved, the department of transportation shall, upon entry of an order by the commission requiring the installation or upgrading of a grade crossing protective device, submit to the commission an estimate for the cost of the proposed installation and related work. Upon receipt of the estimate the commission shall pay to the department of transportation the percentage of the estimate specified in RCW 81.53.295, as now or hereafter amended, to be used as the grade crossing protective fund portion of the cost of the installation and related work.

The commission may adopt rules for the allocation of money from the grade crossing protective fund. During the 2015-2017 and 2017-2019 fiscal (~~biennium~~) biennia, the commission may waive rules regarding local matching fund requirements, maximum awards for individual projects, and other application requirements as necessary to expedite the allocation of money from the grade crossing protective fund to address underprotected grade crossings as identified by the commission.

2015-2017 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 801. 2016 c 14 s 102 (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State

Appropriation ~~((\$1,604,000))~~
 \$504,000

Sec. 802. 2016 c 14 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State
 Appropriation ~~((\$2,296,000))~~

\$2,196,000

Puget Sound Ferry Operations Account—State

Appropriation \$115,000

State Patrol Highway Account—State
 Appropriation \$150,000

TOTAL APPROPRIATION ~~\$2,561,000~~

\$2,461,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$835,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to develop, implement, and report on transportation metrics associated with transportation system policy goals outlined in RCW 47.04.280. The Washington state association of counties, in cooperation with state agencies, must: Evaluate and implement opportunities to streamline reporting of county transportation financial data; expand reporting and collection of short-span bridge and culvert data; evaluate and report on the impact of increased freight and rail traffic on county roads; and to evaluate, implement, and report on the opportunities for improved capital project management and delivery.

(2) \$100,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from funds set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to work with the department of fish and wildlife to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. A report must be presented to the legislature by December 31, 2016, on the implementation of developed voluntary programmatic agreements.

(3) \$150,000 of the state patrol highway account—state appropriation is provided solely for an organizational assessment of the Washington state patrol.

(4) The office of financial management, in conjunction with the office of the chief information officer, shall provide oversight and review of the department of transportation's development of the request for proposal for a new tolling customer service toll collection system and development of a project management plan as required in section 209(8) (~~of this act~~), chapter 14, Laws of 2016.

Sec. 803. 2016 c 14 s 104 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account-State
Appropriation ((~~\$1,240,000~~))

\$1,239,000

TRANSPORTATION AGENCIES-OPERATING

Sec. 901. 2016 c 14 s 201 (uncodified)
is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY
COMMISSION

Highway Safety Account-State
Appropriation ((~~\$3,183,000~~))

\$3,175,000

Highway Safety Account-Federal
Appropriation ((~~\$21,644,000~~))

\$22,035,000

Highway Safety Account-Private/Local
Appropriation \$118,000

School Zone Safety Account-State
Appropriation \$850,000

TOTAL APPROPRIATION ~~\$25,795,000~~

\$26,178,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) The commission may continue to
oversee pilot projects implementing the
use of automated traffic safety cameras to
detect speed violations within cities west
of the Cascade mountains that have a
population of more than one hundred
ninety-five thousand and that are located
in a county with a population of fewer
than one million five hundred thousand.
For the purposes of pilot projects in this
subsection, no more than one automated
traffic safety camera may be used to
detect speed violations within any one
jurisdiction.

(a) The commission shall comply with
RCW 46.63.170 in administering the pilot
projects.

(b) By January 1, 2017, any local
authority that is operating an automated
traffic safety camera to detect speed
violations must provide a summary to the
transportation committees of the
legislature concerning the use of the
cameras and data regarding infractions,
revenues, and costs.

(2) \$99,000 of the highway safety
account-state appropriation is provided
solely for the implementation of chapter

243, Laws of 2015 (pedestrian safety
reviews).

(3) ((~~\$6,500,000~~)) \$1,030,000 of the
highway safety account-federal
appropriation is provided solely for
federal funds that may be obligated to the
commission pursuant to 23 U.S.C. Sec. 164
during the 2015-2017 fiscal biennium.

(4) Within current resources, the
commission must examine the declining
revenue going to the school zone safety
account with the goal of identifying
factors contributing to the decline. By
December 31, 2015, the commission must
provide a report to the transportation
committees of the legislature that
summarizes its findings and provides
recommendations designed to ensure that
the account is receiving all amounts that
should be deposited into the account.

Sec. 902. 2016 c 14 s 202 (uncodified)
is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION
BOARD

Rural Arterial Trust Account-State
Appropriation \$1,000,000

Motor Vehicle Account-State
Appropriation ((~~\$2,459,000~~))

\$2,404,000

County Arterial Preservation Account-
State

Appropriation \$1,518,000

TOTAL APPROPRIATION ~~\$4,977,000~~

\$4,922,000

Sec. 903. 2016 c 14 s 203 (uncodified)
is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT
BOARD

Transportation Improvement Account-
State

Appropriation ((~~\$4,063,000~~))

\$4,035,000

Sec. 904. 2016 c 14 s 204 (uncodified)
is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account-State
Appropriation ((~~\$2,222,000~~))

\$2,272,000

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

(1)(a) \$250,000 of the motor vehicle account—state appropriation is for a consultant study of Washington state patrol recruitment and retention of troopers. The study must identify barriers to effective candidate recruitment, candidates' successful completion of training, and retention of trained troopers of various tenure. The study must provide:

(i) An overview of current attrition rates;

(ii) Options and strategies on reducing the average number of trooper positions that are vacant;

(iii) Identification of best practices for recruitment and retention of law enforcement officers;

(iv) Recommendations to improve existing recruitment and selection programs;

(v) Recommendations for where salary and benefit adjustments should be targeted to most effectively address recruitment and retention challenges;

(vi) Recommendations regarding changes to the training and education program; and

(vii) Other recommendations for cost-effective personnel strategies.

(b) The joint transportation committee shall issue a report of its findings to the house and senate transportation committees by December 14, 2015. The Washington state patrol shall work with the consultant to identify costs for each recommendation.

(2)(a) \$125,000 of the motor vehicle account—state appropriation is for a study of Washington state weigh station planning, placement, and operations by the Washington state patrol and department of transportation as they relate to roadway safety and preservation. The study must:

(i) Provide a high-level overview of commercial vehicle enforcement programs, with a focus on weigh stations, including both state and federal funding programs. This overview must include a description of how the Washington state patrol and department of transportation allocate these state and federal funds.

(ii) Review Washington state patrol and department of transportation planning related to weigh station location and operation, and the extent to which their efforts complement, coordinate with, or overlap each other;

(iii) Identify best practices in the funding, placement, and operation of weigh stations;

(iv) Review plans by the department of transportation and Washington state patrol to reopen a Federal Way area southbound weigh station;

(v) Recommend changes in state statutes, policy, or agency practices and rules to improve the efficiency and effectiveness of weigh station funding, placement, and operation, including potential savings to be achieved by adopting the changes; and

(vi) Review whether it is cost-effective or more efficient to place future weigh stations in the median of a highway instead of placing two individual weigh stations on either side of a highway.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2015.

(3) \$250,000 of the motor vehicle account—state appropriation, from the cities' statewide fuel tax distributions under RCW 46.68.110(2), is for a study to be conducted in 2016 to identify prominent road-rail conflicts, recommend a corridor-based prioritization process for addressing the impacts of projected increases in rail traffic, and identify areas of state public policy interest, such as the critical role of freight movement to the Washington economy and the state's competitiveness in world trade. The study must consider the results of the updated marine cargo forecast due to be delivered to the joint transportation committee on December 1, 2015. In conducting the study, the joint transportation committee must consult with the department of transportation, the freight mobility strategic investment board, the utilities and transportation commission, local governments, and other relevant stakeholders. The joint transportation committee must issue a report of its recommendations and findings by January 9, 2017.

(4) The legislature intends for the joint transportation committee to undertake a study during the 2017-2019 fiscal biennium of consolidating rail employee safety and regulatory functions in the utilities and transportation commission. The joint transportation committee should review the information

provided by the utilities and transportation commission and should provide recommendations to the transportation committees of the legislature regarding such a consolidation of rail employee safety and regulatory functions.

(5) Within existing resources, during the interim periods between regular sessions of the legislature, the joint transportation committee shall include on its agendas work sessions on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders. The joint transportation committee shall have at least two such work sessions before December 31, 2015.

(6) \$450,000 of the motor vehicle account-state appropriation is for the design-build contracting review study established in chapter 18, Laws of 2015 3rd sp. sess. The department of transportation must provide technical assistance, as necessary.

(7) The joint transportation committee must study the issues surrounding minority and women-owned business contracting related to the transportation sector. The study should identify any best practices adopted in other states that encourage participation by minority and women-owned businesses. The joint transportation committee, with direction from the executive committee, may form a legislative task force at the conclusion of the study to help to inform the legislature of any best practices identified from other states that encourage minority and women-owned businesses' participation in the transportation sector.

Sec. 905. 2016 c 14 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account-State
Appropriation ((~~\$2,667,000~~))

\$2,516,000

Motor Vehicle Account-Federal
Appropriation \$500,000

Multimodal Transportation Account-State

Appropriation \$112,000

TOTAL APPROPRIATION ~~\$3,279,000~~

\$3,128,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the motor vehicle account-state appropriation is provided solely to continue evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund investments in transportation. The evaluation must include monitoring and reviewing work that is underway in other states and nationally. The commission may coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available and eligible for road usage charge pilot projects. The commission must reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, and report to the governor's office and the transportation committees of the house of representatives and the senate by December 15, 2015.

(2) \$150,000 of the motor vehicle account-state appropriation is provided solely for the commission to use an outside survey firm to conduct three transportation surveys during the 2015-2017 fiscal biennium. The commission must consult with the joint transportation committee when deciding on the survey topics and design to ensure the survey results will deliver the data, information, and analysis for future transportation policy and strategic planning decisions in a manner useful to the legislature.

(3)(a) The legislature finds that, while some travel times have improved through Interstate 405 between the junctions with Interstate 5 on the north end and NE 6th Street in the city of Bellevue on the south end, especially for transit trips, the implementation of the express toll lane system has made travel more difficult for a number of other drivers and trips. To provide some relief to drivers, the legislature encourages the commission to expedite consideration of the elimination of tolls during evening nonpeak hours, weekends, and holidays, to the extent that such a change will improve commuters' experience on this portion of

Interstate 405. The legislature further finds that the commission, as the tolling authority of the state, should act swiftly, working in conjunction with the department of transportation's comprehensive effort to tackle obstacles adversely affecting commutes on this portion of Interstate 405, to drive improved results for the users of this critical corridor as soon as is practicable.

(b) In accordance with the rule-making authority provided under RCW 34.05.350(1)(a), the legislature deems it necessary, for preservation of the general welfare, that operational changes be made to improve the express toll lane program on Interstate 405 and that the tolling authority use its emergency rule-making authority to effect such changes in accordance with RCW 47.56.850 and 47.56.880. The legislature finds that the need for improvements to the commuter experience on the portion of Interstate 405 identified in (a) of this subsection necessitates that such action be taken in an expedited fashion. The tolling authority, with input from the department of transportation, shall evaluate the hours and days of operation for the express toll lanes and the minimum high occupancy vehicle passenger requirements for using the express toll lanes, taking into consideration the goals of: Reducing travel time on this portion of Interstate 405, including in the general purpose lanes; reducing the cost of traveling within the express toll lanes on this portion of Interstate 405; and maintaining sufficient revenue to pay for this portion of Interstate 405's express toll lane operating costs. This subsection (3) does not create a private right of action.

(4)(a) \$500,000 of the motor vehicle account—federal appropriation is provided solely to advance the work completed since 2011 in evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund future investments in transportation by completing the work necessary to launch a road usage charge pilot project, with all implementation details for a pilot project identified and incorporated into a pilot project implementation plan.

(i) Pilot project implementation preparation must include identification of all essential agency roles and responsibilities for the pilot project, a selection of the technologies and methodologies to be included, a target

number of participants and participant characteristics, rigorous specific evaluation criteria by which the pilot project will be assessed, a communication plan for the pilot project that consists of a participant recruitment plan and a plan for communicating information about the launch and ongoing progress of the pilot project, and pilot project expenditure and revenue estimates.

(ii) In developing the road usage charge pilot project implementation plan, the commission shall consult and coordinate with the department of transportation, the department of licensing, the department of revenue, and the office of the state treasurer to establish participation and coordination parameters for the project.

(b) The commission shall coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available to fund a road usage charge pilot project. Where feasible, grant application content prepared by the commission must reflect the direction provided by the road usage charge steering committee on the preferred road usage charge pilot project approach. One or more grant applications may be developed as part of the road usage charge pilot project implementation plan development work, but the pilot project implementation plan must nevertheless include any details necessary for a full launch of the pilot project not required to be included in any grant application.

(c) The commission shall reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, as well as the addition of a representative from the Puget Sound regional council, and may obtain guidance from the steering committee when it reaches key pilot project implementation plan development milestones. The commission must provide a report on the road usage charge pilot project implementation plan that includes all implementation details for a road usage charge pilot project to the governor's office and the transportation committees of the house of representatives and the senate by November 1, 2016.

((5) \$150,000 of the motor vehicle account—state appropriation is provided solely for supporting the disadvantaged business enterprise advisory committee established in chapter . . . (Senate Bill No. 6180), Laws of 2016. If chapter . . . (Senate Bill No. 6180), Laws of 2016 is

not enacted by June 30, 2016, the amount provided in this subsection lapses.)

Sec. 906. 2016 c 14 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor	Vehicle	Account-State
Appropriation ((\$1,024,000))		

\$1,015,000

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the motor vehicle account-state appropriation is provided solely to conduct a study of freight infrastructure needs, including an update of the long-term marine cargo forecast. The board must work with the Washington public ports association to evaluate: (1) Forecasted cargo movement by commodity, type, and mode of land transport; and (2) current and projected freight infrastructure capacity needs. A report on the study must be delivered to the joint transportation committee by December 1, 2015.

Sec. 907. 2016 c 14 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State	Patrol	Highway	Account-State
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Appropriation	((\$415,364,000))
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\$407,845,000

State	Patrol	Highway	Account-Federal
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Appropriation	\$13,291,000
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State	Patrol	Highway	Account-Private/Local
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Appropriation	\$3,823,000
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Highway	Safety	Account-State
Appropriation	\$1,494,000	

Multimodal	Transportation	Account-State
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Appropriation	\$276,000
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TOTAL APPROPRIATION ~~\$434,248,000~~

\$426,729,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the

department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the highway safety account-state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$23,000 of the state patrol highway account-state appropriation is provided solely for the implementation of chapter 3, Laws of 2015 2nd sp. sess. (impaired driving).

(4) \$5,000,000 of the state patrol highway account-state appropriation is provided solely for compensation increases for Washington state patrol troopers, sergeants, lieutenants, and captains. This increase is not subject to interest arbitration and is for salary and benefits that are in addition to the current interest arbitration award. It is the intent of the legislature that chapter . . . (Engrossed Second Substitute House Bill No. 2872), Laws of 2016 provide the revenue to support the ongoing costs associated with the compensation increases identified in this subsection in order to provide the means necessary to recruit and retain state patrol officers in subsequent biennia.

(5) (a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

(6) \$115,000 of the state patrol highway account-state appropriation is provided solely for the operation of the license investigation unit to enforce

vehicle registration laws in southwestern Washington.

Sec. 908. 2016 c 14 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State

Appropriation \$34,000

License Plate Technology Account—State

Appropriation \$3,200,000

Motorcycle Safety Education Account—State

Appropriation \$4,488,000

State Wildlife Account—State
Appropriation \$1,001,000

Highway Safety Account—State
Appropriation (~~(\$201,666,000)~~)

\$198,735,000

Highway Safety Account—Federal
Appropriation \$3,573,000

Motor Vehicle Account—State
Appropriation (~~(\$92,044,000)~~)

\$92,662,000

Motor Vehicle Account—Federal
Appropriation \$362,000

Motor Vehicle Account—Private/Local
Appropriation (~~(\$1,544,000)~~)

\$1,859,000

Ignition Interlock Device Revolving
Account—State

Appropriation \$5,142,000

Department of Licensing Services
Account—State

Appropriation (~~(\$6,672,000)~~)

\$6,671,000

TOTAL APPROPRIATION ~~\$319,726,000~~

\$317,727,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$30,954,000)~~) \$30,250,000 of the highway safety account—state appropriation and \$3,200,000 of the license plate technology account—state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must

provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(2) \$5,059,000 of the motor vehicle account—state appropriation is provided solely for replacing prorated and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(3) \$3,714,000 of the highway safety account—state appropriation is provided solely for the implementation of an updated central issuance system.

(4) \$3,082,000 of the highway safety account—state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2) (e) (v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2) (e) (v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(5) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. A person's photo, social security number, or medical

information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(6) Within existing resources and in consultation with the traffic safety commission, the Washington state patrol, and a representative of the insurance industry and the professional driving school association, the department must review options and make recommendations on strategies for addressing young and high-risk drivers. The recommendations must consider the findings of Washington state's strategic highway safety plan, Target Zero, and must include an analysis of expanding traffic safety education to eighteen to twenty-four year olds that have not taken a traffic safety course and drivers that have been convicted of high-risk behavior, such as driving under the influence of drugs and alcohol and reckless driving. An overview of the work conducted and the recommendations are due to the transportation committees of the legislature and the governor by December 31, 2015.

(7) \$57,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 1, Laws of 2015 2nd sp. sess. (quick title service fees).

(8) \$283,000 of the highway safety account-state appropriation and \$33,000 of the ignition interlock device revolving account-state appropriation are provided solely for the implementation of chapter 3, Laws of 2015 2nd sp. sess. (impaired driving).

(9) \$4,000,000 of the motor vehicle account-state appropriation is provided solely for implementation of chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

(10) ((\$335,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2942), Laws of 2016 or chapter . . . (Senate Bill No. 6591), Laws of 2016 (nondomiciled commercial drivers' licenses). If both chapter . . . (Substitute House Bill No. 2942), Laws of 2016 and chapter . . . (Senate Bill No. 6591), Laws of 2016 are not enacted by June 30, 2016, the amount provided in this subsection lapses.

~~(11)~~) \$2,421,000 of the highway safety account-state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The

office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2015. The department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait times and volume data for enhanced drivers' licenses and enhanced identicards.

~~((12))~~ (11) \$43,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 6200), Laws of 2016 (Washington's fish collection license plate). If chapter . . . (Senate Bill No. 6200), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

~~((13))~~ (12) \$388,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 (impaired driving). If chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

~~((14))~~ (13) \$29,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 (Purple Heart license plate). If chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

~~((15))~~ (14) \$20,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 (alternative fuel vehicles). If chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

Sec. 909. 2016 c 14 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-TOLL OPERATIONS AND MAINTENANCE-PROGRAM B

High Occupancy Toll Lanes Operations
 Account-State
 Appropriation (~~(\$3,185,000)~~)
 \$3,175,000

Motor Vehicle Account-State
 Appropriation \$510,000

State Route Number 520 Corridor
 Account-State

Appropriation \$39,029,000

State Route Number 520 Civil Penalties
 Account-State

Appropriation \$6,008,000

Tacoma Narrows Toll Bridge Account-
 State

Appropriation \$26,636,000

Interstate 405 Express Toll Lanes
 Operations

Account-State Appropriation
 \$15,552,000

TOTAL APPROPRIATION ~~\$90,920,000~~
 \$90,910,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account-state appropriation and \$8,157,000 of the state route number 520 corridor account-state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) \$4,778,000 of the state route number 520 civil penalties account-state appropriation and \$2,065,000 of the Tacoma Narrows toll bridge account-state appropriation are provided solely for expenditures related to the toll adjudication process. The department shall report on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees by the end of each calendar quarter. The reports must

include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(3) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(4) \$3,100,000 of the Interstate 405 express toll lanes operations account-state appropriation, \$1,498,000 of the state route number 520 corridor account-state appropriation, and \$1,802,000 of the high occupancy toll lanes operations account-state appropriation are provided solely for the operation and maintenance of roadside toll collection systems.

(5) \$12,202,000 of the Interstate 405 express toll lanes operations account-state appropriation is provided solely for operational costs related to the express toll lane facility, including the customer service center vendor, transponders, credit card fees, printing and postage, rent, office supplies, telephone and communications equipment, computers, and vehicle operations. Within the amount provided in this subsection, the department must, to the greatest extent possible, without adding additional tolling gantries, continue to expand the length of the access and exit points to the express toll lanes, clarify signage and striping to eliminate confusion, and make other operational and customer service improvements to enhance the public's use of the toll facility. The office of financial management shall place \$5,371,000 of the amount provided in this subsection in unallotted status. The office of financial management may release funds to the department on a monthly basis beginning July 1, 2016; however, the amount to be released monthly must be calculated to address the department's projected expenditure need based on the previous month's actual expenditures, financial statement, actual toll

transaction experience, and actual revenue collections for the Interstate 405 express toll lanes facility. Prior to releasing any funding from unallotted status, the office of financial management shall notify the joint transportation committee of the amount to be released and provide the documentation used in determining the amount.

(6) \$250,000 of the Interstate 405 express toll lanes operations account-state appropriation is provided solely for the identification and prioritization of projects that will help reduce congestion and provide added capacity on the Interstate 405 tolling corridor between state route number 522 and Interstate 5.

(7) The department must provide quarterly reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane

traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(8) \$56,000 of the high occupancy toll lanes operations account-state appropriation, \$1,124,000 of the state route number 520 corridor account-state appropriation, and \$596,000 of the Tacoma Narrows toll bridge account-state appropriation are provided solely for the department to develop a request for proposal for a new tolling customer service center.

(a) The department must address the replacement of the Wave2Go ferry ticketing system that is reaching the end of its useful life by developing functional and technical requirements that integrate Washington state ferries ticketing into the new tolling division customer service center toll collection system. The department shall continue to report quarterly to the governor, legislature, and state auditor on: (i) The department's effort to mitigate risk to the state, (ii) the development of a request for proposal, and (iii) the overall progress towards procuring a new tolling customer service center.

(b) The department shall release a request for proposal for a new tolling customer service toll collection system by December 1, 2016.

(i) During the request for proposal development process and prior to its release, the office of financial management shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

(A) Provides for the business needs of the state; and

(B) Mitigates risk to the state.

(ii) During development of the request for proposal and prior to its release, the office of the chief information officer shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

(A) Contains requirements that meet the security standards and policies of the

office of the chief information officer;
and

(B) Is flexible and adaptable to advances in technology.

(c) (i) Prior to commencement of the new tolling customer service toll collection system implementation, the department shall submit a draft project management plan to the office of financial management and the office of the chief information officer that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation;

(ii) The office of financial management and the office of the chief information officer shall review the draft project management plan to ensure that it contains adequate contract management and quality assurance measures.

(iii) The department shall submit the project management plan to the transportation committees of the legislature prior to the commencement of system implementation.

(9) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(10) \$5,000 of the motor vehicle account-state appropriation is provided solely for membership dues for the alliance for toll interoperability.

(11) \$1,230,000 of the state route number 520 civil penalties account-state appropriation and \$695,000 of the Tacoma Narrows toll bridge account-state appropriation are provided solely to implement chapter 292, Laws of 2015 (tolling customer service reform) to improve integration between the Good to Go! electronic tolling system with the pay-by-mail system through increased communication with customers and improvements to the Good to Go! web site allowing customers to manage all of their toll accounts regardless of method of payment. Within the amounts provided, the department must include in the request for proposals for a new customer service center the requirement that the new tolling customer service center link to the vehicle records system of the department of licensing to enable vehicle record updates that relate to tolling customer accounts to occur between the two systems seamlessly. The department must work with the department of licensing to develop the appropriate specifications to include in the request for proposals to allow the new tolling customer service center to link to the vehicle records system without cost to the department of licensing and report to the transportation committees of the legislature when the appropriate specifications have been completed. By June 30, 2017, the department shall report how many people with Good to Go! accounts were issued civil penalties for each toll facility and whether the number was reduced each fiscal year in the biennium. The department shall also report on the number of customer contacts that occur, number of civil penalties reduced or waived, the amount of the total civil penalties that are waived, and the number of customers that are referred to the administrative law judge process during the biennium.

Sec. 910. 2016 c 14 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
INFORMATION TECHNOLOGY-PROGRAM C

Transportation Partnership Account-
State

Appropriation \$1,460,000

Motor Vehicle Account-State
Appropriation ((~~\$69,291,000~~))

\$69,281,000

Multimodal Transportation Account—
State

Appropriation \$2,883,000

Transportation 2003 Account (Nickel
Account)—State

Appropriation \$1,460,000

Puget Sound Ferry Operations Account—
State

Appropriation \$263,000

TOTAL APPROPRIATION ~~\$75,357,000~~
\$75,347,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,460,000 of the transportation partnership account—state appropriation and \$1,460,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for maintaining the department's project management reporting system.

(2) \$250,000 of the motor vehicle account—state appropriation is provided solely for the development of a timeline and funding plan for the labor system replacement project. As part of its 2017-2019 biennial budget submittal, and in coordination with the office of financial management and the office of the chief information officer, the department shall submit a timeline and funding plan for the labor system replacement project. The plan must identify a timeline and all one-time and ongoing costs for the integration of all headquarters, regional, and marine employees into the new labor system.

Sec. 911. 2016 c 14 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
FACILITY MAINTENANCE, OPERATIONS, AND
CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State
Appropriation (~~\$27,609,000~~)
\$27,592,000

State Route Number 520 Corridor
Account—State

Appropriation \$34,000

TOTAL APPROPRIATION ~~\$27,643,000~~
\$27,626,000

Sec. 912. 2016 c 14 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
AVIATION—PROGRAM F

Aeronautics Account—State
Appropriation (~~\$8,628,000~~)
\$8,632,000

Aeronautics Account—Federal
Appropriation (~~\$4,100,000~~)
\$1,600,000

Aeronautics Account—Private/Local
Appropriation \$60,000

TOTAL APPROPRIATION ~~\$12,788,000~~
\$10,292,000

The appropriations in this section are subject to the following conditions and limitations: \$4,557,000 of the aeronautics account—state appropriation is provided solely for airport investment studies and the airport aid grant program, which provides competitive grants to public airports for pavement, safety, maintenance, planning, and security.

Sec. 913. 2016 c 14 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
PROGRAM DELIVERY MANAGEMENT AND SUPPORT—
PROGRAM H

Motor Vehicle Account—State
Appropriation (~~\$53,911,000~~)
\$53,892,000

Motor Vehicle Account—Federal
Appropriation \$500,000

Multimodal Transportation Account—
State

Appropriation \$250,000

TOTAL APPROPRIATION ~~\$54,661,000~~
\$54,642,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The real estate services division of the department must recover the cost of its efforts from sale proceeds and fund additional future sales from those proceeds.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle

safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(3) \$250,000 of the motor vehicle account-state appropriation is provided solely for training intended to retain a knowledgeable and competent core technical staff in the changing environment of highway project design and construction and to provide for the efficient and effective delivery and oversight of projects. The training must focus on the following areas:

(a) Training appropriate staff in regard to coordinating and administering projects with private sector designers and builders for projects delivered by the design-build construction process;

(b) Training on community engagement to provide project managers with the skills

necessary to develop personal relations with the leaders of the affected community to blend project needs with the needs of the community, while providing fair treatment and involvement of community groups and individuals regarding elements of a project subject to environmental regulations, laws, and policies;

(c) Training for partnering and team building skills to avoid conflict and reduce construction claims that arise in contract administration; and

(d) Technical design training required in the fields of hydraulics, hydrology, and storm water abatement, and other fields in support of projects dealing with the fish passage program and highway runoff treatment.

Sec. 914. 2016 c 14 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-ECONOMIC PARTNERSHIPS-PROGRAM K

Motor	Vehicle	Account-State
Appropriation	(\$600,000)	
	\$604,000	
((Electric	Vehicle	Charging
Infrastructure		
Account-State		Appropriation
	\$1,000,000	
TOTAL APPROPRIATION		\$1,600,000

The appropriation~~(s)~~ in this section ~~((are))~~ is subject to the following conditions and limitations: ~~((1))~~ The economic partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

~~((3))~~ \$1,000,000 of the electric vehicle charging infrastructure account-state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).)

Sec. 915. 2016 c 14 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-HIGHWAY MAINTENANCE-PROGRAM M

Motor	Vehicle	Account-State
Appropriation	(\$418,524,000)	
	\$424,755,000	
Motor	Vehicle	Account-Federal
Appropriation	(\$7,000,000)	

\$12,000,000

Tacoma Narrows Toll Bridge Account—
State

Appropriation \$1,235,000

State Route Number 520 Corridor
Account—State

Appropriation \$4,448,000

TOTAL APPROPRIATION ~~\$431,207,000~~

\$442,438,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$6,091,000)~~) \$7,122,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(2) \$4,448,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) \$1,235,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(5) The department must make signage for low-height bridges a high priority.

(6) \$25,000 of the motor vehicle account—state appropriation is provided solely for the Northwest avalanche center for an additional forecaster. However, the amount in this subsection is contingent on the state parks and recreation commission receiving funding for its portion of the Northwest avalanche center forecaster in the omnibus appropriations act. If this funding is not provided by June 30, 2016, the appropriation provided in this subsection lapses.

(7) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for safety improvements and operations relating to homeless

encampments along Interstate 5 between milepost 162 and milepost 165. The department shall coordinate the timing of the safety improvements with the city of Seattle and King county to ensure that a collaborative and comprehensive approach is taken to address emergency conditions in support of the city's transitional services.

(8) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary snow and ice removal expenses and related road repair expenses incurred during the winter of 2016-2017.

Sec. 916. 2016 c 14 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Connecting Washington Account—State
Appropriation \$30,000

Motor Vehicle Account—State
Appropriation (~~(\$57,622,000)~~)

\$57,504,000

Motor Vehicle Account—Federal
Appropriation \$2,050,000

Motor Vehicle Account—Private/Local
Appropriation \$250,000

TOTAL APPROPRIATION ~~\$59,952,000~~

\$59,834,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) ((During the 2015-2017 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number

of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

~~(3)~~) The legislature recognizes that congestion is increasing on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station, and that allowing transit buses to operate on the shoulder would provide congestion relief and more reliable travel times. Therefore, the department shall, within existing resources, implement a transit bus shoulder operations pilot project on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station. The department shall make all necessary changes to handle the increased traffic and provide a ten-foot shoulder for the transit bypass.

~~((4))~~ (3) \$30,000 of the connecting Washington account-state appropriation is provided solely for the department to create and install motorist information sign panels for the Jerry Taylor Veterans Plaza in Sunnyside along the state-owned right-of-way near exits 63, 67, and 69 on Interstate 182 and on state route number 241 near the junction with Yakima Valley highway and to install supplemental directional signs as permitted by the affected local government and in accordance with the "Manual on Uniform Traffic Control Devices" and chapter 47.36 RCW.

~~((5))~~ (4) The department shall implement Senate Joint Memorial No. 8019 within existing resources if Senate Joint Memorial No. 8019 is enacted by the legislature by June 30, 2016, and the Washington state transportation commission takes action to name the facility per Senate Joint Memorial No. 8019 by June 30, 2017.

Sec. 917. 2016 c 14 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
TRANSPORTATION MANAGEMENT AND SUPPORT-
PROGRAM S

Motor Vehicle Account-State	Appropriation	(\$29,625,000)
		\$29,622,000
Motor Vehicle Account-Federal	Appropriation	(\$1,205,000)
		\$1,323,000
Multimodal Transportation Account-State	Appropriation	\$1,131,000
	TOTAL APPROPRIATION	\$31,961,000
		\$32,076,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$288,000 of the motor vehicle account-state appropriation is provided solely for enhanced disadvantaged business enterprise outreach to increase the pool of disadvantaged businesses available for department contracts and to collaborate with the department of labor and industries to recruit women and persons of color to participate in existing transportation apprenticeship programs. The department must submit a status report on disadvantaged business enterprise outreach and apprenticeship recruitment to the transportation committees of the legislature by November 15, 2015.

(2) \$3,000,000 of the motor vehicle account-state appropriation is provided solely for the headquarters communications office. Within the amount provided in this subsection, the department shall complete the web content management system and upgrade the department's web site.

(3) \$750,000 of the motor vehicle account-state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonproject agencies, churches, and other

entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2016, and annually thereafter.

(4)(a) During the 2015-2017 fiscal biennium, the department may proceed with the pilot project selling commercial advertising, including product placement, on department web sites and social media. In addition, the department may sell a version of its mobile application(s) to users who desire to have access to application(s) without advertising.

(b) The department shall deposit all moneys received from the sale of advertisements on web site and mobile applications into the motor vehicle fund created in RCW 46.68.070.

(c) The department shall adopt standards for advertising, product placement, and other forms of commercial recognition that require the department to define and prohibit, at a minimum, the content containing any of the following characteristics, which is not permitted: (i) Obscene, indecent, or discriminatory content; (ii) political or public issue advocacy content; (iii) products, services, or other materials that are offensive, insulting, disparaging, or degrading; or (iv) products, services, or messages that are contrary to the public interest, including any advertisements that encourage or depict unsafe behaviors or encourage unsafe or prohibited driving activities. Alcohol, tobacco, and cannabis are included among the products prohibited.

Sec. 918. 2016 c 14 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION PLANNING, DATA, AND
RESEARCH—PROGRAM T

Motor Vehicle Account—State
Appropriation ((~~\$22,717,000~~))

\$22,707,000

Motor Vehicle Account—Federal
Appropriation ((~~\$26,342,000~~))

\$29,096,000

Multimodal Transportation Account—
State

Appropriation \$662,000

Multimodal Transportation Account—
Federal

Appropriation \$2,809,000

Multimodal Transportation Account—
Private/Local

Appropriation \$100,000

TOTAL APPROPRIATION ~~\$52,630,000~~

\$55,374,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$368,000 of the motor vehicle account—state appropriation is provided solely for the purchase of an economic impact model. The department shall work with appropriate local jurisdictions to improve consistency between existing and planned transportation demand models. The department shall report back to the transportation committees of the legislature and the office of financial management by December 31, 2015, with any recommendations requiring legislative action.

(2) \$1,000,000 of the motor vehicle account—federal appropriation is provided solely for the corridor sketch program. Priority must be given to the state route number 522 corridor between Maltby and the Snohomish river bridge. Initial corridors must also include state route number 195, Interstate 5 between Bellingham and the vicinity of Mount Vernon, state route number 160 in the vicinity of Port Orchard, and state route number 28 in the vicinity of East Wenatchee.

(3) Within existing resources, the department shall conduct a traffic and access study of the intersection of the Interurban trail and state route number 104. Options to improve safety at this location must include consideration of a pedestrian and bike overcrossing.

(4)(a) The department must update the state freight mobility plan to comply with the requirements in section 70202 of the federal fixing America's surface transportation act. In updating the state freight mobility plan, the department must involve key freight stakeholders, such as representatives of public ports, the trucking industry, railroads, the marine industry, local governments and planning

organizations, the Washington state freight advisory committee, and other freight stakeholders. The updated plan must delete any obsolete project references from the prioritized freight project list.

(b) The department, in conjunction with the stakeholder group, must provide a list of prioritized projects for consideration for funding in the 2017-2019 fiscal biennium. The prioritized list must have approval from all impacted stakeholders. The prioritized list must be submitted to the office of financial management and the transportation committees of the legislature by November 1, 2016.

(5) Within existing resources, the department must evaluate how light pollution from state highways and facilities can be minimized while still meeting appropriate safety standards. Additionally, the department must evaluate how budget savings can be achieved through different types of lighting. To the extent practicable, the department must conduct this work in conjunction with other ongoing study and corridor planning efforts.

~~((7))~~ (6) \$150,000 of the motor vehicle account-state appropriation is provided solely for a safety study of state route number 169 from Jones Road to Cedar Grove. The department must consider collision data and work with local stakeholders to make recommendations for safety improvements in the corridor. A report on the study is due to the transportation committees of the legislature by December 31, 2016.

Sec. 919. 2016 c 14 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-CHARGES FROM OTHER AGENCIES-PROGRAM U

Motor Vehicle Account-State
Appropriation ~~((74,666,000))~~

\$77,036,000

Motor Vehicle Account-Federal
Appropriation \$500,000

Multimodal Transportation Account-State

Appropriation ~~((3,115,000))~~

\$3,213,000

TOTAL APPROPRIATION ~~\$78,281,000~~

\$80,749,000

Sec. 920. 2016 c 14 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-PUBLIC TRANSPORTATION-PROGRAM V

State Vehicle Parking Account-State
Appropriation \$754,000

Regional Mobility Grant Program
Account-State

Appropriation ~~((74,976,000))~~

\$57,828,000

Rural Mobility Grant Program Account-State

Appropriation \$20,438,000

Multimodal Transportation Account-State

Appropriation ~~((72,930,000))~~

\$71,604,000

Multimodal Transportation Account-Federal

Appropriation \$3,588,000

TOTAL APPROPRIATION ~~\$172,686,000~~

\$154,212,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$41,250,000 of the multimodal transportation account-state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$8,750,000 of the multimodal transportation account-state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$32,500,000 of the multimodal transportation account-state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort

for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2013 as reported in the "Summary of Public Transportation - 2013" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$20,438,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3) (a) \$6,969,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) \$400,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving or traveling through the Joint Base Lewis-McChord I-5 corridor between mile post 116 and 127.

(4) (~~(\$18,726,000)~~) \$13,010,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((~~2016-2~~)) 2017-2 ALL PROJECTS as developed March ((~~7, 2016~~)) 25, 2017, Program - Public Transportation Program (V).

(5) (~~(a) \$56,250,000~~) \$44,818,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((~~2016-2~~)) 2017-2 ALL PROJECTS as developed March ((~~7, 2016~~)) 25, 2017, Program - Public Transportation Program

(V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2015, and December 15, 2016, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

((b) In order to be eligible to receive a grant under (a) of this subsection during the 2015-2017 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.))

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$5,670,000 of the multimodal transportation account-state appropriation and \$754,000 of the state vehicle parking account-state appropriation are provided solely for CTR grants and activities.

(8) \$200,000 of the multimodal transportation account-state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(9)(a) \$1,000,000 of the multimodal transportation account-state appropriation is provided solely for the Everett connector service for Island and Skagit transit agencies. The amount provided in this subsection is contingent on Island Transit charging fares that achieve a farebox recovery ratio similar to comparable transit systems.

(b) The amount provided in (a) of this subsection must be held in unallotted status until the office of financial management determines that fares have been both adopted and implemented by Island Transit that achieve a farebox recovery ratio similar to comparable transit systems. Island Transit must notify the office of financial management when it has met the requirements of this subsection.

(10)(a) (~~(\$13,890,000)~~) \$12,565,000 of the multimodal transportation account-state appropriation is provided solely for projects identified in LEAP Transportation Document (~~(2016-3)~~) 2017-2 ALL PROJECTS developed March (~~7, 2016~~). ~~Except as provided otherwise in this subsection, funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects. If a higher priority project is bypassed, it must be funded when the project is ready. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed transit projects that have been funded and projects that have been bypassed, including an estimated time frame for when the bypassed project will be funded)~~) 25, 2017.

(b) \$831,000 of the amount provided in (a) of this subsection is provided solely for Skagit transit system enhancements for expenditure in 2015-2017.

(c) \$2,300,000 of the amount provided in (a) of this subsection is provided

solely for Island transit's tri-county connector service for expenditure in 2015-2017.

(d) It is the intent of the legislature to provide \$6,000,000 in the 2017-2019 fiscal biennium and \$6,000,000 in the 2019-2021 fiscal biennium for the Spokane Central city line, in addition to the 2015-2017 fiscal biennium funding provided in the LEAP transportation document identified in (a) of this subsection. It is further the intent of the legislature to provide a total of \$10,000,000 over the 2017-2019 and 2019-2021 fiscal biennia for the Northgate transit center pedestrian bridge.

(e) Within existing resources, the public transportation program must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating the delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016.

(11) \$1,000,000 of the multimodal transportation account-state appropriation is provided solely for transit coordination grants.

(12) Within the amounts provided in this section, the public transportation program must conduct a study of public transportation agencies in Washington that provide regional public transportation service outside the boundaries of the agency. The study must consider: (a) The cost to provide these existing regional services, the current source of funds for these services, and the applicable ridership data from these existing regional services; (b) the number of trips removed from the state highway system as a result of these regional services; (c) areas of the state highway system that do not have such regional service available; and (d) potential funding sources at the state level to support a portion of current and potential regional services. The public transportation program must provide a report on its findings and recommendations to the transportation committees of the legislature by November 15, 2016.

Sec. 921. 2016 c 14 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-MARINE-PROGRAM X

Puget Sound Ferry Operations Account-State

Appropriation (~~(\$478,319,000)~~)

\$478,985,000

Puget Sound Ferry Operations Account-Federal

Appropriation (~~(\$5,908,000)~~)

\$5,156,000

Puget Sound Ferry Operations Account-Private/Local

Appropriation \$121,000

TOTAL APPROPRIATION ~~\$484,348,000~~

\$484,262,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2015-2017 supplemental and 2017-2019 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) Until a reservation system is operational on the San Juan islands inter-island route, the department shall provide the same priority loading benefits on the San Juan islands inter-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(3) For the 2015-2017 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(4) (~~(\$78,306,000)~~) \$77,091,000 of the Puget Sound ferry operations account-state appropriation is provided solely for auto ferry vessel operating fuel in the 2015-2017 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent

upon the enactment of section 701, c 10, Laws of 2015 1st sp. sess. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(5) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(6) During the 2015-2017 fiscal biennium, the department shall not operate a winter sailing schedule for a time period longer than twelve weeks.

(7) \$496,000 of the Puget Sound ferry operations account-state appropriation is provided solely for ferry terminal traffic control at the Fauntleroy ferry terminal. The department shall utilize existing contracts to provide a uniformed officer to assist with ferry terminal traffic control at the Fauntleroy ferry terminal.

(8) \$1,551,000 of the Puget Sound ferry operations account-state appropriation is provided solely for improvements to the reservation system. The department shall actively encourage ferry reservation customers to use the online option for making and changing reservations and shall not use these funds for call center staff.

(9) \$30,000 of the Puget Sound ferry operations account-state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2015, and annually thereafter, and that the report include the establishment of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(10) (~~(\$5,908,000)~~) \$5,156,000 of the Puget Sound ferry operations account-federal appropriation is provided solely for vessel maintenance.

(11) \$48,000 of the Puget Sound ferry operations account-state appropriation is provided solely for staff sufficient to allow passenger accessibility aboard the

M/V Tokitae to the sun deck during daylight hours on Saturdays and Sundays of the summer sailing season.

Sec. 922. 2016 c 14 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-OPERATING

Multimodal Transportation Account-State

Appropriation ((~~\$59,473,000~~))

\$59,476,000

Multimodal Transportation Account-Private/Local

Appropriation \$45,000

TOTAL APPROPRIATION ~~\$59,518,000~~

\$59,521,000

Sec. 923. 2016 c 14 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-LOCAL PROGRAMS-PROGRAM Z-OPERATING

Motor Vehicle Account-State
Appropriation ((~~\$9,324,000~~))

\$9,321,000

Motor Vehicle Account-Federal
Appropriation \$2,567,000

Multiuse Roadway Safety Account-State
Appropriation \$131,000

TOTAL APPROPRIATION ~~\$12,022,000~~

\$12,019,000

TRANSPORTATION AGENCIES-CAPITAL

Sec. 1001. 2016 c 14 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account-State

Appropriation ((~~\$13,217,000~~))

\$5,142,000

Freight Mobility Multimodal Account-State

Appropriation ((~~\$11,859,000~~))

\$3,315,000

((Freight Mobility Multimodal Account-Private/Local

Appropriation \$1,320,000))

Highway Safety Account-State
Appropriation ((~~\$2,765,000~~))

\$865,000

Motor Vehicle Account-State
Appropriation \$83,000

((Motor Vehicle Account-Federal
Appropriation \$3,250,000))

TOTAL APPROPRIATION ~~\$32,494,000~~

\$9,405,000

Sec. 1002. 2016 c 14 s 302 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account-State
Appropriation ((~~\$5,895,000~~))

\$5,815,000

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

(1) \$250,000 of the state patrol highway account-state appropriation is provided solely for unforeseen emergency repairs on facilities.

(2) \$560,000 of the state patrol highway account-state appropriation is provided solely for the replacement of the roofs of the Shelton academy multipurpose building, Tacoma district office building, Kennewick detachment building, and Ridgefield and Plymouth weigh station buildings.

(3) \$150,000 of the state patrol highway account-state appropriation is provided solely for upgrades to scales at Goldendale required to meet current certification requirements.

(4) \$2,350,000 of the state patrol highway account-state appropriation is provided solely for funding to repair and replace the academy asphalt emergency vehicle operation course.

(5) \$500,000 of the state patrol highway account-state appropriation is provided solely for replacement of generators at Marysville, Baw Faw, Gardner, Pilot Rock, and Ridpath.

(6) \$150,000 of the state patrol highway account-state appropriation is provided solely for painting and caulking in several locations.

(7) \$350,000 of the state patrol highway account-state appropriation is provided solely for pavement preservation

at the Wenatchee district office and the Spokane district office.

(8) \$700,000 of the state patrol highway account-state appropriation is provided solely for energy upgrades at two district offices and two detachments.

(9) \$300,000 of the state patrol highway account-state appropriation is provided solely for repair of the academy training tank.

(10) \$130,000 of the state patrol highway account-state appropriation is provided solely for communication site roof repair to reroof equipment shelters at radio communication sites statewide.

(11) \$275,000 of the state patrol highway account-state appropriation is provided solely for the replacement of the broadcast tower at the Steptoe Butte radio communications site.

(12) \$100,000 of the state patrol highway account-state appropriation is provided solely for the dry-pipe fire suppression system rebuild at the Marysville district office.

Sec. 1003. 2016 c 14 s 303 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account-State

Appropriation ~~((\$56,094,000))~~
\$45,055,000

Motor Vehicle Account-State
Appropriation \$10,706,000

County Arterial Preservation Account-State

Appropriation \$32,344,000
TOTAL APPROPRIATION ~~\$99,144,000~~
\$88,105,000

Sec. 1004. 2016 c 14 s 304 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account-State

Appropriation ~~((\$4,301,000))~~
\$2,551,000

Highway Safety Account-State
Appropriation \$10,000,000

Transportation Improvement Account-State

Appropriation ~~((\$249,988,000))~~
\$218,488,000

Multimodal Transportation Account-State

Appropriation \$3,313,000

TOTAL APPROPRIATION ~~\$267,692,000~~
\$234,352,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The highway safety account-state appropriation is provided solely for:

(a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(b) The small city pavement program to help cities meet urgent preservation needs; and

(c) The small city low-energy street light retrofit demonstration program.

(2) \$3,313,000 of the multimodal transportation account-state appropriation is provided solely for the complete streets program.

Sec. 1005. 2016 c 14 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-FACILITIES-PROGRAM D-(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)-CAPITAL

Transportation Partnership Account-State

Appropriation ~~((\$1,043,000))~~
\$1,044,000

Motor Vehicle Account-State
Appropriation ~~((\$7,276,000))~~

\$7,387,000

Connecting Washington Account-State
Appropriation ~~((\$14,000,000))~~

\$4,847,000

TOTAL APPROPRIATION ~~\$22,319,000~~

\$13,278,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,043,000 of the transportation partnership account-state appropriation

is provided solely for completion of a new traffic management center in Shoreline, Washington. By September 30, 2015, the department shall report to the transportation committees of the legislature and the office of financial management on the resulting vacancy rate of the existing regional headquarters building in Shoreline, plans to consolidate department staff into the building, and the schedule for terminating the current lease of the Goldsmith building in Seattle, and provide an update on future plans to consolidate agency staff within the region.

(2) (~~(\$4,000,000)~~) \$934,000 of the connecting Washington account-state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue. The property purchase was approved by the 2005 legislature for the site of the new Olympic region and the land was acquired by the department in August 2005. The department must work with the office of financial management's facilities oversight program to develop a revised predesign for a new Olympic region facility, with an estimated total cost of no more than forty million dollars. Priority must be given to accommodating the maintenance and operations functions of the Olympic region. The department must provide a copy of the revised predesign to the transportation committees of the legislature by December 2015.

(3) (~~(\$10,000,000)~~) \$3,913,000 of the connecting Washington account-state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

Sec. 1006. 2016 c 14 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-IMPROVEMENTS-PROGRAM I

Multimodal Transportation Account-State

Appropriation (~~(\$19,181,000)~~)
\$19,176,000

Transportation Partnership Account-State

Appropriation (~~(\$1,065,758,000)~~)
\$994,147,000

Motor Vehicle Account-State
Appropriation (~~(\$71,841,000)~~)

\$72,890,000
Motor Vehicle Account-Federal
Appropriation (~~(\$315,447,000)~~)

\$293,164,000
Motor Vehicle Account-Private/Local
Appropriation (~~(\$177,022,000)~~)

\$186,640,000
Transportation 2003 Account (Nickel
Account)-State

Appropriation (~~(\$79,064,000)~~)
\$76,668,000

State Route Number 520 Corridor
Account-State

Appropriation (~~(\$368,121,000)~~)
\$135,041,000

State Route Number 520 Corridor
Account-Federal

Appropriation \$104,801,000

State Route Number 520 Civil Penalties
Account-

State Appropriation \$14,000,000

Special Category C Account-State
Appropriation (~~(\$6,000,000)~~)

\$5,855,000
Interstate 405 Express Toll Lanes
Operations

Account-State Appropriation
\$9,500,000

Connecting Washington Account-State
Appropriation (~~(\$229,425,000)~~)

\$181,837,000

TOTAL APPROPRIATION ~~\$2,450,660,000~~

\$2,093,719,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~(2016-1)~~) 2017-1 as developed March (~~(7, 2016)~~) 25, 2017, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between

projects for those amounts listed subject to the conditions and limitations in section (~~(601)~~) 1201 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document (~~(2016-2)~~) 2017-2 ALL PROJECTS as developed March (~~(7, 2016)~~) 25, 2017, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)-state appropriation includes up to (~~(\$79,064,000)~~) \$76,666,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account-state appropriation includes up to \$546,857,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) (~~(\$4,359,000)~~) \$4,360,000 of the motor vehicle account-state appropriation is provided solely for the I-5/JBLM Early Corridor Design project (300596S) to complete an environmental impact statement for a project that creates additional general purpose lanes on Interstate 5 in the Joint Base Lewis-McChord corridor. The design of this project must be high occupancy vehicle lane ready for a future connection to the Interstate 5 high occupancy vehicle lane system that currently terminates in Tacoma.

(7) (~~(\$267,071,000)~~) \$266,277,000 of the transportation partnership account-state appropriation, (~~(\$55,389,000)~~) \$55,390,000 of the motor vehicle account-federal appropriation, (~~(\$156,423,000)~~) \$166,423,000 of the motor vehicle account-private/local appropriation, (~~(\$45,400,000)~~) \$45,401,000 of the transportation 2003 account (nickel account)-state appropriation, and

\$2,139,000 of the multimodal transportation account-state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(8) \$17,000,000 of the multimodal transportation account-state appropriation and \$1,676,000 of the transportation partnership account-state appropriation are provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B). The transportation partnership account-state appropriation must be placed in unallotted status and may only be released by the office of financial management for unpaid invoices from the 2013-2015 fiscal biennium.

(9) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(10) (~~(\$22,191,000)~~) \$21,463,000 of the transportation partnership account-state appropriation, (~~(\$5,576,000)~~) \$6,342,000 of the transportation 2003 account (nickel account)-state appropriation, (~~(\$42,000)~~) \$37,000 of the multimodal transportation account-state appropriation, (~~(\$6,000,000)~~) \$5,855,000 of the special category C account-state appropriation, \$368,000 of the motor vehicle account-state appropriation, (~~(\$13,000)~~) \$14,000 of the motor vehicle account-private/local appropriation, and (~~(\$12,976,000)~~) \$12,696,000 of the motor vehicle account-federal appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2015-2017.

(11) (~~(\$34,732,000)~~) \$34,725,000 of the transportation partnership account-state appropriation, (~~(\$7,329,000)~~) \$6,274,000

of the transportation 2003 account (nickel account)—state appropriation, and \$56,000 of the motor vehicle account—private/local appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C) or the I-405 Renton to Bellevue project in the 2015-2017 fiscal biennium. The transportation partnership account—state appropriation in this subsection includes funding to begin preliminary engineering for adding capacity on Interstate 405 between state route number 522 and Interstate 5.

(12) (a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$923,000,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) The state route number 520 corridor account—state appropriation includes up to \$343,834,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account—federal appropriation includes up to \$104,801,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) (~~(\$126,937,000)~~) \$45,680,000 of the transportation partnership account—state appropriation, \$104,801,000 of the state route number 520 corridor account—federal appropriation, and (~~(\$368,121,000)~~) \$110,910,000 of the state route number 520 corridor account—state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003). (~~(Of the amounts appropriated in this subsection (12) (d), \$233,085,000 of the state route number 520 corridor account—state appropriation must be put into unallotted status and is subject to review by the office of financial management. The director of the office of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.)~~)

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation

costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(13) \$14,000,000 of the state route number 520 civil penalties account—state appropriation is provided solely for the department to continue to work with the Seattle department of transportation in their joint planning, design, right-of-way acquisition, outreach, and operation of the remaining west side elements including, but not limited to, the Montlake lid, the bicycle/pedestrian path, the effective network of transit connections, and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV project.

(14) \$1,056,000 of the motor vehicle account—federal appropriation and \$38,000 of the motor vehicle account—state appropriation are provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2017, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(16) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(17) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2016 budget submittal. It is the intent of the legislature that new

facility construction must be transparent and not appropriated within larger highway construction projects.

(18) (~~(\$52,869,000)~~) \$44,742,000 of the motor vehicle account-federal appropriation, (~~(\$4,439,000)~~) \$4,381,000 of the motor vehicle account-state appropriation, and (~~(\$1,085,000)~~) \$529,000 of the motor vehicle account-private/local appropriation are provided solely for fish passage barrier and chronic deficiency improvements (0BI4001).

(19) Any new advisory group that the department convenes during the 2015-2017 fiscal biennium must consider the interests of the entire state of Washington.

(20) Except as provided otherwise in this section, the entire connecting Washington account appropriation is provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~(2016-1)~~) 2017-1 as developed March (~~(7-2016)~~) 25, 2017, Program - Highway Improvements Program (I).

(21) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(22) Of the amounts allocated to the Puget Sound Gateway project (M00600R) in LEAP Transportation Document (~~(2016-1)~~) 2017-1 as developed March (~~(7-2016)~~) 25, 2017, \$4,000,000 must be used to complete the bridge connection at 28th/24th Street over state route number 509 in the city of SeaTac. The bridge connection must be completed prior to other construction on the state route number 509 segment of the project.

(23) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and

implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(24) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(25) (~~(\$1,500,000)~~) \$901,000 of the motor vehicle account-state appropriation is provided solely for the department to complete an interchange justification report (IJR) for the U.S. 2 trestle, covering the state route number 204 and 20th Street interchanges at the end of the westbound structure.

(a) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

(b) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

(c) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(26)(a) The department must conduct outreach to local transit agencies during the planning process for highway construction projects led by the department.

(b) The department must develop process recommendations for best practices in minimizing impacts to transit and freight during project construction. A report on best practices must be submitted to the transportation committees of the legislature by December 1, 2016.

(27) The legislature finds that project efficiencies and savings may be gained by combining the I-5 Marine Drive project

limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section ((~~601~~) 1201) of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((~~2016-2~~) 2017-2 ALL PROJECTS) as developed March ((~~7, 2016~~) 25, 2017), Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to ((~~\$28,032,000~~) \$26,654,000) in proceeds from the sale of bonds authorized in RCW 47.10.861.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature by December 1, 2015, on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

(6) \$38,142,000 of the motor vehicle account—federal appropriation and \$858,000 of the motor vehicle account—state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington. The department shall provide a report that identifies the scope, cost, and benefit of each project funded in this subsection as part of its 2016 agency budget request.

(7) Except as provided otherwise in this section, the entire connecting

Washington account appropriation in this section is provided solely for the projects and activities as listed in LEAP Transportation Document ((~~2016-1~~) 2017-1) as developed March ((~~7, 2016~~) 25, 2017), Program - Highway Preservation Program (P).

(8) It is the intent of the legislature that, with respect to the amounts provided for highway preservation from the connecting Washington account, the department consider the preservation and rehabilitation of concrete roadway on Interstate 5 from the Canadian border to the Oregon border to be a priority within the preservation program.

(9) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR99/Alaskan Way viaduct replacement project.

(10) (a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

(11) The department must consult with the Washington state patrol during the design phase of a department-led improvement or preservation project that could impact weigh station operations. The department must ensure that the designs of the projects do not prevent or interfere with weigh station operations.

Sec. 1008. 2016 c 14 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
TRAFFIC OPERATIONS-PROGRAM Q-CAPITAL

\$391,891,000

Motor Vehicle Account-State
Appropriation ((~~\$7,190,000~~))

\$6,783,000

Motor Vehicle Account-Federal
Appropriation ((~~\$7,567,000~~))

\$6,716,000

Motor Vehicle Account-Private/Local
Appropriation ((~~\$200,000~~))

\$201,000

TOTAL APPROPRIATION ~~\$14,957,000~~

\$13,700,000

The appropriations in this section are subject to the following conditions and limitations: The department shall set aside a sufficient portion of the motor vehicle account-state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

Sec. 1009. 2016 c 14 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
WASHINGTON STATE FERRIES CONSTRUCTION-
PROGRAM W

Puget Sound Capital Construction
Account-State

Appropriation ((~~\$57,764,000~~))

\$57,037,000

Puget Sound Capital Construction
Account-Federal

Appropriation ((~~\$153,647,000~~))

\$136,346,000

Puget Sound Capital Construction
Account-Private/Local

Appropriation \$3,730,000

Transportation 2003 Account (Nickel
Account)-State

Appropriation \$122,089,000

Connecting Washington Account-State
Appropriation ((~~\$68,805,000~~))

\$72,689,000

TOTAL APPROPRIATION ~~\$406,035,000~~

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((~~2016-2~~)) 2017-2 ALL PROJECTS as developed March ((~~7, 2016~~)) 25, 2017, Program - Washington State Ferries Capital Program (W).

(2) \$90,545,000 of the transportation 2003 account (nickel account)-state appropriation is provided solely for the acquisition of a 144-car vessel (L1000063). The department shall use as much already procured equipment as practicable on the 144-car vessels.

(3) ((~~\$46,989,000~~)) \$26,742,000 of the Puget Sound capital construction account-federal appropriation, ((~~\$2,000,000~~)) \$5,884,000 of the connecting Washington account-state appropriation, \$562,000 of the transportation 2003 account (nickel account)-state appropriation, and ((~~\$490,000~~)) \$491,000 of the Puget Sound capital construction account-state appropriation are provided solely for the Mukilteo ferry terminal (952515P). It is the intent of the legislature, over the sixteen-year investment program, to provide ((~~\$155,000,000~~)) \$159,061,000 to complete the Mukilteo Terminal Replacement project (952515P). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section. To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal.

(4) \$7,000,000 of the Puget Sound capital construction account-state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only

ferries and transit service providers, is not precluded by any future terminal modifications.

(6) If the department pursues a conversion of the existing diesel powered Issaquah class fleet to a different fuel source or engine technology or the construction of a new vessel powered by a fuel source or engine technology that is not diesel powered, the department must use a design-build procurement process.

(7) Funding is included in the future biennia of the LEAP transportation document referenced in subsection (1) of this section for future vessel purchases. Given that the recent purchase of new vessels varies from the current long range plan, the department shall include in its updated long range plan revised estimates for new vessel costs, size, and purchase time frames. Additionally, the long range plan must include a vessel retirement schedule and associated reserve vessel policy recommendations.

(8) \$325,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ferry system to participate in the development of one account-based system for customers of both the ferry system and tolling system. The current Wave2Go ferry ticketing system is reaching the end of its useful life and the department is expected to develop a replacement account-based system as part of the new tolling division customer service center toll collection system.

(9) Within existing resources, the department must evaluate the feasibility of utilizing the federal EB-5 immigrant investor program for financing the construction of a safety of life at sea (SOLAS) certificated vessel for the Anacortes-Sidney ferry route. The department must establish a group that includes, but is not limited to, the department of commerce and entities or individuals experienced with vessel engineering and EB-5 financing for assistance in evaluating the applicability of the EB-5 immigrant investor program. The department must deliver a report containing the results of the evaluation to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(10) It is the intent of the legislature, over the sixteen-year investment program, to provide (~~(\$316,000,000)~~) \$320,267,000 to complete the Seattle Terminal Replacement project

(900010L), including: (a) Design work and selection of a preferred plan, (b) replacing timber pilings with pilings sufficient to support a selected terminal design, (c) replacing the timber portion of the dock with a new and reconfigured steel and concrete dock, and (d) other staging and construction work as the amount allows. These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(11) It is the intent of the legislature, over the sixteen-year new investment program, to provide \$122,000,000 in state funds to complete the acquisition of a fourth 144-car vessel (L2000109). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(12) \$300,000 of the Puget Sound capital construction account—state appropriation is provided solely to issue a request for proposals and purchase pilot program customer counting equipment. By June 30, 2017, the department must report to the governor and the transportation committees of the legislature on the most effective way to count ferry passengers.

(13) (~~(\$1,430,000)~~) \$1,255,000 of the Puget Sound capital construction account—federal appropriation and (~~(\$1,366,000)~~) \$889,000 of the Puget Sound capital construction—state appropriation are provided solely for installation of security access control and video monitoring systems, and for enhancing wireless network capacity to handle higher security usage, increase connectivity between vessels and land-based facilities, and isolate the security portion of the network from regular business (~~(project)~~) 998925A).

(14) The transportation 2003 account (nickel account)—state appropriation includes up to \$4,131,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(15) The department shall submit a cost estimate to procure a fifth 144-car vessel to the governor and the transportation committees of the legislature by June 30, 2017. The estimate must include, but is not limited to, construction costs, estimated operating costs, and any potential savings from replacing a currently operating vessel with a fifth 144-car vessel.

Sec. 1010. 2016 c 14 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-CAPITAL

Essential Rail Assistance Account-State
 Appropriation \$1,459,000
 Transportation Infrastructure Account-State
 Appropriation \$7,154,000
 Multimodal Transportation Account-State
 Appropriation (~~(\$37,205,000)~~)
 \$31,320,000
 Multimodal Transportation Account-Federal
 Appropriation (~~(\$492,217,000)~~)
 \$491,591,000
 TOTAL APPROPRIATION ~~\$538,035,000~~
 \$531,524,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((~~2016-2~~) 2017-2 ALL PROJECTS as developed March (~~7, 2016~~) 25, 2017, Program - Rail Program (Y).

(2) \$5,000,000 of the transportation infrastructure account-state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. For the 2015-2017 fiscal biennium, the department shall first award loans to 2015-2017 FRIB loan applicants in priority order, and then offer loans to 2015-2017 unsuccessful freight rail assistance program grant applicants, if eligible. If any funds remain in the FRIB program, the department may reopen the loan program and shall evaluate new applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. The department shall report

annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) (a) (~~(\$5,484,000)~~) \$5,429,000 of the multimodal transportation account-state appropriation, \$270,000 of the essential rail assistance account-state appropriation, and \$455,000 of the transportation infrastructure account-state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(b) Of the amounts provided in this subsection, \$367,000 of the transportation infrastructure account-state appropriation and \$1,100,000 of the multimodal transportation account-state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(4) (~~(\$487,297,000)~~) \$487,163,000 of the multimodal transportation account-federal appropriation and (~~(\$13,679,000)~~) \$10,991,000 of the multimodal transportation account-state appropriation are provided solely for expenditures related to passenger high-speed rail grants. Except for the Mount Vernon project (P01101A), the multimodal transportation account-state funds reflect no more than one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement.

(5) (a) \$1,114,000 of the essential rail assistance account-state appropriation,

\$766,000 of the multimodal transportation account-state appropriation, and \$68,000 of the transportation infrastructure account-state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account-state in this subsection may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2016, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

Sec. 1011. 2016 c 14 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
LOCAL PROGRAMS-PROGRAM Z-CAPITAL

Highway Infrastructure Account-State
Appropriation \$790,000

Highway Infrastructure Account-
Federal

Appropriation \$503,000

Transportation Partnership Account-
State

Appropriation ((~~\$4,054,000~~))

\$2,911,000

Highway Safety Account-State
Appropriation ((~~\$11,647,000~~))

\$9,259,000

Motor Vehicle Account-State
Appropriation ((~~\$1,271,000~~))

\$1,171,000

Motor Vehicle Account-Federal
Appropriation ((~~\$28,043,000~~))

\$17,571,000

Multimodal Transportation Account-
State

Appropriation ((~~\$34,031,000~~))

\$26,119,000

Connecting Washington Account-State
Appropriation ((~~\$47,669,000~~))

\$27,069,000

TOTAL APPROPRIATION ~~\$128,008,000~~

\$85,393,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((~~2016-2~~)) 2017-2 ALL PROJECTS as developed March ((~~7, 2016~~)) 25, 2017, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) ((~~\$20,653,000~~)) \$14,221,000 of the multimodal transportation account-state appropriation and ((~~\$3,579,000~~)) \$2,436,000 of the transportation partnership account-state appropriation are provided solely for pedestrian and bicycle safety program projects ((~~project~~)) L2000188).

(b) ((~~\$11,400,000~~)) \$6,303,000 of the motor vehicle account-federal appropriation, ((~~\$1,750,000~~)) \$925,000 of the multimodal transportation account-state appropriation, and ((~~\$6,750,000~~)) \$4,690,000 of the highway safety account-state appropriation are provided solely for newly selected safe routes to school projects. ((~~\$8,782,000~~)) \$7,507,000 of the motor vehicle account-federal appropriation, ((~~\$124,000~~)) \$26,000 of the multimodal transportation account-state appropriation, and ((~~\$4,897,000~~)) \$4,569,000 of the highway safety account-state appropriation are reappropriated for safe routes to school projects selected in the previous biennia ((~~project~~)) L2000189). The department may consider the special situations facing high-need areas,

as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2015, and December 1, 2016, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) \$500,000 of the motor vehicle account-state appropriation is provided solely for the Edmonds waterfront at-grade train crossings alternatives analysis project (L2000135). The department shall work with the city of Edmonds and provide a preliminary report of key findings to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(5) (a) (~~(\$9,900,000)~~) \$9,343,000 of the multimodal transportation account-state appropriation is provided solely for bicycle and pedestrian projects listed in LEAP Transportation Document (~~(2016-4)~~) 2017-2 as developed March (~~(7, 2016)~~) 25, 2017. Funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects and then to priority three projects. If a higher priority project is bypassed, it must be funded in the first round after the project is ready. If funds become available as a result of projects being removed from this list or completed under budget, the department may submit additional bicycle and pedestrian safety projects for consideration by the legislature. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed bicycle and pedestrian projects that have been funded and projects that have been bypassed, including an estimated time frame for when the project will be funded.

(b) Within existing resources, the local programs division must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016.

TRANSFERS AND DISTRIBUTIONS

Sec. 1101. 2016 c 14 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account-State

Appropriation \$3,610,000

Highway Bond Retirement Account-State

Appropriation (~~(\$1,176,906,000)~~)

\$1,173,441,000

Ferry Bond Retirement Account-State Appropriation (~~(\$29,230,000)~~)

\$29,231,000

Transportation Improvement Board Bond Retirement

Account-State Appropriation (~~(\$16,129,000)~~)

\$16,080,000

State Route Number 520 Corridor Account-State

Appropriation \$559,000

Nondebt-Limit Reimbursable Bond Retirement Account-

State Appropriation (~~(\$25,937,000)~~)

\$25,332,000

Toll Facility Bond Retirement Account-State

Appropriation (~~(\$72,880,000)~~)

\$67,850,000

Motor Vehicle Account—State
Appropriation \$2,500,000

Transportation 2003 Account (Nickel
Account)—State

Appropriation \$477,000

TOTAL APPROPRIATION ~~\$1,329,129,000~~

\$1,319,080,000

The appropriations in this section are subject to the following conditions and limitations: \$2,500,000 of the motor vehicle account—state appropriation is provided solely for debt service payment and withholding for the Tacoma Narrows bridge, with the intent of forestalling the need for the Washington state transportation commission to raise toll rates for the Tacoma Narrows bridge for fiscal year 2017.

Sec. 1102. 2016 c 14 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—
State

Appropriation \$697,000

Transportation 2003 Account (Nickel
Account)—State

Appropriation \$87,000

State Route Number 520 Corridor
Account—State

Appropriation \$134,000

TOTAL APPROPRIATION ~~\$784,000~~

\$918,000

Sec. 1103. 2016 c 14 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—
Federal

Appropriation (~~(\$200,215,000)~~)

\$200,216,000

((Toll Facility Bond Retirement
Account—State

Appropriation \$12,009,000

TOTAL APPROPRIATION \$212,224,000

Sec. 1104. 2016 c 14 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES
FOR DISTRIBUTION

Motor Vehicle Account—State
Appropriation: For

motor vehicle fuel tax distributions to
cities

and counties (~~(\$497,071,000)~~)

\$496,685,000

Sec. 1105. 2016 c 14 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State
Appropriation: For

motor vehicle fuel tax refunds and
statutory

transfers (~~(\$1,931,879,000)~~)

\$1,856,065,000

Sec. 1106. 2016 c 14 s 407 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—
TRANSFERS

Motor Vehicle Account—State
Appropriation:

For motor vehicle fuel tax refunds and
transfers (~~(\$182,730,000)~~)

\$184,758,000

Sec. 1107. 2016 c 14 s 408 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE
TRANSFERS

(1) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Puget Sound

Ferry Operations Account—State
\$10,000,000

(2) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Puget Sound

Capital Construction Account—
State \$12,000,000

(3) State Route Number 520 Civil
Penalties

Account-State Appropriation: For transfer to the

State Route Number 520 Corridor Account-State ((~~\$1,631,000~~))

\$1,630,000

(4) Highway Safety Account-State Appropriation:

For transfer to the State Patrol Highway

Account-State \$20,000,000

(5) Highway Safety Account-State

Appropriation: For transfer to the Puget Sound Ferry

Operations Account-State \$10,000,000

(6) Tacoma Narrows Toll Bridge Account-State

Appropriation: For transfer to the Motor Vehicle

Account-State \$950,000

(7) Motor Vehicle Account-State Appropriation:

For transfer to the Puget Sound Capital Construction

Account-State \$18,000,000

(8) Rural Mobility Grant Program Account-State

Appropriation: For transfer to the Multimodal

Transportation Account-State \$3,000,000,

(9) Motor Vehicle Account-State Appropriation:

For transfer to the Puget Sound Ferry Operations

Account-State \$10,000,000

(10) State Patrol Highway Account-State Appropriation:

For transfer to the Connecting Washington Account-State \$9,690,000

(11) Transportation Partnership Account-State

Appropriation: For transfer to the Connecting Washington

Account-State \$4,998,000

(12) Motor Vehicle Account-State Appropriation:

For transfer to the Connecting Washington Account-

State \$25,781,000

(13) Puget Sound Ferry Operations Account-State

Appropriation: For transfer to the Connecting Washington

Account-State \$596,000

(14) Transportation 2003 Account (Nickel Account)-State

Appropriation: For transfer to the Connecting Washington

Account-State \$2,270,000

(15) Highway Safety Account-State Appropriation:

For transfer to the Multimodal Transportation

Account-State \$5,000,000

(16) Motor Vehicle Account-State Appropriation:

For transfer to the Freight Mobility Investment

Account-State \$1,922,000

(17) Motor Vehicle Account-State Appropriation:

For transfer to the Transportation Improvement

Account-State \$2,188,000

(18) Motor Vehicle Account-State Appropriation:

For transfer to the Rural Arterial Trust Account-State \$1,094,000

(19) Motor Vehicle Account-State Appropriation:

For transfer to the County Arterial Preservation

Account-State \$1,094,000

(20) Multimodal Transportation Account-State

Appropriation: For transfer to the Freight Mobility

Multimodal Account-State \$1,922,000

(21) Multimodal Transportation Account-State

Appropriation: For transfer to the Regional Mobility

Grant Program Account—State
\$6,250,000

(22) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Rural Mobility

Grant Program Account—State
\$3,438,000

(23) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Electric Vehicle

Charging Infrastructure Account—
State \$1,000,000

(24) Capital Vessel Replacement
Account—State

Appropriation: For transfer to the
Connecting

Washington Account—State
(~~(\$59,000,000)~~)
\$58,000,000

(25) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Connecting

Washington Account—State \$8,000,000

(26) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Aeronautics

Account—State (~~(\$250,000)~~)
\$550,000

IMPLEMENTING PROVISIONS

Sec. 1201. 2016 c 14 s 601 (uncodified)
is amended to read as follows:

FUND TRANSFERS

(1) The transportation 2003 projects or improvements and the 2005 transportation partnership projects or improvements are listed in the LEAP list titled (~~(2016-1)~~) 2017-1 as developed March (~~(7, 2016)~~) 25, 2017, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation

partnership account and transportation 2003 account (nickel account) projects on the LEAP transportation documents referenced in this act. However, this section does not apply to the I-5/Columbia River Crossing project (400506A). For the 2015-2017 project appropriations, unless otherwise provided in this act, the director of financial management may authorize a transfer of appropriation authority between projects funded with transportation 2003 account (nickel account) appropriations, or transportation partnership account appropriations, in order to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Each transfer between projects may only occur if the director of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2016 supplemental omnibus transportation appropriations act, any unexpended 2013-2015 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects;

(d) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed to complete the project;

(e) Transfers may not occur for projects not identified on the applicable project list;

(f) Transfers may not be made while the legislature is in session; and

(g) Transfers between projects may be made, without the approval of the director of the office of financial management, by the department of transportation until the transfer amount by project exceeds two hundred fifty thousand dollars, or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of financial management and the chairs of the house of

representatives and senate transportation committees.

(2) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) The office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(4) The office of financial management shall document approved transfers and schedule changes in the transportation executive information system, compare changes to the legislative baseline funding and schedules identified by project identification number identified in the LEAP transportation documents referenced in this act, and transmit revised project lists to chairs of the transportation committees of the legislature on a quarterly basis.

MISCELLANEOUS 2015-2017 FISCAL BIENNIUM

NEW SECTION. **Sec. 1301.** A new section is added to 2016 c 14 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 14, Laws of 2016 and this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2017, unless specifically prohibited, the department may transfer state appropriations for the 2015-2017 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the transportation committees of the legislature in writing no fewer than seven days before approving any allotment modifications or transfers under this section. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by program and appropriation, both before and after any allotment modifications or transfers.

MISCELLANEOUS

NEW SECTION. **Sec. 1401.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 1402.** Except for section 706 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. **Sec. 1403.** Section 706 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2017."

Correct the title.

With the consent of the House, amendments (518), (532), (494), (481), (493), and (510) to the striking amendment were withdrawn.

Representative Condotta moved the adoption of amendment (484) to the striking amendment (464):

On page 3, after line 18 of the amendment, insert the following:

"The appropriation in this section is subject to the following conditions and limitations: Within the amount provided in this section, the department shall conduct a pilot program to consist of the following activities:

(1) The department shall produce a fuel tax sticker for display on each motor fuel pump from which fuel is sold at retail that displays and provides notice of the federal and state fuel tax rates. The sticker must display the rate of each tax, in cents per gallon, for each type of fuel.

(2) The department shall provide notice of federal and state fuel tax rates, in the form of a fuel tax sticker, with any other notice displayed or required by department rule to be displayed on motor fuel pumps.

(3) The department shall distribute fuel tax stickers to all individuals who conduct fuel pump inspections, including department employees and local government employees. Government employees who conduct fuel pump inspections shall display a fuel tax sticker on each motor fuel pump or shall verify that such a

sticker is being displayed at the time of inspection as required under this subsection. Fuel tax stickers must:

(a) Be displayed on each face of the motor fuel pump on which the price of the fuel sold from the pump is displayed; and

(b) Be displayed in a clear, conspicuous, and prominent manner.

(4) The department shall provide fuel tax stickers by mail to fuel pump owners who request them for the face of each motor fuel pump for which a sticker is requested.

(5) The department shall produce updated fuel tax stickers on an annual basis when one or more fuel tax rates have changed. Fuel tax stickers must be replaced at the time of motor fuel pump inspection if the sticker has been updated with any new fuel tax rates."

FISCAL IMPACT: No net change to appropriated levels.

Representatives Condotta and Clibborn spoke in favor of the adoption of the amendment (484) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (484) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (484) to the striking amendment (464) and the amendment was adopted by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Haler.

Amendment (484) to the striking amendment (464) was adopted.

Representative Kraft moved the adoption of amendment (526) to the striking amendment (464):

On page 5, line 14 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$300,000

On page 5, line 17 of the striking amendment, correct the total.

On page 8, after line 31 of the striking amendment, insert the following:

"(6) The legislature finds that an additional bridge or other connection between southwest Washington and Oregon will benefit both the economy of southwest Washington and that of the entire state by reducing congestion and improving freight mobility. Therefore, \$300,000 of the motor vehicle account--state appropriation is for a consultant study to evaluate all available options for an additional bridge or other connection west of interstate 5 between southwest Washington and Oregon. The study must provide high-level conceptual designs of the options put forth and include a cost estimate for each option. The joint transportation committee must issue a report to the transportation committees of the legislature by December 31, 2017."

Representative Kraft spoke in favor of the adoption of the amendment (526) to the striking amendment (464).

Representative Wylie spoke against the adoption of the amendment (526) to the striking amendment (464).

Amendment (526) to the striking amendment (464) was not adopted.

Representative Lovick moved the adoption of amendment (531) to the striking amendment (464):

On page 5, line 14 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$80,000

On page 5, line 17 of the striking amendment, correct the total.

On page 6, line 15 of the striking amendment, after "(2)" strike "\$80,000" and insert "\$160,000"

On page 6, beginning on line 16 of the striking amendment, after "with the" strike "center for transportation studies" and insert "Humphrey School of Public Affairs"

On page 6, line 20 of the striking amendment, after "corridor" insert ", including in terms of the performance

measures described in RCW 47.56.880, and to develop and recommend near-term and longer-term strategies for the improvement of traffic performance in this corridor. A report summarizing the results of the traffic data assessment and providing recommended strategies is due to the transportation committees of the legislature by December 1, 2017"

On page 18, after line 23 of the striking amendment, insert the following:

"(6) \$18,060,000 of the Interstate 405 express toll lanes operations account--state appropriation is provided solely for operational costs related to the express toll lane facility. The office of financial management shall place \$9,030,000 of the amount provided in this subsection in unallotted status. The office of financial management may only release the funds to the department upon the passage of a 2018 supplemental transportation budget."

Representatives Lovick and Harmsworth spoke in favor of the adoption of the amendment (531) to the striking amendment (464).

Amendment (531) to the striking amendment (464) was adopted.

Representative Shea moved the adoption of amendment (551) to the striking amendment (464):

On page 8, beginning on line 36 of the striking amendment, beginning with "The" strike all material through "project." on page 9, line 30.

On page 25, line 4 of the striking amendment, decrease the Motor Vehicle Account--Federal Appropriation by \$2,418,000

On page 25, line 10 of the striking amendment, correct the total.

On page 110, line 8 of the striking amendment, decrease the Motor Vehicle Account--Federal Appropriation by \$1,429,000

On page 110, line 16 of the striking amendment, correct the total.

Representatives Shea, J. Walsh, Orcutt and Dent spoke in favor of the adoption of the amendment (551) to the striking amendment (464).

Representative Clibborn spoke against the adoption of the amendment (551) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (551) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (551) to the striking amendment (464) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (551) was not adopted.

Representative Young moved the adoption of amendment (486) to the striking amendment (464):

On page 9, after line 30, insert the following:

"The legislature finds that there is a need for long-term toll payer relief from increasing toll rates on the Tacoma Narrows bridge. Therefore, the commission must convene a work group to review, update, add to as necessary, and comment on various scenarios for toll payer relief outlined in the 2014 joint transportation committee report on internal refinance opportunities for the Tacoma Narrows bridge. The work group must include participation from the Tacoma Narrows bridge citizen's advisory group, at least one member from each of the legislative delegations from the districts immediately abutting the Tacoma Narrows bridge, the local chambers of commerce, and affected local communities. Legislative members of the work group must be reimbursed for travel expenses by the commission. The work group must submit a report with its preferred and prioritized policy solutions to the transportation committees of the legislature by December 1, 2017."

FISCAL IMPACT: No net change to appropriated levels.

Representatives Young and Kilduff spoke in favor of the adoption of the amendment (486) to the striking amendment (464).

Amendment (486) was adopted.

Representative Young moved the adoption of amendment (516) to the striking amendment (464):

On page 11, line 26 of the striking amendment, increase the Highway Safety Account--State appropriation by \$50,000

On page 11, line 37 of the striking amendment, correct the total.

On page 15, after line 12 of the striking amendment, insert the following:

"(16) \$50,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 2055), Laws of 2017 (traffic lane merge education). If chapter . . . (House Bill No. 2055), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses."

Representative Young spoke in favor of the adoption of the amendment (516) to the striking amendment (464).

Representative Fey spoke against the adoption of the amendment (516) to the striking amendment (464).

Amendment (516) was not adopted.

Representative Pellicciotti moved the adoption of amendment (529) to the striking amendment (464):

On page 11, line 26 of the striking amendment, increase the Highway Safety Account--State appropriation by \$50,000

On page 11, line 37 of the striking amendment, correct the total.

On page 12, line 3 of the striking amendment, after "(1)" insert the following:

"\$50,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 2201), Laws of 2017 (MVET collection). If chapter . . . (House Bill No. 2201), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(2) "

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

Representative Pellicciotti spoke in favor of the adoption of the amendment (529) to the striking amendment (464).

Amendment (529) was adopted.

Representative Harmsworth moved the adoption of amendment (528) to the striking amendment (464):

On page 15, after line 12 of the striking amendment, insert the following:

"(16) \$93,124,000 of the motor vehicle account--state appropriation and \$2,048,000 of the motor vehicle account--private/local appropriation are provided solely for motor vehicle-related activities, including the collection of motor vehicle excise taxes for a regional transit authority, and related call center support staff. Important reforms related to the collection of motor vehicle excise taxes for a regional transit authority are included in Senate Bill No. 5893, affecting the department's workload and interaction with millions of vehicle owners. Therefore, if chapter . . . (Senate Bill No. 5893), Laws of 2017 (regional transit authority motor vehicle excise tax administration) is not enacted by June 30, 2017, the department may not contract with a regional transit authority to collect any motor vehicle excise taxes."

Representative Harmsworth spoke in favor of the adoption of the amendment (528) to the striking amendment (464).

Representative Farrell spoke against the adoption of the amendment (528) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (528) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (528) to the striking amendment (464) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick,

Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (528) was not adopted.

Representative Harmsworth moved the adoption of amendment (512) to the striking amendment (464):

On page 15, line 25 of the amendment, decrease the Interstate 405 Express Toll Lanes Operations Account—State appropriation by \$18,060,000

On page 15, line 26 of the amendment, correct the total

FISCAL IMPACT: Reduces Interstate 405 Express Toll Lanes Operations Acct - State by \$18,060,000.

Representative Harmsworth spoke in favor of the adoption of the amendment (512) to the striking amendment (464).

Representative Clibborn spoke against the adoption of the amendment (512) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (512) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (512) to the striking amendment (464) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford,

Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (512) was not adopted.

Representative Harmsworth moved the adoption of amendment (513) to the striking amendment (464):

On page 5, after line 20, insert the following:

"NEW SECTION. Sec. 4. Marijuana moneys must be distributed to counties, cities, and towns in the same proportion as funding is distributed pursuant to RCW 69.50.540(2)(g)(i)."

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

Correct the title.

Representative Harmsworth spoke in favor of the adoption of the amendment (513) to the striking amendment (464).

Representative Fey spoke against the adoption of the amendment (513) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (513) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (513) to the striking amendment (464) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (513) was not adopted.

Representative Calder moved the adoption of amendment (489) to the striking amendment (464):

On page 18, after line 23 of the striking amendment, insert the following:

"(6) (a) The department shall conduct a study regarding the potential for conversion of at least two of the toll booths for the Tacoma Narrows bridge to unstaffed toll booths that exclusively accept credit cards for toll payment. The study shall, at a minimum, consider the following:

(i) Operational savings associated with conversion;

(ii) Capital costs of conversion;

(iii) Additional operating costs associated conversion; and

(iv) Any other operational issues associated with conversion.

(b) The department shall provide a report of its findings to the transportation committees of the legislature by November 15, 2017."

Representatives Calder and Clibborn spoke in favor of the adoption of the amendment (489) to the striking amendment (464).

Amendment (489) was adopted.

Representative Hayes moved the adoption of amendment (498) to the striking amendment (464):

On page 23, line 24 of the amendment, after "biennium." insert "The city of Seattle must reimburse the state for any funds spent under this subsection by June 30, 2019."

FISCAL IMPACT: No net change to appropriated levels.

Representatives Hayes and Orcutt spoke in favor of the adoption of the amendment (498) to the striking amendment (464).

Representative Macri spoke against the adoption of the amendment (498) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (498) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (498) to the striking amendment (464) and the amendment

was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Kagi, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representative Haler.

Amendment (498) was not adopted.

MOTION

On motion of Representative Riccelli, Representative Jinkins was excused.

Representative Young moved the adoption of amendment (511) to the striking amendment (464):

On page 23, after line 24 of the amendment, insert the following:

"(7) The department must maintain a fully separate maintenance budget for the Hood Canal bridge and may not expend any funds otherwise designated for other Olympic region maintenance on the Hood Canal bridge."

FISCAL IMPACT: No net change to appropriated levels.

Representatives Young and Clibborn spoke in favor of the adoption of the amendment (511) to the striking amendment (464).

Amendment (511) to the striking amendment (464), was adopted.

Representative Manweller moved the adoption of amendment (492) to the striking amendment (464):

On page 27, line 24 of the striking amendment, after "(5)" insert "(a)"

On page 28, after line 7 of the striking amendment, insert the following:

"(b) Should King county proceed with the removal of any portion of the eastside rail corridor, King County Metro is ineligible to receive more than ten

percent of the amount appropriated in this subsection."

Representatives Manweller and Irwin spoke in favor of the adoption of the amendment (492) to the striking amendment (464).

Representative Fey spoke against the adoption of the amendment (492) to the striking amendment (464).

Amendment (492) to the striking amendment (464) was not adopted.

Representative Kraft moved the adoption of amendment (525) to the striking amendment (464):

On page 31, line 9 of the striking amendment, decrease the Multimodal Transportation Account--State Appropriation by \$500,000

On page 31, line 12 of the striking amendment, correct the total.

On page 31, beginning on line 13 of the striking amendment, beginning with "The" strike all material through "2017." on page 32, line 15.

Representative Kraft spoke in favor of the adoption of the amendment (525) to the striking amendment (464).

Representative Clibborn spoke against the adoption of the amendment (525) to the striking amendment (464).

Amendment (525) to the striking amendment (464) was not adopted.

Representative Stambaugh moved the adoption of amendment (488) to the striking amendment (464):

On page 34, line 25 of the amendment, increase the Motor Vehicle Account--State appropriation by \$500,000

On page 35, line 3 of the amendment, correct the total

On page 35, line 25 of the amendment, after "(I)" insert ", except an additional \$500,000 for the SR 99/I-5 Interchange - Fife project"

FISCAL IMPACT: Increases Motor Vehicle Acct - State by \$500,000.

Representative Stambaugh spoke in favor of the adoption of the amendment (488) to the striking amendment (464).

Representative Clibborn spoke against the adoption of the amendment (488) to the striking amendment (464).

Amendment (488) to the striking amendment (464) was not adopted.

Representative Orcutt moved the adoption of amendment (495) to the striking amendment (464):

On page 34, line 32 of the amendment, reduce the Multimodal Transportation Account--State appropriation by \$15,327,000

On page 35, line 3 of the amendment, correct the total

On page 36, beginning on line 17 of the amendment, strike all of subsection (10)

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

FISCAL IMPACT: Reduces Multimodal Acct - State by \$15,327,000.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

Representative Orcutt spoke in favor of the adoption of the amendment (495) to the striking amendment (464).

Representative Fey spoke against the adoption of the amendment (495) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (495) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (495) to the striking amendment (464) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 49; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steeles, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Haler and Jinkins.

Amendment (495) to the striking amendment (464) was not adopted.

Representative Orcutt moved the adoption of amendment (496) to the striking amendment (464):

On page 36, line 16 of the amendment, after "(809936Z)." insert "Of the amounts provided in this subsection, \$60,000,000 of the transportation partnership account-state appropriation lapses if chapter . . . (House Bill No. 2193), Laws of 2017 (Alaskan Way viaduct overruns) is not enacted by June 30, 2017."

FISCAL IMPACT: No net change to appropriated levels.

Representative Orcutt spoke in favor of the adoption of the amendment (496) to the striking amendment (464).

Representative Clibborn spoke against the adoption of the amendment (496) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (496) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (496) to the striking amendment (464) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 49; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Haler and Jinkins.

Amendment (496) to the striking amendment (464) was not adopted.

Representative Fey moved the adoption of amendment (500) to the striking amendment (464):

On page 38, line 28 of the amendment, after "by" strike "January" and insert "July"

On page 38, line 31 of the amendment, after "of" strike "local match funding" and insert "the requirements outlined in this subsection (20)(b) and (c) of this subsection"

On page 38, after line 31 of the amendment, insert the following:

"(c) During the course of developing the memorandum of understanding, the department must evaluate the project schedules to determine if there are any benefits to be gained by moving the project schedule forward. Additionally, the department must consider completing a full single-point urban interchange at the junction of state route number 161 (Meridian avenue) and state route number 167 and a full single-point urban interchange at the junction of state route number 509 and 188th Street."

FISCAL IMPACT: No net change to appropriated levels.

Representatives Fey and Stambaugh spoke in favor of the adoption of the amendment (500) to the striking amendment (464).

Amendment (500) to the striking amendment (464) was adopted.

Representative Taylor moved the adoption of amendment (501) to the striking amendment (464):

On page 39, beginning on line 13 of the amendment, after "(a)" strike all material through "reached" on line 35 and insert "The legislature has long recognized that the city of Mercer Island has a unique geography and unique access issues that make it dependent on Interstate 90 for access on and off the island and that this access may be impeded by the I-90/Two Way Transit and HOV Improvements project and subsequent leasing of the center roadway. The department must implement the 2007 "Revised Access Plan for Mercer Island on I-90 from I-5 to I-405," as mandated by prior legislatures, and continue to work with the city of Mercer Island to ensure such implementation complies with federal law.

(24) The legislature recognizes that the leasing of a critical highway corridor has far-reaching impacts for the entire state. Before the department transfers or leases any rights to a regional transit agency for the Interstate 90 center lane corridor from Interstate 5 to Interstate 405, the legislature shall hold hearings and the department shall report the

following findings to the legislature for approval:

(a) The results of a full and comprehensive updated appraisal by a three-member panel of independent appraisers of the fair market value of the Interstate 90 center lane corridor from Interstate 5 to Interstate 405 using all generally accepted valuation procedures;

(b) An analysis of the impact to regional bus and auto commuters from the necessity of closing the Interstate 90 center lane corridor from Interstate 5 to Interstate 405 for six or more years prior to light rail operation;

(c) A new, full, and comprehensive environmental impact statement that must include a review of all changes in the configuration and proposed operation of the Interstate 90 center lane corridor and a review of all potential alternative transportation technologies, including new bus rapid transit technologies; and

(d) An independent, full, and comprehensive review of the public safety of the Interstate 90 corridor from Interstate 5 to Interstate 405 resulting from the I-90/Two Way Transit and HOV Improvements project including, but not limited to, the impact of narrower lanes on smaller shoulders"

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

FISCAL IMPACT: No net change to appropriated levels.

Representative Taylor spoke in favor of the adoption of the amendment (501) to the striking amendment (464).

Representative Clibborn spoke against the adoption of the amendment (501) to the striking amendment (464).

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (501) to the striking amendment (464).

ROLL CALL

The Clerk called the roll on the adoption of amendment (501) to the striking amendment (464) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 49; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin,

McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Haler and Jinkins.

Amendment (501) to the striking amendment (464) was not adopted.

Representative Schmick moved the adoption of amendment (490) to the striking amendment (464):

On page 43, after line 20 of the amendment, insert the following:

"(14) During the course of any planned resurfacing or other preservation activity on state route number 26 between Colfax and Othello in the 2017-2019 fiscal biennium, the department must add dug-in reflectors."

FISCAL IMPACT: No net change to appropriated levels.

Representatives Schmick and Clibborn spoke in favor of the adoption of the amendment (490) to the striking amendment (464).

Amendment (490) to the striking amendment (464) was adopted.

Representative Pike moved the adoption of amendment (499) to the striking amendment (464):

On page 47, line 3 of the striking amendment, increase the Multimodal Transportation Account--State Appropriation by \$2,500,000

On page 47, line 6 of the striking amendment, correct the total.

On page 48, after line 25 of the striking amendment, insert the following:

"(7) \$2,500,000 of the multimodal transportation account--state appropriation is provided solely for construction of a new bridge 12 (Salmon Creek) on the Chelatchie Prairie railroad short line at mile post 12.45 in Clark county."

Representative Pike spoke in favor of the adoption of the amendment (499) to the striking amendment (464).

Representative Fey spoke against the adoption of the amendment (499) to the striking amendment (464).

Amendment (499) to the striking amendment (464) was not adopted.

Representative Steele moved the adoption of amendment (509) to the striking amendment (464):

On page 48, line 33 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$280,000

On page 49, line 1 of the striking amendment, correct the total.

On page 50, after line 19 of the striking amendment, insert the following:

"(8) \$280,000 of the motor vehicle account--state appropriation is provided solely for the Woodin Avenue bridge one-way conversion project in Chelan."

Representatives Steele and Clibborn spoke in favor of the adoption of the amendment (509) to the striking amendment (464).

Amendment (509) was adopted.

Representative Shea moved the adoption of amendment (519) to the striking amendment (464):

On page 48, line 33 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$1,500,000

On page 49, line 1 of the striking amendment, correct the total.

On page 50, after line 19 of the striking amendment, insert the following:

"(8) It is the intent of the legislature that \$1,500,000 of the motor vehicle account--state appropriation be provided solely for the Spokane Valley Barker/Trent grade separation project and that this project be added to the list identified in subsection (1) of this section."

Representatives Shea and Clibborn spoke in favor of the adoption of the amendment (519) to the striking amendment (464).

Amendment (519) to the striking amendment (464) was adopted.

Representative Kilduff moved the adoption of amendment (485) to the striking amendment (464):

On page 56, line 19 of the amendment, after "temporary" insert ", for the

purpose of minimizing the impact of toll increases"

FISCAL IMPACT: No net change to appropriated levels.

Representatives Kilduff and Young spoke in favor of the adoption of the amendment (485) to the striking amendment (464).

Amendment (485) to the striking amendment (464) was adopted.

Representative Irwin moved the adoption of amendment (476) to the striking amendment (464):

On page 81, after line 18 of the striking amendment, insert the following:

"Sec. 714. RCW 46.18.200 and 2016 c 36 s 1 are each amended to read as follows:

(1) Special license plate series reviewed and approved by the department:

(a) May be issued in lieu of standard issue or personalized license plates for vehicles required to display one and two license plates unless otherwise specified;

(b) Must be issued under terms and conditions established by the department;

(c) Must not be issued for vehicles registered under chapter 46.87 RCW; and

(d) Must display a symbol or artwork approved by the department.

(2)(a) The department approves and shall issue the following special license plates:

LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
4-H	Displays the "4-H" logo.
Armed forces collection	Recognizes the contribution of veterans, active duty military personnel, reservists, and members of the national guard, and includes six separate designs, each containing a symbol representing a different branch of the armed forces to include army, navy, air force, marine corps, coast

	guard, and national guard.		awareness education.
Breast cancer awareness	Displays a pink ribbon symbolizing breast cancer awareness.	Ski & ride Washington	Recognizes the Washington snowsports industry.
Endangered wildlife	Displays a symbol or artwork symbolizing endangered wildlife in Washington state.	State flower	Recognizes the Washington state flower.
Gonzaga University alumni association	Recognizes the Gonzaga University alumni association.	Volunteer firefighters	Recognizes volunteer firefighters.
Helping kids speak	Recognizes an organization that supports programs that provide no-cost speech pathology programs to children.	Washington farmers and ranchers	Recognizes farmers and ranchers in Washington state.
Keep kids safe	Recognizes efforts to prevent child abuse and neglect.	Washington lighthouses	Recognizes an organization that supports selected Washington state lighthouses and provides environmental education programs.
Law enforcement memorial	Honors law enforcement officers in Washington killed in the line of duty.	Washington state parks	Recognizes Washington state parks as premier destinations of uncommon quality that preserve significant natural, cultural, historical, and recreational resources.
Music matters	Displays the "Music Matters" logo.	Washington state firefighters and paramedics	Promotes and supports college wrestling in the state of Washington.
Professional firefighters and paramedics	Recognizes professional firefighters and paramedics who are members of the Washington state council of firefighters.	Washington tennis	Builds awareness and year-round opportunities for tennis in Washington state. Displays a symbol or artwork recognizing tennis in Washington state.
Seattle Seahawks	Displays the "Seattle Seahawks" logo.	Washington's national park fund	Builds awareness of Washington's national parks and supports priority park programs and projects in Washington's national parks, such as enhancing
Seattle Sounders FC	Displays the "Seattle Sounders FC" logo.		
Seattle University	Recognizes Seattle University.		
Share the road	Recognizes an organization that promotes bicycle safety and		

visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks.

Washington's fish collection Recognizes Washington's fish.

Washington's wildlife collection Recognizes Washington's wildlife.

We love our pets Recognizes an organization that assists local member agencies of the federation of animal welfare and control agencies to promote and perform spay/neuter surgery on Washington state pets to reduce pet overpopulation.

Wild on Washington Symbolizes wildlife viewing in Washington state.

(b) During the 2017-2019 fiscal biennium, the department approves and shall issue the national rifle association special license plate that displays the national rifle association logo.

(3) Applicants for initial and renewal professional firefighters and paramedics special license plates must show proof of eligibility by providing a certificate of current membership from the Washington state council of firefighters.

(4) Applicants for initial volunteer firefighters special license plates must (a) have been a volunteer firefighter for at least ten years or be a volunteer firefighter for one or more years and (b) have documentation of service from the district of the appropriate fire service. If the volunteer firefighter leaves firefighting service before ten years of service have been completed, the volunteer firefighter shall surrender the license plates to the department on the registration renewal date. If the volunteer firefighter stays in service for at least ten years and then leaves, the license plate may be retained by the former volunteer firefighter and as long

as the license plate is retained for use the person will continue to pay the future registration renewals. A qualifying volunteer firefighter may have no more than one set of license plates per vehicle, and a maximum of two sets per applicant, for their personal vehicles. If the volunteer firefighter is convicted of a violation of RCW 46.61.502 or a felony, the license plates must be surrendered upon conviction.

Sec. 715. RCW 46.17.220 and 2016 c 36 s 2 are each amended to read as follows:

(1)(a) In addition to all fees and taxes required to be paid upon application for a vehicle registration in chapter 46.16A RCW, the holder of a special license plate shall pay the appropriate special license plate fee as listed in this subsection.

PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
(a) 4-H	\$ 40.00	\$ 30.00	RCW 46.68.420
(b) Amateur radio license	\$ 5.00	N/A	RCW 46.68.070
(c) Armed forces	\$ 40.00	\$ 30.00	RCW 46.68.425
(d) Baseball stadium	\$ 40.00	\$ 30.00	Subsection (2) of this section
(e) Breast cancer awareness	\$ 40.00	\$ 30.00	RCW 46.68.425
(f) Collector vehicle	\$ 35.00	N/A	RCW 46.68.030
(g) Collegiate	\$ 40.00	\$ 30.00	RCW 46.68.430
(h) Endangered wildlife	\$ 40.00	\$ 30.00	RCW 46.68.425
(i) Gonzaga University alumni association	\$ 40.00	\$ 30.00	RCW 46.68.420
(j) Helping kids speak	\$ 40.00	\$ 30.00	RCW 46.68.420

(k)	\$	N/A	RCW
Horseless carriage	35.00		46.68.030
(l) Keep kids safe	\$ 45.00	\$ 30.00	RCW 46.68.425
(m) Law enforcement memorial	\$ 40.00	\$ 30.00	RCW 46.68.420
(n) Military affiliate radio system	\$ 5.00	N/A	RCW 46.68.070
(o) Music matters	\$ 40.00	\$ 30.00	RCW 46.68.420
(p) Purple Heart	\$ 40.00	\$ 30.00	RCW 46.68.425
(q) Professional firefighters and paramedics	\$ 40.00	\$ 30.00	RCW 46.68.420
(r) Ride share	\$ 25.00	N/A	RCW 46.68.030
(s) Seattle Seahawks	\$ 40.00	\$ 30.00	RCW 46.68.420
(t) Seattle Sounders FC	\$ 40.00	\$ 30.00	RCW 46.68.420
(u) Seattle University	\$ 40.00	\$ 30.00	RCW 46.68.420
(v) Share the road	\$ 40.00	\$ 30.00	RCW 46.68.420
(w) Ski & ride Washington	\$ 40.00	\$ 30.00	RCW 46.68.420
(x) Square dancer	\$ 40.00	N/A	RCW 46.68.070
(y) State flower	\$ 40.00	\$ 30.00	RCW 46.68.420
(z) Volunteer firefighters	\$ 40.00	\$ 30.00	RCW 46.68.420

(aa)	\$	\$	RCW
Washington farmers and ranchers	40.00	30.00	46.68.420
(bb)	\$	\$	RCW
Washington lighthouses	40.00	30.00	46.68.420
(cc)	\$	\$	RCW
Washington state parks	40.00	30.00	46.68.425
(dd)	\$	\$	RCW
Washington state wrestling	40.00	30.00	46.68.420
(ee)	\$	\$	RCW
Washington tennis	40.00	30.00	46.68.420
(ff)	\$	\$	RCW
Washington's fish collection	40.00	30.00	46.68.425
(gg)	\$	\$	RCW
Washington's national parks	40.00	30.00	46.68.420
(hh)	\$	\$	RCW
Washington's wildlife collection	40.00	30.00	46.68.425
(ii) We love our pets	\$ 40.00	\$ 30.00	RCW 46.68.420
(jj) Wild on Washington	\$ 40.00	\$ 30.00	RCW 46.68.425

(b) During the 2017-2019 fiscal biennium, in addition to all fees and taxes required to be paid upon application for a vehicle registration in chapter 46.16A RCW, the holder of a national rifle association special license plate shall pay the appropriate special license plate fee as listed in this subsection.

PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTE UNDER
(a) National rifle association	\$ 40.00	\$ 30.00	RCW 46.68.425

(2) After deducting administration and collection expenses for the sale of baseball stadium license plates, the remaining proceeds must be distributed to

a county for the purpose of paying the principal and interest payments on bonds issued by the county to construct a baseball stadium, as defined in RCW 82.14.0485, including reasonably necessary preconstruction costs, while the taxes are being collected under RCW 82.14.360. After this date, the state treasurer shall credit the funds to the state general fund.

Sec. 716. RCW 46.68.425 and 2016 c 31 s 3 are each amended to read as follows:

(1) The department shall:

(a) Collect special license plate fees established under RCW 46.17.220;

(b) Deduct an amount not to exceed twelve dollars for initial issue and two dollars for renewal issue for administration and collection expenses incurred by it; and

(c) Remit the remaining proceeds to the custody of the state treasurer with a proper identifying detailed report.

(2) (a) The state treasurer shall credit the proceeds to the motor vehicle fund until the department determines that the state has been reimbursed for the cost of implementing the special license plate. Upon determination by the department that the state has been reimbursed, the state treasurer shall credit the remaining special license plate fees to the following accounts by special license plate type:

SPECIAL LICENSE TYPE	ACCOUNT PLATE	CONDITIONS FOR USE OF FUNDS
Armed forces	RCW 43.60A.140	As specified in RCW 43.60A.140(4)
Breast cancer awareness	RCW 43.70.327	Must be used only by the department of health for efforts consistent with the breast, cervical, and colon health program
Endangered wildlife	RCW 77.12.170	Must be used only for the department of fish and wildlife's

Keep kids safe	RCW 43.121.100	As specified in RCW 43.121.100
Purple Heart	RCW 43.60A.140	As specified in RCW 43.60A.140(4)
Washington state parks	RCW 79A.05.059	Provide public educational opportunities and enhancement of Washington state parks
Washington's fish collection	RCW 77.12.170	Only for the department of fish and wildlife's use to support steelhead species management activities including, but not limited to, activities supporting conservation, recovery, and research to promote healthy, fishable steelhead
Wildlife collection	RCW 77.12.170	Only for the department of fish and wildlife's game species management activities
Wild on Washington	RCW 77.12.170	Dedicated to the department of fish and wildlife's watchable wildlife activities, as defined in RCW 77.32.560

(b) During the 2017-2019 fiscal biennium, the state treasurer shall credit the proceeds of the national rifle

association special license plate to the motor vehicle fund until the department determines that the state has been reimbursed for the cost of implementing the national rifle association special license plate. Upon determination by the department that the state has been reimbursed, the state treasurer shall credit the remaining national rifle association special license plate fees to the fish and wildlife enforcement reward account established in RCW 77.15.425. Fees credited to this account from the national rifle association special license plate shall be used for the enhanced support of firearm safety and education as part of the hunter education training program under RCW 77.32.155.

Sec. 717. RCW 77.15.425 and 2016 c 2 s 6 (Initiative Measure No. 1401, approved November 3, 2015) are each amended to read as follows:

The fish and wildlife enforcement reward account is created in the custody of the state treasurer. Deposits to the account include: Receipts from fish and shellfish overages as a result of a department enforcement action; fees for hunter education deferral applications; fees for master hunter applications and master hunter certification renewals; during the 2017-2019 fiscal biennium, fees for national rifle association license plates as provided in RCW 46.68.425; all receipts from criminal wildlife penalty assessments under this chapter; all receipts of court-ordered restitution or donations associated with any fish, shellfish, or wildlife enforcement action; and proceeds from forfeitures and evidence pursuant to RCW 77.15.070 and 77.15.100. The department may accept money or personal property from persons under conditions requiring the property or money to be used consistent with the intent of expenditures from the fish and wildlife enforcement reward account. Expenditures from the account may be used only for investigation and prosecution of fish and wildlife offenses, to provide rewards to persons informing the department about violations of this title and rules adopted under this title, to offset department-approved costs incurred to administer the hunter education deferral program and the master hunter permit program, for the enhanced support of firearm safety and education as part of the hunter education training program under RCW 77.32.155 during the 2017-2019 fiscal biennium, and for other valid enforcement uses as determined by the commission. Only the

director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. **Sec. 718.** A new section is added to chapter 46.04 RCW to read as follows:

(1) "National rifle association license plates" means special license plates issued under RCW 46.18.200 that display the National Rifle Association logo.

(2) This section expires June 30, 2019."

Representative Irwin spoke in favor of the adoption of the amendment (476) to the striking amendment (464).

Representative Clibborn spoke against the adoption of the amendment (476) to the striking amendment (464).

Amendment (476) to the striking amendment (464) was not adopted.

Representative Irwin moved the adoption of amendment (479) to the striking amendment (464):

On page 81, after line 18 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 714.** A new section is added to chapter 81.112 RCW to read as follows:

(1) Any taxes approved by regional transit authority voters under RCW 81.104.175 may be nullified within the complete boundaries of a city or county within a regional transit authority if either of the following conditions are met:

(a) A majority of the city or county legislative authority votes to nullify the taxes; or

(b) A proposition to nullify the taxes is approved by voters under subsection (2) of this section.

(2) If a petition to nullify regional transit authority taxes within a city or county is filed with the county auditor containing the signatures of eight percent of the number of voters registered and voting in the city or county for the office of the governor at the last preceding gubernatorial election, the county auditor must canvass the signatures in the same manner as prescribed in RCW 29A.72.230 and certify their sufficiency to the governing

body within two weeks. The proposition to nullify the taxes must then be submitted to the voters of the city or county at a special election, called for this purpose, no later than the date on which a primary election would be held under RCW 29A.04.311. The taxes may then be nullified only if approved by a majority of the voters of the city or county voting on the proposition.

(3) Any regional transit authority taxes nullified under this section may not be imposed within the boundaries of the affected city or county.

(4) This section expires June 30, 2019.

Sec. 715. RCW 81.104.150 and 2009 c 280 s 3 are each amended to read as follows:

(1) Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit authorities may submit an authorizing proposition to the voters and if approved may impose an excise tax of up to two dollars per month per employee on all employers located within the applicable jurisdiction, measured by the number of full-time equivalent employees, solely for the purpose of providing high capacity transportation service. The rate of tax shall be approved by the voters. This tax may not be imposed by: ~~((1))~~ (a) A transit agency or high capacity transportation corridor area when the county within which it is located is imposing an excise tax pursuant to RCW 81.100.030; or ~~((2))~~ (b) a regional transit authority when any county within the authority's boundaries is imposing an excise tax pursuant to RCW 81.100.030. The agency or high capacity transportation corridor area imposing the tax authorized in this section may provide for exemptions from the tax to such educational, cultural, health, charitable, or religious organizations as it deems appropriate.

(2) During the 2017-2019 fiscal biennium, the authority to impose a tax under this section is subject to section 714 of this act.

Sec. 716. RCW 81.104.160 and 2015 3rd sp.s. c 44 s 319 are each amended to read as follows:

(1) Regional transit authorities that include a county with a population of more than one million five hundred thousand may

submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding eight-tenths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of the taxing district, solely for the purpose of providing high capacity transportation service. The maximum tax rate under this subsection does not include a motor vehicle excise tax approved before July 15, 2015, if the tax will terminate on the date bond debt to which the tax is pledged is repaid. This tax does not apply to vehicles licensed under RCW 46.16A.455 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16A.425 or 46.17.335(2). Notwithstanding any other provision of this subsection or chapter 82.44 RCW, a motor vehicle excise tax imposed by a regional transit authority before or after July 15, 2015, must comply with chapter 82.44 RCW as it existed on January 1, 1996, until December 31st of the year in which the regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before July 15, 2015. Motor vehicle taxes collected by regional transit authorities after December 31st of the year in which a regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before July 15, 2015, must comply with chapter 82.44 RCW as it existed on the date the tax was approved by voters.

(2) An agency and high capacity transportation corridor area may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the applicable jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax may not exceed 2.172 percent. The rate of tax imposed under this subsection must bear the same ratio of the 2.172 percent authorized that the rate imposed under subsection (1) of this section bears to the rate authorized under subsection (1) of this section. The base of the tax is the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax.

(3) Any motor vehicle excise tax previously imposed under the provisions of RCW 81.104.160(1) shall be repealed, terminated, and expire on December 5, 2002, except for a motor vehicle excise tax for which revenues have been

contractually pledged to repay a bonded debt issued before December 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d 16, 148 P.3d 1002 (2006). In the case of bonds that were previously issued, the motor vehicle excise tax must comply with chapter 82.44 RCW as it existed on January 1, 1996.

(4) If a regional transit authority imposes the tax authorized under subsection (1) of this section, the authority may not receive any state grant funds provided in an omnibus transportation appropriations act except transit coordination grants created in chapter 11, Laws of 2015 3rd sp. sess.

(5) During the 2017-2019 fiscal biennium, the authority to impose a tax under this section is subject to section 714 of this act.

Sec. 717. RCW 81.104.170 and 2015 3rd sp.s. c 44 s 320 are each amended to read as follows:

(1) Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit authorities may submit an authorizing proposition to the voters and if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing high capacity transportation service.

(2) The tax authorized pursuant to this section is in addition to the tax authorized by RCW 82.14.030 and must be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing district.

(a) Except for the tax imposed under (b) of this subsection by regional transit authorities that include a county with a population of more than one million five hundred thousand, the maximum rate of such tax must be approved by the voters and may not exceed one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The maximum rate of such tax that may be imposed may not exceed nine-tenths of one percent in any county that imposes a tax under RCW 82.14.340, or within a regional transit authority if any county

within the authority imposes a tax under RCW 82.14.340.

(b) The maximum rate of such tax that may be imposed by a regional transit authority that includes a county with a population of more than one million five hundred thousand must be approved by the voters and may not exceed 1.4 percent. If a regional transit authority imposes the tax authorized under this subsection (2)(b) in excess of 0.9 percent, the authority may not receive any state grant funds provided in an omnibus transportation appropriations act except transit coordination grants created in chapter 11, Laws of 2015 3rd sp. sess.

(3)(a) The exemptions in RCW 82.08.820 and 82.12.820 are for the state portion of the sales and use tax and do not extend to the tax authorized in this section.

(b) The exemptions in RCW 82.08.962 and 82.12.962 are for the state and local sales and use taxes and include the tax authorized by this section.

(4) During the 2017-2019 fiscal biennium, the authority to impose a tax under this section is subject to section 714 of this act.

Sec. 718. RCW 81.104.175 and 2015 3rd sp.s. c 44 s 321 are each amended to read as follows:

(1) A regional transit authority that includes a county with a population of more than one million five hundred thousand may impose a regular property tax levy in an amount not to exceed twenty-five cents per thousand dollars of the assessed value of property in the regional transit authority district in accordance with the terms of this section.

(2) Any tax imposed under this section must be used for the purpose of providing high capacity transportation service, as set forth in a proposition that is approved by a majority of the registered voters that vote on the proposition.

(3) Property taxes imposed under this section may be imposed for the period of time required to pay the cost to plan, design, construct, operate, and maintain the transit facilities set forth in the approved proposition. Property taxes pledged to repay bonds may be imposed at the pledged amount until the bonds are retired. After the bonds are retired, property taxes authorized under this section must be:

(a) Reduced to the level required to operate and maintain the regional transit authority's transit facilities; or

(b) Terminated, unless the taxes have been extended by public vote.

(4) The limitations in RCW 84.52.043 do not apply to the tax authorized in this section.

(5) The limitation in RCW 84.55.010 does not apply to the first levy imposed under this section.

(6) If a regional transit authority imposes the tax authorized under subsection (1) of this section, the authority may not receive any state grant funds provided in an omnibus transportation appropriations act except transit coordination grants created in chapter 11, Laws of 2015 3rd sp. sess.

(7) During the 2017-2019 fiscal biennium, the authority to impose a tax under this section is subject to section 714 of this act."

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

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (479) to the striking amendment (464) to Engrossed Senate Bill No. 5096.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *Engrossed Senate Bill 5096 is the transportation budget for the 2017-19 biennium. It appropriates funds to state agencies for state transportation purposes.*

Amendment 479 relates to the regional transit authority known as Sound Transit. Sound Transit is not a state agency and does not operate a state transportation program.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill. The point of order is well taken.

Representative Muri moved the adoption of amendment (487) to the striking amendment (464):

On page 81, after line 18 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 714.** A new section is added to chapter 81.112 RCW to read as follows:

(1) Any motor vehicle excise taxes approved by regional transit authority

voters under RCW 81.104.175 may be nullified within the complete boundaries of a city or county within a regional transit authority if either of the following conditions are met:

(a) A majority of the city or county legislative authority votes to nullify the motor vehicle excise taxes; or

(b) A proposition to nullify the motor vehicle excise taxes is approved by voters under subsection (2) of this section.

(2) If a petition to nullify regional transit authority motor vehicle excise taxes within a city or county is filed with the county auditor containing the signatures of eight percent of the number of voters registered and voting in the city or county for the office of the governor at the last preceding gubernatorial election, the county auditor must canvass the signatures in the same manner as prescribed in RCW 29A.72.230 and certify their sufficiency to the governing body within two weeks. The proposition to nullify the motor vehicle excise taxes must then be submitted to the voters of the city or county at a special election, called for this purpose, no later than the date on which a primary election would be held under RCW 29A.04.311. The motor vehicle excise taxes may then be nullified only if approved by a majority of the voters of the city or county voting on the proposition.

(3) Any regional transit authority motor vehicle excise taxes nullified under this section may not be imposed within the boundaries of the affected city or county.

(4) This section expires June 30, 2019.

Sec. 715. RCW 81.104.160 and 2015 3rd sp.s. c 44 s 319 are each amended to read as follows:

(1) Regional transit authorities that include a county with a population of more than one million five hundred thousand may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding eight-tenths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of the taxing district, solely for the purpose of providing high capacity transportation service. The maximum tax rate under this subsection does not include a motor vehicle excise tax approved before July 15, 2015, if the tax will terminate on the date bond debt to which the tax is pledged

is repaid. This tax does not apply to vehicles licensed under RCW 46.16A.455 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16A.425 or 46.17.335(2). Notwithstanding any other provision of this subsection or chapter 82.44 RCW, a motor vehicle excise tax imposed by a regional transit authority before or after July 15, 2015, must comply with chapter 82.44 RCW as it existed on January 1, 1996, until December 31st of the year in which the regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before July 15, 2015. Motor vehicle taxes collected by regional transit authorities after December 31st of the year in which a regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before July 15, 2015, must comply with chapter 82.44 RCW as it existed on the date the tax was approved by voters.

(2) An agency and high capacity transportation corridor area may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the applicable jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax may not exceed 2.172 percent. The rate of tax imposed under this subsection must bear the same ratio of the 2.172 percent authorized that the rate imposed under subsection (1) of this section bears to the rate authorized under subsection (1) of this section. The base of the tax is the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax.

(3) Any motor vehicle excise tax previously imposed under the provisions of RCW 81.104.160(1) shall be repealed, terminated, and expire on December 5, 2002, except for a motor vehicle excise tax for which revenues have been contractually pledged to repay a bonded debt issued before December 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d 16, 148 P.3d 1002 (2006). In the case of bonds that were previously issued, the motor vehicle excise tax must comply with chapter 82.44 RCW as it existed on January 1, 1996.

(4) If a regional transit authority imposes the tax authorized under subsection (1) of this section, the authority may not receive any state grant funds provided in an omnibus

transportation appropriations act except transit coordination grants created in chapter 11, Laws of 2015 3rd sp. sess.

(5) During the 2017-2019 fiscal biennium, the authority to impose a tax under this section is subject to section 714 of this act.

Sec. 716. RCW 81.104.190 and 2009 c 280 s 7 are each amended to read as follows:

(1) Except as otherwise provided in this section, cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit systems may contract with the state department of revenue or other appropriate entities for administration and collection of any tax authorized by RCW 81.104.150, 81.104.160, and 81.104.170.

(2) During the 2017-2019 fiscal biennium, a regional transit authority may not contract with the department for the collection of a motor vehicle excise tax in cities or counties that have nullified a motor vehicle tax pursuant to section 714 of this act.

Sec. 717. RCW 82.44.135 and 2006 c 318 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this section, before a local government subject to this chapter may impose a motor vehicle excise tax, the local government must contract with the department for the collection of the tax. The department may charge a reasonable amount, not to exceed one percent of tax collections, for the administration and collection of the tax.

(2) During the 2017-2019 fiscal biennium, a regional transit authority may not contract with the department for the collection of a motor vehicle excise tax in cities or counties that have nullified a motor vehicle tax pursuant to section 714 of this act."

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

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (487) to the striking amendment (464) to Engrossed Senate Bill No. 5096.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *Engrossed Senate Bill 5096 is the transportation budget for the 2017-19 biennium. It appropriates funds to state agencies for state transportation purposes.*

Amendment 487 relates to the regional transit authority known as Sound Transit. Sound Transit is not a state agency and does not operate a state transportation program.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill. The point of order is well taken.

Representative Orcutt moved the adoption of amendment (497) to the striking amendment (464):

On page 81, after line 18 of the striking amendment, insert the following:

"Sec. 714. RCW 81.112.130 and 1992 c 101 s 13 are each amended to read as follows:

(1) Notwithstanding RCW 39.36.020(1), an authority may at any time contract indebtedness or borrow money for authority purposes and may issue general obligation bonds in an amount not exceeding, together with any existing indebtedness of the authority not authorized by the voters, one and one-half percent of the value of the taxable property within the boundaries of the authority; and with the assent of three-fifths of the voters therein voting at an election called for that purpose, may contract indebtedness or borrow money for authority purposes and may issue general obligation bonds therefor, provided the total indebtedness of the authority shall not exceed five percent of the value of the taxable property therein. Such bonds shall be issued and sold in accordance with chapter 39.46 RCW.

(2) The term "value of the taxable property" shall have the meaning set forth in RCW 39.36.015.

(3) Notwithstanding subsection (1) of this section, a regional transit authority may not issue general obligation bonds without authorization from the legislature during the 2017-2019 fiscal biennium.

Sec. 715. RCW 81.112.140 and 1992 c 101 s 14 are each amended to read as follows:

(1) An authority may issue revenue bonds to provide funds to carry out its authorized functions without submitting the matter to the voters of the authority. The authority shall create a special fund or funds for the sole purpose of paying

the principal of and interest on the bonds of each such issue, into which fund or funds the authority may obligate itself to pay such amounts of the gross revenue of the high capacity transportation system constructed, acquired, improved, added to, or repaired out of the proceeds of sale of such bonds, as the authority shall determine and may obligate the authority to pay such amounts out of otherwise unpledged revenue that may be derived from the ownership, use, or operation of properties or facilities owned, used, or operated incident to the performance of the authorized function for which such bonds are issued or out of otherwise unpledged fees, tolls, charges, tariffs, fares, rentals, special taxes, or other sources of payment lawfully authorized for such purpose, as the authority shall determine. The principal of, and interest on, such bonds shall be payable only out of such special fund or funds, and the owners of such bonds shall have a lien and charge against the gross revenue of such high capacity transportation system or any other revenue, fees, tolls, charges, tariffs, fares, special taxes, or other authorized sources pledged to the payment of such bonds.

Such revenue bonds and the interest thereon issued against such fund or funds shall be a valid claim of the owners thereof only as against such fund or funds and the revenue pledged therefor, and shall not constitute a general indebtedness of the authority.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

(3) Notwithstanding subsection (1) of this section, a regional transit authority may not issue revenue bonds without authorization from the legislature during the 2017-2019 fiscal biennium.

Sec. 716. RCW 81.112.150 and 1992 c 101 s 15 are each amended to read as follows:

(1) An authority may form a local improvement district to provide any transportation improvement it has the authority to provide, impose special assessments on all property specially benefited by the transportation improvements, and issue special assessment bonds or revenue bonds to fund the costs of the transportation improvement. Local improvement districts shall be created and assessments shall be made and collected

pursuant to chapters 35.43, 35.44, 35.49, 35.50, 35.51, 35.53, and 35.54 RCW.

(2) The board shall by resolution establish for each special assessment bond issue the amount, date, terms, conditions, denominations, maximum fixed or variable interest rate or rates, maturity or maturities, redemption rights, registration privileges, if any, covenants, and form, including registration as to principal and interest, registration as to principal only, or bearer. Registration may include, but not be limited to: (a) A book entry system of recording the ownership of a bond whether or not physical bonds are issued; or (b) recording the ownership of a bond together with the requirement that the transfer of ownership may only be effected by the surrender of the old bond and either the reissuance of the old bond or the issuance of a new bond to the new owner. Facsimile signatures may be used on the bonds and any coupons. The maximum term of any special assessment bonds shall not exceed thirty years beyond the date of issue. Special assessment bonds issued pursuant to this section shall not be an indebtedness of the authority issuing the bonds, and the interest and principal on the bonds shall only be payable from special assessments made for the improvement for which the bonds were issued and any local improvement guaranty fund that the authority has created. The owner or bearer of a special assessment bond or any interest coupon issued pursuant to this section shall not have any claim against the authority arising from the bond or coupon except for the payment from special assessments made for the improvement for which the bonds were issued and any local improvement guaranty fund the authority has created. The authority issuing the special assessment bonds is not liable to the owner or bearer of any special assessment bond or any interest coupon issued pursuant to this section for any loss occurring in the lawful operation of its local improvement guaranty fund. The substance of the limitations included in this subsection shall be plainly printed, written, or engraved on each special assessment bond issued pursuant to this section.

(3) Assessments shall reflect any credits given by the authority for real property or property right donations made pursuant to RCW 47.14.030.

(4) The board may establish and pay moneys into a local improvement guaranty

fund to guarantee special assessment bonds issued by the authority.

(5) Notwithstanding subsection (1) of this section, a regional transit authority may not issue special assessment bonds or revenue bonds without authorization from the legislature during the 2017-2019 fiscal biennium."

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (497) to the striking amendment (464) to Engrossed Senate Bill No. 5096.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *Engrossed Senate Bill 5096 is the transportation budget for the 2017-19 biennium. It appropriates funds to state agencies for state transportation purposes.*

Amendment 497 relates to the regional transit authority known as Sound Transit. Sound Transit is not a state agency and does not operate a state transportation program.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill. The point of order is well taken.

Representative Stokesbary moved the adoption of amendment (517) to the striking amendment (464):

On page 81, after line 18 of the striking amendment, insert the following:

"Sec. 714. RCW 81.104.160 and 2015 3rd sp.s. c 44 s 319 are each amended to read as follows:

(1) Regional transit authorities that include a county with a population of more than one million five hundred thousand may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding eight-tenths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of the taxing district, solely for the purpose of providing high capacity transportation service. The maximum tax rate under this subsection does not include a motor vehicle excise tax approved before July 15, 2015, if the tax will terminate on the date bond debt to which the tax is pledged is repaid. This tax does not apply to vehicles licensed under RCW 46.16A.455 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16A.425 or 46.17.335(2). Except as provided below during the 2017-2019 fiscal

biennium, and notwithstanding any other provision of this subsection or chapter 82.44 RCW, a motor vehicle excise tax imposed by a regional transit authority before or after July 15, 2015, must comply with chapter 82.44 RCW as it existed on January 1, 1996, until December 31st of the year in which the regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before July 15, 2015. Motor vehicle taxes collected by regional transit authorities after December 31st of the year in which a regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before July 15, 2015, must comply with chapter 82.44 RCW as it existed on the date the tax was approved by voters. With respect to bond debt incurred during the 2017-2019 fiscal biennium, and to which the motor vehicle excise tax is pledged, the tax must be based on base model Kelley blue book values during the 2017-2019 fiscal biennium.

(2) An agency and high capacity transportation corridor area may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the applicable jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax may not exceed 2.172 percent. The rate of tax imposed under this subsection must bear the same ratio of the 2.172 percent authorized that the rate imposed under subsection (1) of this section bears to the rate authorized under subsection (1) of this section. The base of the tax is the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax.

(3) Any motor vehicle excise tax previously imposed under the provisions of RCW 81.104.160(1) shall be repealed, terminated, and expire on December 5, 2002, except for a motor vehicle excise tax for which revenues have been contractually pledged to repay a bonded debt issued before December 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d 16, 148 P.3d 1002 (2006). In the case of bonds that were previously issued, the motor vehicle excise tax must comply with chapter 82.44 RCW as it existed on January 1, 1996.

(4) If a regional transit authority imposes the tax authorized under subsection (1) of this section, the

authority may not receive any state grant funds provided in an omnibus transportation appropriations act except transit coordination grants created in chapter 11, Laws of 2015 3rd sp. sess.

Sec. 715. RCW 82.44.035 and 2010 c 161 s 910 are each amended to read as follows:

(1) For the purpose of determining any locally imposed motor vehicle excise tax, except as provided in RCW 81.104.160 during the 2017-2019 fiscal biennium, the value of a truck or trailer shall be the latest purchase price of the vehicle, excluding applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the following percentage based on year of service of the vehicle since last sale. The latest purchase year shall be considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
1	100
2	81
3	67
4	55
5	45
6	37
7	30
8	25
9	20
10	16
11	13
12	11
13	9
14	7
15	3
16 or older	0

(2) The reissuance of a certificate of title and registration certificate for a truck or trailer because of the installation of body or special equipment shall be treated as a sale, and the value of the truck or trailer at that time, as determined by the department from such information as may be available, shall be considered the latest purchase price.

(3) For the purpose of determining any locally imposed motor vehicle excise tax, except as provided in RCW 81.104.160 during the 2017-2019 fiscal biennium, the

value of a vehicle other than a truck or trailer shall be eighty-five percent of the manufacturer's base suggested retail price of the vehicle when first offered for sale as a new vehicle, excluding any optional equipment, applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the applicable percentage listed in this subsection (3) based on year of service of the vehicle.

If the manufacturer's base suggested retail price is unavailable or otherwise unascertainable at the time of initial registration in this state, the department shall determine a value equivalent to a manufacturer's base suggested retail price as follows:

(a) The department shall determine a value using any information that may be available, including any guidebook, report, or compendium of recognized standing in the automotive industry or the selling price and year of sale of the vehicle. The department may use an appraisal by the county assessor. In valuing a vehicle for which the current value or selling price is not indicative of the value of similar vehicles of the same year and model, the department shall establish a value that more closely represents the average value of similar vehicles of the same year and model. The value determined in this subsection (3) (a) shall be divided by the applicable percentage listed in (b) of this subsection (3) to establish a value equivalent to a manufacturer's base suggested retail price and this value shall be multiplied by eighty-five percent.

(b) The year the vehicle is offered for sale as a new vehicle shall be considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
1	100
2	81
3	72
4	63
5	55
6	47
7	41
8	36
9	32

10	27
11	26
12	24
13	23
14	21
15	16
16 or older	10

(4) For purposes of this chapter, value shall exclude value attributable to modifications of a vehicle and equipment that are designed to facilitate the use or operation of the vehicle by a person with a disability."

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (517) to the striking amendment (464) to Engrossed Senate Bill No. 5096.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *Engrossed Senate Bill 5096 is the transportation budget for the 2017-19 biennium. It appropriates funds to state agencies for state transportation purposes.*

Amendment 517 relates to the regional transit authority known as Sound Transit. Sound Transit is not a state agency and does not operate a state transportation program.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill. The point of order is well taken.

Amendment (464), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn, Orcutt, Fey, Harmsworth, Wylie and Hargrove spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5096, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5096, as amended by the House, and the bill passed the House by the following vote: Yeas, 77; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman,

Graves, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McDonald, Morris, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dye, Irwin, Koster, Kraft, Kretz, Maycumber, McCabe, McCaslin, Muri, Schmick, Shea, Steele, Taylor, J. Walsh and Wilcox.

Excused: Representatives Haler and Jinkins.

ENGROSSED SENATE BILL NO. 5096, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fourth order of business.

SUPPLEMENTAL

INTRODUCTION & FIRST READING

HB 2202 by Representatives Manweller and Ormsby

AN ACT Relating to the eligibility of emergency medical technicians for membership in the law enforcement officers' and firefighters' retirement system plan 2; amending RCW 41.26.030; adding a new section to chapter 41.26 RCW; and creating a new section.

Referred to Committee on Appropriations.

There being no objection, the bill listed on the day's supplemental introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House adjourned until 10:00 a.m., April 13, 2017, the 95th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

NINETY FIFTH DAY

House Chamber, Olympia, Thursday, April 13, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Garrett McSheffrey and Elizabeth McLane. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rabbi Yohanna Kinberg, Congregation KOL AMI, Woodinville, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4643, by Representatives Frame and Tarleton

WHEREAS, Seattle Pacific University, a premier Christian university, has been a valued member of the Seattle community and the state of Washington since 1891; and

WHEREAS, Seattle Pacific University prepares students for service and leadership through rigorous academic study, character formation, and vocational preparation; and

WHEREAS, Seattle Pacific University alumni hold leadership roles locally, regionally, and globally in education, business, ministry, health care, and other serving professions; and

WHEREAS, Seattle Pacific University serves the community by engaging with issues of social justice, including homelessness, racial reconciliation, global health, and educational access for all students; and

WHEREAS, Seattle Pacific University offers students a superb education combining outstanding scholarship and thoughtful faith that brings about positive change in their own lives and in those of the people and communities they go on to serve;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives celebrate the 125th anniversary of the founding of Seattle Pacific University and recognize the lasting contributions of this irreplaceable institution, its faculty, and its alumni to the strength and vitality of our state and our citizenry; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of

the House of Representatives to Daniel J. Martin, President of Seattle Pacific University.

There being no objection, HOUSE RESOLUTION NO. 4643 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

April 12, 2017

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1018,
HOUSE BILL NO. 1064,
HOUSE BILL NO. 1071,
SECOND SUBSTITUTE HOUSE BILL NO. 1120,
SUBSTITUTE HOUSE BILL NO. 1346,
SUBSTITUTE HOUSE BILL NO. 1626,
HOUSE BILL NO. 1794,
HOUSE BILL NO. 2052,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 12, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1234,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1538,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1713,
SUBSTITUTE HOUSE BILL NO. 1738,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1739,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1802,
SUBSTITUTE HOUSE BILL NO. 1816,
HOUSE BILL NO. 2038,
SUBSTITUTE HOUSE BILL NO. 2138,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 12, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5133,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5293,
 SENATE BILL NO. 5331,
 SECOND SUBSTITUTE SENATE BILL NO. 5347,
 SUBSTITUTE SENATE BILL NO. 5366,
 SUBSTITUTE SENATE BILL NO. 5537,
 SENATE BILL NO. 5736,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5741,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 12, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1352,
 SUBSTITUTE HOUSE BILL NO. 1462,
 ENGROSSED HOUSE BILL NO. 1507,
 SUBSTITUTE HOUSE BILL NO. 1521,
 SUBSTITUTE HOUSE BILL NO. 1526,
 HOUSE BILL NO. 1709,
 SUBSTITUTE HOUSE BILL NO. 2037,
 HOUSE BILL NO. 2064,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1086 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the analysis of environmental impacts required under the state environmental policy act adds value to government decision-making processes in Washington state and helps minimize the potential environmental harm coming from

those government decisions. However, the legislature also recognizes that excessive delays in the environmental impact analysis process adds uncertainty and burdensome costs to those seeking to do business in the state of Washington. Therefore, it is the intent of the legislature to promote timely completion of state environmental policy act processes. In doing so, the legislature intends to restore balance between the need to carefully consider environmental impacts and the need to maintain the economic competitiveness of state businesses.

NEW SECTION. Sec. 2. A new section is added to chapter 43.21C RCW to read as follows:

(1) A lead agency shall aspire to prepare a final environmental impact statement required by RCW 43.21C.030(2) in as expeditious a manner as possible while not compromising the integrity of the analysis.

(a) For even the most complex government decisions associated with a broad scope of possible environmental impacts, a lead agency shall aspire to prepare a final environmental impact statement required by RCW 43.21C.030(2) within twenty-four months of a threshold determination of a probable significant, adverse environmental impact.

(b) Wherever possible, a lead agency shall aspire to far outpace the twenty-four month time limit established in this section for more commonplace government decisions associated with narrower and more easily identifiable environmental impacts.

(2) Beginning December 31, 2018, and every two years thereafter, the department of ecology must submit a report on the environmental impact statements produced by state agencies and local governments to the appropriate committees of the legislature. The report must include data on the average time, and document the range of time, it took to complete environmental impact statements within the previous two years.

(3) Nothing in this section creates any civil liability for a lead agency or creates a new cause of action against a lead agency."

On page 1, line 2 of the title, after "years;" strike the remainder of the title and insert "adding a new section to

chapter 43.21C RCW; and creating a new section."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1086 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Blake and Maycumber spoke in favor of the passage of the bill, as amended by the Senate.

MOTIONS

On motion of Representative Riccelli, Representative Jinkins was excused.

On motion of Representative Hayes, Representative Caldier was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1086, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1086, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Pollet.

Excused: Representatives Caldier and Jinkins.

SUBSTITUTE HOUSE BILL NO. 1086, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 5, 2017

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1278 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 18.74 RCW to read as follows:

The Physical Therapy Licensure Compact as set forth in this section is hereby enacted into law and entered into on behalf of this state with any and all other states legally joining therein in a form substantially as follows:

PHYSICAL THERAPY LICENSURE COMPACT

ARTICLE I - PURPOSE

The purpose of this compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The practice of physical therapy occurs in the state where the patient/client is located at the time of the patient/client encounter. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This compact is designed to achieve the following objectives:

(1) Increase public access to physical therapy services by providing for the mutual recognition of other member state licenses;

(2) Enhance the states' ability to protect the public's health and safety;

(3) Encourage the cooperation of member states in regulating multistate physical therapy practice;

(4) Support spouses of relocating military members;

(5) Enhance the exchange of licensure, investigative, and disciplinary information between member states; and

(6) Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards.

ARTICLE II - DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions apply:

(1) "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. Secs. 1209 and 1211.

(2) "Adverse action" means disciplinary action taken by a physical therapy licensing board based upon misconduct, unacceptable performance, or a combination of both.

(3) "Alternative program" means a nondisciplinary monitoring or practice remediation process approved by a physical therapy licensing board. This includes, but is not limited to, substance abuse issues.

(4) "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as a physical therapist or work as a physical therapist assistant in the remote state under its laws and rules. The practice of physical therapy occurs in the member state where the patient/client is located at the time of the patient/client encounter.

(5) "Continuing competence" means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.

(6) "Data system" means a repository of information about licensees, including examination, licensure, investigative, compact privilege, and adverse action.

(7) "Encumbered license" means a license that a physical therapy licensing board has limited in any way.

(8) "Executive board" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(9) "Home state" means the member state that is the licensee's primary state of residence.

(10) "Investigative information" means information, records, and documents received or generated by a physical therapy licensing board pursuant to an investigation.

(11) "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of physical therapy in a state.

(12) "Licensee" means an individual who currently holds an authorization from the state to practice as a physical therapist or to work as a physical therapist assistant.

(13) "Member state" means a state that has enacted the compact.

(14) "Party state" means any member state in which a licensee holds a current license or compact privilege or is applying for a license or compact privilege.

(15) "Physical therapist" means an individual who is licensed by a state to practice physical therapy.

(16) "Physical therapist assistant" means an individual who is licensed/certified by a state and who assists the physical therapist in selected components of physical therapy.

(17) "Physical therapy" has the same meaning given in RCW 18.74.010. "Physical therapy practice" and "the practice of physical therapy" have the same meaning given to "practice of physical therapy" in RCW 18.74.010.

(18) "Physical therapy compact commission" or "commission" means the national administrative body whose membership consists of all states that have enacted the compact.

(19) "Physical therapy licensing board" or "licensing board" means the agency of a state that is responsible for the licensing and regulation of physical therapists and physical therapist assistants.

(20) "Remote state" means a member state other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

(21) "Rule" means a regulation, principle, or directive promulgated by the commission that has the force of law.

(22) "State" means any state, commonwealth, district, or territory of the United States of America that regulates the practice of physical therapy.

ARTICLE III - STATE PARTICIPATION IN THE COMPACT

(1) To participate in the compact, a state must:

(a) Participate fully in the commission's data system, including using

the commission's unique identifier as defined in rule;

(b) Have a mechanism in place for receiving and investigating complaints about licensees;

(c) Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

(d) Fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the federal bureau of investigation record search on criminal background checks and use the results in making licensure decisions in accordance with subsection (2) of this Article;

(e) Comply with the rules of the commission;

(f) Utilize a recognized national examination as a requirement for licensure pursuant to the rules of the commission; and

(g) Have continuing competence requirements as a condition for license renewal.

(2) Upon adoption of this statute, the member state shall have the authority to obtain biometric-based information from each physical therapy licensure applicant and submit this information to the federal bureau of investigation for a criminal background check in accordance with 28 U.S.C. Sec. 534 and 42 U.S.C. Sec. 14616.

(3) A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

(4) Member states may charge a fee for granting a compact privilege.

ARTICLE IV - COMPACT PRIVILEGE

(1) To exercise the compact privilege under the terms and provisions of the compact, the licensee shall:

(a) Hold a license in the home state;

(b) Have no encumbrance on any state license;

(c) Be eligible for a compact privilege in any member state in accordance with subsections (4), (7), and (8) of this Article;

(d) Have not had any adverse action against any license or compact privilege within the previous two years;

(e) Notify the commission that the licensee is seeking the compact privilege within a remote state(s);

(f) Pay any applicable fees, including any state fee, for the compact privilege;

(g) Meet any jurisprudence requirements established by the remote state(s) in which the licensee is seeking a compact privilege; and

(h) Report to the commission adverse action taken by any nonmember state within thirty days from the date the adverse action is taken.

(2) The compact privilege is valid until the expiration date of the home license. The licensee must comply with the requirements of subsection (1) of this Article to maintain the compact privilege in the remote state.

(3) A licensee providing physical therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

(4) A licensee providing physical therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

(5) If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

(a) The home state license is no longer encumbered; and

(b) Two years have elapsed from the date of the adverse action.

(6) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection (1) of this Article to obtain a compact privilege in any remote state.

(7) If a licensee's compact privilege in any remote state is removed, the individual shall lose the compact

privilege in any remote state until the following occur:

(a) The specific period of time for which the compact privilege was removed has ended;

(b) All fines have been paid; and

(c) Two years have elapsed from the date of the adverse action.

(8) Once the requirements of subsection (7) of this Article have been met, the licensee must meet the requirements in subsection (1) of this Article to obtain a compact privilege in a remote state.

ARTICLE V - ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

A licensee who is active duty military or is the spouse of an individual who is active duty military may designate one of the following as the home state:

(1) Home of record;

(2) Permanent change of station; or

(3) State of current residence if it is different than the permanent change of station state or home of record.

ARTICLE VI - ADVERSE ACTIONS

(1) A home state shall have exclusive power to impose adverse action against a license issued by the home state.

(2) A home state may take adverse action based on the investigative information of a remote state, so long as the home state follows its own procedures for imposing adverse action.

(3) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states must require licensees who enter any alternative programs in lieu of discipline to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

(4) Any member state may investigate actual or alleged violations of the statutes and rules authorizing the practice of physical therapy in any other member state in which a physical therapist or physical therapist assistant holds a license or compact privilege.

(5) A remote state shall have the authority to:

(a) Take adverse actions as set forth in subsection (4) of Article IV of this compact against a licensee's compact privilege in the state;

(b) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses, and the production of evidence. Subpoenas issued by a physical therapy licensing board in a party state for the attendance and testimony of witnesses, and/or the production of evidence from another party state, shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses and/or evidence are located; and

(c) If otherwise permitted by state law, recover from the licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

(6)(a) In addition to the authority granted to a member state by its respective physical therapy practice act or other applicable state law, a member state may participate with other member states in joint investigations of licensees.

(b) Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

ARTICLE VII - ESTABLISHMENT OF THE PHYSICAL THERAPY COMPACT COMMISSION

(1) The compact member states hereby create and establish a joint public agency known as the physical therapy compact commission:

(a) The commission is an instrumentality of the compact states.

(b) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in

alternative dispute resolution proceedings.

(c) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(2)(a) Each member state shall have and be limited to one delegate selected by that member state's licensing board.

(b) The delegate shall be a current member of the licensing board, who is a physical therapist, physical therapist assistant, public member, or the board administrator.

(c) Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

(d) The member state board shall fill any vacancy occurring in the commission.

(e) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

(f) A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(g) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(3) The commission shall have the following powers and duties:

(a) Establish the fiscal year of the commission;

(b) Establish bylaws;

(c) Maintain its financial records in accordance with the bylaws;

(d) Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

(e) Promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all member states;

(f) Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state physical therapy licensing board

to sue or be sued under applicable law shall not be affected;

(g) Purchase and maintain insurance and bonds;

(h) Borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state;

(i) Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(j) Accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest;

(k) Lease, purchase, or accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use any property real, personal, or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

(l) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

(m) Establish a budget and make expenditures;

(n) Borrow money;

(o) Appoint committees, including standing committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(p) Provide and receive information from, and cooperate with, law enforcement agencies;

(q) Establish and elect an executive board; and

(r) Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of physical therapy licensure and practice.

(4) The executive board shall have the power to act on behalf of the commission according to the terms of this compact.

(a) The executive board shall be comprised of nine members:

(i) Seven voting members who are elected by the commission from the current membership of the commission;

(ii) One ex officio, nonvoting member from a recognized national physical therapy professional association; and

(iii) One ex officio, nonvoting member from a recognized membership organization of the physical therapy licensing boards.

(b) The ex officio members will be selected by their respective organizations.

(c) The commission may remove any member of the executive board as provided in bylaws.

(d) The executive board shall meet at least annually.

(e) The executive board shall have the following duties and responsibilities:

(i) Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the compact privilege;

(ii) Ensure compact administration services are appropriately provided, contractual or otherwise;

(iii) Prepare and recommend the budget;

(iv) Maintain financial records on behalf of the commission;

(v) Monitor compact compliance of member states and provide compliance reports to the commission;

(vi) Establish additional committees as necessary; and

(vii) Other duties as provided in rules or bylaws.

(5)(a) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rule-making provisions in Article IX of this compact.

(b) The commission or the executive board or other committees of the commission may convene in a closed, nonpublic meeting if the commission or

executive board or other committees of the commission must discuss:

(i) Noncompliance of a member state with its obligations under the compact;

(ii) The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(iii) Current, threatened, or reasonably anticipated litigation;

(iv) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(v) Accusing any person of a crime or formally censuring any person;

(vi) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(vii) Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(viii) Disclosure of investigative records compiled for law enforcement purposes;

(ix) Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(x) Matters specifically exempt from disclosure by federal or member state statute.

(c) If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

(d) The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(6)(a) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(b) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(c) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(d) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(e) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

(7)(a) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this subsection shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

(b) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

(c) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

ARTICLE VIII - DATA SYSTEM

(1) The commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

(2) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- (a) Identifying information;
- (b) Licensure data;
- (c) Adverse actions against a license or compact privilege;
- (d) Nonconfidential information related to alternative program participation;

(e) Any denial of application for licensure, and the reason(s) for such denial; and

(f) Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

(3) Investigative information pertaining to a licensee in any member state will only be available to other party states.

(4) The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

(5) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(6) Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

ARTICLE IX - RULE MAKING

(1) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this Article IX and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(2) Notwithstanding subsection (1) of Article IX, the board shall review the rules of the commission. The board may reject or approve and adopt the rules of the commission as rules of the board. The state of Washington is subject to a rule of the commission only if the rule of the commission is adopted by the board and the rule does not violate any right guaranteed by the state Constitution or the United States Constitution.

(3) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(4) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(5) Prior to promulgation and adoption of a final rule or rules by the commission, and at least thirty days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rule making:

(a) On the web site of the commission or other publicly accessible platform; and

(b) On the web site of each member state physical therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(6) The notice of proposed rule making shall include:

(a) The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

(b) The text of the proposed rule or amendment and the reason for the proposed rule;

(c) A request for comments on the proposed rule from any interested person; and

(d) The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(7) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

(8) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

(a) At least twenty-five persons;

(b) A state or federal governmental subdivision or agency; or

(c) An association having at least twenty-five members.

(9) If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

(a) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their

desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(b) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(c) All hearings will be recorded. A copy of the recording will be made available on request.

(d) Nothing in this Article IX shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this Article IX.

(10) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(11) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(12) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rule-making record and the full text of the rule.

(13) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rule-making procedures provided in the compact and in this Article IX shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

(a) Meet an imminent threat to public health, safety, or welfare;

(b) Prevent a loss of commission or member state funds;

(c) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or

(d) Protect public health and safety.

(14) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or

amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the web site of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

ARTICLE X - OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

(1) Oversight. (a) The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

(b) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

(c) The commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(2) Default, technical assistance, and termination. (a) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(i) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, and/or any other action to be taken by the commission; and

(ii) Provide remedial training and specific technical assistance regarding the default.

(b) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(c) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

(d) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(e) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(f) The defaulting state may appeal the action of the commission by petitioning the United States district court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(3) Dispute resolution. (a) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

(b) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(4) Enforcement. (a) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(b) By majority vote, the commission may initiate legal action in the United States district court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(c) The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

ARTICLE XI - DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR PHYSICAL THERAPY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

(1) The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rule-making powers necessary to the implementation and administration of the compact.

(2) Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(3) Any member state may withdraw from this compact by enacting a statute repealing the same.

(a) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(b) Withdrawal shall not affect the continuing requirement of the withdrawing state's physical therapy licensing board to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

(4) Nothing contained in this compact shall be construed to invalidate or

prevent any physical therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

(5) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

ARTICLE XII - CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

NEW SECTION. **Sec. 2.** A new section is added to chapter 18.74 RCW to read as follows:

COMPACT PRIVILEGE—FEES.

(1) The secretary, in consultation with the board, shall establish fees pursuant to RCW 43.70.250 for physical therapists and physical therapist assistants seeking to practice in this state by use of compact privilege as defined in section 1 of this act. At the time of applying for compact privilege in this state, the applicant shall comply with established fee requirements.

(2) The fees established in subsection (1) of this section must be an amount sufficient to cover the state's monetary obligations as a member state to the physical therapy licensure compact.

NEW SECTION. **Sec. 3.** A new section is added to chapter 18.74 RCW to read as follows:

The board shall not disseminate any criminal history information gained through a federal background check, ordered pursuant to section 1 of this act,

the physical therapy licensure compact, to the physical therapy compact commission or another state or state licensure board.

Sec. 4. RCW 18.74.050 and 1996 c 191 s 59 are each amended to read as follows:

(1) The secretary shall furnish a license upon the authority of the board to any person who applies and who has qualified under the provisions of this chapter. At the time of applying, the applicant shall comply with administrative procedures, administrative requirements, and fees established pursuant to RCW 43.70.250 and 43.70.280. No person registered or licensed on July 24, 1983, as a physical therapist shall be required to pay an additional fee for a license under this chapter.

(2) No fees collected pursuant to subsection (1) of this section may be used to meet the state's monetary obligations as a member state to the physical therapy licensure compact.

Sec. 5. RCW 18.74.090 and 2007 c 98 s 10 are each amended to read as follows:

(1) A person who is not licensed with the secretary of health as a physical therapist under the requirements of this chapter shall not represent him or herself as being so licensed and shall not use in connection with his or her name the words or letters "P.T.", "R.P.T.", "L.P.T.", "physical therapy", "physiotherapy", "physical therapist" or "physiotherapist", or any other letters, words, signs, numbers, or insignia indicating or implying that he or she is a physical therapist. No person may practice physical therapy without first having a valid license. Nothing in this chapter prohibits any person licensed in this state under any other act from engaging in the practice for which he or she is licensed. It shall be the duty of the prosecuting attorney of each county to prosecute all cases involving a violation of this chapter arising within his or her county. The attorney general may assist in such prosecution and shall appear at all hearings when requested to do so by the board.

(2) No person assisting in the practice of physical therapy may use the title "physical therapist assistant," the letters "PTA," or any other words, abbreviations, or insignia in connection with his or her name to indicate or imply, directly or indirectly, that he or she is a physical therapist assistant without

being licensed in accordance with this chapter as a physical therapist assistant.

(3) Subsections (1) and (2) of this section do not apply to an individual who is authorized to practice as a physical therapist or work as a physical therapist assistant by compact privilege as defined in section 1 of this act.

Sec. 6. RCW 18.74.150 and 2013 c 280 s 1 are each amended to read as follows:

(1) It is unlawful for any person to practice or in any manner hold himself or herself out to practice physical therapy or designate himself or herself as a physical therapist or physical therapist assistant, unless he or she is licensed in accordance with this chapter or has unencumbered compact privilege as defined in section 1 of this act.

(2) This chapter does not restrict persons licensed under any other law of this state from engaging in the profession or practice for which they are licensed, if they are not representing themselves to be physical therapists, physical therapist assistants, or providers of physical therapy.

(3) The following persons are exempt from licensure as physical therapists under this chapter when engaged in the following activities:

(a) A person who is pursuing a course of study leading to a degree as a physical therapist in an approved professional education program and is satisfying supervised clinical education requirements related to his or her physical therapy education while under direct supervision of a licensed physical therapist;

(b) A physical therapist while practicing in the United States armed services, United States public health service, or veterans administration as based on requirements under federal regulations for state licensure of health care providers; and

(c) A physical therapist licensed in another United States jurisdiction, or a foreign-educated physical therapist credentialed in another country, performing physical therapy as part of teaching or participating in an educational seminar of no more than sixty days in a calendar year.

(4) The following persons are exempt from licensure as physical therapist

assistants under this chapter when engaged in the following activities:

(a) A person who is pursuing a course of study leading to a degree as a physical therapist assistant in an approved professional education program and is satisfying supervised clinical education requirements related to his or her physical therapist assistant education while under direct supervision of a licensed physical therapist or licensed physical therapist assistant;

(b) A physical therapist assistant while practicing in the United States armed services, United States public health service, or veterans administration as based on requirements under federal regulations for state licensure of health care providers; and

(c) A physical therapist assistant licensed in another United States jurisdiction, or a foreign-educated physical therapist assistant credentialed in another country, or a physical therapist assistant who is teaching or participating in an educational seminar of no more than sixty days in a calendar year.

Sec. 7. RCW 43.70.320 and 2015 c 70 s 39 are each amended to read as follows:

(1) There is created in the state treasury an account to be known as the health professions account. All fees received by the department for health professions licenses, registration, certifications, renewals, compact privileges, or examinations and the civil penalties assessed and collected by the department under RCW 18.130.190 shall be forwarded to the state treasurer who shall credit such moneys to the health professions account.

(2) All expenses incurred in carrying out the health professions licensing activities of the department and implementing and administering the medical marijuana authorization database established in RCW 69.51A.230 shall be paid from the account as authorized by legislative appropriation, except as provided in subsections (4) and (5) of this section. Any residue in the account shall be accumulated and shall not revert to the general fund at the end of the biennium.

(3) The secretary shall biennially prepare a budget request based on the anticipated costs of administering the health professions licensing activities of the department which shall include the

estimated income from health professions fees.

(4) The fees received by the department from applicants for compact privilege under section 1 of this act must be used for the purpose of meeting financial obligations imposed on the state as a result of this state's participation in the physical therapy licensure compact.

(5) The secretary shall, at the request of a board or commission as applicable, spend unappropriated funds in the health professions account that are allocated to the requesting board or commission to meet unanticipated costs of that board or commission when revenues exceed more than fifteen percent over the department's estimated six-year spending projections for the requesting board or commission. Unanticipated costs shall be limited to spending as authorized in subsection (3) of this section for anticipated costs.

NEW SECTION. Sec. 8. Sections 1 and 2 of this act shall be known and cited as the physical therapy licensure compact."

On page 1, line 2 of the title, after "compact;" strike the remainder of the title and insert "amending RCW 18.74.050, 18.74.090, 18.74.150, and 43.70.320; adding new sections to chapter 18.74 RCW; and creating a new section."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1278 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Macri and Schmick spoke in favor of the passage of the bill as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1278, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1278, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell,

Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Caldier and Jinkins.

HOUSE BILL NO. 1278, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 6, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1444 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.320.192 and 2012 c 163 s 7 are each amended to read as follows:

In order to facilitate the on-time grade level progression and graduation of students who are homeless as described in RCW 28A.300.542, dependent pursuant to chapter 13.34 RCW, or at-risk youth or children in need of services pursuant to chapter 13.32A RCW, school districts must incorporate the following procedures:

(1) School districts must waive specific courses required for graduation if similar coursework has been satisfactorily completed in another school district or must provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school district, the receiving school district must use best efforts to provide an alternative means of acquiring required coursework so that graduation may occur on time.

(2) School districts are encouraged to consolidate unresolved or incomplete coursework and provide opportunities for credit accrual through local classroom hours, correspondence courses, or the

portable assisted study sequence units designed for migrant high school students.

(3) Should a student who is transferring at the beginning or during the student's junior or senior year be ineligible to graduate from the receiving school district after all alternatives have been considered, the sending and receiving districts must ensure the receipt of a diploma from the sending district if the student meets the graduation requirements of the sending district.

(4) Should a student have enrolled in three or more school districts as a high school student and have met state requirements but be ineligible to graduate from the receiving school district after all alternatives have been considered, the receiving school district must waive its local requirements and ensure the receipt of a diploma."

On page 1, line 2 of the title, after "students;" strike the remainder of the title and insert "and amending RCW 28A.320.192."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1444 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Harris and Santos spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1444, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1444, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz,

Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

SUBSTITUTE HOUSE BILL NO. 1444, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1520 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 74.09.5225 and 2016 sp.s. c 31 s 2 are each amended to read as follows:

(1) Payments for recipients eligible for medical assistance programs under this chapter for services provided by hospitals, regardless of the beneficiary's managed care enrollment status, shall be made based on allowable costs incurred during the year, when services are provided by a rural hospital certified by the centers for medicare and medicaid services as a critical access hospital, unless the critical access hospital is participating in the Washington rural health access preservation pilot described in subsection (2) (b) of this section. Any additional payments made by the authority for the healthy options program shall be no more than the additional amounts per service paid under this section for other medical assistance programs.

(2)(a) Beginning on July 24, 2005, except as provided in (b) of this subsection, a moratorium shall be placed on additional hospital participation in critical access hospital payments under this section. However, rural hospitals that applied for certification to the centers for medicare and medicaid services prior to January 1, 2005, but have not yet completed the process or have not yet been approved for certification, remain eligible for medical assistance payments under this section.

(b) (i) The purpose of the Washington rural health access preservation pilot is to develop an alternative service and payment system to the critical access hospital authorized under section 1820 of the social security act to sustain essential services in rural communities.

(ii) For the purposes of state law, any rural hospital approved by the department of health for participation in critical access hospital payments under this section that participates in the Washington rural health access preservation pilot identified by the state office of rural health and ceases to participate in critical access hospital payments may renew participation in critical access hospital associated payment methodologies under this section at any time.

~~((iii))~~ (iii) The Washington rural health access preservation pilot is subject to the following requirements:

(A) In the pilot formation or development, the department of health, health care authority, and Washington state hospital association will identify goals for the pilot project before any hospital joins the pilot project;

(B) Participation in the pilot is optional and no hospital may be required to join the pilot;

(C) Before a hospital enters the pilot program, the health care authority must provide information to the hospital regarding how the hospital could end its participation in the pilot if the pilot is not working in its community; ~~(and)~~

(D) Payments for services delivered by public health care service districts participating in the Washington rural health access preservation pilot to recipients eligible for medical assistance programs under this chapter must be based on an alternative, value-based payment methodology established by the authority. Subject to the availability of amounts appropriated for this specific purpose, the payment methodology must provide sufficient funding to sustain essential services in the areas served, including but not limited to emergency and primary care services. The methodology must adjust payment amounts based on measures of quality and value, rather than volume. As part of the pilot, the health care authority shall encourage additional payers to use the adopted payment methodology for services delivered by the

pilot participants to individuals insured by those payers;

(E) The department of health, health care authority, and Washington state hospital association will report interim progress to the legislature no later than December 1, 2018, and will report on the results of the pilot no later than six months following the conclusion of the pilot. The reports will describe any policy changes identified during the course of the pilot that would support small critical access hospitals; and

(F) Funds appropriated for the Washington rural health access preservation pilot will be used to help participating hospitals transition to a new payment methodology and will not extend beyond the anticipated three-year pilot period.

(3) (a) Beginning January 1, 2015, payments for recipients eligible for medical assistance programs under this chapter for services provided by a hospital, regardless of the beneficiary's managed care enrollment status, shall be increased to one hundred twenty-five percent of the hospital's fee-for-service rates, when services are provided by a rural hospital that:

(i) Was certified by the centers for medicare and medicaid services as a sole community hospital as of January 1, 2013;

(ii) Had a level III adult trauma service designation from the department of health as of January 1, 2014;

(iii) Had less than one hundred fifty acute care licensed beds in fiscal year 2011; and

(iv) Is owned and operated by the state or a political subdivision.

(b) The enhanced payment rates under this subsection shall be considered the hospital's medicaid payment rate for purposes of any other state or private programs that pay hospitals according to medicaid payment rates.

(c) Hospitals participating in the certified public expenditures program may not receive the increased reimbursement rates provided in this subsection (3) for inpatient services.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017,

in the omnibus appropriations act, this act is null and void."

On page 1, line 3 of the title, after "pilot;" strike the remainder of the title and insert "amending RCW 74.09.5225; and creating a new section."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1520 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Tharinger and Schmick spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1520, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1520, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

SUBSTITUTE HOUSE BILL NO. 1520, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 5, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1845 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.185.005 and 2015 c 263 s 1 are each amended to read as follows:

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

(1) (a) (i) "Delivered by electronic means" includes:

(A) Delivery to an electronic mail address at which a party has consented to receive notices or documents; or

(B) Posting on an electronic network or site accessible via the internet, mobile application, computer, mobile device, tablet, or any other electronic device, together with separate notice of the posting which shall be provided by electronic mail to the address at which the party has consented to receive notice or by any other delivery method that has been consented to by the party.

(ii) "Delivered by electronic means" does not include any communication between an insurer and an insurance producer relating to RCW 48.17.591 and 48.17.595.

(b) "Party" means any recipient of any notice or document required as part of an insurance transaction, including but not limited to an applicant, an insured, a policyholder, or an annuity contract holder.

(2) Subject to the requirements of this section, any notice to a party or any other document required under applicable law in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored, and presented by electronic means so long as it meets the requirements of the Washington electronic authentication act (chapter 19.34 RCW). An electronic signature is the equivalent of a digital signature, as those terms are defined in chapter 19.34 RCW, for the purposes of satisfying the requirements of chapter 19.34 RCW under this chapter.

(3) Delivery of a notice or document in accordance with this section is the equivalent to any delivery method required under applicable law, including delivery by first-class mail; first-class mail, postage prepaid; certified mail; or registered mail.

(4) A notice or document may be delivered by an insurer to a party by electronic means under this section only if:

(a) The party has affirmatively consented to that method of delivery and has not withdrawn the consent;

(b) The party, before giving consent, has been provided with a clear and conspicuous statement informing the party of:

(i) The right the party has to withdraw consent to have a notice or document delivered by electronic means at any time, and any conditions or consequences imposed in the event consent is withdrawn;

(ii) The types of notices and documents to which the party's consent would apply;

(iii) The right of a party to have a notice or document in paper form; and

(iv) The procedures a party must follow to withdraw consent to have a notice or document delivered by electronic means and to update the party's electronic mail address;

(c) The party:

(i) Before giving consent, has been provided with a statement of the hardware and software requirements for access to and retention of notices or documents delivered by electronic means; and

(ii) Consents electronically, or confirms consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for notices or documents delivered by electronic means as to which the party has given consent; and

(d) After consent of the party is given, the insurer, in the event a change in the hardware or software requirements needed to access or retain a notice or document delivered by electronic means creates a material risk that the party will not be able to access or retain a subsequent notice or document to which the consent applies:

(i) Shall provide the party with a statement that describes:

(A) The revised hardware and software requirements for access to and retention of a notice or document delivered by electronic means; and

(B) The right of the party to withdraw consent without the imposition of any fee, condition, or consequence that was not disclosed at the time of initial consent; and

(ii) Complies with (b) of this subsection.

(5) This section does not affect requirements related to content or timing of any notice or document required under applicable law.

(6) If this title or applicable law requiring a notice or document to be provided to a party expressly requires verification or acknowledgment of receipt of the notice or document, the notice or document may be delivered by electronic means only if the method used provides for verification or acknowledgment of receipt.

(7) The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party may not be denied solely because of the failure to obtain electronic consent or confirmation of consent of the party in accordance with subsection (4)(c)(ii) of this section.

(8)(a) A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of a notice or document delivered by electronic means to the party before the withdrawal of consent is effective.

(b) A withdrawal of consent by a party is effective within a reasonable period of time, not to exceed thirty days, after receipt of the withdrawal by the insurer.

(c) Failure by an insurer to comply with subsections (4)(d) and (10) of this section may be treated, at the election of the party, as a withdrawal of consent for purposes of this section.

(9) This section does not apply to a notice or document delivered by an insurer in an electronic form before July 24, 2015, to a party who, before that date, has consented to receive a notice or document in an electronic form otherwise allowed by law.

(10) If the consent of a party to receive certain notices or documents in an electronic form is on file with an insurer before July 24, 2015, and pursuant to this section, an insurer intends to deliver additional notices or documents to such party in an electronic form, then prior to delivering such additional notices or

documents electronically, the insurer shall:

(a) Provide the party with a statement that describes:

(i) The notices or documents that shall be delivered by electronic means under this section that were not previously delivered electronically; and

(ii) The party's right to withdraw consent to have notices or documents delivered by electronic means, without the imposition of any condition or consequence that was not disclosed at the time of initial consent; and

(b) Comply with subsection (4)(b) of this section.

(11) An insurer shall deliver a notice or document by any other delivery method permitted by law other than electronic means if:

(a) The insurer attempts to deliver the notice or document by electronic means and has a reasonable basis for believing that the notice or document has not been received by the party; or

(b) The insurer becomes aware that the electronic mail address provided by the party is no longer valid.

(12) A producer shall not be subject to civil liability for any harm or injury that occurs as a result of a party's election to receive any notice or document by electronic means or by an insurer's failure to deliver a notice or document by electronic means.

(13) This section does not modify, limit, or supersede the provisions of the federal electronic signatures in global and national commerce act (E-SIGN), P.L. 106-229, as amended."

On page 1, line 2 of the title, after "means;" strike the remainder of the title and insert "and amending RCW 48.185.005."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1845 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Vick and Kirby spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1845, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1845, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

SUBSTITUTE HOUSE BILL NO. 1845, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 31, 2017

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1906 with the following amendment:

On page 1, line 16, after "Thurston," insert "Walla Walla,"

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1906 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orcutt and Sells spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1906, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1906, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

HOUSE BILL NO. 1906, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 7, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1944 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 77.32.155 and 2013 c 23 s 243 are each amended to read as follows:

(1)(a) When purchasing any hunting license, persons under the age of eighteen shall present certification of completion of a course of instruction of at least ten hours in the safe handling of firearms, safety, conservation, and sporting/hunting behavior. All persons purchasing any hunting license for the first time, if born after January 1, 1972, shall present such certification.

(b)(i) The director may establish a program for training persons in the safe handling of firearms, conservation, and sporting/hunting behavior and shall prescribe the type of instruction and the qualifications of the instructors. The director shall, as part of establishing

the training program, exempt (~~members of the United States military~~) the following individuals from the firearms skills portion of any instruction course completed over the internet:

(A) Members of the United States military;

(B) Current or retired general authority Washington peace officers as defined in RCW 10.93.020;

(C) Current or retired limited authority Washington peace officers as defined in RCW 10.93.020, if the officer is or was duly authorized by his or her employer to carry a concealed pistol;

(D) Current or retired specially commissioned Washington peace officers as defined in RCW 10.93.020, if the officer is or was duly authorized by his or her commissioning agency to carry a concealed pistol; and

(E) Current or retired Washington peace officers as defined in RCW 43.101.010 who have met the requirements of RCW 43.101.095 or 43.101.157 and whose certification is in good standing or has not been revoked.

(ii) The director may cooperate with the national rifle association, organized sports/outdoor enthusiasts' groups, or other public or private organizations when establishing the training program.

(c) Upon the successful completion of a course established under this section, the trainee shall receive a hunter education certificate signed by an authorized instructor. The certificate is evidence of compliance with this section.

(d) The director may accept certificates from other states that persons have successfully completed firearm safety, hunter education, or similar courses as evidence of compliance with this section.

(2)(a) The director may authorize a once in a lifetime, one license year deferral of hunter education training for individuals who are accompanied by a nondeferred Washington-licensed hunter who has held a Washington hunting license for the prior three years and is over eighteen years of age. The commission shall adopt rules for the administration of this subsection to avoid potential fraud and abuse.

(b) The director is authorized to collect an application fee, not to exceed

twenty dollars, for obtaining the once in a lifetime, one license year deferral of hunter education training from the department. This fee must be deposited into the fish and wildlife enforcement reward account and must be used exclusively to administer the deferral program created in this subsection.

(c) For the purposes of this subsection, "accompanied" means to go along with another person while staying within a range of the other person that permits continual unaided visual and auditory communication.

(3) To encourage the participation of an adequate number of instructors for the training program, the commission shall develop nonmonetary incentives available to individuals who commit to serving as an instructor. The incentives may include additional hunting opportunities for instructors."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "and amending RCW 77.32.155."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1944 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Condotta and Blake spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1944, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1944, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz,

Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

SUBSTITUTE HOUSE BILL NO. 1944, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 7, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2010 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.30 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, in order to prevent homelessness in any county located east of the crest of the Cascade mountain range that shares a common border with Canada and has a population of one hundred thousand or less, the department shall, to strengthen the local capacity for controlling risk to life and property that may result from wildfires, administer to these counties, funding for radio communication equipment; and fire protection service providers within these counties to provide residential wildfire risk reduction activities, including education and outreach, technical assistance, fuel mitigation and other residential risk reduction measures. For the purposes of this section, fire protection service providers include fire departments, fire districts, emergency management services, and regional fire protection service authorities. The department must prioritize funding to counties authorized in this section serving a disproportionately higher percentage of low-income residents, as defined in RCW 84.36.042, that are located in areas of higher wildfire risk, and whose fire protection service providers have a shortage of reliable equipment and resources.

Sec. 2. RCW 76.04.135 and 2012 c 38 s 2 are each amended to read as follows:

(1) For the purpose of promoting and facilitating cooperation among fire protection agencies, including the department, and between the department and other agencies that manage lands owned by the state, and to more adequately protect life, property, and the natural resources of the state, the department may enter into a contract or agreement with a municipality, county, state, or federal agency to provide fire detection, prevention, presuppression, or suppression services on property which they are responsible to protect or manage.

(2) Contracts or agreements under subsection (1) of this section may contain provisions for the exchange of services on a cooperative basis or services in return for cash payment or other compensation.

(3) No charges may be made when the department determines that under a cooperative contract or agreement the assistance received from a municipality, county, or federal agency on state protected lands equals that provided by the state on municipal, county, or federal lands.

(4) The department may transfer ownership of depreciated firefighting vehicles and related equipment upon terms subject to mutual agreement to local fire districts in wildfire prone areas in all areas of the state, as determined by the department, and where the median household income is below the state average. These vehicle and equipment transfers are exempt from the requirements in RCW 43.19.1919(1). The department must notify the chairs and ranking members of the legislative committees with jurisdiction regarding these transfers at least ten days prior to transfer of the equipment.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "areas;" strike the remainder of the title and insert "amending RCW 76.04.135; adding a new section to chapter 43.30 RCW; and declaring an emergency."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2010 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Maycumber and Ryu spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2010, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2010, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Maeri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2010, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1091 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 26.04.050 and 2012 c 3 s 4 are each amended to read as follows:

The following named officers and persons, active or retired, are hereby authorized to solemnize marriages, to wit:

Justices of the supreme court, judges of the court of appeals, judges of the superior courts, supreme court commissioners, court of appeals commissioners, superior court commissioners, judges of courts of limited jurisdiction as defined in RCW 3.02.010, judges of tribal courts from a federally recognized tribe, and any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any religious organization(~~(7 and judges of courts of limited jurisdiction as defined in RCW 3.02.010)~~). The solemnization of a marriage by a tribal court judge pursuant to authority under this section does not create tribal court jurisdiction and does not affect state court authority as otherwise provided by law to enter a judgment for purposes of any dissolution, legal separation, or other proceedings related to the marriage that is binding on the parties and entitled to full faith and credit. "

On page 1, line 1 of the title, after "marriages;" strike the remainder of the title and insert "and amending RCW 26.04.050."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1091 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Appleton and Rodne spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1091, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1091, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick,

Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, McCaslin, Shea and Taylor.

Excused: Representatives Caldier and Jinkins.

HOUSE BILL NO. 1091, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 81.61.010 and 1977 ex.s. c 2 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise (~~(7 the term)~~):

(1) "Contract crew transportation vehicle," as used in this chapter, means every motor vehicle, designed to transport fifteen or fewer passengers, including the driver, that is owned, leased, operated, or maintained by a person contracting with a railroad company or its agents, contractors, subcontractors, vendors, subvendors, secondary vendors, or subcarriers, and used primarily to provide railroad crew transportation.

(2) "Passenger-carrying vehicle," as used in this chapter, means those buses (~~(and)~~), vans, trucks, and cars owned, operated, and maintained by a railroad company (~~(which)~~) and primarily used to transport (~~(s)~~) railroad employees in other than the cab of such vehicle and designed primarily for operation on roads which may or may not be equipped with retractable flanged wheels for operation on railroad tracks.

NEW SECTION. **Sec. 2.** A new section is added to chapter 81.61 RCW to read as follows:

(1) The commission must regulate persons providing contract railroad crew transportation and every contract crew

transportation vehicle with respect to driver qualifications, equipment safety, safety of operations, hours of service by drivers, passenger safety, drug testing requirements, and record retention. This regulation must be consistent with the manner in which the commission regulates these areas under chapter 81.70 RCW and the manner in which it regulates safety under chapter 81.68 RCW, as well as with the approach used in federal motor carrier safety regulations under Title 49 of the code of federal regulations. In the event of a conflict between this chapter and the laws referenced in this subsection, this chapter governs.

(2) The commission must adopt rules under chapter 34.05 RCW as necessary to carry out this chapter regarding the operation of contract crew transportation vehicles.

(3)(a) The commission must require insurance coverage for each contract crew transportation vehicle that satisfies the following minimum amounts:

(i) Five million dollars combined single limit coverage for bodily injury and property damage liability coverage; and

(ii) Uninsured and underinsured motorist coverage of one million dollars.

(b) If a third party contracts with the person operating the vehicle on behalf of the railroad company or its agents, contractors, subcontractors, vendors, subvendors, secondary vendors, or subcarriers to transport railroad crew, the insurance requirements may be satisfied by either the third party or the person operating the vehicle, so long as the person operating the vehicle names the third party as an additional insured or named insured. The railroad company may also satisfy the insurance requirements. Proof of coverage must be provided to the commission by the person contracting with the railroad company.

(4) The commission must require the form and posting of adequate notices in a conspicuous location in all contract crew transportation vehicles to advise railroad employee passengers of their rights, the opportunity to submit safety complaints to the commission, the complaint process, and contact information for the commission.

(5) The commission must require persons providing contract railroad crew transportation to ensure that all drivers of contract crew transportation vehicles

successfully complete at least eight hours of commission-approved safety training that includes, but is not limited to, vehicle and passenger safety awareness, rail yard safety, grade crossing safety, load securement, and distracted and fatigued driving.

(6) The commission must investigate safety complaints related to contract railroad crew transportation under this chapter and take appropriate enforcement action as authorized.

(7) The commission may enforce this chapter with respect to persons providing contract railroad crew transportation under the authority in RCW 81.04.380 through 81.04.405, including assessing penalties as warranted.

(8) The commission may suspend or revoke a permit upon complaint by any interested party, or upon the commission's own motion after notice and opportunity for hearing, when it finds that any person owning, leasing, operating, or maintaining contract crew transportation vehicles has violated this chapter or the rules of the commission, or that the company or its agent has been found by a court or governmental agency to have violated the laws of a state or the United States.

NEW SECTION. Sec. 3. A new section is added to chapter 81.61 RCW to read as follows:

(1) A person is immediately and automatically disqualified from operating a contract crew transportation vehicle for a period of three years if (a) the person is convicted of, or is found to have committed, two or more traffic violations that result in suspension or revocation of the person's driver's license within a three-year period, for a reason other than the nonpayment of fines, or (b) the person is found guilty of, or is found to have committed, any drug or alcohol-related traffic offense, using a vehicle to commit a felony, leaving the scene of an accident, prohibited passing of another vehicle, a railroad-highway grade crossing offense identified in RCW 46.25.090(8), or driving with a suspended, revoked, or canceled license.

(2) A driver that sustains a conviction or a traffic violation as outlined under this section while employed by a contract carrier must report the conviction or infraction to the carrier within ten days of the date of conviction or the finding that the infraction was committed.

NEW SECTION. **Sec. 4.** A new section is added to chapter 81.61 RCW to read as follows:

(1) The commission must compile data regarding any reported safety complaints, accidents, regulatory violations and fines, and corrective actions taken by the commission involving vehicles regulated under this chapter. A railroad company, and any person that owns or leases, operates, or maintains contract crew transportation vehicles in the state, must, at the request of the commission, provide data relevant to any complaints and accidents, including location, time of day, visibility, a description of the event, whether any property damage or personal injuries resulted, and any corrective action taken by the railroad company, person operating the contract crew transportation vehicle, or commission. The commission must make this data available upon request.

(2) Information included in safety complaints that identifies the employee who submitted the complaint is exempt from public inspection and copying pursuant to RCW 42.56.330.

Sec. 5. RCW 81.61.040 and 1977 ex.s. c 2 s 4 are each amended to read as follows:

(1) The commission may, in enforcing rules and orders under this chapter, inspect any passenger-carrying vehicle ~~((provided by a railroad company to transport employees in the course of their employment))~~ or contract crew transportation vehicle. Upon request, the chief of the state patrol may assist the commission in these inspections.

(2) Consistent with section 2 of this act, the commission must develop an inspection program for contract crew transportation vehicles. This program must require a periodic inspection of each vehicle, including a review of operational practices.

Sec. 6. RCW 42.56.330 and 2015 c 224 s 4 are each amended to read as follows:

The following information relating to public utilities and transportation is exempt from disclosure under this chapter:

(1) Records filed with the utilities and transportation commission or attorney general under RCW 80.04.095 or 81.77.210 that a court has determined are confidential under RCW 80.04.095 or 81.77.210;

(2) The addresses, telephone numbers, electronic contact information, and customer-specific utility usage and billing information in increments less than a billing cycle of the customers of a public utility contained in the records or lists held by the public utility of which they are customers, except that this information may be released to the division of child support or the agency or firm providing child support enforcement for another state under Title IV-D of the federal social security act, for the establishment, enforcement, or modification of a support order;

(3) The names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing program or service. ~~((Participant's [Participants']))~~ Participants' names, general locations, and point of contact may be disclosed to other persons who apply for ride-matching services and who need that information in order to identify potential riders or drivers with whom to share rides;

(4) The personally identifying information of current or former participants or applicants in a paratransit or other transit service operated for the benefit of persons with disabilities or elderly persons;

(5) The personally identifying information of persons who acquire and use transit passes or other fare payment media including, but not limited to, stored value smart cards and magnetic strip cards, except that an agency may disclose personally identifying information to a person, employer, educational institution, or other entity that is responsible, in whole or in part, for payment of the cost of acquiring or using a transit pass or other fare payment media for the purpose of preventing fraud. As used in this subsection, "personally identifying information" includes acquisition or use information pertaining to a specific, individual transit pass or fare payment media.

(a) Information regarding the acquisition or use of transit passes or fare payment media may be disclosed in aggregate form if the data does not contain any personally identifying information.

(b) Personally identifying information may be released to law enforcement

agencies if the request is accompanied by a court order;

(6) Any information obtained by governmental agencies that is collected by the use of a motor carrier intelligent transportation system or any comparable information equipment attached to a truck, tractor, or trailer; however, the information may be given to other governmental agencies or the owners of the truck, tractor, or trailer from which the information is obtained. As used in this subsection, "motor carrier" has the same definition as provided in RCW 81.80.010;

(7) The personally identifying information of persons who acquire and use transponders or other technology to facilitate payment of tolls. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. For these purposes aggregate data may include the census tract of the account holder as long as any individual personally identifying information is not released. Personally identifying information may be released to law enforcement agencies only for toll enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order; ~~((and))~~

(8) The personally identifying information of persons who acquire and use a driver's license or identicaid that includes a radio frequency identification chip or similar technology to facilitate border crossing. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. Personally identifying information may be released to law enforcement agencies only for United States customs and border protection enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order; and

(9) Personally identifying information included in safety complaints submitted under chapter 81.61 RCW.

NEW SECTION. Sec. 7. This act takes effect January 1, 2018."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "railroad crew transportation; amending RCW 81.61.010, 81.61.040, and 42.56.330; adding new

sections to chapter 81.61 RCW; and providing an effective date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stanford and Orcutt spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1105, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1105, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 31, 2017

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1150 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.21A.731 and 2016 c 194 s 2 are each amended to read as follows:

(1) The Chehalis board is created consisting of seven voting members.

(2)(a) Four members of the board must be voting members who are appointed ~~((by))~~ through the governor ~~((~~7~~ subject to confirmation by the senate. One member must represent the Chehalis Indian tribe and one member must represent the Quinault Indian nation))~~). The governor shall invite the Confederated Tribes of the Chehalis Reservation and the Quinault Indian Nation to each designate a voting member of the board. In addition, the governor shall appoint two members of the board, subject to confirmation by the senate. Three board members must be selected by the Chehalis basin flood authority. No member may have a direct financial ((or regulatory)) interest in the ((work)) actions of the board. The governor shall appoint one of the flood authority appointees as the chair. The voting members of the board must be appointed for terms of four years, except that ((two members)) one member appointed by the governor and one member appointed by the flood authority initially must be appointed for terms of two years, and ((three members)) one member appointed by the governor and two members appointed by the flood authority must initially be appointed for terms of three years. In making the appointments, ((the governor)) each appointing authority shall seek a board membership that collectively provides the expertise necessary to provide strong oversight for implementation of the Chehalis basin strategy, that provides extensive knowledge of local government processes and functions, and that has an understanding of issues relevant to reducing flood damages and restoring aquatic species.

(b) In addition to the seven voting members of the board, the following five state officials must serve as ex officio nonvoting members of the board: The director of the department of fish and wildlife, the executive director of the Washington state conservation commission, the secretary of the department of transportation, the director of the department of ecology, and the commissioner of public lands. The state officials serving in an ex officio capacity may designate a representative of their respective agencies to serve on the

board in their behalf. These designations must be made in writing and in such a manner as is specified by the board.

(3) Staff support to the board must be provided by the department. For administrative purposes, the board is located within the department.

(4) Members of the board who do not represent state agencies must be compensated as provided by RCW 43.03.250. Members of the board shall be reimbursed for travel expenses as provided by RCW 43.03.050 and 43.03.060.

(5) The board is responsible for oversight of a long-term strategy resulting from the department's programmatic environmental impact statement for the Chehalis river basin to reduce flood damages and restore aquatic species habitat.

(6) The board is responsible for overseeing the implementation of the strategy and developing biennial and supplemental budget recommendations to the governor.

NEW SECTION. **Sec. 2.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "Laws of 2016;" strike the remainder of the title and insert "amending RCW 43.21A.731; and declaring an emergency."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1150 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Orcutt spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1150, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1150, as amended by the Senate, and the bill passed

the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.
Excused: Representatives Caldier and Jinkins.

HOUSE BILL NO. 1150, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 6, 2017

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1250 with the following amendment:

Beginning on page 1, line 13, strike all of subsection (b) and insert the following:

"(b) (i) Retail outlets may receive lockable boxes, intended for the secure storage of marijuana products and paraphernalia, and related literature as a donation from another person or entity, that is not a marijuana producer, processor, or retailer, for donation to their customers.

(ii) Retail outlets may donate the lockable boxes and provide the related literature to any person eligible to purchase marijuana products under subsection (2) of this section. Retail outlets may not use the donation of lockable boxes or literature as an incentive or as a condition of a recipient's purchase of a marijuana product or paraphernalia.

(iii) Retail outlets may also purchase and sell lockable boxes, provided that the sales price is not less than the cost of acquisition."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1250 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Griffey and Sawyer spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1250, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1250, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

HOUSE BILL NO. 1250, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 7, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1481 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is a need to establish consistency in the quality of driver training education in this state to reduce the number of young driver accidents that are prematurely killing our youth. The

traffic safety commission reports that out of two hundred forty-five fatalities in the first half of 2016, thirty-one involved young drivers aged sixteen to twenty-five. The intent of this act is to require driver training education curriculum to be developed and maintained jointly by the office of the superintendent of public instruction and the department of licensing. The legislature also finds that there is a need to audit driver training education courses; therefore, the intent of this act is also to provide the department of licensing with resources and authority to audit all driver training education courses, in consultation with the superintendent of public instruction for driver training education courses offered by school districts.

Sec. 2. RCW 28A.220.020 and 1990 c 33 s 218 are each amended to read as follows:

~~((The following words and phrases whenever used in chapter 28A.220 RCW shall have the following meaning:))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Superintendent" or "state superintendent" ~~((shall))~~ means the superintendent of public instruction.

(2) ~~((Traffic safety))~~ Driver training education course ~~((shall))~~ means ~~((an accredited))~~ a course of instruction in traffic safety education ~~((which shall consist of two phases, classroom instruction, and laboratory experience. "Laboratory experience" shall include on-street, driving range, or simulator experience or some combination thereof. Each phase shall meet basic course requirements which shall be established by the superintendent of public instruction and each part of said course shall be))~~

(a) offered as part of a traffic safety education program authorized by the superintendent of public instruction and certified by the department of licensing and (b) taught by a qualified teacher of ~~((traffic safety))~~ driver training education that consists of classroom and behind-the-wheel instruction using curriculum that meets joint superintendent of public instruction and department of licensing standards and the course requirements established by the superintendent of public instruction under RCW 28A.220.030. Behind-the-wheel instruction is characterized by driving experience. ~~((Any portions of the course may be taught after regular school hours~~

~~or on Saturdays as well as on regular school days or as a summer school course, at the option of the local school districts.))~~

(3) "Qualified teacher of ~~((traffic safety))~~ driver training education" ~~((shall))~~ means an instructor ~~((certificated under the provisions of chapter 28A.410 RCW and certificated by the superintendent of public instruction to teach either the classroom phase or the laboratory phase of the traffic safety education course, or both, under regulations promulgated by the superintendent: PROVIDED, That the laboratory experience phase of the traffic safety education course may be taught by instructors certificated under rules promulgated by the superintendent of public instruction, exclusive of any requirement that the instructor be certificated under the provisions of chapter 28A.410 RCW. Professional instructors certificated under the provisions of chapter 46.92 RCW, and participating in this program, shall be subject to reasonable qualification requirements jointly adopted by the superintendent of public instruction and the director of licensing))~~ who:

(a) Is certificated under chapter 28A.410 RCW and has obtained a traffic safety endorsement or a letter of approval to teach traffic safety education from the superintendent of public instruction or is certificated by the superintendent of public instruction to teach a driver training education course; or

(b) Is an instructor provided by a driver training school that has contracted with a school district's or districts' board of directors under RCW 28A.220.030(3) to teach driver education for the school district.

(4) ~~(("Realistic level of effort"))~~ "Appropriate course delivery standards" means the classroom and ~~((laboratory))~~ behind-the-wheel student learning experiences considered acceptable to the superintendent of public instruction under RCW 28A.220.030 that must be satisfactorily accomplished by the student in order to successfully complete the ~~((traffic safety))~~ driver training education course.

(5) "Approved private school" means a private school approved by the board of education under chapter 28A.195 RCW.

(6) "Director" means the director of the department of licensing.

(7) "Traffic safety education program" means the administration and provision of driver training education courses offered by secondary schools of a school district or vocational-technical schools that are conducted by such schools in a like manner to their other regular courses.

Sec. 3. RCW 28A.220.030 and 2011 c 370 s 2 are each amended to read as follows:

(1) The superintendent of public instruction is authorized to establish a section of traffic safety education, and through such section shall: Define ~~((a "realistic level of effort"))~~ appropriate course delivery standards required to provide an effective ~~((traffic safety))~~ driver training education course, establish a level of driving competency required of each student to successfully complete the course, and ensure that an effective statewide program is implemented and sustained~~((r))~~; administer, supervise, and develop the traffic safety education program; and ~~((shall))~~ assist local school districts and approved private schools in the conduct of their traffic safety education programs. The superintendent shall adopt necessary rules ~~((and regulations))~~ governing the operation and scope of the traffic safety education program; and each school district and approved private school shall submit a report to the superintendent on the condition of its traffic safety education program: PROVIDED, That the superintendent shall monitor the quality of the program and carry out the purposes of this chapter.

(2) (a) The board of directors of any school district maintaining a secondary school which includes any of the grades 10 to 12, inclusive, or any approved private school which includes any of the grades 10 to 12, inclusive, may establish and maintain a traffic safety education ((course)) program.

(b) Any school district or approved private school that offers a driver training education course must certify to the department of licensing that it is operating a traffic safety education program, that the driver training education course follows the curriculum promulgated by the office of the superintendent of public instruction and the department of licensing, that it meets the course delivery standards promulgated by the office of the superintendent of public instruction, that a record retention policy is in place to meet the requirements of subsection (5) of this

section, and that the school district or approved private school has verified that all instructors are authorized by the office of the superintendent of public instruction to teach a driver training education course.

(c) Any portion of a driver training education course offered by a school district may be taught before or after regular school hours or on Saturdays as well as on regular school days or as a summer school course, at the option of the local school district. If a school district elects to offer a ((traffic safety)) driver training education course and has within its boundaries a private accredited secondary school which includes any of the grades 10 to 12, inclusive, at least one ((class in traffic safety education shall)) driver training education course must be given at times other than regular school hours if there is sufficient demand ((therefor)) for it.

(3) (a) A qualified teacher of driver training education must be certificated under chapter 28A.410 RCW and obtain a traffic safety endorsement or a letter of approval to teach traffic safety education from the superintendent of public instruction to teach either the classroom instruction or the behind-the-wheel instruction portion of the driver training education course, or both, under rules adopted by the superintendent. The classroom or behind-the-wheel instruction portion of the driver training education course may also be taught by instructors certificated under rules adopted by the superintendent of public instruction, exclusive of any requirement that the instructor be certificated under chapter 28A.410 RCW.

(b) The superintendent shall establish a required minimum number of hours of continuing traffic safety education for qualified teachers of driver training education.

(4) The board of directors of a school district, or combination of school districts, may contract with any ((drivers)) driver training school licensed under ((the provisions of)) chapter 46.82 RCW to teach the ((laboratory phase)) behind-the-wheel instruction portion of the ((traffic safety)) driver training education course. Instructors provided by any such contracting ((drivers)) driver training school must be properly qualified teachers of ((traffic safety)) driver training education under the joint qualification

requirements adopted by the superintendent of public instruction and the director of licensing.

~~((4) The superintendent shall establish a required minimum number of hours of continuing traffic safety education for traffic safety education instructors. The superintendent may phase in the requirement over not more than five years.))~~

(5) Each school district or approved private school offering a traffic safety education program must maintain: (a) Documentation of each instructor's name and address and that establishes the instructor as a qualified teacher of driver training education as defined in RCW 28A.220.020; and (b) student records that include the student's name, address, and telephone number, the date of enrollment and all dates of instruction, the student's driver's instruction permit or driver's license number, the type of training received, the total number of hours of instruction, and the name of the instructor or instructors. These records must be maintained for three years following the completion of the instruction and are subject to inspection upon request of the department of licensing or the office of the superintendent of public instruction. The superintendent may adopt rules regarding the retention of additional documents that are subject to inspection by the department of licensing or the office of the superintendent of public instruction.

(6) A driver training education course may not be offered by a school district or an approved private school to a student who is under the age of fifteen, and behind-the-wheel instruction may not be given by an instructor to a student in a motor vehicle unless the student possesses either a current and valid driver's instruction permit issued under RCW 46.20.055 or a current and valid driver's license.

(7) School districts that offer a ~~((traffic safety))~~ driver training education ((program)) course under this chapter may administer the portions of the driver licensing examination that test the applicant's knowledge of traffic laws and ability to safely operate a motor vehicle as authorized under RCW 46.20.120(7). The superintendent shall work with the department of licensing, in consultation with school districts that offer a traffic safety education program, to develop standards and requirements for

administering each portion of the driver licensing examination that are comparable to the standards and requirements for driver training schools under RCW 46.82.450.

~~((6))~~ (8) Before a school district may provide a portion of the driver licensing examination, the school district must, after consultation with the superintendent, enter into an agreement with the department of licensing that sets forth an accountability and audit process that takes into account the unique nature of school district facilities and school hours and, at a minimum, contains provisions that:

(a) Allow the department of licensing to conduct random examinations, inspections, and audits without prior notice;

(b) Allow the department of licensing to conduct on-site inspections at least annually;

(c) Allow the department of licensing to test, at least annually, a random sample of the drivers approved by the school district for licensure and to cancel any driver's license that may have been issued to any driver selected for testing who refuses to be tested; and

(d) Reserve to the department of licensing the right to take prompt and appropriate action against a school district that fails to comply with state or federal standards for a driver licensing examination or to comply with any terms of the agreement.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.220 RCW to read as follows:

The office of the superintendent of public instruction and the department of licensing shall jointly develop and maintain a required curriculum for school districts and approved private schools operating a traffic safety education program. The jointly developed curriculum must be prepared by August 1, 2018. The curriculum and instructional materials must comply with the course content requirements of RCW 46.82.420(2) and 46.82.430. In developing the curriculum, the office of the superintendent of public instruction and the department of licensing shall consult with one or more of Central Washington University's traffic safety education instructors or program content developers.

NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.220 RCW to read as follows:

(1) The department of licensing shall develop and administer the certification process required under RCW 28A.220.030 for a school district's or approved private school's traffic safety education program in consultation with the superintendent.

(2) The department of licensing shall conduct audits of traffic safety education programs to ensure that the instructors are qualified teachers of driver training education and teaching the required curriculum material, and that accurate records are maintained and accurate information is provided to the department of licensing regarding student performance. Each school district and approved private school may be audited at least once every five years or more frequently. The audit process must take into account the unique nature of school district facilities, operations, and hours. As part of its audit process, the department of licensing may examine all relevant information, including driver training education course curriculum materials and student records, and visit any course in progress that is part of the traffic safety education program. The director shall consult with the superintendent in developing and carrying out these auditing practices.

(3) The department of licensing may suspend a school's or school district's traffic safety education program certification if: The school or school district does not follow the curriculum promulgated by the office of the superintendent of public instruction and the department of licensing, any program instructors are not qualified teachers of driver training education, accurate records have not been maintained under RCW 28A.220.030(5) or accurate information regarding student performance has not been provided to the department of licensing, or the school or school district refuses to cooperate with the department of licensing audit process authorized under this chapter. The director shall consult with the superintendent in developing and carrying out these program certification suspension practices.

Sec. 6. RCW 46.20.055 and 2012 c 80 s 5 are each amended to read as follows:

(1) **Driver's instruction permit.** The department may issue a driver's instruction permit with or without a

photograph to an applicant who has successfully passed all parts of the examination other than the driving test, provided the information required by RCW 46.20.091, paid an application fee of twenty-five dollars, and meets the following requirements:

(a) Is at least fifteen and one-half years of age; or

(b) Is at least fifteen years of age and:

(i) Has submitted a proper application; and

(ii) Is enrolled in a (~~traffic safety~~) driver training education (~~program~~) course offered (~~approved, and accredited~~) as part of a traffic safety education program authorized by the office of the superintendent of public instruction and certified under chapter 28A.220 RCW or offered by a driver training school licensed and inspected by the department of licensing under chapter 46.82 RCW, that includes practice driving.

(2) **Waiver of written examination for instruction permit.** The department may waive the written examination, if, at the time of application, an applicant is enrolled in(~~+~~

~~(a)) a (~~traffic safety~~) driver training education course as defined (~~by RCW 28A.220.020(2)~~; or~~

~~(b) A course of instruction offered by a licensed driver training school as defined by)) in RCW 46.82.280 or 28A.220.020.~~

The department may require proof of registration in such a course as it deems necessary.

(3) **Effect of instruction permit.** A person holding a driver's instruction permit may drive a motor vehicle, other than a motorcycle, upon the public highways if:

(a) The person has immediate possession of the permit;

(b) The person is not using a wireless communications device, unless the person is using the device to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property; and

(c) (~~An approved~~) A driver training education course instructor who meets the qualifications of chapter 46.82 or 28A.220 RCW, or a licensed driver with at least

five years of driving experience, occupies the seat beside the driver.

(4) **Term of instruction permit.** A driver's instruction permit is valid for one year from the date of issue.

(a) The department may issue one additional one-year permit.

(b) The department may issue a third driver's permit if it finds after an investigation that the permittee is diligently seeking to improve driving proficiency.

(c) A person applying for an additional instruction permit must submit the application to the department in person and pay an application fee of twenty-five dollars for each issuance.

Sec. 7. RCW 46.20.100 and 2010 1st sp.s. c 7 s 18 are each amended to read as follows:

(1) **Application.** The application of a person under the age of eighteen years for a driver's license or a motorcycle endorsement must be signed by a parent or guardian with custody of the minor. If the person under the age of eighteen has no father, mother, or guardian, then the application must be signed by the minor's employer.

(2) **Traffic safety education requirement.** For a person under the age of eighteen years to obtain a driver's license, he or she must meet the traffic safety education requirements of this subsection.

(a) To meet the traffic safety education requirement for a driver's license, the applicant must satisfactorily complete a ~~((traffic safety))~~ driver training education course as defined in RCW 28A.220.020 for a course offered by a school district or approved private school, or as defined by the department of licensing for a course offered by a driver training school licensed under chapter 46.82 RCW. The course offered by a school district or an approved private school must ~~((meet the standards established))~~ be part of a traffic safety education program authorized by the office of the ((state)) superintendent of public instruction and certified under chapter 28A.220 RCW. The course offered by a driver training school must meet the standards established by the department of licensing under chapter 46.82 RCW. The ~~((traffic safety))~~ driver training education course may be provided by:

(i) A ~~((recognized))~~ secondary school within a school district or approved private school that establishes and maintains an approved and certified traffic safety education program under chapter 28A.220 RCW; or

(ii) A driver training school licensed under chapter 46.82 RCW that is annually approved by the department of licensing.

(b) To meet the traffic safety education requirement for a motorcycle endorsement, the applicant must successfully complete a motorcycle safety education course that meets the standards established by the department of licensing.

(c) The department may waive the ~~((traffic safety))~~ driver training education course requirement for a driver's license if the applicant demonstrates to the department's satisfaction that:

(i) He or she was unable to take or complete a ~~((traffic safety))~~ driver training education course;

(ii) A need exists for the applicant to operate a motor vehicle; and

(iii) He or she has the ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property.

The department may adopt rules to implement this subsection (2)(c) in concert with the supervisor of the traffic safety education section of the office of the superintendent of public instruction.

(d) The department may waive the ~~((traffic safety))~~ driver training education course requirement if the applicant was licensed to drive a motor vehicle or motorcycle outside this state and provides proof that he or she has had education equivalent to that required under this subsection.

Sec. 8. RCW 46.82.280 and 2010 1st sp.s. c 7 s 19 are each amended to read as follows:

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

(1) "Behind-the-wheel instruction" means instruction in an approved driver training school instruction vehicle according to and inclusive of the ~~((minimum))~~ required curriculum. Behind-the-wheel instruction is characterized by driving experience.

(2) "Classroom" means a space dedicated to and used exclusively by a driver training instructor for the instruction of students. With prior department approval, a branch office classroom may be located within alternative facilities, such as a public or private library, school, community college, college or university, or a business training facility.

(3) "Classroom instruction" means that portion of a traffic safety education course that is characterized by classroom-based student instruction using the required curriculum conducted by or under the direct supervision of a licensed instructor or licensed instructors.

(4) "Director" means the director of the department of licensing of the state of Washington.

(5) "Driver training education course" means a course of instruction in traffic safety education approved and licensed by the department of licensing that consists of classroom and behind-the-wheel instruction ~~((as documented by the minimum))~~ that follows the approved curriculum.

(6) "Driver training school" means a commercial driver training school engaged in the business of giving instruction, for a fee, in the operation of automobiles.

(7) "Enrollment" means the collecting of a fee or the signing of a contract for a driver training education course. "Enrollment" does not include the collecting of names and contact information for enrolling students once a driver training school is licensed to instruct.

(8) "Fraudulent practices" means any conduct or representation on the part of a driver training school owner or instructor including:

(a) Inducing anyone to believe, or to give the impression, that a license to operate a motor vehicle or any other license granted by the director may be obtained by any means other than those prescribed by law, or furnishing or obtaining the same by illegal or improper means, or requesting, accepting, or collecting money for such purposes;

(b) Operating a driver training school without a license, providing instruction without an instructor's license, verifying enrollment prior to being licensed, misleading or false statements on applications for a commercial driver

training school license or instructor's license or on any required records or supporting documentation;

(c) Failing to fully document and maintain all required driver training school records of instruction, school operation, and instructor training;

(d) Issuing a driver training course certificate without requiring completion of the necessary behind-the-wheel and classroom instruction.

(9) "Instructor" means any person employed by or otherwise associated with a driver training school to instruct persons in the operation of an automobile.

(10) "Owner" means an individual, partnership, corporation, association, or other person or group that holds a substantial interest in a driver training school.

(11) "Person" means any individual, firm, corporation, partnership, or association.

(12) "Place of business" means a designated location at which the business of a driver training school is transacted or its records are kept.

(13) "Student" means any person enrolled in an approved driver training course.

(14) "Substantial interest holder" means a person who has actual or potential influence over the management or operation of any driver training school. Evidence of substantial interest includes, but is not limited to, one or more of the following:

(a) Directly or indirectly owning, operating, managing, or controlling a driver training school or any part of a driver training school;

(b) Directly or indirectly profiting from or assuming liability for debts of a driver training school;

(c) Is an officer or director of a driver training school;

(d) Owning ten percent or more of any class of stock in a privately or closely held corporate driver training school, or five percent or more of any class of stock in a publicly traded corporate driver training school;

(e) Furnishing ten percent or more of the capital, whether in cash, goods, or services, for the operation of a driver

training school during any calendar year;
or

(f) Directly or indirectly receiving a salary, commission, royalties, or other form of compensation from the activity in which a driver training school is or seeks to be engaged.

Sec. 9. RCW 46.82.320 and 2009 c 101 s 4 are each amended to read as follows:

(1) No person affiliated with a driver training school shall give instruction in the operation of an automobile for a fee without a license issued by the director for that purpose. An application for an original or renewal instructor's license shall be filed with the director, containing such information as prescribed by this chapter and by the director, accompanied by an application fee set by rule of the department, which shall in no event be refunded. An application for a renewal instructor's license must be accompanied by proof of the applicant's continuing professional development that meets the standards adopted by the director. If the applicant satisfactorily meets the application requirements (~~and the examination requirements~~) as prescribed in RCW 46.82.330, the applicant shall be granted a license valid for a period of two years from the date of issuance. An applicant for a renewal instructor's license is not required to retake the examination specified in RCW 46.82.330 to renew his or her instructor's license if his or her original instructor's license is unexpired or has not been expired for longer than six months before submission of his or her renewal application.

(2) The director shall issue a license certificate to each qualified applicant.

(a) An employing driver training school must conspicuously display an instructor's license at its established place of business and display copies of the instructor's license at any branch office where the instructor provides instruction.

(b) Unless revoked, canceled, or denied by the director, the license shall remain the property of the licensee in the event of termination of employment or employment by another driver training school.

(c) If the director has not received a renewal application on or before the date a license expires, the license (~~will be voided~~) is void, requiring a new application as provided for in this chapter, including (~~examination and~~)

payment of all fees, as well as an examination subject to the exception in subsection (1) of this section.

(d) If revoked, canceled, or denied by the director, the license must be surrendered to the department within ten days following the effective date of such action.

(3) Each licensee shall be provided with a wallet-size identification card by the director at the time the license is issued which shall be in the instructor's immediate possession at all times while engaged in instructing.

(4) The person to whom an instructor's license has been issued shall notify the director in writing within ten days of any change of employment or termination of employment, providing the name and address of the new driver training school by whom the instructor will be employed.

Sec. 10. RCW 46.82.330 and 2010 1st sp.s. c 7 s 21 are each amended to read as follows:

(1) The application for an instructor's license shall document the applicant's fitness, knowledge, skills, and abilities to teach the classroom and behind-the-wheel (~~phases~~) instruction portions of a driver training education program in a commercial driver training school.

(2) An applicant shall be eligible to apply for an original instructor's certificate if the applicant possesses and meets the following qualifications and conditions:

(a) Has been licensed to drive for five or more years and possesses a current and valid Washington driver's license or is a resident of a jurisdiction immediately adjacent to Washington state and possesses a current and valid license issued by such jurisdiction, and does not have on his or her driving record any of the violations or penalties set forth in (a)(i), (ii), or (iii) of this subsection. The director shall have the right to examine the driving record of the applicant from the department of licensing and from other jurisdictions and from these records determine if the applicant has had:

(i) Not more than one moving traffic violation within the preceding twelve months or more than two moving traffic violations in the preceding twenty-four months;

(ii) No drug or alcohol-related traffic violation or incident within the preceding

three years. If there are two or more drug or alcohol-related traffic violations in the applicant's driving history, the applicant is no longer eligible to be a driving instructor; and

(iii) No driver's license suspension, cancellation, revocation, or denial within the preceding two years, or no more than two of these occurrences in the preceding five years;

(b) Is a high school graduate or the equivalent and at least twenty-one years of age;

(c) Has completed an acceptable application on a form prescribed by the director;

(d) Has satisfactorily completed a course of instruction in the training of drivers acceptable to the director that is no less than sixty hours in length and includes instruction in classroom and behind-the-wheel teaching methods and supervised practice behind-the-wheel teaching of driving techniques; and

(e) Has paid an examination fee as set by rule of the department and has successfully completed an instructor's examination.

Sec. 11. RCW 46.82.360 and 2009 c 101 s 7 are each amended to read as follows:

The license of any driver training school or instructor may be suspended, revoked, denied, or refused renewal, or such other disciplinary action authorized under RCW 18.235.110 may be imposed, for failure to comply with the business practices specified in this section.

(1) No place of business shall be established nor any business of a driver training school conducted or solicited within one thousand feet of an office or building owned or leased by the department of licensing in which examinations for drivers' licenses are conducted. The distance of one thousand feet shall be measured along the public streets by the nearest route from the place of business to such building.

(2) Any automobile used by a driver training school or an instructor for instruction purposes must be equipped with:

(a) Dual controls for foot brake and clutch, or foot brake only in a vehicle equipped with an automatic transmission;

(b) An instructor's rear view mirror; and

(c) A sign in legible, printed English letters displayed on the back or top, or both, of the vehicle that:

(i) Is not less than twenty inches in horizontal width or less than ten inches in vertical height;

(ii) Has the words "student driver," "instruction car," or "driving school" in letters at least two and one-half inches in height near the top;

(iii) Has the name and telephone number of the school in similarly legible letters not less than one inch in height placed somewhere below the aforementioned words;

(iv) Has lettering and background colors that make it clearly readable at one hundred feet in clear daylight;

(v) Is displayed at all times when instruction is being given.

(3) Instruction may not be given by an instructor to a student who is under the age of fifteen, and behind-the-wheel instruction may not be given by an instructor to a student in an automobile unless the student possesses a current and valid instruction permit issued pursuant to RCW 46.20.055 or a current and valid driver's license.

(4) No driver training school or instructor shall advertise or otherwise indicate that the issuance of a driver's license is guaranteed or assured as a result of the course of instruction offered.

(5) No driver training school or instructor shall utilize any types of advertising without using the full, legal name of the school and identifying itself as a driver training school. Instruction vehicles and equipment, classrooms, driving simulators, training materials and services advertised must be available in a manner as might be expected by the average person reading the advertisement.

(6) A driver training school shall have an established place of business owned, rented, or leased by the school and regularly occupied and used exclusively for the business of giving driver instruction. The established place of business of a driver training school shall be located in a district that is zoned for business or commercial purposes or zoned for conditional use permits for schools, trade schools, or colleges. However, the use of public or private schools does not alleviate the driver training school from securing and maintaining an established

place of business or from using its own classroom on a regular basis as required under this chapter.

(a) The established place of business, branch office, or classroom or advertised address of any such driver training school shall not consist of or include a house trailer, residence, tent, temporary stand, temporary address, bus, telephone answering service if such service is the sole means of contacting the driver training school, a room or rooms in a hotel or rooming house or apartment house, or premises occupied by a single or multiple-unit dwelling house.

(b) A driver training school may lease classroom space within a public or private school that is recognized and regulated by the office of the superintendent of public instruction to conduct student instruction as approved by the director. However, such use of public or private classroom space does not alleviate the driver training school from securing and maintaining an established place of business nor from using its own classroom on a regular basis as required by this chapter.

(c) To classify as a branch office or classroom the facility must be within a thirty-five mile radius of the established place of business. The department may waive or extend the thirty-five mile restriction for driver training schools located in counties below the median population density.

(d) Nothing in this subsection may be construed as limiting the authority of local governments to grant conditional use permits or variances from zoning ordinances.

(7) No driver training school or instructor shall conduct any type of instruction or training on a course used by the department of licensing for testing applicants for a Washington driver's license.

(8) Each driver training school shall maintain its student, instructor, vehicle, insurance, and operating records at its established place of business.

(a) Student records must include the student's name, address, and telephone number, date of enrollment and all dates of instruction, the student's instruction permit or driver's license number, the type of training given, the total number of hours of instruction, and the name and signature of the instructor or instructors.

(b) Vehicle records shall include the original insurance policies and copies of the vehicle registration for all instruction vehicles.

(c) Student and instructor records shall be maintained for three years following the completion of the instruction. Vehicle records shall be maintained for five years following their issuance. All records shall be made available for inspection upon the request of the department.

(d) Upon a transfer or sale of school ownership the school records shall be transferred to and become the property and responsibility of the new owner.

(9) Each driver training school shall, at its established place of business, display, in a place where it can be seen by all clients, a copy of the required (~~minimum~~) curriculum furnished by the department (~~and a copy of the school's own curriculum~~). Copies of the required (~~minimum~~) curriculum are to be provided to driver training schools and instructors by the director.

(10) Driver training schools and instructors shall submit to periodic inspections of their business practices, facilities, records, and insurance by authorized representatives of the director of the department of licensing.

Sec. 12. RCW 46.82.420 and 2010 1st sp.s. c 7 s 22 are each amended to read as follows:

(1) The department and the office of the superintendent of public instruction shall jointly develop and maintain a (~~basic minimum~~) required curriculum (~~and~~) as specified in section 4 of this act. The department shall furnish to each qualifying applicant for an instructor's license or a driver training school license a copy of such curriculum.

(2) In addition to information on the safe, lawful, and responsible operation of motor vehicles on the state's highways, the (~~basic minimum~~) required curriculum shall include information on:

(a) Intermediate driver's license issuance, passenger and driving restrictions and sanctions for violating the restrictions, and the effect of traffic violations and collisions on the driving privileges;

(b) The effects of alcohol and drug use on motor vehicle operators, including information on drug and alcohol related

traffic injury and mortality rates in the state of Washington and the current penalties for driving under the influence of drugs or alcohol;

(c) Motorcycle awareness, approved by the director, to ensure new operators of motor vehicles have been instructed in the importance of safely sharing the road with motorcyclists;

(d) Bicycle safety, to ensure that operators of motor vehicles have been instructed in the importance of safely sharing the road with bicyclists; and

(e) Pedestrian safety, to ensure that operators of motor vehicles have been instructed in the importance of safely sharing the road with pedestrians.

(3) Should the director be presented with acceptable proof that any licensed instructor or driver training school is not showing proper diligence in teaching (~~(such basic minimum)~~) the required curriculum (~~(as required)~~), the instructor or school shall be required to appear before the director and show cause why the license of the instructor or school should not be revoked for such negligence. If the director does not accept such reasons as may be offered, the director may revoke the license of the instructor or school, or both.

NEW SECTION. Sec. 13. The department of licensing and the office of the superintendent of public instruction must work together on the transfer and coordination of responsibilities to comply with this act.

NEW SECTION. Sec. 14. The following acts or parts of acts are each repealed:

(1) RCW 28A.220.050 (Information on proper use of left-hand lane) and 1986 c 93 s 4;

(2) RCW 28A.220.060 (Information on effects of alcohol and drug use) and 1991 c 217 s 2;

(3) RCW 28A.220.080 (Information on motorcycle awareness) and 2007 c 97 s 4 & 2004 c 126 s 1; and

(4) RCW 28A.220.085 (Information on driving safely among bicyclists and pedestrians) and 2008 c 125 s 4.

NEW SECTION. Sec. 15. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 16. Except for section 13 of this act, this act takes effect August 1, 2018."

On page 1, line 3 of the title, after "schools;" strike the remainder of the title and insert "amending RCW 28A.220.020, 28A.220.030, 46.20.055, 46.20.100, 46.82.280, 46.82.320, 46.82.330, 46.82.360, and 46.82.420; adding new sections to chapter 28A.220 RCW; creating new sections; repealing RCW 28A.220.050, 28A.220.060, 28A.220.080, and 28A.220.085; and providing an effective date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1481 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Hayes and Wylie spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1481, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1481, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Caldier and Jinkins.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1481, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 31, 2017

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1648 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 84.56.020 and 2014 c 13 s 1 are each amended to read as follows:

(1) The county treasurer must be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. No treasurer may accept tax payments or issue receipts for the same until the treasurer has completed the tax roll for the current year's collection and provided notification of the completion of the roll. Notification may be accomplished electronically, by posting a notice in the office, or through other written communication as determined by the treasurer. All ~~((taxes upon))~~ real and personal property taxes and assessments made payable by the provisions of this title are due and payable to the county treasurer on or before the thirtieth day of April and, except as provided in this section, ~~((shall be))~~ are delinquent after that date.

(2) Each tax statement must include a notice that checks for payment of taxes may be made payable to "Treasurer of County" or other appropriate office, but tax statements may not include any suggestion that checks may be made payable to the name of the individual holding the office of treasurer nor any other individual.

(3) When the total amount of tax or special assessments on personal property or on any lot, block or tract of real property payable by one person is fifty dollars or more, and if one-half of such tax ~~((be))~~ is paid on or before the thirtieth day of April, the remainder of such tax is due and payable on or before the following thirty-first day of October ~~((following and shall be))~~ and is delinquent after that date.

(4) When the total amount of tax or special assessments on any lot, block or tract of real property or on any mobile home payable by one person is fifty dollars or more, and if one-half of such tax ~~((be))~~ is paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of tax payable for that year, the remainder of such tax is due and payable on or before the following thirty-first day of October ~~((following))~~ and is delinquent after that date.

(5) Except as provided in (c) of this subsection, delinquent taxes under this section are subject to interest at the rate of twelve percent per annum computed on a monthly basis on the amount of tax delinquent from the date of delinquency until paid. Interest must be calculated at the rate in effect at the time of the tax payment ~~((of the tax))~~, regardless of when the taxes were first delinquent. In addition, delinquent taxes under this section are subject to penalties as follows:

(a) A penalty of three percent of the amount of tax delinquent is assessed on the tax delinquent on June 1st of the year in which the tax is due.

(b) An additional penalty of eight percent is assessed on the ~~((amount of tax))~~ delinquent tax amount on December 1st of the year in which the tax is due.

(c) If a taxpayer is successfully participating in a payment agreement under subsection (12)(b) of this section or a partial payment ~~((agreement under subsection (11)(b) of this section))~~ program pursuant to subsection (13) of this section, the county treasurer may not assess additional penalties on delinquent taxes that are included within the payment agreement. Interest and penalties that have been assessed prior to the payment agreement remain due and payable as provided in the payment agreement.

(6)(a) When real property taxes become delinquent and prior to the filing of the certificate of delinquency, the treasurer is authorized to assess and collect tax foreclosure avoidance costs.

(b) For the purposes of this section, "tax foreclosure avoidance costs" means those ~~((costs that can be identified specifically))~~ direct costs associated with the administration of properties subject to and prior to foreclosure. Tax foreclosure avoidance costs include:

(i) Compensation of employees for the time devoted ~~((and identified specifically))~~ to administering the avoidance of property foreclosure; and

(ii) The cost of materials, services, or equipment acquired, consumed, or expended ~~((specifically for the purpose of))~~ in administering tax foreclosure avoidance prior to the filing of a certificate of delinquency.

(c) When tax foreclosure avoidance costs are collected, ~~((the tax foreclosure avoidance costs))~~ such costs must be credited to the county treasurer service fund account, except as otherwise directed.

(d) For purposes of chapter 84.64 RCW, any taxes, interest, or penalties deemed delinquent under this section remain delinquent until such time as all taxes, interest, and penalties for the tax year in which the taxes were first due and payable have been paid in full.

(7) Subsection (5) of this section notwithstanding, no interest or penalties may be assessed during any period of armed conflict ~~((on))~~ regarding delinquent taxes imposed on the personal residences owned by active duty military personnel who are participating as part of one of the branches of the military involved in the conflict and assigned to a duty station outside the territorial boundaries of the United States.

(8) During a state of emergency declared under RCW 43.06.010(12), the county treasurer, on his or her own motion or at the request of any taxpayer affected by the emergency, may grant extensions of the due date of any taxes payable under this section as the treasurer deems proper.

(9) All collections of interest on delinquent taxes must be credited to the county current expense fund.

(10) For purposes of this chapter, "interest" means both interest and penalties.

~~((10) All collections of interest on delinquent taxes must be credited to the county current expense fund; but)~~

(11) The direct cost of foreclosure and sale of real property, and the direct fees and costs of distraint and sale of personal property, for delinquent taxes, must, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the

foreclosure or distraint or sale; and must be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint, and sale ~~((for))~~ because of delinquent taxes without regard to budget limitations and not subject to indirect costs of other charges.

~~((11))~~ (12)(a) For purposes of this chapter, and in accordance with this section and RCW 36.29.190, the treasurer may collect taxes, assessments, fees, rates, interest, and charges by electronic ~~((bill presentment))~~ billing and payment. Electronic ~~((bill presentment))~~ billing and payment may be ~~((utilized))~~ used as an option by the taxpayer, but the treasurer may not require the use of electronic ~~((bill presentment))~~ billing and payment. Electronic bill presentment and payment may be on a monthly or other periodic basis as the treasurer deems proper for delinquent tax year payments only or for prepayments of current tax. All prepayments must be paid in full by the due date specified in (c) of this subsection. Payments on past due taxes must include collection of the oldest delinquent year, which includes interest and taxes within a twelve-month period, prior to filing a certificate of delinquency under chapter 84.64 RCW or distraint pursuant to RCW 84.56.070.

(b) The treasurer ~~((must))~~ may provide, by electronic means or otherwise, a payment agreement that provides for payment of current year taxes, inclusive of prepayment collection charges. The treasurer may provide, by electronic means or otherwise, a payment agreement for payment of past due delinquencies, which must also require current year taxes to be paid timely. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic or alternative bill, which includes a payment plan for current year taxes. The treasurer may accept partial payment of current and delinquent taxes including interest and penalties using electronic bill presentment and payments.

(c) All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and are delinquent after that date. The remainder of the tax is due and payable on or before the following thirty-first ~~((day))~~ of October ~~((following))~~ and is delinquent after that date. All other

assessments, fees, rates, and charges are delinquent after the due date.

(d) A county treasurer may authorize payment of past due property taxes, penalties, and interest under this chapter by electronic funds transfers ~~((payments))~~ on a monthly basis. Delinquent taxes are subject to interest and penalties, as provided in subsection (5) of this section.

(e) The treasurer must pay any collection costs, investment earnings, or both on past due payments or prepayments to the credit of a county treasurer service fund account to be created and used only for the payment of expenses incurred by the treasurer, without limitation, in administering the system for collecting prepayments.

~~((12))~~ (13) In addition to the payment program in subsection (12)(b) of this section, the treasurer may accept partial payment of current and delinquent taxes including interest and penalties by any means authorized.

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

(a) "Electronic ~~((bill presentment))~~ billing and payment" means statements, invoices, or bills that are created, delivered, and paid using the internet. The term includes an automatic electronic payment from a person's checking account, debit account, or credit card.

(b) "Internet" has the same meaning as provided in RCW 19.270.010.

Sec. 2. RCW 84.56.050 and 1991 c 245 s 17 are each amended to read as follows:

(1) ~~On ((receiving the tax rolls the treasurer shall post)) receipt of the certification of the tax rolls from the county assessor, the county treasurer must transfer all real and personal property taxes from the rolls to the treasurer's tax roll, and ((shall)) must carry forward to the current tax rolls a memorandum of all delinquent taxes on each and every description of property, ((and enter the same on the property upon which the taxes are delinquent showing the amounts for each year. The treasurer shall notify each taxpayer in the county, at the expense of the county, of the amount of the real and personal property, and the current and delinquent amount of tax due on the same, and the treasurer shall have printed on~~

~~the notice the name of each tax and the levy made on the same. The county treasurer shall be the sole collector of all delinquent taxes and all other taxes due and collectible on the tax rolls of the county: PROVIDED, That the term "taxpayer" as used in this section shall)) entering which taxes are delinquent and the amounts for each year. Except as provided otherwise in this section, the treasurer must provide a printed notice or electronically publish, at the expense of the county, information for each taxpayer, regarding the amount of real and personal property, and the name of each tax and levy made on the same. The county treasurer must be the sole collector of all taxes, current or delinquent.~~

(2) For the purposes of this section, "taxpayer" means any person charged, or whose property is charged, with property tax~~((and))~~.

(3) The person to be notified ~~((is that))~~ under this section is the person whose name appears on the tax roll herein mentioned~~((: PROVIDED, FURTHER, That))~~. However, if:

(a) No name so appears the person to be notified is ~~((that))~~ the person shown by the treasurer's tax rolls or duplicate tax receipts of any preceding year as the payer of the tax last paid on the property ~~((in question)); or~~

(b) The real property taxes are paid by a bank, as defined in RCW 62A.1-201, the name of each tax and levy in the property tax information on the county treasurer's web site satisfies the notice requirements of this section.

Sec. 3. RCW 82.45.090 and 2009 c 350 s 8 are each amended to read as follows:

(1) Except for a sale of a beneficial interest in real property where no instrument evidencing the sale is recorded in the official real property records of the county in which the property is located, the tax imposed by this chapter ~~((shall))~~ must be paid to and collected by the treasurer of the county within which is located the real property ~~((which))~~ that was sold. In collecting the tax the county treasurer ~~((shall))~~ must act as agent for the state. The county treasurer ~~((shall))~~ must cause a verification of payment evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording or to the real estate excise tax affidavit in the case of used mobile home sales and used floating home sales. A receipt issued

by the county treasurer for the payment of the tax imposed under this chapter (~~shall be~~) is evidence of the satisfaction of the lien imposed (~~hereunder~~) in this section and may be recorded in the manner prescribed for recording satisfactions of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax (~~shall~~) may be accepted by the county auditor for filing or recording until the tax (~~shall have been~~) is paid and the verification of payment affixed thereto; in case the tax is not due on the transfer, the instrument (~~shall~~) may not be so accepted until suitable notation of such fact has been made on the instrument by the treasurer. (~~Any time there is a~~) At the sale of a used mobile home, used manufactured home, used park model, or used floating home that has not been title eliminated, property taxes must be current in order to complete the processing of the real estate excise tax affidavit or other documents transferring title. Verification that the property taxes are current must be noted on the mobile home real estate excise tax affidavit or on a form approved by the county treasurer. For the purposes of this subsection, "mobile home," "manufactured home," and "park model" have the same meaning as provided in RCW 59.20.030.

(2) For a sale of a beneficial interest in real property where a tax is due under this chapter and where no instrument is recorded in the official real property records of the county in which the property is located, the sale (~~shall~~) must be reported to the department of revenue within five days from the (~~date of the~~) sale date on such returns or forms and according to such procedures as the department may prescribe. Such forms or returns (~~shall~~) must be signed or electronically signed by both the transferor and the transferee and (~~shall~~) must be accompanied by payment of the tax due.

(3) Any person who intentionally makes a false statement on any return or form required to be filed with the department under this chapter is guilty of perjury under chapter 9A.72 RCW.

NEW SECTION. Sec. 4. 2014 c 13 s 3 (uncodified) is repealed."

On page 1, line 1 of the title, after "efficiencies;" strike the remainder of the title and insert "amending RCW 84.56.020, 84.56.050, and 82.45.090; and repealing 2014 c 13 s 3 (uncodified)."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1648 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stonier and Volz spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1648, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1648, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

ENGROSSED HOUSE BILL NO. 1648, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1814 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 13.38.070 and 2011 c 309 s 7 are each amended to read as follows:

(1) In any involuntary child custody proceeding seeking the foster care placement of, or the termination of parental rights to, a child in which the petitioning party or the court knows, or has reason to know, that the child is or may be an Indian child as defined in this chapter, the petitioning party shall notify the parent or Indian custodian and the Indian child's tribe or tribes, by certified mail, return receipt requested, and by use of a mandatory Indian child welfare act notice addressed to the tribal agent designated by the Indian child's tribe or tribes for receipt of Indian child welfare act notice, as published by the bureau of Indian affairs in the federal register. If the identity or location of the parent or Indian custodian and the tribe cannot be determined, such notice shall be given to the secretary of the interior by registered mail, return receipt requested, in accordance with the regulations of the bureau of Indian affairs. The secretary of the interior has fifteen days after receipt to provide the requisite notice to the parent or Indian custodian and the tribe. No foster care placement or termination of parental rights proceeding shall be held until at least ten days after receipt of notice by the parent or Indian custodian and the tribe. The parent or Indian custodian or the tribe shall, upon request, be granted up to twenty additional days to prepare for the proceeding.

(2) The determination of the Indian status of a child shall be made as soon as practicable in order to serve the best interests of the Indian child and protect the interests of the child's tribe.

(3)(a) A written determination by an Indian tribe that a child is a member of or eligible for membership in that tribe, or testimony by the tribe attesting to such status shall be conclusive that the child is an Indian child;

(b) A written determination by an Indian tribe that a child is not a member of or eligible for membership in that tribe, or testimony by the tribe attesting to such status shall be conclusive that the child is not a member or eligible for membership in that tribe. Such determinations are presumptively those of the tribe where submitted in the form of a tribal resolution, or signed by or testified to by the person(s) authorized by the tribe's governing body to speak for the tribe, or by the tribe's agent designated to receive notice under the

federal Indian child welfare act where such designation is published in the federal register;

(c) Where a tribe provides no response to notice under RCW 13.38.070, such nonresponse shall not constitute evidence that the child is not a member or eligible for membership. Provided, however, that under such circumstances the party asserting application of the federal Indian child welfare act, or this chapter, will have the burden of proving by a preponderance of the evidence that the child is an Indian child.

(4)(a) Where a child has been determined not to be an Indian child, any party to the proceeding, or an Indian tribe that subsequently determines the child is a member, may, during the pendency of any child custody proceeding to which this chapter or the federal Indian child welfare act applies, move the court for redetermination of the child's Indian status based upon new evidence, redetermination by the child's tribe, or newly conferred federal recognition of the tribe.

(b) This subsection (4) does not affect the rights afforded under 25 U.S.C. Sec. 1914.

Sec. 2. RCW 26.44.100 and 2005 c 512 s 1 are each amended to read as follows:

(1) The legislature finds parents and children often are not aware of their due process rights when agencies are investigating allegations of child abuse and neglect. The legislature reaffirms that all citizens, including parents, shall be afforded due process, that protection of children remains the priority of the legislature, and that this protection includes protecting the family unit from unnecessary disruption. To facilitate this goal, the legislature wishes to ensure that parents and children be advised in writing and orally, if feasible, of their basic rights and other specific information as set forth in this chapter, provided that nothing contained in this chapter shall cause any delay in protective custody action.

(2) The department shall notify the parent, guardian, or legal custodian of a child of any allegations of child abuse or neglect made against such person at the initial point of contact with such person, in a manner consistent with the laws maintaining the confidentiality of the persons making the complaints or allegations. Investigations of child abuse

and neglect should be conducted in a manner that will not jeopardize the safety or protection of the child or the integrity of the investigation process.

Whenever the department completes an investigation of a child abuse or neglect report under this chapter (~~(26.44 RCW)~~), the department shall notify the subject of the report of the department's investigative findings. The notice shall also advise the subject of the report that:

(a) A written response to the report may be provided to the department and that such response will be filed in the record following receipt by the department;

(b) Information in the department's record may be considered in subsequent investigations or proceedings related to child protection or child custody;

(c) Founded reports of child abuse and neglect may be considered in determining whether the person is disqualified from being licensed to provide child care, employed by a licensed child care agency, or authorized by the department to care for children; and

(d) A subject named in a founded report of child abuse or neglect has the right to seek review of the finding as provided in this chapter.

(3) The founded finding notification required by this section shall be made by certified mail, return receipt requested, to the person's last known address.

(4) The unfounded finding notification required by this section must be made by regular mail to the person's last known address or by email.

(5) The duty of notification created by this section is subject to the ability of the department to ascertain the location of the person to be notified. The department shall exercise reasonable, good-faith efforts to ascertain the location of persons entitled to notification under this section.

~~((5))~~ (6) The department shall provide training to all department personnel who conduct investigations under this section that shall include, but is not limited to, training regarding the legal duties of the department from the initial time of contact during investigation through treatment in order to protect children and families.

Sec. 3. RCW 43.20B.430 and 1989 c 175 s 99 are each amended to read as follows:

In all cases where a determination is made that the estate of a resident of a residential habilitation center is able to pay all or any portion of the charges, ~~((a))~~ an initial notice and finding of responsibility shall be served on the guardian of the resident's estate, or if no guardian has been appointed then to the resident, the resident's spouse, or other person acting in a representative capacity and having property in his or her possession belonging to a resident. The initial notice shall set forth the amount the department has determined that such estate is able to pay, not to exceed the charge as fixed in accordance with RCW 43.20B.420, and the responsibility for payment to the department shall commence ~~twenty-eight days after ((personal))~~ service of such notice and finding of responsibility. Service of the initial notice shall be in the manner prescribed for the service of a summons in a civil action or may be served by certified mail, return receipt requested. The return receipt signed by addressee only is prima facie evidence of service. An application for an adjudicative proceeding from the determination of responsibility may be made to the secretary by the guardian of the resident's estate, or if no guardian has been appointed then by the resident, the resident's spouse, or other person acting in a representative capacity and having property in his or her possession belonging to a resident of a state school, within such twenty-eight day period. The application must be written and served on the secretary by registered or certified mail, or by personal service. If no application is filed, the notice and finding of responsibility shall become final. If an application is filed, the execution of notice and finding of responsibility shall be stayed pending the final adjudicative order. The hearing shall be conducted in a local department office or other location in Washington convenient to the appellant. The proceeding is governed by the Administrative Procedure Act, chapter 34.05 RCW.

Sec. 4. RCW 43.20B.435 and 1979 c 141 s 240 are each amended to read as follows:

The secretary, upon application of the guardian of the estate of the resident, and after investigation, or upon investigation without application, may, if satisfied of the financial ability or

inability of such person to make payments in accordance with the ~~((original))~~ initial finding of responsibility as provided for in RCW 43.20B.430, modify or vacate such ((original)) initial finding of responsibility, and enter a new finding of responsibility. The secretary's determination to modify or vacate findings of responsibility shall be served ((and)) by regular mail. A new finding of responsibility shall be appealable in the same manner and in accordance with the same procedure for appeals of ((original)) initial findings of responsibility.

Sec. 5. RCW 43.20B.635 and 1990 c 100 s 1 are each amended to read as follows:

(1) After service of a notice of debt for an overpayment as provided for in RCW 43.20B.630, stating the debt accrued, the secretary may issue to any person, firm, corporation, association, political subdivision, or department of the state, an order to withhold and deliver property of any kind including, but not restricted to, earnings which are due, owing, or belonging to the debtor, when the secretary has reason to believe that there is in the possession of such person, firm, corporation, association, political subdivision, or department of the state property which is due, owing, or belonging to the debtor.

(2)(a) The order to withhold and deliver shall state the amount of the debt, and shall state in summary the terms of this section, RCW 6.27.150 and 6.27.160, chapters 6.13 and 6.15 RCW, 15 U.S.C. 1673, and other state or federal exemption laws applicable generally to debtors.

(b) The order to withhold and deliver shall be served ~~((in the manner prescribed for the service of a summons in a civil action or by certified mail, return receipt requested))~~ by regular mail or, with a party's agreement, electronically.

(3)(a) Any person, firm, corporation, association, political subdivision, or department of the state upon whom service has been made shall answer the order to withhold and deliver within twenty days, exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of therein.

(b) The secretary may require further and additional answers to be completed by the person, firm, corporation, association, political subdivision, or department of the state.

(c) If any such person, firm, corporation, association, political subdivision, or department of the state possesses any property which may be subject to the claim of the department of social and health services, such property shall be withheld immediately upon receipt of the order to withhold and deliver and shall, after the twenty-day period, upon demand, be delivered forthwith to the secretary.

(d) The secretary shall hold the property in trust for application on the indebtedness involved or for return, without interest, in accordance with final determination of liability or nonliability. In the alternative, there may be furnished to the secretary a good and sufficient bond, satisfactory to the secretary, conditioned upon final determination of liability.

(e) Where money is due and owing under any contract of employment, express or implied, or is held by any person, firm, corporation, association, political subdivision, or department of the state subject to withdrawal by the debtor, such money shall be delivered by remittance payable to the order of the secretary. Delivery to the secretary, subject to the exemptions under RCW 6.27.150 and 6.27.160, chapters 6.13 and 6.15 RCW, 15 U.S.C. 1673, and other state or federal law applicable generally to debtors, of the money or other property held or claimed satisfies the requirement of the order to withhold and deliver. Delivery to the secretary serves as full acquittance, and the state warrants and represents that it shall defend and hold harmless for such actions persons delivering money or property to the secretary pursuant to this chapter. The state also warrants and represents that it shall defend and hold harmless for such actions persons withholding money or property pursuant to this chapter.

(4)(a) The secretary shall also, on or before the date of service of the order to withhold and deliver, mail or cause to be mailed ~~((by certified mail))~~ a copy of the order to withhold and deliver to the debtor at the debtor's last known post office address ~~((τ))~~ or, ~~((in the alternative, a copy of the order to withhold and deliver shall be served on the debtor in the same manner as a summons in a civil action on or before the date of service of the order or within two days thereafter))~~ with a party's agreement serve the order upon the debtor

electronically on or before the date of service of the order to withhold and deliver.

(b) The copy of the order shall be mailed or served together with a concise explanation of the right to petition for a hearing on any issue related to the collection. This requirement is not jurisdictional, but, if the copy is not mailed or served as provided in this section, or if any irregularity appears with respect to the mailing or service electronically, the superior court, on its discretion on motion of the debtor promptly made and supported by affidavit showing that the debtor has suffered substantial injury due to the failure to mail the copy or serve the copy electronically, may set aside the order to withhold and deliver and award to the debtor an amount equal to the damages resulting from the secretary's failure to serve on or mail to the debtor the copy.

Sec. 6. RCW 74.20A.320 and 2009 c 408 s 1 are each amended to read as follows:

(1) The department may serve upon a responsible parent a notice informing the responsible parent of the department's intent to submit the parent's name to the department of licensing and any appropriate licensing entity as a licensee who is not in compliance with a child support order. ~~((The department shall attach a copy of the responsible parent's child support order to the notice.))~~

(a) If the support order establishing or modifying the child support obligation includes a statement required under RCW 26.23.050 that the responsible parent's privileges to obtain and maintain a license may not be renewed or may be suspended if the parent is not in compliance with a support order, the department may send the notice required by this section to the responsible parent by regular mail, addressed to the responsible parent's last known mailing address on file with the department or by personal service. Notice by regular mail is deemed served three days from the date the notice was deposited with the United States postal service.

(b) If the support order does not include a statement as required under RCW 26.23.050 that the responsible parent's privileges to obtain and maintain a license may not be renewed or may be suspended if the parent is not in compliance with a support order, service of the notice required by this section to

the responsible parent must be by certified mail, return receipt requested. If service by certified mail is not successful, service shall be by personal service.

(2) The notice of noncompliance must include the following information:

(a) The address and telephone number of the department's division of child support office that issued the notice;

(b) That in order to prevent the department from certifying the parent's name to the department of licensing or any other licensing entity, the parent has twenty days from receipt of the notice to contact the department and:

(i) Pay the overdue support amount in full;

(ii) Request an adjudicative proceeding as provided in RCW 74.20A.322;

(iii) Agree to a payment schedule with the department as provided in RCW 74.20A.326; or

(iv) File an action to modify the child support order with the appropriate court or administrative forum, in which case the department will stay the certification process up to six months;

(c) That failure to contact the department within twenty days of receipt of the notice will result in certification of the responsible parent's name to the department of licensing and any other appropriate licensing entity for noncompliance with a child support order. Upon receipt of the notice:

(i) The licensing entity will suspend or not renew the parent's license and the department of licensing will suspend or not renew any driver's license that the parent holds until the parent provides the department of licensing and the licensing entity with a release from the department stating that the responsible parent is in compliance with the child support order;

(ii) The department of fish and wildlife will suspend a fishing license, hunting license, occupational licenses, such as a commercial fishing license, or any other license issued under chapter 77.32 RCW that the responsible parent may possess, and suspension of a license by the department of fish and wildlife may also affect the parent's ability to obtain permits, such as special hunting permits, issued by the department. Notice from the department of licensing that a responsible

parent's driver's license has been suspended shall serve as notice of the suspension of a license issued under chapter 77.32 RCW;

(d) That suspension of a license will affect insurability if the responsible parent's insurance policy excludes coverage for acts occurring after the suspension of a license;

(e) If the responsible parent subsequently comes into compliance with the child support order, the department will promptly provide the parent and the appropriate licensing entities with a release stating that the parent is in compliance with the order.

(3) When a responsible parent who is served notice under subsection (1) of this section subsequently complies with the child support order, a copy of a release stating that the responsible parent is in compliance with the order shall be transmitted by the department to the appropriate licensing entities.

(4) The department of licensing and a licensing entity may renew, reinstate, or otherwise extend a license in accordance with the licensing entity's or the department of licensing's rules after the licensing entity or the department of licensing receives a copy of the release specified in subsection (3) of this section. The department of licensing and a licensing entity may waive any applicable requirement for reissuance, renewal, or other extension if it determines that the imposition of that requirement places an undue burden on the person and that waiver of the requirement is consistent with the public interest."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "and amending RCW 13.38.070, 26.44.100, 43.20B.430, 43.20B.435, 43.20B.635, and 74.20A.320."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1814 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Goodman and Dent spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1814, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1814, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1814, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2017

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1924 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.30.010 and 1985 c 280 s 1 are each amended to read as follows:

~~((As used in this chapter*))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Person" includes any individual, firm, partnership, association, corporation, or unit or agency of state or local government.

(2) "Farm labor contractor" means any person, or his or her agent or subcontractor, who, for a fee, performs any farm labor contracting activity. "Farm

labor contractor" does not include a person performing farm labor contracting activity solely for a small forest landowner as defined in RCW 76.09.450 who receives services of no more than two agricultural employees at any given time.

(3) "Farm labor contracting activity" means recruiting, soliciting, employing, supplying, transporting, or hiring agricultural employees.

(4) "Agricultural employer" means any person engaged in agricultural activity, including the growing, producing, or harvesting of farm or nursery products, or engaged in the forestation or reforestation of lands, which includes but is not limited to the planting, transplanting, tubing, precommercial thinning, and thinning of trees and seedlings, the clearing, piling, and disposal of brush and slash, the harvest of Christmas trees, and other related activities.

(5) "Agricultural employee" means any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

(6) This chapter shall not apply to employees of the employment security department acting in their official capacity or their agents, nor to any common carrier or full time regular employees thereof while transporting agricultural employees, nor to any person who performs any of the services enumerated in subsection (3) of this section only within the scope of his or her regular employment for one agricultural employer on whose behalf he or she is so acting, unless he or she is receiving a commission or fee, which commission or fee is determined by the number of workers recruited, or to a nonprofit corporation or organization which performs the same functions for its members. Such nonprofit corporation or organization shall be one in which:

(a) None of its directors, officers, or employees are deriving any profit beyond a reasonable salary for services performed in its behalf.

(b) Membership dues and fees are used solely for the maintenance of the association or corporation.

(7) "Fee" means:

(a) Any money or other valuable consideration paid or promised to be paid

for services rendered or to be rendered by a farm labor contractor.

(b) Any valuable consideration received or to be received by a farm labor contractor for or in connection with any of the services described in subsection (3) of this section, and shall include the difference between any amount received or to be received by him, and the amount paid out by him for or in connection with the rendering of such services.

(8) "Director" as used in this chapter means the director of the department of labor and industries of the state of Washington.

NEW SECTION. **Sec. 2.** (1) The department of natural resources shall consult with the appropriate stakeholders and develop an analysis, with recommendations, as to whether the issuance of burning permits can be streamlined for small forest landowners, as that term is defined in RCW 76.09.450. The analysis must consider variable term burning permits, alternative fee structures, and other methods to incentivize small forest landowners to conduct forest health treatments.

(2) Consistent with RCW 43.01.036, the department of natural resources shall report the outcome of the analysis required by this section to the legislature by October 31, 2017. In the report, the department of natural resources must identify elements, consistent with the recommendations of the analysis, within its current authority to implement, a timeline for implementation of those elements, and any elements in its recommendations that would require a rule change, statutory amendment, or additional funding to implement.

(3) This section expires August 1, 2018."

On page 1, line 1 of the title, after "landowners;" strike the remainder of the title and insert "amending RCW 19.30.010; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO.

1924 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Dent and Blake spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1924, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1924, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

ENGROSSED HOUSE BILL NO. 1924, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 6, 2017

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1983 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 13.04.035 and 1996 c 284 s 1 are each amended to read as follows:

Juvenile court shall be administered by the superior court, except that by local court rule and agreement with the legislative authority of the county this service may be administered by the legislative authority of the county. Juvenile probation counselor and detention services shall be administered by the

superior court, except that (1) by local court rule and agreement with the county legislative authority, these services may be administered by the county legislative authority; (2) for the consortium in existence on the effective date of this section, if a consortium of three or more counties, located east of the Cascade mountains and whose combined population exceeds ~~((five))~~ two hundred ~~((thirty))~~ thousand, jointly operates a juvenile correctional facility, the county legislative authorities may prescribe for alternative administration of the juvenile correctional facility by ordinance; and (3) in any county with a population of one million or more, probation and detention services shall be administered in accordance with chapter 13.20 RCW. The administrative body shall appoint an administrator of juvenile court, probation counselor, and detention services who shall be responsible for day-to-day administration of such services, and who may also serve in the capacity of a probation counselor. One person may, pursuant to the agreement of more than one administrative body, serve as administrator of more than one juvenile court. If a county participating in a consortium authorized under subsection (2) of this section withdraws from participation, the withdrawing county may rejoin the consortium at a later time so long as a majority of the consortium members agree."

On page 1, line 3 of the title, after "facility;" strike the remainder of the title and insert "and amending RCW 13.04.035."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1983 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Dye and Kagi spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1983, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1983, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Caldier and Jinkins.

HOUSE BILL NO. 1983, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 7, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1988 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Existing federal law, 8 U.S.C. Sec. 1101(a)(27)(J), establishes a procedure for classification of abandoned, abused, or neglected youth as special immigrants who have been declared dependent on a juvenile court or legally committed to or placed in the custody of a state agency or department, or placed under the custody of an individual or entity appointed by a state or juvenile court, and authorizes those youth to apply for an adjustment of status to that of a lawful permanent resident within the United States. A youth is age-eligible if the youth is under twenty-one years old. Existing state law already provides that superior courts have jurisdiction to make judicial determinations regarding the custody and care of juveniles.

This chapter authorizes a court to appoint a guardian for a vulnerable youth from eighteen to twenty-one years old, who is not participating in extended foster

care services authorized under RCW 74.13.031, and who is eligible for classification under 8 U.S.C. Sec. 1101(a)(27)(J) with the consent of the proposed ward. This chapter also provides that a vulnerable youth guardianship of the person terminates on the youth's twenty-first birthday unless the youth requests termination prior to that date. Opening court doors for the provision of a vulnerable youth guardianship serves the state's interest in eliminating human trafficking, preventing further victimization of youth, decreasing reliance on public resources, reducing youth homelessness, and offering protection for youth who may otherwise be targets for traffickers.

NEW SECTION. Sec. 2. (1) The legislature finds and declares the following:

(a) Washington law grants the superior courts jurisdiction to make judicial determinations regarding the custody and care of youth within the meaning of the federal immigration and nationality act. Pursuant to 8 U.S.C. Sec. 1101(b), the term "child" means an unmarried person under twenty-one years of age. Superior courts are empowered to make the findings necessary for a youth to petition the United States citizenship and immigration services for classification under 8 U.S.C. Sec. 1101(a)(27)(J).

(b) 8 U.S.C. Sec. 1101(a)(27)(J) offers interim relief from deportation to undocumented, unmarried immigrant youth under twenty-one years old, if a state court with jurisdiction over juveniles has made specific findings.

(c) The findings necessary for a youth to petition for classification under 8 U.S.C. Sec. 1101(a)(27)(J) include, among others, a finding that reunification with one or both parents is not viable due to abuse, neglect, abandonment, or a similar basis under state law, and a finding that it is not in the youth's best interest to be returned to the youth's country of origin.

(d) Misalignment between state and federal law continues to exist. Federal law allows a person under twenty-one years old, who otherwise meets the requirements for eligibility under 8 U.S.C. Sec. 1101(a)(27)(J), to file for relief. In Washington, however, vulnerable youth who are between eighteen and twenty-one years old have largely been unable to obtain the findings from the superior court necessary

to seek classification under 8 U.S.C. Sec. 1101(a)(27)(J) and the relief that it was intended to afford them, solely because superior courts cannot take jurisdiction of these vulnerable youth under current law. This is true despite the fact that many vulnerable youth between eighteen and twenty-one years old face circumstances identical to those faced by their younger counterparts.

(e) Given the recent influx of vulnerable youth arriving to the United States, many of whom have been released to family members and other adults in Washington, and who have experienced parental abuse, neglect, or abandonment, it is necessary to provide an avenue for these vulnerable youth to petition the superior courts to appoint a guardian of the person, even if the youth is over eighteen years old. This is particularly necessary in light of the vulnerability of this class of youth, and their need for a custodial relationship with a responsible adult as they adjust to a new cultural context, language, and education system, and recover from the trauma of abuse, neglect, or abandonment. These custodial arrangements promote the long-term well-being and stability of vulnerable youth present in the United States who have experienced abuse, neglect, or abandonment by one or both parents.

(f) The legislature has an interest in combating human trafficking throughout Washington state. In 2003, Washington became the first state to enact a law making human trafficking a crime and has since continued its efforts to provide support services for victims of human trafficking while also raising awareness of human trafficking. Vulnerable youth who have been subject to parental abuse, neglect, or abandonment are particularly susceptible to becoming victims of human trafficking. By creating an avenue for a vulnerable youth guardianship for certain eligible individuals between eighteen and twenty-one years old, the legislature will provide such youth with the possibility for additional support and protection that a guardian can offer, which will make these youth less likely to become targets for human traffickers. Guardians can support vulnerable youth by providing them stable housing and caring for their basic necessities, which may help alleviate many of the risk factors that make such youth prime targets for trafficking and exploitation.

(g) Vulnerable youth guardianships of the person may be necessary and appropriate for these individuals, even between eighteen and twenty-one years old, although a vulnerable youth for whom a guardian has been appointed retains the rights of an adult under Washington law.

(2) It is the intent of the legislature to give the juvenile division of superior courts jurisdiction to appoint a guardian for a consenting vulnerable youth between eighteen, up to the age of twenty-one who has been abandoned, neglected, or abused by one or both parents, or for whom the court determines that a guardian is otherwise necessary as one or both parents cannot adequately provide for the youth such that the youth risks physical or psychological harm if returned to the youth's home. The juvenile court will have jurisdiction to make the findings necessary for a vulnerable youth to petition for classification under 8 U.S.C. Sec. 1101(a)(27)(J). It is further the intent of the legislature to provide an avenue for a person between eighteen and twenty-one years old to have a guardian of the person appointed beyond eighteen years old if the youth so requests or consents to the appointment of a guardian as provided in section 5 of this act.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of social and health services.

(2) "Guardian" means a person who has been appointed by the court as the guardian of a vulnerable youth in a legal proceeding under this chapter. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under chapter 13.34 RCW for the purpose of assisting the court in supervising the dependency. The term "guardian" does not include a "guardian" appointed pursuant to a proceeding under chapter 13.36 RCW or a "dependency guardian" appointed pursuant to a proceeding under chapter 13.34 RCW.

(3) "Juvenile court" or "court" means the juvenile division of the superior court.

(4) "Relative" means a person related to the child in the following ways:

(a) Any parent, or blood relative, including those of half-blood, and including first cousins, second cousins,

nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(b) A stepfather, stepmother, stepbrother, and stepsister;

(c) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(d) Spouses of any persons named in (a) through (c) of this subsection (4), even after the marriage is terminated;

(e) Relatives, as described in (a) through (d) of this subsection (4), of any half-sibling of the child.

(5)(a) "Suitable person" means a nonrelative who has completed all required criminal history background checks as specified in (b) of this subsection and otherwise appears to be suitable and competent to provide care for the youth.

(b) The criminal background checks required in (a) of this subsection are those set out in RCW 26.10.135 (1) and (2)(b), but apply only to the guardian and not to other adult members of the household.

(6) "Vulnerable youth" is an individual who has turned eighteen years old, but who is not yet twenty-one years old and who is eligible for classification under 8 U.S.C. Sec. 1101(a)(27)(J). A youth who remains in a vulnerable youth guardianship under this chapter shall not be considered a "child" under any other state statute or for any other purpose. A vulnerable youth is one who is not also a nonminor dependent who is participating in extended foster care services authorized under RCW 74.13.031.

NEW SECTION. Sec. 4. (1) A vulnerable youth may petition the court that a vulnerable youth guardianship be established for him or her by filing a petition in juvenile court under this chapter. The proposed guardian must agree to join in the petition, and must receive notice of the petition.

(2) To be designated as a proposed guardian in a petition under this chapter, a person must be age twenty-one or over, suitable, and capable of performing the duties of guardian under section 6 of this act, including but not limited to parents, licensed foster parents, relatives, and suitable persons.

(3) The petition must allege and show that:

(a) Both the petitioner and the proposed guardian agree to the establishment of a guardianship;

(b) The youth is between the ages of eighteen and twenty-one years;

(c) The youth is prima facie eligible to apply for classification under 8 U.S.C. Sec. 1101(a)(27)(J);

(d) The youth requests the support of a responsible adult; and

(e) The proposed guardian agrees to serve as guardian, and is a suitable adult over twenty-one years old who is capable of performing the duties of a guardian as stated in section 6 of this act.

(4) There must be no fee associated with the filing of a vulnerable youth guardianship petition by or for a vulnerable youth under this section.

NEW SECTION. Sec. 5. (1) At the hearing on a vulnerable youth guardianship petition, both parties, the vulnerable youth and the proposed guardian, have the right to present evidence and cross-examine witnesses. The rules of evidence apply to the conduct of the hearing.

(2) A vulnerable youth guardianship must be established if the court finds by a preponderance of the evidence that:

(a) The allegations in the petition are true;

(b) It is in the vulnerable youth's best interest to establish a vulnerable youth guardianship; and

(c) The vulnerable youth consents in writing to the appointment of a guardian.

(3) A guardianship established under subsection (2) of this section remains in effect as provided in section 8 of this act.

NEW SECTION. Sec. 6. (1) If the court has made the findings required under section 5 of this act, the court shall issue an order establishing a vulnerable youth guardianship for the vulnerable youth. The order shall:

(a) Appoint a person to be the guardian for the vulnerable youth;

(b) Provide that the guardian shall ensure that the legal rights of the vulnerable youth are not violated, and may specify the guardian's other rights and

responsibilities concerning the care, custody, and nurturing of the vulnerable youth;

(c) Specify that the guardian shall not have possession of any identity documents belonging to the vulnerable youth; and

(d) Specify the need for and scope of continued oversight by the court, if any.

(2) Unless specifically ordered by the court, the standards and requirements for relocation in chapter 26.09 RCW do not apply to vulnerable youth guardianships established under this chapter.

(3) The court shall provide a certified copy of the vulnerable youth guardianship order to the vulnerable youth and the guardian.

(4) For an unrepresented vulnerable youth whose vulnerable youth guardian is a suitable person, as defined in section 3 of this act, the court shall provide a list of service providers and available resources for survivors of human trafficking, such as any relevant lists or materials created by the Washington state task force against the trafficking of persons under RCW 7.68.350.

NEW SECTION. **Sec. 7.** (1) The youth may move the court to modify the provisions of a vulnerable youth guardianship order at any time by: (a) Filing with the court a motion for modification and an affidavit setting forth facts supporting the requested modification; and (b) providing notice and a copy of the motion and affidavit to the other party. The nonmoving party may file and serve opposing affidavits.

(2) The youth may move the court to appoint a new guardian at any time by: (a) Filing with the court a motion for appointment of a new guardian and an affidavit setting forth facts supporting the requested appointment; and (b) providing notice and a copy of the motion and affidavit to the other party.

(3) The youth may move the court to substitute a new guardian, provided that the proposed new guardian is a suitable adult over twenty-one years old who is capable of performing the duties of a guardian as stated in section 6 of this act. The substitution of a new guardian must be permitted without termination of the vulnerable youth guardianship and the youth is not required to file a new vulnerable youth guardianship petition to substitute a guardian.

(4) If a party other than the youth moves the court to modify the provisions of a vulnerable youth guardianship order, the modification is subject to the youth's agreement.

NEW SECTION. **Sec. 8.** (1) The vulnerable youth guardianship terminates on the vulnerable youth's twenty-first birthday.

(2) The vulnerable youth may request the termination of the vulnerable youth guardianship at any time. The court shall terminate the vulnerable youth guardianship upon the request of the vulnerable youth. The vulnerable youth may also withdraw consent to the vulnerable youth guardianship at any time.

(3) The guardian may request termination of the vulnerable youth guardianship by filing a petition and supporting affidavit alleging a substantial change has occurred in the circumstances of the vulnerable youth or the guardian and that the termination is necessary to serve the best interests of the vulnerable youth. The petition and affidavit must be served on both parties to the vulnerable youth guardianship.

(4) Except as provided in subsection (2) of this section, the court shall not terminate a vulnerable youth guardianship unless it finds, upon the basis of facts that have arisen since the vulnerable youth guardianship was established or that were unknown to the court at the time the vulnerable youth guardianship was established, that a substantial change has occurred in the circumstances of the vulnerable youth or the guardian and that termination of the vulnerable youth guardianship is necessary to serve the best interests of the vulnerable youth. The effect of a guardian's duties while serving in the military potentially impacting vulnerable youth guardianship functions is not, by itself, a substantial change of circumstances justifying termination of a vulnerable youth guardianship.

NEW SECTION. **Sec. 9.** In all proceedings under this chapter to establish, modify, or terminate a vulnerable youth guardianship order, the vulnerable youth and the guardian or prospective guardian have the right to be represented by counsel of their choosing and at their own expense.

NEW SECTION. **Sec. 10.** (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington

state task force against the trafficking of persons created in RCW 7.68.350 shall:

(a) Evaluate whether vulnerable youth guardianships established under chapter 13.--- RCW (the new chapter created in section 11 of this act) where the guardian is a suitable person, as defined in section 3 of this act, have the unintended impact of placing youth at greater risk of being trafficked; and

(b) Compile a list of service providers and available resources for survivors of human trafficking that a court issuing a vulnerable youth guardianship order under section 6 of this act can provide to a vulnerable youth applying for a guardian who is a suitable person, as defined in section 3 of this act.

(2) If findings are made that vulnerable youth guardianships established under chapter 13.--- RCW (the new chapter created in section 11 of this act) where the guardian is a suitable person, as defined in section 3 of this act, have the unintended impact of placing youth at greater risk of being trafficked, the task force shall:

(a) Research and identify ways to reduce this risk, including recommendations on legislation;

(b) Examine whether providing a vulnerable youth applying for a guardian who is a suitable person, as defined in section 3 of this act, with an advocate interview prior to granting a vulnerable youth guardianship will help reduce this risk; and

(c) Identify best practices for an advocate interview and any related recommendations on training or other requirements for advocate organizations.

(3) The task force shall deliver the evaluation of vulnerable youth guardianships specified by this section to the legislature by January 1, 2019.

NEW SECTION. Sec. 11. Sections 1 through 9 of this act constitute a new chapter in Title 13 RCW."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "adding a new chapter to Title 13 RCW; and creating a new section."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1988 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Ortiz-Self and Rodne spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1988, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1988, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, McCaslin, Shea and Taylor.

Excused: Representatives Caldier and Jinkins.

SUBSTITUTE HOUSE BILL NO. 1988, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1988.

Representative Klippert, 8th Legislative District

MESSAGE FROM THE SENATE

April 10, 2017

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2003 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.19.020 and 2015 c 228 s 37 are each amended to read as follows:

(1) The following organizations may apply for special parking privileges:

- (a) Public transportation authorities;
- (b) Nursing homes licensed under chapter 18.51 RCW;
- (c) Assisted living facilities licensed under chapter 18.20 RCW;
- (d) Senior citizen centers;
- (e) Accessible van rental companies registered with the department;
- (f) Private nonprofit corporations, as defined in RCW 24.03.005; ~~((and))~~

(g) Cabulance companies that regularly transport persons with disabilities who have been determined eligible for special parking privileges under this section and who are registered with the department under chapter 46.72 RCW; and

(h) Companies that dispatch taxicab vehicles under chapter 81.72 RCW or vehicles for hire under chapter 46.72 RCW, for such vehicles that are equipped with wheelchair accessible lifts or ramps for the transport of persons with disabilities and that are regularly dispatched and used in the transport of such persons. However, qualifying vehicles under this subsection (1)(h) may utilize special parking privileges only while in service. For the purposes of this subsection (1)(h), "in service" means while in the process of picking up, transporting, or discharging a passenger.

(2) An organization that qualifies for special parking privileges may receive, upon application, special license plates or parking placards, or both, for persons with disabilities as defined by the department.

(3) ~~((Public transportation authorities, nursing homes, assisted living facilities, senior citizen centers, accessible van rental companies, private nonprofit corporations, and cabulance services are))~~ An organization that qualifies for special parking privileges under subsection (1) of this section and receives parking placards or special license plates under subsection (2) of this section is responsible for ensuring that the parking placards and special license plates are not used improperly and ~~((are))~~ is responsible for all fines and penalties for improper use.

(4) The department shall adopt rules to determine organization eligibility."

On page 1, line 3 of the title, after "disabilities;" strike the remainder of the title and insert "and amending RCW 46.19.020."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2003 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kloba and Orcutt spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2003, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2003, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and Jinkins.

ENGROSSED HOUSE BILL NO. 2003, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 5, 2017

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 1337, with the following amendment:

On page 15, line 9, after "(2)" insert "Notwithstanding subsection (1) of this section, the Washington state medical quality assurance commission shall review the rules of the interstate commission. The Washington medical quality assurance commission may reject or approve and adopt the rules of the interstate commission as rules of the Washington medical quality assurance commission. A rule shall only be enforceable within the state of Washington if the rule of the interstate commission is adopted by the Washington medical quality assurance commission and the rule does not violate any right guaranteed by the state Constitution or the United States Constitution.

(3)"

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

and the same are herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to HOUSE BILL 1337 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 11, 2017

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1547, with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.38.111 and 2016 sp.s. c 31 s 4 are each amended to read as follows:

(1) The department shall not require a certificate of need for the offering of an inpatient tertiary health service by:

(a) A health maintenance organization or a combination of health maintenance organizations if (i) the organization or combination of organizations has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (ii) the

facility in which the service will be provided is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination;

(b) A health care facility if (i) the facility primarily provides or will provide inpatient health services, (ii) the facility is or will be controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations which has, in the service area of the organization or service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (iii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination; or

(c) A health care facility (or portion thereof) if (i) the facility is or will be leased by a health maintenance organization or combination of health maintenance organizations which has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals and, on the date the application is submitted under subsection (2) of this section, at least fifteen years remain in the term of the lease, (ii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization;

if, with respect to such offering or obligation by a nursing home, the department has, upon application under subsection (2) of this section, granted an exemption from such requirement to the organization, combination of organizations, or facility.

(2) A health maintenance organization, combination of health maintenance organizations, or health care facility shall not be exempt under subsection (1) of this section from obtaining a certificate of need before offering a tertiary health service unless:

(a) It has submitted at least thirty days prior to the offering of services reviewable under RCW 70.38.105(4)(d) an application for such exemption; and

(b) The application contains such information respecting the organization, combination, or facility and the proposed offering or obligation by a nursing home as the department may require to determine if the organization or combination meets the requirements of subsection (1) of this section or the facility meets or will meet such requirements; and

(c) The department approves such application. The department shall approve or disapprove an application for exemption within thirty days of receipt of a completed application. In the case of a proposed health care facility (or portion thereof) which has not begun to provide tertiary health services on the date an application is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet the applicable requirements of subsection (1) of this section when the facility first provides such services. The department shall approve an application submitted under this subsection if it determines that the applicable requirements of subsection (1) of this section are met.

(3) A health care facility (or any part thereof) with respect to which an exemption was granted under subsection (1) of this section may not be sold or leased and a controlling interest in such facility or in a lease of such facility may not be acquired and a health care facility described in (1)(c) which was granted an exemption under subsection (1) of this section may not be used by any person other than the lessee described in (1)(c) unless:

(a) The department issues a certificate of need approving the sale, lease, acquisition, or use; or

(b) The department determines, upon application, that (i) the entity to which the facility is proposed to be sold or leased, which intends to acquire the controlling interest, or which intends to use the facility is a health maintenance

organization or a combination of health maintenance organizations which meets the requirements of (1)(a)(i), and (ii) with respect to such facility, meets the requirements of (1)(a)(ii) or (iii) or the requirements of (1)(b)(i) and (ii).

(4) In the case of a health maintenance organization, an ambulatory care facility, or a health care facility, which ambulatory or health care facility is controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations, the department may under the program apply its certificate of need requirements to the offering of inpatient tertiary health services to the extent that such offering is not exempt under the provisions of this section or RCW 70.38.105(7).

(5)(a) The department shall not require a certificate of need for the construction, development, or other establishment of a nursing home, or the addition of beds to an existing nursing home, that is owned and operated by a continuing care retirement community that:

(i) Offers services only to contractual members;

(ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some assistance with daily living activities;

(iii) Contractually assumes responsibility for the cost of services exceeding the member's financial responsibility under the contract, so that no third party, with the exception of insurance purchased by the retirement community or its members, but including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources;

(iv) Has offered continuing care contracts and operated a nursing home continuously since January 1, 1988, or has obtained a certificate of need to establish a nursing home;

(v) Maintains a binding agreement with the state assuring that financial liability for services to members, including nursing home services, will not fall upon the state;

(vi) Does not operate, and has not undertaken a project that would result in a number of nursing home beds in excess of one for every four living units operated

by the continuing care retirement community, exclusive of nursing home beds; and

(vii) Has obtained a professional review of pricing and long-term solvency within the prior five years which was fully disclosed to members.

(b) A continuing care retirement community shall not be exempt under this subsection from obtaining a certificate of need unless:

(i) It has submitted an application for exemption at least thirty days prior to commencing construction of, is submitting an application for the licensure of, or is commencing operation of a nursing home, whichever comes first; and

(ii) The application documents to the department that the continuing care retirement community qualifies for exemption.

(c) The sale, lease, acquisition, or use of part or all of a continuing care retirement community nursing home that qualifies for exemption under this subsection shall require prior certificate of need approval to qualify for licensure as a nursing home unless the department determines such sale, lease, acquisition, or use is by a continuing care retirement community that meets the conditions of (a) of this subsection.

(6) A rural hospital, as defined by the department, reducing the number of licensed beds to become a rural primary care hospital under the provisions of Part A Title XVIII of the Social Security Act Section 1820, 42 U.S.C., 1395c et seq. may, within three years of the reduction of beds licensed under chapter 70.41 RCW, increase the number of licensed beds to no more than the previously licensed number without being subject to the provisions of this chapter.

(7) A rural health care facility licensed under RCW 70.175.100 formerly licensed as a hospital under chapter 70.41 RCW may, within three years of the effective date of the rural health care facility license, apply to the department for a hospital license and not be subject to the requirements of RCW 70.38.105(4) (a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW and there is no redistribution in the number of beds used for acute care or long-term care, the rural health care facility

has been in continuous operation, and the rural health care facility has not been purchased or leased.

(8) A rural hospital determined to no longer meet critical access hospital status for state law purposes as a result of participation in the Washington rural health access preservation pilot identified by the state office of rural health and formerly licensed as a hospital under chapter 70.41 RCW may apply to the department to renew its hospital license and not be subject to the requirements of RCW 70.38.105(4) (a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW. If all or part of a formerly licensed rural hospital is sold, purchased, or leased during the period the rural hospital does not meet critical access hospital status as a result of participation in the Washington rural health access preservation pilot and the new owner or lessor applies to renew the rural hospital's license, then the sale, purchase, or lease of part or all of the rural hospital is subject to the provisions of this chapter (~~(70.38 RCW)~~).

(9) (a) A nursing home that voluntarily reduces the number of its licensed beds to provide assisted living, licensed assisted living facility care, adult day care, adult day health, respite care, hospice, outpatient therapy services, congregate meals, home health, or senior wellness clinic, or to reduce to one or two the number of beds per room or to otherwise enhance the quality of life for residents in the nursing home, may convert the original facility or portion of the facility back, and thereby increase the number of nursing home beds to no more than the previously licensed number of nursing home beds without obtaining a certificate of need under this chapter, provided the facility has been in continuous operation and has not been purchased or leased. Any conversion to the original licensed bed capacity, or to any portion thereof, shall comply with the same life and safety code requirements as existed at the time the nursing home voluntarily reduced its licensed beds; unless waivers from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers.

(b) To convert beds back to nursing home beds under this subsection, the nursing home must:

(i) Give notice of its intent to preserve conversion options to the department of health no later than thirty days after the effective date of the license reduction; and

(ii) Give notice to the department of health and to the department of social and health services of the intent to convert beds back. If construction is required for the conversion of beds back, the notice of intent to convert beds back must be given, at a minimum, one year prior to the effective date of license modification reflecting the restored beds; otherwise, the notice must be given a minimum of ninety days prior to the effective date of license modification reflecting the restored beds. Prior to any license modification to convert beds back to nursing home beds under this section, the licensee must demonstrate that the nursing home meets the certificate of need exemption requirements of this section.

The term "construction," as used in (b)(ii) of this subsection, is limited to those projects that are expected to equal or exceed the expenditure minimum amount, as determined under this chapter.

(c) Conversion of beds back under this subsection must be completed no later than four years after the effective date of the license reduction. However, for good cause shown, the four-year period for conversion may be extended by the department of health for one additional four-year period.

(d) Nursing home beds that have been voluntarily reduced under this section shall be counted as available nursing home beds for the purpose of evaluating need under RCW 70.38.115(2) (a) and (k) so long as the facility retains the ability to convert them back to nursing home use under the terms of this section.

(e) When a building owner has secured an interest in the nursing home beds, which are intended to be voluntarily reduced by the licensee under (a) of this subsection, the applicant shall provide the department with a written statement indicating the building owner's approval of the bed reduction.

(10) (a) The department shall not require a certificate of need for a hospice agency if:

(i) The hospice agency is designed to serve the unique religious or cultural needs of a religious group or an ethnic minority and commits to furnishing hospice services in a manner specifically aimed at meeting the unique religious or cultural needs of the religious group or ethnic minority;

(ii) The hospice agency is operated by an organization that:

(A) Operates a facility, or group of facilities, that offers a comprehensive continuum of long-term care services, including, at a minimum, a licensed, medicare-certified nursing home, assisted living, independent living, day health, and various community-based support services, designed to meet the unique social, cultural, and religious needs of a specific cultural and ethnic minority group;

(B) Has operated the facility or group of facilities for at least ten continuous years prior to the establishment of the hospice agency;

(iii) The hospice agency commits to coordinating with existing hospice programs in its community when appropriate;

(iv) The hospice agency has a census of no more than forty patients;

(v) The hospice agency commits to obtaining and maintaining medicare certification;

(vi) The hospice agency only serves patients located in the same county as the majority of the long-term care services offered by the organization that operates the agency; and

(vii) The hospice agency is not sold or transferred to another agency.

(b) The department shall include the patient census for an agency exempted under this subsection (10) in its calculations for future certificate of need applications.

(11) To alleviate the need to board psychiatric patients in emergency departments, ~~((for fiscal year 2015))~~ for the period of time from the effective date of this section through June 30, 2019:

(a) The department shall suspend the certificate of need requirement for a hospital licensed under chapter 70.41 RCW that changes the use of licensed beds to increase the number of beds to provide psychiatric services, including

involuntary treatment services. A certificate of need exemption under this ~~(section)~~ subsection (11)(a) shall be valid for two years.

(b) The department may not require a certificate of need for:

(i) The addition of beds as described in RCW 70.38.260 (2) and (3); or

(ii) The construction, development, or establishment of a psychiatric hospital licensed as an establishment under chapter 71.12 RCW that will dedicate at least one-third of its beds to provide treatment to adults on ninety or one hundred eighty-day involuntary commitment orders, as described in RCW 70.38.260(4).

Sec. 2. RCW 70.38.260 and 2015 3rd sp.s. c 22 s 2 are each amended to read as follows:

(1) For a grant awarded during fiscal years 2016 and 2017 by the department of commerce under this section, hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed as establishments under chapter 71.12 RCW are not subject to certificate of need requirements for the addition of the number of new psychiatric beds indicated in the grant. The department of commerce may not make a prior approval of a certificate of need application a condition for a grant application under this section. The period during which an approved hospital or psychiatric hospital project qualifies for a certificate of need exemption under this section is two years from the date of the grant award.

(2)(a) Until June 30, 2019, a hospital licensed under chapter 70.41 RCW is exempt from certificate of need requirements for the addition of new psychiatric beds.

(b) A hospital that adds new psychiatric beds under this subsection (2) must:

(i) Notify the department of the addition of new psychiatric beds. The department shall provide the hospital with a notice of exemption within thirty days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(c) Beds granted an exemption under RCW 70.38.111(11)(b) must remain psychiatric beds unless a certificate of need is granted to change their use or the

hospital voluntarily reduces its licensed capacity.

(3)(a) Until June 30, 2019, a psychiatric hospital licensed as an establishment under chapter 71.12 RCW is exempt from certificate of need requirements for the one-time addition of up to thirty new psychiatric beds, if it demonstrates to the satisfaction of the department:

(i) That its most recent two years of publicly available fiscal year-end report data as required under RCW 70.170.100 and 43.70.050 reported to the department by the psychiatric hospital, show a payer mix of a minimum of fifty percent medicare and medicaid based on a calculation using patient days; and

(ii) A commitment to maintaining the payer mix in (a) of this subsection for a period of five consecutive years after the beds are made available for use by patients.

(b) A psychiatric hospital that adds new psychiatric beds under this subsection (3) must:

(i) Notify the department of the addition of new psychiatric beds. The department shall provide the psychiatric hospital with a notice of exemption within thirty days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(c) Beds granted an exemption under RCW 70.38.111(11)(b) must remain psychiatric beds unless a certificate of need is granted to change their use or the psychiatric hospital voluntarily reduces its licensed capacity.

(4)(a) Until June 30, 2019, an entity seeking to construct, develop, or establish a psychiatric hospital licensed as an establishment under chapter 71.12 RCW is exempt from certificate of need requirements if the proposed psychiatric hospital will dedicate at least one-third of its beds to providing treatment to adults on ninety or one hundred eighty-day involuntary commitment orders. The psychiatric hospital may also provide treatment to adults on a seventy-two hour detention or fourteen-day involuntary commitment order.

(b) An entity that seeks to construct, develop, or establish a psychiatric hospital under this subsection (4) must:

(i) Notify the department of the construction, development, or establishment. The department shall provide the entity with a notice of exemption within thirty days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(5) This section expires June 30, ~~((2019))~~ 2022.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 3 of the title, after "2019;" strike the remainder of the title and insert "amending RCW 70.38.111 and 70.38.260; providing an expiration date; and declaring an emergency."

and the same are herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1547 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 4, 2017

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886, with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The office of the superintendent of public instruction and the state board of education shall jointly review the following issues:

(a) The constitutional and statutory provisions establishing the governance structure and associated responsibilities in the K-12 system;

(b) Options for the division of roles and responsibilities between the office of the superintendent of public instruction and the state board of education;

(c) Past and present provisions governing the superintendent of public instruction and the superintendent's office, including authorities and duties assigned and modified by the legislature; and

(d) Past and present provisions governing the state board of education, including provisions prescribing its authorities, duties, composition, and membership qualifications; and

(e) Other relevant information as determined by the superintendent of public instruction or the members of the state board of education.

(2) The office of the superintendent of public instruction and the state board of education shall jointly report findings and recommendations, including recommendations regarding the appropriate roles and responsibilities of the superintendent of public instruction and the state board of education in the K-12 system, to the education committees of the house of representatives and the senate by November 15, 2017.

(3) This section expires January 31, 2018.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 3 of the title, after "education;" strike the remainder of the title and insert "creating a new section; providing an expiration date; and declaring an emergency."

and the same are herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 10, 2017

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1902, with the following amendment:

On page 3, after line 15, insert the following:

"(8) The board may issue an endorsement to allow a holder of a tavern license at a theater who meets the food preparation and service requirements of RCW 66.24.655(1), to sell spirits, beer, including strong beer, or wine, or all, at retail for consumption on theater premises, except the requirements to have no more than one hundred twenty seats per screen and to provide tabletop accommodations for in-theater dining do not apply. Minors are allowed on theater premises with a board-approved alcohol control plan meeting the requirements of RCW 66.24.655 (2) through (4). The cost of the endorsement is two thousand dollars.

(9) The board may issue an endorsement to allow a holder of a tavern licensee at a theater who meets the requirements of RCW 66.24.650, to sell beer, including strong beer, or wine, or both, at retail for consumption on theater premises, except the limitation of RCW 66.24.650(3)(b) to include only theaters with up to four screens does not apply. Minors are allowed on theater premises with a board-approved alcohol control plan meeting the requirements of RCW 66.24.650 (2) through (4). The cost of this endorsement is four hundred dollars.

(10) The maximum penalties prescribed by the board in WAC 314-29-020 relating to fines and suspensions are double for violations involving minors or the failure to follow the alcohol control plan for holders of theater endorsements issued under this section."

and the same are herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL No. 1902 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 5, 2017

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 1718, with the following amendment(s):

On page 6, after line 4, insert the following:

"(18) (a) There is a special permit to be designated as a banquet permit to be issued to a nonprofit organization, which has annual gross income of less than two hundred fifty thousand dollars, to provide free of charge, spirits, beer, and wine by the individual serving for on-premises consumption at a specified date and place.

(b) The banquet permit is available for an unlimited number of the nonprofit organization's business or social events that are held solely for the organization's members and guests. The events may not be open to the general public.

(c) Liquor served at the event may be:

(i) Provided by individuals attending the event for their own consumption or with the intent to share, at no cost, with other attendees;

(ii) Included in the total price for an event when participants receive an equal share by distribution of exchangeable tickets as part of the package; or

(iii) Purchased by the event organizers at an authorized retail source.

(d) The nonprofit organization may accept cash donations at an event so long as there is no expectation or implied obligation to give a donation in exchange for a beverage containing liquor.

(e) The fee for the banquet permit is ten dollars per day.

(f) For events occurring under this subsection, the board must provide for an online permit to be issued on the day the event occurs.

(g) For the purposes of this subsection (18), "nonprofit organization" means an entity incorporated as a nonprofit organization under Washington state law."

On page 1, line 1 of the title, after "creating" strike all material through "auctions" on line 2 and insert "special permits for nonprofit organizations"

On page 5, line 30, after "(c)" insert "A nonprofit organization that holds a special permit under either subsection (3) of this section or this subsection (17) may accept liquor donated to the organization by any person, industry member, or entity so long as the donor or the organization pays any fees established by RCW 66.24.630(4), taxes imposed on a

retail sale under RCW 82.08.150, or other sales taxes that would be paid, if the sale were made to a consumer.

(d) "

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

On page 5, line 39, after "(17) is" strike "twenty-seven" and insert "twenty-five"

and the same are herewith transmitted,

Hunter Goodman, Secretary

POINT OF ORDER

Representative Bergquist requested a scope and object ruling on the Senate amendments to HOUSE BILL NO. 1718.

There being no objection, the House deferred action on HOUSE BILL NO. 1718, and the bill held its place on the third reading calendar.

The Speaker (Representative Lovick presiding) called upon Representative Goodman to preside.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2203 by Representative Jinkins

AN ACT Relating to behavioral health services.

Referred to Committee on Appropriations.

ESB 5646 by Senators Honeyford, King, Chase, Keiser and Conway

AN ACT Relating to services provided by residential habilitation centers; and amending RCW 71A.20.180.

Referred to Committee on Early Learning & Human Services.

ESB 5741 by Senator King

AN ACT Relating to clarifying the collection of fuel taxes within tribal jurisdictions; amending RCW 82.38.031 and 82.38.035; adding a new section to chapter 82.38 RCW; and creating a new section.

Referred to Committee on Transportation.

SSB 5915 by Senate Committee on Ways & Means (originally sponsored by Senator Braun)

AN ACT Relating to central service functions, powers, and duties of state government; amending RCW 41.04.020, 41.04.220, 41.04.460, 41.04.720, 41.04.770, 41.06.400, 41.06.080, 41.06.395, 41.06.410, 43.41.450, 43.82.010, 43.82.055, and 43.82.150; adding new sections to chapter 43.41 RCW; adding a new section to chapter 41.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on State Government, Elections & Information Technology.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., April 14, 2017, the 96th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION**NINETY SIXTH DAY**

House Chamber, Olympia, Friday, April 14, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION**HOUSE RESOLUTION NO. 2017-4644, by Representatives Kretz and Maycumber**

WHEREAS, Mr. Mel Tonasket is a member of the Colville Business Council, the governing body of the Confederated Tribes of the Colville Indian Reservation, located in north central Washington; and

WHEREAS, At around 1.3 million acres, the Confederated Tribes of Colville is the second largest reservation in the state and one of the largest employers in Okanogan and Ferry counties; and

WHEREAS, Since 1970, Mr. Tonasket has served as an elected official in various leadership positions for the Colville Tribes, including Chairman and Vice Chairman; and

WHEREAS, From 1973 to 1976, Mr. Tonasket served as the President of the National Congress of American Indians (NCAI) where he led the Colville Tribes' successful efforts against termination and mobilized support for major tribal legislation, including the Indian Health Care Improvement Act and the Indian Child Welfare Act; and

WHEREAS, Mr. Tonasket was a member of the American Indian Policy Review Commission for two years and has represented the United States Tribal Governments at the World Council of Indigenous Peoples and at the Inter-American Indigenous Conference in Brazil; and

WHEREAS, Mr. Tonasket has spent his entire adult life working to increase opportunities and resources for the Colville Tribes; and

WHEREAS, Mr. Tonasket has a passion for encouraging, teaching, and instilling the Colville Tribes' unique heritage into the youth of the Confederated Tribes of the Colville Indian Reservation; and

WHEREAS, Mr. Tonasket's tireless vision and passion have resulted in unprecedented economic prosperity, social reform, and communal hope not only for the Colville Tribes, but also for local surrounding communities and his leadership has helped to spawn a new generation of active, involved, and dedicated young people;

NOW, THEREFORE, BE IT RESOLVED, That as Mr. Mel Tonasket enters retirement, the House of Representatives recognize him for his service; dedication; and commitment to the Confederated Tribes of the Colville Indian Reservation and other indigenous peoples around the state, nation, and world; and honor his continued vision for the same; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mel Tonasket and the representatives of the Confederated Tribes of the Colville Indian Reservation.

There being no objection, HOUSE RESOLUTION NO. 4644 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

April 13, 2017

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5022,
SENATE BILL NO. 5030,
SUBSTITUTE SENATE BILL NO. 5138,
SUBSTITUTE SENATE BILL NO. 5152,
SENATE BILL NO. 5177,
ENGROSSED SENATE BILL NO. 5234,
SECOND SUBSTITUTE SENATE BILL NO. 5258,
ENGROSSED SENATE BILL NO. 5266,
SUBSTITUTE SENATE BILL NO. 5327,
SUBSTITUTE SENATE BILL NO. 5346,
SUBSTITUTE SENATE BILL NO. 5358,
SENATE BILL NO. 5359,
SECOND SUBSTITUTE SENATE BILL NO. 5474,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the following bills were returned to the Committee on Rules:

HOUSE BILL NO. 1147,
HOUSE BILL NO. 1677,
SENATE BILL NO. 5126,
SENATE BILL NO. 5164,
SENATE BILL NO. 5189,
SENATE BILL NO. 5230,
SENATE BILL NO. 5252,
ENGROSSED SUBSTITUTE SENATE BILL NO.
5312,
SENATE BILL NO. 5315,
ENGROSSED SENATE BILL NO. 5316,
SUBSTITUTE SENATE BILL NO. 5426,
SENATE BILL NO. 5442,
SENATE BILL NO. 5490,
SUBSTITUTE SENATE BILL NO. 5560,
SECOND SUBSTITUTE SENATE BILL NO. 5577,
SENATE BILL NO. 5614,
ENGROSSED SUBSTITUTE SENATE BILL NO.
5777,
ENGROSSED SUBSTITUTE SENATE BILL NO.
5810

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO.
1153,
ENGROSSED HOUSE BILL NO. 1201,
SUBSTITUTE HOUSE BILL NO. 1234,
SUBSTITUTE HOUSE BILL NO. 1258,
HOUSE BILL NO. 1262,
HOUSE BILL NO. 1274,
HOUSE BILL NO. 1281,
ENGROSSED SUBSTITUTE HOUSE BILL NO.
1296,
ENGROSSED HOUSE BILL NO. 1322,
HOUSE BILL NO. 1352,
HOUSE BILL NO. 1395,
SUBSTITUTE HOUSE BILL NO. 1417,
SUBSTITUTE HOUSE BILL NO. 1462,
HOUSE BILL NO. 1475,
SUBSTITUTE HOUSE BILL NO. 1490,
ENGROSSED SUBSTITUTE HOUSE BILL NO.
1493,
ENGROSSED HOUSE BILL NO. 1507,
SUBSTITUTE HOUSE BILL NO. 1521,
SUBSTITUTE HOUSE BILL NO. 1526,
HOUSE BILL NO. 1530,
ENGROSSED SUBSTITUTE HOUSE BILL NO.
1538,
HOUSE BILL NO. 1578,
HOUSE BILL NO. 1623,
SUBSTITUTE HOUSE BILL NO. 1671,

HOUSE BILL NO. 1676,
SUBSTITUTE HOUSE BILL NO. 1683,
HOUSE BILL NO. 1709,
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1713,
SUBSTITUTE HOUSE BILL NO. 1717,
HOUSE BILL NO. 1721,
SUBSTITUTE HOUSE BILL NO. 1738,
ENGROSSED SUBSTITUTE HOUSE BILL NO.
1739,
SUBSTITUTE HOUSE BILL NO. 1741,
SUBSTITUTE HOUSE BILL NO. 1747,
HOUSE BILL NO. 1757,
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1802,
ENGROSSED SUBSTITUTE HOUSE BILL NO.
1808,
ENGROSSED SUBSTITUTE HOUSE BILL NO.
1809,
SUBSTITUTE HOUSE BILL NO. 1815,
SUBSTITUTE HOUSE BILL NO. 1816,
HOUSE BILL NO. 1829,
HOUSE BILL NO. 1931,
HOUSE BILL NO. 1959,
SUBSTITUTE HOUSE BILL NO. 2037,
HOUSE BILL NO. 2038,
HOUSE BILL NO. 2064,
SUBSTITUTE HOUSE BILL NO. 2138,
SENATE BILL NO. 5039,
SUBSTITUTE SENATE BILL NO. 5069,
SUBSTITUTE SENATE BILL NO. 5077,
ENGROSSED SENATE BILL NO. 5128,
SUBSTITUTE SENATE BILL NO. 5133,
SUBSTITUTE SENATE BILL NO. 5196,
ENGROSSED SUBSTITUTE SENATE BILL NO.
5293,
SENATE BILL NO. 5331,
SECOND SUBSTITUTE SENATE BILL NO. 5347,
SUBSTITUTE SENATE BILL NO. 5366,
SENATE BILL NO. 5488,
SUBSTITUTE SENATE BILL NO. 5514,
SENATE BILL NO. 5537,
SECOND SUBSTITUTE SENATE BILL NO. 5546,
SENATE BILL NO. 5662,
SENATE BILL NO. 5736,
SUBSTITUTE SENATE BILL NO. 5835

The Speaker called upon Representative Sullivan to preside.

There being no objection, the House adjourned until 10:00 a.m., April 17, 2017, the 99th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

NINETY NINTH DAY

House Chamber, Olympia, Monday, April 17, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Emma Geiger and Will Basinski. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Bubba Jennings, Resurrection Church, Tacoma, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

April 14, 2017

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5198,
SENATE BILL NO. 5674,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 12, 2017

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that in 2015 an average of two Washington residents died per day in this state from opioid overdose and that opioid

overdose deaths have more than doubled between 2010 and 2015.

The legislature further finds that medically prescribed opioids intended to treat pain have contributed to the opioid epidemic and although Washington has done much to address the prescribing and tracking of opioid prescriptions, more needs to be done to ensure proper prescribing and use of opioids and access to treatment. This includes allowing local health officers to access the prescription monitoring program in order to provide patient follow-up and care coordination, including directing care to opioid treatment programs in the area as appropriate to the patient following an overdose event.

The legislature intends to streamline its already comprehensive system of tracking and treating opioid abuse by: Reducing barriers to the siting of opioid treatment programs; ensuring ease of access for prescribers, including those prescribers who provide services in opioid treatment programs, to the prescription monitoring program; allowing facilities and practitioners to use the information received under the prescription monitoring program for the purpose of providing individual prescriber quality improvement feedback; and requiring the boards and commissions of the health care professions with prescriptive authority to adopt rules establishing requirements for prescribing opioid drugs with the goal of reducing the number of people who inadvertently become addicted to opioids and, consequently, reducing the burden on opioid treatment programs.

NEW SECTION. **Sec. 2.** A new section is added to chapter 18.22 RCW to read as follows:

(1) By January 1, 2019, the board must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the board must consider the agency medical

directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of podiatric physicians and surgeons in the state.

NEW SECTION. Sec. 3. A new section is added to chapter 18.32 RCW to read as follows:

(1) By January 1, 2019, the commission must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the commission must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of dentists in the state.

NEW SECTION. Sec. 4. A new section is added to chapter 18.57 RCW to read as follows:

(1) By January 1, 2019, the board must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the board must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of osteopathic physicians and surgeons in the state.

NEW SECTION. Sec. 5. A new section is added to chapter 18.57A RCW to read as follows:

(1) By January 1, 2019, the board must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the board must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of osteopathic physician assistants in the state.

NEW SECTION. Sec. 6. A new section is added to chapter 18.71 RCW to read as follows:

(1) By January 1, 2019, the commission must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the commission must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of physicians in the state.

NEW SECTION. Sec. 7. A new section is added to chapter 18.71A RCW to read as follows:

(1) By January 1, 2019, the commission must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the commission must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of physician assistants in the state.

NEW SECTION. Sec. 8. A new section is added to chapter 18.79 RCW to read as follows:

(1) By January 1, 2019, the commission must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the commission must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional associations for advanced registered nurse practitioners and certified registered nurse anesthetists in the state.

Sec. 9. RCW 70.225.040 and 2016 c 104 s 1 are each amended to read as follows:

(1) Prescription information submitted to the department must be confidential, in

compliance with chapter 70.02 RCW and federal health care information privacy requirements and not subject to disclosure, except as provided in subsections (3) (~~and~~), (4), and (5) of this section.

(2) The department must maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted, and maintained is not disclosed to persons except as in subsections (3) (~~and~~), (4), and (5) of this section.

(3) The department may provide data in the prescription monitoring program to the following persons:

(a) Persons authorized to prescribe or dispense controlled substances or legend drugs, for the purpose of providing medical or pharmaceutical care for their patients;

(b) An individual who requests the individual's own prescription monitoring information;

(c) Health professional licensing, certification, or regulatory agency or entity;

(d) Appropriate law enforcement or prosecutorial officials, including local, state, and federal officials and officials of federally recognized tribes, who are engaged in a bona fide specific investigation involving a designated person;

(e) Authorized practitioners of the department of social and health services and the health care authority regarding medicaid program recipients;

(f) The director or the director's designee within the health care authority regarding medicaid clients for the purposes of quality improvement, patient safety, and care coordination. The information may not be used for contracting or value-based purchasing decisions;

(g) The director or director's designee within the department of labor and industries regarding workers' compensation claimants;

~~(g)~~ (h) The director or the director's designee within the department of corrections regarding offenders committed to the department of corrections;

~~(h)~~ (i) Other entities under grand jury subpoena or court order;

~~(i)~~ (j) Personnel of the department for purposes of:

(i) Assessing prescribing practices, including controlled substances related to mortality and morbidity;

(ii) Providing quality improvement feedback to providers, including comparison of their respective data to aggregate data for providers with the same type of license and same specialty; and

(iii) Administration and enforcement of this chapter or chapter 69.50 RCW;

~~(j)~~ (k) Personnel of a test site that meet the standards under RCW 70.225.070 pursuant to an agreement between the test site and a person identified in (a) of this subsection to provide assistance in determining which medications are being used by an identified patient who is under the care of that person;

~~(k)~~ (l) A health care facility or entity for the purpose of providing medical or pharmaceutical care to the patients of the facility or entity, or for quality improvement purposes if:

(i) The facility or entity is licensed by the department or is operated by the federal government or a federally recognized Indian tribe; and

(ii) The facility or entity is a trading partner with the state's health information exchange; ~~and~~

~~(l)~~ (m) A health care provider group of five or more providers for purposes of providing medical or pharmaceutical care to the patients of the provider group, or for quality improvement purposes if:

(i) All the providers in the provider group are licensed by the department or the provider group is operated by the federal government or a federally recognized Indian tribe; and

(ii) The provider group is a trading partner with the state's health information exchange;

(n) The local health officer of a local health jurisdiction for the purposes of patient follow-up and care coordination following a controlled substance overdose event. For the purposes of this subsection "local health officer" has the same meaning as in RCW 70.05.010; and

(o) The coordinated care electronic tracking program developed in response to section 213, chapter 7, Laws of 2012 2nd sp. sess., commonly referred to as the seven best practices in emergency medicine, for the purposes of providing:

(i) Prescription monitoring program data to emergency department personnel when the patient registers in the emergency department; and

(ii) Notice to providers, appropriate care coordination staff, and prescribers listed in the patient's prescription monitoring program record that the patient has experienced a controlled substance overdose event. The department shall determine the content and format of the notice in consultation with the Washington state hospital association, Washington state medical association, and Washington state health care authority, and the notice may be modified as necessary to reflect current needs and best practices.

(4) The department shall, on at least a quarterly basis, and pursuant to a schedule determined by the department, provide a facility or entity identified under subsection (3)(l) of this section or a provider group identified under subsection (3)(m) of this section with facility or entity and individual prescriber information if the facility, entity, or provider group:

(a) Uses the information only for internal quality improvement and individual prescriber quality improvement feedback purposes and does not use the information as the sole basis for any medical staff sanction or adverse employment action; and

(b) Provides to the department a standardized list of current prescribers of the facility, entity, or provider group. The specific facility, entity, or provider group information provided pursuant to this subsection and the requirements under this subsection must be determined by the department in consultation with the Washington state hospital association, Washington state medical association, and Washington state health care authority, and may be modified as necessary to reflect current needs and best practices.

(5)(a) The department may provide data to public or private entities for statistical, research, or educational purposes after removing information that could be used to identify individual patients, dispensers, prescribers, and

persons who received prescriptions from dispensers.

(b)(i) The department may provide dispenser and prescriber data and data that includes indirect patient identifiers to the Washington state hospital association for use solely in connection with its coordinated quality improvement program maintained under RCW 43.70.510 after entering into a data use agreement as specified in RCW 43.70.052(8) with the association.

(ii) For the purposes of this subsection, "indirect patient identifiers" means data that may include: Hospital or provider identifiers, a five-digit zip code, county, state, and country of resident; dates that include month and year; age in years; and race and ethnicity; but does not include the patient's first name; middle name; last name; social security number; control or medical record number; zip code plus four digits; dates that include day, month, and year; or admission and discharge date in combination.

~~((4) A dispenser or practitioner)) (6) Persons authorized in subsections (3), (4), and (5) of this section to receive data in the prescription monitoring program from the department, acting in good faith ((is)), are immune from any civil, criminal, disciplinary, or administrative liability that might otherwise be incurred or imposed for ((requesting, receiving, or using information from the program)) acting under this chapter.~~

NEW SECTION. Sec. 10. A new section is added to chapter 70.225 RCW to read as follows:

Beginning November 15, 2017, the department shall annually report to the governor and the appropriate committees of the legislature on the number of facilities, entities, or provider groups identified in RCW 70.225.040(3) (l) and (m) that have integrated their federally certified electronic health records with the prescription monitoring program utilizing the state health information exchange.

Sec. 11. RCW 71.24.560 and 2016 sp.s. c 29 s 506 are each amended to read as follows:

(1) All approved ((opiate substitution)) opioid treatment programs that provide services to women who are pregnant are required to disseminate up-

to-date and accurate health education information to all their pregnant clients concerning the possible addiction and health risks that their ~~((opiate substitution))~~ treatment may have on their baby. All pregnant clients must also be advised of the risks to both them and their baby associated with not remaining on the ~~((opiate substitute))~~ opioid treatment program. The information must be provided to these clients both verbally and in writing. The health education information provided to the pregnant clients must include referral options for the ~~((addicted))~~ substance-exposed baby.

(2) The department shall adopt rules that require all ~~((opiate))~~ opioid treatment programs to educate all pregnant women in their program on the benefits and risks of ~~((methadone))~~ medication-assisted treatment to their fetus before they are provided these medications, as part of their ~~((addiction))~~ treatment. The department shall meet the requirements under this subsection within the appropriations provided for ~~((opiate))~~ opioid treatment programs. The department, working with treatment providers and medical experts, shall develop and disseminate the educational materials to all certified ~~((opiate))~~ opioid treatment programs.

Sec. 12. RCW 71.24.585 and 2016 sp.s. c 29 s 519 are each amended to read as follows:

The state of Washington declares that there is no fundamental right to ~~((opiate substitution))~~ medication-assisted treatment for opioid use disorder. The state of Washington further declares that while ~~((opiate substitution drugs))~~ medications used in the treatment of ((opiate dependency)) opioid use disorder are addictive substances, that they nevertheless have several legal, important, and justified uses and that one of their appropriate and legal uses is, in conjunction with other required therapeutic procedures, in the treatment of persons ~~((addicted to or habituated to opioids))~~ with opioid use disorder. The state of Washington recognizes as evidence-based for the management of opioid use disorder the medications approved by the federal food and drug administration for the treatment of opioid use disorder. ~~((Opiate substitution))~~ Medication-assisted treatment should only be used for participants who are deemed appropriate to need this level of intervention ((and should not be));

providers should first consider alternatives like abstinence for the first treatment intervention ((for all opiate addicts)).

Because ~~((opiate substitution drugs, used in the treatment of opiate dependency are addictive and are listed as a schedule II))~~ some such medications are controlled substances in chapter 69.50 RCW, the state of Washington ((has)) maintains the legal obligation and right to regulate the ((use of opiate substitution treatment. The state of Washington declares its authority to control and regulate carefully, in consultation with counties and cities, all clinical uses of opiate substitution drugs used in the treatment of opiate addiction)) clinical uses of these medications in the treatment of opioid use disorder.

Further, the state declares that the ~~((primary))~~ main goal of opiate substitution treatment is total abstinence from substance use for the individuals who participate in the treatment program, but recognizes the additional goals of reduced morbidity, and restoration of the ability to lead a productive and fulfilling life. The state recognizes that a small percentage of persons who participate in ~~((opiate substitution))~~ opioid treatment programs require treatment for an extended period of time. ~~((Opiate substitution))~~ Opioid treatment programs shall provide a comprehensive transition program to eliminate substance use, including ((opiate and opiate substitute addiction)) opioid use of program participants.

NEW SECTION. **Sec. 13.** A new section is added to chapter 71.24 RCW to read as follows:

The state declares that a person lawfully possessing or using lawfully prescribed medication for the treatment of opioid use disorder must be treated the same in judicial and administrative proceedings as a person lawfully possessing or using other lawfully prescribed medications.

Sec. 14. RCW 71.24.590 and 2001 c 242 s 2 are each amended to read as follows:

(1) ~~((For purposes of this section, "area" means the county in which an applicant proposes to locate a certified program and counties adjacent, or near to, the county in which the program is proposed to be located.))~~

When making a decision on an application for certification of a program, the department shall:

(a) Consult with the county legislative authorities in the area in which an applicant proposes to locate a program and the city legislative authority in any city in which an applicant proposes to locate a program;

(b) Certify only programs that will be sited in accordance with the appropriate county or city land use ordinances. Counties and cities may require conditional ~~((or special))~~ use permits with reasonable conditions for the siting of programs. Pursuant to RCW 36.70A.200, no local comprehensive plan or development regulation may preclude the siting of essential public facilities;

(c) Not discriminate in its certification decision on the basis of the corporate structure of the applicant;

(d) Consider the size of the population in need of treatment in the area in which the program would be located and certify only applicants whose programs meet the necessary treatment needs of that population;

~~((Demonstrate a need in the community for opiate substitution treatment and not certify more program slots than justified by the need in that community. No program shall exceed three hundred fifty participants unless specifically authorized by the county in which the program is certified;~~

~~(f))~~ Consider the availability of other certified opioid treatment programs near the area in which the applicant proposes to locate the program;

~~((g))~~ (f) Consider the transportation systems that would provide service to the program and whether the systems will provide reasonable opportunities to access the program for persons in need of treatment;

~~((h))~~ (g) Consider whether the applicant has, or has demonstrated in the past, the capability to provide the appropriate services to assist the persons who utilize the program in meeting goals established by the legislature ~~((including abstinence from opiates and opiate substitutes, obtaining mental health treatment, improving economic independence, and reducing adverse consequences associated with illegal use of controlled substances))~~ in RCW

71.24.585. The department shall prioritize certification to applicants who have demonstrated such capability and are able to measure their success in meeting such outcomes;

~~((i))~~ (h) Hold ~~((at least))~~ one public hearing in the ~~((county))~~ community in which the facility is proposed to be located ~~((and one hearing in the area in which the facility is proposed to be located))~~. The hearing shall be held at a time and location that are most likely to permit the largest number of interested persons to attend and present testimony. The department shall notify all appropriate media outlets of the time, date, and location of the hearing at least three weeks in advance of the hearing.

(2) A county may impose a maximum capacity for a program of not less than three hundred fifty participants if necessary to address specific local conditions cited by the county.

(3) A program applying for certification from the department and a program applying for a contract from a state agency that has been denied the certification or contract shall be provided with a written notice specifying the rationale and reasons for the denial.

~~((3))~~ (4) For the purpose of this chapter, ~~((opiate substitution))~~ opioid treatment program means:

(a) Dispensing ~~((an opiate substitution drug))~~ a medication approved by the federal drug administration for the treatment of ~~((opiate addiction))~~ opioid use disorder and dispensing medication for the reversal of opioid overdose; and

(b) Providing a comprehensive range of medical and rehabilitative services.

Sec. 15. RCW 71.24.590 and 2001 c 242 s 2 are each amended to read as follows:

(1) ~~((For purposes of this section, "area" means the county in which an applicant proposes to locate a certified program and counties adjacent, or near to, the county in which the program is proposed to be located.))~~

When making a decision on an application for licensing or certification of a program, the department shall:

(a) Consult with the county legislative authorities in the area in which an applicant proposes to locate a program and the city legislative authority in any city

in which an applicant proposes to locate a program;

(b) License or certify only programs that will be sited in accordance with the appropriate county or city land use ordinances. Counties and cities may require conditional ~~(or special)~~ use permits with reasonable conditions for the siting of programs. Pursuant to RCW 36.70A.200, no local comprehensive plan or development regulation may preclude the siting of essential public facilities;

(c) Not discriminate in its licensing or certification decision on the basis of the corporate structure of the applicant;

(d) Consider the size of the population in need of treatment in the area in which the program would be located and license or certify only applicants whose programs meet the necessary treatment needs of that population;

(e) ~~((Demonstrate a need in the community for opiate substitution treatment and not certify more program slots than justified by the need in that community. No program shall exceed three hundred fifty participants unless specifically authorized by the county in which the program is certified;~~

~~(f))~~ Consider the availability of other licensed or certified opioid treatment programs near the area in which the applicant proposes to locate the program;

~~((g))~~ (f) Consider the transportation systems that would provide service to the program and whether the systems will provide reasonable opportunities to access the program for persons in need of treatment;

~~((h))~~ (g) Consider whether the applicant has, or has demonstrated in the past, the capability to provide the appropriate services to assist the persons who utilize the program in meeting goals established by the legislature ~~(including abstinence from opiates and opiate substitutes, obtaining mental health treatment, improving economic independence, and reducing adverse consequences associated with illegal use of controlled substances))~~ in RCW 71.24.585. The department shall prioritize licensing or certification to applicants who have demonstrated such capability and are able to measure their success in meeting such outcomes;

~~((i))~~ (h) Hold ~~(at least)~~ one public hearing in the ~~(county)~~ community in which the facility is proposed to be located ~~(and one hearing in the area in which the facility is proposed to be located)~~. The hearing shall be held at a time and location that are most likely to permit the largest number of interested persons to attend and present testimony. The department shall notify all appropriate media outlets of the time, date, and location of the hearing at least three weeks in advance of the hearing.

(2) A county may impose a maximum capacity for a program of not less than three hundred fifty participants if necessary to address specific local conditions cited by the county.

(3) A program applying for licensing or certification from the department and a program applying for a contract from a state agency that has been denied the licensing or certification or contract shall be provided with a written notice specifying the rationale and reasons for the denial.

~~((3))~~ (4) For the purpose of this chapter, ~~((opiate substitution))~~ opioid treatment program means:

(a) Dispensing ~~((an opiate substitution drug))~~ a medication approved by the federal drug administration for the treatment of ~~((opiate addiction))~~ opioid use disorder and dispensing medication for the reversal of opioid overdose; and

(b) Providing a comprehensive range of medical and rehabilitative services.

Sec. 16. RCW 71.24.595 and 2003 c 207 s 6 are each amended to read as follows:

(1) The department, in consultation with ~~((opiate substitution))~~ opioid treatment program service providers and counties and cities, shall establish statewide treatment standards for certified ~~((opiate substitution))~~ opioid treatment programs. The department shall enforce these treatment standards. The treatment standards shall include, but not be limited to, reasonable provisions for all appropriate and necessary medical procedures, counseling requirements, urinalysis, and other suitable tests as needed to ensure compliance with this chapter.

(2) The department, in consultation with ~~((opiate substitution))~~ opioid treatment programs and counties, shall establish statewide operating standards

for certified (~~(opiate substitution)~~) opiod treatment programs. The department shall enforce these operating standards. The operating standards shall include, but not be limited to, reasonable provisions necessary to enable the department and counties to monitor certified and licensed (~~(opiate substitution)~~) opiod treatment programs for compliance with this chapter and the treatment standards authorized by this chapter and to minimize the impact of the (~~(opiate substitution)~~) opiod treatment programs upon the business and residential neighborhoods in which the program is located.

(3) (~~The department shall establish criteria for evaluating the compliance of opiate substitution treatment programs with the goals and standards established under this chapter. As a condition of certification, opiate substitution programs shall submit an annual report to the department and county legislative authority, including data as specified by the department necessary for outcome analysis.~~) The department shall analyze and evaluate the data submitted by each treatment program and take corrective action where necessary to ensure compliance with the goals and standards enumerated under this chapter. Opioid treatment programs are subject to the oversight required for other substance use disorder treatment programs, as described in this chapter.

Sec. 17. RCW 71.24.595 and 2003 c 207 s 6 are each amended to read as follows:

(1) The department, in consultation with (~~(opiate substitution)~~) opiod treatment program service providers and counties and cities, shall establish statewide treatment standards for licensed or certified (~~(opiate substitution)~~) opiod treatment programs. The department shall enforce these treatment standards. The treatment standards shall include, but not be limited to, reasonable provisions for all appropriate and necessary medical procedures, counseling requirements, urinalysis, and other suitable tests as needed to ensure compliance with this chapter.

(2) The department, in consultation with (~~(opiate substitution)~~) opiod treatment programs and counties, shall establish statewide operating standards for certified (~~(opiate substitution)~~) opiod treatment programs. The department shall enforce these operating standards. The operating standards shall include, but not be limited to, reasonable provisions

necessary to enable the department and counties to monitor certified (~~(and)~~) or licensed (~~(opiate substitution)~~) opiod treatment programs for compliance with this chapter and the treatment standards authorized by this chapter and to minimize the impact of the (~~(opiate substitution)~~) opiod treatment programs upon the business and residential neighborhoods in which the program is located.

(3) (~~The department shall establish criteria for evaluating the compliance of opiate substitution treatment programs with the goals and standards established under this chapter. As a condition of certification, opiate substitution programs shall submit an annual report to the department and county legislative authority, including data as specified by the department necessary for outcome analysis.~~) The department shall analyze and evaluate the data submitted by each treatment program and take corrective action where necessary to ensure compliance with the goals and standards enumerated under this chapter. Opioid treatment programs are subject to the oversight required for other substance use disorder treatment programs, as described in this chapter.

NEW SECTION. Sec. 18. Sections 14 and 16 of this act take effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 19. Sections 15 and 17 of this act take effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

On page 1, line 1 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 70.225.040, 71.24.560, 71.24.585, 71.24.590, 71.24.590, 71.24.595, and 71.24.595; adding a new section to chapter 18.22 RCW; adding a new section to chapter 18.32 RCW; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new section to chapter 18.79 RCW; adding a new section to chapter 70.225 RCW; adding a new section to chapter 71.24 RCW; creating a new

section; and providing contingent effective dates."

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 11, 2017

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that:

(1) Research demonstrates that registered nurses play a critical role in improving patient safety and quality of care;

(2) Appropriate staffing of hospital personnel including registered nurses available for patient care assists in reducing errors, complications, and adverse patient care events and can improve staff safety and satisfaction and reduce incidences of workplace injuries;

(3) Health care professional, technical, and support staff comprise vital components of the patient care team, bringing their particular skills and services to ensuring quality patient care;

(4) Assuring sufficient staffing of hospital personnel, including registered nurses, is an urgent public policy priority in order to protect patients and support greater retention of registered nurses and safer working conditions; and

(5) Steps should be taken to promote evidence-based nurse staffing and increase transparency of health care data and decision making based on the data.

Sec. 2. RCW 70.41.420 and 2008 c 47 s 3 are each amended to read as follows:

(1) By September 1, 2008, each hospital shall establish a nurse staffing committee, either by creating a new committee or assigning the functions of a nurse staffing committee to an existing

committee. At least one-half of the members of the nurse staffing committee shall be registered nurses currently providing direct patient care and up to one-half of the members shall be determined by the hospital administration. The selection of the registered nurses providing direct patient care shall be according to the collective bargaining agreement if there is one in effect at the hospital. If there is no applicable collective bargaining agreement, the members of the nurse staffing committee who are registered nurses providing direct patient care shall be selected by their peers.

(2) Participation in the nurse staffing committee by a hospital employee shall be on scheduled work time and compensated at the appropriate rate of pay. Nurse staffing committee members shall be relieved of all other work duties during meetings of the committee.

(3) Primary responsibilities of the nurse staffing committee shall include:

(a) Development and oversight of an annual patient care unit and shift-based nurse staffing plan, based on the needs of patients, to be used as the primary component of the staffing budget. Factors to be considered in the development of the plan should include, but are not limited to:

(i) Census, including total numbers of patients on the unit on each shift and activity such as patient discharges, admissions, and transfers;

(ii) Level of intensity of all patients and nature of the care to be delivered on each shift;

(iii) Skill mix;

(iv) Level of experience and specialty certification or training of nursing personnel providing care;

(v) The need for specialized or intensive equipment;

(vi) The architecture and geography of the patient care unit, including but not limited to placement of patient rooms, treatment areas, nursing stations, medication preparation areas, and equipment; (~~and~~)

(vii) Staffing guidelines adopted or published by national nursing professional associations, specialty nursing organizations, and other health professional organizations;

(viii) Availability of other personnel supporting nursing services on the unit; and

(ix) Strategies to enable registered nurses to take meal and rest breaks as required by law or the terms of an applicable collective bargaining agreement, if any, between the hospital and a representative of the nursing staff;

(b) Semiannual review of the staffing plan against patient need and known evidence-based staffing information, including the nursing sensitive quality indicators collected by the hospital;

(c) Review, assessment, and response to staffing variations or concerns presented to the committee.

(4) In addition to the factors listed in subsection (3)(a) of this section, hospital finances and resources ~~((may))~~ must be taken into account in the development of the nurse staffing plan.

(5) The staffing plan must not diminish other standards contained in state or federal law and rules, or the terms of an applicable collective bargaining agreement, if any, between the hospital and a representative of the nursing staff.

(6) The committee will produce the hospital's annual nurse staffing plan. If this staffing plan is not adopted by the hospital, the chief executive officer shall provide a written explanation of the reasons why the plan was not adopted to the committee. The chief executive officer must then either: (a) Identify those elements of the proposed plan being changed prior to adoption of the plan by the hospital or (b) prepare an alternate annual staffing plan that must be adopted by the hospital. Beginning January 1, 2019, each hospital shall submit its staffing plan to the department and thereafter on an annual basis and at any time in between that the plan is updated.

(7) Beginning January 1, 2019, each hospital shall implement the staffing plan and assign nursing personnel to each patient care unit in accordance with the plan.

(a) A registered nurse may report to the staffing committee any variations where the nurse personnel assignment in a patient care unit is not in accordance with the adopted staffing plan and may make a complaint to the committee based on the variations.

(b) Shift-to-shift adjustments in staffing levels required by the plan may be made by the appropriate hospital personnel overseeing patient care operations. If a registered nurse on a patient care unit objects to a shift-to-shift adjustment, the registered nurse may submit the complaint to the staffing committee.

(c) Staffing committees shall develop a process to examine and respond to data submitted under (a) and (b) of this subsection, including the ability to determine if a specific complaint is resolved or dismissing a complaint based on unsubstantiated data.

(8) Each hospital shall post, in a public area on each patient care unit, the nurse staffing plan and the nurse staffing schedule for that shift on that unit, as well as the relevant clinical staffing for that shift. The staffing plan and current staffing levels must also be made available to patients and visitors upon request.

~~((9))~~ (9) A hospital may not retaliate against or engage in any form of intimidation of:

(a) An employee for performing any duties or responsibilities in connection with the nurse staffing committee; or

(b) An employee, patient, or other individual who notifies the nurse staffing committee or the hospital administration of his or her concerns on nurse staffing.

~~((9))~~ (10) This section is not intended to create unreasonable burdens on critical access hospitals under 42 U.S.C. Sec. 1395i-4. Critical access hospitals may develop flexible approaches to accomplish the requirements of this section that may include but are not limited to having nurse staffing committees work by telephone or ~~((electronic mail))~~ email.

NEW SECTION. Sec. 3. A new section is added to chapter 70.41 RCW to read as follows:

(1)(a) The department shall investigate a complaint submitted under this section for violation of RCW 70.41.420 following receipt of a complaint with documented evidence of failure to:

(i) Form or establish a staffing committee;

(ii) Conduct a semiannual review of a nurse staffing plan;

(iii) Submit a nurse staffing plan on an annual basis and any updates; or

(iv) (A) Follow the nursing personnel assignments in a patient care unit in violation of RCW 70.41.420(7) (a) or shift-to-shift adjustments in staffing levels in violation of RCW 70.41.420(7) (b).

(B) The department may only investigate a complaint under this subsection (1) (a) (iv) after making an assessment that the submitted evidence indicates a continuing pattern of unresolved violations of RCW 70.41.420(7) (a) or (b), that were submitted to the nurse staffing committee excluding complaints determined by the nurse staffing committee to be resolved or dismissed. The submitted evidence must include the aggregate data contained in the complaints submitted to the hospital's nurse staffing committee that indicate a continuing pattern of unresolved violations for a minimum sixty-day continuous period leading up to receipt of the complaint by the department.

(C) The department may not investigate a complaint under this subsection (1) (a) (iv) in the event of unforeseeable emergency circumstances or if the hospital, after consultation with the nurse staffing committee, documents it has made reasonable efforts to obtain staffing to meet required assignments but has been unable to do so.

(b) After an investigation conducted under (a) of this subsection, if the department determines that there has been a violation, the department shall require the hospital to submit a corrective plan of action within forty-five days of the presentation of findings from the department to the hospital.

(2) In the event that a hospital fails to submit or submits but fails to follow such a corrective plan of action in response to a violation or violations found by the department based on a complaint filed pursuant to subsection (1) of this section, the department may impose, for all violations asserted against a hospital at any time, a civil penalty of one hundred dollars per day until the hospital submits or begins to follow a corrective plan of action or takes other action agreed to by the department.

(3) The department shall maintain for public inspection records of any civil penalties, administrative actions, or

license suspensions or revocations imposed on hospitals under this section.

(4) For purposes of this section, "unforeseeable emergency circumstance" means:

(a) Any unforeseen national, state, or municipal emergency;

(b) When a hospital disaster plan is activated;

(c) Any unforeseen disaster or other catastrophic event that substantially affects or increases the need for health care services; or

(d) When a hospital is diverting patients to another hospital or hospitals for treatment or the hospital is receiving patients who are from another hospital or hospitals.

(5) Nothing in this section shall be construed to preclude the ability to otherwise submit a complaint to the department for failure to follow RCW 70.41.420.

(6) The department shall submit a report to the legislature on December 31, 2022. This report shall include the number of complaints submitted to the department under this section, the disposition of these complaints, the number of investigations conducted, the associated costs for complaint investigations, and recommendations for any needed statutory changes. The department shall also project, based on experience, the impact, if any, on hospital licensing fees over the next four years. Prior to the submission of the report, the secretary shall convene a stakeholder group consisting of the Washington state hospital association, the Washington state nurses association, service employees international union healthcare 1199NW, and united food and commercial workers 21. The stakeholder group shall review the report prior to its submission to review findings and jointly develop any legislative recommendations to be included in the report.

(7) No fees shall be increased to implement this act prior to June 1, 2023.

NEW SECTION. **Sec. 4.** This act expires June 1, 2023.

NEW SECTION. **Sec. 5.** This act may be known and cited as the Washington state patient safety act."

On page 1, line 1 of the title, after "hospitals;" strike the remainder of the

title and insert "amending RCW 70.41.420; adding a new section to chapter 70.41 RCW; creating new sections; prescribing penalties; and providing an expiration date."

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714 and asked the Senate to recede therefrom.

There being no objection, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427 and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714 were immediately transmitted to the Senate.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1038 with the following amendment:

On page 5, beginning on line 12, strike all of section 2

On page 1, beginning on line 2 of the title, after "license;" strike the remainder of the title and insert "and amending RCW 66.24.170."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1038 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Condotta and Sawyer spoke in favor of the passage of the bill, as amended by the Senate.

MOTIONS

On motion of Representative Hayes, Representatives Caldier and Nealey were excused.

On motion of Representative Riccelli, Representative Pollet were excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1038, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1038, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Harris and Orcutt.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1038, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1055 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) Subject to the availability of amounts appropriated for this specific purpose, there is hereby created an office of military and veteran legal assistance within the office of the attorney general for the purpose of promoting and facilitating civil legal assistance programs, pro bono services, and self-help services for military service members, veterans, and their family members domiciled or stationed in Washington state.

(2) For the purposes of sections 1 through 3 of this act, the following definitions apply:

(a) The term "service member" means an active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

(b) The term "veteran" has the same meaning as defined in RCW 41.04.005 and 41.04.007.

(c) The term "family member" means the spouse or domestic partner, surviving spouse, surviving domestic partner, and dependent minor children under twenty-one years of age of a living or deceased service member or veteran for whom the service member or veteran provided at least one-half of that person's support in the previous one hundred eighty days before seeking assistance of the programs and services authorized by this chapter.

(3) The attorney general may not directly provide legal assistance, advice, or representation in any context, unless otherwise authorized by law, and the attorney general may not provide legal assistance programs, pro bono services, or self-help services to a service member, veteran, or family member being criminally prosecuted.

NEW SECTION. **Sec. 2.** The office of military and veteran legal assistance shall:

(1) Recruit and train volunteer attorneys and identify service programs willing to perform pro bono services for service members, veterans, and their family members, and create and maintain a registry of the same;

(2) Assess and assign requests for pro bono services to volunteer attorneys and service programs registered with the office; and

(3) Establish an advisory committee that will include, among others, representatives from legal assistance offices on military installations, the office of civil legal aid, the Washington state bar association's legal assistance to military personnel section, the Washington state veterans bar association, relevant office of military service and support organizations, and organizations involved in coordinating, supporting, and delivering civil legal aid and pro bono legal services in Washington state. The committee shall provide advice and assistance regarding program design, operation, volunteer recruitment and support strategies, service delivery objectives and priorities, and funding.

NEW SECTION. **Sec. 3.** The attorney general may apply for and receive grants, gifts, donations, bequests, or other contributions to help support and to be used exclusively for the operations of the

office of military and veteran legal assistance.

NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are each added to chapter 43.10 RCW."

On page 1, line 2 of the title, after "families;" strike the remainder of the title and insert "and adding new sections to chapter 43.10 RCW."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1055 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kilduff and Rodne spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1055, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1055, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1055, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1115 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 1.** INTENT. Paraeducators provide the majority of instruction in programs designed by the legislature to reduce the opportunity gap. By setting common statewide standards, requiring training in the standards, and offering career development for paraeducators, as well as training for teachers and principals who work with paraeducators, students in these programs have a better chance of succeeding.

NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advanced paraeducator certificate" means a credential earned by a paraeducator who may have the following duties: Assisting in highly impacted classrooms, assisting in specialized instructional support and instructional technology applications, mentoring and coaching other paraeducators, and acting as a short-term emergency substitute teacher.

(2) "Board" means the paraeducator board established in section 3 of this act.

(3) "English language learner programs" means the English language learners program, the transitional bilingual instruction program, and the federal limited English proficiency program.

(4) "English language learner certificate" means a credential earned by a paraeducator working with students in English language learner programs.

(5) "Paraeducator" means a classified public school or school district employee who works under the supervision of a certificated or licensed staff member to support and assist in providing instructional and other services to students and their families. Paraeducators are not considered certificated instructional staff as that term and its meaning are used in this title.

(6) "Special education certificate" means a credential earned by a paraeducator working with students in special education programs.

NEW SECTION. **Sec. 3.** PARAEDUCATOR BOARD CREATED. (1)(a) The paraeducator board is created, consisting of nine members to be appointed to four-year terms.

(b) Vacancies on the board must be filled by appointment or reappointment as described in subsection (2) of this section to terms of four years.

(c) No person may serve as a member of the board for more than two consecutive full four-year terms.

(d) The governor must biennially appoint the chair of the board. No board member may serve as chair for more than four consecutive years.

(2) Appointments to the board must be made as follows, subject to confirmation by the senate:

(a) The superintendent of public instruction shall appoint a basic education paraeducator, a special education paraeducator, an English language learner paraeducator, a teacher, a principal, and a representative of the office of the superintendent of public instruction;

(b) The Washington state parent teacher association shall appoint a parent whose child receives instructional support from a paraeducator;

(c) The state board for community and technical colleges shall appoint a representative of the community and technical college system; and

(d) The student achievement council shall appoint a representative of a four-year institution of higher education as defined in RCW 28B.10.016.

(3) The professional educator standards board shall administer the board.

(4) Each member of the board must be compensated in accordance with RCW 43.03.240 and must be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(5) Members of the board may create informal advisory groups as needed to inform the board's work.

(6) The governor may remove a member of the board for neglect of duty, misconduct, malfeasance or misfeasance in office, or for incompetency or unprofessional conduct as defined in chapter 18.130 RCW. In such a case, the governor shall file with the

secretary of state a statement of the causes for and the order of removal from the board, and the secretary of state shall send a certified copy of the statement of causes and order of removal to the last known post office address of the member.

NEW SECTION. Sec. 4. POWERS AND DUTIES OF PARAEDUCATOR BOARD. (1) The paraeducator board has the following powers and duties:

(a) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, adopt: (i) Minimum employment requirements for paraeducators, as described in section 5 of this act; and (ii) paraeducator standards of practice, as described in section 6 of this act;

(b) Establish requirements and policies for a general paraeducator certificate, as described in section 8 of this act;

(c) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, establish requirements and policies for subject matter certificates in English language learner and special education, as described in section 9 of this act;

(d) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, establish requirements and policies for an advanced paraeducator certificate, as described in section 10 of this act;

(e) By September 1, 2018, approve, and develop if necessary, courses required to meet the provisions of this chapter, where the courses are offered in a variety of means that will limit cost and improve access;

(f) Make policy recommendations, as necessary, for a paraeducator career ladder that will increase opportunities for paraeducator advancement through advanced education, professional learning, and increased instructional responsibility;

(g) Collaborate with the office of the superintendent of public instruction to adapt the electronic educator certification process to include paraeducator certificates; and

(h) Adopt rules under chapter 34.05 RCW that are necessary for the effective and efficient implementation of this chapter.

(2) The superintendent of public instruction shall act as the administrator of any such rules and have the power to issue any paraeducator certificates and revoke the same in accordance with board rules.

NEW SECTION. Sec. 5. PARAEDUCATOR MINIMUM EMPLOYMENT REQUIREMENTS. Effective September 1, 2018, the minimum employment requirements for paraeducators are as provided in this section. The paraeducator must:

(1) Be at least eighteen years of age and hold a high school diploma or its equivalent; and

(2) (a) Have received a passing grade on the education testing service paraeducator assessment; or

(b) Hold an associate of arts degree; or

(c) Have earned seventy-two quarter credits or forty-eight semester credits at an institution of higher education; or

(d) Have completed a registered apprenticeship program.

NEW SECTION. Sec. 6. PARAEDUCATOR STANDARDS OF PRACTICE. The board shall adopt state standards of practice for paraeducators that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014. These standards must include:

(1) Supporting instructional opportunities;

(2) Demonstrating professionalism and ethical practices;

(3) Supporting a positive and safe learning environment;

(4) Communicating effectively and participating in the team process; and

(5) Demonstrating cultural competency aligned with standards developed by the professional educator standards board under RCW 28A.410.270.

NEW SECTION. Sec. 7. FUNDAMENTAL COURSE OF STUDY. (1) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2019, school districts must provide a four-day fundamental course of study on the state standards of practice, as defined by the board, to paraeducators who have not completed the course, either in the district or in another district within the state. School districts must use best

efforts to provide the fundamental course of study before the paraeducator begins to work with students and their families, and at a minimum by the deadlines provided in subsection (2) of this section.

(2) School districts must provide the fundamental course of study required in subsection (1) of this section as follows:

(a) For paraeducators hired on or before September 1st, by September 30th of that year, regardless of the size of the district; and

(b) For paraeducators hired after September 1st:

(i) For districts with ten thousand or more students, within four months of the date of hire; and

(ii) For districts with fewer than ten thousand students, no later than September 1st of the following year.

(3) School districts may collaborate with other school districts or educational service districts to meet the requirements of this section.

NEW SECTION. Sec. 8. GENERAL PARAEDUCATOR CERTIFICATE. (1) (a) Paraeducators may become eligible for a general paraeducator certificate by completing the four-day fundamental course of study, as required under section 7 of this act, and an additional ten days of general courses, as defined by the board, on the state paraeducator standards of practice, described in section 6 of this act.

(b) Paraeducators are not required to meet the general paraeducator certificate requirements under this subsection (1) unless amounts are appropriated for the specific purposes of subsection (2) of this section and section 7 of this act.

(2) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2019, school districts must:

(a) Provide paraeducators with general courses on the state paraeducator standards of practice; and

(b) Ensure all paraeducators employed by the district meet the general certification requirements of this section within three years of completing the four-day fundamental course of study.

(3) The general paraeducator certificate does not expire.

NEW SECTION. Sec. 9. PARAEDUCATOR SUBJECT MATTER CERTIFICATES. (1) The board shall adopt requirements and policies for paraeducator subject matter certificates in special education and in English language learner that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014.

(2) The rules adopted by the board must include the following requirements:

(a) A subject matter certificate is not a prerequisite for a paraeducator working in any program;

(b) Paraeducators may become eligible for a subject matter certificate by completing twenty hours of professional development in the subject area of the certificate; and

(c) Subject matter certificates expire after five years.

NEW SECTION. Sec. 10. ADVANCED PARAEDUCATOR CERTIFICATE. (1) The board shall adopt requirements and policies for an advanced paraeducator certificate that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014.

(2) The rules adopted by the board must include the following requirements:

(a) An advanced paraeducator certificate is not a prerequisite for a paraeducator working in any program;

(b) Paraeducators may become eligible for an advanced paraeducator certificate by completing seventy-five hours of professional development in topics related to the duties of an advanced paraeducator; and

(c) Advanced paraeducator certificates expire after five years.

NEW SECTION. Sec. 11. PILOTS. (1) By September 1, 2018, and subject to the availability of amounts appropriated for this specific purpose, the board shall distribute grants to a diverse set of school districts that volunteer to pilot the state paraeducator standards of practice, the paraeducator certificates, and the courses described in this chapter.

(2) By September 1, 2019, the volunteer districts must report to the board with the outcomes of the pilot and any recommendations for implementing the paraeducator standards of practice, paraeducator certificates, and courses

statewide. The outcomes reported must include:

(a) An analysis of the costs to the district to implement the state standards of practice by making available the required four-day fundamental course of study;

(b) The number of paraeducators who completed the course of study in the state standards of practice;

(c) The number of paraeducators who earned an advanced paraeducator certificate, or a special education or English language learner certificate;

(d) Any cost to the district and the paraeducator to earn a certificate; and

(e) The impact on the size and assignment of the paraeducator workforce as a result of the pilot.

(3) By November 1, 2019, and in compliance with RCW 43.01.036, the board shall submit a report to the appropriate committees of the legislature that summarizes the outcomes of the pilots and recommends any statutory changes necessary to improve the statewide standards of practice, paraeducator certificate requirements, and courses of study necessary to meet these standards and requirements, among other things.

(4) This section expires July 1, 2020.

NEW SECTION. Sec. 12. STUDY ON EFFECTIVENESS OF PARAEDUCATORS. (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington state institute for public policy shall conduct a study on the effectiveness of paraeducators in improving student outcomes in Washington state. The study must examine variation in the use of paraeducators across public schools and school districts and analyze whether and the extent that any differences in students' academic progress can be attributed to the use of paraeducators. The office of the superintendent of public instruction and the education data center shall provide the data necessary to conduct the analysis. The study must also include a review of the national research literature on the effectiveness of paraeducators in improving student outcomes.

(2) By December 15, 2017, and in compliance with RCW 43.01.036, the institute must submit a final report to the appropriate committees of the legislature.

(3) This section expires July 1, 2020.

NEW SECTION. Sec. 13. A new section is added to chapter 28A.300 RCW to read as follows:

TEACHER AND ADMINISTRATOR PROFESSIONAL LEARNING.

(1) The superintendent of public instruction, in consultation with the paraeducator board created in section 3 of this act and the professional educator standards board, shall design a training program for teachers and administrators as it relates to their role working with paraeducators. Teacher training must include how to direct a paraeducator working with students in the paraeducators' classroom. Administrator training must include how to supervise and evaluate paraeducators.

(2) Subject to the availability of amounts appropriated for this specific purpose, the training program designed under subsection (1) of this section must be made available to public schools, school districts, and educational service districts.

NEW SECTION. Sec. 14. A new section is added to chapter 28A.410 RCW to read as follows:

TEACHER AND ADMINISTRATOR PREPARATION.

The professional educator standards board, in consultation with the paraeducator board created in section 3 of this act and the office of the superintendent of public instruction, shall incorporate into the content required to complete a professional educator standards board-approved teacher or administrator preparation program the following:

(1) For teachers, information on how to direct a paraeducator working with students in the paraeducators' classroom; and

(2) For administrators, information on how to supervise and evaluate paraeducators.

Sec. 15. RCW 28A.150.203 and 2009 c 548 s 102 are each amended to read as follows:

CLASSIFIED EMPLOYEE MEANS PARAEDUCATOR.

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

(1) "Basic education goal" means the student learning goals and the student knowledge and skills described under RCW 28A.150.210.

(2) "Certificated administrative staff" means all those persons who are chief executive officers, chief administrative officers, confidential employees, supervisors, principals, or assistant principals within the meaning of RCW 41.59.020(4).

(3) "Certificated employee" as used in this chapter and RCW 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250, 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those persons who hold certificates as authorized by rule of the Washington professional educator standards board.

(4) "Certificated instructional staff" means those persons employed by a school district who are nonsupervisory certificated employees within the meaning of RCW 41.59.020(8), except for paraeducators.

(5) "Class size" means an instructional grouping of students where, on average, the ratio of students to teacher is the number specified.

(6) "Classified employee" means a person who is employed as a paraeducator and a person who does not hold a professional education certificate or is employed in a position that does not require such a certificate.

(7) "Classroom teacher" means a person who holds a professional education certificate and is employed in a position for which such certificate is required whose primary duty is the daily educational instruction of students. In exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision, but the hiring of such classified employees shall not occur during a labor dispute, and such classified employees shall not be hired to replace certificated employees during a labor dispute.

(8) "Instructional program of basic education" means the minimum program required to be provided by school districts and includes instructional hour requirements and other components under RCW 28A.150.220.

(9) "Program of basic education" means the overall program under RCW 28A.150.200

and deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution.

(10) "School day" means each day of the school year on which pupils enrolled in the common schools of a school district are engaged in academic and career and technical instruction planned by and under the direction of the school.

(11) "School year" includes the minimum number of school days required under RCW 28A.150.220 and begins on the first day of September and ends with the last day of August, except that any school district may elect to commence the annual school term in the month of August of any calendar year and in such case the operation of a school district for such period in August shall be credited by the superintendent of public instruction to the succeeding school year for the purpose of the allocation and distribution of state funds for the support of such school district.

(12) "Teacher planning period" means a period of a school day as determined by the administration and board of ~~(the)~~ directors of the district that may be used by teachers for instruction-related activities including but not limited to preparing instructional materials; reviewing student performance; recording student data; consulting with other teachers, instructional assistants, mentors, instructional coaches, administrators, and parents; or participating in professional development.

Sec. 16. RCW 28A.410.062 and 2011 1st sp.s. c 23 s 1 are each amended to read as follows:

PARAEDUCATOR CERTIFICATE FEES.

(1) The legislature finds that the current economic environment requires that the state, when appropriate, charge for some of the services provided directly to the users of those services. The office of the superintendent of public instruction is currently supported with state funds to process certification fees. In addition, the legislature finds that the processing of certifications should be moved to an online system that allows educators to manage their certifications and provides better information to policymakers. The legislature intends to assess a certification processing fee to eliminate state-funded support of the cost to issue educator certificates.

(2) In addition to the certification fee established under RCW 28A.410.060 for certificated instructional staff as defined in RCW 28A.150.203, the superintendent of public instruction shall charge an application processing fee for initial educator certificates and subsequent actions, and paraeducator certificates and subsequent actions. The superintendent of public instruction shall establish the amount of the fee by rule under chapter 34.05 RCW. The superintendent shall set the fee at a sufficient level to defray the costs of administering the educator certification program under RCW 28A.300.040(9) and the paraeducator certificate program under the chapter created in section 21 of this act. Revenue generated through the processing fee shall be deposited in the educator certification processing account.

(3) The educator certification processing account is established in the custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received from the fees collected in subsection (2) of this section. Moneys in the account may be spent only for the processing of educator certificates and subsequent actions and paraeducator certificates and subsequent actions. Disbursements from the account shall be on authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

Sec. 17. RCW 28A.630.400 and 2011 1st sp.s. c 11 s 132 are each amended to read as follows:

PARAEDUCATOR ASSOCIATE OF ARTS.

(1) The professional educator standards board and the state board for community and technical colleges, in consultation with the superintendent of public instruction, the state apprenticeship training council, and community colleges, shall adopt rules as necessary under chapter 34.05 RCW to implement the paraeducator associate of arts degree.

(2) As used in this section, a "paraeducator" is an individual who has completed an associate of arts degree for a paraeducator. The paraeducator may be hired by a school district to assist certificated instructional staff in the direct instruction of children in small and large groups, individualized

instruction, testing of children, recordkeeping, and preparation of materials. The paraeducator shall work under the direction of instructional certificated staff.

(3)(a) The training program for a paraeducator associate of arts degree shall include, but is not limited to, the general requirements for receipt of an associate of arts degree and training in the areas of introduction to childhood education, orientation to children with disabilities, fundamentals of childhood education, creative activities for children, instructional materials for children, fine art experiences for children, the psychology of learning, introduction to education, child health and safety, child development and guidance, first aid, and a practicum in a school setting.

(b) Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2018, the training program for a paraeducator associate of arts degree must incorporate the state paraeducator standards of practice adopted by the paraeducator board under section 6 of this act.

(4) Consideration shall be given to transferability of credit earned in this program to teacher preparation programs at colleges and universities.

Sec. 18. RCW 28A.660.040 and 2010 c 235 s 504 are each amended to read as follows:

TEACHER ALTERNATIVE ROUTE PROGRAMS FOR PARAEDUCATORS.

Alternative route programs under this chapter shall operate one to four specific route programs. Successful completion of the program shall make a candidate eligible for residency teacher certification. The mentor of the teacher candidate at the school and the supervisor of the teacher candidate from the teacher preparation program must both agree that the teacher candidate has successfully completed the program.

(1) Alternative route programs operating route one programs shall enroll currently employed classified instructional employees with transferable associate degrees seeking residency teacher certification with ((endorsements in special education, bilingual education, or English as a second language)) an endorsement in subject matter shortage areas, as defined by the professional

educator standards board. It is anticipated that candidates enrolled in this route will complete both their baccalaureate degree and requirements for residency certification in two years or less, including a mentored internship to be completed in the final year. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) District or building validation of qualifications, including one year of successful student interaction and leadership as a classified instructional employee;

(b) Successful passage of the statewide basic skills exam; and

(c) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers.

(2) Alternative route programs operating route two programs shall enroll currently employed classified staff with baccalaureate degrees seeking residency teacher certification in subject matter shortage areas and areas with shortages due to geographic location. Candidates enrolled in this route must complete a mentored internship complemented by flexibly scheduled training and coursework offered at a local site, such as a school or educational service district, or online or via videoconference over the K-20 network, in collaboration with the partnership program's higher education partner. In addition, partnership grant programs shall uphold entry requirements for candidates that include:

(a) District or building validation of qualifications, including one year of successful student interaction and leadership as classified staff;

(b) A baccalaureate degree from a regionally accredited institution of higher education. The individual's college or university grade point average may be considered as a selection factor;

(c) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of the statewide basic skills exam.

(3) Alternative route programs seeking funds to operate route three programs shall enroll individuals with baccalaureate degrees, who are not employed in the district at the time of application. When selecting candidates for certification through route three, districts and approved preparation program providers shall give priority to individuals who are seeking residency teacher certification in subject matter shortage areas or shortages due to geographic locations. Cohorts of candidates for this route shall attend an intensive summer teaching academy, followed by a full year employed by a district in a mentored internship, followed, if necessary, by a second summer teaching academy. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) A baccalaureate degree from a regionally accredited institution of higher education. The individual's grade point average may be considered as a selection factor;

(b) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(c) External validation of qualifications, including demonstrated successful experience with students or children, such as reference letters and letters of support from previous employers;

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of statewide basic skills exam.

(4) Alternative route programs operating route four programs shall enroll individuals with baccalaureate degrees, who are employed in the district at the time of application, or who hold conditional teaching certificates or emergency substitute certificates. Cohorts of candidates for this route shall attend an intensive summer teaching academy, followed by a full year employed by a district in a mentored internship. If employed on a conditional certificate, the intern may serve as the teacher of record, supported by a well-trained mentor. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) A baccalaureate degree from a regionally accredited institution of higher education. The individual's grade point average may be considered as a selection factor;

(b) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(c) External validation of qualifications, including demonstrated successful experience with students or children, such as reference letters and letters of support from previous employers;

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of statewide basic skills exam.

(5) Applicants for alternative route programs who are eligible veterans or national guard members and who meet the entry requirements for the alternative route program for which application is made shall be given preference in admission.

Sec. 19. RCW 28A.660.042 and 2007 c 396 s 6 are each amended to read as follows:

PIPELINE FOR PARAEDUCATORS SCHOLARSHIP.

(1) The pipeline for paraeducators conditional scholarship program is created. Participation is limited to paraeducators without a college degree who have at least three years of classroom experience. It is anticipated that candidates enrolled in this program will complete their associate of arts degree at a community and technical college in two years or less and become eligible for (~~an endorsement in mathematics, special education, or English as a second language endorsement~~) an endorsement in a subject matter shortage area, as defined by the professional educator standards board, via route one in the alternative routes to teacher certification program provided in this chapter.

(2) Entry requirements for candidates include district or building validation of qualifications, including three years of successful student interaction and leadership as a classified instructional employee.

Sec. 20. RCW 28B.50.891 and 2014 c 136 s 4 are each amended to read as follows:

PARAEDUCATOR APPRENTICESHIP AND CERTIFICATE.

Beginning with the 2015-16 academic year, any community or technical college that offers an apprenticeship program or certificate program for paraeducators must provide candidates the opportunity to earn transferable course credits within the program. The programs must also incorporate the standards for cultural competence, including multicultural education and principles of language acquisition, developed by the professional educator standards board under RCW 28A.410.270. Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2018, the paraeducator apprenticeship and certificate programs must also incorporate the state paraeducator standards of practice adopted by the paraeducator board under section 6 of this act.

NEW SECTION. Sec. 21. Sections 1 through 12 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. Sec. 22. RCW 28A.415.310 (Paraprofessional training program) and 1993 c 336 s 408 are each repealed."

On page 1, line 1 of the title, after "paraeducators;" strike the remainder of the title and insert "amending RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; adding a new chapter to Title 28A RCW; repealing RCW 28A.415.310; and providing expiration dates."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1115 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representative Bergquist spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1115, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1115, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representatives Caldier, Nealey and Pollet.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1115, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 4, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1136 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 90.56.210 and 2015 c 274 s 5 are each amended to read as follows:

(1) Each onshore and offshore facility shall have a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of

promptly and properly, to the maximum extent practicable, as defined by the department removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, and natural resources, and the department of archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to subsection (9) of this section;

(h) State the means of protecting and mitigating effects on the environment, including fish, shellfish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Provide arrangements for the prepositioning of oil spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(j) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(k) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(l) Until a spill prevention plan has been submitted pursuant to RCW 90.56.200, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a facility, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(m) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(n) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules.

(2)(a) The following shall submit contingency plans to the department within six months after the department adopts rules establishing standards for contingency plans under subsection (1) of this section:

(i) Onshore facilities capable of storing one million gallons or more of oil; and

(ii) Offshore facilities.

(b) Contingency plans for all other onshore and offshore facilities shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen-month period.

(3)(a) The department by rule shall determine the contingency plan requirements for railroads transporting oil in bulk.

(b) For class III railroads transporting oil in bulk that is not crude oil in an amount of forty-nine or more tank car loads per year, the rules adopted under this subsection may not require contingency plans to include:

(i) Contracted access to oil spill response equipment; or

(ii) The completion of more than a total of one basic table-top drill every three years to test the contingency plans.

(c) For class III railroads transporting oil in bulk that is not crude oil in an amount less than forty-nine tank car loads per year, rules adopted under this subsection may only require railroads to submit a basic contingency plan to the department. A basic contingency plan filed under this subsection (3)(c) must be limited to requiring the class III railroads to:

(i) Keep documentation of the basic contingency plan on file with the department at the plan holder's principal place of business and at dispatcher field offices of the railroad;

(ii) Identify and include contact information for the chain of command and other personnel, including employees or spill response contractors, who will be involved in the railroad's response in the event of a spill;

(iii) Include information related to the relevant accident insurance carried by the railroad and provide a certificate of insurance upon request;

(iv) Develop a field document for use by personnel involved in oil handling operations that includes time-critical information regarding basic contingency plan procedures to be used in the initial response to a spill or a threatened spill; and

(v) Annually review the plan for accuracy.

(d) Federal oil spill response plans created pursuant to 33 U.S.C. Sec. 1321 may be submitted in lieu of contingency plans (~~until state rules are adopted~~) by a class III railroad transporting oil in bulk that is not crude oil.

(e) For the purposes of this section, "class III railroad" has the same meaning as defined by the United States surface transportation board as of January 1, 2017.

(4)(a) The owner or operator of a facility shall submit the contingency plan for the facility.

(b) A person who has contracted with a facility to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.56.240, may submit the plan for any facility for which the person is contractually obligated to provide services. Subject to conditions imposed by the department, the person may submit a single plan for more than one facility.

(5) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall ensure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(6) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries, shellfish beds, and wildlife and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the department; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(7) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

(8) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

(9) An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(10) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(11) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law."

On page 1, line 2 of the title, after "requirements;" strike the remainder of the title and insert "and amending RCW 90.56.210."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1136 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Dye and Fitzgibbon spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1136, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1136, as amended by

the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Stanford.

Excused: Representatives Caldier, Nealey and Pollet.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1136, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1163 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.36.041 and 1987 c 188 s 2 are each amended to read as follows:

(1) A person is guilty of assault in the fourth degree if, under circumstances not amounting to assault in the first, second, or third degree, or custodial assault, he or she assaults another.

(2) Assault in the fourth degree is a gross misdemeanor, except as provided in subsection (3) of this section.

(3) Assault in the fourth degree, where domestic violence was pleaded and proven after the effective date of this section, is a class C felony if the person has two or more prior adult convictions within ten years for any of the following offenses where domestic violence as defined in RCW 9.94A.030 was pleaded and proven after the effective date of this section:

(a) Repetitive domestic violence offense as defined in RCW 9.94A.030;

(b) Crime of harassment as defined by RCW 9A.46.060;

(c) Assault in the third degree;

(d) Assault in the second degree;

(e) Assault in the first degree; or

(f) An out-of-state comparable offense.

(4) For purposes of subsection (3) of this section, family or household members means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, and persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship.

Sec. 2. RCW 9.94A.411 and 2006 c 271 s 1 and 2006 c 73 s 13 are each reenacted and amended to read as follows:

(1) Decision not to prosecute.

STANDARD: A prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

GUIDELINE/COMMENTARY:

Examples

The following are examples of reasons not to prosecute which could satisfy the standard.

(a) Contrary to Legislative Intent - It may be proper to decline to charge where the application of criminal sanctions would be clearly contrary to the intent of the legislature in enacting the particular statute.

(b) Antiquated Statute - It may be proper to decline to charge where the statute in question is antiquated in that:

(i) It has not been enforced for many years; and

(ii) Most members of society act as if it were no longer in existence; and

(iii) It serves no deterrent or protective purpose in today's society; and

(iv) The statute has not been recently reconsidered by the legislature.

This reason is not to be construed as the basis for declining cases because the law in question is unpopular or because it is difficult to enforce.

(c) De Minimis Violation - It may be proper to decline to charge where the violation of law is only technical or insubstantial and where no public interest or deterrent purpose would be served by prosecution.

(d) Confinement on Other Charges - It may be proper to decline to charge because the accused has been sentenced on another charge to a lengthy period of confinement; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iii) Conviction of the new offense would not serve any significant deterrent purpose.

(e) Pending Conviction on Another Charge - It may be proper to decline to charge because the accused is facing a pending prosecution in the same or another county; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) Conviction in the pending prosecution is imminent;

(iii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iv) Conviction of the new offense would not serve any significant deterrent purpose.

(f) High Disproportionate Cost of Prosecution - It may be proper to decline to charge where the cost of locating or transporting, or the burden on, prosecution witnesses is highly disproportionate to the importance of prosecuting the offense in question. This reason should be limited to minor cases and should not be relied upon in serious cases.

(g) Improper Motives of Complainant - It may be proper to decline charges because the motives of the complainant are improper and prosecution would serve no public purpose, would defeat the underlying purpose of the law in question

or would result in decreased respect for the law.

(h) Immunity - It may be proper to decline to charge where immunity is to be given to an accused in order to prosecute another where the accused's information or testimony will reasonably lead to the conviction of others who are responsible for more serious criminal conduct or who represent a greater danger to the public interest.

(i) Victim Request - It may be proper to decline to charge because the victim requests that no criminal charges be filed and the case involves the following crimes or situations:

(i) Assault cases where the victim has suffered little or no injury;

(ii) Crimes against property, not involving violence, where no major loss was suffered;

(iii) Where doing so would not jeopardize the safety of society.

Care should be taken to insure that the victim's request is freely made and is not the product of threats or pressure by the accused.

The presence of these factors may also justify the decision to dismiss a prosecution which has been commenced.

Notification

The prosecutor is encouraged to notify the victim, when practical, and the law enforcement personnel, of the decision not to prosecute.

(2) Decision to prosecute.

(a) STANDARD:

Crimes against persons will be filed if sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify conviction by a reasonable and objective fact finder. With regard to offenses prohibited by RCW 9A.44.040, 9A.44.050, 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, 9A.44.089, and 9A.64.020 the prosecutor should avoid pre-filing agreements or diversions intended to place the accused in a program of treatment or counseling, so that treatment, if determined to be beneficial, can be provided pursuant to RCW 9.94A.670.

Crimes against property/other crimes will be filed if the admissible evidence is of such convincing force as to make it probable that a reasonable and objective fact finder would convict after hearing all the admissible evidence and the most plausible defense that could be raised.

See table below for the crimes within these categories.

CATEGORIZATION OF CRIMES FOR PROSECUTING STANDARDS

CRIMES AGAINST PERSONS

- Aggravated Murder
- 1st Degree Murder
- 2nd Degree Murder
- 1st Degree Manslaughter
- 2nd Degree Manslaughter
- 1st Degree Kidnapping
- 2nd Degree Kidnapping
- 1st Degree Assault
- 2nd Degree Assault
- 3rd Degree Assault
- 4th Degree Assault (if a violation of RCW 9A.36.041(3))
- 1st Degree Assault of a Child
- 2nd Degree Assault of a Child
- 3rd Degree Assault of a Child
- 1st Degree Rape
- 2nd Degree Rape
- 3rd Degree Rape
- 1st Degree Rape of a Child
- 2nd Degree Rape of a Child
- 3rd Degree Rape of a Child
- 1st Degree Robbery
- 2nd Degree Robbery
- 1st Degree Arson
- 1st Degree Burglary
- 1st Degree Identity Theft
- 2nd Degree Identity Theft
- 1st Degree Extortion
- 2nd Degree Extortion
- Indecent Liberties
- Incest

- Vehicular Homicide
- Vehicular Assault
- 1st Degree Child Molestation
- 2nd Degree Child Molestation
- 3rd Degree Child Molestation
- 1st Degree Promoting Prostitution
- Intimidating a Juror
- Communication with a Minor
- Intimidating a Witness
- Intimidating a Public Servant
- Bomb Threat (if against person)
- Unlawful Imprisonment
- Promoting a Suicide Attempt
- Riot (if against person)
- Stalking
- Custodial Assault
- Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
- Counterfeiting (if a violation of RCW 9.16.035(4))
- Felony Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug (RCW 46.61.502(6))
- Felony Physical Control of a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug (RCW 46.61.504(6))
- CRIMES AGAINST PROPERTY/OTHER CRIMES
- 2nd Degree Arson
- 1st Degree Escape
- 2nd Degree Escape
- 2nd Degree Burglary
- 1st Degree Theft
- 2nd Degree Theft
- 1st Degree Perjury
- 2nd Degree Perjury
- 1st Degree Introducing Contraband
- 2nd Degree Introducing Contraband
- 1st Degree Possession of Stolen Property
- 2nd Degree Possession of Stolen Property

Bribery
 Bribing a Witness
 Bribe received by a Witness
 Bomb Threat (if against property)
 1st Degree Malicious Mischief
 2nd Degree Malicious Mischief
 1st Degree Reckless Burning
 Taking a Motor Vehicle without Authorization
 Forgery
 2nd Degree Promoting Prostitution
 Tampering with a Witness
 Trading in Public Office
 Trading in Special Influence
 Receiving/Granting Unlawful Compensation
 Bigamy
 Eluding a Pursuing Police Vehicle
 Willful Failure to Return from Furlough
 Escape from Community Custody
 Riot (if against property)
 1st Degree Theft of Livestock
 2nd Degree Theft of Livestock
 ALL OTHER UNCLASSIFIED FELONIES
 Selection of Charges/Degree of Charge

(i) The prosecutor should file charges which adequately describe the nature of defendant's conduct. Other offenses may be charged only if they are necessary to ensure that the charges:

(A) Will significantly enhance the strength of the state's case at trial; or

(B) Will result in restitution to all victims.

(ii) The prosecutor should not overcharge to obtain a guilty plea. Overcharging includes:

(A) Charging a higher degree;

(B) Charging additional counts.

This standard is intended to direct prosecutors to charge those crimes which demonstrate the nature and seriousness of a defendant's criminal conduct, but to decline to charge crimes which are not necessary to such an indication. Crimes which do not merge as a matter of law, but

which arise from the same course of conduct, do not all have to be charged.

(b) GUIDELINES/COMMENTARY:

(i) Police Investigation

A prosecuting attorney is dependent upon law enforcement agencies to conduct the necessary factual investigation which must precede the decision to prosecute. The prosecuting attorney shall ensure that a thorough factual investigation has been conducted before a decision to prosecute is made. In ordinary circumstances the investigation should include the following:

(A) The interviewing of all material witnesses, together with the obtaining of written statements whenever possible;

(B) The completion of necessary laboratory tests; and

(C) The obtaining, in accordance with constitutional requirements, of the suspect's version of the events.

If the initial investigation is incomplete, a prosecuting attorney should insist upon further investigation before a decision to prosecute is made, and specify what the investigation needs to include.

(ii) Exceptions

In certain situations, a prosecuting attorney may authorize filing of a criminal complaint before the investigation is complete if:

(A) Probable cause exists to believe the suspect is guilty; and

(B) The suspect presents a danger to the community or is likely to flee if not apprehended; or

(C) The arrest of the suspect is necessary to complete the investigation of the crime.

In the event that the exception to the standard is applied, the prosecuting attorney shall obtain a commitment from the law enforcement agency involved to complete the investigation in a timely manner. If the subsequent investigation does not produce sufficient evidence to meet the normal charging standard, the complaint should be dismissed.

(iii) Investigation Techniques

The prosecutor should be fully advised of the investigatory techniques that were used in the case investigation including:

- (A) Polygraph testing;
- (B) Hypnosis;
- (C) Electronic surveillance;
- (D) Use of informants.

(iv) Pre-Filing Discussions with Defendant

Discussions with the defendant or his/her representative regarding the selection or disposition of charges may occur prior to the filing of charges, and potential agreements can be reached.

(v) Pre-Filing Discussions with Victim(s)

Discussions with the victim(s) or victims' representatives regarding the selection or disposition of charges may occur before the filing of charges. The discussions may be considered by the prosecutor in charging and disposition decisions, and should be considered before reaching any agreement with the defendant regarding these decisions.

Sec. 3. RCW 9.94A.525 and 2013 2nd sp.s. c 35 s 8 are each amended to read as follows:

The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules are as follows:

The offender score is the sum of points accrued under this section rounded down to the nearest whole number.

(1) A prior conviction is a conviction which exists before the date of sentencing for the offense for which the offender score is being computed. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed shall be deemed "other current offenses" within the meaning of RCW 9.94A.589.

(2)(a) Class A and sex prior felony convictions shall always be included in the offender score.

(b) Class B prior felony convictions other than sex offenses shall not be included in the offender score, if since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent ten consecutive years in the community without committing any crime that subsequently results in a conviction.

(c) Except as provided in (e) of this subsection, class C prior felony convictions other than sex offenses shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent five consecutive years in the community without committing any crime that subsequently results in a conviction.

(d) Except as provided in (e) of this subsection, serious traffic convictions shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a conviction, if any, or entry of judgment and sentence, the offender spent five years in the community without committing any crime that subsequently results in a conviction.

(e) If the present conviction is felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)), all predicate crimes for the offense as defined by RCW 46.61.5055(14) shall be included in the offender score, and prior convictions for felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)) shall always be included in the offender score. All other convictions of the defendant shall be scored according to this section.

(f) Prior convictions for a repetitive domestic violence offense, as defined in RCW 9.94A.030, shall not be included in the offender score if, since the last date of release from confinement or entry of judgment and sentence, the offender had spent ten consecutive years in the community without committing any crime that subsequently results in a conviction.

(g) This subsection applies to both adult and juvenile prior convictions.

(3) Out-of-state convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law. Federal convictions for offenses shall be classified according to the comparable offense definitions and sentences provided

by Washington law. If there is no clearly comparable offense under Washington law or the offense is one that is usually considered subject to exclusive federal jurisdiction, the offense shall be scored as a class C felony equivalent if it was a felony under the relevant federal statute.

(4) Score prior convictions for felony anticipatory offenses (attempts, criminal solicitations, and criminal conspiracies) the same as if they were convictions for completed offenses.

(5)(a) In the case of multiple prior convictions, for the purpose of computing the offender score, count all convictions separately, except:

(i) Prior offenses which were found, under RCW 9.94A.589(1)(a), to encompass the same criminal conduct, shall be counted as one offense, the offense that yields the highest offender score. The current sentencing court shall determine with respect to other prior adult offenses for which sentences were served concurrently or prior juvenile offenses for which sentences were served consecutively, whether those offenses shall be counted as one offense or as separate offenses using the "same criminal conduct" analysis found in RCW 9.94A.589(1)(a), and if the court finds that they shall be counted as one offense, then the offense that yields the highest offender score shall be used. The current sentencing court may presume that such other prior offenses were not the same criminal conduct from sentences imposed on separate dates, or in separate counties or jurisdictions, or in separate complaints, indictments, or informations;

(ii) In the case of multiple prior convictions for offenses committed before July 1, 1986, for the purpose of computing the offender score, count all adult convictions served concurrently as one offense, and count all juvenile convictions entered on the same date as one offense. Use the conviction for the offense that yields the highest offender score.

(b) As used in this subsection (5), "served concurrently" means that: (i) The latter sentence was imposed with specific reference to the former; (ii) the concurrent relationship of the sentences was judicially imposed; and (iii) the concurrent timing of the sentences was not the result of a probation or parole revocation on the former offense.

(6) If the present conviction is one of the anticipatory offenses of criminal attempt, solicitation, or conspiracy, count each prior conviction as if the present conviction were for a completed offense. When these convictions are used as criminal history, score them the same as a completed crime.

(7) If the present conviction is for a nonviolent offense and not covered by subsection (11), (12), or (13) of this section, count one point for each adult prior felony conviction and one point for each juvenile prior violent felony conviction and 1/2 point for each juvenile prior nonviolent felony conviction.

(8) If the present conviction is for a violent offense and not covered in subsection (9), (10), (11), (12), or (13) of this section, count two points for each prior adult and juvenile violent felony conviction, one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

(9) If the present conviction is for a serious violent offense, count three points for prior adult and juvenile convictions for crimes in this category, two points for each prior adult and juvenile violent conviction (not already counted), one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

(10) If the present conviction is for Burglary 1, count prior convictions as in subsection (8) of this section; however count two points for each prior adult Burglary 2 or residential burglary conviction, and one point for each prior juvenile Burglary 2 or residential burglary conviction.

(11) If the present conviction is for a felony traffic offense count two points for each adult or juvenile prior conviction for Vehicular Homicide or Vehicular Assault; for each felony offense count one point for each adult and 1/2 point for each juvenile prior conviction; for each serious traffic offense, other than those used for an enhancement pursuant to RCW 46.61.520(2), count one point for each adult and 1/2 point for each juvenile prior conviction; count one point for each adult and 1/2 point for each juvenile prior conviction for operation of a vessel while under the influence of intoxicating liquor or any drug.

(12) If the present conviction is for homicide by watercraft or assault by watercraft count two points for each adult or juvenile prior conviction for homicide by watercraft or assault by watercraft; for each felony offense count one point for each adult and 1/2 point for each juvenile prior conviction; count one point for each adult and 1/2 point for each juvenile prior conviction for driving under the influence of intoxicating liquor or any drug, actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, or operation of a vessel while under the influence of intoxicating liquor or any drug.

(13) If the present conviction is for manufacture of methamphetamine count three points for each adult prior manufacture of methamphetamine conviction and two points for each juvenile manufacture of methamphetamine offense. If the present conviction is for a drug offense and the offender has a criminal history that includes a sex offense or serious violent offense, count three points for each adult prior felony drug offense conviction and two points for each juvenile drug offense. All other adult and juvenile felonies are scored as in subsection (8) of this section if the current drug offense is violent, or as in subsection (7) of this section if the current drug offense is nonviolent.

(14) If the present conviction is for Escape from Community Custody, RCW 72.09.310, count only prior escape convictions in the offender score. Count adult prior escape convictions as one point and juvenile prior escape convictions as 1/2 point.

(15) If the present conviction is for Escape 1, RCW 9A.76.110, or Escape 2, RCW 9A.76.120, count adult prior convictions as one point and juvenile prior convictions as 1/2 point.

(16) If the present conviction is for Burglary 2 or residential burglary, count priors as in subsection (7) of this section; however, count two points for each adult and juvenile prior Burglary 1 conviction, two points for each adult prior Burglary 2 or residential burglary conviction, and one point for each juvenile prior Burglary 2 or residential burglary conviction.

(17) If the present conviction is for a sex offense, count priors as in subsections (7) through (11) and (13)

through (16) of this section; however count three points for each adult and juvenile prior sex offense conviction.

(18) If the present conviction is for failure to register as a sex offender under RCW 9A.44.130 or 9A.44.132, count priors as in subsections (7) through (11) and (13) through (16) of this section; however count three points for each adult and juvenile prior sex offense conviction, excluding prior convictions for failure to register as a sex offender under RCW 9A.44.130 or 9A.44.132, which shall count as one point.

(19) If the present conviction is for an offense committed while the offender was under community custody, add one point. For purposes of this subsection, community custody includes community placement or postrelease supervision, as defined in chapter 9.94B RCW.

(20) If the present conviction is for Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, or Taking a Motor Vehicle Without Permission 2, count priors as in subsections (7) through (18) of this section; however count one point for prior convictions of Vehicle Prowling 2, and three points for each adult and juvenile prior Theft 1 (of a motor vehicle), Theft 2 (of a motor vehicle), Possession of Stolen Property 1 (of a motor vehicle), Possession of Stolen Property 2 (of a motor vehicle), Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, or Taking a Motor Vehicle Without Permission 2 conviction.

(21) If the present conviction is for a felony domestic violence offense where domestic violence as defined in RCW 9.94A.030 was (~~plead [pleaded]~~) pleaded and proven, count priors as in subsections (7) through (20) of this section; however, count points as follows:

(a) Count two points for each adult prior conviction where domestic violence as defined in RCW 9.94A.030 was (~~plead [pleaded]~~) pleaded and proven after August 1, 2011, for any of the following offenses: A felony violation of a no-contact or protection order (~~that is a felony offense, a violation of a protection order that is a felony offense~~) RCW 26.50.110, ((a)) felony ((domestic violence)) Harassment ((offense)) (RCW 9A.46.020(2)(b)), ((a)) felony ((domestic violence)) Stalking ((offense, a domestic violence)) (RCW

9A.46.110(5)(b)), Burglary 1 (~~(offense)~~) (RCW 9A.52.020), (~~(a domestic violence)~~) Kidnapping 1 (~~(offense)~~) (RCW 9A.40.020), (~~(a domestic violence)~~) Kidnapping 2 (~~(offense)~~) (RCW 9A.40.030), (~~(a domestic violence)~~) Unlawful imprisonment (~~(offense)~~) (RCW 9A.40.040), (~~(a domestic violence)~~) Robbery 1 (~~(offense)~~) (RCW 9A.56.200), (~~(a domestic violence)~~) Robbery 2 (~~(offense)~~) (RCW 9A.56.210), (~~(a domestic violence)~~) Assault 1 (~~(offense)~~) (RCW 9A.36.011), (~~(a domestic violence)~~) Assault 2 (~~(offense)~~) (RCW 9A.36.021), (~~(a domestic violence)~~) Assault 3 (~~(offense)~~) (RCW 9A.36.031), (~~(a domestic violence)~~) Arson 1 (~~(offense)~~) (RCW 9A.48.020), or (~~(a domestic violence)~~) Arson 2 (~~(offense)~~) (RCW 9A.48.030);

(b) Count two points for each adult prior conviction where domestic violence as defined in RCW 9.94A.030 was pleaded and proven after the effective date of this section, for any of the following offenses: Assault of a child in the first degree, RCW 9A.36.120; Assault of a child in the second degree, RCW 9A.36.130; Assault of a child in the third degree, RCW 9A.36.140; Criminal Mistreatment in the first degree, RCW 9A.42.020; or Criminal Mistreatment in the second degree, RCW 9A.42.030;

(c) Count one point for each second and subsequent juvenile conviction where domestic violence as defined in RCW 9.94A.030 was (~~plead~~ ~~pleaded~~) pleaded and proven after August 1, 2011, for the offenses listed in (a) of this subsection; and

~~((e))~~ (d) Count one point for each adult prior conviction for a repetitive domestic violence offense as defined in RCW 9.94A.030, where domestic violence as defined in RCW 9.94A.030, was (~~plead~~ ~~pleaded~~) pleaded and proven after August 1, 2011.

(22) The fact that a prior conviction was not included in an offender's offender score or criminal history at a previous sentencing shall have no bearing on whether it is included in the criminal history or offender score for the current offense. Prior convictions that were not counted in the offender score or included in criminal history under repealed or previous versions of the sentencing reform act shall be included in criminal history and shall count in the offender score if the current version of the sentencing reform act requires including or counting those convictions. Prior convictions that were not included in criminal history or

in the offender score shall be included upon any resentencing to ensure imposition of an accurate sentence.

Sec. 4. RCW 43.43.754 and 2015 c 261 s 10 are each amended to read as follows:

(1) A biological sample must be collected for purposes of DNA identification analysis from:

(a) Every adult or juvenile individual convicted of a felony, or any of the following crimes (or equivalent juvenile offenses):

(i) Assault in the fourth degree where domestic violence as defined in RCW 9.94A.030 was pleaded and proven (RCW 9A.36.041, 9.94A.030);

(ii) Assault in the fourth degree with sexual motivation (RCW 9A.36.041, 9.94A.835);

(iii) Communication with a minor for immoral purposes (RCW 9.68A.090);

(iv) Custodial sexual misconduct in the second degree (RCW 9A.44.170);

(v) Failure to register (RCW 9A.44.130 for persons convicted on or before June 10, 2010, and RCW 9A.44.132 for persons convicted after June 10, 2010);

(vi) Harassment (RCW 9A.46.020);

(vii) Patronizing a prostitute (RCW 9A.88.110);

(viii) Sexual misconduct with a minor in the second degree (RCW 9A.44.096);

(ix) Stalking (RCW 9A.46.110);

(x) Violation of a sexual assault protection order granted under chapter 7.90 RCW; and

(b) Every adult or juvenile individual who is required to register under RCW 9A.44.130.

(2) If the Washington state patrol crime laboratory already has a DNA sample from an individual for a qualifying offense, a subsequent submission is not required to be submitted.

(3) Biological samples shall be collected in the following manner:

(a) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do serve a term of confinement in a city or

county jail facility, the city or county shall be responsible for obtaining the biological samples.

(b) The local police department or sheriff's office shall be responsible for obtaining the biological samples for:

(i) Persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do not serve a term of confinement in a city or county jail facility; and

(ii) Persons who are required to register under RCW 9A.44.130.

(c) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who are serving or who are to serve a term of confinement in a department of corrections facility or a department of social and health services facility, the facility holding the person shall be responsible for obtaining the biological samples. For those persons incarcerated before June 12, 2008, who have not yet had a biological sample collected, priority shall be given to those persons who will be released the soonest.

(4) Any biological sample taken pursuant to RCW 43.43.752 through 43.43.758 may be retained by the forensic laboratory services bureau, and shall be used solely for the purpose of providing DNA or other tests for identification analysis and prosecution of a criminal offense or for the identification of human remains or missing persons. Nothing in this section prohibits the submission of results derived from the biological samples to the federal bureau of investigation combined DNA index system.

(5) The forensic laboratory services bureau of the Washington state patrol is responsible for testing performed on all biological samples that are collected under subsection (1) of this section, to the extent allowed by funding available for this purpose. The director shall give priority to testing on samples collected from those adults or juveniles convicted of a felony or adjudicated guilty of an equivalent juvenile offense that is defined as a sex offense or a violent offense in RCW 9.94A.030. Known duplicate samples may be excluded from testing unless testing is deemed necessary or advisable by the director.

(6) This section applies to:

(a) All adults and juveniles to whom this section applied prior to June 12, 2008;

(b) All adults and juveniles to whom this section did not apply prior to June 12, 2008, who:

(i) Are convicted on or after June 12, 2008, of an offense listed in subsection (1)(a) of this section; or

(ii) Were convicted prior to June 12, 2008, of an offense listed in subsection (1)(a) of this section and are still incarcerated on or after June 12, 2008; and

(c) All adults and juveniles who are required to register under RCW 9A.44.130 on or after June 12, 2008, whether convicted before, on, or after June 12, 2008.

(7) This section creates no rights in a third person. No cause of action may be brought based upon the noncollection or nonanalysis or the delayed collection or analysis of a biological sample authorized to be taken under RCW 43.43.752 through 43.43.758.

(8) The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the sample was obtained or placed in the database by mistake, or if the conviction or juvenile adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including but not limited to posttrial or postfact-finding motions, appeals, or collateral attacks.

(9) A person commits the crime of refusal to provide DNA if the person has a duty to register under RCW 9A.44.130 and the person willfully refuses to comply with a legal request for a DNA sample as required under this section. The refusal to provide DNA is a gross misdemeanor.

Sec. 5. RCW 43.43.830 and 2012 c 44 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.43.830 through 43.43.845.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility which receives, provides services to, houses or otherwise cares for

vulnerable adults, juveniles, or children, or which provides child day care, early learning, or early childhood education services.

(2) "Applicant" means:

(a) Any prospective employee who will or may have unsupervised access to children under sixteen years of age or developmentally disabled persons or vulnerable adults during the course of his or her employment or involvement with the business or organization;

(b) Any prospective volunteer who will have regularly scheduled unsupervised access to children under sixteen years of age, developmentally disabled persons, or vulnerable adults during the course of his or her employment or involvement with the business or organization under circumstances where such access will or may involve groups of (i) five or fewer children under twelve years of age, (ii) three or fewer children between twelve and sixteen years of age, (iii) developmentally disabled persons, or (iv) vulnerable adults;

(c) Any prospective adoptive parent, as defined in RCW 26.33.020; or

(d) Any prospective custodian in a nonparental custody proceeding under chapter 26.10 RCW.

(3) "Business or organization" means a person, business, or organization licensed in this state, any agency of the state, or other governmental entity, that educates, trains, treats, supervises, houses, or provides recreation to developmentally disabled persons, vulnerable adults, or children under sixteen years of age, or that provides child day care, early learning, or early learning childhood education services, including but not limited to public housing authorities, school districts, and educational service districts.

(4) "Civil adjudication proceeding" is a judicial or administrative adjudicative proceeding that results in a finding of, or upholds an agency finding of, domestic violence, abuse, sexual abuse, neglect, abandonment, violation of a professional licensing standard regarding a child or vulnerable adult, or exploitation or financial exploitation of a child or vulnerable adult under any provision of law, including but not limited to chapter 13.34, 26.44, or 74.34 RCW, or rules adopted under chapters 18.51 and 74.42 RCW. "Civil adjudication proceeding" also

includes judicial or administrative findings that become final due to the failure of the alleged perpetrator to timely exercise a legal right to administratively challenge such findings.

(5) "Client" or "resident" means a child, person with developmental disabilities, or vulnerable adult applying for housing assistance from a business or organization.

(6) "Conviction record" means "conviction record" information as defined in RCW 10.97.030 and 10.97.050 relating to a crime committed by either an adult or a juvenile. It does not include a conviction for an offense that has been the subject of an expungement, pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted, or a conviction that has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. It does include convictions for offenses for which the defendant received a deferred or suspended sentence, unless the record has been expunged according to law.

(7) "Crime against children or other persons" means a conviction of any of the following offenses: Aggravated murder; first or second degree murder; first or second degree kidnapping; first, second, or third degree assault; fourth degree assault (if a violation of RCW 9A.36.041(3)); first, second, or third degree assault of a child; first, second, or third degree rape; first, second, or third degree rape of a child; first or second degree robbery; first degree arson; first degree burglary; first or second degree manslaughter; first or second degree extortion; indecent liberties; incest; vehicular homicide; first degree promoting prostitution; communication with a minor; unlawful imprisonment; simple assault; sexual exploitation of minors; first or second degree criminal mistreatment; endangerment with a controlled substance; child abuse or neglect as defined in RCW 26.44.020; first or second degree custodial interference; first or second degree custodial sexual misconduct; malicious harassment; first, second, or third degree child molestation; first or second degree sexual misconduct with a minor; commercial sexual abuse of a minor; child abandonment; promoting pornography; selling or distributing erotic material to a minor; custodial assault; violation of child abuse

restraining order; child buying or selling; prostitution; felony indecent exposure; criminal abandonment; or any of these crimes as they may be renamed in the future.

(8) "Crimes relating to drugs" means a conviction of a crime to manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance.

(9) "Crimes relating to financial exploitation" means a conviction for first, second, or third degree extortion; first, second, or third degree theft; first or second degree robbery; forgery; or any of these crimes as they may be renamed in the future.

(10) "Financial exploitation" means "financial exploitation" as defined in RCW 74.34.020.

(11) "Health care facility" means a nursing home licensed under chapter 18.51 RCW, a ~~((boarding home))~~ assisted living facility licensed under chapter 18.20 RCW, or an adult family home licensed under chapter 70.128 RCW.

(12) "Peer counselor" means a nonprofessional person who has equal standing with another person, providing advice on a topic about which the nonprofessional person is more experienced or knowledgeable, and who is a counselor for a peer counseling program that contracts with or is otherwise approved by the department, another state or local agency, or the court.

(13) "Unsupervised" means not in the presence of:

(a) Another employee or volunteer from the same business or organization as the applicant; or

(b) Any relative or guardian of any of the children or developmentally disabled persons or vulnerable adults to which the applicant has access during the course of his or her employment or involvement with the business or organization.

With regard to peer counselors, "unsupervised" does not include incidental contact with children under age sixteen at the location at which the peer counseling is taking place. "Incidental contact" means minor or casual contact with a child in an area accessible to and within visual or auditory range of others. It could include passing a child while walking down a hallway but would not include being

alone with a child for any period of time in a closed room or office.

(14) "Vulnerable adult" means "vulnerable adult" as defined in chapter 74.34 RCW, except that for the purposes of requesting and receiving background checks pursuant to RCW 43.43.832, it shall also include adults of any age who lack the functional, mental, or physical ability to care for themselves.

NEW SECTION. **Sec. 6.** A new section is added to chapter 7.36 RCW to read as follows:

Notwithstanding RCW 36.18.040, the sheriff may waive fees associated with service of a writ of habeas corpus that was issued for the return of a child when the person who was granted the writ is, by reason of poverty, unable to pay the cost of service.

NEW SECTION. **Sec. 7.** (1) The administrative office of the courts shall, through the Washington state gender and justice commission of the supreme court, convene a work group to address the issue of domestic violence perpetrator treatment and the role of certified perpetrator treatment programs in holding domestic violence perpetrators accountable.

(2) The work group must include a representative for each of the following organizations or interests: Superior court judges, district court judges, municipal court judges, court probation officers, prosecuting attorneys, defense attorneys, civil legal aid attorneys, domestic violence victim advocates, domestic violence perpetrator treatment providers, the department of social and health services, the department of corrections, the Washington state institute for public policy, and the University of Washington evidence based practice institute. At least two domestic violence perpetrator treatment providers must be represented as members of the work group.

(3) The work group shall: (a) Review laws, regulations, and court and agency practices pertaining to domestic violence perpetrator treatment used in civil and criminal contexts, including criminal domestic violence felony and misdemeanor offenses, family law, child welfare, and protection orders; (b) consider the development of a universal diagnostic evaluation tool to be used by treatment providers and the department of corrections to assess the treatment needs of domestic violence perpetrators; and (c) develop recommendations on changes to

existing laws, regulations, and court and agency practices to improve victim safety, decrease recidivism, advance treatment outcomes, and increase the courts' confidence in domestic violence perpetrator treatment.

(4) The work group shall report its recommendations to the affected entities and the appropriate committees of the legislature no later than June 30, 2018.

(5) The work group must operate within existing funds.

(6) This section expires June 30, 2019.

NEW SECTION. Sec. 8. (1) The legislature finds that Washington state has a serious problem with domestic violence offender recidivism and lethality. The Washington state institute for public policy studied domestic violence offenders finding not just high rates of domestic violence recidivism but among the highest rates of general criminal and violent recidivism. The Washington state coalition against domestic violence has issued fatality reviews of domestic violence homicides in Washington under chapter 43.235 RCW for over fifteen years. These fatality reviews demonstrate the significant impact of domestic violence on our communities as well as the barriers and high rates of lethality faced by victims. The legislature further notes there have been several high profile domestic violence homicides with multiple prior domestic violence incidents not accounted for in the legal response. Many jurisdictions nationally have encountered the same challenges as Washington and now utilize risk assessment as a best practice to assist in the response to domestic violence.

The Washington domestic violence risk assessment work group is established to study how and when risk assessment can best be used to improve the response to domestic violence offenders and victims and find effective strategies to reduce domestic violence homicides, serious injuries, and recidivism that are a result of domestic violence incidents in Washington state.

(2) (a) The Washington state gender and justice commission, in collaboration with the Washington state coalition against domestic violence and the Washington State University criminal justice program, shall coordinate the work group and provide staff support.

(b) The work group must include a representative from each of the following organizations:

(i) The Washington state gender and justice commission;

(ii) The department of corrections;

(iii) The department of social and health services;

(iv) The Washington association of sheriffs and police chiefs;

(v) The superior court judges' association;

(vi) The district and municipal court judges' association;

(vii) The Washington state association of counties;

(viii) The Washington association of prosecuting attorneys;

(ix) The Washington defender association;

(x) The Washington association of criminal defense lawyers;

(xi) The Washington state association of cities;

(xii) The Washington state coalition against domestic violence;

(xiii) The Washington state office of civil legal aid; and

(xiv) The family law section of the Washington state bar association.

(c) The work group must additionally include representation from:

(i) Treatment providers;

(ii) City law enforcement;

(iii) County law enforcement;

(iv) Court administrators; and

(v) Domestic violence victims or family members of a victim.

(3) At a minimum, the work group shall research, review, and make recommendations on the following:

(a) How to best develop and use risk assessment in domestic violence response utilizing available research and Washington state data;

(b) Providing effective strategies for incorporating risk assessment in domestic violence response to reduce deaths, serious injuries, and recidivism due to domestic violence;

(c) Promoting access to domestic violence risk assessment for advocates, police, prosecutors, corrections, and courts to improve domestic violence response;

(d) Whether or how risk assessment could be used as an alternative to mandatory arrest in domestic violence;

(e) Whether or how risk assessment could be used in bail determinations in domestic violence cases, and in civil protection order hearings;

(f) Whether or how offender risk, needs, and responsivity could be used in determining eligibility for diversion, sentencing alternatives, and treatment options;

(g) Whether or how victim risk, needs, and responsivity could be used in improving domestic violence response;

(h) Whether or how risk assessment can improve prosecution and encourage prosecutors to aggressively enforce domestic violence laws; and

(i) Encouraging private sector collaboration.

(4) The work group shall compile its findings and recommendations into a final report and provide its report to the appropriate committees of the legislature and governor by June 30, 2018.

(5) The work group must operate within existing funds.

(6) This section expires June 30, 2019.

Sec. 9. RCW 9.96.060 and 2014 c 176 s 1 and 2014 c 109 s 1 are each reenacted and amended to read as follows:

(1) Every person convicted of a misdemeanor or gross misdemeanor offense who has completed all of the terms of the sentence for the misdemeanor or gross misdemeanor offense may apply to the sentencing court for a vacation of the applicant's record of conviction for the offense. If the court finds the applicant meets the tests prescribed in subsection (2) of this section, the court may in its discretion vacate the record of conviction by: (a)(i) Permitting the applicant to withdraw the applicant's plea of guilty and to enter a plea of not guilty; or (ii) if the applicant has been convicted after a plea of not guilty, the court setting aside the verdict of guilty; and (b) the court dismissing the information, indictment, complaint, or citation against

the applicant and vacating the judgment and sentence.

(2) An applicant may not have the record of conviction for a misdemeanor or gross misdemeanor offense vacated if any one of the following is present:

(a) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal court;

(b) The offense was a violent offense as defined in RCW 9.94A.030 or an attempt to commit a violent offense;

(c) The offense was a violation of RCW 46.61.502 (driving while under the influence), 46.61.504 (actual physical control while under the influence), 9.91.020 (operating a railroad, etc. while intoxicated), or the offense is considered a "prior offense" under RCW 46.61.5055 and the applicant has had a subsequent alcohol or drug violation within ten years of the date of arrest for the prior offense;

(d) The offense was any misdemeanor or gross misdemeanor violation, including attempt, of chapter 9.68 RCW (obscenity and pornography), chapter 9.68A RCW (sexual exploitation of children), or chapter 9A.44 RCW (sex offenses);

(e) The applicant was convicted of a misdemeanor or gross misdemeanor offense as defined in RCW 10.99.020, or the court determines after a review of the court file that the offense was committed by one family member or household member against another, or the court, after considering the damage to person or property that resulted in the conviction, any prior convictions for crimes defined in RCW 10.99.020, or for comparable offenses in another state or in federal court, and the totality of the records under review by the court regarding the conviction being considered for vacation, determines that the offense involved domestic violence, and any one of the following factors exist:

(i) The applicant has not provided written notification of the vacation petition to the prosecuting attorney's office that prosecuted the offense for which vacation is sought, or has not provided that notification to the court;

(ii) The applicant has previously had a conviction for domestic violence. For purposes of this subsection, however, if the current application is for more than one conviction that arose out of a single

incident, none of those convictions counts as a previous conviction;

(iii) The applicant has signed an affidavit under penalty of perjury affirming that the applicant has not previously had a conviction for a domestic violence offense, and a criminal history check reveals that the applicant has had such a conviction; or

(iv) Less than five years have elapsed since the person completed the terms of the original conditions of the sentence, including any financial obligations and successful completion of any treatment ordered as a condition of sentencing;

(f) For any offense other than those described in (e) of this subsection, less than three years have passed since the person completed the terms of the sentence, including any financial obligations;

(g) The offender has been convicted of a new crime in this state, another state, or federal court since the date of conviction;

(h) The applicant has ever had the record of another conviction vacated; or

(i) The applicant is currently restrained, or has been restrained within five years prior to the vacation application, by a domestic violence protection order, a no-contact order, an antiharassment order, or a civil restraining order which restrains one party from contacting the other party.

(3) Subject to RCW 9.96.070, every person convicted of prostitution under RCW 9A.88.030 who committed the offense as a result of being a victim of trafficking, RCW 9A.40.100, promoting prostitution in the first degree, RCW 9A.88.070, promoting commercial sexual abuse of a minor, RCW 9.68A.101, or trafficking in persons under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq. may apply to the sentencing court for vacation of the applicant's record of conviction for the prostitution offense. An applicant may not have the record of conviction for prostitution vacated if any one of the following is present:

(a) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal court, for any crime other than prostitution; or

(b) The offender has been convicted of another crime, except prostitution, in

this state, another state, or federal court since the date of conviction.

(4) Every person convicted prior to January 1, 1975, of violating any statute or rule regarding the regulation of fishing activities, including, but not limited to, RCW 75.08.260, 75.12.060, 75.12.070, 75.12.160, 77.16.020, 77.16.030, 77.16.040, 77.16.060, and 77.16.240 who claimed to be exercising a treaty Indian fishing right, may apply to the sentencing court for vacation of the applicant's record of the misdemeanor, gross misdemeanor, or felony conviction for the offense. If the person is deceased, a member of the person's family or an official representative of the tribe of which the person was a member may apply to the court on behalf of the deceased person. Notwithstanding the requirements of RCW 9.94A.640, the court shall vacate the record of conviction if:

(a) The applicant is a member of a tribe that may exercise treaty Indian fishing rights at the location where the offense occurred; and

(b) The state has been enjoined from taking enforcement action of the statute or rule to the extent that it interferes with a treaty Indian fishing right as determined under *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974), or *Sohappy v. Smith*, 302 F. Supp. 899 (D. Oregon 1969), and any posttrial orders of those courts, or any other state supreme court or federal court decision.

(5)(a) Once the court vacates a record of conviction under this section, the person shall be released from all penalties and disabilities resulting from the offense and the fact that the person has been convicted of the offense shall not be included in the person's criminal history for purposes of determining a sentence in any subsequent conviction. For all purposes, including responding to questions on employment or housing applications, a person whose conviction has been vacated under this section may state that he or she has never been convicted of that crime. Except as provided in (b) of this subsection, nothing in this section affects or prevents the use of an offender's prior conviction in a later criminal prosecution.

(b) When a court vacates a record of domestic violence as defined in RCW 10.99.020 under this section, the state may not use the vacated conviction in a

later criminal prosecution unless the conviction was for: (i) Violating the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going on to the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.44.063, 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145); or (ii) stalking (RCW 9A.46.110). A vacated conviction under this section is not considered a conviction of such an offense for the purposes of 27 C.F.R. 478.11.

(6) All costs incurred by the court and probation services shall be paid by the person making the motion to vacate the record unless a determination is made pursuant to chapter 10.101 RCW that the person making the motion is indigent, at the time the motion is brought.

(7) The clerk of the court in which the vacation order is entered shall immediately transmit the order vacating the conviction to the Washington state patrol identification section and to the local police agency, if any, which holds criminal history information for the person who is the subject of the conviction. The Washington state patrol and any such local police agency shall immediately update their records to reflect the vacation of the conviction, and shall transmit the order vacating the conviction to the federal bureau of investigation. A conviction that has been vacated under this section may not be disseminated or disclosed by the state patrol or local law enforcement agency to any person, except other criminal justice enforcement agencies.

Sec. 10. RCW 9.94A.515 and 2016 c 213 s 5, 2016 c 164 s 13, and 2016 c 6 s 1 are each reenacted and amended to read as follows:

TABLE 2
CRIMES INCLUDED
WITHIN EACH SERIOUSNESS
LEVEL

XVI Aggravated Murder 1
(RCW 10.95.020)

- XV Homicide by abuse (RCW 9A.32.055)
 - Malicious explosion 1 (RCW 70.74.280(1))
 - Murder 1 (RCW 9A.32.030)
- XIV Murder 2 (RCW 9A.32.050)
 - Trafficking 1 (RCW 9A.40.100(1))
- XIII Malicious explosion 2 (RCW 70.74.280(2))
 - Malicious placement of an explosive 1 (RCW 70.74.270(1))
- XII Assault 1 (RCW 9A.36.011)
 - Assault of a Child 1 (RCW 9A.36.120)
 - Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
 - Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
 - Rape 1 (RCW 9A.44.040)
 - Rape of a Child 1 (RCW 9A.44.073)
 - Trafficking 2 (RCW 9A.40.100(3))
- XI Manslaughter 1 (RCW 9A.32.060)
 - Rape 2 (RCW 9A.44.050)
 - Rape of a Child 2 (RCW 9A.44.076)
 - Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
 - Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- X Child Molestation 1 (RCW 9A.44.083)

	Criminal Mistreatment 1 (RCW 9A.42.020)		Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
	Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1) (a))		Manslaughter 2 (RCW 9A.32.070)
	Kidnapping 1 (RCW 9A.40.020)		Promoting Prostitution 1 (RCW 9A.88.070)
	Leading Organized Crime (RCW 9A.82.060(1) (a))		Theft of Ammonia (RCW 69.55.010)
	Malicious explosion 3 (RCW 70.74.280(3))	VII	Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2) (b))
	Sexually Violent Predator Escape (RCW 9A.76.115)		Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1) (b))
IX	Abandonment of Dependent Person 1 (RCW 9A.42.060)		Burglary 1 (RCW 9A.52.020)
	Assault of a Child 2 (RCW 9A.36.130)		Child Molestation 2 (RCW 9A.44.086)
	Explosive devices prohibited (RCW 70.74.180)		Civil Disorder Training (RCW 9A.48.120)
	Hit and Run—Death (RCW 46.52.020(4) (a))		Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
	Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)		Drive-by Shooting (RCW 9A.36.045)
	Inciting Criminal Profiteering (RCW 9A.82.060(1) (b))		Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
	Malicious placement of an explosive 2 (RCW 70.74.270(2))		Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
	Robbery 1 (RCW 9A.56.200)		Introducing Contraband 1 (RCW 9A.76.140)
	Sexual Exploitation (RCW 9.68A.040)		Malicious placement of an explosive 3 (RCW 70.74.270(3))
VIII	Arson 1 (RCW 9A.48.020)		
	Commercial Sexual Abuse of a Minor (RCW 9.68A.100)		

	Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))		Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
	Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)		Rape of a Child 3 (RCW 9A.44.079)
	Sale, install, ((for)) or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))	V	Theft of a Firearm (RCW 9A.56.300)
	Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))		Unlawful Storage of Ammonia (RCW 69.55.020)
	Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))		Abandonment of Dependent Person 2 (RCW 9A.42.070)
	Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)		Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
	Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)		Air bag diagnostic systems (RCW 46.37.660(2)(c))
VI	Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))		Air bag replacement requirements (RCW 46.37.660(1)(c))
	Bribery (RCW 9A.68.010)		Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
	Incest 1 (RCW 9A.64.020(1))		Child Molestation 3 (RCW 9A.44.089)
	Intimidating a Judge (RCW 9A.72.160)		Criminal Mistreatment 2 (RCW 9A.42.030)
	Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)		Custodial Sexual Misconduct 1 (RCW 9A.44.160)
	Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))		Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
			Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.10.220, 26.50.110, 26.52.070, or 74.34.145)

Driving While Under the Influence (RCW 46.61.502(6))		Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Extortion 1 (RCW 9A.56.120)		Sexually Violating Human Remains (RCW 9A.44.105)
Extortionate Extension of Credit (RCW 9A.82.020)		Stalking (RCW 9A.46.110)
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)		Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
Incest 2 (RCW 9A.64.020(2))	IV	Arson 2 (RCW 9A.48.030)
Kidnapping 2 (RCW 9A.40.030)		Assault 2 (RCW 9A.36.021)
Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))		Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
Perjury 1 (RCW 9A.72.020)		<u>Assault 4 (third domestic violence offense) (RCW 9A.36.041(3))</u>
Persistent prison misbehavior (RCW 9.94.070)		Assault by Watercraft (RCW 79A.60.060)
Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))		Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
Possession of a Stolen Firearm (RCW 9A.56.310)		Cheating 1 (RCW 9.46.1961)
Rape 3 (RCW 9A.44.060)		Commercial Bribery (RCW 9A.68.060)
Rendering Criminal Assistance 1 (RCW 9A.76.070)		Counterfeiting (RCW 9.16.035(4))
Sale, install, (for) or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))		Endangerment with a Controlled Substance (RCW 9A.42.100)
Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))		Escape 1 (RCW 9A.76.110)
		Hit and Run-Injury (RCW 46.52.020(4)(b))
		Hit and Run with Vessel-Injury Accident (RCW 79A.60.200(3))
		Identity Theft 1 (RCW 9.35.020(2))

Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)

Influencing Outcome of Sporting Event (RCW 9A.82.070)

Malicious Harassment (RCW 9A.36.080)

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))

Residential Burglary (RCW 9A.52.025)

Robbery 2 (RCW 9A.56.210)

Theft of Livestock 1 (RCW 9A.56.080)

Threats to Bomb (RCW 9.61.160)

Trafficking in Stolen Property 1 (RCW 9A.82.050)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))

Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))

Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))

Unlawful transaction of insurance business (RCW 48.15.023(3))

Unlicensed practice as an insurance professional (RCW 48.17.063(2))

Use of Proceeds of Criminal Profiteering

(RCW 9A.82.080 (1) and (2))

Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))

Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)

Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))

Willful Failure to Return from Furlough (RCW 72.66.060)

III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))

Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))

Assault of a Child 3 (RCW 9A.36.140)

Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))

Burglary 2 (RCW 9A.52.030)

Communication with a Minor for Immoral Purposes (RCW 9.68A.090)

Criminal Gang Intimidation (RCW 9A.46.120)

Custodial Assault (RCW 9A.36.100)

Cyberstalking (subsequent conviction)

or threat of death) (RCW
9.61.260(3))

Escape 2 (RCW
9A.76.120)

Extortion 2 (RCW
9A.56.130)

Harassment (RCW
9A.46.020)

Intimidating a Public
Servant (RCW 9A.76.180)

Introducing
Contraband 2 (RCW
9A.76.150)

Malicious Injury to
Railroad Property (RCW
81.60.070)

Mortgage Fraud (RCW
19.144.080)

Negligently Causing
Substantial Bodily Harm
By Use of a Signal
Preemption Device (RCW
46.37.674)

Organized Retail
Theft 1 (RCW
9A.56.350(2))

Perjury 2 (RCW
9A.72.030)

Possession of
Incendiary Device (RCW
9.40.120)

Possession of Machine
Gun or Short-Barreled
Shotgun or Rifle (RCW
9.41.190)

Promoting
Prostitution 2 (RCW
9A.88.080)

Retail Theft with
Special Circumstances 1
(RCW 9A.56.360(2))

Securities Act
violation (RCW
21.20.400)

Tampering with a
Witness (RCW 9A.72.120)

Telephone Harassment
(subsequent conviction)

or threat of death) (RCW
9.61.230(2))

Theft of Livestock 2
(RCW 9A.56.083)

Theft with the Intent
to Resell 1 (RCW
9A.56.340(2))

Trafficking in Stolen
Property 2 (RCW
9A.82.055)

Unlawful Hunting of
Big Game 1 (RCW
77.15.410(3)(b))

Unlawful Imprisonment
(RCW 9A.40.040)

Unlawful Misbranding
of Food Fish or
Shellfish 1 (RCW
69.04.938(3))

Unlawful possession
of firearm in the second
degree (RCW 9.41.040(2))

Unlawful Taking of
Endangered Fish or
Wildlife 1 (RCW
77.15.120(3)(b))

Unlawful Trafficking
in Fish, Shellfish, or
Wildlife 1 (RCW
77.15.260(3)(b))

Unlawful Use of a
Nondesignated Vessel
(RCW 77.15.530(4))

Vehicular Assault, by
the operation or driving
of a vehicle with
disregard for the safety
of others (RCW
46.61.522)

Willful Failure to
Return from Work Release
(RCW 72.65.070)

II Commercial Fishing
Without a License 1 (RCW
77.15.500(3)(b))

Computer Trespass 1
(RCW 9A.90.040)

Counterfeiting (RCW
9.16.035(3))

Electronic Data
Service Interference
(RCW 9A.90.060)

Electronic Data
Tampering 1 (RCW
9A.90.080)

Electronic Data Theft
(RCW 9A.90.100)

Engaging in Fish
Dealing Activity
Unlicensed 1 (RCW
77.15.620(3))

Escape from Community
Custody (RCW 72.09.310)

Failure to Register as
a Sex Offender (second
or subsequent offense)
(RCW 9A.44.130 prior to
June 10, 2010, and RCW
9A.44.132)

Health Care False
Claims (RCW 48.80.030)

Identity Theft 2 (RCW
9.35.020(3))

Improperly Obtaining
Financial Information
(RCW 9.35.010)

Malicious Mischief 1
(RCW 9A.48.070)

Organized Retail
Theft 2 (RCW
9A.56.350(3))

Possession of Stolen
Property 1 (RCW
9A.56.150)

Possession of a Stolen
Vehicle (RCW 9A.56.068)

Retail Theft with
Special Circumstances 2
(RCW 9A.56.360(3))

Scrap Processing,
Recycling, or Supplying
Without a License
(second or subsequent
offense) (RCW
19.290.100)

Theft 1 (RCW
9A.56.030)

Theft of a Motor
Vehicle (RCW 9A.56.065)

Theft of Rental,
Leased, Lease-purchased,
or Loaned Property
(valued at five thousand
dollars or more) (RCW
9A.56.096(5) (a))

Theft with the Intent
to Resell 2 (RCW
9A.56.340(3))

Trafficking in
Insurance Claims (RCW
48.30A.015)

Unlawful factoring of
a credit card or payment
card transaction (RCW
9A.56.290(4) (a))

Unlawful
Participation of Non-
Indians in Indian
Fishery (RCW
77.15.570(2))

Unlawful Practice of
Law (RCW 2.48.180)

Unlawful Purchase or
Use of a License (RCW
77.15.650(3) (b))

Unlawful Trafficking
in Fish, Shellfish, or
Wildlife 2 (RCW
77.15.260(3) (a))

Unlicensed Practice
of a Profession or
Business (RCW
18.130.190(7))

Voyeurism (RCW
9A.44.115)

I Attempting to Elude a
Pursuing Police Vehicle
(RCW 46.61.024)

False Verification
for Welfare (RCW
74.08.055)

Forgery (RCW
9A.60.020)

Fraudulent Creation
or Revocation of a
Mental Health Advance
Directive (RCW
9A.60.060)

Malicious Mischief 2
(RCW 9A.48.080)

Mineral Trespass (RCW
78.44.330)

Possession of Stolen
Property 2 (RCW
9A.56.160)

Reckless Burning 1
(RCW 9A.48.040)

Spotlighting Big Game
1 (RCW 77.15.450(3)(b))

Suspension of
Department Privileges 1
(RCW 77.15.670(3)(b))

Taking Motor Vehicle
Without Permission 2
(RCW 9A.56.075)

Theft 2 (RCW
9A.56.040)

Theft of Rental,
Leased, Lease-purchased,
or Loaned Property
(valued at seven hundred
fifty dollars or more
but less than five
thousand dollars) (RCW
9A.56.096(5)(b))

Transaction of
insurance business
beyond the scope of
licensure (RCW
48.17.063)

Unlawful Fish and
Shellfish Catch
Accounting (RCW
77.15.630(3)(b))

Unlawful Issuance of
Checks or Drafts (RCW
9A.56.060)

Unlawful Possession
of Fictitious
Identification (RCW
9A.56.320)

Unlawful Possession
of Instruments of
Financial Fraud (RCW
9A.56.320)

Unlawful Possession
of Payment Instruments
(RCW 9A.56.320)

Unlawful Possession
of a Personal
Identification Device
(RCW 9A.56.320)

Unlawful Production
of Payment Instruments
(RCW 9A.56.320)

Unlawful Releasing,
Planting, Possessing, or
Placing Deleterious
Exotic Wildlife (RCW
77.15.250(2)(b))

Unlawful Trafficking
in Food Stamps (RCW
9.91.142)

Unlawful Use of Food
Stamps (RCW 9.91.144)

Unlawful Use of Net to
Take Fish 1 (RCW
77.15.580(3)(b))

Unlawful Use of
Prohibited Aquatic
Animal Species (RCW
77.15.253(3))

Vehicle Prowl 1 (RCW
9A.52.095)

Violating Commercial
Fishing Area or Time 1
(RCW 77.15.550(3)(b))"

On page 1, line 1 of the title, after "violence;" strike the remainder of the title and insert "amending RCW 9A.36.041, 9.94A.525, 43.43.754, and 43.43.830; reenacting and amending RCW 9.94A.411, 9.96.060, and 9.94A.515; adding a new section to chapter 7.36 RCW; creating new sections; prescribing penalties; and providing expiration dates."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1163 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Goodman and Klippert spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1163, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1163, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Caldier, Nealey and Pollet.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1163, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1183 with the following amendment:

Strike everything after the enacting clause and insert the following:

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

(a) A creative district is a designated, geographical, mixed-use area of a community in which a high concentration of cultural facilities,

creative businesses, or arts-related businesses serve as a collective anchor of public attraction;

(b) In certain cases, multiple vacant properties in close proximity may exist within a community that would be suitable for redevelopment as a creative district;

(c) Creative districts are a highly adaptable economic development tool that is able to take a community's unique conditions, assets, needs, and opportunities into account and thereby address the needs of large, small, rural, and urban areas;

(d) Creative districts may be home to both nonprofit and for-profit creative industries and organizations;

(e) The arts and culture transcend boundaries of race, age, gender, language, and social status; and

(f) Creative districts promote and improve communities in particular and the state more generally in many ways. Specifically, such districts:

(i) Attract artists and creative entrepreneurs to a community and thereby infuse the community with energy and innovation and enhance the economic and civic capital of the community;

(ii) Create a hub of economic activity that helps an area become an appealing place to live, visit, and conduct business, complements adjacent businesses, creates new economic opportunities and jobs in both the cultural sector and other local industries, and attracts new businesses and assists in the recruitment of employees;

(iii) Establish marketable tourism assets that highlight the distinct identity of communities, attract in-state, out-of-state, and international visitors, and become especially attractive destinations for cultural, recreational, and business travelers;

(iv) Revitalize and beautify neighborhoods, cities, and larger regions, reverse urban decay, promote the preservation of historic buildings, and facilitate a healthy mixture of business and residential activity that contributes to reduced vacancy rates and enhanced property values;

(v) Provide a focal point for celebrating and strengthening a community's unique cultural identity,

providing communities with opportunities to highlight existing cultural amenities as well as mechanisms to recruit and establish new artists, creative industries, and organizations;

(vi) Provide artists with a creative area in which they can live and work, with living spaces that enable them to work in artistic fields and find affordable housing close to their place of employment; and

(vii) Enhance property values. Successful creative districts combine improvements to public spaces such as parks, waterfronts, and pedestrian corridors, alongside property development. The redevelopment of abandoned properties and historic sites and recruiting businesses to occupy vacant spaces can also contribute to reduced vacancy rates and enhanced property values.

(2) It is the intent of the legislature that the state provide leadership, technical support, and the infrastructure to local communities desirous of creating their own creative districts by, among other things, certifying districts, offering available incentives to encourage business development, exploring new incentives that are directly related to creative enterprises, facilitating local access to state assistance, enhancing the visibility of creative districts, providing technical assistance and planning help, ensuring broad and equitable program benefits, and fostering a supportive climate for the arts and culture, thereby contributing to the development of healthy communities across the state and improving the quality of life of the state's residents.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the Washington state arts commission.

(2) "Coordinator" means the employee of the Washington state arts commission who is responsible for performing the specific tasks under section 5 of this act.

(3) "Creative district" means a land area designated by a local government in accordance with section 3 of this act that contains either a hub of cultural facilities, creative industries, or arts-related businesses, or multiple vacant properties in close proximity that would

be suitable for redevelopment as a creative district.

(4) "Local government" means a city, county, or town.

(5) "State-certified creative district" means a creative district whose application for certification has been approved by the commission.

NEW SECTION. Sec. 3. (1) A local government may designate a creative district within its territorial boundaries subject to certification as a state-certified creative district by the commission. Two or more local governments may jointly apply for certification of a creative district that extends across a common boundary.

(2) In order to receive certification as a state-certified creative district, a creative district must:

(a) Be a geographically contiguous area;

(b) Be distinguished by physical, artistic, or cultural resources that play a vital role in the quality and life of a community, including its economic and cultural development;

(c) Be the site of a concentration of artistic or cultural activity, a major arts or cultural institution or facility, arts and entertainment businesses, an area with arts and cultural activities, or artistic or cultural production;

(d) Be engaged in the promotional, preservation, and educational aspects of the arts and culture of the community and contribute to the public through interpretive, educational, or recreational uses; and

(e) Satisfy any additional criteria required by the commission that in its discretion will further the purposes of sections 2 through 5 of this act. Any additional eligibility criteria must be posted by the commission on its public web site.

(3) The commission may grant certification to a creative district that does not qualify for certification under subsection (2) of this section if the land area proposed for certification contains multiple vacant properties in close proximity that would be suitable, as determined by the commission, for redevelopment as a creative district.

NEW SECTION. Sec. 4. (1) Subject to the availability of amounts appropriated

for this specific purpose, the commission may create a process for review of applications submitted by local governments or federally recognized Indian tribes for certification of state-certified creative districts. The application must be submitted on a standard form developed and approved by the commission.

(2) After reviewing an application for certification, the commission must approve or reject the application or return it to the applicant with a request for changes or additional information. The commission may request that an applicant provide relevant information supporting an application. Rejected applicants may reapply at any time in coordination with program guidelines.

(3) Certification must be based upon the criteria specified in section 3 of this act.

(4) If the commission approves an application for certification, it must notify the applicant in writing and must specify the terms and conditions of the commission's approval, including the terms and conditions set forth in the application and as modified by written agreement between the applicant and the commission.

(5) Upon approval by the commission of an application for certification, a creative district becomes a state-certified creative district with all of the attendant benefits under sections 2 through 5 of this act.

(6) The commission may revoke a certification previously granted for failure by a local government to comply with the requirements of this section or an agreement executed pursuant to this section.

(7) In addition to any powers explicitly granted to the commission under sections 2 through 5 of this act, the commission is granted such additional powers as are necessary to carry out the purposes of sections 2 through 5 of this act. Where authorized by law, such powers may include offering incentives to state-certified creative districts to encourage business development, exploring new incentives that are directly related to creative enterprises, facilitating local access to state economic development assistance, enhancing the visibility of state-certified creative districts, providing state-certified creative districts with technical assistance and

planning aid, ensuring broad and equitable program benefits, and fostering a supportive climate for the arts and culture within the state.

(8) The creation of a district under this section may not be used to prohibit any particular business or the development of residential real property within the boundaries of the district or to impose a burden on the operation or use of any particular business or parcel of residential real property located within the boundaries of the district.

NEW SECTION. **Sec. 5.** Subject to the availability of amounts appropriated for this specific purpose, the commission may appoint a coordinator. The coordinator must:

(1) Review applications for certification and make a recommendation to the commission for action;

(2) Administer and promote the application process for the certification of creative districts;

(3) With the approval of the commission, develop standards and policies for the certification of state-certified creative districts. Any approved standards and policies must be posted on the commission's public web site;

(4) Require periodic written reports from any state-certified creative district for the purpose of reviewing the activities of the district, including the compliance of the district with the policies and standards developed under this section and with the conditions of an approved application for certification;

(5) Identify available public and private resources, including any applicable economic development incentives and other tools, that support and enhance the development and maintenance of creative districts and, with the assistance of the commission, ensure that such programs and services are accessible to creative districts; and

(6) With the approval of the commission, develop such additional procedures as may be necessary to administer this section. Any approved procedures must be posted on the commission's public web site.

NEW SECTION. **Sec. 6.** Sections 2 through 5 of this act are each added to chapter 43.46 RCW."

On page 1, line 1 of the title, after "governments" strike the remainder of the title and insert "to designate a portion of their territory as a creative district subject to certification by the Washington state arts commission; adding new sections to chapter 43.46 RCW; and creating a new section."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1183 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives McBride and McCabe spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1183, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1183, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; Nays, 13; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Griffey, Kraft, MacEwen, McCaslin, Shea, Stokesbary, Taylor, Vick, Volz and Young.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1183, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 6, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1184 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.88.110 and 1988 c 146 s 4 are each amended to read as follows:

(1) A person is guilty of patronizing a prostitute if:

(a) Pursuant to a prior understanding, he or she pays a fee to another person as compensation for such person or a third person having engaged in sexual conduct with him or her; or

(b) He or she pays or agrees to pay a fee to another person pursuant to an understanding that in return therefor such person will engage in sexual conduct with him or her; or

(c) He or she solicits or requests another person to engage in sexual conduct with him or her in return for a fee.

(2) The crime of patronizing a prostitute may be committed in more than one location. The crime is deemed to have been committed in any location in which the defendant commits any act under subsection (1)(a), (b), or (c) of this section that constitutes part of the crime. A person who sends a communication to patronize a prostitute is considered to have committed the crime both at the place from which the contact was made pursuant to subsection (1)(a), (b), or (c) of this section and where the communication is received, provided that this section must be construed to prohibit anyone from being prosecuted twice for substantially the same crime.

(3) For purposes of this section, "sexual conduct" has the meaning given in RCW 9A.88.030.

~~((3))~~ (4) Patronizing a prostitute is a misdemeanor."

On page 1, line 1 of the title, after "prostitute;" strike the remainder of the title and insert "amending RCW 9A.88.110; and prescribing penalties."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO.

1184 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representative Orwall spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1184, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1184, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1184, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1200 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.44.115 and 2003 c 213 s 1 are each amended to read as follows:

(1) As used in this section:

(a) "Intimate areas" means any portion of a person's body or undergarments that is covered by clothing and intended to be protected from public view;

(b) "Photographs" or "films" means the making of a photograph, motion picture

film, videotape, digital image, or any other recording or transmission of the image of a person;

(c) "Place where he or she would have a reasonable expectation of privacy" means:

(i) A place where a reasonable person would believe that he or she could disrobe in privacy, without being concerned that his or her undressing was being photographed or filmed by another; or

(ii) A place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance;

(d) "Surveillance" means secret observation of the activities of another person for the purpose of spying upon and invading the privacy of the person;

(e) "Views" means the intentional looking upon of another person for more than a brief period of time, in other than a casual or cursory manner, with the unaided eye or with a device designed or intended to improve visual acuity.

(2)(a) A person commits the crime of voyeurism in the first degree if, for the purpose of arousing or gratifying the sexual desire of any person, he or she knowingly views, photographs, or films:

~~((a))~~ (i) Another person without that person's knowledge and consent while the person being viewed, photographed, or filmed is in a place where he or she would have a reasonable expectation of privacy; or

~~((b))~~ (ii) The intimate areas of another person without that person's knowledge and consent and under circumstances where the person has a reasonable expectation of privacy, whether in a public or private place.

~~((c))~~ (b) Voyeurism in the first degree is a class C felony.

(3)(a) A person commits the crime of voyeurism in the second degree if he or she intentionally photographs or films another person for the purpose of photographing or filming the intimate areas of that person with the intent to distribute or disseminate the photograph or film, without that person's knowledge and consent, and under circumstances where the person has a reasonable expectation of privacy, whether in a public or private place.

(b) Voyeurism in the second degree is a gross misdemeanor.

(c) Voyeurism in the second degree is not a sex offense for the purposes of sentencing or sex offender registration requirements under this chapter.

(4) This section does not apply to viewing, photographing, or filming by personnel of the department of corrections or of a local jail or correctional facility for security purposes or during investigation of alleged misconduct by a person in the custody of the department of corrections or the local jail or correctional facility.

(5) If a person is convicted of a violation of this section, the court may order the destruction of any photograph, motion picture film, digital image, videotape, or any other recording of an image that was made by the person in violation of this section.

Sec. 2. RCW 13.40.070 and 2013 c 179 s 3 are each amended to read as follows:

(1) Complaints referred to the juvenile court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint to determine whether:

(a) The alleged facts bring the case within the jurisdiction of the court; and

(b) On a basis of available evidence there is probable cause to believe that the juvenile did commit the offense.

(2) If the identical alleged acts constitute an offense under both the law of this state and an ordinance of any city or county of this state, state law shall govern the prosecutor's screening and charging decision for both filed and diverted cases.

(3) If the requirements of subsections (1)(a) and (b) of this section are met, the prosecutor shall either file an information in juvenile court or divert the case, as set forth in subsections (5), (6), and (8) of this section. If the prosecutor finds that the requirements of subsection (1)(a) and (b) of this section are not met, the prosecutor shall maintain a record, for one year, of such decision and the reasons therefor. In lieu of filing an information or diverting an offense a prosecutor may file a motion to modify community supervision where such offense constitutes a violation of community supervision.

(4) An information shall be a plain, concise, and definite written statement of

the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to chapter 10.37 RCW.

(5) Except as provided in RCW 13.40.213 and subsection (7) of this section, where a case is legally sufficient, the prosecutor shall file an information with the juvenile court if:

(a) An alleged offender is accused of a class A felony, a class B felony, an attempt to commit a class B felony, a class C felony listed in RCW 9.94A.411(2) as a crime against persons or listed in RCW 9A.46.060 as a crime of harassment, or a class C felony that is a violation of RCW 9.41.080 or 9.41.040(2)(a) ~~((iii))~~ (iv); or

(b) An alleged offender is accused of a felony, and has a criminal history of any felony, or at least two gross misdemeanors, or at least two misdemeanors; or

(c) An alleged offender has previously been committed to the department; or

(d) An alleged offender has been referred by a diversion unit for prosecution or desires prosecution instead of diversion; or

(e) An alleged offender has three or more diversion agreements on the alleged offender's criminal history; or

(f) A special allegation has been filed that the offender or an accomplice was armed with a firearm when the offense was committed.

(6) Where a case is legally sufficient the prosecutor shall divert the case if the alleged offense is a misdemeanor or gross misdemeanor or violation and the alleged offense is the offender's first offense or violation. If the alleged offender is charged with a related offense that must or may be filed under subsections (5) and (8) of this section, a case under this subsection may also be filed.

(7) Where a case is legally sufficient to charge an alleged offender with:

(a) Either prostitution or prostitution loitering and the alleged offense is the offender's first prostitution or prostitution loitering offense, the prosecutor shall divert the case; or

(b) Voyeurism in the second degree, the offender is under seventeen years of age, and the alleged offense is the offender's

first voyeurism in the second degree offense, the prosecutor shall divert the case, unless the offender has received two diversions for any offense in the previous two years.

(8) Where a case is legally sufficient and falls into neither subsection (5) nor (6) of this section, it may be filed or diverted. In deciding whether to file or divert an offense under this section the prosecutor shall be guided only by the length, seriousness, and recency of the alleged offender's criminal history and the circumstances surrounding the commission of the alleged offense.

(9) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversion interview, the parent or legal guardian of the juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile. Where a case involves victims of crimes against persons or victims whose property has not been recovered at the time a juvenile is referred to a diversion unit, the victim shall be notified of the referral and informed how to contact the unit.

(10) The responsibilities of the prosecutor under subsections (1) through (9) of this section may be performed by a juvenile court probation counselor for any complaint referred to the court alleging the commission of an offense which would not be a felony if committed by an adult, if the prosecutor has given sufficient written notice to the juvenile court that the prosecutor will not review such complaints.

(11) The prosecutor, juvenile court probation counselor, or diversion unit may, in exercising their authority under this section or RCW 13.40.080, refer juveniles to mediation or victim offender reconciliation programs. Such mediation or victim offender reconciliation programs shall be voluntary for victims.

Sec. 3. RCW 9.94A.515 and 2016 c 213 s 5, 2016 c 164 s 13, and 2016 c 6 s 1 are each reenacted and amended to read as follows:

TABLE 2
CRIMES INCLUDED
WITHIN EACH SERIOUSNESS
LEVEL

XVI	Aggravated Murder	1	(RCW 10.95.020)
XV	Homicide by abuse		(RCW 9A.32.055)
	Malicious explosion	1	(RCW 70.74.280(1))
	Murder	1	(RCW 9A.32.030)
XIV	Murder	2	(RCW 9A.32.050)
	Trafficking	1	(RCW 9A.40.100(1))
XIII	Malicious explosion	2	(RCW 70.74.280(2))
	Malicious placement of an explosive	1	(RCW 70.74.270(1))
XII	Assault	1	(RCW 9A.36.011)
	Assault of a Child	1	(RCW 9A.36.120)
	Malicious placement of an imitation device	1	(RCW 70.74.272(1)(a))
	Promoting Commercial Sexual Abuse of a Minor		(RCW 9.68A.101)
	Rape	1	(RCW 9A.44.040)
	Rape of a Child	1	(RCW 9A.44.073)
	Trafficking	2	(RCW 9A.40.100(3))
XI	Manslaughter	1	(RCW 9A.32.060)
	Rape	2	(RCW 9A.44.050)
	Rape of a Child	2	(RCW 9A.44.076)
	Vehicular Homicide, by being under the influence of intoxicating liquor or any drug		(RCW 46.61.520)
	Vehicular Homicide, by the operation of any vehicle in a reckless manner		(RCW 46.61.520)

- | | | |
|------|---|--|
| X | Child Molestation 1
(RCW 9A.44.083) | Commercial Sexual
Abuse of a Minor (RCW
9.68A.100) |
| | Criminal Mistreatment
1 (RCW 9A.42.020) | Homicide by
Watercraft, by the
operation of any vessel
in a reckless manner
(RCW 79A.60.050) |
| | Indecent Liberties
(with forcible
compulsion) (RCW
9A.44.100(1) (a)) | Manslaughter 2 (RCW
9A.32.070) |
| | Kidnapping 1 (RCW
9A.40.020) | Promoting
Prostitution 1 (RCW
9A.88.070) |
| | Leading Organized
Crime (RCW
9A.82.060(1) (a)) | Theft of Ammonia (RCW
69.55.010) |
| | Malicious explosion 3
(RCW 70.74.280(3)) | VII Air bag diagnostic
systems (causing bodily
injury or death) (RCW
46.37.660(2) (b)) |
| | Sexually Violent
Predator Escape (RCW
9A.76.115) | Air bag replacement
requirements (causing
bodily injury or death)
(RCW 46.37.660(1) (b)) |
| IX | Abandonment of
Dependent Person 1 (RCW
9A.42.060) | Burglary 1 (RCW
9A.52.020) |
| | Assault of a Child 2
(RCW 9A.36.130) | Child Molestation 2
(RCW 9A.44.086) |
| | Explosive devices
prohibited (RCW
70.74.180) | Civil Disorder
Training (RCW 9A.48.120) |
| | Hit and Run—Death (RCW
46.52.020(4) (a)) | Dealing in depictions
of minor engaged in
sexually explicit
conduct 1 (RCW
9.68A.050(1)) |
| | Homicide by
Watercraft, by being
under the influence of
intoxicating liquor or
any drug (RCW
79A.60.050) | Drive-by Shooting
(RCW 9A.36.045) |
| | Inciting Criminal
Profiteering (RCW
9A.82.060(1) (b)) | Homicide by
Watercraft, by disregard
for the safety of others
(RCW 79A.60.050) |
| | Malicious placement
of an explosive 2 (RCW
70.74.270(2)) | Indecent Liberties
(without forcible
compulsion) (RCW
9A.44.100(1) (b) and
(c)) |
| | Robbery 1 (RCW
9A.56.200) | Introducing
Contraband 1 (RCW
9A.76.140) |
| | Sexual Exploitation
(RCW 9.68A.040) | |
| VIII | Arson 1 (RCW
9A.48.020) | |

Malicious placement of an explosive 3 (RCW 70.74.270(3))

Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))

Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)

Sale, install, ~~((for))~~ or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))

Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))

Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))

Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)

Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)

VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))

Bribery (RCW 9A.68.010)

Incest 1 (RCW 9A.64.020(1))

Intimidating a Judge (RCW 9A.72.160)

Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)

Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))

Rape of a Child 3 (RCW 9A.44.079)

Theft of a Firearm (RCW 9A.56.300)

Unlawful Storage of Ammonia (RCW 69.55.020)

V Abandonment of Dependent Person 2 (RCW 9A.42.070)

Advancing money or property for extortionate extension of credit (RCW 9A.82.030)

Air bag diagnostic systems (RCW 46.37.660(2)(c))

Air bag replacement requirements (RCW 46.37.660(1)(c))

Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))

Child Molestation 3 (RCW 9A.44.089)

Criminal Mistreatment 2 (RCW 9A.42.030)

Custodial Sexual Misconduct 1 (RCW 9A.44.160)

Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))

Domestic Violence Court Order Violation (RCW 10.99.050, 10.99.050, 26.10.220, 26.09.300, 26.26.138,

26.50.110, 26.52.070, or 74.34.145)		Conduct 2 (RCW 9.68A.060(2))
Driving While Under the Influence (RCW 46.61.502(6))		Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Extortion 1 (RCW 9A.56.120)		Sexually Violating Human Remains (RCW 9A.44.105)
Extortionate Extension of Credit (RCW 9A.82.020)		Stalking (RCW 9A.46.110)
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)		Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
Incest 2 (RCW 9A.64.020(2))	IV	Arson 2 (RCW 9A.48.030)
Kidnapping 2 (RCW 9A.40.030)		Assault 2 (RCW 9A.36.021)
Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))		Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
Perjury 1 (RCW 9A.72.020)		Assault by Watercraft (RCW 79A.60.060)
Persistent prison misbehavior (RCW 9.94.070)		Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))		Cheating 1 (RCW 9.46.1961)
Possession of a Stolen Firearm (RCW 9A.56.310)		Commercial Bribery (RCW 9A.68.060)
Rape 3 (RCW 9A.44.060)		Counterfeiting (RCW 9.16.035(4))
Rendering Criminal Assistance 1 (RCW 9A.76.070)		Endangerment with a Controlled Substance (RCW 9A.42.100)
Sale, install, (for) or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))		Escape 1 (RCW 9A.76.110)
Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit		Hit and Run-Injury (RCW 46.52.020(4)(b))
		Hit and Run with Vessel-Injury Accident (RCW 79A.60.200(3))
		Identity Theft 1 (RCW 9.35.020(2))
		Indecent Exposure to Person Under Age

Fourteen (subsequent sex offense) (RCW 9A.88.010)

Influencing Outcome of Sporting Event (RCW 9A.82.070)

Malicious Harassment (RCW 9A.36.080)

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))

Residential Burglary (RCW 9A.52.025)

Robbery 2 (RCW 9A.56.210)

Theft of Livestock 1 (RCW 9A.56.080)

Threats to Bomb (RCW 9.61.160)

Trafficking in Stolen Property 1 (RCW 9A.82.050)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))

Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))

Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))

Unlawful transaction of insurance business (RCW 48.15.023(3))

Unlicensed practice as an insurance professional (RCW 48.17.063(2))

Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))

Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))

Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)

Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))

Willful Failure to Return from Furlough (RCW 72.66.060)

III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))

Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))

Assault of a Child 3 (RCW 9A.36.140)

Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))

Burglary 2 (RCW 9A.52.030)

Communication with a Minor for Immoral Purposes (RCW 9.68A.090)

Criminal Gang Intimidation (RCW 9A.46.120)

Custodial Assault (RCW 9A.36.100)

Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))

Escape 2 (RCW 9A.76.120)		Theft of Livestock 2 (RCW 9A.56.083)
Extortion 2 (RCW 9A.56.130)		Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
Harassment (RCW 9A.46.020)		Trafficking in Stolen Property 2 (RCW 9A.82.055)
Intimidating a Public Servant (RCW 9A.76.180)		Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
Introducing Contraband 2 (RCW 9A.76.150)		Unlawful Imprisonment (RCW 9A.40.040)
Malicious Injury to Railroad Property (RCW 81.60.070)		Unlawful Misbranding of Food Fish or Shellfish 1 (RCW 69.04.938(3))
Mortgage Fraud (RCW 19.144.080)		Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)		Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
Organized Retail Theft 1 (RCW 9A.56.350(2))		Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
Perjury 2 (RCW 9A.72.030)		Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
Possession of Incendiary Device (RCW 9.40.120)		Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)		Willful Failure to Return from Work Release (RCW 72.65.070)
Promoting Prostitution 2 (RCW 9A.88.080)		II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))		Computer Trespass 1 (RCW 9A.90.040)
Securities Act violation (RCW 21.20.400)		Counterfeiting (RCW 9.16.035(3))
Tampering with a Witness (RCW 9A.72.120)		
Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))		

Electronic Data
Service Interference
(RCW 9A.90.060)

Electronic Data
Tampering 1 (RCW
9A.90.080)

Electronic Data Theft
(RCW 9A.90.100)

Engaging in Fish
Dealing Activity
Unlicensed 1 (RCW
77.15.620(3))

Escape from Community
Custody (RCW 72.09.310)

Failure to Register as
a Sex Offender (second
or subsequent offense)
(RCW 9A.44.130 prior to
June 10, 2010, and RCW
9A.44.132)

Health Care False
Claims (RCW 48.80.030)

Identity Theft 2 (RCW
9.35.020(3))

Improperly Obtaining
Financial Information
(RCW 9.35.010)

Malicious Mischief 1
(RCW 9A.48.070)

Organized Retail
Theft 2 (RCW
9A.56.350(3))

Possession of Stolen
Property 1 (RCW
9A.56.150)

Possession of a Stolen
Vehicle (RCW 9A.56.068)

Retail Theft with
Special Circumstances 2
(RCW 9A.56.360(3))

Scrap Processing,
Recycling, or Supplying
Without a License
(second or subsequent
offense) (RCW
19.290.100)

Theft 1 (RCW
9A.56.030)

Theft of a Motor
Vehicle (RCW 9A.56.065)

Theft of Rental,
Leased, Lease-purchased,
or Loaned Property
(valued at five thousand
dollars or more) (RCW
9A.56.096(5) (a))

Theft with the Intent
to Resell 2 (RCW
9A.56.340(3))

Trafficking in
Insurance Claims (RCW
48.30A.015)

Unlawful factoring of
a credit card or payment
card transaction (RCW
9A.56.290(4) (a))

Unlawful
Participation of Non-
Indians in Indian
Fishery (RCW
77.15.570(2))

Unlawful Practice of
Law (RCW 2.48.180)

Unlawful Purchase or
Use of a License (RCW
77.15.650(3) (b))

Unlawful Trafficking
in Fish, Shellfish, or
Wildlife 2 (RCW
77.15.260(3) (a))

Unlicensed Practice
of a Profession or
Business (RCW
18.130.190(7))

Voyeurism 1 (RCW
9A.44.115)

I Attempting to Elude a
Pursuing Police Vehicle
(RCW 46.61.024)

False Verification
for Welfare (RCW
74.08.055)

Forgery (RCW
9A.60.020)

Fraudulent Creation
or Revocation of a
Mental Health Advance

Directive (RCW
9A.60.060)

Malicious Mischief 2
(RCW 9A.48.080)

Mineral Trespass (RCW
78.44.330)

Possession of Stolen
Property 2 (RCW
9A.56.160)

Reckless Burning 1
(RCW 9A.48.040)

Spotlighting Big Game
1 (RCW 77.15.450(3)(b))

Suspension of
Department Privileges 1
(RCW 77.15.670(3)(b))

Taking Motor Vehicle
Without Permission 2
(RCW 9A.56.075)

Theft 2 (RCW
9A.56.040)

Theft of Rental,
Leased, Lease-purchased,
or Loaned Property
(valued at seven hundred
fifty dollars or more
but less than five
thousand dollars) (RCW
9A.56.096(5)(b))

Transaction of
insurance business
beyond the scope of
licensure (RCW
48.17.063)

Unlawful Fish and
Shellfish Catch
Accounting (RCW
77.15.630(3)(b))

Unlawful Issuance of
Checks or Drafts (RCW
9A.56.060)

Unlawful Possession
of Fictitious
Identification (RCW
9A.56.320)

Unlawful Possession
of Instruments of
Financial Fraud (RCW
9A.56.320)

Unlawful Possession
of Payment Instruments
(RCW 9A.56.320)

Unlawful Possession
of a Personal
Identification Device
(RCW 9A.56.320)

Unlawful Production
of Payment Instruments
(RCW 9A.56.320)

Unlawful Releasing,
Planting, Possessing, or
Placing Deleterious
Exotic Wildlife (RCW
77.15.250(2)(b))

Unlawful Trafficking
in Food Stamps (RCW
9.91.142)

Unlawful Use of Food
Stamps (RCW 9.91.144)

Unlawful Use of Net to
Take Fish 1 (RCW
77.15.580(3)(b))

Unlawful Use of
Prohibited Aquatic
Animal Species (RCW
77.15.253(3))

Vehicle Prowl 1 (RCW
9A.52.095)

Violating Commercial
Fishing Area or Time 1
(RCW 77.15.550(3)(b))"

On page 1, line 1 of the title, after
"voyeurism;" strike the remainder of the
title and insert "amending RCW 9A.44.115
and 13.40.070; reenacting and amending RCW
9.94A.515; and prescribing penalties."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the
Senate amendment to SUBSTITUTE HOUSE BILL NO.
1200 and advanced the bill as amended by the Senate to final
passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives McCabe and Goodman spoke in favor
of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1200, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1200, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1200, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1273 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.25.010 and 2013 c 224 s 3 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter.

(1) "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) "Alcohol concentration" means:

(a) The number of grams of alcohol per one hundred milliliters of blood; or

(b) The number of grams of alcohol per two hundred ten liters of breath.

(3) "Commercial driver's license" (CDL) means a license issued to an individual

under chapter 46.20 RCW that has been endorsed in accordance with the requirements of this chapter to authorize the individual to drive a class of commercial motor vehicle.

(4) The "commercial driver's license information system" (CDLIS) is the information system established pursuant to 49 U.S.C. Sec. 31309 to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers.

(5) "Commercial learner's permit" (CLP) means a permit issued under RCW 46.25.052 for the purposes of behind-the-wheel training.

(6) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(a) Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of ~~((a-[any]))~~ any towed unit ~~((for units))~~ or units with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds or more), whichever is greater; or

(b) Has a gross vehicle weight rating or gross vehicle weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater; or

(c) Is designed to transport sixteen or more passengers, including the driver; or

(d) Is of any size and is used in the transportation of hazardous materials as defined in this section; or

(e) Is a school bus regardless of weight or size.

(7) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, entry into a deferred prosecution program under chapter 10.05 RCW, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(8) "Disqualification" means a prohibition against driving a commercial motor vehicle.

(9) "Drive" means to drive, operate, or be in physical control of a motor vehicle in any place open to the general public for purposes of vehicular traffic. For purposes of RCW 46.25.100, 46.25.110, and 46.25.120, "drive" includes operation or physical control of a motor vehicle anywhere in the state.

(10) "Drugs" are those substances as defined by RCW 69.04.009, including, but not limited to, those substances defined by 49 C.F.R. Sec. 40.3.

(11) "Employer" means any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle, or assigns a person to drive a commercial motor vehicle.

(12) "Gross vehicle weight rating" (GVWR) means the value specified by the manufacturer as the maximum loaded weight of a single vehicle. The GVWR of a combination or articulated vehicle, commonly referred to as the "gross combined weight rating" or GCWR, is the GVWR of the power unit plus the GVWR of the towed unit or units. If the GVWR of any unit cannot be determined, the actual gross weight will be used. If a vehicle with a GVWR of less than 11,794 kilograms (26,001 pounds or less) has been structurally modified to carry a heavier load, then the actual gross weight capacity of the modified vehicle, as determined by RCW 46.44.041 and 46.44.042, will be used as the GVWR.

(13) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. Sec. 5103 and is required to be placarded under subpart F of 49 C.F.R. Part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. Part 73.

(14) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, or any other vehicle required to be registered under the laws of this state, but does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(15) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a

driver, a commercial motor vehicle, or a motor carrier operation is out-of-service pursuant to 49 C.F.R. Secs. 386.72, 392.5, 395.13, 396.9, or compatible laws, or the North American uniform out-of-service criteria.

(16) "Positive alcohol confirmation test" means an alcohol confirmation test that:

(a) Has been conducted by a breath alcohol technician under 49 C.F.R. Part 40; and

(b) Indicates an alcohol concentration of 0.04 or more.

A report that a person has refused an alcohol test, under circumstances that constitute the refusal of an alcohol test under 49 C.F.R. Part 40, will be considered equivalent to a report of a positive alcohol confirmation test for the purposes of this chapter.

(17) "School bus" means a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier.

(18) "Serious traffic violation" means:

(a) Excessive speeding, defined as fifteen miles per hour or more in excess of the posted limit;

(b) Reckless driving, as defined under state or local law;

(c) Driving while using a handheld wireless communications device [handheld mobile telephone], defined as a violation of RCW 46.61.667(1)(b) or an equivalent administrative rule or local law, ordinance, rule, or resolution;

(d) Texting, defined as a violation of RCW 46.61.668(1)(b) or an equivalent administrative rule or local law, ordinance, rule, or resolution;

(e) A violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death to any person;

(f) Driving a commercial motor vehicle without obtaining a commercial driver's license;

(g) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession; however, any

individual who provides proof to the court by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, is not guilty of a "serious traffic violation";

(h) Driving a commercial motor vehicle without the proper class of commercial driver's license endorsement or endorsements for the specific vehicle group being operated or for the passenger or type of cargo being transported; and

(i) Any other violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, that the department determines by rule to be serious.

(19) "State" means a state of the United States and the District of Columbia.

(20) "Substance abuse professional" means an alcohol and drug specialist meeting the credentials, knowledge, training, and continuing education requirements of 49 C.F.R. Sec. 40.281.

(21) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of one thousand gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle.

(22) "Type of driving" means one of the following:

(a) "Nonexcepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, is both subject to and meets the qualification requirements under 49 C.F.R. Part 391 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is required to obtain a medical examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(b) "Excepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. Secs. 390.3(f), 391.2, 391.68, or 398.3, as they existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, from all or parts of the qualification requirements of 49 C.F.R. Part 391 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is therefore not required to obtain a medical examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(c) "Nonexcepted intrastate," which means the CDL or CLP holder or applicant operates only in intrastate commerce and is therefore subject to state driver qualification requirements; or

(d) "Excepted intrastate," which means the CDL or CLP holder or applicant operates in intrastate commerce, but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements.

(23) "United States" means the fifty states and the District of Columbia.

(24) "Verified positive drug test" means a drug test result or validity testing result from a laboratory certified under the authority of the federal department of health and human services that:

(a) Indicates a drug concentration at or above the cutoff concentration established under 49 C.F.R. Sec. 40.87; and

(b) Has undergone review and final determination by a medical review officer.

A report that a person has refused a drug test, under circumstances that constitute the refusal of a federal department of transportation drug test under 49 C.F.R. Part 40, will be considered equivalent to a report of a verified positive drug test for the purposes of this chapter.

(25) (a) "Nondomiciled CLP or CDL" means a permit or license, respectively, issued under section 3 of this act to a person who meets one of the following criteria:

(i) Is domiciled in a foreign country as provided in 49 C.F.R. Sec. 383.23(b) (1) as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; or

(ii) Is domiciled in another state as provided in 49 C.F.R. Sec. 383.23(b) (2) as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(b) The definition in this subsection (25) applies exclusively to the use of the term in this chapter and is not to be applied in any other chapter of the Revised Code of Washington.

Sec. 2. RCW 46.25.070 and 2013 c 224 s 7 are each amended to read as follows:

(1) The application for a commercial driver's license or commercial learner's permit must include the following:

(a) The full name and current mailing and residential address of the person;

(b) A physical description of the person, including sex, height, weight, and eye color;

(c) Date of birth;

(d) Except in the case of an applicant for a nondomiciled CLP or CDL who is domiciled in a foreign country and who has not been issued a social security number, the applicant's social security number;

(e) The person's signature;

(f) Certifications including those required by 49 C.F.R. Sec. 383.71;

(g) The names of all states where the applicant has previously been licensed to drive any type of motor vehicle during the previous ten years;

(h) Any other information required by the department; and

(i) A consent to release driving record information to parties identified in chapter 46.52 RCW and this chapter.

(2) An applicant for a commercial driver's license or commercial learner's permit, and every licensee seeking to

renew his or her license, must meet the requirements of 49 C.F.R. Sec. 383.71 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(3) An applicant for a hazardous materials endorsement must submit an application and comply with federal transportation security administration requirements as specified in 49 C.F.R. Part 1572.

(4) When a licensee changes his or her name, mailing address, or residence address, the person shall notify the department as provided in RCW 46.20.205.

(5) No person who has been a resident of this state for thirty days may drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction.

NEW SECTION. Sec. 3. A new section is added to chapter 46.25 RCW to read as follows:

(1) The department may issue a nondomiciled CLP or CDL to a person who meets one of the following criteria:

(a) Is domiciled in a foreign country as provided in 49 C.F.R. Sec. 383.23(b) (1) as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; or

(b) Is domiciled in another state as provided in 49 C.F.R. Sec. 383.23(b) (2) as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(2) A person applying for a nondomiciled CLP or CDL must:

(a) Surrender any nonresident or nondomiciled CLP or CDL issued by another state;

(b) Be in possession of a valid driver's license issued by this state or by his or her jurisdiction of domicile;

(c) Meet the requirements of 49 C.F.R. Sec. 383.71(f) as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; and

(d) Be otherwise eligible and meet the applicable requirements for the issuance of a CLP or CDL under this chapter, including the payment of all appropriate fees.

(3) Before issuing a nondomiciled CLP or CDL, the department must establish the practical capability of disqualifying the person under the conditions applicable to a CLP or CDL issued to a resident of this state.

(4) A nondomiciled CLP or CDL issued under this section:

(a) Must be marked "non-domiciled" on the face of the document;

(b) Must include the information, be issued with the appropriate classifications, endorsements, and restrictions, and, except as may be limited under subsection (5) of this section, expire and be subject to renewal in the same manner as required for a CLP or CDL issued under this chapter;

(c) Permits operation of a commercial motor vehicle to the same extent as a CLP or CDL issued under this section; and

(d) Is valid only when accompanied by a valid driver's license issued by this state or by the person's jurisdiction of domicile.

(5) A nondomiciled CLP or CDL issued to an individual who has temporary lawful status or valid employment authorization in the United States:

(a) Is valid only when accompanied by an unexpired employment authorization document issued by the United States citizenship and immigration services or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States;

(b) Must expire no later than the first anniversary of the individual's birthdate that occurs after the expiration of the individual's employment authorization document or authorized stay in the United States, or if there is no expiration date for the employment authorization or authorized stay, one year from the first anniversary of the individual's birthdate that occurs after issuance; and

(c) May be renewed if the individual presents valid documentary evidence that the employment authorization document or temporary lawful status in the United

States is still in effect or has been extended.

(6) A person who has been issued a nondomiciled CLP or CDL:

(a) Is subject to all applicable requirements for and disqualifications from operating a commercial motor vehicle as provided under this chapter and is subject to the withdrawal of driving privileges as provided by this title; and

(b) Must notify the department of the issuance of any disqualifications or license suspensions or revocations, whether in the United States or in the person's jurisdiction of domicile.

Sec. 4. RCW 46.25.--- and 2017 c ... s 3 (section 3 of this act) are each amended to read as follows:

(1) The department may issue a nondomiciled CLP or CDL to a person who meets one of the following criteria:

(a) Is domiciled in a foreign country as provided in 49 C.F.R. Sec. 383.23(b)(1) as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; or

(b) Is domiciled in another state as provided in 49 C.F.R. Sec. 383.23(b)(2) as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(2) A person applying for a nondomiciled CLP or CDL must:

(a) Surrender any nonresident or nondomiciled CLP or CDL issued by another state;

(b) Be in possession of a valid driver's license issued by this state or by his or her jurisdiction of domicile;

(c) Meet the requirements of 49 C.F.R. Sec. 383.71(f) as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; and

(d) Be otherwise eligible and meet the applicable requirements for the issuance of a CLP or CDL under this chapter, including the payment of all appropriate fees.

(3) Before issuing a nondomiciled CLP or CDL, the department must establish the practical capability of disqualifying the person under the conditions applicable to a CLP or CDL issued to a resident of this state.

(4) A nondomiciled CLP or CDL issued under this section:

(a) Must be marked "non-domiciled" on the face of the document;

(b) Must include the information, be issued with the appropriate classifications, endorsements, and restrictions, and, except as may be limited under subsection (5) of this section, expire and be subject to renewal in the same manner as required for a CLP or CDL issued under this chapter;

(c) Permits operation of a commercial motor vehicle to the same extent as a CLP or CDL issued under this section; and

(d) Is valid only when accompanied by a valid driver's license issued by this state or by the person's jurisdiction of domicile.

(5) A nondomiciled CLP or CDL issued to an individual who has temporary lawful status or valid employment authorization in the United States:

(a) Is valid only when accompanied by an unexpired employment authorization document issued by the United States citizenship and immigration services or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States;

(b) Must expire no later than the ~~((first anniversary of the individual's birthdate that occurs after the))~~ expiration of the individual's employment authorization document or authorized stay in the United States, or if there is no expiration date for the employment authorization or authorized stay, one year from the ~~((first anniversary of the individual's birthdate that occurs after))~~ date of issuance; and

(c) May be renewed if the individual presents valid documentary evidence that the employment authorization document or temporary lawful status in the United States is still in effect or has been extended.

(6) A person who has been issued a nondomiciled CLP or CDL:

(a) Is subject to all applicable requirements for and disqualifications from operating a commercial motor vehicle as provided under this chapter and is subject to the withdrawal of driving privileges as provided by this title; and

(b) Must notify the department of the issuance of any disqualifications or license suspensions or revocations, whether in the United States or in the person's jurisdiction of domicile.

NEW SECTION. **Sec. 5.** Except for section 4 of this act, this act takes effect October 1, 2017.

NEW SECTION. **Sec. 6.** Section 4 of this act takes effect June 1, 2018."

On page 1, line 3 of the title, after "permits;" strike the remainder of the title and insert "amending RCW 46.25.010, 46.25.070, and 46.25.---; adding a new section to chapter 46.25 RCW; and providing effective dates."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1273 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Ryu and Orcutt spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1273, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1273, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; Nays, 15; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stanford, Steele,

Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Volz, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, Hargrove, Jenkin, Klippert, Koster, Kretz, Manweller, Maycumber, McDonald, Stambaugh, Taylor, Van Werven, J. Walsh and Young.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1273, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 5, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1275 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 77.55.181 and 2014 c 120 s 1 are each amended to read as follows:

(1)(a) In order to receive the permit review and approval process created in this section, a fish habitat enhancement project must meet the criteria under this section and must be a project to accomplish one or more of the following tasks:

(i) Elimination of human-made or caused fish passage barriers, including:

(A) Culvert repair and replacement; and

(B) Fish passage barrier removal projects that comply with the forest practices rules, as the term "forest practices rules" is defined in RCW 76.09.020;

(ii) Restoration of an eroded or unstable stream bank employing the principle of bioengineering, including limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on using native vegetation to control the erosive forces of flowing water; or

(iii) Placement of woody debris or other instream structures that benefit naturally reproducing fish stocks.

(b) The department shall develop size or scale threshold tests to determine if projects accomplishing any of these tasks should be evaluated under the process created in this section or under other project review and approval processes. A project proposal shall not be reviewed under the process created in this section

if the department determines that the scale of the project raises concerns regarding public health and safety.

(c) A fish habitat enhancement project must be approved in one of the following ways in order to receive the permit review and approval process created in this section:

(i) By the department pursuant to chapter 77.95 or 77.100 RCW;

(ii) By the sponsor of a watershed restoration plan as provided in chapter 89.08 RCW;

(iii) By the department as a department-sponsored fish habitat enhancement or restoration project;

(iv) Through the review and approval process for the jobs for the environment program;

(v) Through the review and approval process for conservation district-sponsored projects, where the project complies with design standards established by the conservation commission through interagency agreement with the United States fish and wildlife service and the natural resource conservation service;

(vi) Through a formal grant program established by the legislature or the department for fish habitat enhancement or restoration;

(vii) Through the department of transportation's environmental retrofit program as a stand-alone fish passage barrier correction project;

(viii) Through a local, state, or federally approved fish barrier removal grant program designed to assist local governments in implementing stand-alone fish passage barrier corrections;

(ix) By a city or county for a stand-alone fish passage barrier correction project funded by the city or county; ~~((and))~~

(x) Through the approval process established for forest practices hydraulic projects in chapter 76.09 RCW; or

(xi) Through other formal review and approval processes established by the legislature.

(2) Fish habitat enhancement projects meeting the criteria of subsection (1) of this section are expected to result in beneficial impacts to the environment. Decisions pertaining to fish habitat

enhancement projects meeting the criteria of subsection (1) of this section and being reviewed and approved according to the provisions of this section are not subject to the requirements of RCW 43.21C.030(2)(c).

(3)(a) A permit is required for projects that meet the criteria of subsection (1) of this section and are being reviewed and approved under this section. An applicant shall use a joint aquatic resource permit application form developed by the office of regulatory assistance to apply for approval under this chapter. On the same day, the applicant shall provide copies of the completed application form to the department and to each appropriate local government. Applicants for a forest practices hydraulic project that are not otherwise required to submit a joint aquatic resource permit application must submit a copy of their forest practices application to the appropriate local government on the same day that they submit the forest practices application to the department of natural resources.

(b) Local governments shall accept the application identified in this section as notice of the proposed project. ((The department)) A local government shall ((provide)) be provided with a fifteen-day comment period during which it ((will receive)) may transmit comments regarding environmental impacts to the department or, for forest practices hydraulic projects, to the department of natural resources.

(c) ((Within forty-five days)) Except for forest practices hydraulic projects, the department shall either issue a permit, with or without conditions, deny approval, or make a determination that the review and approval process created by this section is not appropriate for the proposed project within forty-five days. The department shall base this determination on identification during the comment period of adverse impacts that cannot be mitigated by the conditioning of a permit. Permitting decisions over forest practices hydraulic approvals must be made consistent with chapter 76.09 RCW.

(d) If the department determines that the review and approval process created by this section is not appropriate for the proposed project, the department shall notify the applicant and the appropriate local governments of its determination. The applicant may reapply for approval of

the project under other review and approval processes.

(e) Any person aggrieved by the approval, denial, conditioning, or modification of a permit other than a forest practices hydraulic project under this section may appeal the decision as provided in RCW 77.55.021(8). Appeals of a forest practices hydraulic project may be made as provided in chapter 76.09 RCW.

(4) No local government may require permits or charge fees for fish habitat enhancement projects that meet the criteria of subsection (1) of this section and that are reviewed and approved according to the provisions of this section.

(5) No civil liability may be imposed by any court on the state or its officers and employees for any adverse impacts resulting from a fish enhancement project permitted by the department or the department of natural resources under the criteria of this section except upon proof of gross negligence or willful or wanton misconduct."

On page 1, line 3 of the title, after "77.55.181;" strike the remainder of the title and insert "and amending RCW 77.55.181."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1275 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Blake and Buys spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1275, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1275, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell,

Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1275, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 6, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1467 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 52.26.220 and 2006 c 200 s 12 are each amended to read as follows:

(1) ~~((Notwithstanding any other provision in this chapter to the contrary, any))~~ (a) The initial imposition of a benefit charge authorized by this chapter ~~((is not effective unless a proposition to impose the benefit charge is approved by a))~~ must be approved by not less than sixty percent majority of the voters of the regional fire protection service authority voting at a general election or at a special election called by the authority for that purpose ~~((, held within the authority)).~~ ~~((A))~~ Ballot ~~((measure that contains))~~ measures containing an authorization to impose benefit charges ~~((and))~~ that ~~((is))~~ are approved by the voters pursuant to RCW 52.26.060 ~~((meets))~~ satisfy the proposition approval requirement of this subsection and subsection (2) of this section.

(b) An election held ~~((under this section))~~ for the initial imposition of a benefit charge must be held not more than twelve months prior to the date on which the first charge is to be assessed.

(c) A benefit charge approved at an election expires in six ~~((years))~~ or fewer years as authorized by the voters, unless subsequently reapproved by the voters.

(2) ~~((The))~~ Ballot measures calling for the initial imposition of a benefit charge must be submitted so as to enable ~~((the))~~ voters favoring the authorization of a ~~((regional fire protection service authority))~~ benefit charge to vote "Yes" and those opposed to vote "No." The ballot question is as follows:

"Shall the regional fire protection service authority composed of (insert the participating fire protection jurisdictions) be authorized to impose benefit charges each year for (insert number of years not to exceed six) years, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.26.140(1)(c)?"

YES NO

(3) ~~((Authorities renewing the benefit charge may elect to use the following alternative ballot:))~~ (a) The continued imposition of a benefit charge authorized by this chapter may be approved for six consecutive years. A ballot measure calling for the continued imposition of a benefit charge for six consecutive years must be approved by a majority of the voters of the regional fire protection service authority voting at a general election or at a special election called by the authority for that purpose.

(b) Ballot measures calling for the continued imposition of a benefit charge must be submitted so as to enable voters favoring the continued imposition of the benefit charge to vote "Yes" and those opposed to vote "No." The ballot question must be substantially in the following form:

"Shall the regional fire protection service authority composed of (insert the participating fire protection jurisdictions) be authorized to continue voter-authorized benefit charges each year for ~~((. (insert number of years not to exceed))~~ six ~~((+))~~ consecutive years, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.26.140(1)(c)?"

YES NO

Sec. 2. RCW 52.26.230 and 2004 c 129 s 29 are each amended to read as follows:

(1) Not fewer than ten days nor more than six months before the election at which the proposition to impose the benefit charge is submitted as provided in this chapter, the governing board of the regional fire protection service authority, or the planning committee if the benefit charge is proposed as part of the initial formation of the authority, shall hold a public hearing specifically setting forth its proposal to impose benefit charges for the support of its legally authorized activities that will maintain or improve the services afforded in the authority. A report of the public hearing shall be filed with the county treasurer of each county in which the property is located and be available for public inspection.

(2) Prior to November 15th of each year the governing board of the authority shall hold a public hearing to review and establish the regional fire protection service authority benefit charges for the subsequent year.

(3) All resolutions imposing or changing the benefit charges must be filed with the county treasurer or treasurers of each county in which the property is located, together with the record of each public hearing, before November 30th immediately preceding the year in which the benefit charges are to be collected on behalf of the authority.

(4) After the benefit charges have been established, the owners of the property subject to the charge must be notified of the amount of the charge.

Sec. 3. RCW 84.55.092 and 1998 c 16 s 3 are each amended to read as follows:

(1) The regular property tax levy for each taxing district other than the state may be set at the amount which would be allowed otherwise under this chapter if the regular property tax levy for the district for taxes due in prior years beginning with 1986 had been set at the full amount allowed under this chapter including any levy authorized under RCW 52.16.160 or 52.26.140(1)(c) that would have been imposed but for the limitation in RCW 52.18.065 or 52.26.240, applicable upon imposition of the benefit charge under chapter 52.18 or 52.26 RCW.

(2) The purpose of this section is to remove the incentive for a taxing district to maintain its tax levy at the maximum

level permitted under this chapter, and to protect the future levy capacity of a taxing district that reduces its tax levy below the level that it otherwise could impose under this chapter, by removing the adverse consequences to future levy capacities resulting from such levy reductions.

Sec. 4. RCW 52.18.050 and 2013 c 49 s 1 are each amended to read as follows:

(1)(a) The initial imposition of a benefit charge authorized by this chapter must be approved by not less than sixty percent of the voters of the district voting at a general election or at a special election called by the district for that purpose.

(b) An election held for the initial imposition of a benefit charge must be held not more than twelve months prior to the date on which the first charge is to be assessed.

(c) A benefit charge approved at an election expires in six or fewer years as authorized by the voters unless subsequently reapproved by the voters.

(2) Ballot measures calling for the initial imposition of a benefit charge must be submitted so as to enable voters favoring the authorization of a benefit charge to vote "Yes" and those opposed to vote "No," and the ballot question must be as follows:

"Shall county fire protection district No. be authorized to impose benefit charges each year for (insert number of years not to exceed six) years, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.16.160?

YES NO

(3)(a) The continued imposition of a benefit charge authorized by this chapter (~~must be approved by a majority of the voters of the district voting at a general election or at a special election called by the district for that purpose~~) may be approved for six consecutive years.

~~((b) Ballot measures calling for the continued imposition of a benefit charge must be submitted so as to enable voters favoring the continued imposition of the benefit charge to vote "Yes" and those opposed to vote "No." The ballot question~~

(c) Has a population exceeding nineteen thousand people as of the effective date of this section, as determined by the office of financial management.

(4) A limited benefit charge may apply to property or improvements owned by a Christmas tree grower as defined in RCW 15.13.250(4) so long as the property or improvement is located on land that has been approved as farm and agricultural land with standing crops under chapter 84.34 RCW. For such property or improvement, a benefit charge may not exceed the reduction in property tax that results from the imposition of a benefit charge, as required under RCW 52.18.065.

(5) The aggregate amount of such benefit charges in any one year shall not exceed an amount equal to sixty percent of the operating budget for the year in which the benefit charge is to be collected: PROVIDED, That it shall be the duty of the county legislative authority or authorities of the county or counties in which the fire protection district is located to make any necessary adjustments to assure compliance with such limitation and to immediately notify the board of fire commissioners of any changes thereof.

(6) A benefit charge imposed shall be reasonably proportioned to the measurable benefits to property resulting from the services afforded by the district. It is acceptable to apportion the benefit charge to the values of the properties as found by the county assessor or assessors modified generally in the proportion that fire insurance rates are reduced or entitled to be reduced as the result of providing the services. Any other method that reasonably apportions the benefit charges to the actual benefits resulting from the degree of protection, which may include but is not limited to the distance from regularly maintained fire protection equipment, the level of fire prevention services provided to the properties, or the need of the properties for specialized services, may be specified in the resolution and shall be subject to contest on the ground of unreasonable or capricious action or action in excess of the measurable benefits to the property resulting from services afforded by the district. The board of fire commissioners may determine that certain properties or types or classes of properties are not receiving measurable benefits based on criteria they establish by resolution. A benefit charge authorized by this chapter shall not be applicable to the personal

property or improvements to real property of any individual, corporation, partnership, firm, organization, or association maintaining a fire department and whose fire protection and training system has been accepted by a fire insurance underwriter maintaining a fire protection engineering and inspection service authorized by the state insurance commissioner to do business in this state, but such property may be protected by the fire protection district under a contractual agreement.

(7) For administrative purposes, the benefit charge imposed on any individual property may be compiled into a single charge, provided that the district, upon request of the property owner, provide an itemized list of charges for each measurable benefit included in the charge.

(8) (a) At the annual review of the fire benefit charge mandated by RCW 52.18.060(2), if a fire service agency has identified:

(i) A tax-exempt property under subsection (2)(b) of this section as having a substantial increase in requested emergency services over the previous year; or

(ii) A new tax-exempt property that is similar in size, population, and geographic location as another such tax-exempt property as having an increase in requested emergency services;

then the tax exempt property and the fire service agency must work together, in good faith, to address the problem by implementing community risk reduction efforts. The community risk reduction plan may include but is not limited to wellness programs and community action plans.

(b) At the subsequent annual review, if the heightened service requirements have not been reasonably addressed by the joint mitigation efforts, and the tax-exempt property owner has not acted in good faith:

(i) The property is subject to assessment of the fire benefit charge in the subsequent year, subject to approval by the board of fire commissioners as outlined in RCW 52.18.060(2); or

(ii) The respective tax exempt property shall pay the fire service agency a fire protection charge payment in lieu of a benefit charge. The fire protection charge shall be an amount equivalent to the

benefit rates for similarly situated properties for that year.

(c) All tax exempt properties identified under subsection (2) (b) of this section and all local fire service agencies are encouraged to work collaboratively to develop and implement programs to address proper usage of fire service resources for residents of the housing properties.

Sec. 6. RCW 52.26.180 and 2004 c 129 s 24 are each amended to read as follows:

(1) The governing board of a regional fire protection service authority may by resolution, as authorized in the plan and approved by the voters, for authority purposes authorized by law, fix and impose a benefit charge on personal property and improvements to real property which are located within the authority on the date specified and which have received or will receive the benefits provided by the authority, to be paid by the owners of the properties.

(2) A benefit charge does not apply to:

(a) Personal property and improvements to real property owned or used by any recognized religious denomination or religious organization as, or including, a sanctuary or for purposes related to the bona fide religious ministries of the denomination or religious organization, including schools and educational facilities used for kindergarten, primary, or secondary educational purposes or for institutions of higher education and all grounds and buildings related thereto. However, a benefit charge does apply to personal property and improvements to real property owned or used by any recognized religious denomination or religious organization for business operations, profit-making enterprises, or activities not including use of a sanctuary or related to kindergarten, primary, or secondary educational purposes or for institutions of higher education.

(b) Property of housing authorities that is exempt from property taxes under RCW 35.82.210;

(c) Property of nonprofit entities providing rental housing for very low-income households or providing space for the placement of a mobile home for a very low-income household that is exempt from property taxes under RCW 84.36.560;

(d) Property of nonprofit homes for the aging that is exempt from property taxes under RCW 84.36.041;

(e) Property of nonprofit organizations, corporations, or associations providing housing for eligible persons with developmental disabilities that is exempt from property taxes under RCW 84.36.042;

(f) Property of nonprofit organizations providing emergency or transitional housing for low-income homeless persons or victims of domestic violence who are homeless for personal safety reasons that is exempt from property taxes under RCW 84.36.043;

(g) Property of the state housing finance commission that is exempt from property taxes under RCW 84.36.135; and

(h) Property of nonprofit corporations operating sheltered workshops for persons with disabilities that is exempt from property taxes under RCW 84.36.350.

(3) A limited benefit charge may apply to property or improvements owned by a Christmas tree grower as defined in RCW 15.13.250(4) so long as the property or improvement is located on land that has been approved as farm and agricultural land with standing crops under chapter 84.34 RCW. For such property or improvement, a benefit charge may not exceed the reduction in property tax that results from the imposition of a benefit charge, as required under RCW 52.26.240.

(4) The aggregate amount of these benefit charges in any one year may not exceed an amount equal to sixty percent of the operating budget for the year in which the benefit charge is to be collected. It is the duty of the county legislative authority or authorities of the county or counties in which the regional fire protection service authority is located to make any necessary adjustments to assure compliance with this limitation and to immediately notify the governing board of an authority of any changes thereof.

~~((+2))~~ (5) A benefit charge imposed must be reasonably proportioned to the measurable benefits to property resulting from the services afforded by the authority. It is acceptable to apportion the benefit charge to the values of the properties as found by the county assessor or assessors modified generally in the proportion that fire insurance rates are reduced or entitled to be reduced as the result of providing the services. Any

other method that reasonably apportions the benefit charges to the actual benefits resulting from the degree of protection, which may include but is not limited to the distance from regularly maintained fire protection equipment, the level of fire prevention services provided to the properties, or the need of the properties for specialized services, may be specified in the resolution and is subject to contest on the grounds of unreasonable or capricious action or action in excess of the measurable benefits to the property resulting from services afforded by the authority. The governing board of an authority may determine that certain properties or types or classes of properties are not receiving measurable benefits based on criteria they establish by resolution. A benefit charge authorized by this chapter is not applicable to the personal property or improvements to real property of any individual, corporation, partnership, firm, organization, or association maintaining a fire department and whose fire protection and training system has been accepted by a fire insurance underwriter maintaining a fire protection engineering and inspection service authorized by the state insurance commissioner to do business in this state, but the property may be protected by the authority under a contractual agreement.

~~((3))~~ (6) For administrative purposes, the benefit charge imposed on any individual property may be compiled into a single charge, provided that the authority, upon request of the property owner, provide an itemized list of charges for each measurable benefit included in the charge.

~~((4))~~ (7) (a) At the annual review of the fire benefit charge mandated by RCW 52.26.230(2), if a fire service agency has identified:

(i) A tax-exempt property under subsection (2)(b) of this section as having a substantial increase in requested emergency services over the previous year; or

(ii) A new tax-exempt property that is similar in size, population, and geographic location as another such tax-exempt property as having an increase in requested emergency services;

then the tax exempt property and the fire service agency must work together, in good faith, to address the problem by implementing community risk reduction efforts. The community risk reduction plan

may include but is not limited to wellness programs and community action plans.

(b) At the subsequent annual review, if the heightened service requirements have not been reasonably addressed by the joint mitigation efforts, and the tax-exempt property owner has not acted in good faith:

(i) The property is subject to assessment of the fire benefit charge in the subsequent year, subject to approval by the governing board of the authority as outlined in RCW 52.26.230(2); or

(ii) The respective tax exempt property shall pay the fire service agency a fire protection charge payment in lieu of a benefit charge. The fire protection charge shall be an amount equivalent to the benefit rates for similarly situated properties for that year.

(c) All tax exempt properties identified under subsection (2)(b) of this section and all local fire service agencies are encouraged to work collaboratively to develop and implement programs to address proper usage of fire service resources for residents of the housing properties.

(8) For the purposes of this section and RCW 52.26.190 through 52.26.270, the following definitions apply:

(a)(i) "Personal property" includes every form of tangible personal property including, but not limited to, all goods, chattels, stock in trade, estates, or crops.

(ii) "Personal property" does not include any personal property used for farming, field crops, farm equipment, or livestock.

(b) "Improvements to real property" does not include permanent growing crops, field improvements installed for the purpose of aiding the growth of permanent crops, or other field improvements normally not subject to damage by fire.

Sec. 7. RCW 52.26.020 and 2011 c 141 s 1 are each reenacted and amended to read as follows:

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

(1) "Board" means the governing body of a regional fire protection service authority.

(2) "Elected official" means an elected official of a participating fire protection jurisdiction or a regional fire protection district commissioner created under RCW 52.26.080.

(3) "Fire protection jurisdiction" means a fire district, regional fire protection service authority, city, town, port district, municipal airport, or Indian tribe.

(4) "Participating fire protection jurisdiction" means a fire protection jurisdiction participating in the formation or operation of a regional fire protection service authority.

(5) "Regional fire protection service authority" or "authority" means a municipal corporation, an independent taxing authority within the meaning of Article VII, section 1 of the state Constitution, and a taxing district within the meaning of Article VII, section 2 of the state Constitution, whose boundaries are coextensive with two or more adjacent fire protection jurisdictions and that has been created by a vote of the people under this chapter to implement a regional fire protection service authority plan.

(6) "Regional fire protection service authority plan" or "plan" means a plan to develop and finance a regional fire protection service authority project or projects((7)) including, but not limited to, specific capital projects, fire operations and emergency service operations pursuant to RCW 52.26.040(3)(b), and preservation and maintenance of existing or future facilities.

(7) "Regional fire protection service authority planning committee" or "planning committee" means the advisory committee created under RCW 52.26.030 to create and propose to fire protection jurisdictions a regional fire protection service authority plan to design, finance, and develop fire protection and emergency service projects.

(8) "Regular property taxes" has the same meaning as in RCW 84.04.140.

Sec. 8. RCW 52.26.030 and 2004 c 129 s 3 are each amended to read as follows:

Regional fire protection service authority planning committees are advisory entities that are created, convened, and empowered as follows:

(1) Any two or more adjacent fire protection jurisdictions may create a

regional fire protection service authority and convene a regional fire protection service authority planning committee. No fire protection jurisdiction may participate in more than one created authority.

(2) Each governing body of the fire protection jurisdictions participating in planning under this chapter shall appoint three elected officials to the authority planning committee. Members of the planning committee may receive compensation of seventy dollars per day, or portion thereof, not to exceed seven hundred dollars per year, for attendance at planning committee meetings and for performance of other services in behalf of the authority, and may be reimbursed for travel and incidental expenses at the discretion of their respective governing body.

(3) A regional fire protection service authority planning committee may receive state funding, as appropriated by the legislature, or county funding provided by the affected counties for start-up funding to pay for salaries, expenses, overhead, supplies, and similar expenses ordinarily and necessarily incurred. Upon creation of a regional fire protection service authority, the authority shall within one year reimburse the state or county for any sums advanced for these start-up costs from the state or county.

(4) The planning committee shall conduct its affairs and formulate a regional fire protection service authority plan as provided under RCW 52.26.040.

(5) At its first meeting, a regional fire protection service authority planning committee may elect officers and provide for the adoption of rules and other operating procedures.

(6) The planning committee may dissolve itself at any time by a majority vote of the total membership of the planning committee. Any participating fire protection jurisdiction may withdraw upon thirty calendar days' written notice to the other jurisdictions.

Sec. 9. RCW 84.52.010 and 2015 3rd sp.s. c 44 s 324 and 2015 3rd sp.s. c 24 s 404 are each reenacted and amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, 84.52.140, and the protected portion of the levy under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of the levy by a metropolitan park district that has a population of less than one hundred fifty thousand and is located in a county with a population of one million five hundred thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one

percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the protected portion of the levy imposed under RCW 86.15.160 by a flood control zone district in a county with a population of seven hundred seventy-five thousand or more that is coextensive with a county must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by

a metropolitan park district with a population of one hundred fifty thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.815 must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of

all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

Sec. 10. RCW 84.52.010 and 2015 3rd sp.s. c 44 s 325 and 2015 3rd sp.s. c 24 s 405 are each reenacted and amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be

determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, and the portion of the levy by a flood control zone district that was protected under RCW 84.52.816, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of the levy by a flood control zone district that was protected under RCW 84.52.816 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be

reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such

property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.816 must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1) (a), library districts, metropolitan park districts created before

January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

Sec. 11. RCW 84.52.043 and 2015 3rd sp.s. c 44 s 322 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levy by the state may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies

for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the protected portion of the levies imposed under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county; and (l) levies imposed by a regional transit authority under RCW 81.104.175.

Sec. 12. RCW 84.52.043 and 2015 3rd sp.s. c 44 s 323 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levy by the state may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no

other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the portion of the levy by flood control zone districts that are protected under RCW 84.52.816; and (l) levies imposed by a regional transit authority under RCW 81.104.175.

Sec. 13. RCW 84.52.125 and 2005 c 122 s 1 are each amended to read as follows:

A fire protection district or regional fire protection service authority may protect the district's or authority's tax levy from proration under RCW 84.52.010(~~(+2)~~) (3)(b) by imposing up to a total of twenty-five cents per thousand dollars of assessed value of the tax levies authorized under RCW 52.16.140 and 52.16.160, or 52.26.140(1) (b) and (c) outside of the five dollars and ninety cents per thousand dollars of assessed valuation limitation established under RCW 84.52.043(2), if those taxes otherwise would be prorated under RCW 84.52.010(~~(+2)~~(~~e~~)) (3)(b)(vi).

Sec. 14. RCW 52.26.070 and 2006 c 200 s 5 are each amended to read as follows:

If the voters approve the plan, including creation of a regional fire protection service authority and imposition of taxes and benefit charges, if any, the authority is formed on the effective date as set forth in the plan or the next January 1st or July 1st, whichever occurs first. The appropriate county election officials shall, within fifteen days of the final certification of the election results, publish a notice in a newspaper or newspapers of general circulation in the authority declaring the authority formed. A party challenging the procedure or the formation of a voter-approved authority must file the challenge in writing by serving the prosecuting attorney of each county within, or partially within, the regional fire protection service authority and the attorney general within thirty days after the final certification of the election. Failure to challenge within that time forever bars further challenge of the authority's valid formation.

NEW SECTION. Sec. 15. Sections 5 and 6 of this act apply to benefit charges approved after the effective date of this section.

NEW SECTION. Sec. 16. Section 9 of this act expires January 1, 2018.

NEW SECTION. Sec. 17. Section 10 of this act takes effect January 1, 2018.

NEW SECTION. Sec. 18. Sections 3 and 9 through 13 of this act apply to property taxes levied for collection in 2018 and thereafter.

NEW SECTION. Sec. 19. Section 11 of this act expires January 1, 2018.

NEW SECTION. Sec. 20. Section 12 of this act takes effect January 1, 2018.

NEW SECTION. Sec. 21. Except for sections 10 and 12 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 5 of the title, after "process;" strike the remainder of the title and insert "amending RCW 52.26.220, 52.26.230, 84.55.092, 52.18.050, 52.18.010, 52.26.180, 52.26.030, 84.52.043, 84.52.043, 84.52.125, and 52.26.070; reenacting and amending RCW 52.26.020, 84.52.010, and 84.52.010; creating a new section; providing

effective dates; providing expiration dates; and declaring an emergency."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1467 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stokesbary and Tarleton spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1467, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1467, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; Nays, 15; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, DeBolt, Haler, Hargrove, Harris, McCaslin, Orcutt, Pike, Schmick, Shea, Smith, Taylor, Vick and Wilcox.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1467, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 7, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1605 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.60 RCW to read as follows:

(1) Whenever the operator of a vessel is arrested for a violation of RCW 79A.60.040, the arresting officer, or another officer acting at the arresting officer's direction, has authority to impound the vessel as provided in this section.

(2) This section is not intended to limit or constrain the ability of local government from enacting and enforcing ordinances or other regulations relating to the impoundment of vessels for the purposes of enforcing RCW 79A.60.040.

(3) Unless vessel impound is required for evidentiary purposes, a law enforcement officer must seek a series of reasonable alternatives to impound before impounding the vessel. Reasonable alternatives to impound may include, but are not limited to:

(a) Working with the vessel's owner to locate a qualified operator who can take possession of the vessel within thirty minutes following the arrest of the vessel's operator and giving possession of the vessel to such a person;

(b) Leaving the vessel at a marina, dock, or moorage facility, provided that:

(i) The owner is present and willing to sign a liability waiver by which the owner agrees to waive any claims related to such an action against the law enforcement officer and the officer's agency and indemnify the officer and the agency against any claims related to such an action by any third party; and

(ii) The owner agrees to pay any applicable moorage charges or fees; and

(c) Towing the vessel to the closest boat ramp, marina, or similar type facility where the owner can meet the impounding officer within thirty minutes in order to:

(i) Moor the vessel by accepting any applicable moorage charges or fees; or

(ii) Take possession of the vessel if the owner was not present at the time of the arrest.

(4) For the purposes of this section, storing an impounded vessel may include, but is not limited to:

(a) Removing the vessel to and placing it in a secure or other type of moorage facility; or

(b) Placing the vessel in the custody of an operator licensed by the United States coast guard per 46 C.F.R. Sec. 11.482 to provide commercial assistance towing services in Washington state who must:

(i) Tow it to a storage facility operated by the towing entity for storage or to a moorage facility for storage; or

(ii) Tow it to a location designated by the operator or owner of the vessel.

(5) In exigent circumstances, an impounding officer may temporarily attach an impounded vessel to a mooring buoy or anchor the vessel to the bottom for up to twenty-four hours, after which time the impounding officer must move or cause the vessel to be moved to an appropriate facility for storage as outlined in subsection (4) of this section.

(6) If the impounding officer secures a vessel by placing it on its trailer, the officer, moorage facility representative, or commercial assistance towing service is authorized to detach the vessel's trailer from the vehicle to which it is attached, attach the trailer to an impounding vehicle, operate the vessel to load it on the trailer, and then tow the vessel on its trailer to the storage facility.

(7) All vessels must be handled appropriately and returned in substantially the same condition as they existed before being impounded, unless forfeited pursuant to subsection (12) of this section. Except as provided in subsection (12)(b) of this section, all personal property in the vessel must be kept intact and must be returned to the vessel's owner or agent during the normal business hours of the entity storing the vessel upon request, provided the vessel owner, or the owner's agent, is able to provide sufficient proof of his or her identity.

(8) No moorage facility or vessel towing service provider is required to accept an impounded or otherwise secured vessel under this section for towing or storage. An impounding officer intending to secure a vessel by means of storing it at a moorage facility must have the permission of the owner or operator of the moorage facility prior to leaving the vessel at the facility. The impounding officer shall identify an authorized

person on the vessel impound authorization and inventory form to represent the vessel impound facility. The officer must provide a copy of the vessel impound authorization and inventory form to the designated person representing the vessel impound facility along with the addresses of the registered and legal owners of the vessel. The moorage facility may require that the impounding officer's agency take responsibility for the foreclosure process set forth in subsection (12) of this section before they consent to accept an impounded vessel.

(9) (a) An impounding officer impounding a vessel pursuant to this section shall notify the legal and registered owner or owners of the impoundment of the vessel. The notification must be in writing and sent within one business day after the impound by first-class mail, digital transmission, or facsimile to the last known address of the registered and legal owner or owners of the vessel, as identified by the department of licensing, and must inform the owner or owners of the identity of the person or agency authorizing the impound. The impounding officer may serve the operator with the vessel impound authorization and inventory form at the time of impound if the operator is a legal or registered owner of the vessel. Personal service of the vessel impound authorization and inventory form meets the notice requirement of this subsection with respect to the legal or registered owner personally served. The notification must be provided on a vessel impound authorization and inventory form and include: (i) The name, address, and telephone number of the facility where the vessel is being held; (ii) the right of redemption and opportunity for a hearing to contest the validity of the impoundment; and (iii) the rate that is being charged for the storage of the vessel while impounded.

(b) A notice does not need to be sent to the legal or registered owner or owners of an impounded vessel if the vessel has been redeemed.

(c) The impounded vessel may not be redeemed by the operator within a twelve-hour period starting at the time of the operator's arrest. The vessel may be redeemed by or released to an owner or an agent of the owner that is not the operator within the twelve-hour period following arrest.

(10) A moorage facility that accepts a vessel impounded pursuant to this section

for storage may charge the owner of the vessel up to one hundred twenty-five percent of the normal moorage rates of tenants or guests in addition to a fee for securing the impounded vessel. A moorage facility must store the vessel in the least costly boat slip or storage area available that is appropriate for the vessel size. An entity that provides emergency vessel towing services that accepts a vessel impounded pursuant to this section for towing or storage, or both, may charge its normal towing and storage fees. The costs of removal and storage of vessels under this section is a lien upon the vessel until paid, unless the impoundment is determined to be invalid. The registered owner of a vessel impounded pursuant to this section is responsible for paying all fees associated with the towing and storage of the vessel resulting from its impoundment, except as otherwise provided in subsection (15) of this section.

(11) Within fifteen days of impoundment of the vessel, or until the vessel is forfeited pursuant to subsection (12) of this section, the legal or registered owner of a vessel impounded and stored pursuant to this section may redeem the vessel by paying all towing and storage fees charged as allowed in subsection (10) of this section. Within fifteen days of impoundment of the vessel, or until the vessel is forfeited pursuant to subsection (12) of this section, any person who shows proof of ownership or written authorization from the impounded vessel's registered or legal owner or the vessel's insurer may view the vessel without charge during the normal business hours of the entity storing the vessel. The moorage facility may request that a representative of the impounding agency be present during redemption. If requested, the impounding agency must provide a representative as requested by the moorage facility.

(12) If an impounded vessel stored pursuant to this section is not redeemed by its registered or legal owner pursuant to subsection (11) of this section within fifteen days of its impoundment, the entity storing the vessel, or the agency of the impounding officer, if required by the moorage facility under subsection (8) of this section, may initiate foreclosure. Forfeiture by the vessel owner is complete twenty days after mailing of the notice required by this subsection, unless within that time the owner, or any lienholder or holder of a security interest, pays all fees associated with the towing and

storage of the vessel resulting from its impoundment. However, foreclosure may not be completed while a hearing under subsection (15) of this section to contest the validity of the impoundment is pending in district or municipal court or while any appeal of a decision of the district or municipal court on the validity of the impoundment is pending.

(a) In order to foreclose on the vessel, the foreclosing entity must mail notice of its intent. Such a notice must, at a minimum, state: (i) The intent of the foreclosing entity to foreclose on the vessel; (ii) that, when the foreclosure process is complete, the owner forfeits all ownership interest in the vessel; (iii) the right of the foreclosing entity to take possession of or dispose of the vessel upon completion of the foreclosure process; and (iv) that the owner, or other interested person or entity, may avoid forfeiture of the vessel by paying all fees associated with the towing and storage of the vessel resulting from its impoundment within twenty days of mailing of the notice. The notice must be mailed to the owner of the vessel at the address on file with the state with which the vessel is registered, or on file with the federal government, if the vessel is registered with the federal government, and any lienholder or secured interests on record. A notice need not be sent to the purported owner or any other person whose interest in the vessel is not recorded with a state or with the federal government.

(b) Upon completion of the foreclosure process, the registered and legal owners of the vessel forfeit any and all ownership interest in it and the entity administering the foreclosure process must dispose of it through sale. The proceeds of a sale under this section shall be applied first to payment of the amount of reasonable charges incurred by the entity for towing, storage, and sale, then to the owner or to satisfy any liens of record or security interests of record on the vessel in the order of their priority. If the sale is for a sum less than the applicable charges, the foreclosing entity is entitled to assert a claim for the deficiency against the vessel owner. Nothing in this section prevents any lien holder or secured party from asserting a claim for any deficiency owed the lien holder or secured party. If more than one thousand dollars remains after the satisfaction of amounts owed to the entity and to any owner or bona fide security

interest, then the foreclosing entity must remit the moneys to the department of licensing for deposit in the derelict vessel removal account established in RCW 79.100.100. A copy of the forfeited vessel disposition report form identifying the vessel resulting in any surplus shall accompany the remitted funds. Transfer of ownership of the vessel after foreclosure must comply with RCW 79.100.150, when applicable. All personal property in the vessel not claimed prior to foreclosure must be turned over to the law enforcement agency that authorized the impoundment. The personal property must be disposed of pursuant to chapter 63.32 or 63.40 RCW, or as otherwise provided by law. Within fourteen days of the completion of the foreclosure process of a vessel pursuant to this subsection, the foreclosing entity shall send a forfeited vessel disposition report, together with a copy of the vessel impound authorization and inventory form and the notice of intent to foreclose, to the department of licensing so that the department may include documentation in the ownership records of the vessel. The vessel disposition information sent to the department of licensing on the forfeited vessel disposition report relieves the previous owner of the vessel from any civil or criminal liability for the operation of the vessel from the date of sale thereafter, and transfers full liability for the vessel to the party to whom the vessel is transferred by the foreclosing entity.

(13) Any individual or entity whose assistance has been requested by an impounding officer who in good faith provides trailering, towing, or secured or other type of moorage of a vessel impounded pursuant to this section is not liable for any damage to or theft of the vessel or its contents, or for damages for loss of use of the vessel resulting from any act or omission in providing assistance other than for acts or omissions constituting gross negligence or willful or wanton misconduct, or for any damages arising from any act or omission committed during the foreclosure process.

(14) If a law enforcement officer impounds and secures a vessel pursuant to this section, the impounding officer and the government agency employing the officer are not liable for any damage to or theft of the vessel or its contents, or for damages for loss of use of the vessel, or for any damages arising from any act or omission committed during the foreclosure process.

(15) Any legal or registered owner seeking to redeem an impounded vessel under this section has a right to a hearing in the district or municipal court for the jurisdiction in which the vessel was impounded to contest the validity of the impoundment. The district court has jurisdiction to determine the issues involving all impoundments including those authorized by the state or its agents, unless the impoundment was authorized by municipal agents. The municipal court has exclusive jurisdiction to determine the issues involving impoundments authorized by agents of the municipality. Any request for a hearing must be made in writing per the instructions provided on the uniform vessel impound authorization and inventory form and must be received by the appropriate court within ten business days of the date that the vessel impound authorization and inventory form was mailed to or served on the registered or legal owner or owners of the impounded vessel. If the hearing request is not received by the court within ten business days of the sending or personal service of the notice of impoundment pursuant to subsection (9) of this section, the right to a hearing is waived and the registered owner is liable for any towing, storage, or other impoundment charges permitted under this chapter. Upon receipt of a timely hearing request, the court shall proceed to hear and determine the validity of the impoundment.

(a) Within five days after the request for a hearing, the court shall notify the operator of the impound facility, the registered and legal owners of the vessel, and the officer or agency authorizing the impound in writing of the hearing date and time.

(b) At the hearing, the petitioner may produce any relevant evidence that is admissible under court rules to show that the impoundment, towing, or storage fees charged were not proper. The court may consider a written report made under oath by the officer who authorized the impoundment in lieu of the officer's personal appearance at the hearing.

(c) At the conclusion of the hearing, the court shall determine whether the impoundment was proper, whether the towing or storage fees charged were in compliance with the fees established in subsection (10) of this section, and who is responsible for payment of the fees. The court may not adjust fees or charges that

are in compliance with subsection (10) of this section.

(d) If the impoundment is found proper, the impoundment, towing, and storage fees as permitted under this chapter together with court costs must be assessed against the petitioner.

(e) If the impoundment is determined to be in violation of this section, then the registered and legal owners of the vessel bear no impoundment, towing, or storage fees, any security must be returned or discharged as appropriate, and the agency that authorized the impoundment is liable for any towing, storage, or other impoundment fees permitted under this chapter. The court shall enter judgment in favor of the moorage facility or vessel towing contractor against the agency authorizing the impound for the impoundment, towing, and storage fees incurred. In addition, the court shall enter judgment in favor of the petitioner for the amount of the filing fee required by law for the impound hearing petition. If an impoundment is determined to be in violation of this section, the impounding officer and the government agency employing the officer are not liable for damage to or theft of the vessel or its contents, or damages for loss of use of the vessel, if the impounding officer had reasonable suspicion to believe that the operator of the vessel was operating the vessel while under the influence of intoxicating liquor or any drug, was in physical control of the vessel while under the influence of intoxicating liquor or any drug, or was operating the vessel in a reckless manner, or if the impounding officer otherwise acted reasonably under the circumstances in acting to impound and secure the vessel.

(f) If any judgment entered under this subsection is not paid within fifteen days of notice in writing of its entry, the court shall award reasonable attorneys' fees and costs against the defendant in any action to enforce the judgment. Notice of entry of judgment may be made by registered or certified mail, and proof of mailing may be made by affidavit of the party mailing the notice. Notice of the entry of the judgment must read essentially as follows:

TO:

YOU ARE HEREBY NOTIFIED JUDGMENT was entered against you in the Court located at in the sum of \$., in an

action entitled, Case No. YOU ARE FURTHER NOTIFIED that attorneys' fees and costs will be awarded against you under RCW if the judgment is not paid within 15 days of the date of this notice.

DATED this day of, (year)

Signature

Typed name and address of party mailing notice

(16) By September 30, 2017, the department of licensing in collaboration with the commission shall create the following forms for use in the enforcement of this section:

(a) A vessel impound authorization and inventory form. This form must include sections for the impounding officer to record the addresses of the registered and legal owners of the vessel and the designated individual that will act on behalf of the impound facility; and

(b) A forfeited vessel disposition report form.

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

(a) "Impound" means to take and hold a vessel in legal custody.

(b) "Legal owner" means a person having a perfected security interest or a registered owner of a vessel unencumbered by a security interest.

(c) "Moorage facility" includes a private moorage facility as defined in RCW 88.26.010, a moorage facility as defined in RCW 53.08.310, or a moorage facility owned or operated by the agency of the arresting officer.

(d) "Registered owner" or "owner" means the person whose lawful right of possession of a vessel has most recently been recorded with the department of licensing.

(e) "Secure moorage" is in-water moorage or dry storage at a moorage facility in a location specifically designated for the moorage of vessels and in a location where access is controlled or security is provided.

(f) "Vessel" includes any vessel as defined in RCW 79A.60.010 and includes any associated trailer or towing device used to transport the vessel if it is included in the impoundment."

On page 1, line 1 of the title, after "impoundment;" strike the remainder of the title and insert "and adding a new section to chapter 79A.60 RCW."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1605 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Goodman and Klippert spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1605, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1605, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.
Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1605, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1612 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that over one thousand one hundred suicide deaths occur each year in Washington and these suicide deaths take an enormous toll on families and communities across the state. The legislature further finds that: Sixty-five percent of all suicides, and most suicide deaths and attempts for young people ages ten to eighteen, occur using firearms and prescription medications that are easily accessible in homes; firearms are the most lethal method used in suicide and almost entirely account for more men dying by suicide than women; sixty-seven percent of all veteran deaths by suicide are by firearm; and nearly eighty percent of all deaths by firearms in Washington are suicides. The legislature further finds that there is a need for a robust public education campaign designed to raise awareness of suicide and to teach everyone the role that he or she can play in suicide prevention. The legislature further finds that important suicide prevention efforts include: Motivating households to improve safe storage practices to reduce deaths from firearms and prescription medications; decreasing barriers to prevent access to lethal means by allowing for temporary and voluntary transfers of firearms when individuals are at risk for suicide; increasing access to drug take-back sites; and making the public aware of suicide prevention steps, including recognizing warning signs, empathizing and listening, asking directly about suicide, removing dangers to ensure immediate safety, and getting help. The legislature intends by this act to create a public-private partnership fund to implement a suicide-safer home public education campaign in the coming years.

Sec. 2. RCW 43.70.445 and 2016 c 90 s 2 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, a ~~((safe))~~ suicide-safer homes task force is established to raise public awareness and increase suicide prevention education among new partners who are in key positions to help reduce suicide. The

task force shall be administered and staffed by the University of Washington school of social work. To the extent possible, the task force membership should include representatives from geographically diverse and priority populations, including tribal populations.

(b) The ~~((safe))~~ suicide-safer homes task force ~~((shall consist of the members comprised of))~~ comprises a suicide prevention and firearms subcommittee and a suicide prevention and ~~((pharmacy))~~ health care subcommittee, as follows:

(i) The suicide prevention and firearms subcommittee shall consist of the following members and be cochaired by the University of Washington school of social work and a member identified in (b)(i)(A) of this subsection (1):

(A) A representative of the national rifle association and a representative of the second amendment foundation;

(B) Two representatives of suicide prevention organizations, selected by the cochaairs of the subcommittee;

(C) Two representatives of the firearms industry, selected by the cochaairs of the subcommittee;

(D) Two individuals who are suicide attempt survivors or who have experienced suicide loss, selected by the cochaairs of the subcommittee;

(E) Two representatives of law enforcement agencies, selected by the cochaairs of the subcommittee;

(F) One representative from the department of health;

(G) One representative from the department of veterans affairs, and one other individual representing veterans to be selected by the cochaairs of the subcommittee; and

(H) No more than two other interested parties, selected by the cochaairs of the subcommittee.

(ii) The suicide prevention and ~~((pharmacy))~~ health care subcommittee shall consist of the following members and be cochaired by the University of Washington school of social work and a member identified in (b)(ii)(A) of this subsection (1):

(A) Two representatives of the Washington state pharmacy association;

(B) Two representatives of retailers who operate pharmacies, selected by the cochairs of the subcommittee;

(C) One faculty member from the University of Washington school of pharmacy and one faculty member from the Washington State University school of pharmacy;

(D) One representative of the department of health;

(E) One representative of the pharmacy quality assurance commission;

(F) Two representatives of the Washington state poison control center;

(G) One representative of the department of veterans affairs, and one other individual representing veterans to be selected by the cochairs of the subcommittee; ~~((and))~~

(H) Three members representing health care professionals providing suicide prevention training in the state, selected by the cochairs of the subcommittee; and

(I) No more than two other interested parties, selected by the cochairs of the subcommittee.

(c) The University of Washington school of social work shall convene the initial meeting of the task force.

(2) The task force shall:

(a) Develop and prepare to disseminate online trainings on suicide awareness and prevention for firearms dealers and their employees and firearm range owners and their employees;

(b) In consultation with the department of fish and wildlife, review the firearm safety pamphlet produced by the department of fish and wildlife under RCW 9.41.310 and, by January 1, 2017, recommend changes to the pamphlet to incorporate information on suicide awareness and prevention;

(c) Develop and approve suicide awareness and prevention messages for posters and brochures that are tailored to be effective for firearms owners for distribution to firearms dealers and ~~((firearm(s)))~~ firearms ranges;

(d) Develop suicide awareness and prevention messages for posters and brochures for distribution to pharmacies;

(e) In consultation with the department of fish and wildlife, develop strategies for creating and disseminating suicide awareness and prevention information for

hunting safety classes, including messages to parents that can be shared during online registration, in either follow-up ~~((electronic mail [email]))~~ email communications, or in writing, or both;

(f) Develop suicide awareness and prevention messages for training for the schools of pharmacy and provide input on trainings being developed for community pharmacists;

~~((Provide input to the department of health on the implementation of the safe homes project established in section 3 of this act;~~

~~(h))~~ Create a web site that will be a clearinghouse for the newly created suicide awareness and prevention materials developed by the task force; ~~((and~~

~~(i))~~ (h) Conduct a survey of firearms dealers and firearms ranges in the state to determine the types and amounts of incentives that would be effective in encouraging those entities to participate in ~~((the safe))~~ suicide-safer homes projects ~~((created in section 3 of this act));~~

~~((j))~~ (i) Gather input on collateral educational materials that will help health care professionals in suicide prevention work; and

(j) Create, implement, and evaluate a suicide awareness and prevention pilot program in two counties, one rural and one urban, that have high suicide rates. The pilot program shall include:

(i) Developing and directing advocacy efforts with firearms dealers to pair suicide awareness and prevention training with distribution of safe storage devices;

(ii) Developing and directing advocacy efforts with pharmacies to pair suicide awareness and prevention training with distribution of medication disposal kits and safe storage devices;

(iii) Training health care providers on suicide awareness and prevention, paired with distribution of medication disposal kits and safe storage devices; and

(iv) Training local law enforcement officers on suicide awareness and prevention, paired with distribution of medication disposal kits and safe storage devices.

(3) The task force shall ~~((consult with)),~~ in consultation with the department of health, develop and prioritize a list of projects to carry out

~~the task force's purposes and submit the prioritized list to the department of health ((to develop timelines for the completion of the necessary tasks identified in subsection (2) of this section so that the department of health is able to implement the safe homes project under)) for funding from the suicide-safer homes project account created in section 3 of this act ((by January 1, 2018)).~~

(4) Beginning December 1, 2016, the task force shall annually report to the legislature on the status of its work. The task force shall submit a final report by December 1, 2019, that includes the findings of the suicide awareness and prevention pilot program evaluation under subsection (2) of this section and recommendations on possible continuation of the program. The task force shall submit its reports in accordance with RCW 43.01.036.

(5) This section expires July 1, 2020.

NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70 RCW to read as follows:

(1) The suicide-safer homes project is created within the department of health for the purpose of accepting private funds for use by the suicide-safer homes task force created in RCW 43.70.445 in developing and providing suicide education and prevention materials, training, and outreach programs to help create suicide-safer homes. The secretary may accept gifts, grants, donations, or moneys from any source for deposit in the suicide-safer homes project account created in subsection (2) of this section.

(2) The suicide-safer homes project account is created in the custody of the state treasurer. The account shall consist of funds appropriated by the legislature for the suicide-safer homes project account and all receipts from gifts, grants, bequests, devises, or other funds from public and private sources to support the activities of the suicide-safer homes project. Only the secretary of the department of health, or the secretary's designee, may authorize expenditures from the account to fund projects identified and prioritized by the suicide-safer homes task force. Funds deposited in the suicide-safer homes project account may be used for the development and production of suicide prevention materials and training programs, for providing financial incentives to encourage firearms dealers

and others to participate in suicide prevention training, and to implement pilot programs involving community outreach on creating suicide-safer homes.

(3) The suicide-safer homes project account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 4. RCW 43.70.442 and 2016 c 90 s 5 are each amended to read as follows:

(1)(a) Each of the following professionals certified or licensed under Title 18 RCW shall, at least once every six years, complete training in suicide assessment, treatment, and management that is approved, in rule, by the relevant disciplining authority:

(i) An adviser or counselor certified under chapter 18.19 RCW;

(ii) A chemical dependency professional licensed under chapter 18.205 RCW;

(iii) A marriage and family therapist licensed under chapter 18.225 RCW;

(iv) A mental health counselor licensed under chapter 18.225 RCW;

(v) An occupational therapy practitioner licensed under chapter 18.59 RCW;

(vi) A psychologist licensed under chapter 18.83 RCW;

(vii) An advanced social worker or independent clinical social worker licensed under chapter 18.225 RCW; and

(viii) A social worker associate-advanced or social worker associate-independent clinical licensed under chapter 18.225 RCW.

(b) The requirements in (a) of this subsection apply to a person holding a retired active license for one of the professions in (a) of this subsection.

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (10)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in

this subsection (1)(d) affects the validity of training completed prior to July 1, 2017.

(2)(a) Except as provided in (b) of this subsection, a professional listed in subsection (1)(a) of this section must complete the first training required by this section by the end of the first full continuing education reporting period after January 1, 2014, or during the first full continuing education reporting period after initial licensure or certification, whichever occurs later.

(b) A professional listed in subsection (1)(a) of this section applying for initial licensure may delay completion of the first training required by this section for six years after initial licensure if he or she can demonstrate successful completion of the training required in subsection (1) of this section no more than six years prior to the application for initial licensure.

(3) The hours spent completing training in suicide assessment, treatment, and management under this section count toward meeting any applicable continuing education or continuing competency requirements for each profession.

(4)(a) A disciplining authority may, by rule, specify minimum training and experience that is sufficient to exempt an individual professional from the training requirements in subsections (1) and (5) of this section. Nothing in this subsection (4)(a) allows a disciplining authority to provide blanket exemptions to broad categories or specialties within a profession.

(b) A disciplining authority may exempt a professional from the training requirements of subsections (1) and (5) of this section if the professional has only brief or limited patient contact.

(5)(a) Each of the following professionals credentialed under Title 18 RCW shall complete a one-time training in suicide assessment, treatment, and management that is approved by the relevant disciplining authority:

(i) A chiropractor licensed under chapter 18.25 RCW;

(ii) A naturopath licensed under chapter 18.36A RCW;

(iii) A licensed practical nurse, registered nurse, or advanced registered nurse practitioner, other than a certified

registered nurse anesthetist, licensed under chapter 18.79 RCW;

(iv) An osteopathic physician and surgeon licensed under chapter 18.57 RCW, other than a holder of a postgraduate osteopathic medicine and surgery license issued under RCW 18.57.035;

(v) An osteopathic physician assistant licensed under chapter 18.57A RCW;

(vi) A physical therapist or physical therapist assistant licensed under chapter 18.74 RCW;

(vii) A physician licensed under chapter 18.71 RCW, other than a resident holding a limited license issued under RCW 18.71.095(3);

(viii) A physician assistant licensed under chapter 18.71A RCW;

(ix) A pharmacist licensed under chapter 18.64 RCW; ~~(and)~~

(x) A dentist licensed under chapter 18.32 RCW;

(xi) A dental hygienist licensed under chapter 18.29 RCW; and

(xii) A person holding a retired active license for one of the professions listed in (a)(i) through ~~((ix))~~ (xi) of this subsection.

(b)(i) A professional listed in (a)(i) through (viii) of this subsection or a person holding a retired active license for one of the professions listed in (a)(i) through (viii) of this subsection must complete the one-time training by the end of the first full continuing education reporting period after January 1, 2016, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between June 12, 2014, and January 1, 2016, that meets the requirements of this section, other than the timing requirements of this subsection (5)(b), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(ii) A licensed pharmacist or a person holding a retired active pharmacist license must complete the one-time training by the end of the first full continuing education reporting period after January 1, 2017, or during the first full continuing education reporting period after initial licensure, whichever is later.

(iii) A licensed dentist, a licensed dental hygienist, or a person holding a retired active license as a dentist shall complete the one-time training by the end of the full continuing education reporting period after the effective date of this section, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between July 23, 2017, and the effective date of this section that meets the requirements of this section, other than the timing requirements of this subsection (5)(b)(iii), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (10)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (5)(d) affects the validity of training completed prior to July 1, 2017.

(6)(a) The secretary and the disciplining authorities shall work collaboratively to develop a model list of training programs in suicide assessment, treatment, and management.

(b) The secretary and the disciplining authorities shall update the list at least once every two years.

(c) By June 30, 2016, the department shall adopt rules establishing minimum standards for the training programs included on the model list. The minimum standards must require that six-hour trainings include content specific to veterans and the assessment of issues related to imminent harm via lethal means or self-injurious behaviors and that three-hour trainings for pharmacists or dentists include content related to the assessment of issues related to imminent harm via lethal means. When adopting the rules required under this subsection (6)(c), the department shall:

(i) Consult with the affected disciplining authorities, public and private institutions of higher education,

educators, experts in suicide assessment, treatment, and management, the Washington department of veterans affairs, and affected professional associations; and

(ii) Consider standards related to the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(d) Beginning January 1, 2017:

(i) The model list must include only trainings that meet the minimum standards established in the rules adopted under (c) of this subsection and any three-hour trainings that met the requirements of this section on or before July 24, 2015;

(ii) The model list must include six-hour trainings in suicide assessment, treatment, and management, and three-hour trainings that include only screening and referral elements; and

(iii) A person or entity providing the training required in this section may petition the department for inclusion on the model list. The department shall add the training to the list only if the department determines that the training meets the minimum standards established in the rules adopted under (c) of this subsection.

(7) The department shall provide the health profession training standards created in this section to the professional educator standards board as a model in meeting the requirements of RCW 28A.410.226 and provide technical assistance, as requested, in the review and evaluation of educator training programs. The educator training programs approved by the professional educator standards board may be included in the department's model list.

(8) Nothing in this section may be interpreted to expand or limit the scope of practice of any profession regulated under chapter 18.130 RCW.

(9) The secretary and the disciplining authorities affected by this section shall adopt any rules necessary to implement this section.

(10) For purposes of this section:

(a) "Disciplining authority" has the same meaning as in RCW 18.130.020.

(b) "Training in suicide assessment, treatment, and management" means empirically supported training approved by the appropriate disciplining authority that contains the following elements:

Suicide assessment, including screening and referral, suicide treatment, and suicide management. However, the disciplining authority may approve training that includes only screening and referral elements if appropriate for the profession in question based on the profession's scope of practice. The board of occupational therapy may also approve training that includes only screening and referral elements if appropriate for occupational therapy practitioners based on practice setting.

(11) A state or local government employee is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

(12) An employee of a community mental health agency licensed under chapter 71.24 RCW or a chemical dependency program certified under chapter 70.96A RCW is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

NEW SECTION. **Sec. 5.** A new section is added to chapter 43.70 RCW to read as follows:

(1) By July 1, 2020, the school of dentistry at the University of Washington shall develop a curriculum on suicide assessment, treatment, and management for dental students and licensed dentists. The curriculum must meet the minimum standards established under RCW 43.70.442 and must include material on identifying at-risk patients and limiting access to lethal means. When developing the curriculum, the school of dentistry must consult with experts on suicide assessment, treatment, and management and with the suicide-safer homes task force established in RCW 43.70.445. The school of dentistry shall submit a progress report to the governor and the relevant committees of the legislature by July 1, 2019.

(2) The dental quality assurance commission shall, for purposes of RCW

43.70.442(4)(a), consider a dentist who has successfully completed the curriculum developed under subsection (1) of this section prior to licensure as possessing the minimum training and experience necessary to be exempt from the training requirements in RCW 43.70.442.

Sec. 6. RCW 9.41.113 and 2015 c 1 s 3 are each amended to read as follows:

(1) All firearm sales or transfers, in whole or part in this state including without limitation a sale or transfer where either the purchaser or seller or transferee or transferor is in Washington, shall be subject to background checks unless specifically exempted by state or federal law. The background check requirement applies to all sales or transfers including, but not limited to, sales and transfers through a licensed dealer, at gun shows, online, and between unlicensed persons.

(2) No person shall sell or transfer a firearm unless:

- (a) The person is a licensed dealer;
- (b) The purchaser or transferee is a licensed dealer; or
- (c) The requirements of subsection (3) of this section are met.

(3) Where neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or transfer through a licensed dealer as follows:

(a) The seller or transferor shall deliver the firearm to a licensed dealer to process the sale or transfer as if it is selling or transferring the firearm from its inventory to the purchaser or transferee, except that the unlicensed seller or transferor may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller or transferor removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser or transferee and the seller or transferor shall return to the business premises of the licensed dealer and the seller or transferor shall again deliver the firearm to the licensed dealer prior to completing the sale or transfer.

(b) Except as provided in (a) of this subsection, the licensed dealer shall comply with all requirements of federal

and state law that would apply if the licensed dealer were selling or transferring the firearm from its inventory to the purchaser or transferee, including but not limited to conducting a background check on the prospective purchaser or transferee in accordance with federal and state law requirements and fulfilling all federal and state recordkeeping requirements.

(c) The purchaser or transferee must complete, sign, and submit all federal, state, and local forms necessary to process the required background check to the licensed dealer conducting the background check.

(d) If the results of the background check indicate that the purchaser or transferee is ineligible to possess a firearm, then the licensed dealer shall return the firearm to the seller or transferor.

(e) The licensed dealer may charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed dealer for facilitating the sale or transfer of the firearm.

(4) This section does not apply to:

(a) A transfer between immediate family members, which for this subsection shall be limited to spouses, domestic partners, parents, parents-in-law, children, siblings, siblings-in-law, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles, that is a bona fide gift or loan;

(b) The sale or transfer of an antique firearm;

(c) A temporary transfer of possession of a firearm if such transfer is necessary to prevent imminent death or great bodily harm to the person to whom the firearm is transferred if:

(i) The temporary transfer only lasts as long as immediately necessary to prevent such imminent death or great bodily harm; and

(ii) The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(d) A temporary transfer of possession of a firearm if: (i) The temporary transfer is intended to prevent suicide or self-inflicted great bodily harm; (ii) the temporary transfer lasts only as long as

reasonably necessary to prevent death or great bodily harm; and (iii) the firearm is not utilized by the transferee for any purpose for the duration of the temporary transfer;

(e) Any law enforcement or corrections agency and, to the extent the person is acting within the course and scope of his or her employment or official duties, any law enforcement or corrections officer, United States marshal, member of the armed forces of the United States or the national guard, or federal official;

~~((e))~~ (f) A federally licensed gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the federally licensed gunsmith;

~~((f))~~ (g) The temporary transfer of a firearm (i) between spouses or domestic partners; (ii) if the temporary transfer occurs, and the firearm is kept at all times, at an established shooting range authorized by the governing body of the jurisdiction in which such range is located; (iii) if the temporary transfer occurs and the transferee's possession of the firearm is exclusively at a lawful organized competition involving the use of a firearm, or while participating in or practicing for a performance by an organized group that uses firearms as a part of the performance; (iv) to a person who is under eighteen years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult who is not prohibited from possessing firearms; or (v) while hunting if the hunting is legal in all places where the person to whom the firearm is transferred possesses the firearm and the person to whom the firearm is transferred has completed all training and holds all licenses or permits required for such hunting, provided that any temporary transfer allowed by this subsection is permitted only if the person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law; or

~~((g))~~ (h) A person who (i) acquired a firearm other than a pistol by operation of law upon the death of the former owner of the firearm or (ii) acquired a pistol by operation of law upon the death of the former owner of the pistol within the preceding sixty days. At the end of the sixty-day period, the person must either have lawfully transferred the pistol or must have contacted the department of

licensing to notify the department that he or she has possession of the pistol and intends to retain possession of the pistol, in compliance with all federal and state laws.

NEW SECTION. **Sec. 7.** Section 4 of this act takes effect August 1, 2020.

NEW SECTION. **Sec. 8.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "means;" strike the remainder of the title and insert "amending RCW 43.70.445, 43.70.442, and 9.41.113; adding new sections to chapter 43.70 RCW; creating new sections; and providing an effective date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1612 and advanced the bill, as amended by the Senate, to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Orwall spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1612, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1612, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; Nays, 13; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger,

Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Dent, Holy, Kraft, Kretz, Manweller, Maycumber, McCaslin, Shea, Taylor and Volz.

Excused: Representatives Caldier, Nealey and Pollet.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1612, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1641 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 7.70.065 and 2007 c 156 s 11 are each amended to read as follows:

(1) Informed consent for health care for a patient who is not competent, as defined in RCW 11.88.010(1)(e), to consent may be obtained from a person authorized to consent on behalf of such patient.

(a) Persons authorized to provide informed consent to health care on behalf of a patient who is not competent to consent, based upon a reason other than incapacity as defined in RCW 11.88.010(1)(d), shall be a member of one of the following classes of persons in the following order of priority:

(i) The appointed guardian of the patient, if any;

(ii) The individual, if any, to whom the patient has given a durable power of attorney that encompasses the authority to make health care decisions;

(iii) The patient's spouse or state registered domestic partner;

(iv) Children of the patient who are at least eighteen years of age;

(v) Parents of the patient; and

(vi) Adult brothers and sisters of the patient.

(b) If the health care provider seeking informed consent for proposed health care of the patient who is not competent to consent under RCW 11.88.010(1)(e), other than a person determined to be incapacitated because he or she is under the age of majority and who is not otherwise authorized to provide informed

consent, makes reasonable efforts to locate and secure authorization from a competent person in the first or succeeding class and finds no such person available, authorization may be given by any person in the next class in the order of descending priority. However, no person under this section may provide informed consent to health care:

(i) If a person of higher priority under this section has refused to give such authorization; or

(ii) If there are two or more individuals in the same class and the decision is not unanimous among all available members of that class.

(c) Before any person authorized to provide informed consent on behalf of a patient not competent to consent under RCW 11.88.010(1)(e), other than a person determined to be incapacitated because he or she is under the age of majority and who is not otherwise authorized to provide informed consent, exercises that authority, the person must first determine in good faith that that patient, if competent, would consent to the proposed health care. If such a determination cannot be made, the decision to consent to the proposed health care may be made only after determining that the proposed health care is in the patient's best interests.

(2) Informed consent for health care, including mental health care, for a patient who is not competent, as defined in RCW 11.88.010(1)(e), because he or she is under the age of majority and who is not otherwise authorized to provide informed consent, may be obtained from a person authorized to consent on behalf of such a patient.

(a) Persons authorized to provide informed consent to health care, including mental health care, on behalf of a patient who is incapacitated, as defined in RCW 11.88.010(1)(e), because he or she is under the age of majority and who is not otherwise authorized to provide informed consent, shall be a member of one of the following classes of persons in the following order of priority:

(i) The appointed guardian, or legal custodian authorized pursuant to Title 26 RCW, of the minor patient, if any;

(ii) A person authorized by the court to consent to medical care for a child in out-of-home placement pursuant to chapter 13.32A or 13.34 RCW, if any;

(iii) Parents of the minor patient;

(iv) The individual, if any, to whom the minor's parent has given a signed authorization to make health care decisions for the minor patient; and

(v) A competent adult representing himself or herself to be a relative responsible for the health care of such minor patient or a competent adult who has signed and dated a declaration under penalty of perjury pursuant to RCW 9A.72.085 stating that the adult person is a relative responsible for the health care of the minor patient. Such declaration shall be effective for up to six months from the date of the declaration.

(b)(i) Informed consent for health care on behalf of a patient who is incapacitated, as defined in RCW 11.88.010(1)(e), because he or she is under the age of majority and who is not otherwise authorized to provide informed consent may be obtained from a school nurse, school counselor, or homeless student liaison when:

(A) Consent is necessary for nonemergency, outpatient, primary care services, including physical examinations, vision examinations and eyeglasses, dental examinations, hearing examinations and hearing aids, immunizations, treatments for illnesses and conditions, and routine follow-up care customarily provided by a health care provider in an outpatient setting, excluding elective surgeries;

(B) The minor patient meets the definition of a "homeless child or youth" under the federal McKinney-Vento homeless education assistance improvements act of 2001, P.L. 107-110, January 8, 2002, 115 Stat. 2005; and

(C) The minor patient is not under the supervision or control of a parent, custodian, or legal guardian, and is not in the care and custody of the department of social and health services.

(ii) A person authorized to consent to care under this subsection (2)(b) and the person's employing school or school district are not subject to administrative sanctions or civil damages resulting from the consent or nonconsent for care, any care, or payment for any care, rendered pursuant to this section. Nothing in this section prevents a health care facility or a health care provider from seeking reimbursement from other sources for care

provided to a minor patient under this subsection (2) (b).

(iii) Upon request by a health care facility or a health care provider, a person authorized to consent to care under this subsection (2) (b) must provide to the person rendering care a declaration signed and dated under penalty of perjury pursuant to RCW 9A.72.085 stating that the person is a school nurse, school counselor, or homeless student liaison and that the minor patient meets the elements under (b) (i) of this subsection. The declaration must also include written notice of the exemption from liability under (b) (ii) of this subsection.

(c) A health care provider may, but is not required to, rely on the representations or declaration of a person claiming to be a relative responsible for the care of the minor patient, under (a) (v) of this subsection, or a person claiming to be authorized to consent to the health care of the minor patient under (b) of this subsection, if the health care provider does not have actual notice of the falsity of any of the statements made by the person claiming to be a relative responsible for the health care of the minor patient, or person claiming to be authorized to consent to the health care of the minor patient.

~~((c))~~ (d) A health care facility or a health care provider may, in its discretion, require documentation of a person's claimed status as being a relative responsible for the health care of the minor patient, or a person claiming to be authorized to consent to the health care of the minor patient under (b) of this subsection. However, there is no obligation to require such documentation.

~~((d))~~ (e) The health care provider or health care facility where services are rendered shall be immune from suit in any action, civil or criminal, or from professional or other disciplinary action when such reliance is based on a declaration signed under penalty of perjury pursuant to RCW 9A.72.085 stating that the adult person is a relative responsible for the health care of the minor patient under (a) (v) of this subsection, or a person claiming to be authorized to consent to the health care of the minor patient under (b) of this subsection.

(3) For the purposes of this section, "health care," "health care provider," and

"health care facility" shall be defined as established in RCW 70.02.010.

NEW SECTION. Sec. 2. RCW 28A.320.147 ("Homeless child or youth"—Informed consent for health care for patient under the age of majority—Exemption from liability) and 2016 c 157 s 7 are each repealed."

On page 1, line 3 of the title, after "act;" strike the remainder of the title and insert "amending RCW 7.70.065; and repealing RCW 28A.320.147."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1641 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives McBride and Rodne spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1641, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1641, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; Nays, 7; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Klippert, McCaslin, Shea and Taylor.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1641, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1867 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that a large number of foster youth experience homelessness. The legislature intends that individuals who are eligible for extended foster care services are able to receive those services to help prevent them from experiencing homelessness. The 2016 office of homeless youth annual report identifies ensuring that youth exiting public systems are not released into homelessness as a goal and recommends expanding options for youth to enroll in extended foster care.

Sec. 2. RCW 74.13.031 and 2015 c 240 s 3 are each amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or

exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) As provided in RCW 26.44.030(11), the department may respond to a report of child abuse or neglect by using the family assessment response.

(5) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(6) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with

children and caregivers to whom it is providing child welfare services.

(7) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(8) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(9) The department and supervising agency shall have authority to purchase care for children.

(10) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(11) (a) The department and supervising agencies shall provide continued extended foster care services to nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program;

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program;

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment;

(iv) Engaged in employment for eighty hours or more per month; or

(v) Not able to engage in any of the activities described in (a)(i) through (iv) of this subsection due to a documented medical condition.

(b) To be eligible for extended foster care services, the nonminor dependent must have been dependent and in foster care at the time that he or she reached age eighteen years. If the dependency case of the nonminor dependent was dismissed pursuant to RCW 13.34.267, he or she may receive extended foster care services pursuant to a voluntary placement agreement under RCW 74.13.336 or pursuant to an order of dependency issued by the court under RCW 13.34.268. A nonminor dependent whose dependency case was dismissed by the court must have requested extended foster care services before reaching age nineteen years. Eligible nonminor dependents may unenroll and reenroll in extended foster care through a voluntary placement agreement once between ages eighteen and twenty-one.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(d) The department shall make efforts to ensure that extended foster care services maximize medicaid reimbursements. This must include the department ensuring that health and mental health extended foster care providers participate in medicaid, unless the condition of the extended foster care youth requires specialty care that is not available among participating medicaid providers or there are no participating medicaid providers in the area. The department shall coordinate other services to maximize federal resources and the most cost-efficient delivery of services to extended foster care youth.

(e) The department shall allow a youth who has received extended foster care services, but lost his or her eligibility, to reenter the extended foster care program once through a voluntary placement agreement when he or she meets the eligibility criteria again.

(12) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (11) of this section.

(13) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(14) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order. The purchase of such care is exempt from the requirements of chapter 74.13B RCW and may be purchased from the federally recognized Indian tribe or tribally licensed child-placing agency, and shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 (~~and 74.13.032 through~~), 43.185C.295, 74.13.035, and 74.13.036, or of this section all services to be provided by the department under subsections (4), (7), and (8) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(15) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(16) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-one years of age who are or have been in foster care.

(17) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of

Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(18) (a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2) (b) (ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

NEW SECTION. **Sec. 3.** (1) The Washington state institute for public policy shall conduct a study measuring the outcomes for youth who have received extended foster care services pursuant to RCW 74.13.031(11). The study should include measurements of any savings to state and local governments. The study should compare the outcomes for youth who have received extended foster care services pursuant to RCW 74.13.031(11) with youth who aged out of foster care when they reached eighteen years of age. To the extent possible, the study should also include a comparison of other state extended foster care programs and a review

of studies that have been completed measuring the outcomes of those programs.

(2) The Washington state institute for public policy shall issue a report containing its preliminary findings to the legislature by December 1, 2018, and a final report by December 1, 2019.

(3) The Washington state institute for public policy is authorized to accept nonstate funds to conduct the study required in subsection (1) of this section.

(4) This section expires July 1, 2020.

NEW SECTION. **Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 74.13.031; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1867 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Fey spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1867, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1867, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber,

McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representatives Caldier, Nealey and Pollet.

SUBSTITUTE HOUSE BILL NO. 1867, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2005 with the following amendment:

Strike everything after the enacting clause and insert the following:

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

(1) "Business licensing service," "business licensing system," and "business license" have the same meaning as in RCW 19.02.020.

(2) "City" means a city, town, or code city.

(3) "Department" means the department of revenue.

(4) "General business license" means a license, not including a regulatory license or a temporary license, that a city requires all or most businesses to obtain to conduct business within that city.

(5) "Partner" means the relationship between a city and the department under which general business licenses are issued and renewed through the business licensing service in accordance with chapter 19.02 RCW.

(6) "Regulatory business license" means a license, other than a general business license, required for certain types of businesses that a city has determined warrants additional regulation, such as taxicab or other for-hire vehicle operators, adult entertainment businesses, amusement device operators, massage parlors, debt collectors, door-to-door sales persons, trade-show operators, and home-based businesses.

NEW SECTION. **Sec. 2.** (1) Except as otherwise provided in subsection (7) of this section, a city that requires a general business license of any person that engages in business activities within that city must partner with the department to have such license issued, and renewed if the city requires renewal, through the business licensing service in accordance with chapter 19.02 RCW.

(a) Except as otherwise provided in subsection (3) of this section, the department must phase in the issuance and renewal of general business licenses of cities that required a general business license as of July 1, 2017, and are not already partnering with the department, as follows:

(i) Between January 1, 2018, and December 31, 2021, the department must partner with at least six cities per year;

(ii) Between January 1, 2022, and December 31, 2027, the department must partner with the remaining cities; or

(iii) Between July 1, 2017 and December 31, 2022, the department must partner with all cities requiring a general business license if specific funding for the purposes of this subsection (iii) is appropriated in the omnibus appropriations act.

(b) A city that imposes a general business license requirement and does not partner with the department as of January 1, 2018, may continue to issue and renew its general business licenses until the city partners with the department as provided in subsection (4) of this section.

(2)(a) A city that did not require a general business license as of July 1, 2017, but imposes a new general business license requirement after that date must advise the department in writing of its intent to do so at least ninety days before the requirement takes effect.

(b) If a city subject to (a) of this subsection (2) imposes a new general business license requirement after July 1, 2017, the department, in its sole discretion, may adjust resources to partner with the imposing city as of the date that the new general business licensing requirement takes effect. If the department cannot reallocate resources, the city may issue and renew its general business license until the department is able to partner with the city.

(3) The department may delay assuming the duties of issuing and renewing general business licenses beyond the dates provided in subsection (1)(a) of this section if:

(a) Insufficient funds are appropriated for this specific purpose;

(b) The department cannot ensure the business licensing system is adequately prepared to handle all general business licenses due to unforeseen circumstances;

(c) The department determines that a delay is necessary to ensure that the transition to mandatory department issuance and renewal of general business licenses is as seamless as possible; or

(d) The department receives a written notice from a city within sixty days of the date that the city appears on the department's biennial partnership plan, which includes an explanation of the fiscal or technical challenges causing the city to delay joining the system. A delay under this subsection (3)(d) may be for no more than three years.

(4)(a) In consultation with affected cities and in accordance with the priorities established in subsection (5) of this section, the department must establish a biennial plan for partnering with cities to assume the issuance and renewal of general business licenses as required by this section. The plan must identify the cities that the department will partner with and the dates targeted for the department to assume the duties of issuing and renewing general business licenses.

(b) By January 1, 2018, and January 1st of each even-numbered year thereafter, the department must submit the partnering plan required in (a) of this subsection (4) to the governor; legislative fiscal committees; house local government committee; senate agriculture, water, trade and economic development committee; senate local government committee; affected cities; association of Washington cities; association of Washington business; national federation of independent business; and Washington retail association.

(c) The department may, in its sole discretion, alter the plan required in (a) of this subsection (4) with a minimum notice of thirty days to affected cities.

(5) When determining the plan to partner with cities for the issuance and

renewal of general business licenses as required in subsection (4) of this section, cities that notified the department of their wish to partner with the department before January 1, 2017, must be allowed to partner before other cities.

(6) A city that partners with the department for the issuance and renewal of general business licenses through the business licensing service in accordance with chapter 19.02 RCW may not issue and renew those licenses.

(7) A city may decline to partner with the department for the issuance and renewal of a general business license as provided in subsection (1) of this section if the city participates in the online local business license and tax filing portal known as "FileLocal" as of July 1, 2020. For the purposes of this subsection (7), a city is considered to be a FileLocal participant as of the date that a business may access FileLocal for purposes of applying for or renewing that city's general business license and reporting and paying that city's local business and occupation taxes. A city that ceases participation in FileLocal after July 1, 2020, must partner with the department for the issuance and renewal of its general business license as provided in subsection (1) of this section.

(8) By January 1, 2019, and each January 1st thereafter through January 1, 2028, the department must submit a progress report to the legislature. The report required by this subsection must provide information about the progress of the department's efforts to partner with all cities that impose a general business license requirement and include:

(a) A list of cities that have partnered with the department as required in subsection (1) of this section;

(b) A list of cities that have not partnered with the department;

(c) A list of cities that are scheduled to partner with the department during the upcoming calendar year;

(d) A list of cities that have declined to partner with the department as provided in subsection (7) of this section;

(e) An explanation of lessons learned and any process efficiencies incorporated by the department;

(f) Any recommendations to further simplify the issuance and renewal of

general business licenses by the department; and

(g) Any other information the department considers relevant.

NEW SECTION. **Sec. 3.** (1) A general business license that must be issued and renewed through the business licensing service in accordance with chapter 19.02 RCW is subject to the provisions of this section.

(2)(a) A city has broad authority to impose a fee structure as provided by RCW 35.22.280, 35.23.440, and 35A.82.020. However, any fee structure selected by a city must be within the department's technical ability to administer. The department has the sole discretion to determine if it can administer a city's fee structure.

(b) If the department is unable to administer a city's fee structure, the city must work with the department to adopt a fee structure that is administrable by the department. If a city fails to comply with this subsection (2)(b), it may not enforce its general business licensing requirements on any person until the effective date of a fee structure that is administrable by the department.

(3) A general business license may not be renewed more frequently than once per year except that the department may require a more frequent renewal date as may be necessary to synchronize the renewal date for the general business license with the business's business license expiration date.

(4) The business licensing system need not accommodate any monetary penalty imposed by a city for failing to obtain or renew a general business license. The penalty imposed in RCW 19.02.085 applies to general business licenses that are not renewed by their expiration date.

(5) The department may refuse to administer any provision of a city business license ordinance that is inconsistent with this chapter.

NEW SECTION. **Sec. 4.** The department is not authorized to enforce a city's licensing laws except to the extent of issuing or renewing a license in accordance with this chapter and chapter 19.02 RCW or refusing to issue a license due to an incomplete application, nonpayment of the appropriate fees as indicated by the license application or

renewal application, or the nonpayment of any applicable penalty for late renewal.

NEW SECTION. **Sec. 5.** Cities whose general business licenses are issued through the business licensing system retain the authority to set license fees, provide exemptions and thresholds for these licenses, approve or deny license applicants, and take appropriate administrative actions against licensees.

NEW SECTION. **Sec. 6.** Cities may not require a person to obtain or renew a general business license unless the person engages in business within its respective city. For the purposes of this section, a person may not be considered to be engaging in business within a city unless the person is subject to the taxing jurisdiction of a city under the standards established for interstate commerce under the commerce clause of the United States Constitution.

NEW SECTION. **Sec. 7.** A general business license change enacted by a city whose general business license is issued through the business licensing system takes effect no sooner than seventy-five days after the department receives notice of the change if the change affects in any way who must obtain a license, who is exempt from obtaining a license, or the amount or method of determining any fee for the issuance or renewal of a license.

NEW SECTION. **Sec. 8.** (1) (a) The cities, working through the association of Washington cities, must form a model ordinance development committee made up of a representative sampling of cities that impose a general business license requirement. This committee must work through the association of Washington cities to adopt a model ordinance on general business license requirements by July 1, 2018. The model ordinance and subsequent amendments developed by the committee must be adopted using a process that includes opportunity for substantial input from business stakeholders and other members of the public. Input must be solicited from statewide business associations and from local chambers of commerce and downtown business associations in cities that require a person that conducts business in the city to obtain a general business license.

(b) The department, association of Washington cities, and municipal research and services center must post copies of, or links to, the model ordinance on their internet web sites. Additionally, a city

that imposes a general business license requirement must make copies of its general business license ordinance or ordinances available for inspection and copying as provided in chapter 42.56 RCW.

(c) The definitions in the model ordinance may not be amended more frequently than once every four years, except that the model ordinance may be amended at any time to comply with changes in state law or court decisions. Any amendment to a mandatory provision of the model ordinance must be adopted with the same effective date by all cities.

(2) A city that imposes a general business license requirement must adopt the mandatory provisions of the model ordinance by January 1, 2019. The following provisions are mandatory:

(a) A definition of "engaging in business within the city" for purposes of delineating the circumstances under which a general business license is required;

(b) A uniform minimum licensing threshold under which a person would be relieved of the requirement to obtain a city's general business license. A city retains the authority to create a higher threshold for the requirement to obtain a general business license but must not deviate lower than the level required by the model ordinance.

(3) (a) A city may require a person that is under the uniform minimum licensing threshold as provided in subsection (2) of this section to obtain a city registration with no fee due to the city.

(b) A city that requires a city registration as provided in (a) of this subsection must partner with the department to have such registration issued through the business licensing service in accordance with chapter 19.02 RCW. This subsection (3) (b) does not apply to a city that is excluded from the requirement to partner with the department for the issuance and renewal of general business licenses as provided in section 2 of this act.

NEW SECTION. **Sec. 9.** Cities that impose a general business license must adopt the mandatory provisions of the model ordinance as provided in section 8 of this act by January 1, 2019. A city that has not complied with the requirements of this section by January 1, 2019, may not enforce its general business licensing requirements on any person until the date that the mandatory provisions of

the model ordinance take effect within the city.

NEW SECTION. **Sec. 10.** Cities must coordinate with the association of Washington cities to submit a report to the governor; legislative fiscal committees; house local government committee; and the senate agriculture, water, trade and economic development committee by January 1, 2019. The report must:

(1) Provide information about the model ordinance adopted by the cities as required in section 8 of this act;

(2) Identify cities that have and have not adopted the mandatory provisions of the model ordinance; and

(3) Incorporate comments from statewide business organizations concerning the process and substance of the model ordinance. Statewide business organizations must be allowed thirty days to submit comments for inclusion in the report.

NEW SECTION. **Sec. 11.** (1) The legislature directs cities, towns, and identified business organizations to partner in recommending changes to simplify the two factor apportionment formula provided in RCW 35.102.130.

(2)(a) The local business and occupation tax apportionment task force is established. The task force must consist of the following seven representatives:

(i) Three voting representatives selected by the association of Washington cities that are tax managers representing municipalities that impose a local business and occupation tax, including at least one jurisdiction that has performed an audit where apportionment errors were discovered.

(ii) Three voting representatives selected by the association of Washington business, including at least one tax practitioner or legal counsel with experience representing business clients during municipal audits that involved apportionment errors or disputes.

(iii) One nonvoting representative from the department.

(b) The task force may seek input or collaborate with other parties, as it deems necessary. The department must serve as the task force chair and must staff the task force.

(c) Beginning in the first month following the effective date of this section, the task force must meet no less frequently than once per month until it reports to the legislature as provided under subsection (3) of this section.

(3) By October 31, 2018, the task force established in subsection (2) of this section must prepare a report to the legislature to recommend changes to RCW 35.102.130 and related sections, as needed, to develop a method for assigning gross receipts to a local jurisdiction using a market-based model. The task force must focus on methods that rely on information typically available in commercial transaction receipts and captured by common business recordkeeping systems.

(4) The task force terminates January 1, 2019, unless legislation is enacted to extend such termination date.

NEW SECTION. **Sec. 12.** Sections 1 through 10 of this act constitute a new chapter in Title 35 RCW."

On page 1, line 3 of the title, after "licenses;" strike the remainder of the title and insert "adding a new chapter to Title 35 RCW; and creating a new section."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2005 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Lytton and Condotta spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2005, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2005, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson,

Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Caldier.

ENGROSSED HOUSE BILL NO. 2005, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2126 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is a need to provide resources to help livestock producers adapt their operations in light of the recovery of wolves on the landscape and a desire by many to increase use of nonlethal deterrence measures to reduce the probability of livestock depredations by wolves. The application of resources in support of these goals must respect livestock producers' values of independence, privacy, and local decision making. The legislature further recognizes that the recent recolonization of wolves places a relatively large time and monetary burden on livestock producers, and that livestock producers have unique and valuable knowledge, occupy an important place in their local communities and the state's social fabric, and are critical partners in creating sound natural resource policies.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of agriculture.

(2) "Director" means the director of the department of agriculture.

(3) "Northeast Washington" means Okanogan, Ferry, Stevens, and Pend Oreille counties.

NEW SECTION. Sec. 3. (1) The northeast Washington wolf-livestock management grant is created within the department. Funds from the grant program must be used only for the deployment of nonlethal deterrence resources in any Washington county east of the crest of the Cascade mountain range that shares a border with Canada, including human presence, and locally owned and deliberately located equipment and tools.

(2) (a) A four-member advisory board is established to advise the department on the expenditure of the northeast Washington wolf-livestock management grant funds. Advisory board members must be knowledgeable about wolf depredation issues, and have a special interest in the use of nonlethal wolf management techniques. Board members are unpaid, are not state employees, and are not eligible for reimbursement for subsistence, lodging, or travel expenses incurred in the performance of their duties as board members. The director must appoint each member to the board for a term of two years. Board members may be reappointed for subsequent two-year terms. The following board members must be appointed by the director in consultation with each applicable conservation district and the legislators in the legislative district encompassing each county:

(i) One Ferry county conservation district board member;

(ii) One Stevens county conservation district board member;

(iii) One Pend Oreille conservation district board member; and

(iv) One Okanogan conservation district board member.

(b) If no board member qualifies under this section, the director must appoint a resident of the applicable county to serve on the board.

(c) Board members may not:

(i) Directly benefit, in whole or in part, from any contract entered into or grant awarded under this section; or

(ii) Directly accept any compensation, gratuity, or reward in connection with such a contract from any other person with a beneficial interest in the contract.

(3) The board must help direct funding for the deployment of nonlethal deterrence resources, including human presence, and locally owned and deliberately located equipment and tools. Funds may only be distributed to nonprofit community-based collaborative organizations that have advisory boards that include personnel from relevant agencies including, but not limited to, the United States forest service and the Washington department of fish and wildlife, or to individuals that are willing to receive technical assistance from the same agencies.

NEW SECTION. Sec. 4. (1) The northeast Washington wolf-livestock management account is created as a nonappropriated account in the custody of the state treasurer. All receipts, any legislative appropriations, private donations, or any other private or public source directed to the northeast Washington wolf-livestock management grant must be deposited into the account. Expenditures from the account may be used only for the deployment of nonlethal wolf deterrence resources as described in section 3 of this act. Only the director may authorize expenditures from the account in consultation with the advisory board created in section 3 of this act. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. Interest earned by deposits in the account must be retained in the account.

(2) The advisory board created in section 3 of this act may solicit and receive gifts and grants from public and private sources for the purposes of section 3 of this act.

Sec. 5. RCW 43.79A.040 and 2016 c 203 s 2, 2016 c 173 s 10, 2016 c 69 s 21, and 2016 c 39 s 7 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased

banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account,

the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 6. Sections 1 through 4 of this act constitute a new chapter in Title 16 RCW."

On page 1, line 3 of the title, after "wolves;" strike the remainder of the title and insert "reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 16 RCW."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2126 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Blake and Maycumber spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2126, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2126, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Caldier.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2126, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

MESSAGE FROM THE SENATE

April 10, 2017

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1043, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 48.02 RCW to read as follows:

(1) All nonpublic personal health information obtained by, disclosed to, or in the custody of the commissioner, regardless of the form or medium, is confidential and is not subject to public disclosure under chapter 42.56 RCW. The commissioner shall not disclose nonpublic personal health information except in the furtherance of regulatory or legal action brought as a part of the commissioner's official duties.

(2) The following definitions apply only for the purposes of this section:

(a) "Health information" means any information or data, except age or gender, whether oral or recorded in any form or medium, created by or derived from a health care provider or a patient, or a policyholder or enrollee, that relates to:

(i) The past, present, or future physical, mental, or behavioral health or condition of an individual;

(ii) The provision of health care to an individual; or

(iii) Payment for the provision of health care to an individual.

(b) "Health care" means preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care, services, procedures, tests, or counseling that:

(i) Relates to the physical, mental, or behavioral condition of an individual;

(ii) Affects the structure or function of the human body or any part of the human body, including the banking of blood, sperm, organs, or any other tissue; or

(iii) Prescribes, dispenses, or furnishes to an individual drugs or biologicals, or medical devices or health care equipment and supplies.

(c) "Nonpublic personal health information" means health information:

(i) That identifies an individual who is the subject of the information; or

(ii) With respect to which there is a reasonable basis to believe that the information could be used to identify an individual.

(d) "Patient" means an individual who is receiving, has received, or has sought health care. The term includes a deceased individual who has received health care.

(e) "Policyholder" or "enrollee" means a person who is covered by, enrolled in, has applied for, or purchased, an insurance policy, a health plan as defined in RCW 48.43.005, a group plan, or any other product regulated by the insurance commissioner. "Policyholder" or "enrollee" may include, without limitation, a subscriber, member, annuitant, beneficiary, spouse, or dependent.

(3) The commissioner may:

(a) Share documents, materials, or other information, including the confidential documents, materials, or information subject to subsection (1) of this section, with (i) the national association of insurance commissioners and its affiliates and subsidiaries, and (ii) regulatory and law enforcement officials of this and other states and nations, the federal government, and international authorities, if the recipient agrees to maintain the confidentiality and privileged status of the document, material, or other information;

(b) Receive documents, materials, or information, including otherwise either confidential or privileged documents, materials, or information, from (i) the national association of insurance commissioners and its affiliates and subsidiaries, and (ii) regulatory and law enforcement officials of this and other states and nations, the federal government, and international authorities and must maintain as confidential or privileged any document, material, or information received that is either confidential or privileged, or both, under the laws of the jurisdiction that is the source of the document, material, or information; and

(c) Enter into agreements governing the sharing and use of information consistent with this subsection.

(4) No waiver of an existing claim of confidentiality or privilege in the documents, materials, or information may occur as a result of disclosure to the commissioner under this section or as a result of sharing as authorized in subsection (3) of this section.

(5) Prior to the release of any nonpublic personal health information, the

commissioner must obtain patient consent, for each instance. The consent form must indicate what information is being shared and for what purpose.

Sec. 2. RCW 42.56.400 and 2016 c 142 s 20, 2016 c 142 s 19, and 2016 c 122 s 4 are each reenacted and amended to read as follows:

The following information relating to insurance and financial institutions is exempt from disclosure under this chapter:

(1) Records maintained by the board of industrial insurance appeals that are related to appeals of crime victims' compensation claims filed with the board under RCW 7.68.110;

(2) Information obtained and exempted or withheld from public inspection by the health care authority under RCW 41.05.026, whether retained by the authority, transferred to another state purchased health care program by the authority, or transferred by the authority to a technical review committee created to facilitate the development, acquisition, or implementation of state purchased health care under chapter 41.05 RCW;

(3) The names and individual identification data of either all owners or all insureds, or both, received by the insurance commissioner under chapter 48.102 RCW;

(4) Information provided under RCW 48.30A.045 through 48.30A.060;

(5) Information provided under RCW 48.05.510 through 48.05.535, 48.43.200 through 48.43.225, 48.44.530 through 48.44.555, and 48.46.600 through 48.46.625;

(6) Examination reports and information obtained by the department of financial institutions from banks under RCW 30A.04.075, from savings banks under RCW 32.04.220, from savings and loan associations under RCW 33.04.110, from credit unions under RCW 31.12.565, from check cashers and sellers under RCW 31.45.030(3), and from securities brokers and investment advisers under RCW 21.20.100, all of which is confidential and privileged information;

(7) Information provided to the insurance commissioner under RCW 48.110.040(3);

(8) Documents, materials, or information obtained by the insurance

commissioner under RCW 48.02.065, all of which are confidential and privileged;

(9) Documents, materials, or information obtained by the insurance commissioner under RCW 48.31B.015(2) (l) and (m), 48.31B.025, 48.31B.030, and 48.31B.035, all of which are confidential and privileged;

(10) Data filed under RCW 48.140.020, 48.140.030, 48.140.050, and 7.70.140 that, alone or in combination with any other data, may reveal the identity of a claimant, health care provider, health care facility, insuring entity, or self-insurer involved in a particular claim or a collection of claims. For the purposes of this subsection:

(a) "Claimant" has the same meaning as in RCW 48.140.010(2).

(b) "Health care facility" has the same meaning as in RCW 48.140.010(6).

(c) "Health care provider" has the same meaning as in RCW 48.140.010(7).

(d) "Insuring entity" has the same meaning as in RCW 48.140.010(8).

(e) "Self-insurer" has the same meaning as in RCW 48.140.010(11);

(11) Documents, materials, or information obtained by the insurance commissioner under RCW 48.135.060;

(12) Documents, materials, or information obtained by the insurance commissioner under RCW 48.37.060;

(13) Confidential and privileged documents obtained or produced by the insurance commissioner and identified in RCW 48.37.080;

(14) Documents, materials, or information obtained by the insurance commissioner under RCW 48.37.140;

(15) Documents, materials, or information obtained by the insurance commissioner under RCW 48.17.595;

(16) Documents, materials, or information obtained by the insurance commissioner under RCW 48.102.051(1) and 48.102.140 (3) and (7) (a) (ii);

(17) Documents, materials, or information obtained by the insurance commissioner in the commissioner's capacity as receiver under RCW 48.31.025 and 48.99.017, which are records under the jurisdiction and control of the receivership court. The commissioner is not required to search for, log, produce,

or otherwise comply with the public records act for any records that the commissioner obtains under chapters 48.31 and 48.99 RCW in the commissioner's capacity as a receiver, except as directed by the receivership court;

(18) Documents, materials, or information obtained by the insurance commissioner under RCW 48.13.151;

(19) Data, information, and documents provided by a carrier pursuant to section 1, chapter 172, Laws of 2010;

(20) Information in a filing of usage-based insurance about the usage-based component of the rate pursuant to RCW 48.19.040(5)(b);

(21) Data, information, and documents, other than those described in RCW 48.02.210(2), that are submitted to the office of the insurance commissioner by an entity providing health care coverage pursuant to RCW 28A.400.275 and 48.02.210;

(22) Data, information, and documents obtained by the insurance commissioner under RCW 48.29.017;

(23) Information not subject to public inspection or public disclosure under RCW 48.43.730(5);

(24) Documents, materials, or information obtained by the insurance commissioner under chapter 48.05A RCW; (~~and~~)

(25) Documents, materials, or information obtained by the insurance commissioner under RCW 48.74.025, 48.74.028, 48.74.100(6), 48.74.110(2)(b) and (c), and 48.74.120 to the extent such documents, materials, or information independently qualify for exemption from disclosure as documents, materials, or information in possession of the commissioner pursuant to a financial conduct examination and exempt from disclosure under RCW 48.02.065; and

(26) Nonpublic personal health information obtained by, disclosed to, or in the custody of the insurance commissioner, as provided in section 1 of this act."

On page 1, line 1 of the title, after "information;" strike the remainder of the title and insert "reenacting and amending RCW 42.56.400; and adding a new section to chapter 48.02 RCW."

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1043 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 11, 2017

MR. SPEAKER:

The Senate has passed ENGROSSED HOUSE BILL NO. 1620, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 35.21.920 and 2010 c 47 s 2 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by city or town officials, cities or towns may(~~τ~~):

(a) By ordinance, require a state and federal background investigation of license applicants or licensees in occupations specified by ordinance (~~for the purpose of receiving criminal history record information by city or town officials~~);

(b) By ordinance, require a federal background investigation of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults;

(c) Require a state criminal background investigation of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Require a criminal background investigation conducted through a private organization of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this

section shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. ((These))

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the city or town.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the city or town shall transmit appropriate fees for a state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the city or town.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 2. RCW 35A.21.370 and 2010 c 47 s 3 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by code city officials, code cities may((~~by ordinance~~)):

(a) Require a state and federal background investigation of license applicants or licensees in occupations specified by ordinance ((for the purpose of receiving criminal history record information by code city officials));

(b) Require a federal background investigation of code city employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults;

(c) Require a state criminal background investigation of code city employees, applicants for employment, volunteers,

vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Require a criminal background investigation conducted through a private organization of code city employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this section shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. ((These))

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the code city.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the code city shall transmit appropriate fees for a state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the code city.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 3. RCW 36.01.300 and 2010 c 47 s 1 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by county officials, counties may((~~by ordinance~~)):

(a) Require a state and federal background investigation of license applicants or licensees in occupations specified by ordinance ((for the purpose of receiving criminal history record information by county officials));

(b) Require a federal background investigation of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults;

(c) Require a state background investigation of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Require a criminal background investigation conducted through a private organization of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this section shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. ((These))

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the county.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the county shall

transmit appropriate fees for a state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the county.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 4. RCW 35.61.130 and 2006 c 222 s 1 are each amended to read as follows:

(1) A metropolitan park district has the right of eminent domain, and may purchase, acquire and condemn lands lying within or without the boundaries of said park district, for public parks, parkways, boulevards, aviation landings and playgrounds, and may condemn such lands to widen, alter and extend streets, avenues, boulevards, parkways, aviation landings and playgrounds, to enlarge and extend existing parks, and to acquire lands for the establishment of new parks, boulevards, parkways, aviation landings and playgrounds. The right of eminent domain shall be exercised and instituted pursuant to resolution of the board of park commissioners and conducted in the same manner and under the same procedure as is or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the state of Washington in the acquisition of property rights: PROVIDED, HOWEVER, Funds to pay for condemnation allowed by this section shall be raised only as specified in this chapter.

(2) The board of park commissioners shall have power to employ counsel, and to regulate, manage and control the parks, parkways, boulevards, streets, avenues, aviation landings and playgrounds under its control, and to provide for park police, for a secretary of the board of park commissioners and for all necessary employees, to fix their salaries and duties.

(3) The board of park commissioners shall have power to improve, acquire, extend and maintain, open and lay out, parks, parkways, boulevards, avenues, aviation landings and playgrounds, within or without the park district, and to authorize, conduct and manage the letting of boats, or other amusement apparatus, the operation of bath houses, the purchase and sale of foodstuffs or other merchandise, the giving of vocal or instrumental concerts or other

entertainments, the establishment and maintenance of aviation landings and playgrounds, and generally the management and conduct of such forms of recreation or business as it shall judge desirable or beneficial for the public, or for the production of revenue for expenditure for park purposes; and may pay out moneys for the maintenance and improvement of any such parks, parkways, boulevards, avenues, aviation landings and playgrounds as now exist, or may hereafter be acquired, within or without the limits of said city and for the purchase of lands within or without the limits of said city, whenever it deems the purchase to be for the benefit of the public and for the interest of the park district, and for the maintenance and improvement thereof and for all expenses incidental to its duties: PROVIDED, That all parks, boulevards, parkways, aviation landings and playgrounds shall be subject to the police regulations of the city within whose limits they lie.

(4) ~~((For all employees, volunteers, or independent contractors, who may, in the course of their work or volunteer activity with the park district, have unsupervised access to children or vulnerable adults, or be responsible for collecting or disbursing cash or processing credit/debit card transactions,))~~

(a) For the purpose of receiving criminal history record information by metropolitan park districts, metropolitan park districts:

(i) Shall establish by resolution the requirements for a state and federal record check of park district employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the park district, may:

(A) Have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; or

(B) Be responsible for collecting or disbursing cash or processing credit/debit card transactions; and

(ii) May require a criminal background check conducted through a private organization of park district employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the park district, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults. A background check conducted through a private organization

under this subsection is not required in addition to the requirement under (a)(i) of this subsection.

(b) The investigation under (a)(i) of this subsection shall consist of a background check as allowed through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834, the Washington state criminal records act under RCW 10.97.030~~((~~r~~))~~ and 10.97.050, and ~~((through))~~ the federal bureau of investigation~~((, including a fingerprint check using a complete Washington state criminal identification fingerprint card)).~~

(c) The background checks conducted under (a)(i) of this subsection must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the metropolitan park district.

(d) The park district shall provide a copy of the record report to the employee, prospective employee, volunteer, vendor, or independent contractor.

(e) When necessary, as determined by the park district, prospective employees, volunteers, vendors, or independent contractors may be employed on a conditional basis pending completion of the investigation.

(f) If the employee, prospective employee, volunteer, vendor, or independent contractor has had a record check within the previous twelve months, the park district may waive the requirement upon receiving a copy of the record. ~~((The park district may in its discretion require that the prospective employee, volunteer, or independent contractor pay the costs associated with the record check.))~~

(g) For background checks conducted pursuant to (c) of this subsection, the metropolitan park district must transmit appropriate fees, as the Washington state patrol may require under RCW 10.97.100 and 43.43.838, to the Washington state patrol, unless alternately arranged.

(h) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law."

On page 1, line 2 of the title, after "checks;" strike the remainder of the title and insert "and amending RCW 35.21.920, 35A.21.370, 36.01.300, and 35.61.130."

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED HOUSE BILL NO. 1620 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 12, 2017

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1477, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 70.02 RCW to read as follows:

(1) (a) A health care provider or health care facility may use or disclose the health care information of a patient without obtaining an authorization from the patient or the patient's personal representative if the conditions in (b) of this subsection are met and:

(i) The disclosure is to a family member, including a patient's state registered domestic partner, other relative, a close personal friend, or other person identified by the patient, and the health care information is directly relevant to the person's involvement with the patient's health care or payment related to the patient's health care; or

(ii) The use or disclosure is for the purpose of notifying, or assisting in the notification of, including identifying or locating, a family member, a personal representative of the patient, or another person responsible for the care of the patient of the patient's location, general condition, or death.

(b) A health care provider or health care facility may make the uses and disclosures described in (a) of this subsection if:

(i) The patient is not present or obtaining the patient's authorization or providing the opportunity to agree or object to the use or disclosure is not practicable due to the patient's incapacity or an emergency circumstance, the health care provider or health care facility may in the exercise of professional judgment, determine whether the use or disclosure is in the best interests of the patient; or

(ii) The patient is present for, or otherwise available prior to, the use or disclosure and has the capacity to make health care decisions, the health care provider or health care facility may use or disclose the information if it:

(A) Obtains the patient's agreement;

(B) Provides the patient with the opportunity to object to the use or disclosure, and the patient does not express an objection; or

(C) Reasonably infers from the circumstances, based on the exercise of professional judgment, that the patient does not object to the use or disclosure.

(2) With respect to information and records related to mental health services provided to a patient by a health care provider, the health care information disclosed under this section may include, to the extent consistent with the health care provider's professional judgment and standards of ethical conduct:

(a) The patient's diagnoses and the treatment recommendations;

(b) Issues concerning the safety of the patient, including risk factors for suicide, steps that can be taken to make the patient's home safer, and a safety plan to monitor and support the patient;

(c) Information about resources that are available in the community to help the patient, such as case management and support groups; and

(d) The process to ensure that the patient safely transitions to a higher or lower level of care, including an interim safety plan.

(3) Any use or disclosure of health care information under this section must be limited to the minimum necessary to

accomplish the purpose of the use or disclosure.

(4) A health care provider or health care facility is not subject to any civil liability for making or not making a use or disclosure in accordance with this section.

Sec. 2. RCW 70.02.050 and 2014 c 220 s 6 are each amended to read as follows:

(1) A health care provider or health care facility may disclose health care information, except for information and records related to sexually transmitted diseases which are addressed in RCW 70.02.220, about a patient without the patient's authorization to the extent a recipient needs to know the information, if the disclosure is:

(a) To a person who the provider or facility reasonably believes is providing health care to the patient;

(b) To any other person who requires health care information for health care education, or to provide planning, quality assurance, peer review, or administrative, legal, financial, actuarial services to, or other health care operations for or on behalf of the health care provider or health care facility; or for assisting the health care provider or health care facility in the delivery of health care and the health care provider or health care facility reasonably believes that the person:

(i) Will not use or disclose the health care information for any other purpose; and

(ii) Will take appropriate steps to protect the health care information;

(c) To any person if the health care provider or health care facility ~~((reasonably))~~ believes, in good faith, that use or disclosure ~~((will avoid or minimize an imminent danger))~~ is necessary to prevent or lessen a serious and imminent threat to the health or safety of ~~((the patient or any other individual, however))~~ a person or the public, and the information is disclosed only to a person or persons reasonably able to prevent or lessen the threat, including the target of the threat. There is no obligation under this chapter on the part of the provider or facility to so disclose ~~((The fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services~~

~~to either voluntary or involuntary recipients of services at public or private agencies is not subject to disclosure unless disclosure is permitted in RCW 70.02.230)); or~~

(d) For payment, including information necessary for a recipient to make a claim, or for a claim to be made on behalf of a recipient for aid, insurance, or medical assistance to which he or she may be entitled.

(2) A health care provider shall disclose health care information, except for information and records related to sexually transmitted diseases, unless otherwise authorized in RCW 70.02.220, about a patient without the patient's authorization if the disclosure is:

(a) To federal, state, or local public health authorities, to the extent the health care provider is required by law to report health care information; when needed to determine compliance with state or federal licensure, certification or registration rules or laws, or to investigate unprofessional conduct or ability to practice with reasonable skill and safety under chapter 18.130 RCW. Any health care information obtained under this subsection is exempt from public inspection and copying pursuant to chapter 42.56 RCW; or

(b) When needed to protect the public health.

Sec. 3. RCW 70.02.200 and 2015 c 267 s 7 are each amended to read as follows:

(1) In addition to the disclosures authorized by RCW 70.02.050 and 70.02.210, a health care provider or health care facility may disclose health care information, except for information and records related to sexually transmitted diseases and information related to mental health services which are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization, to:

(a) Any other health care provider or health care facility reasonably believed to have previously provided health care to the patient, to the extent necessary to provide health care to the patient, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;

(b) ~~((Immediate family members of the patient, including a patient's state registered domestic partner, or any other~~

~~individual with whom the patient is known to have a close personal relationship, if made in accordance with good medical or other professional practice, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;))~~
Persons under section 1 of this act if the conditions in section 1 of this act are met;

(c) A health care provider or health care facility who is the successor in interest to the health care provider or health care facility maintaining the health care information;

(d) A person who obtains information for purposes of an audit, if that person agrees in writing to:

(i) Remove or destroy, at the earliest opportunity consistent with the purpose of the audit, information that would enable the patient to be identified; and

(ii) Not to disclose the information further, except to accomplish the audit or report unlawful or improper conduct involving fraud in payment for health care by a health care provider or patient, or other unlawful conduct by the health care provider;

(e) Provide directory information, unless the patient has instructed the health care provider or health care facility not to make the disclosure;

(f) Fire, police, sheriff, or other public authority, that brought, or caused to be brought, the patient to the health care facility or health care provider if the disclosure is limited to the patient's name, residence, sex, age, occupation, condition, diagnosis, estimated or actual discharge date, or extent and location of injuries as determined by a physician, and whether the patient was conscious when admitted;

(g) Federal, state, or local law enforcement authorities and the health care provider, health care facility, or third-party payor believes in good faith that the health care information disclosed constitutes evidence of criminal conduct that occurred on the premises of the health care provider, health care facility, or third-party payor;

(h) Another health care provider, health care facility, or third-party payor for the health care operations of the health care provider, health care facility, or third-party payor that

receives the information, if each entity has or had a relationship with the patient who is the subject of the health care information being requested, the health care information pertains to such relationship, and the disclosure is for the purposes described in RCW 70.02.010(17) (a) and (b);

(i) An official of a penal or other custodial institution in which the patient is detained; and

(j) Any law enforcement officer, corrections officer, or guard supplied by a law enforcement or corrections agency who is accompanying a patient pursuant to RCW 10.110.020, only to the extent the disclosure is incidental to the fulfillment of the role of the law enforcement officer, corrections officer, or guard under RCW 10.110.020.

(2) In addition to the disclosures required by RCW 70.02.050 and 70.02.210, a health care provider shall disclose health care information, except for information related to sexually transmitted diseases and information related to mental health services which are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization if the disclosure is:

(a) To federal, state, or local law enforcement authorities to the extent the health care provider is required by law;

(b) To federal, state, or local law enforcement authorities, upon receipt of a written or oral request made to a nursing supervisor, administrator, or designated privacy official, in a case in which the patient is being treated or has been treated for a bullet wound, gunshot wound, powder burn, or other injury arising from or caused by the discharge of a firearm, or an injury caused by a knife, an ice pick, or any other sharp or pointed instrument which federal, state, or local law enforcement authorities reasonably believe to have been intentionally inflicted upon a person, or a blunt force injury that federal, state, or local law enforcement authorities reasonably believe resulted from a criminal act, the following information, if known:

(i) The name of the patient;

(ii) The patient's residence;

(iii) The patient's sex;

(iv) The patient's age;

(v) The patient's condition;

(vi) The patient's diagnosis, or extent and location of injuries as determined by a health care provider;

(vii) Whether the patient was conscious when admitted;

(viii) The name of the health care provider making the determination in (b) (v), (vi), and (vii) of this subsection;

(ix) Whether the patient has been transferred to another facility; and

(x) The patient's discharge time and date;

(c) Pursuant to compulsory process in accordance with RCW 70.02.060.

Sec. 4. RCW 70.02.220 and 2013 c 200 s 6 are each amended to read as follows:

(1) No person may disclose or be compelled to disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease, except as authorized by this section, RCW 70.02.210, or chapter 70.24 RCW.

(2) No person may disclose or be compelled to disclose information and records related to sexually transmitted diseases, except as authorized by this section, RCW 70.02.210, section 1 of this act, or chapter 70.24 RCW. A person may disclose information related to sexually transmitted diseases about a patient without the patient's authorization, to the extent a recipient needs to know the information, if the disclosure is to:

(a) The subject of the test or the subject's legal representative for health care decisions in accordance with RCW 7.70.065, with the exception of such a representative of a minor fourteen years of age or over and otherwise competent;

(b) The state public health officer as defined in RCW 70.24.017, a local public health officer, or the centers for disease control of the United States public health service in accordance with reporting requirements for a diagnosed case of a sexually transmitted disease;

(c) A health facility or health care provider that procures, processes, distributes, or uses: (i) A human body part, tissue, or blood from a deceased person with respect to medical information regarding that person; (ii) semen, including that was provided prior to March

23, 1988, for the purpose of artificial insemination; or (iii) blood specimens;

(d) Any state or local public health officer conducting an investigation pursuant to RCW 70.24.024, so long as the record was obtained by means of court-ordered HIV testing pursuant to RCW 70.24.340 or 70.24.024;

(e) A person allowed access to the record by a court order granted after application showing good cause therefor. In assessing good cause, the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of the order, the court, in determining the extent to which any disclosure of all or any part of the record of any such test is necessary, shall impose appropriate safeguards against unauthorized disclosure. An order authorizing disclosure must: (i) Limit disclosure to those parts of the patient's record deemed essential to fulfill the objective for which the order was granted; (ii) limit disclosure to those persons whose need for information is the basis for the order; and (iii) include any other appropriate measures to keep disclosure to a minimum for the protection of the patient, the physician-patient relationship, and the treatment services;

(f) Persons who, because of their behavioral interaction with the infected individual, have been placed at risk for acquisition of a sexually transmitted disease, as provided in RCW 70.24.022, if the health officer or authorized representative believes that the exposed person was unaware that a risk of disease exposure existed and that the disclosure of the identity of the infected person is necessary;

(g) A law enforcement officer, firefighter, health care provider, health care facility staff person, department of correction's staff person, jail staff person, or other persons as defined by the board of health in rule pursuant to RCW 70.24.340(4), who has requested a test of a person whose bodily fluids he or she has been substantially exposed to, pursuant to RCW 70.24.340(4), if a state or local public health officer performs the test;

(h) Claims management personnel employed by or associated with an insurer, health care service contractor, health maintenance organization, self-funded health plan, state administered health

care claims payer, or any other payer of health care claims where such disclosure is to be used solely for the prompt and accurate evaluation and payment of medical or related claims. Information released under this subsection must be confidential and may not be released or available to persons who are not involved in handling or determining medical claims payment; and

(i) A department of social and health services worker, a child placing agency worker, or a guardian ad litem who is responsible for making or reviewing placement or case-planning decisions or recommendations to the court regarding a child, who is less than fourteen years of age, has a sexually transmitted disease, and is in the custody of the department of social and health services or a licensed child placing agency. This information may also be received by a person responsible for providing residential care for such a child when the department of social and health services or a licensed child placing agency determines that it is necessary for the provision of child care services.

(3) No person to whom the results of a test for a sexually transmitted disease have been disclosed pursuant to subsection (2) of this section may disclose the test results to another person except as authorized by that subsection.

(4) The release of sexually transmitted disease information regarding an offender or detained person, except as provided in subsection (2)(d) of this section, is governed as follows:

(a) The sexually transmitted disease status of a department of corrections offender who has had a mandatory test conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370 must be made available by department of corrections health care providers and local public health officers to the department of corrections health care administrator or infection control coordinator of the facility in which the offender is housed. The information made available to the health care administrator or the infection control coordinator under this subsection (4)(a) may be used only for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. The information may be submitted to transporting officers and receiving facilities, including facilities that are not under the department of corrections' jurisdiction

according to the provisions of (d) and (e) of this subsection.

(b) The sexually transmitted disease status of a person detained in a jail who has had a mandatory test conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370 must be made available by the local public health officer to a jail health care administrator or infection control coordinator. The information made available to a health care administrator under this subsection (4)(b) may be used only for disease prevention or control and for protection of the safety and security of the staff, offenders, detainees, and the public. The information may be submitted to transporting officers and receiving facilities according to the provisions of (d) and (e) of this subsection.

(c) Information regarding the sexually transmitted disease status of an offender or detained person is confidential and may be disclosed by a correctional health care administrator or infection control coordinator or local jail health care administrator or infection control coordinator only as necessary for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. Unauthorized disclosure of this information to any person may result in disciplinary action, in addition to the penalties prescribed in RCW 70.24.080 or any other penalties as may be prescribed by law.

(d) Notwithstanding the limitations on disclosure contained in (a), (b), and (c) of this subsection, whenever any member of a jail staff or department of corrections staff has been substantially exposed to the bodily fluids of an offender or detained person, then the results of any tests conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370, must be immediately disclosed to the staff person in accordance with the Washington Administrative Code rules governing employees' occupational exposure to blood-borne pathogens. Disclosure must be accompanied by appropriate counseling for the staff member, including information regarding follow-up testing and treatment. Disclosure must also include notice that subsequent disclosure of the information in violation of this chapter or use of the information to harass or discriminate against the offender or detainee may result in disciplinary action, in addition to the penalties prescribed in RCW

70.24.080, and imposition of other penalties prescribed by law.

(e) The staff member must also be informed whether the offender or detained person had any other communicable disease, as defined in RCW 72.09.251(3), when the staff person was substantially exposed to the offender's or detainee's bodily fluids.

(f) The test results of voluntary and anonymous HIV testing or HIV-related condition, as defined in RCW 70.24.017, may not be disclosed to a staff person except as provided in this section and RCW 70.02.050(1)((~~e~~)) (d) and 70.24.340(4). A health care administrator or infection control coordinator may provide the staff member with information about how to obtain the offender's or detainee's test results under this section and RCW 70.02.050(1)((~~e~~)) (d) and 70.24.340(4).

(5) The requirements of this section do not apply to the customary methods utilized for the exchange of medical information among health care providers in order to provide health care services to the patient, nor do they apply within health care facilities where there is a need for access to confidential medical information to fulfill professional duties.

(6) Upon request of the victim, disclosure of test results under this section to victims of sexual offenses under chapter 9A.44 RCW must be made if the result is negative or positive. The county prosecuting attorney shall notify the victim of the right to such disclosure. The disclosure must be accompanied by appropriate counseling, including information regarding follow-up testing.

(7) A person, including a health care facility or health care provider, shall disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease and information and records related to sexually transmitted diseases to federal, state, or local public health authorities, to the extent the health care provider is required by law to report health care information; when needed to determine compliance with state or federal certification or registration rules or laws; or when needed to protect the public health. Any health care information obtained under this subsection is exempt from public

inspection and copying pursuant to chapter 42.56 RCW.

Sec. 5. RCW 70.02.230 and 2014 c 225 s 71 and 2014 c 220 s 9 are each reenacted and amended to read as follows:

(1) Except as provided in this section, RCW 70.02.050, 71.05.445, (~~(70.96A.150)~~) 74.09.295, 70.02.210, 70.02.240, 70.02.250, and 70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

- (i) Employed by the facility;
- (ii) Who has medical responsibility for the patient's care;
- (iii) Who is a designated mental health professional;
- (iv) Who is providing services under chapter 71.24 RCW;
- (v) Who is employed by a state or local correctional facility where the person is confined or supervised; or
- (vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c)(i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d)(i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health professional shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the

health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a) ~~((i))~~ (iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a) ~~((i))~~ (iii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts

is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, to the director of behavioral health organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the mental health service agency where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department as necessary to coordinate treatment for mental illness, developmental disabilities, alcoholism, or drug abuse of persons who are under the supervision of the department;

(s) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(t) Consistent with the requirements of the federal health information portability and accountability act, to a licensed mental health professional or a health care professional licensed under chapter 18.71, 18.71A, 18.57, 18.57A, 18.79, or 18.36A RCW who is providing care to a person, or to whom a person has been referred for evaluation or treatment, to assure coordinated care and treatment of that person. Psychotherapy notes may not be released without authorization of the

person who is the subject of the request for release of information;

(u) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (t) of this subsection;

(v) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(w) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(x) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(y) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. The department may not release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

(z)(i) To the secretary of social and health services for either program evaluation or research, or both so long as the secretary adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary;

(aa) To any person if the conditions in section 1 of this act are met.

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives

treatment for chemical dependency, the department may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services under RCW 71.05.280(3) and 71.05.320(~~(4)~~) (4)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(~~(4)~~) (4)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

- (i) One thousand dollars; or
- (ii) Three times the amount of actual damages sustained, if any.
- (b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential

information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170.

Sec. 6. RCW 70.02.230 and 2016 sp.s. c 29 s 417 are each amended to read as follows:

(1) Except as provided in this section, RCW 70.02.050, 71.05.445, 74.09.295, 70.02.210, 70.02.240, 70.02.250, and 70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

- (i) Employed by the facility;
- (ii) Who has medical responsibility for the patient's care;
- (iii) Who is a designated crisis responder;
- (iv) Who is providing services under chapter 71.24 RCW;
- (v) Who is employed by a state or local correctional facility where the person is confined or supervised; or
- (vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the

necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c)(i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d)(i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional or designated crisis responder is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health

professional or designated crisis responder shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and

relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(iii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, to the director of behavioral health organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the mental health service agency where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department as necessary to coordinate treatment for mental illness, developmental disabilities, alcoholism, or drug abuse of persons who are under the supervision of the department;

(s) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(t) Consistent with the requirements of the federal health information portability

and accountability act, to a licensed mental health professional or a health care professional licensed under chapter 18.71, 18.71A, 18.57, 18.57A, 18.79, or 18.36A RCW who is providing care to a person, or to whom a person has been referred for evaluation or treatment, to assure coordinated care and treatment of that person. Psychotherapy notes may not be released without authorization of the person who is the subject of the request for release of information;

(u) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (t) of this subsection;

(v) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(w) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(x) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff

member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(y) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. The department may not release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

(z)(i) To the secretary of social and health services for either program evaluation or research, or both so long as the secretary adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance

of confidentiality, set forth by the secretary;

(aa) To any person if the conditions in section 1 of this act are met.

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives treatment for chemical dependency, the department may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services under RCW 71.05.280(3) and 71.05.320(4) (c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(4) (c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

(i) One thousand dollars; or

(ii) Three times the amount of actual damages sustained, if any.

(b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170.

NEW SECTION. Sec. 7. Section 6 of this act takes effect April 1, 2018.

NEW SECTION. Sec. 8. Section 5 of this act expires April 1, 2018."

On page 1, line 2 of the title, after "patient;" strike the remainder of the title and insert "amending RCW 70.02.050, 70.02.200, 70.02.220, and 70.02.230; reenacting and amending RCW 70.02.230; adding a new section to chapter 70.02 RCW; providing an effective date; and providing an expiration date."

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1477 and asked the Senate to recede therefrom.

THIRD READING

There being no objection, the House resumed consideration of the Senate amendment to HOUSE BILL NO. 1718.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *Representative Bergquist has requested a ruling on the scope and object of Senate amendments (199) and (202) to HOUSE BILL No. 1718.*

The title of House Bill 1718 is an act relating to creating a special permit for certain wine auctions.

Senate amendments (199) and (202) relate to banquet permits.

The speaker therefore finds and rules that the amendments are beyond the scope of the bill as defined by its title.

The point of order is well taken.

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the amendment by the Committee on Commerce Labor and Sports to HOUSE BILL NO. 1718 and refused to concur in Senate amendments (199) and (202) and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1279 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.320.125 and 2013 c 14 s 1 are each amended to read as follows:

(1) The legislature considers it to be a matter of public safety for public schools and staff to have current safe school plans and procedures in place, fully consistent with federal law. The legislature further finds and intends, by requiring safe school plans to be in place, that school districts will become eligible for federal assistance. The legislature further finds that schools are in a position to serve the community in the event of an emergency resulting from natural disasters or man-made disasters.

(2) Schools and school districts shall consider the guidance provided by the superintendent of public instruction, including the comprehensive school safety checklist and the model comprehensive safe school plans that include prevention, intervention, all hazard/crisis response, and postcrisis recovery, when developing their own individual comprehensive safe school plans. Each school district shall adopt, no later than September 1, 2008, and implement a safe school plan consistent with the school mapping information system pursuant to RCW 36.28A.060. The plan shall:

(a) Include required school safety policies and procedures;

(b) Address emergency mitigation, preparedness, response, and recovery;

(c) Include provisions for assisting and communicating with students and staff, including those with special needs or disabilities;

(d) Use the training guidance provided by the Washington emergency management division of the state military department in collaboration with the Washington state office of the superintendent of public instruction school safety center and the school safety center advisory committee;

(e) Require the building principal to be certified on the incident command system;

(f) Take into account the manner in which the school facilities may be used as a community asset in the event of a community-wide emergency; and

(g) Set guidelines for requesting city or county law enforcement agencies, local fire departments, emergency service providers, and county emergency management agencies to meet with school districts and participate in safety-related drills.

(3) To the extent funds are available, school districts shall annually:

(a) Review and update safe school plans in collaboration with local emergency response agencies;

(b) Conduct an inventory of all hazardous materials;

(c) Update information on the school mapping information system to reflect current staffing and updated plans, including:

(i) Identifying all staff members who are trained on the national incident management system, trained on the incident command system, or are certified on the incident command system; and

(ii) Identifying school transportation procedures for evacuation, to include bus staging areas, evacuation routes, communication systems, parent-student reunification sites, and secondary transportation agreements consistent with the school mapping information system; and

(d) Provide information to all staff on the use of emergency supplies and notification and alert procedures.

(4) To the extent funds are available, school districts shall annually record and report on the information and activities

required in subsection (3) of this section to the Washington association of sheriffs and police chiefs.

(5) School districts are encouraged to work with local emergency management agencies and other emergency responders to conduct one tabletop exercise, one functional exercise, and two full-scale exercises within a four-year period.

~~(6) ((Schools shall conduct no less than one safety-related drill each month that school is in session. Schools shall complete no less than one drill using the school mapping information system, three drills for lockdowns, one drill for shelter-in-place, three drills for fire evacuation in accordance with the state fire code, and one other safety-related drill to be determined by the school. Schools should consider drills for earthquakes, tsunamis, or other high-risk local events. Schools shall document the date and time of such drills.))~~ (a) Due to geographic location, schools have unique safety challenges. It is the responsibility of school principals and administrators to assess the threats and hazards most likely to impact their school, and to practice three basic functional drills, shelter-in-place, lockdown, and evacuation, as these drills relate to those threats and hazards. Some threats or hazards may require the use of more than one basic functional drill.

(b) Schools shall conduct at least one safety-related drill per month, including summer months when school is in session with students. These drills must teach students three basic functional drill responses:

(i) "Shelter-in-place," used to limit the exposure of students and staff to hazardous materials, such as chemical, biological, or radiological contaminants, released into the environment by isolating the inside environment from the outside;

(ii) "Lockdown," used to isolate students and staff from threats of violence, such as suspicious trespassers or armed intruders, that may occur in a school or in the vicinity of a school; and

(iii) "Evacuation," used to move students and staff away from threats, such as fires, oil train spills, or tsunamis.

(c) The drills described in (b) of this subsection must incorporate the following requirements:

(i) Use of the school mapping information system in at least one of the safety-related drills; and

(ii) A pedestrian evacuation drill for schools in mapped tsunami hazard zones.

(d) The drills described in (b) of this subsection may incorporate an earthquake drill using the state-approved earthquake safety technique "drop, cover, and hold."

(e) Schools shall document the date, time, and type (shelter-in-place, lockdown, or evacuate) of each drill required under this subsection (6), and maintain the documentation in the school office.

(f) This subsection (6) is intended to satisfy all federal requirements for comprehensive school emergency drills and evacuations.

(7) Educational service districts are encouraged to apply for federal emergency response and crisis management grants with the assistance of the superintendent of public instruction and the Washington emergency management division of the state military department.

(8) The superintendent of public instruction may adopt rules to implement provisions of this section. These rules may include, but are not limited to, provisions for evacuations, lockdowns, or other components of a comprehensive safe school plan."

On page 1, line 1 of the title, after "drills;" strike the remainder of the title and insert "and amending RCW 28A.320.125."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1279 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stonier and Harris spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1279, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1279, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Caldier.

SUBSTITUTE HOUSE BILL NO. 1279, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1358 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 74.09 RCW to read as follows:

The authority shall adopt standards for the reimbursement of health care services provided to eligible clients by fire departments pursuant to a community assistance referral and education services program under RCW 35.21.930. The standards must allow payment for covered health care services provided to individuals whose medical needs do not require ambulance transport to an emergency department.

Sec. 2. RCW 35.21.930 and 2015 c 93 s 1 are each amended to read as follows:

(1) Any fire department may develop a community assistance referral and education services program to provide community outreach and assistance to residents of its jurisdiction in order to improve population health and advance

injury and illness prevention within its community. The program should identify members of the community who use the 911 system or emergency department for low acuity assistance calls (calls that are nonemergency or nonurgent) and connect them to their primary care providers, other health care professionals, low-cost medication programs, and other social services. The program may partner with hospitals to reduce readmissions. The program may also provide nonemergency contact information in order to provide an alternative resource to the 911 system. The program may hire or contract with health care professionals as needed to provide these services, including emergency medical technicians certified under chapter 18.73 RCW and advanced emergency medical technicians and paramedics certified under chapter 18.71 RCW. The services provided by emergency medical technicians, advanced emergency medical technicians, and paramedics must be under the responsible supervision and direction of an approved medical program director. Nothing in this section authorizes an emergency medical technician, advanced emergency medical technician, or paramedic to perform medical procedures they are not trained and certified to perform.

(2) ~~((A participating fire department may seek grant opportunities and private gifts))~~ In order to support its community assistance referral and education services program, a participating fire department may seek grant opportunities and private gifts, and, by resolution or ordinance, establish and collect reasonable charges for these services.

(3) In developing a community assistance referral and education services program, a fire department may consult with the health workforce council to identify health care professionals capable of working in a nontraditional setting and providing assistance, referral, and education services.

(4) Community assistance referral and education services programs implemented under this section must, at least annually, measure any reduction of repeated use of the 911 emergency system and any reduction in avoidable emergency room trips attributable to implementation of the program. Results of findings under this subsection must be reportable to the legislature or other local governments upon request. Findings should include estimated amounts of medicaid dollars that

would have been spent on emergency room visits had the program not been in existence.

(5) For purposes of this section, "fire department" includes city and town fire departments, fire protection districts organized under Title 52 RCW, regional fire protection service authorities organized under chapter 52.26 RCW, providers of emergency medical services (~~that~~) eligible to levy a tax under RCW 84.52.069, and federally recognized Indian tribes.

NEW SECTION. Sec. 3. A new section is added to chapter 43.70 RCW to read as follows:

The department of health must review the professional certification and training of health professionals participating in a community assistance referral and education program, review the certification and training requirements in other states with similar programs, and coordinate with the health care authority to link the certification requirements with the covered health care services recommended for payment in section 1 of this act. The department shall submit recommendations to the appropriate committees of the legislature for any changes and suggestions for implementation within six months of the development of the payment standards.

NEW SECTION. Sec. 4. (1) The joint legislative audit and review committee shall conduct a cost-effectiveness review, in consultation with the health care authority, of the standards for reimbursement established in section 1 of this act. The review must evaluate the amount paid on behalf of eligible clients under chapter 74.09 RCW by the health care authority to fire departments for health care services that did not require an ambulance transport and the amount that would have been paid had the services been provided in a different care setting.

(2) The cost-effectiveness review must consider the savings realized by medical assistance programs under chapter 74.09 RCW as a result of fire departments providing health care services and make any recommendations for improving the cost-effectiveness of the standards for reimbursement and reducing the potential for excessive billing or billing for unnecessary services. If the review finds that the standards of reimbursement have not resulted in savings to the state's medical assistance programs, the joint

legislative audit and review committee shall recommend the repeal of section 1 of this act.

(3) The joint legislative audit and review committee shall submit the cost-effectiveness review, including its findings and recommendations, to the fiscal committees and health policy committees of the legislature by December 1, 2021.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 35.21.930; adding a new section to chapter 74.09 RCW; adding a new section to chapter 43.70 RCW; and creating new sections."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1358 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Griffey and Cody spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1358, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1358, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall,

Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Taylor and Young.

Excused: Representative Caldier.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1358, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 42.56.010 and 2010 c 204 s 1005 are each amended to read as follows:

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

(1) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(2) "Person in interest" means the person who is the subject of a record or any representative designated by that person, except that if that person is under a legal disability, "person in interest" means and includes the parent or duly appointed legal representative.

(3) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. For the office of the secretary of the senate and the office of the chief clerk of the house of representatives, public records means legislative records as defined in RCW 40.14.100 and also means the following: All budget and financial records;

personnel leave, travel, and payroll records; records of legislative sessions; reports submitted to the legislature; and any other record designated a public record by any official action of the senate or the house of representatives. This definition does not include records that are not otherwise required to be retained by the agency and are held by volunteers who:

(a) Do not serve in an administrative capacity;

(b) Have not been appointed by the agency to an agency board, commission, or internship; and

(c) Do not have a supervisory role or delegated agency authority.

(4) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

Sec. 2. RCW 42.56.152 and 2014 c 66 s 4 are each amended to read as follows:

(1) Public records officers designated under RCW 42.56.580 and records officers designated under RCW 40.14.040 must complete a training course regarding the provisions of this chapter, and also chapter 40.14 RCW for records retention.

(2) Public records officers must:

(a) Complete training no later than ninety days after assuming responsibilities as a public records officer or records manager; and

(b) Complete refresher training at intervals of no more than four years as long as they maintain the designation.

(3) Training must be consistent with the attorney general's model rules for compliance with the public records act.

(4) Training may be completed remotely with technology including but not limited to internet-based training.

(5) Training must address particular issues related to the retention,

production, and disclosure of electronic documents, including updating and improving technology information services.

Sec. 3. RCW 42.56.520 and 2010 c 69 s 2 are each amended to read as follows:

(1) Responses to requests for public records shall be made promptly by agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives. Within five business days of receiving a public record request, an agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives must respond ((by either)) in one of the ways provided in this subsection (1):

(a) Providing the record;

~~((2))~~ (b) Providing an internet address and link on the agency's web site to the specific records requested, except that if the requester notifies the agency that he or she cannot access the records through the internet, then the agency must provide copies of the record or allow the requester to view copies using an agency computer;

~~((3))~~ (c) Acknowledging that the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives has received the request and providing a reasonable estimate of the time the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives will require to respond to the request;

(d) Acknowledging that the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives has received the request and asking the requestor to provide clarification for a request that is unclear, and providing, to the greatest extent possible, a reasonable estimate of the time the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives will require to respond to the request if it is not clarified; or

~~((4))~~ (e) Denying the public record request.

(2) Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or

agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.

(3) (a) In acknowledging receipt of a public record request that is unclear, an agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives may ask the requestor to clarify what information the requestor is seeking.

(b) If the requestor fails to respond to an agency request to clarify the request, and the entire request is unclear, the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives need not respond to it. Otherwise, the agency must respond, pursuant to this section, to those portions of the request that are clear.

(4) Denials of requests must be accompanied by a written statement of the specific reasons therefor. Agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives shall establish mechanisms for the most prompt possible review of decisions denying inspection, and such review shall be deemed completed at the end of the second business day following the denial of inspection and shall constitute final agency action or final action by the office of the secretary of the senate or the office of the chief clerk of the house of representatives for the purposes of judicial review.

Sec. 4. RCW 42.56.570 and 2007 c 197 s 8 are each amended to read as follows:

(1) The attorney general's office shall publish, and update when appropriate, a pamphlet, written in plain language, explaining this chapter.

(2) The attorney general, by February 1, 2006, shall adopt by rule ~~((a))~~ advisory model rules for state and local agencies, as defined in RCW 42.56.010, addressing the following subjects:

(a) Providing fullest assistance to requestors;

(b) Fulfilling large requests in the most efficient manner;

(c) Fulfilling requests for electronic records; and

(d) Any other issues pertaining to public disclosure as determined by the attorney general.

(3) The attorney general, in his or her discretion, may from time to time revise the model rule.

(4) Local agencies should consult the advisory model rules when establishing local ordinances for compliance with the requirements and responsibilities of this chapter.

(5) Until June 30, 2020, the attorney general must establish a consultation program to provide information for developing best practices for local agencies requesting assistance in compliance with this chapter including, but not limited to: Responding to records requests, seeking additional public and private resources for developing and updating technology information services, and mitigating liability and costs of compliance. The attorney general may develop the program in conjunction with the advisory model rule and may collaborate with the chief information officer, the state archivist, and other relevant agencies and organizations in developing and managing the program. The program in this subsection ceases to exist June 30, 2020.

(6) Until June 30, 2020, the state archivist must offer and provide consultation and training services for local agencies on improving record retention practices.

Sec. 5. RCW 40.14.024 and 2008 c 328 s 6005 are each amended to read as follows:

The local government archives account is created in the state treasury. All receipts collected by the county auditors under RCW 40.14.027 and 36.22.175 for local government services, such as providing records (~~scheduling~~) schedule compliance, security microfilm inspection and storage, archival preservation, cataloging, and indexing for local government records and digital data and access to those records and data through the regional branch archives of the division of archives and records management, must be deposited into the account, and expenditures from the account may be used only for these purposes. ((During the 2007-2009 biennium, the legislature may transfer from the local government archives account to the Washington state heritage center account such amounts as reflect the excess fund balance in the account.)) Any amounts

deposited in the account in accordance with RCW 36.22.175(4) may only be expended for the purposes authorized under that provision as follows: No more than fifty percent of funding may be used for the attorney general's consultation program and the state archivist's training services, and the remainder is to be used for the competitive grant program.

NEW SECTION. Sec. 6. A new section is added to chapter 40.14 RCW to read as follows:

(1) The division of archives and records management in the office of the secretary of state must establish and administer a competitive grant program for local agencies to improve technology information systems for public record retention, management, and disclosure, and any related training. The division of archives and records management may use up to six percent of amounts appropriated for the program for administration of the grant program. The program in this subsection ceases to exist June 30, 2020.

(2) Any local agency may apply to the grant program. The division of archives and records management in the office of the secretary of state must award grants annually. The division of archives and records management must consult with the chief information officer to develop the criteria for grant recipient selection with a preference given to small local governmental agencies based on the applicant agency's need and ability to improve its information technology systems for public record retention, management, and disclosure. The division of archives and records management may award grants for specific hardware, software, equipment, technology services management and training needs, indexing for local records and digital data, and other resources for improving information technology systems. To the extent possible, information technology systems, processes, training, and other resources for improving information technology systems for records retention and distribution may be replicated and shared with other governmental entities. Grants are provided for one-time investments and are not an ongoing source of revenue for operation or management costs. A grantee may not supplant local funding with grant funding provided by the office of the secretary of state. The program in this subsection ceases to exist June 30, 2020.

(3) The joint legislative audit and review committee must conduct a review of

the attorney general's consultation program and the state archivist's training services created under section 4, chapter . . ., Laws of 2017 (section 4 of this act), and the local government competitive grant program created under this section. The review must include:

(a)(i) Information on the number of local governments served, the types of consultation and training provided, and the implementation of any practices adopted from the attorney general's consultation program and the state archivist's training services; and

(ii) The effectiveness of the consultation program and the training services in providing assistance for local governments; and

(b)(i) Information on the number of local governments that applied for and participated in the competitive grant program under this section, the amount of funding awarded through the grant program, and how such funding was used; and

(ii) The effectiveness of the grant program in improving local government technology information systems for public records retention, management, disclosure, and training.

(4) Each agency shall maintain a log of public records requests submitted to and processed by the agency, which shall include but not be limited to the following information for each request: The identity of the requestor if provided by the requestor, the date the request was received, the text of the original request, a description of the records produced in response to the request, a description of the records redacted or withheld and the reasons therefor, and the date of the final disposition of the request. The log must be retained by the agency in accordance with the relevant record retention schedule established under this chapter, and shall be a public record subject to disclosure under chapter 42.56 RCW.

(5) To improve best practices for dissemination of public records, each agency with actual staff and legal costs associated with fulfilling public records requests of at least one hundred thousand dollars during the prior fiscal year must, and each agency with such estimated costs of less than one hundred thousand dollars during the prior fiscal year may, report to the joint legislative audit and review committee by July 1st of each subsequent

year the following metrics, measured over the preceding year:

(a) An identification of leading practices and processes for records management and retention, including technological upgrades, and what percentage of those leading practices and processes were implemented by the agency;

(b) The average length of time taken to acknowledge receipt of a public records request;

(c) The proportion of requests where the agency provided the requested records within five days of receipt of the request compared to the proportion of requests where the agency provided an estimate of an anticipated response time beyond five days of receipt of the request;

(d) A comparison of the agency's average initial estimate provided for full disclosure of responsive records with the actual time when all responsive records were fully disclosed, including whether the agency sent subsequent estimates of an anticipated response time;

(e) The number of requests where the agency formally sought additional clarification from the requestor;

(f) The number of requests denied and the most common reasons for denying requests;

(g) The number of requests abandoned by requestors;

(h) To the extent the information is known by the agency, requests by type of requestor, including individuals, law firms, organizations, insurers, governments, incarcerated persons, the media, anonymous requestors, current or former employees, and others;

(i) Which portion of requests were fulfilled electronically compared to requests fulfilled by physical records;

(j) The number of requests where the agency was required to scan physical records electronically to fulfill disclosure;

(k) The estimated agency staff time spent on each individual request;

(l) The estimated costs incurred by the agency in fulfilling records requests, including costs for staff compensation and legal review, and a measure of the average cost per request;

(m) The number of claims filed alleging a violation of chapter 42.56 RCW or other public records statutes in the past year involving the agency, categorized by type and exemption at issue, if applicable;

(n) The costs incurred by the agency litigating claims alleging a violation of chapter 42.56 RCW or other public records statutes in the past year, including any penalties imposed on the agency;

(o) The costs incurred by the agency with managing and retaining records, including staff compensation and purchases of equipment, hardware, software, and services to manage and retain public records or otherwise assist in the fulfillment of public records requests;

(p) Expenses recovered by the agency from requestors for fulfilling public records requests, including any customized service charges; and

(q) Measures of requestor satisfaction with agency responses, communication, and processes relating to the fulfillment of public records requests.

(6) The joint legislative audit and review committee must consult with state and local agencies to develop a reporting method and clearly define standardized metrics in accordance with this section.

(7) By December 1, 2019, the joint legislative audit and review committee must report to the legislature on its findings from the review, including recommendations on whether the competitive grant program, the attorney general's consultation program, and the state archivist's training services should continue or be allowed to expire.

Sec. 7. RCW 36.22.175 and 2011 1st sp.s. c 50 s 931 are each amended to read as follows:

(1)(a) In addition to any other charge authorized by law, the county auditor shall charge a surcharge of one dollar per instrument for each document recorded. Revenue generated through this surcharge shall be transmitted monthly to the state treasurer for deposit in the local government archives account under RCW 40.14.024. These funds shall be used solely for providing records (~~scheduling~~) schedule compliance, security microfilm inspection and storage, archival preservation, cataloging, and indexing for local government records and digital data and access to those records and data through the regional branch

archives of the division of archives and records management.

(b) The division of archives and records management within the office of the secretary of state shall provide records management training for local governments and shall establish a competitive grant program to solicit and prioritize project proposals from local governments for potential funding to be paid for by funds from the auditor surcharge and tax warrant surcharge revenues. Application for specific projects may be made by local government agencies only. The state archivist in consultation with the advisory committee established under RCW 40.14.027 shall adopt rules governing project eligibility, evaluation, awarding of grants, and other criteria including requirements for records management training for grant recipients.

(2) The advisory committee established under RCW 40.14.027 shall review grant proposals and establish a prioritized list of projects to be considered for funding by January 1st of each even-numbered year, beginning in 2002. The evaluation of proposals and development of the prioritized list must be developed through open public meetings. Funding for projects shall be granted according to the ranking of each application on the prioritized list and projects will be funded only to the extent that funds are available. A grant award may have an effective date other than the date the project is placed on the prioritized list.

(3)(a) In addition to any other surcharge authorized by law, the county auditor shall charge a surcharge of one dollar per instrument for every document recorded after January 1, 2002. Revenue generated through this surcharge shall be transmitted to the state treasurer monthly for deposit in the local government archives account under RCW 40.14.024 to be used exclusively for: (i) The construction and improvement of a specialized regional facility located in eastern Washington designed to serve the archives, records management, and digital data management needs of local government; and (ii) payment of the certificate of participation issued for the Washington state heritage center to the extent there is an excess fund balance in the account and fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments on the certificate of participation.

(b) To the extent the facilities are used for the storage and retrieval of state agency records and digital data, that portion of the construction of such facilities used for state government records and data shall be supported by other charges and fees paid by state agencies and shall not be supported by the surcharge authorized in this subsection, except that to the extent there is an excess fund balance in the account and fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments for the Washington state heritage center, the local government archives account under RCW 40.14.024 may be used for the Washington state heritage center.

(c) At such time that all debt service from construction of the specialized regional archive facility located in eastern Washington has been paid, fifty percent of the surcharge authorized by this subsection shall be reverted to the centennial document preservation and modernization account as prescribed in RCW 36.22.170 and fifty percent of the surcharge authorized by this section shall be reverted to the state treasurer for deposit in the public records efficiency, preservation, and access account to serve the archives, records management, and digital data management needs of local government, except that the state treasurer shall not revert funds to the centennial document preservation and modernization account and to the public records efficiency, preservation, and access account if fees generated under RCW 36.18.010 and 43.07.128 are insufficient to meet debt service payments on the Washington state heritage center.

(4) In addition to any other surcharge authorized by law, the county auditor shall charge a surcharge of one dollar per instrument for every document recorded. Revenue generated through this surcharge shall be transmitted to the state treasurer monthly for deposit in the local government archives account under RCW 40.14.024 to be used exclusively for the competitive grant program in section 6 of this act, and for the attorney general's consultation program and state archivist's training services authorized in RCW 42.56.570.

NEW SECTION. Sec. 8. (1) Subject to the availability of amounts appropriated for this specific purpose, the division of archives and records management in the office of the secretary of state must

conduct a study to assess the feasibility of implementing a statewide open records portal through which a user can request and receive a response through a single internet web site relating to public records information.

(2) The division of archives and records management must hire a consultant to conduct the study.

(3) At a minimum, the report must include:

(a) The feasibility of Washington creating a central site from which a user can submit a records request and receive a timely response to such request;

(b) An examination of the experience in other states, including but not limited to the state of Utah, that have implemented an electronic open records portal;

(c) Whether the open records portals in other states serve as central repositories and archives for the purpose of all public records on behalf of local and state agencies;

(d) Whether other states' open records portals track and provide a timeline where each request is being responded to in the process;

(e) The cost of creating the open records portal in other states and the amount of funds local and state agencies or any other entities contributed to the start-up and ongoing costs to operate the open records portal;

(f) The length of time it took for other states to develop an open records portal from its initial start-up to its current full operation;

(g) The length of time it would take for Washington to develop and implement an open records portal from start-up to full operation that is similar to the portals located in other states;

(h) The length of time it would take for Washington to develop and implement an open records portal from start-up to full operation that would include: (i) The portal collecting, archiving, and holding all public records from local and state governmental agencies in Washington; (ii) the portal being capable of allowing users to submit a public records request through a central site; and (iii) the records portal operating as a central site for answering and providing requested public records to a user;

(i) The estimated cost to develop and implement an open records portal that is: (i) Similar to the open records portals located in other states referenced and reviewed in (g) of this subsection; and (ii) a full open records portal pursuant to (h) of this subsection. In both instances, the costs must include costs associated with local and state governmental agencies in Washington participating in the portal and any needed supporting infrastructure, staffing, and training requirements;

(j) How much is charged and how fees are collected from a user requesting a public record through other states' open records portals;

(k) The feasibility of whether an open records portal created in Washington would be able to track all public records requests, when such requests for public records are made through the open records portal, and provide a timeline where each request is being responded to in the process;

(l) The feasibility of whether an open records portal created in Washington would be able to directly respond to answering a user's public records request and, if not, the feasibility of the portal tracking when a local or state agency responds to such a request and providing a timeline where each request is being responded to in the process;

(m) The feasibility of creating an open records portal in Washington that notifies a requestor that the request has been received and either immediately provides the requestor with a copy of the requested record, notifies the requestor that the record is not available, or notifies the requestor that because of the extraordinary request the record will be available on a date certain;

(n) The feasibility of creating an open records portal through which a requestor can make a request and receive a response through a single internet web site relating to public records information, and the feasibility of agencies managing internet web sites to make public access easier and reduce the number of requests related to the same topic through best practices by offering to post different categories of requested records on the web site in a manner that is responsive to records requests; and

(o) The allocation of liability between the agency operating an open records portal and any agency that provides

records through the portal or accepts requests for public records through the portal in the event of litigation regarding denial of access to records or unreasonable estimate of time to produce records in response to a request.

(4) A report must be completed with findings and recommendations on the experience of the electronic open records portal created in other states and the feasibility of creating a central statewide open records portal in Washington, as well as recommendations and best management practices for agencies to post records that are responsive to records requests on an agency internet web site and take into consideration various categories of records and agency capacities in order to provide broader public access to records of public interest and to reduce the number of requests relating to the same topic. The report must be submitted to the governor, the appropriate committees of the legislature, and members of the stakeholder group in section 9 of this act, by September 1, 2018.

(5) This section expires December 31, 2018.

NEW SECTION. Sec. 9. (1) The division of archives and records management in the office of the secretary of state must convene a stakeholder group by September 1, 2017, to develop the initial scope and direction of the study in section 8 of this act.

(2) The stakeholder group must include seven members as provided in this subsection.

(a) The majority leader and the minority leader of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The majority leader and the minority leader of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The president of the senate and the speaker of the house of representatives, in consultation with the division of archives and records management, jointly shall appoint the remaining three members. The remaining three members must be representatives of the community who have experience in the retention and disclosure of public records.

(3) This section expires September 30, 2018.

NEW SECTION. **Sec. 10.** Section 7 of this act expires June 30, 2020."

On page 1, line 1 of the title, after "administration;" strike the remainder of the title and insert "amending RCW 42.56.010, 42.56.152, 42.56.520, 42.56.570, 40.14.024, and 36.22.175; adding a new section to chapter 40.14 RCW; creating new sections; and providing expiration dates."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives McBride and Nealey spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1594, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1594, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Griffey, Hargrove, Harmsworth, Holy, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Pike, Shea, Stambaugh, Taylor, Van Werven, Vick, Volz and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 7, 2017

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1595 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 42.56.070 and 2005 c 274 s 284 are each amended to read as follows:

(1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of subsection ~~((6))~~ (8) of this section, this chapter, or other statute which exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by this chapter, an agency shall delete identifying details in a manner consistent with this chapter when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

(2) For informational purposes, each agency shall publish and maintain a current list containing every law, other than those listed in this chapter, that the agency believes exempts or prohibits disclosure of specific information or records of the agency. An agency's failure to list an exemption shall not affect the efficacy of any exemption.

(3) Each local agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after January 1, 1973:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(4) A local agency need not maintain such an index, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

(5) Each state agency shall, by rule, establish and implement a system of indexing for the identification and location of the following records:

(a) All records issued before July 1, 1990, for which the agency has maintained an index;

(b) Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.010 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(c) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(d) Interpretive statements as defined in RCW 34.05.010 that were entered after June 30, 1990; and

(e) Policy statements as defined in RCW 34.05.010 that were entered after June 30, 1990.

Rules establishing systems of indexing shall include, but not be limited to, requirements for the form and content of the index, its location and availability to the public, and the schedule for revising or updating the index. State agencies that have maintained indexes for records issued before July 1, 1990, shall continue to make such indexes available for public inspection and copying. Information in such indexes may be incorporated into indexes prepared pursuant to this subsection. State agencies may satisfy the requirements of this subsection by making available to the public indexes prepared by other parties but actually used by the agency in its operations. State agencies shall make indexes available for public inspection and copying. State agencies may charge a fee to cover the actual costs of providing individual mailed copies of indexes.

(6) A public record may be relied on, used, or cited as precedent by an agency against a party other than an agency and it may be invoked by the agency for any other purpose only if:

(a) It has been indexed in an index available to the public; or

(b) Parties affected have timely notice (actual or constructive) of the terms thereof.

(7) Each agency (~~shall~~) may establish, maintain, and make available for public inspection and copying a statement of the actual (~~per page cost or other costs, if any~~) costs that it charges for providing photocopies or electronically produced copies, of public records and a statement of the factors and manner used to determine the actual (~~per page cost or other costs, if any~~) costs. Any statement of costs may be adopted by an agency only after providing notice and public hearing.

(a) (i) In determining the actual (~~per page~~) cost for providing (~~photocopies~~) copies of public records, an agency may include all costs directly incident to copying such public records including:

(A) The actual cost of the paper and the per page cost for use of agency copying equipment; and

(B) The actual cost of the electronic production or file transfer of the record and the use of any cloud-based data storage and processing service.

(ii) In determining other actual costs for providing (~~(photocopies)~~) copies of public records, an agency may include all costs directly incident to:

(A) Shipping such public records, including the cost of postage or delivery charges and the cost of any container or envelope used; and

(B) Transmitting such records in an electronic format, including the cost of any transmission charge and use of any physical media device provided by the agency.

(b) In determining the actual (~~(per page cost or other)~~) costs for providing copies of public records, an agency may not include staff salaries, benefits, or other general administrative or overhead charges, unless those costs are directly related to the actual cost of copying the public records. Staff time to copy and (~~(mail)~~) send the requested public records may be included in an agency's costs.

(8) (~~(An agency need not calculate the actual per page cost or other costs it charges for providing photocopies of public records if to do so would be unduly burdensome, but in that event: The agency may not charge in excess of fifteen cents per page for photocopies of public records or for the use of agency equipment to photocopy public records and the actual postage or delivery charge and the cost of any container or envelope used to mail the public records to the requestor.~~

~~(9))~~) This chapter shall not be construed as giving authority to any agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives shall not do so unless specifically authorized or directed by law: PROVIDED, HOWEVER, That lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: PROVIDED FURTHER, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.05 RCW, the administrative procedure act.

Sec. 2. RCW 42.56.080 and 2016 c 163 s 3 are each amended to read as follows:

(1) A public records request must be for identifiable records. A request for all or substantially all records prepared, owned, used, or retained by an agency is not a valid request for identifiable records under this chapter, provided that a request for all records regarding a particular topic or containing a particular keyword or name shall not be considered a request for all of an agency's records.

(2) Public records shall be available for inspection and copying, and agencies shall, upon request for identifiable public records, make them promptly available to any person including, if applicable, on a partial or installment basis as records that are part of a larger set of requested records are assembled or made ready for inspection or disclosure. Agencies shall not deny a request for identifiable public records solely on the basis that the request is overbroad. Agencies shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request except to establish whether inspection and copying would violate RCW 42.56.070(~~(-9))~~) (8) or 42.56.240(14), or other statute which exempts or prohibits disclosure of specific information or records to certain persons. Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency. Agencies shall honor requests received in person during an agency's normal office hours, or by mail or email, for identifiable public records unless exempted by provisions of this chapter. No official format is required for making a records request; however, agencies may recommend that requestors submit requests using an agency provided form or web page.

(3) An agency may deny a bot request that is one of multiple requests from the requestor to the agency within a twenty-four hour period, if the agency establishes that responding to the multiple requests would cause excessive interference with other essential functions of the agency. For purposes of this subsection, "bot request" means a request for public records that an agency reasonably believes was automatically generated by a computer program or script.

Sec. 3. RCW 42.56.120 and 2016 c 163 s 4 are each amended to read as follows:

(1) No fee shall be charged for the inspection of public records or locating public documents and making them available for copying, except as provided in RCW 42.56.240(14) and subsection (3) of this section. A reasonable charge may be imposed for providing copies of public records and for the use by any person of agency equipment or equipment of the office of the secretary of the senate or the office of the chief clerk of the house of representatives to copy public records, which charges shall not exceed the amount necessary to reimburse the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives for its actual costs directly incident to such copying. When calculating any fees authorized under this section, an agency shall use the most reasonable cost-efficient method available to the agency as part of its normal operations. If any agency translates a record into an alternative electronic format at the request of a requestor, the copy created does not constitute a new public record for purposes of this chapter. Scanning paper records to make electronic copies of such records is a method of copying paper records and does not amount to the creation of a new public record.

(2) (a) Agency charges for (~~photocopies shall~~) actual costs may only be imposed in accordance with the (~~actual per page cost or other~~) costs established and published by the agency pursuant to RCW 42.56.070(7), and in accordance with the statement of factors and manner used to determine the actual costs. In no event may an agency charge a per page cost greater than the actual (~~per page~~) cost as established and published by the agency.

(b) An agency need not calculate the actual costs it charges for providing public records if it has rules or regulations declaring the reasons doing so would be unduly burdensome. To the extent the agency has not determined the actual (~~per page cost for photocopies of~~) costs of copying public records, the agency may not charge in excess of:

(i) Fifteen cents per page for photocopies of public records, printed copies of electronic public records when requested by the person requesting records, or for the use of agency equipment to photocopy public records;

(ii) Ten cents per page for public records scanned into an electronic format or for the use of agency equipment to scan the records;

(iii) Five cents per each four electronic files or attachment uploaded to email, cloud-based data storage service, or other means of electronic delivery; and

(iv) Ten cents per gigabyte for the transmission of public records in an electronic format or for the use of agency equipment to send the records electronically. The agency shall take reasonable steps to provide the records in the most efficient manner available to the agency in its normal operations; and

(v) The actual cost of any digital storage media or device provided by the agency, the actual cost of any container or envelope used to mail the copies to the requestor, and the actual postage or delivery charge.

(c) The charges in (b) of this subsection may be combined to the extent that more than one type of charge applies to copies produced in response to a particular request.

(d) An agency may charge a flat fee of up to two dollars for any request as an alternative to fees authorized under (a) or (b) of this subsection when the agency reasonably estimates and documents that the costs allowed under this subsection are clearly equal to or more than two dollars. An additional flat fee shall not be charged for any installment after the first installment of a request produced in installments. An agency that has elected to charge the flat fee in this subsection for an initial installment may not charge the fees authorized under (a) or (b) of this subsection on subsequent installments.

(e) An agency shall not impose copying charges under this section for access to or downloading of records that the agency routinely posts on its public internet web site prior to receipt of a request unless the requestor has specifically requested that the agency provide copies of such records through other means.

(f) A requestor may ask an agency to provide, and if requested an agency shall provide, a summary of the applicable charges before any copies are made and the requestor may revise the request to reduce the number of copies to be made and reduce the applicable charges.

(3)(a)(i) In addition to the charge imposed for providing copies of public records and for the use by any person of agency equipment copying costs, an agency may include a customized service charge. A customized service charge may only be imposed if the agency estimates that the request would require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by the agency for other agency purposes.

(ii) The customized service charge may reimburse the agency up to the actual cost of providing the services in this subsection.

(b) An agency may not assess a customized service charge unless the agency has notified the requestor of the customized service charge to be applied to the request, including an explanation of why the customized service charge applies, a description of the specific expertise, and a reasonable estimate cost of the charge. The notice also must provide the requestor the opportunity to amend his or her request in order to avoid or reduce the cost of a customized service charge.

(4) An agency may require a deposit in an amount not to exceed ten percent of the estimated cost of providing copies for a request, including a customized service charge. If an agency makes a request available on a partial or installment basis, the agency may charge for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed, the agency is not obligated to fulfill the balance of the request. An agency may waive any charge assessed for a request pursuant to agency rules and regulations. An agency may enter into any contract, memorandum of understanding, or other agreement with a requestor that provides an alternative fee arrangement to the charges authorized in this section, or in response to a voluminous or frequently occurring request.

Sec. 4. RCW 42.56.130 and 2005 c 274 s 286 are each amended to read as follows:

The provisions of RCW 42.56.070(7) and (8) and 42.56.120 that establish or allow agencies to establish the costs charged for photocopies or electronically produced copies of public records do not supersede other statutory provisions, other than in

this chapter, authorizing or governing fees for copying public records.

Sec. 5. RCW 42.56.550 and 2011 c 273 s 1 are each amended to read as follows:

(1) Upon the motion of any person having been denied an opportunity to inspect or copy a public record by an agency, the superior court in the county in which a record is maintained may require the responsible agency to show cause why it has refused to allow inspection or copying of a specific public record or class of records. The burden of proof shall be on the agency to establish that refusal to permit public inspection and copying is in accordance with a statute that exempts or prohibits disclosure in whole or in part of specific information or records.

(2) Upon the motion of any person who believes that an agency has not made a reasonable estimate of the time that the agency requires to respond to a public record request or a reasonable estimate of the charges to produce copies of public records, the superior court in the county in which a record is maintained may require the responsible agency to show that the estimate it provided is reasonable. The burden of proof shall be on the agency to show that the estimate it provided is reasonable.

(3) Judicial review of all agency actions taken or challenged under RCW 42.56.030 through 42.56.520 shall be de novo. Courts shall take into account the policy of this chapter that free and open examination of public records is in the public interest, even though such examination may cause inconvenience or embarrassment to public officials or others. Courts may examine any record in camera in any proceeding brought under this section. The court may conduct a hearing based solely on affidavits.

(4) Any person who prevails against an agency in any action in the courts seeking the right to inspect or copy any public record or the right to receive a response to a public record request within a reasonable amount of time shall be awarded all costs, including reasonable attorney fees, incurred in connection with such legal action. In addition, it shall be within the discretion of the court to award such person an amount not to exceed one hundred dollars for each day that he or she was denied the right to inspect or copy said public record.

(5) For actions under this section against counties, the venue provisions of RCW 36.01.050 apply.

(6) Actions under this section must be filed within one year of the agency's claim of exemption or the last production of a record on a partial or installment basis."

On page 1, line 2 of the title, after "requests;" strike the remainder of the title and insert "and amending RCW 42.56.070, 42.56.080, 42.56.120, 42.56.130, and 42.56.550."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1595 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Nealey and McBride spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1595, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1595, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives DeBolt, Griffey, Hargrove, Harmsworth, Holy, Kretz, MacEwen, Maycumber, McCaslin, Orcutt, Pike, Pollet, Shea, Stambaugh, Taylor, Volz, Wilcox and Young.

ENGROSSED HOUSE BILL NO. 1595, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

MESSAGE FROM THE SENATE

April 5, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1079 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.40 RCW to read as follows:

(1) A defendant who is charged by citation, complaint, or information with an offense involving trafficking, as described in RCW 9A.40.100, and is not arrested, shall appear in court for arraignment or initial appearance in person as soon as practicable, but in no event later than fourteen days after the defendant is served with the citation, complaint, or information. At that appearance, the court shall determine the necessity of imposing or extending a no-contact order, and consider the provisions of RCW 9.41.800 or other conditions of pretrial release according to the procedures established by court rule for preliminary appearance or an arraignment.

(2) Whenever a no-contact order is issued under this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.40 RCW to read as follows:

Any general authority Washington peace officer as defined in RCW 10.93.020 in this state may enforce this chapter as it relates to orders restricting the defendants' ability to have contact with the victim or others.

NEW SECTION. **Sec. 3.** A new section is added to chapter 9A.40 RCW to read as follows:

(1) Because of the likelihood of repeated harassment and intimidation directed at those who have been victims of trafficking as described in RCW 9A.40.100, before any defendant charged with or arrested, for a crime involving trafficking, is released from custody, or at any time the case remains unresolved, the court may prohibit that person from having any contact with the victim whether directly or through third parties.

At the initial preliminary appearance, the court shall determine whether to extend any existing prohibition on the defendant's contact with the victim. If there is no outstanding restraining or protective order prohibiting that person from having contact with the victim, the court may issue, by telephone, a no-contact order prohibiting the person charged or arrested from having contact with the victim or from knowingly coming within, or knowingly remaining within, a specified distance of a location. The court may also consider the provisions of RCW 9.41.800 or other conditions of pretrial release according to the procedures established by court rule for preliminary appearance or an arraignment.

(2) At the time of arraignment the court shall determine whether a no-contact order shall be issued or extended. So long as the court finds probable cause, the court may issue or extend a no-contact order. The no-contact order shall terminate if the defendant is acquitted or the charges are dismissed.

(3)(a) Willful violation of a court order issued under this section is punishable under RCW 26.50.110.

(b) The written order shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 26.50 RCW and the violator is subject to arrest; any assault, drive-by shooting, or reckless

endangerment that is a violation of this order is a felony.

(4) Upon a motion with notice to all parties and after a hearing, the court may terminate or modify the terms of an existing no-contact order, including terms entered pursuant to RCW 9.41.800 related to firearms or other dangerous weapons or to concealed pistol licenses.

(5)(a) A defendant's motion to terminate or modify a no-contact order must include a declaration setting forth facts supporting the requested order for termination or modification. The court shall deny the motion unless it finds that adequate cause for hearing the motion is established by the declarations. If the court finds that the defendant established adequate cause, the court shall set a date for hearing the defendant's motion.

(b) The court may terminate or modify the terms of a no-contact order, including terms entered pursuant to RCW 9.41.800 related to firearms or other dangerous weapons or to concealed pistol licenses, if the defendant proves by a preponderance of the evidence that there has been a material change in circumstances such that the defendant is not likely to engage in or attempt to engage in physical or nonphysical contact with the victim if the order is terminated or modified. The victim bears no burden of proving that he or she has a current reasonable fear of harm by the defendant.

(c) A defendant may file a motion to terminate or modify pursuant to this section no more than once in every twelve-month period that the order is in effect, starting from the date of the order and continuing through any renewal.

(6) Whenever a no-contact order is issued, modified, or terminated under this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any

jurisdiction in the state. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

NEW SECTION. Sec. 4. A new section is added to chapter 9A.40 RCW to read as follows:

(1) If a defendant is found guilty of the crime of trafficking under RCW 9A.40.100 and a condition of the sentence restricts the defendant's ability to have contact with the victim, the condition must be recorded and a written certified copy of that order must be provided to the victim by the clerk of the court. Willful violation of a court order issued under this section is punishable under RCW 26.50.110. The written order must contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 26.50 RCW and the violator is subject to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony.

(2) Whenever a no-contact order is issued under this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

NEW SECTION. Sec. 5. A new section is added to chapter 9A.88 RCW to read as follows:

(1) A defendant who is charged by citation, complaint, or information with an offense involving promoting prostitution in the first degree as described in RCW 9A.88.070 or promoting prostitution in the second degree as described in RCW 9A.88.080 and not arrested shall appear in court for

arraignment or initial appearance in person as soon as practicable, but in no event later than fourteen days after the defendant is served with the citation, complaint, or information. At that appearance, the court shall determine the necessity of imposing or extending a no-contact order, and consider the provisions of RCW 9.41.800 or other conditions of pretrial release according to the procedures established by court rule for preliminary appearance or an arraignment.

(2) Whenever a no-contact order is issued under this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

NEW SECTION. Sec. 6. A new section is added to chapter 9A.88 RCW to read as follows:

Any general authority Washington peace officer as defined in RCW 10.93.020 in this state may enforce this chapter as it relates to orders restricting the defendants' ability to have contact with the victim or others.

NEW SECTION. Sec. 7. A new section is added to chapter 9A.88 RCW to read as follows:

(1) Because of the likelihood of repeated harassment and intimidation directed at those who have been victims of promoting prostitution in the first degree under RCW 9A.88.070 or promoting prostitution in the second degree under RCW 9A.88.080, before any defendant charged with or arrested, for a crime involving promoting prostitution is released from custody, or at any time the case remains unresolved, the court may prohibit that person from having any contact with the victim whether directly

or through third parties. If there is no outstanding restraining or protective order prohibiting that person from having contact with the victim, the court may issue, by telephone, a no-contact order prohibiting the person charged or arrested from having contact with the victim or from knowingly coming within, or knowingly remaining within, a specified distance of a location. The court may also consider the provisions of RCW 9.41.800 or other conditions of pretrial release according to the procedures established by court rule for preliminary appearance or an arraignment.

(2) At the time of arraignment, the court shall determine whether a no-contact order shall be issued or extended. So long as the court finds probable cause, the court may issue or extend a no-contact order. The no-contact order shall terminate if the defendant is acquitted or the charges are dismissed.

(3)(a) Willful violation of a court order issued under this section is punishable under RCW 26.50.110.

(b) The written order shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 26.50 RCW and the violator is subject to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony.

(4) Upon a motion with notice to all parties and after a hearing, the court may terminate or modify the terms of an existing no-contact order, including terms entered pursuant to RCW 9.41.800 related to firearms or other dangerous weapons or to concealed pistol licenses.

(5)(a) A defendant's motion to terminate or modify a no-contact order must include a declaration setting forth facts supporting the requested order for termination or modification. The court shall deny the motion unless it finds that adequate cause for hearing the motion is established by the declarations. If the court finds that the defendant established adequate cause, the court shall set a date for hearing the defendant's motion.

(b) The court may terminate or modify the terms of a no-contact order, including terms entered pursuant to RCW 9.41.800 related to firearms or other dangerous weapons or to concealed pistol licenses, if the defendant proves by a preponderance of the evidence that there has been a material change in circumstances such that

the defendant is not likely to engage in or attempt to engage in physical or nonphysical contact with the victim if the order is terminated or modified. The victim bears no burden of proving that he or she has a current reasonable fear of harm by the defendant.

(c) A defendant may file a motion to terminate or modify pursuant to this section no more than once in every twelve-month period that the order is in effect, starting from the date of the order and continuing through any renewal.

(6) Whenever a no-contact order is issued, modified, or terminated under this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

NEW SECTION. **Sec. 8.** A new section is added to chapter 9A.88 RCW to read as follows:

(1) If a defendant is found guilty of the crime of promoting prostitution in the first degree under RCW 9A.88.070 or promoting prostitution in the second degree under RCW 9A.88.080, and a condition of the sentence restricts the defendant's ability to have contact with the victim or witnesses, the condition must be recorded and a written certified copy of that order must be provided to the victim or witnesses by the clerk of the court. Willful violation of a court order issued under this section is punishable under RCW 26.50.110. The written order must contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 26.50 RCW and the violator is subject to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony.

(2) Whenever a no-contact order is issued under this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

Sec. 9. RCW 26.50.110 and 2015 c 275 s 15 and 2015 c 248 s 1 are each reenacted and amended to read as follows:

(1)(a) Whenever an order is granted under this chapter, chapter 7.92, 7.90, 9A.40, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, any temporary order for protection granted under chapter 7.40 RCW pursuant to chapter 74.34 RCW, or there is a valid foreign protection order as defined in RCW 26.52.020, and the respondent or person to be restrained knows of the order, a violation of any of the following provisions of the order is a gross misdemeanor, except as provided in subsections (4) and (5) of this section:

(i) The restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party, or restraint provisions prohibiting contact with a protected party;

(ii) A provision excluding the person from a residence, workplace, school, or day care;

(iii) A provision prohibiting a person from knowingly coming within, or knowingly remaining within, a specified distance of a location;

(iv) A provision prohibiting interfering with the protected party's efforts to remove a pet owned, possessed, leased, kept, or held by the petitioner, respondent, or a minor child residing with either the petitioner or the respondent; or

(v) A provision of a foreign protection order specifically indicating that a violation will be a crime.

(b) Upon conviction, and in addition to any other penalties provided by law, the court:

(i) May require that the respondent submit to electronic monitoring. The court shall specify who shall provide the electronic monitoring services, and the terms under which the monitoring shall be performed. The order also may include a requirement that the respondent pay the costs of the monitoring. The court shall consider the ability of the convicted person to pay for electronic monitoring.

(ii) Shall impose a fine of fifteen dollars, in addition to any penalty or fine imposed, for a violation of a domestic violence protection order issued under this chapter. Revenue from the fifteen dollar fine must be remitted monthly to the state treasury for deposit in the domestic violence prevention account.

(2) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under this chapter, chapter 7.92, 7.90, 9A.40, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, any temporary order for protection granted under chapter 7.40 RCW pursuant to chapter 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, that restrains the person or excludes the person from a residence, workplace, school, or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

(3) A violation of an order issued under this chapter, chapter 7.92, 7.90, 9A.40, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, shall also constitute contempt of court, and is subject to the penalties prescribed by law.

(4) Any assault that is a violation of an order issued under this chapter, chapter 7.92, 7.90, 9A.40, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign

protection order as defined in RCW 26.52.020, and that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony, and any conduct in violation of such an order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony.

(5) A violation of a court order issued under this chapter, chapter 7.92, 7.90, 9A.40, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, is a class C felony if the offender has at least two previous convictions for violating the provisions of an order issued under this chapter, chapter 7.90, 9A.40, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020. The previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.

(6) Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order granted under this chapter, chapter 7.92, 7.90, 9A.40, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, the court may issue an order to the respondent, requiring the respondent to appear and show cause within fourteen days why the respondent should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation."

On page 1, line 2 of the title, after "offenses;" strike the remainder of the title and insert "reenacting and amending RCW 26.50.110; adding new sections to chapter 9A.40 RCW; adding new sections to chapter 9A.88 RCW; and prescribing penalties."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1079 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Klippert spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1079, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1079, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1079, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1170 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.225.015 and 1999 c 319 s 6 are each amended to read as follows:

(1) If a parent enrolls a child who is six or seven years of age in a public school, the child is required to attend and that parent has the responsibility to ensure the child attends for the full time that school is in session. An exception shall be made to this requirement for children whose parents formally remove them from enrollment if the child is less than eight years old and a petition has not been filed against the parent under

subsection (3) of this section. The requirement to attend school under this subsection does not apply to a child enrolled in a public school part-time for the purpose of receiving ancillary services. A child required to attend school under this subsection may be temporarily excused upon the request of his or her parent for purposes agreed upon by the school district and parent.

(2) If a six or seven year old child is required to attend public school under subsection (1) of this section and that child has unexcused absences, the public school in which the child is enrolled shall:

(a) Inform the child's custodial parent, parents, or guardian by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence within any month during the current school year;

(b) Request a conference or conferences with the custodial parent, parents, or guardian and child at a time reasonably convenient for all persons included for the purpose of analyzing the causes of the child's absences after ~~((two))~~ three unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the ~~((second))~~ third unexcused absence, then the school district may schedule this conference on that day; and

(c) Take steps to eliminate or reduce the child's absences. These steps shall include, where appropriate, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, offering assistance in enrolling the child in available alternative schools or programs, or assisting the parent or child to obtain supplementary services that may help eliminate or ameliorate the cause or causes for the absence from school.

(3) If a child required to attend public school under subsection (1) of this section has seven unexcused absences in a month or ten unexcused absences in a school year, the school district shall file a petition for civil action as provided in RCW 28A.225.035 against the parent of the child.

(4) This section does not require a six or seven year old child to enroll in a public or private school or to receive home-based instruction. This section only applies to six or seven year old children

whose parents enroll them full time in public school and do not formally remove them from enrollment as provided in subsection (1) of this section.

Sec. 2. RCW 28A.225.020 and 2016 c 205 s 4 are each amended to read as follows:

(1) If a child required to attend school under RCW 28A.225.010 fails to attend school without valid justification, the public school in which the child is enrolled shall:

(a) Inform the child's parent by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence within any month during the current school year. School officials shall inform the parent of the potential consequences of additional unexcused absences. If the parent is not fluent in English, the school must make reasonable efforts to provide this information in a language in which the parent is fluent;

(b) Schedule a conference or conferences with the parent and child at a time reasonably convenient for all persons included for the purpose of analyzing the causes of the child's absences after ~~((two))~~ three unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the ~~((second))~~ third unexcused absence, then the school district may schedule this conference on that day. If the child's parent does not attend the scheduled conference, the conference may be conducted with the student and school official. However the parent shall be notified of the steps to be taken to eliminate or reduce the child's absence; and

(c) At some point after the second and before the fifth unexcused absence, take data-informed steps to eliminate or reduce the child's absences.

(i) In middle school and high school, these steps ~~((shall))~~ must include application of the Washington assessment of the risks and needs of students (WARNS) or other assessment by a school district's designee under RCW 28A.225.026~~((, and))~~.

(ii) For any child with an existing individualized education plan or 504 plan, these steps must include the convening of the child's individualized education plan or 504 plan team, including a behavior specialist or mental health specialist

where appropriate, to consider the reasons for the absences. If necessary, and if consent from the parent is given, a functional behavior assessment to explore the function of the absence behavior shall be conducted and a detailed behavior plan completed. Time should be allowed for the behavior plan to be initiated and data tracked to determine progress.

(iii) With respect to any child, without an existing individualized education plan or 504 plan, reasonably believed to have a mental or physical disability or impairment, these steps must include informing the child's parent of the right to obtain an appropriate evaluation at no cost to the parent to determine whether the child has a disability or impairment and needs accommodations, related services, or special education services. This includes children with suspected emotional or behavioral disabilities as defined in WAC 392-172A-01035. If the school obtains consent to conduct an evaluation, time should be allowed for the evaluation to be completed, and if the child is found to be eligible for special education services, accommodations, or related services, a plan developed to address the child's needs.

(iv) These steps must include, where appropriate, providing an available approved best practice or research-based intervention, or both, consistent with the WARNS profile or other assessment, if an assessment was applied, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, providing appropriate vocational courses or work experience, referring the child to a community truancy board, requiring the child to attend an alternative school or program, or assisting the parent or child to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school. (~~If the child's parent does not attend the scheduled conference, the conference may be conducted with the student and school official. However, the parent shall be notified of the steps to be taken to eliminate or reduce the child's absence.~~)

(2) For purposes of this chapter, an "unexcused absence" means that a child:

(a)(i) Has failed to attend the majority of hours or periods in an average school day or has failed to comply with a more restrictive school district policy; and

~~((b))~~ (ii) Has failed to meet the school district's policy for excused absences; or

(b) Has failed to comply with alternative learning experience program attendance requirements as described by the superintendent of public instruction.

(3) If a child transfers from one school district to another during the school year, the receiving school or school district shall include the unexcused absences accumulated at the previous school or from the previous school district for purposes of this section, RCW 28A.225.030, and 28A.225.015. The sending school district shall provide this information to the receiving school, together with a copy of any previous assessment as required under subsection (1)(c) of this section, history of any best practices or researched-based intervention previously provided to the child by the child's sending school district, and a copy of the most recent truancy information including any online or written acknowledgment by the parent and child, as provided for in RCW 28A.225.005. All school districts must use the standard choice transfer form for releasing a student to a nonresident school district for the purposes of accessing an alternative learning experience program.

Sec. 3. RCW 28A.225.025 and 2016 c 205 s 5 are each amended to read as follows:

(1) For purposes of this chapter, "community truancy board" means a board established pursuant to a memorandum of understanding between a juvenile court and a school district and composed of members of the local community in which the child attends school. ~~(All members of a)~~ Community truancy boards must include members who receive training regarding the identification of barriers to school attendance, the use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, cultural responsive interactions, trauma-informed approaches to discipline, evidence-based treatments that have been found effective in supporting at-risk youth and their families, and the specific services and treatment available in the particular school, court, community, and elsewhere. Duties of a community truancy board shall include, but not be limited to: Identifying barriers to school attendance, recommending methods for improving

attendance such as connecting students and their families with community services, culturally appropriate promising practices, and evidence-based services such as functional family therapy (~~(7 multisystemic therapy, and aggression replacement training)~~), suggesting to the school district that the child enroll in another school, an alternative education program, an education center, a skill center, a dropout prevention program, or another public or private educational program, or recommending to the juvenile court that a juvenile be (~~(referred to)~~) offered the opportunity for placement in a HOPE center or crisis residential center, if appropriate.

(2) The legislature finds that utilization of community truancy boards is the preferred means of intervention when preliminary methods to eliminate or reduce unexcused absences as required by RCW 28A.225.020 have not been effective in securing the child's attendance at school. The legislature intends to encourage and support the development and expansion of community truancy boards. Operation of a school truancy board does not excuse a district from the obligation of filing a petition within the requirements of RCW 28A.225.015(3).

Sec. 4. RCW 28A.225.026 and 2016 c 205 s 6 are each amended to read as follows:

(1) By the beginning of the 2017-18 school year, juvenile courts must establish, through a memorandum of understanding with each school district within their respective counties, a coordinated and collaborative approach to address truancy through the establishment of a community truancy board or, with respect to certain small districts, through other means as provided in subsection (3) of this section.

(2) Except as provided in subsection (3) of this section, each school district must enter into a memorandum of understanding with the juvenile court in the county in which it is located with respect to the operation of a community truancy board. A community truancy board may be operated by a juvenile court, a school district, or a collaboration between both entities, so long as the agreement is memorialized in a memorandum of understanding. For a school district that is located in more than one county, the memorandum of understanding shall be with the juvenile court in the county that acts as the school district's treasurer.

(3) A school district with fewer than (~~(two)~~) three hundred students must enter into a memorandum of understanding with the juvenile court in the county in which it is located with respect to: (a) The operation of a community truancy board; or (b) addressing truancy through other coordinated means of intervention aimed at identifying barriers to school attendance, and connecting students and their families with community services, culturally appropriate promising practices, and evidence-based services such as functional family therapy (~~(7 multisystemic therapy, and aggression replacement training)~~). School districts with fewer than (~~(two)~~) three hundred students may work cooperatively with other school districts or the school district's educational service district to ensure access to a community truancy board or to provide other coordinated means of intervention.

(4) All school districts must designate, and identify to the local juvenile court and to the office of the superintendent of public instruction, a person or persons to coordinate school district efforts to address excessive absenteeism and truancy, including tasks associated with: Outreach and conferences pursuant to RCW 28A.225.018; entering into a memorandum of understanding with the juvenile court; establishing protocols and procedures with the court; coordinating trainings; sharing evidence-based and culturally appropriate promising practices; identifying a person within every school to serve as a contact with respect to excessive absenteeism and truancy; and assisting in the recruitment of community truancy board members.

(5) As has been demonstrated by school districts and county juvenile courts around the state that have worked together and led the way with community truancy boards, success has resulted from involving the entire community and leveraging existing dollars from a variety of sources, including public and private, local and state, and court, school, and community. In emulating this coordinated and collaborative approach statewide pursuant to local memoranda of understanding, courts and school districts are encouraged to create strong community-wide partnerships and to leverage existing dollars and resources.

Sec. 5. RCW 28A.225.090 and 2016 c 205 s 9 are each amended to read as follows:

(1) A court may order a child subject to a petition under RCW 28A.225.035 to do one or more of the following:

(a) Attend the child's current school, and set forth minimum attendance requirements, which shall not consider a suspension day as an unexcused absence;

(b) If there is space available and the program can provide educational services appropriate for the child, order the child to attend another public school, an alternative education program, center, a skill center, dropout prevention program, or another public educational program;

(c) Attend a private nonsectarian school or program including an education center. Before ordering a child to attend an approved or certified private nonsectarian school or program, the court shall: (i) Consider the public and private programs available; (ii) find that placement is in the best interest of the child; and (iii) find that the private school or program is willing to accept the child and will not charge any fees in addition to those established by contract with the student's school district. If the court orders the child to enroll in a private school or program, the child's school district shall contract with the school or program to provide educational services for the child. The school district shall not be required to contract for a weekly rate that exceeds the state general apportionment dollars calculated on a weekly basis generated by the child and received by the district. A school district shall not be required to enter into a contract that is longer than the remainder of the school year. A school district shall not be required to enter into or continue a contract if the child is no longer enrolled in the district;

(d) Submit to a substance abuse assessment if the court finds on the record that such assessment is appropriate to the circumstances and behavior of the child and will facilitate the child's compliance with the mandatory attendance law and, if any assessment, including a urinalysis test ordered under this subsection indicates the use of controlled substances or alcohol, order the minor to abstain from the unlawful consumption of controlled substances or alcohol and adhere to the recommendations of the substance abuse assessment at no expense to the school; or

(e) Submit to a mental health evaluation or other diagnostic evaluation

and adhere to the recommendations of the drug assessment, at no expense to the school, if the court finds on the court records that such evaluation is appropriate to the circumstances and behavior of the child, and will facilitate the child's compliance with the mandatory attendance law(~~(, or~~

~~(f) Submit to a temporary placement in a crisis residential center or a HOPE center if the court determines there is an immediate health and safety concern, or a family conflict with the need for mediation).~~

(2) (a) If the child fails to comply with the court order, the court may impose:

(i) Community restitution;

(ii) Nonresidential programs with intensive wraparound services;

(iii) A requirement that the child meet with a mentor for a specified number of times; or

(iv) Other services and interventions that the court deems appropriate.

(b) If the child continues to fail (e) to comply with the court order and the court makes a finding that other measures to secure compliance have been tried but have been unsuccessful and no less restrictive alternative is available, the court may order the child to be subject to detention, as provided in RCW 7.21.030(2) (e) (, or may impose alternatives to detention such as community restitution). Failure by a child to comply with an order issued under this subsection shall not be subject to detention for a period greater than that permitted pursuant to a civil contempt proceeding against a child under chapter 13.32A RCW. Detention ordered under this subsection may be for no longer than seven days. Detention ordered under this subsection shall preferably be served at a secure crisis residential center close to the child's home rather than in a juvenile detention facility. A warrant of arrest for a child under this subsection may not be served on a child inside of school during school hours in a location where other students are present.

(3) Any parent violating any of the provisions of either RCW 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. The court shall remit fifty percent of the fine collected under this section to the

child's school district. It shall be a defense for a parent charged with violating RCW 28A.225.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the child's school did not perform its duties as required in RCW 28A.225.020. The court may order the parent to provide community restitution instead of imposing a fine. Any fine imposed pursuant to this section may be suspended upon the condition that a parent charged with violating RCW 28A.225.010 shall participate with the school and the child in a supervised plan for the child's attendance at school or upon condition that the parent attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

(4) If a child continues to be truant after entering into a court-approved order with the truancy board under RCW 28A.225.035, the juvenile court shall find the child in contempt, and the court may order the child to be subject to detention, as provided in RCW 7.21.030(2)(e), or may impose alternatives to detention such as meaningful community restitution. Failure by a child to comply with an order issued under this subsection may not subject a child to detention for a period greater than that permitted under a civil contempt proceeding against a child under chapter 13.32A RCW.

(5) Subsections (1), (2), and (4) of this section shall not apply to a six or seven year old child required to attend public school under RCW 28A.225.015.

Sec. 6. RCW 28A.225.030 and 2016 c 205 s 7 are each amended to read as follows:

(1) If a child under the age of seventeen is required to attend school under RCW 28A.225.010 and if the actions taken by a school district under RCW 28A.225.020 are not successful in substantially reducing an enrolled student's absences from public school, not later than the seventh unexcused absence by a child within any month during the current school year or not later than the tenth unexcused absence during the current school year the school district shall file a petition and supporting affidavit for a civil action with the juvenile court alleging a violation of RCW 28A.225.010: (a) By the parent; (b) by the child; or (c) by the parent and the child. The petition must include a list of all interventions that have been attempted as set forth in RCW 28A.225.020, include a

copy of any previous truancy assessment completed by the child's current school district, the history of approved best practices intervention or research-based intervention previously provided to the child by the child's current school district, and a copy of the most recent truancy information document (~~(signed by the parent and child)~~) provided to the parent, pursuant to RCW 28A.225.005. Except as provided in this subsection, no additional documents need be filed with the petition. Nothing in this subsection requires court jurisdiction to terminate when a child turns seventeen or precludes a school district from filing a petition for a child that is seventeen years of age.

(2) The district shall not later than the fifth unexcused absence in a month:

(a) Enter into an agreement with a student and parent that establishes school attendance requirements;

(b) Refer a student to a community truancy board as defined in RCW 28A.225.025. The community truancy board shall enter into an agreement with the student and parent that establishes school attendance requirements and take other appropriate actions to reduce the child's absences; or

(c) File a petition under subsection (1) of this section.

(3) The petition may be filed by a school district employee who is not an attorney.

(4) If the school district fails to file a petition under this section, the parent of a child with five or more unexcused absences in any month during the current school year or upon the tenth unexcused absence during the current school year may file a petition with the juvenile court alleging a violation of RCW 28A.225.010.

(5) Petitions filed under this section may be served by certified mail, return receipt requested. If such service is unsuccessful, or the return receipt is not signed by the addressee, personal service is required.

Sec. 7. RCW 28A.225.151 and 1996 c 134 s 5 are each amended to read as follows:

(1) As required under subsection (2) of this section, ~~((each school shall document the actions taken under RCW 28A.225.030 and report this information to the school district superintendent who shall compile the data for all the schools in the~~

~~district and prepare an annual school district report for each school year and submit the report to the superintendent of public instruction. The reports shall be made upon forms furnished by the superintendent of public instruction and shall be transmitted as determined by the superintendent of public instruction)) the office of superintendent of public instruction shall collect and school districts shall submit student-level truancy data in order to allow a better understanding of actions taken under RCW 28A.225.030. The office shall prepare an annual report to the legislature by December 15th of each year.~~

(2) The reports under subsection (1) of this section shall include, disaggregated by student group:

(a) The number of enrolled students and the number of unexcused absences;

~~(b) ((Documentation of the steps taken by the school district under each subsection of RCW 28A.225.020 at the request of the superintendent of public instruction. Each year, by May 1st, the superintendent of public instruction shall select ten school districts to submit the report at the end of the following school year. The ten districts shall represent different areas of the state and be of varied sizes. In addition, the superintendent of public instruction shall require any district that fails to keep appropriate records to submit a full report to the superintendent of public instruction under this subsection. All school districts shall document steps taken under RCW 28A.225.020 in each student's record, and make those records available upon request consistent with the laws governing student records;~~

~~(e))~~ (d) The number of enrolled students with ten or more unexcused absences in a school year or five or more unexcused absences in a month during a school year;

~~((d))~~ (c) A description of any programs or schools developed to serve students who have had five or more unexcused absences in a month or ten in a year including information about the number of students in the program or school and the number of unexcused absences of students during and after participation in the program. The school district shall also describe any placements in an approved private nonsectarian school or program or certified program under a court order under RCW 28A.225.090; ~~(and~~

~~(e))~~ (d) The number of petitions filed by a school district with the juvenile court and, beginning in the 2018-19 school year, whether the petition results in:

(i) Referral to a community truancy board;

(ii) Other coordinated means of intervention;

(iii) A hearing in the juvenile court; or

(iv) Other less restrictive disposition (e.g., change of placement, home school, alternative learning experience, residential treatment); and

(e) Each instance of imposition of detention for failure to comply with a court order under RCW 28A.225.090, with a statement of the reasons for each instance of detention.

(3) A report required under this section shall not disclose the name or other identification of a child or parent.

~~(4) ((The superintendent of public instruction shall collect these reports from all school districts and prepare an annual report for each school year to be submitted to the legislature no later than December 15th of each year.))~~ The K-12 data governance group shall develop the data protocols and guidance for school districts in the collection of data to provide a clearer understanding of actions taken under RCW 28A.225.030.

Sec. 8. RCW 28A.250.070 and 2013 2nd sp.s. c 18 s 508 are each amended to read as follows:

Nothing in this chapter is intended to diminish the rights of students to attend a nonresident school district in accordance with RCW 28A.225.220 through 28A.225.230 for the purposes of enrolling in ~~((online courses or online school))~~ alternative learning experience programs. The office of online learning under RCW 28A.250.030 shall develop a standard form, which must be used by all school districts, for releasing a student to a nonresident school district for the purposes of enrolling in an ~~((online course or online school))~~ alternative learning experience program.

NEW SECTION. Sec. 9. A new section is added to chapter 28A.232 RCW to read as follows:

The superintendent of public instruction may adopt rules to bring consistency and uniformity to attendance

and truancy definitions in the alternative learning experience setting, establish procedures for addressing truancy in all alternative learning experience courses, leverage existing systems to facilitate truancy actions between school districts and courts when the student has transferred out of his or her resident district to enroll in an alternative learning experience course; and clarify the responsibility of school districts in the event of rescinding a student transfer.

NEW SECTION. **Sec. 10.** RCW 28A.225.115 (Educational services—Funding for children referred to community truancy board) and 1996 c 134 s 11 are each repealed.

NEW SECTION. **Sec. 11.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "truancy;" strike the remainder of the title and insert "amending RCW 28A.225.015, 28A.225.020, 28A.225.025, 28A.225.026, 28A.225.090, 28A.225.030, 28A.225.151, and 28A.250.070; adding a new section to chapter 28A.232 RCW; creating a new section; and repealing RCW 28A.225.115."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1170 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Rodne spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1170, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1170, as amended by the Senate,

and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Shea and Taylor.

SECOND SUBSTITUTE HOUSE BILL NO. 1170, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1624, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that children with the greatest needs benefit significantly from child care programs that promote stability, quality, and continuity of care. The legislature recognizes that empirical evidence supports the conclusion that high quality child care programs consistently yield more positive outcomes for children, with the strongest positive impacts on the most vulnerable children.

Children in the child welfare system are some of the most vulnerable children. The legislature finds that a child who experiences child abuse or neglect is over four times more likely to abuse substances as an adult and forty-three percent of youth in the juvenile justice system were involved in the child welfare system.

The legislature finds that the child care and development block grant act of 2014 allows the department of early learning to provide working connections child care to children in need of, or receiving, protective services. The legislature further understands that as of

July 1, 2016, authorizations for the working connections child care subsidy are effective for twelve months.

The legislature finds that the children's mental health work group, in its December 2016 final report, recommended that state agencies provide at least twelve months of stable child care through the working connections child care program for certain children involved in the child welfare system, regardless of the employment status of their parents or guardians. Many of these child welfare-involved families are addressing chemical dependency issues, which require a significant amount of time to overcome. For these reasons, the legislature intends to allow certain populations of vulnerable children to be eligible for the working connections child care subsidy for a minimum of twelve months.

Sec. 2. RCW 43.215.135 and 2015 3rd sp.s. c 7 s 6 are each amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months beginning July 1, 2016, ~~((unless an earlier date is provided in the omnibus appropriations act))~~ except that for a change in the ongoing status of the child's parent as working or attending a job training or education program that is not temporary, assistance shall be discontinued after a minimum of three months.

(3) As a condition of receiving a child care subsidy or a working connections child care subsidy, the applicant or recipient must seek child support enforcement services from the department of social and health services, division of child support, unless the department finds that the applicant or recipient has good cause not to cooperate. For the purposes

of this subsection, "good cause" includes consideration of the safety of domestic violence victims.

(4) Existing child care providers serving nonschool-age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

(a) Enroll in the early achievers program by August 1, 2016;

(b) Complete level 2 activities in the early achievers program by August 1, 2017; and

(c) Rate at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider rates below a level 3 by December 31, 2019, the provider must complete remedial activities with the department, and rate at a level 3 or higher no later than June 30, 2020.

~~((4))~~ (5) Effective July 1, 2016, a new child care provider serving nonschool-age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

(a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;

(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and

(c) Rate at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider rates below a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities with the department, and rate at a level 3 or higher within six months of beginning remedial activities.

~~((5))~~ (6) If a child care provider does not rate at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

~~((6))~~ (7) If a child care provider serving nonschool-age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

~~((77))~~ (8) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

~~((88))~~ (9) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

(10) The department shall establish and implement policies in the working connections child care program to allow eligibility for families with children who:

(a) In the last six months have:

(i) Received child protective services as defined and used by chapters 26.44 and 74.13 RCW;

(ii) Received child welfare services as defined and used by chapter 74.13 RCW; or

(iii) Received services through a family assessment response as defined and used by chapter 26.44 RCW;

(b) Have been referred for child care as part of the family's case management as defined by RCW 74.13.020; and

(c) Are residing with a biological parent or guardian.

(11) Children who are eligible for working connections child care pursuant to subsection (10) of this section do not have to keep receiving services through the department of social and health services to maintain twelve-month authorization and the authorization shall not be subject to the conditions specified in subsections (2) and (3) of this section. The department of social and health services' involvement with the family referred for working connections child care ends when the family's child protective services, child welfare services, or family assessment response case is closed.

NEW SECTION. Sec. 3. This act takes effect December 1, 2018.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "children;" strike the remainder of the title and insert "amending RCW 43.215.135;

creating new sections; and providing an effective date."

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1624 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 11, 2017

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"PART I - WASHINGTON SEXUAL ASSAULT KIT INITIATIVE PROJECT

NEW SECTION. Sec. 1. A new section is added to chapter 36.28A RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs shall establish and administer the Washington sexual assault kit initiative project.

(2) The project is created for the purpose of providing funding through a competitive grant program to support multidisciplinary community response teams engaged in seeking a just resolution to sexual assault cases resulting from evidence found in previously unsubmitted sexual assault kits.

(3) In administering the project, the Washington association of sheriffs and police chiefs has the following powers and duties:

(a) Design and implement the grant project with the elements included in this section;

(b) Screen and select eligible applicants to receive grants;

(c) Award grants and disburse funds to at least two eligible applicants, at least one located in western Washington and at least one located in eastern Washington;

(d) Adopt necessary policies and procedures to implement and administer the program;

(e) Monitor use of grant funds and compliance with the grant requirements;

(f) Create and implement reporting requirements for grant recipients;

(g) Facilitate the hosting of a sexual assault kit summit in the state of Washington through a grant recipient or directly through the Washington association of sheriffs and police chiefs, subject to the availability of funds, which may include a combination of public and private dollars allocated for the particular purpose; and

(h) Report to the appropriate committees of the legislature, the joint legislative task force on sexual assault forensic examination best practices, and the governor by December 1, 2017, and each December 1st of each subsequent year the project is funded and operating, regarding the status of grant awards, the progress of the grant recipients toward the identified goals in this section, the data required by subsection (4) of this section, and any other relevant information or recommendations related to the project or sexual assault kit policies.

(4) Grant recipients must:

(a) Perform an inventory of all unsubmitted sexual assault kits in the jurisdiction's possession regardless of where they are stored and submit those sexual assault kits for forensic analysis through the Washington state patrol or another laboratory with the permission of the Washington state patrol;

(b) Establish a multidisciplinary cold case or sexual assault investigation team or teams for follow-up investigations and prosecutions resulting from evidence from the testing of previously unsubmitted sexual assault kits. Cold case or sexual assault investigative teams must: Include prosecutors, law enforcement, and victim advocates for the duration of the project; use victim-centered, trauma-informed protocols, including for victim notification; and use protocols and policies established by the Washington association of sheriffs and police chiefs. The grant funds may support personnel costs, including hiring and overtime, to allow for adequate follow-up investigations and prosecutions. Grant awards must be prioritized for eligible applicants with a commitment to colocate assigned prosecutors, law enforcement, and victim advocates for the duration of the grant program;

(c) Require participants in the multidisciplinary cold case or sexual assault investigation team or teams to participate in and complete specialized training for victim-centered, trauma-informed investigation and prosecutions;

(d) Identify and address individual level, organizational level, and systemic factors that lead to unsubmitted sexual assault kits in the jurisdiction and development of a comprehensive strategy to address the issues, including effecting changes in practice, protocol, and organizational culture, and implementing evidence-based, victim-centered, trauma-informed practices and protocols;

(e) Appoint an informed representative to attend meetings of and provide information and assistance to the joint legislative task force on sexual assault forensic examination best practices;

(f) Identify and maintain consistent, experienced, and committed leadership of their sexual assault kit initiative; and

(g) Track and report the following data to the Washington association of sheriffs and police chiefs, in addition to any data required by the Washington association of sheriffs and police chiefs: The number of kits inventoried; the dates collected and submitted for testing; the number of kits tested; the number of kits with information eligible for entry into the combined DNA index system; the number of combined DNA index system hits; the number of identified suspects; including serial perpetrators; the number of investigations conducted and cases reviewed; the number of charges filed; and the number of convictions.

(5) Subject to the availability of amounts appropriated for this specific purpose, the project may also allocate funds for grant recipients to:

(a) Create and employ training in relation to sexual assault evidence, victimization and trauma response, and other related topics to improve the quality and outcomes of sexual assault investigations and prosecutions;

(b) Enhance victim services and support for past and current victims of sexual assault; or

(c) Develop evidence collection, retention, victim notification, and other protocols needed to optimize data sharing, case investigation, prosecution, and victim support.

(6) For the purposes of this section:

(a) "Eligible applicants" include: Law enforcement agencies, units of local government, or combination of units of local government, prosecutor's offices, or a governmental nonlaw enforcement agency acting as fiscal agent for one of the previously listed types of eligible applicants. A combination of jurisdictions, including contiguous jurisdictions of multiple towns, cities, or counties, may create a task force or other entity for the purposes of applying for and receiving a grant, provided that the relevant prosecutors and law enforcement agencies are acting in partnership in complying with the grant requirements.

(b) "Project" means the Washington sexual assault kit initiative project created in this section.

(c) "Unsubmitted sexual assault kit" are sexual assault kits that have not been submitted to a forensic laboratory for testing with the combined DNA index system-eligible DNA methodologies as of the effective date of the mandatory testing law in RCW 70.125.090. Unsubmitted sexual assault kits includes partially tested sexual assault kits, which are sexual assault kits that have only been subjected to serological testing, or that have previously been tested only with noncombined DNA index system-eligible DNA methodologies. The project does not include untested sexual assault kits that have been submitted to forensic labs for testing with combined DNA index system-eligible DNA methodologies but are delayed for testing as a result of a backlog of work in the laboratory.

Sec. 2. 2015 c 247 s 2 (uncodified) is amended to read as follows:

(1)(a) ~~((A))~~ The joint legislative task force on sexual assault forensic examination best practices is established ((to review)) for the purpose of reviewing best practice models for managing all aspects of sexual assault examinations and for reducing the number of untested sexual assault examination kits in Washington state that were collected prior to the effective date of this section.

(i) The caucus leaders from the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The caucus leaders from the house of representatives shall appoint one

member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall jointly appoint:

(A) One member representing each of the following:

(I) The Washington state patrol;

(II) The Washington association of sheriffs and police chiefs;

(III) The Washington association of prosecuting attorneys;

(IV) The Washington defender association or the Washington association of criminal defense lawyers;

(V) The Washington association of cities;

(VI) The Washington association of county officials;

(VII) The Washington coalition of sexual assault programs;

(VIII) The office of crime victims advocacy;

(IX) The Washington state hospital association;

(X) The Washington state forensic investigations council;

(XI) A public institution of higher education as defined in RCW 28B.10.016; ~~((and))~~

(XII) A private higher education institution as defined in RCW 28B.07.020; and

(XIII) The office of the attorney general; and

(B) Two members representing survivors of sexual assault.

(b) The task force shall choose two cochairs from among its legislative membership. The legislative membership shall convene the initial meeting of the task force.

(2) The duties of the task force include, but are not limited to:

(a) Researching and determining the number of untested sexual assault examination kits in Washington state;

(b) Researching the locations where the untested sexual assault examination kits are stored;

(c) Researching, reviewing, and making recommendations regarding legislative policy options for reducing the number of untested sexual assault examination kits;

(d) Researching the best practice models both in state and from other states for collaborative responses to victims of sexual assault from the point the sexual assault examination kit is collected to the conclusion of the investigation and providing recommendations regarding any existing gaps in Washington and resources that may be necessary to address those gaps; and

(e) Researching, identifying, and making recommendations for securing nonstate funding for testing the sexual assault examination kits, and reporting on progress made toward securing such funding.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force meetings and expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The first meeting of the task force must occur prior to October 1, 2015. The task force shall submit a preliminary report regarding its initial findings and recommendations to the appropriate committees of the legislature and the governor no later than December 1, 2015.

(7) The task force must meet no less than twice annually.

(8) The task force shall report its findings and recommendations to the appropriate committees of the legislature and the governor by September 30, 2016, and by ~~((September 30th))~~ December 1st of ~~((each subsequent))~~ the following year.

(9) This section expires June 30, 2018.

NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall provide ongoing specialized, intensive, and integrative training for persons responsible for investigating sexual assault cases involving adult victims. The training must be based on a victim-centered, trauma-informed approach to responding to sexual assault. Among other subjects, the training must include content on the neurobiology of trauma and trauma-informed interviewing, counseling, and investigative techniques.

(2) The training must: Be based on research-based practices and standards; offer participants an opportunity to practice interview skills and receive feedback from instructors; minimize the trauma of all persons who are interviewed during abuse investigations; provide methods of reducing the number of investigative interviews necessary whenever possible; assure, to the extent possible, that investigative interviews are thorough, objective, and complete; recognize needs of special populations; recognize the nature and consequences of victimization; require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; address record retention and retrieval; and address documentation of investigative interviews.

(3) In developing the training, the commission shall seek advice from the Washington association of sheriffs and police chiefs, the Washington coalition of sexual assault programs, and experts on sexual assault and the neurobiology of trauma. The commission shall consult with the Washington association of prosecuting attorneys in an effort to design training containing consistent elements for all professionals engaged in interviewing and interacting with sexual assault victims in the criminal justice system.

(4) The commission shall develop the training and begin offering it by July 1, 2018. Officers assigned to regularly investigate sexual assault involving adult victims shall complete the training within one year of being assigned or by July 1, 2020, whichever is later.

PART II - TRAINING

NEW SECTION. **Sec. 4.** A new section is added to chapter 43.101 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the commission shall incorporate victim-centered, trauma-informed approaches to policing in the basic law enforcement training curriculum. In modifying the curriculum, the commission shall seek advice from the Washington coalition of sexual assault programs and other experts on sexual assault and the neurobiology of trauma.

NEW SECTION. **Sec. 5.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall develop training on a victim-centered, trauma-informed approach to interacting with victims and responding to sexual assault calls. The curriculum must: Be designed for commissioned patrol officers not regularly assigned to investigate sexual assault cases; be designed for deployment and use within individual law enforcement agencies; include features allowing for it to be used in different environments, which may include multimedia or video components; allow for law enforcement agencies to host it in small segments at different times over several days or weeks, including roll calls. The training must include components on available resources for victims including, but not limited to, material on and references to community-based victim advocates.

(2) In developing the training, the commission shall seek advice from the Washington association of sheriffs and police chiefs, the Washington coalition of sexual assault programs, and experts on sexual assault and the neurobiology of trauma.

(3) Beginning in 2018, all law enforcement agencies shall annually host the training for commissioned peace officers. All law enforcement agencies shall, to the extent feasible, consult with and feature local community-based victim advocates during the training.

PART III - FUNDING

NEW SECTION. **Sec. 6.** (1) The sexual assault prevention and response account is created in the state treasury. All legislative appropriations and transfers; gifts, grants, and other donations; and

all other revenues directed to the account must be deposited into the sexual assault prevention and response account. Moneys in the account may only be spent after appropriation.

(2) The legislature must prioritize appropriations from the account for: The Washington sexual assault kit initiative project created in section 1 of this act; the office of crime victims advocacy for the purpose of providing support and services, including educational and vocational training, to victims of sexual assault and trafficking; victim-centered, trauma-informed training for prosecutors, law enforcement, and victim advocates, including, but not limited to, the training in sections 3 through 5 of this act; the Washington state patrol for the purpose of funding the statewide sexual assault kit tracking system and funding the forensic analysis of sexual assault kits.

Sec. 7. RCW 43.330.470 and 2016 c 173 s 9 are each amended to read as follows:

(1) The Washington sexual assault kit program is created within the department for the purpose of accepting private funds ~~((conducting))~~ to fund forensic analysis of sexual assault kits in the possession of law enforcement agencies but not submitted for analysis as of July 24, 2015, and to fund other related programs aimed at improving the public's response to sexual assault. The director may accept gifts, grants, donations, or moneys from any source for deposit in the Washington sexual assault kit account created under subsection (2) of this section.

(2) The Washington sexual assault kit account is created in the custody of the state treasurer. Funds deposited in the Washington sexual assault kit account may be used for the Washington sexual assault kit program established under this section. The Washington sexual assault kit account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(3) Except when otherwise specified, public funds deposited in the Washington sexual assault kit account must be transferred and used exclusively for the following:

(a) Eighty-five percent of the funds for the Washington state patrol bureau of forensic laboratory services for the purpose of conducting forensic analysis of sexual assault kits in the possession of

law enforcement agencies but not submitted for forensic analysis as of July 24, 2015; and

(b) Fifteen percent of the funds for the office of crime victims advocacy in the department for the purpose of funding grants for sexual assault nurse examiner services and training.

(4) (a) Except as otherwise provided in (b) of this subsection, private funds donated to and deposited in the Washington sexual assault kit account must be transferred and used exclusively for the following:

(i) Thirty percent for the Washington association of sheriffs and police chiefs for the purpose of funding the Washington sexual assault kit initiative project created in section 1 of this act;

(ii) Thirty percent for the Washington state patrol bureau of forensic laboratory services for the purpose of conducting forensic analysis of sexual assault kits in the possession of law enforcement agencies but not submitted for forensic analysis as of July 24, 2015, unless the Washington state patrol bureau of forensic laboratory services deems that the funds are not necessary for this purpose, in which case the funds shall be divided equally for the purposes outlined in (a) (i), (iii), and (iv) of this subsection;

(iii) Thirty percent for the criminal justice training commission for the training in sections 3 through 5 of this act;

(iv) Ten percent for the office of crime victims advocacy in the department for the purpose of providing services to victims of sexual assault and training for professionals interacting with and providing services to victims of sexual assault.

(b) With the consent of the department, a grantor of funds may enter into an agreement with the department for a different allocation of funds specified in (a) of this subsection, provided that the funds are distributed for the purpose of the program created in this section. Within thirty days of entering into an agreement under this subsection (4) (b), the department shall notify the sexual assault forensic examination best practices task force and the appropriate committees of the legislature.

(5) This section expires June 30, 2022.

Sec. 8. RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and 2016 c 112 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the

aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the

local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the

transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be

allocated earnings without the specific affirmative directive of this section."

On page 1, line 1 of the title, after "assault;" strike the remainder of the title and insert "amending RCW 43.330.470; amending 2015 c 247 s 2 (uncodified); reenacting and amending RCW 43.84.092; adding a new section to chapter 36.28A RCW; adding new sections to chapter 43.101 RCW; and creating a new section."

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 12, 2017

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 1058, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that providing a victim with the opportunity for restitution from the perpetrator of the crime is an important part of the criminal justice system. It is the intent of the legislature to reaffirm the priority of restitution and, by this act, clarify that any outstanding debt for restitution be paid prior to the payment of any other legal financial obligation owed by the offender.

Sec. 2. RCW 10.01.170 and 1975-'76 2nd ex.s. c 96 s 2 are each amended to read as follows:

(1) When a defendant is sentenced to pay ((~~⊕~~)) fines, penalties, assessments, fees, restitution, or costs, the court may grant permission for payment to be made within a specified period of time or in specified installments. If no such permission is included in the sentence the fine or costs shall be payable forthwith.

(2) The offender's monthly payment shall be applied in the following order of priority:

(a) First, proportionally to any restitution owed to victims that have not

been fully compensated from other sources until satisfied;

(b) Second, proportionally to restitution owed to insurance or other sources with respect to a loss that has provided compensation to victims until satisfied;

(c) Third, proportionally to crime victims' assessments until satisfied; and

(d) Fourth, proportionally to costs, fines, and other assessments required by law.

Sec. 3. RCW 9.94A.760 and 2011 c 106 s 3 are each amended to read as follows:

(1) Whenever a person is convicted in superior court, the court may order the payment of a legal financial obligation as part of the sentence. The court must on either the judgment and sentence or on a subsequent order to pay, designate the total amount of a legal financial obligation and segregate this amount among the separate assessments made for restitution, costs, fines, and other assessments required by law. On the same order, the court is also to set a sum that the offender is required to pay on a monthly basis towards satisfying the legal financial obligation. If the court fails to set the offender monthly payment amount, the department shall set the amount if the department has active supervision of the offender, otherwise the county clerk shall set the amount.

(2) Upon receipt of ~~((an offender's monthly))~~ each payment ~~((, restitution shall be paid prior to any payments of other monetary obligations. After restitution is satisfied))~~ made by or on behalf of an offender, the county clerk shall distribute the payment ~~((proportionally among all other fines, costs, and assessments imposed, unless otherwise ordered by the court))~~ in the following order of priority:

(a) First, proportionally to restitution owed to victims that have not been fully compensated from other sources until satisfied;

(b) Second, proportionally to restitution owed to insurance or other sources with respect to a loss that has provided compensation to victims until satisfied;

(c) Third, proportionally to crime victims' assessments until satisfied; and

(d) Fourth, proportionally to costs, fines, and other assessments required by law.

~~((4))~~ (3) If the court determines that the offender, at the time of sentencing, has the means to pay for the cost of incarceration, the court may require the offender to pay for the cost of incarceration at a rate of fifty dollars per day of incarceration, if incarcerated in a prison, or the court may require the offender to pay the actual cost of incarceration per day of incarceration, if incarcerated in a county jail. In no case may the court require the offender to pay more than one hundred dollars per day for the cost of incarceration. Payment of other court-ordered financial obligations, including all legal financial obligations and costs of supervision shall take precedence over the payment of the cost of incarceration ordered by the court. All funds recovered from offenders for the cost of incarceration in the county jail shall be remitted to the county and the costs of incarceration in a prison shall be remitted to the department.

(4) The court may add to the judgment and sentence or subsequent order to pay a statement that a notice of payroll deduction is to be issued immediately. If the court chooses not to order the immediate issuance of a notice of payroll deduction at sentencing, the court shall add to the judgment and sentence or subsequent order to pay a statement that a notice of payroll deduction may be issued or other income-withholding action may be taken, without further notice to the offender if a monthly court-ordered legal financial obligation payment is not paid when due, and an amount equal to or greater than the amount payable for one month is owed.

If a judgment and sentence or subsequent order to pay does not include the statement that a notice of payroll deduction may be issued or other income-withholding action may be taken if a monthly legal financial obligation payment is past due, the department or the county clerk may serve a notice on the offender stating such requirements and authorizations. Service shall be by personal service or any form of mail requiring a return receipt.

~~((4))~~ (5) Independent of the department or the county clerk, the party or entity to whom the legal financial obligation is owed shall have the

authority to use any other remedies available to the party or entity to collect the legal financial obligation. These remedies include enforcement in the same manner as a judgment in a civil action by the party or entity to whom the legal financial obligation is owed. Restitution collected through civil enforcement must be paid through the registry of the court and must be distributed proportionately according to each victim's loss when there is more than one victim. The judgment and sentence shall identify the party or entity to whom restitution is owed so that the state, party, or entity may enforce the judgment. If restitution is ordered pursuant to RCW 9.94A.750(6) or 9.94A.753(6) to a victim of rape of a child or a victim's child born from the rape, the Washington state child support registry shall be identified as the party to whom payments must be made. Restitution obligations arising from the rape of a child in the first, second, or third degree that result in the pregnancy of the victim may be enforced for the time periods provided under RCW 9.94A.750(6) and 9.94A.753(6). All other legal financial obligations for an offense committed prior to July 1, 2000, may be enforced at any time during the ten-year period following the offender's release from total confinement or within ten years of entry of the judgment and sentence, whichever period ends later. Prior to the expiration of the initial ten-year period, the superior court may extend the criminal judgment an additional ten years for payment of legal financial obligations including crime victims' assessments. All other legal financial obligations for an offense committed on or after July 1, 2000, may be enforced at any time the offender remains under the court's jurisdiction. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for purposes of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. The department may only supervise the offender's compliance with payment of the legal financial obligations during any period in which the department is authorized to supervise the offender in the community under RCW 9.94A.728, 9.94A.501, or in which the offender is confined in a state correctional institution or a correctional facility pursuant to a transfer agreement with the department, and the department shall

supervise the offender's compliance during any such period. The department is not responsible for supervision of the offender during any subsequent period of time the offender remains under the court's jurisdiction. The county clerk is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations.

~~((5))~~ (6) In order to assist the court in setting a monthly sum that the offender must pay during the period of supervision, the offender is required to report to the department for purposes of preparing a recommendation to the court. When reporting, the offender is required, under oath, to respond truthfully and honestly to all questions concerning present, past, and future earning capabilities and the location and nature of all property or financial assets. The offender is further required to bring all documents requested by the department.

~~((6))~~ (7) After completing the investigation, the department shall make a report to the court on the amount of the monthly payment that the offender should be required to make towards a satisfied legal financial obligation.

~~((7))~~ (8)(a) During the period of supervision, the department may make a recommendation to the court that the offender's monthly payment schedule be modified so as to reflect a change in financial circumstances. If the department sets the monthly payment amount, the department may modify the monthly payment amount without the matter being returned to the court. During the period of supervision, the department may require the offender to report to the department for the purposes of reviewing the appropriateness of the collection schedule for the legal financial obligation. During this reporting, the offender is required under oath to respond truthfully and honestly to all questions concerning earning capabilities and the location and nature of all property or financial assets. The offender shall bring all documents requested by the department in order to prepare the collection schedule.

(b) Subsequent to any period of supervision, or if the department is not authorized to supervise the offender in the community, the county clerk may make a recommendation to the court that the offender's monthly payment schedule be modified so as to reflect a change in

financial circumstances. If the county clerk sets the monthly payment amount, or if the department set the monthly payment amount and the department has subsequently turned the collection of the legal financial obligation over to the county clerk, the clerk may modify the monthly payment amount without the matter being returned to the court. During the period of repayment, the county clerk may require the offender to report to the clerk for the purpose of reviewing the appropriateness of the collection schedule for the legal financial obligation. During this reporting, the offender is required under oath to respond truthfully and honestly to all questions concerning earning capabilities and the location and nature of all property or financial assets. The offender shall bring all documents requested by the county clerk in order to prepare the collection schedule.

~~((8))~~ (9) After the judgment and sentence or payment order is entered, the department is authorized, for any period of supervision, to collect the legal financial obligation from the offender. Subsequent to any period of supervision or, if the department is not authorized to supervise the offender in the community, the county clerk is authorized to collect unpaid legal financial obligations from the offender. Any amount collected by the department shall be remitted daily to the county clerk for the purpose of disbursements. The department and the county clerks are authorized, but not required, to accept credit cards as payment for a legal financial obligation, and any costs incurred related to accepting credit card payments shall be the responsibility of the offender.

~~((9))~~ (10) The department or any obligee of the legal financial obligation may seek a mandatory wage assignment for the purposes of obtaining satisfaction for the legal financial obligation pursuant to RCW 9.94A.7701. Any party obtaining a wage assignment shall notify the county clerk. The county clerks shall notify the department, or the administrative office of the courts, whichever is providing the monthly billing for the offender.

~~((10))~~ (11) The requirement that the offender pay a monthly sum towards a legal financial obligation constitutes a condition or requirement of a sentence and the offender is subject to the penalties for noncompliance as provided in RCW 9.94B.040, 9.94A.737, or 9.94A.740.

~~((11))~~ (12) (a) The administrative office of the courts shall mail individualized periodic billings to the address known by the office for each offender with an unsatisfied legal financial obligation.

(b) The billing shall direct payments, other than outstanding cost of supervision assessments under RCW 9.94A.780, parole assessments under RCW 72.04A.120, and cost of probation assessments under RCW 9.95.214, to the county clerk, and cost of supervision, parole, or probation assessments to the department.

(c) The county clerk shall provide the administrative office of the courts with notice of payments by such offenders no less frequently than weekly.

(d) The county clerks, the administrative office of the courts, and the department shall maintain agreements to implement this subsection.

~~((12))~~ (13) The department shall arrange for the collection of unpaid legal financial obligations during any period of supervision in the community through the county clerk. The department shall either collect unpaid legal financial obligations or arrange for collections through another entity if the clerk does not assume responsibility or is unable to continue to assume responsibility for collection pursuant to subsection ~~((4))~~ (5) of this section. The costs for collection services shall be paid by the offender.

~~((13))~~ (14) The county clerk may access the records of the employment security department for the purposes of verifying employment or income, seeking any assignment of wages, or performing other duties necessary to the collection of an offender's legal financial obligations.

~~((14))~~ (15) Nothing in this chapter makes the department, the state, the counties, or any state or county employees, agents, or other persons acting on their behalf liable under any circumstances for the payment of these legal financial obligations or for the acts of any offender who is no longer, or was not, subject to supervision by the department for a term of community custody, and who remains under the jurisdiction of the court for payment of legal financial obligations."

On page 1, line 1 of the title, after "restitution;" strike the remainder of the title and insert "amending RCW 10.01.170

and 9.94A.760; and creating a new section."

Pablo S. Campos, Deputy Secretary

POINT OF ORDER

Representative Bergquist requested a scope and object ruling on the Senate amendment to HOUSE BILL NO. 1058.

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding): *HB 1058 is an act relating to court-ordered restitution. The bill passed by the House related solely to court-ordered restitution while an offender is in total confinement.*

The Senate amendment adds provisions relating to the priority for payment of legal financial obligations.

The Speaker finds and rules that the amendment is beyond the scope and object of the bill.

The point of order is well taken.

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to HOUSE BILL 1058 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1314 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 74.09 RCW to read as follows:

(1) Audits of the records of health care providers performed under this chapter are subject to the following:

(a) The authority must provide at least thirty calendar days' notice before scheduling any on-site audit, unless there is evidence of danger to public health and safety or fraudulent activities;

(b) The authority must make a good faith effort to establish a mutually agreed upon time and date for the on-site audit;

(c) The authority must allow providers, at their request, to submit records requested as a result of an audit in electronic format, including compact disc, digital versatile disc, or other

electronic formats deemed appropriate by the authority, or by facsimile transmission;

(d) The authority shall make reasonable efforts to avoid reviewing claims that are currently being audited by the authority, that have already been audited by the authority, or that are currently being audited by another governmental entity;

(e) A finding of overpayment to a provider in a program operated or administered by the authority may not be based on extrapolation unless there is a determination of sustained high level of payment error involving the provider or when documented educational intervention has failed to correct the level of payment error. Any finding that is based upon extrapolation, and the related sampling, must be established to be statistically fair and reasonable in order to be valid. The sampling methodology used must be validated by a statistician or person with equivalent experience as having a confidence level of ninety-five percent or greater;

(f) The authority must provide a detailed explanation in writing to a provider for any adverse determination that would result in partial or full recoupment of a payment to the provider. The written notification shall, at a minimum, include the following: (i) The reason for the adverse determination; (ii) the specific criteria on which the adverse determination was based; (iii) an explanation of the provider's appeal rights; and (iv) if applicable, the appropriate procedure to submit a claims adjustment in accordance with subsection (3) of this section;

(g) The authority may not recoup overpayments until all informal and formal appeals processes have been completed;

(h) The authority must offer a provider with an adverse determination the option of repaying the amount owed according to a negotiated repayment plan of up to twelve months;

(i) The authority must produce a preliminary report or draft audit findings within one hundred twenty days from the receipt of all requested information as identified in writing by the authority; and

(j) In the event that the authority seeks to recoup funds from a provider who is no longer a contractor with the medical assistance program, the authority must

provide a description of the claim, including the patient name, date of service, and procedure. A provider is not required to obtain a court order to receive such information.

(2) Any contractor that conducts audits of the medical assistance program on behalf of the authority must comply with the requirements in this subsection and must:

(a) In any appeal by a health care provider, employ or contract with a medical or dental professional who practices within the same specialty, is board certified, and experienced in the treatment, billing, and coding procedures used by the provider being audited to make findings and determinations;

(b) Compile, on an annual basis, metrics specified by the authority. The authority shall publish the metrics on its web site. The metrics must, at a minimum, include:

(i) The number and type of claims reviewed;

(ii) The number of records requested;

(iii) The number of overpayments and underpayments identified by the contractor;

(iv) The aggregate dollar amount associated with identified overpayments and underpayments;

(v) The duration of audits from initiation until time of completion;

(vi) The number of adverse determinations and the overturn rates of those determinations at each stage of the informal and formal appeal process;

(vii) The number of informal and formal appeals filed by providers categorized by disposition status;

(viii) The contractor's compensation structure and dollar amount of compensation; and

(ix) A copy of the authority's contract with the contractor.

(3) The authority shall develop and implement a procedure by which an improper payment identified by an audit may be resubmitted as a claims adjustment.

(4) The authority shall provide educational and training programs annually for providers. The training topics must include a summary of audit results, a description of common issues, problems and

mistakes identified through audits and reviews, and opportunities for improvement."

On page 1, line 1 of the title, after "practices;" strike the remainder of the title and insert "and adding a new section to chapter 74.09 RCW."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1314 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Graves and Cody spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1314, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1314, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1314, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1402 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 11.92 RCW to read as follows:

(1) Except as otherwise provided in this section, an incapacitated person retains the right to associate with persons of the incapacitated person's choosing. This right includes, but is not limited to, the right to freely communicate and interact with other persons, whether through in-person visits, telephone calls, electronic communication, personal mail, or other means. If the incapacitated person is unable to express consent for communication, visitation, or interaction with another person, or is otherwise unable to make a decision regarding association with another person, a guardian of the incapacitated person, whether full or limited, must:

(a) Personally inform the incapacitated person of the decision under consideration, using plain language, in a manner calculated to maximize the understanding of the incapacitated person;

(b) Maximize the incapacitated person's participation in the decision-making process to the greatest extent possible, consistent with the incapacitated person's abilities; and

(c) Give substantial weight to the incapacitated person's preferences, both expressed and historical.

(2) A guardian or limited guardian may not restrict an incapacitated person's right to communicate, visit, interact, or otherwise associate with persons of the incapacitated person's choosing, unless:

(a) The restriction is specifically authorized by the guardianship court in the court order establishing or modifying the guardianship or limited guardianship under chapter 11.88 RCW;

(b) The restriction is pursuant to a protection order issued under chapter 74.34 RCW, chapter 26.50 RCW, or other law, that limits contact between the incapacitated person and other persons; or

(c) (i) The guardian or limited guardian has good cause to believe that there is an immediate need to restrict an incapacitated person's right to

communicate, visit, interact, or otherwise associate with persons of the incapacitated person's choosing in order to protect the incapacitated person from abuse, neglect, abandonment, or financial exploitation, as those terms are defined in RCW 74.34.020, or to protect the incapacitated person from activities that unnecessarily impose significant distress on the incapacitated person; and

(ii) Within fourteen calendar days of imposing the restriction under (c)(i) of this subsection, the guardian or limited guardian files a petition for a protection order under chapter 74.34 RCW. The immediate need restriction may remain in place until the court has heard and issued an order or decision on the petition.

(3) A protection order under chapter 74.34 RCW issued to protect an incapacitated person as described in subsection (2)(c)(ii) of this section:

(a) Must include written findings of fact and conclusions of law;

(b) May not be more restrictive than necessary to protect the incapacitated person from abuse, neglect, abandonment, or financial exploitation as those terms are defined in RCW 74.34.020; and

(c) May not deny communication, visitation, interaction, or other association between the incapacitated person and another person unless the court finds that placing reasonable time, place, or manner restrictions is unlikely to sufficiently protect the incapacitated person from abuse, neglect, abandonment, or financial exploitation as those terms are defined in RCW 74.34.020.

Sec. 2. RCW 74.34.020 and 2015 c 268 s 1 are each amended to read as follows:

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

(1) "Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

(2) "Abuse" means the willful action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical

harm, pain, or mental anguish. Abuse includes sexual abuse, mental abuse, physical abuse, and personal exploitation of a vulnerable adult, and improper use of restraint against a vulnerable adult which have the following meanings:

(a) "Sexual abuse" means any form of nonconsensual sexual conduct, including but not limited to unwanted or inappropriate touching, rape, sodomy, sexual coercion, sexually explicit photographing, and sexual harassment. Sexual abuse also includes any sexual conduct between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter 71A.12 RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under chapter 71A.12 RCW, whether or not it is consensual.

(b) "Physical abuse" means the willful action of inflicting bodily injury or physical mistreatment. Physical abuse includes, but is not limited to, striking with or without an object, slapping, pinching, choking, kicking, shoving, or prodding.

(c) "Mental abuse" means a willful verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. Mental abuse may include ridiculing, yelling, or swearing.

(d) "Personal exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(e) "Improper use of restraint" means the inappropriate use of chemical, physical, or mechanical restraints for convenience or discipline or in a manner that: (i) Is inconsistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW; (ii) is not medically authorized; or (iii) otherwise constitutes abuse under this section.

(3) "Chemical restraint" means the administration of any drug to manage a vulnerable adult's behavior in a way that reduces the safety risk to the vulnerable adult or others, has the temporary effect of restricting the vulnerable adult's

freedom of movement, and is not standard treatment for the vulnerable adult's medical or psychiatric condition.

(4) "Consent" means express written consent granted after the vulnerable adult or his or her legal representative has been fully informed of the nature of the services to be offered and that the receipt of services is voluntary.

(5) "Department" means the department of social and health services.

(6) "Facility" means a residence licensed or required to be licensed under chapter 18.20 RCW, assisted living facilities; chapter 18.51 RCW, nursing homes; chapter 70.128 RCW, adult family homes; chapter 72.36 RCW, soldiers' homes; or chapter 71A.20 RCW, residential habilitation centers; or any other facility licensed or certified by the department.

(7) "Financial exploitation" means the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship appointment, that results in the unauthorized appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of his or her property, income, resources, or trust funds.

(8) "Financial institution" has the same meaning as in RCW 30A.22.040 and 30A.22.041. For purposes of this chapter only, "financial institution" also means a "broker-dealer" or "investment adviser" as defined in RCW 21.20.005.

(9) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW and any employee, agent, officer, director, or independent contractor thereof.

(10) "Incapacitated person" means a person who is at a significant risk of personal or financial harm under RCW 11.88.010(1) (a), (b), (c), or (d).

(11) "Individual provider" means a person under contract with the department to provide services in the home under chapter 74.09 or 74.39A RCW.

(12) "Interested person" means a person who demonstrates to the court's satisfaction that the person is interested in the welfare of the vulnerable adult, that the person has a good faith belief that the court's intervention is necessary, and that the vulnerable adult is unable, due to incapacity, undue influence, or duress at the time the petition is filed, to protect his or her own interests.

(13)(a) "Isolate" or "isolation" means to restrict a vulnerable adult's ability to communicate, visit, interact, or otherwise associate with persons of his or her choosing. Isolation may be evidenced by acts including but not limited to:

(i) Acts that prevent a vulnerable adult from sending, making, or receiving his or her personal mail, electronic communications, or telephone calls; or

(ii) Acts that prevent or obstruct the vulnerable adult from meeting with others, such as telling a prospective visitor or caller that a vulnerable adult is not present, or does not wish contact, where the statement is contrary to the express wishes of the vulnerable adult.

(b) The term "isolate" or "isolation" may not be construed in a manner that prevents a guardian or limited guardian from performing his or her fiduciary obligations under chapter 11.92 RCW or prevents a hospital or facility from providing treatment consistent with the standard of care for delivery of health services.

(14) "Mandated reporter" is an employee of the department; law enforcement

officer; social worker; professional school personnel; individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; county coroner or medical examiner; Christian Science practitioner; or health care provider subject to chapter 18.130 RCW.

~~((14))~~ (15) "Mechanical restraint" means any device attached or adjacent to the vulnerable adult's body that he or she cannot easily remove that restricts freedom of movement or normal access to his or her body. "Mechanical restraint" does not include the use of devices, materials, or equipment that are (a) medically authorized, as required, and (b) used in a manner that is consistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW.

~~((15))~~ (16) "Neglect" means (a) a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100.

~~((16))~~ (17) "Permissive reporter" means any person, including, but not limited to, an employee of a financial institution, attorney, or volunteer in a facility or program providing services for vulnerable adults.

~~((17))~~ (18) "Physical restraint" means the application of physical force without the use of any device, for the purpose of restraining the free movement of a vulnerable adult's body. "Physical restraint" does not include (a) briefly holding without undue force a vulnerable adult in order to calm or comfort him or her, or (b) holding a vulnerable adult's hand to safely escort him or her from one area to another.

~~((18))~~ (19) "Protective services" means any services provided by the department to a vulnerable adult with the

consent of the vulnerable adult, or the legal representative of the vulnerable adult, who has been abandoned, abused, financially exploited, neglected, or in a state of self-neglect. These services may include, but are not limited to case management, social casework, home care, placement, arranging for medical evaluations, psychological evaluations, day care, or referral for legal assistance.

~~((19))~~ (20) "Self-neglect" means the failure of a vulnerable adult, not living in a facility, to provide for himself or herself the goods and services necessary for the vulnerable adult's physical or mental health, and the absence of which impairs or threatens the vulnerable adult's well-being. This definition may include a vulnerable adult who is receiving services through home health, hospice, or a home care agency, or an individual provider when the neglect is not a result of inaction by that agency or individual provider.

~~((20))~~ (21) "Social worker" means:

(a) A social worker as defined in RCW 18.320.010(2); or

(b) Anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support, or education of vulnerable adults, or providing social services to vulnerable adults, whether in an individual capacity or as an employee or agent of any public or private organization or institution.

~~((21))~~ (22) "Vulnerable adult" includes a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or

(b) Found incapacitated under chapter 11.88 RCW; or

(c) Who has a developmental disability as defined under RCW 71A.10.020; or

(d) Admitted to any facility; or

(e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or

(f) Receiving services from an individual provider; or

(g) Who self-directs his or her own care and receives services from a personal aide under chapter 74.39 RCW.

Sec. 3. RCW 11.92.043 and 2011 c 329 s 3 are each amended to read as follows:

(1) It ~~((shall be))~~ is the duty of the guardian or limited guardian of the person:

~~((1))~~ (a) To file within three months after appointment a personal care plan for the incapacitated person, which ~~((shall))~~ must include ~~((a))~~ (i) an assessment of the incapacitated person's physical, mental, and emotional needs and of such person's ability to perform or assist in activities of daily living, and ~~((b))~~ (ii) the guardian's specific plan for meeting the identified and emerging personal care needs of the incapacitated person.

~~((2))~~ (b) To file annually or, where a guardian of the estate has been appointed, at the time an account is required to be filed under RCW 11.92.040, a report on the status of the incapacitated person, which shall include:

~~((a))~~ (i) The address and name of the incapacitated person and all residential changes during the period;

~~((b))~~ (ii) The services or programs ~~((which))~~ that the incapacitated person receives;

~~((c))~~ (iii) The medical status of the incapacitated person;

~~((d))~~ (iv) The mental status of the incapacitated person, including reports from mental health professionals on the status of the incapacitated person, if any exist;

~~((e))~~ (v) Changes in the functional abilities of the incapacitated person;

~~((f))~~ (vi) Activities of the guardian for the period;

~~((g))~~ (vii) Any recommended changes in the scope of the authority of the guardian;

~~((h))~~ (viii) The identity of any professionals who have assisted the incapacitated person during the period;

~~((i))~~ (ix) (A) Evidence of the guardian or limited guardian's successful completion of any standardized training video or web cast for guardians or limited guardians made available by the administrative office of the courts and

the superior court when the guardian or limited guardian: ~~((A))~~ (I) Was appointed prior to July 22, 2011; ~~((B))~~ (II) is not a certified professional guardian or financial institution authorized under RCW 11.88.020; and ~~((C))~~ (III) has not previously completed the requirements of RCW 11.88.020(3). The training video or web cast must be provided at no cost to the guardian or limited guardian.

~~((ii))~~ (B) The superior court may, upon ~~((A))~~ petition by the guardian or limited guardian ~~((+))~~ or ~~((B))~~ any other method as provided by local court rule:

(I) For good cause, waive this requirement for guardians appointed prior to July 22, 2011. Good cause ~~((shall))~~ requires evidence that the guardian already possesses the requisite knowledge to serve as a guardian without completing the training. When determining whether there is good cause to waive the training requirement, the court ~~((shall))~~ must consider, among other facts, the length of time the guardian has been serving the incapacitated person; whether the guardian has timely filed all required reports with the court; whether the guardian is monitored by other state or local agencies; and whether there have been any allegations of abuse, neglect, or a breach of fiduciary duty against the guardian; or

(II) Extend the time period for completion of the training requirement for ninety days; and

~~((j))~~ (x) Evidence of the guardian or limited guardian's successful completion of any additional or updated training video or web cast offered by the administrative office of the courts and the superior court as is required at the discretion of the superior court unless the guardian or limited guardian is a certified professional guardian or financial institution authorized under RCW 11.88.020. The training video or web cast must be provided at no cost to the guardian or limited guardian.

~~((3))~~ (c) To report to the court within thirty days any substantial change in the incapacitated person's condition, or any changes in residence of the incapacitated person.

~~((4))~~ (d) To inform any person entitled to special notice of proceedings under RCW 11.92.150 and any other person designated by the incapacitated person as soon as possible, but in no case more than

five business days, after the incapacitated person:

(i) Makes a change in residence that is intended or likely to last more than fourteen calendar days;

(ii) Has been admitted to a medical facility for acute care in response to a life-threatening injury or medical condition that requires inpatient care;

(iii) Has been treated in an emergency room setting or kept for hospital observation for more than twenty-four hours; or

(iv) Dies, in which case the notification must be made in person, by telephone, or by certified mail.

(e) Consistent with the powers granted by the court, to care for and maintain the incapacitated person in the setting least restrictive to the incapacitated person's freedom and appropriate to the incapacitated person's personal care needs, assert the incapacitated person's rights and best interests, and if the incapacitated person is a minor or where otherwise appropriate, to see that the incapacitated person receives appropriate training and education and that the incapacitated person has the opportunity to learn a trade, occupation, or profession.

~~((5))~~ (f) Consistent with RCW 7.70.065, to provide timely, informed consent for health care of the incapacitated person, except in the case of a limited guardian where such power is not expressly provided for in the order of appointment or subsequent modifying order as provided in RCW 11.88.125 as now or hereafter amended, the standby guardian or standby limited guardian may provide timely, informed consent to necessary medical procedures if the guardian or limited guardian cannot be located within four hours after the need for such consent arises. No guardian, limited guardian, or standby guardian may involuntarily commit for mental health treatment, observation, or evaluation an alleged incapacitated person who is unable or unwilling to give informed consent to such commitment unless the procedures for involuntary commitment set forth in chapter 71.05 or 72.23 RCW are followed. Nothing in this section ~~((shall))~~ may be construed to allow a guardian, limited guardian, or standby guardian to consent to:

~~((a))~~ (i) Therapy or other procedure which induces convulsion;

~~((b))~~ (ii) Surgery solely for the purpose of psychosurgery;

~~((e))~~ (iii) Other psychiatric or mental health procedures that restrict physical freedom of movement, or the rights set forth in RCW 71.05.217.

(2) A guardian, limited guardian, or standby guardian who believes these procedures are necessary for the proper care and maintenance of the incapacitated person shall petition the court for an order unless the court has previously approved the procedure within the past thirty days. The court may order the procedure only after an attorney is appointed in accordance with RCW 11.88.045 if no attorney has previously appeared, notice is given, and a hearing is held in accordance with RCW 11.88.040.

NEW SECTION. **Sec. 4.** A new section is added to chapter 2.72 RCW to read as follows:

The office of public guardianship, in partnership with the office of the state long-term care ombuds, must develop and offer training targeted to the legal community and persons working in long-term care facilities regarding the different kinds of decision-making authority, including guardianship, authority granted under power of attorney, and surrogate health care decision-making authority. The training must include, at a minimum, information regarding: The roles, duties, and responsibilities of different kinds of decision makers; the scope of authority and limitations on authority with respect to different kinds of decision makers; and any relevant remedial measures provided in law for activity that exceeds the scope of decision-making authority.

NEW SECTION. **Sec. 5.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "adults;" strike the remainder of the title and insert "amending RCW 74.34.020 and 11.92.043; adding a new section to chapter 11.92 RCW; adding a new section to chapter 2.72 RCW; and creating a new section."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1402 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Jinkins and Rodne spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1402, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1402, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1402, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1464 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 4.24.210 and 2012 c 15 s 1 are each amended to read as follows:

(1) Except as otherwise provided in subsection (3) or (4) of this section, any public or private landowners, hydroelectric project owners, or others in lawful possession and control of any lands

whether designated resource, rural, or urban, or water areas or channels and lands adjacent to such areas or channels, who allow members of the public to use them for the purposes of outdoor recreation, which term includes, but is not limited to, the cutting, gathering, and removing of firewood by private persons for their personal use without purchasing the firewood from the landowner, hunting, fishing, camping, picnicking, swimming, hiking, bicycling, skateboarding or other nonmotorized wheel-based activities, aviation activities including, but not limited to, the operation of airplanes, ultra-light airplanes, hang gliders, parachutes, and paragliders, rock climbing, the riding of horses or other animals, clam digging, pleasure driving of off-road vehicles, snowmobiles, and other vehicles, boating, kayaking, canoeing, rafting, nature study, winter or water sports, viewing or enjoying historical, archaeological, scenic, or scientific sites, without charging a fee of any kind therefor, shall not be liable for unintentional injuries to such users.

(2) Except as otherwise provided in subsection (3) or (4) of this section, any public or private landowner or others in lawful possession and control of any lands whether rural or urban, or water areas or channels and lands adjacent to such areas or channels, who offer or allow such land to be used for purposes of a fish or wildlife cooperative project, or allow access to such land for cleanup of litter or other solid waste, shall not be liable for unintentional injuries to any volunteer group or to any other users.

(3) Any public or private landowner, or others in lawful possession and control of the land, may charge an administrative fee of up to twenty-five dollars for the cutting, gathering, and removing of firewood from the land.

(4)(a) Nothing in this section shall prevent the liability of a landowner or others in lawful possession and control for injuries sustained to users by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted.

(i) A fixed anchor used in rock climbing and put in place by someone other than a landowner is not a known dangerous artificial latent condition and a landowner under subsection (1) of this section shall not be liable for

unintentional injuries resulting from the condition or use of such an anchor.

(ii) Releasing water or flows and making waterways or channels available for kayaking, canoeing, or rafting purposes pursuant to and in substantial compliance with a hydroelectric license issued by the federal energy regulatory commission, and making adjacent lands available for purposes of allowing viewing of such activities, does not create a known dangerous artificial latent condition and hydroelectric project owners under subsection (1) of this section shall not be liable for unintentional injuries to the recreational users and observers resulting from such releases and activities.

(b) Nothing in RCW 4.24.200 and this section limits or expands in any way the doctrine of attractive nuisance.

(c) Usage by members of the public, volunteer groups, or other users is permissive and does not support any claim of adverse possession.

(5) For purposes of this section, the following are not fees:

(a) A license or permit issued for statewide use under authority of chapter 79A.05 RCW or Title 77 RCW;

(b) A pass or permit issued under RCW 79A.80.020, 79A.80.030, or 79A.80.040; (~~and~~)

(c) A daily charge not to exceed twenty dollars per person, per day, for access to a publicly owned ORV sports park, as defined in RCW 46.09.310, or other public facility accessed by a highway, street, or nonhighway road for the purposes of off-road vehicle use; and

(d) Payments to landowners for public access from state, local, or nonprofit organizations established under department of fish and wildlife cooperative public access agreements if the landowner does not charge a fee to access the land subject to the cooperative agreement."

On page 1, line 2 of the title, after "lands;" strike the remainder of the title and insert "and amending RCW 4.24.210."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1464 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Blake and Rodne spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1464, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1464, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Kraft, McCaslin, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 1464, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 14, 2017

HB 2200 Prime Sponsor, Representative Hansen: Protecting the privacy and security of internet users. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member;

Doglio; Fey; Harmsworth; Hudgins; McDonald; Santos; Slatter; Steele; Wylie and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Manweller and Nealey.

April 14, 2017

HB 2202 Prime Sponsor, Representative Manweller: Addressing the eligibility of emergency medical technicians for membership in the law enforcement officers' and firefighters' retirement system plan 2. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Condotta; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Taylor; Tharinger; Vick; Volz and Wilcox.

April 14, 2017

ESSB 5679 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Concerning the authority of port districts to provide telecommunications services. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that:

(1) Adequate access to telecommunications facilities and services, comparable to those offered in urban areas, is essential to the economic well-being of communities in rural Washington state.

(2) Many communities, particularly in rural areas, do not have adequate access to telecommunications facilities and services.

(3) Specifying that port districts in these areas have authority to enter into contracts to attract private telecommunications companies may help to

create a sufficient market for the provision of adequate retail telecommunications services.

Sec. 2. RCW 53.08.370 and 2000 c 81 s 7 are each amended to read as follows:

(1) A rural port district in existence on June 8, 2000, ~~((may))~~ and port districts located in counties with a population less than seven hundred thousand are eligible to construct, purchase, acquire, develop, finance, lease, license, handle, provide, add to, contract for, interconnect, alter, improve, repair, operate, and maintain any telecommunications facilities within or without the district's limits utilizing unlit optical fiber for the following purposes:

(a) For the district's own use; and

(b) For the provision of wholesale telecommunications services within the district's limits. Wholesale telecommunications services may be provided beyond the district's limits for back haul services if the district is unable to procure similar services from a telecommunications company. Nothing in this subsection shall be construed to authorize ~~((rural))~~ eligible port districts to provide telecommunications services outside the state or to end users.

(2) ~~((A rural))~~ Except as provided in subsection (7) of this section, port districts providing wholesale telecommunications services under this section shall ensure that rates, terms, and conditions for such services are not unduly or unreasonably discriminatory or preferential. Rates, terms, and conditions are discriminatory or preferential when a ~~((rural))~~ port district offering such rates, terms, and conditions to an entity for wholesale telecommunications services does not offer substantially similar rates, terms, and conditions to all other entities seeking substantially similar services.

(3) When a ~~((rural))~~ port district establishes a separate utility function for the provision of wholesale telecommunications services under this section, it shall account for any and all revenues and expenditures related to its wholesale telecommunications facilities and services separately from revenues and expenditures related to its internal telecommunications operations. Any revenues received from the provision of wholesale telecommunications services

must be dedicated to the utility function that includes the provision of wholesale telecommunications services for costs incurred to build and maintain the telecommunications facilities until such time as any bonds or other financing instruments executed after June 8, 2000, and used to finance the telecommunications facilities are discharged or retired.

(4) When a ~~((rural))~~ port district establishes a separate utility function for the provision of wholesale telecommunications services under this section, all telecommunications services rendered by the separate function to the district for the district's internal telecommunications needs shall be charged at its true and full value. A ~~((rural))~~ port district may not charge its nontelecommunications operations rates that are preferential or discriminatory compared to those it charges entities purchasing wholesale telecommunications services.

(5) A ~~((rural))~~ port district under this section shall not exercise powers of eminent domain to acquire telecommunications facilities or contractual rights held by any other person or entity to telecommunications facilities.

(6) Except as otherwise specifically provided, a ~~((rural))~~ port district may exercise any of the powers granted to it under this title and other applicable laws in carrying out the powers authorized under this section. Nothing in chapter 81, Laws of 2000 limits any existing authority of a rural port district under this title.

(7) A port district under this section may select a telecommunications company to operate all or a portion of the port district's telecommunications facilities that serve an underserved area as defined in subsection (10) of this section. The company may be the exclusive provider of telecommunications services to end users in an underserved area under terms specified in the contract with the port district. For purposes of this section, "telecommunications company" means any for-profit entity owned by investors that sells telecommunications services to end users. Nothing in this subsection (7) is intended to limit or otherwise restrict any other authority provided by law.

(8) Before exercising the authority provided in subsection (7) of this section, a port district must file a business case plan with the utilities and

transportation commission. The utilities and transportation commission must retain a third party at cost to review the business case plan. Any recommendations or adjustments to the business case plan made during third-party review must be received and either rejected or accepted by the port commission in an open meeting.

(9) The business case plan required under subsection (8) of this section must include an audited statement of the market value of the additional provision of wholesale services provided under the authority specified in subsection (7) of this section, and a determination, based on an assessment using appropriate methodology, of the option to sell or surplus the additional provision of wholesale services. A port district must reassess any determination of the option to sell or surplus as required by this subsection at a minimum interval of every ten years for the duration of the contract.

(10) As used in this subsection, "underserved area" means an area that, at the time the contract with the exclusive provider is entered into, the port district has reasonable grounds to believe has no private telecommunications company offering fixed broadband internet access to a majority of residential customers at a download speed of fifteen megabytes per second and an upload speed of three megabytes per second. The existence and boundaries of the underserved area must be determined following a public hearing. The determination of the existing level of service must be supported by an independent third-party study of broadband service commissioned within the twelve-month period immediately preceding a vote to designate the underserved area.

Sec. 3. RCW 53.08.380 and 2000 c 81 s 9 are each amended to read as follows:

(1) A person or entity that has requested wholesale telecommunications services from a rural port district or port district as identified in RCW 53.08.370(1) may petition the commission under the procedures set forth in RCW 80.04.110 (1) through (3) if it believes the district's rates, terms, and conditions are unduly or unreasonably discriminatory or preferential, except as provided in RCW 53.08.370. The person or entity shall provide the district notice of its intent to petition the commission and an opportunity to review within thirty days the rates, terms, and conditions as applied to it prior to submitting its

petition. In determining whether a district is providing discriminatory or preferential rates, terms, and conditions, the commission may consider such matters as service quality, technical feasibility of connection points on the district's telecommunications facilities, time of response to service requests, system capacity, and other matters reasonably related to the provision of wholesale telecommunications services. If the commission, after notice and hearing, determines that a rural port district's rates, terms, and conditions are unduly or unreasonably discriminatory or preferential, it shall issue a final order finding noncompliance with this section and setting forth the specific areas of apparent noncompliance. An order imposed under this section shall be enforceable in any court of competent jurisdiction.

(2) The commission may order a rural port district or port district as identified in RCW 53.08.370(1) to pay a share of the costs incurred by the commission in adjudicating or enforcing this section.

(3) Without limiting other remedies at law or equity, the commission and prevailing party may also seek injunctive relief to compel compliance with an order.

(4) Nothing in this section shall be construed to affect the commission's authority and jurisdiction with respect to actions, proceedings, or orders permitted or contemplated for a state commission under the federal telecommunications act of 1996, P.L. 104-104 (110 Stat. 56)."

Correct the title.

Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio; Fey; Harmsworth; Hudgins; Manweller; McDonald; Nealey; Santos; Slatter; Steele; Wylie and Young.

April 14, 2017

SSB 5815

Prime Sponsor, Committee on Ways & Means: Concerning the hospital safety net assessment. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.60.005 and 2015 2nd sp.s. c 5 s 1 are each amended to read as follows:

(1) The purpose of this chapter is to provide for a safety net assessment on certain Washington hospitals, which will be used solely to augment funding from all other sources and thereby support additional payments to hospitals for medicaid services as specified in this chapter.

(2) The legislature finds that federal health care reform will result in an expansion of medicaid enrollment in this state and an increase in federal financial participation.

(3) In adopting this chapter, it is the intent of the legislature:

(a) To impose a hospital safety net assessment to be used solely for the purposes specified in this chapter;

(b) To generate approximately (~~nine hundred seventy five million~~) one billion dollars per state fiscal biennium in new state and federal funds by disbursing all of that amount to pay for medicaid hospital services and grants to certified public expenditure and critical access hospitals, except costs of administration as specified in this chapter, in the form of additional payments to hospitals and managed care plans, which may not be a substitute for payments from other sources, but which include quality improvement incentive payments under RCW 74.09.611;

(c) To generate two hundred ninety-two million dollars per biennium during the (~~2015-2017 and~~) 2017-2019 and 2019-2021 biennia in new funds to be used in lieu of state general fund payments for medicaid hospital services;

(d) That the total amount assessed not exceed the amount needed, in combination with all other available funds, to support the payments authorized by this chapter;

(e) To condition the assessment on receiving federal approval for receipt of additional federal financial participation and on continuation of other funding sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the (~~levels~~) rates the state paid for those services on July 1, 2015, as adjusted for current enrollment and utilization; and

(f) For each of the two biennia starting with fiscal year (~~2016~~) 2018 to generate:

(i) Four million dollars for new integrated evidence-based psychiatry residency program slots that did not receive state funding prior to 2016 at the integrated psychiatry residency program at the University of Washington; and

(ii) Eight million two hundred thousand dollars for new family medicine residency program slots that did not receive state funding prior to 2016, as directed through the family medicine residency network at the University of Washington, for slots where residents are employed by hospitals.

Sec. 2. RCW 74.60.010 and 2013 2nd sp.s. c 17 s 2 are each amended to read as follows:

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

(1) "Authority" means the health care authority.

(2) "Base year" for medicaid payments for state fiscal year (~~2014~~) 2017 is state fiscal year (~~2011~~) 2014. For each following year's calculations, the base year must be updated to the next following year.

(3) "Bordering city hospital" means a hospital as defined in WAC 182-550-1050 and bordering cities as described in WAC 182-501-0175, or successor rules.

(4) "Certified public expenditure hospital" means a hospital participating in or that at any point from June 30, 2013, to July 1, 2019, has participated in the authority's certified public expenditure payment program as described in WAC 182-550-4650 or successor rule. For purposes of this chapter any such hospital shall continue to be treated as a certified public expenditure hospital for assessment and payment purposes through the date specified in RCW 74.60.901. The eligibility of such hospitals to receive grants under RCW 74.60.090 solely from funds generated under this chapter must not be affected by any modification or termination of the federal certified public expenditure program, or reduced by the amount of any federal funds no longer available for that purpose.

(5) "Critical access hospital" means a hospital as described in RCW 74.09.5225.

(6) "Director" means the director of the health care authority.

(7) "Eligible new prospective payment hospital" means a prospective payment hospital opened after January 1, 2009, for which a full year of cost report data as described in RCW 74.60.030(2) and a full year of medicaid base year data required for the calculations in RCW 74.60.120(3) are available.

(8) "Fund" means the hospital safety net assessment fund established under RCW 74.60.020.

(9) "Hospital" means a facility licensed under chapter 70.41 RCW.

(10) "Long-term acute care hospital" means a hospital which has an average inpatient length of stay of greater than twenty-five days as determined by the department of health.

(11) "Managed care organization" means an organization having a certificate of authority or certificate of registration from the office of the insurance commissioner that contracts with the authority under a comprehensive risk contract to provide prepaid health care services to eligible clients under the authority's medicaid managed care programs, including the healthy options program.

(12) "Medicaid" means the medical assistance program as established in Title XIX of the social security act and as administered in the state of Washington by the authority.

(13) "Medicare cost report" means the medicare cost report, form 2552, or successor document.

(14) "Nonmedicare hospital inpatient day" means total hospital inpatient days less medicare inpatient days, including medicare days reported for medicare managed care plans, as reported on the medicare cost report, form 2552, or successor forms, excluding all skilled and nonskilled nursing facility days, skilled and nonskilled swing bed days, nursery days, observation bed days, hospice days, home health agency days, and other days not typically associated with an acute care inpatient hospital stay.

(15) "Outpatient" means services provided classified as ambulatory payment classification services or successor payment methodologies as defined in WAC 182-550-7050 or successor rule and applies

to fee-for-service payments and managed care encounter data.

(16) "Prospective payment system hospital" means a hospital reimbursed for inpatient and outpatient services provided to medicaid beneficiaries under the inpatient prospective payment system and the outpatient prospective payment system as defined in WAC 182-550-1050 or successor rule. For purposes of this chapter, prospective payment system hospital does not include a hospital participating in the certified public expenditure program or a bordering city hospital located outside of the state of Washington and in one of the bordering cities listed in WAC 182-501-0175 or successor rule.

(17) "Psychiatric hospital" means a hospital facility licensed as a psychiatric hospital under chapter 71.12 RCW.

(18) "Rehabilitation hospital" means a medicare-certified freestanding inpatient rehabilitation facility.

(19) "Small rural disproportionate share hospital payment" means a payment made in accordance with WAC 182-550-5200 or successor rule.

(20) "Upper payment limit" means the aggregate federal upper payment limit on the amount of the medicaid payment for which federal financial participation is available for a class of service and a class of health care providers, as specified in 42 C.F.R. Part 47, as separately determined for inpatient and outpatient hospital services.

Sec. 3. RCW 74.60.020 and 2015 2nd sp.s. c 5 s 2 are each amended to read as follows:

(1) A dedicated fund is hereby established within the state treasury to be known as the hospital safety net assessment fund. The purpose and use of the fund shall be to receive and disburse funds, together with accrued interest, in accordance with this chapter. Moneys in the fund, including interest earned, shall not be used or disbursed for any purposes other than those specified in this chapter. Any amounts expended from the fund that are later recouped by the authority on audit or otherwise shall be returned to the fund.

(a) Any unexpended balance in the fund at the end of a fiscal year shall carry over into the following fiscal year or

that fiscal year and the following fiscal year and shall be applied to reduce the amount of the assessment under RCW 74.60.050(1)(c).

(b) Any amounts remaining in the fund after July 1, (~~2019~~) 2021, shall be refunded to hospitals, pro rata according to the amount paid by the hospital since July 1, 2013, subject to the limitations of federal law.

(2) All assessments, interest, and penalties collected by the authority under RCW 74.60.030 and 74.60.050 shall be deposited into the fund.

(3) Disbursements from the fund are conditioned upon appropriation and the continued availability of other funds sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the levels the state paid for those services on July 1, 2015, as adjusted for current enrollment and utilization.

(4) Disbursements from the fund may be made only:

(a) To make payments to hospitals and managed care plans as specified in this chapter;

(b) To refund erroneous or excessive payments made by hospitals pursuant to this chapter;

(c) For one million dollars per biennium for payment of administrative expenses incurred by the authority in performing the activities authorized by this chapter;

(d) For two hundred (~~eighty-three~~) ninety-two million dollars per biennium, to be used in lieu of state general fund payments for medicaid hospital services, provided that if the full amount of the payments required under RCW 74.60.120 and 74.60.130 cannot be distributed in a given fiscal year, this amount must be reduced proportionately;

(e) To repay the federal government for any excess payments made to hospitals from the fund if the assessments or payment increases set forth in this chapter are deemed out of compliance with federal statutes and regulations in a final determination by a court of competent jurisdiction with all appeals exhausted. In such a case, the authority may require hospitals receiving excess payments to refund the payments in question to the

fund. The state in turn shall return funds to the federal government in the same proportion as the original financing. If a hospital is unable to refund payments, the state shall develop either a payment plan, or deduct moneys from future medicaid payments, or both;

(f) (~~Beginning in state fiscal year 2015,~~) To pay an amount sufficient, when combined with the maximum available amount of federal funds necessary to provide a one percent increase in medicaid hospital inpatient rates to hospitals eligible for quality improvement incentives under RCW 74.09.611. By May 16, 2018 and by each May 16 thereafter, the authority, in cooperation with the department of health, must verify that each hospital eligible to receive quality improvement incentives under the terms of this chapter is in substantial compliance with the reporting requirements in RCW 43.70.052 and 70.01.040 for the prior period. For the purposes of this subsection, "substantial compliance" means, in the prior period, the hospital has submitted at least nine of the twelve monthly reports by the due date. The authority must distribute quality improvement incentives to hospitals that have met these requirements beginning July 1 of 2018 and each July 1 thereafter; and

(g) For each state fiscal year (~~2016~~) 2018 through (~~2019~~) 2021 to generate:

(i) Two million dollars for new integrated evidence-based psychiatry residency program slots that did not receive state funding prior to 2016 at the integrated psychiatry residency program at the University of Washington; and

(ii) Four million one hundred thousand dollars for new family medicine residency program slots that did not receive state funding prior to 2016, as directed through the family medicine residency network at the University of Washington, for slots where residents are employed by hospitals.

Sec. 4. RCW 74.60.030 and 2015 2nd sp.s. c 5 s 3 are each amended to read as follows:

(1)(a) Upon satisfaction of the conditions in RCW 74.60.150(1), and so long as the conditions in RCW 74.60.150(2) have not occurred, an assessment is imposed as set forth in this subsection. Assessment notices must be sent on or about thirty days prior to the end of each quarter and payment is due thirty days thereafter.

(b) Effective July 1, 2015, and except as provided in RCW 74.60.050:

(i) Each prospective payment system hospital, except psychiatric and rehabilitation hospitals, shall pay a quarterly assessment. Each quarterly assessment shall be no more than one quarter of three hundred ~~((fifty))~~ eighty dollars for each annual nonmedicare hospital inpatient day, up to a maximum of fifty-four thousand days per year. For each nonmedicare hospital inpatient day in excess of fifty-four thousand days, each prospective payment system hospital shall pay ~~((an))~~ a quarterly assessment of one quarter of seven dollars for each such day, unless such assessment amount or threshold needs to be modified to comply with applicable federal regulations;

(ii) Each critical access hospital shall pay a quarterly assessment of one quarter of ten dollars for each annual nonmedicare hospital inpatient day;

(iii) Each psychiatric hospital shall pay a quarterly assessment of no more than one quarter of seventy-four dollars for each annual nonmedicare hospital inpatient day; and

(iv) Each rehabilitation hospital shall pay a quarterly assessment of no more than one quarter of seventy-four dollars for each annual nonmedicare hospital inpatient day.

(2) The authority shall determine each hospital's annual nonmedicare hospital inpatient days by summing the total reported nonmedicare hospital inpatient days for each hospital that is not exempt from the assessment under RCW 74.60.040. The authority shall obtain inpatient data from the hospital's 2552 cost report data file or successor data file available through the centers for medicare and medicaid services, as of a date to be determined by the authority. For state fiscal year ~~((2016))~~ 2017, the authority shall use cost report data for hospitals' fiscal years ending in ~~((2012))~~ 2013. For subsequent years, the hospitals' next succeeding fiscal year cost report data must be used.

(a) With the exception of a prospective payment system hospital commencing operations after January 1, 2009, for any hospital without a cost report for the relevant fiscal year, the authority shall work with the affected hospital to identify appropriate supplemental information that may be used to determine

annual nonmedicare hospital inpatient days.

(b) A prospective payment system hospital commencing operations after January 1, 2009, must be assessed in accordance with this section after becoming an eligible new prospective payment system hospital as defined in RCW 74.60.010.

Sec. 5. RCW 74.60.050 and 2015 2nd sp.s. c 5 s 4 are each amended to read as follows:

(1) The authority, in cooperation with the office of financial management, shall develop rules for determining the amount to be assessed to individual hospitals, notifying individual hospitals of the assessed amount, and collecting the amounts due. Such rule making shall specifically include provision for:

(a) Transmittal of notices of assessment by the authority to each hospital informing the hospital of its nonmedicare hospital inpatient days and the assessment amount due and payable;

(b) Interest on delinquent assessments at the rate specified in RCW 82.32.050; and

(c) Adjustment of the assessment amounts in accordance with subsection (2) of this section.

(2) For ~~((state fiscal year 2016 and))~~ each ~~((subsequent))~~ state fiscal year, the assessment amounts established under RCW 74.60.030 must be adjusted as follows:

(a) If sufficient other funds, including federal funds, are available to make the payments required under this chapter and fund the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f) without utilizing the full assessment under RCW 74.60.030, the authority shall reduce the amount of the assessment to the minimum levels necessary to support those payments;

(b) If the total amount of inpatient ~~((an))~~ and outpatient supplemental payments under RCW 74.60.120 is in excess of the upper payment limits and the entire excess amount cannot be disbursed by additional payments to managed care organizations under RCW 74.60.130, the authority shall proportionately reduce future assessments on prospective payment hospitals to the level necessary to generate additional payments to hospitals that are consistent with the upper payment

limit plus the maximum permissible amount of additional payments to managed care organizations under RCW 74.60.130;

(c) If the amount of payments to managed care organizations under RCW 74.60.130 cannot be distributed because of failure to meet federal actuarial soundness or utilization requirements or other federal requirements, the authority shall apply the amount that cannot be distributed to reduce future assessments to the level necessary to generate additional payments to managed care organizations that are consistent with federal actuarial soundness or utilization requirements or other federal requirements;

(d) If required in order to obtain federal matching funds, the maximum number of nonmedicare inpatient days at the higher rate provided under RCW 74.60.030(1)(b)(i) may be adjusted in order to comply with federal requirements;

(e) If the number of nonmedicare inpatient days applied to the rates provided in RCW 74.60.030 will not produce sufficient funds to support the payments required under this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f), the assessment rates provided in RCW 74.60.030 may be increased proportionately by category of hospital to amounts no greater than necessary in order to produce the required level of funds needed to make the payments specified in this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f); and

(f) Any actual or estimated surplus remaining in the fund at the end of the fiscal year must be applied to reduce the assessment amount for the subsequent fiscal year or that fiscal year and the following fiscal years prior to and including fiscal year (~~2019~~) 2021.

(3)(a) Any adjustment to the assessment amounts pursuant to this section, and the data supporting such adjustment, including, but not limited to, relevant data listed in (b) of this subsection, must be submitted to the Washington state hospital association for review and comment at least sixty calendar days prior to implementation of such adjusted assessment amounts. Any review and comment provided by the Washington state hospital association does not limit the ability of the Washington state hospital association or its members to challenge an adjustment

or other action by the authority that is not made in accordance with this chapter.

(b) The authority shall provide the following data to the Washington state hospital association sixty days before implementing any revised assessment levels, detailed by fiscal year, beginning with fiscal year 2011 and extending to the most recent fiscal year, except in connection with the initial assessment under this chapter:

(i) The fund balance;

(ii) The amount of assessment paid by each hospital;

(iii) The state share, federal share, and total annual medicaid fee-for-service payments for inpatient hospital services made to each hospital under RCW 74.60.120, and the data used to calculate the payments to individual hospitals under that section;

(iv) The state share, federal share, and total annual medicaid fee-for-service payments for outpatient hospital services made to each hospital under RCW 74.60.120, and the data used to calculate annual payments to individual hospitals under that section;

(v) The annual state share, federal share, and total payments made to each hospital under each of the following programs: Grants to certified public expenditure hospitals under RCW 74.60.090, for critical access hospital payments under RCW 74.60.100; and disproportionate share programs under RCW 74.60.110;

(vi) The data used to calculate annual payments to individual hospitals under (b)(v) of this subsection; and

(vii) The amount of payments made to managed care plans under RCW 74.60.130, including the amount representing additional premium tax, and the data used to calculate those payments.

(c) On a monthly basis, the authority shall provide the Washington state hospital association the amount of payments made to managed care plans under RCW 74.60.130, including the amount representing additional premium tax, and the data used to calculate those payments.

Sec. 6. RCW 74.60.090 and 2015 2nd sp.s. c 5 s 5 are each amended to read as follows:

(1) In each fiscal year commencing upon satisfaction of the applicable conditions in RCW 74.60.150(1), funds must be

disbursed from the fund and the authority shall make grants to certified public expenditure hospitals, which shall not be considered payments for hospital services, as follows:

(a) University of Washington medical center: Ten million five hundred fifty-five thousand dollars in each state fiscal year ~~((2016))~~ 2018 through ~~((2019))~~ 2021 paid as follows, except if the full amount of the payments required under RCW 74.60.120 and 74.60.130 cannot be distributed in a given fiscal year, the amounts in this subsection ~~((~~(ii)~~ and ~~(iii)~~))~~ must be reduced proportionately:

(i) Four million four hundred fifty-five thousand dollars;

(ii) Two million dollars to new integrated, evidence-based psychiatry residency program slots that did not receive state funding prior to 2016, at the integrated psychiatry residency program at the University of Washington; and

(iii) Four million one hundred thousand dollars to new family medicine residency program slots that did not receive state funding prior to 2016, as directed through the family medicine residency network at the University of Washington, for slots where residents are employed by hospitals;

(b) Harborview medical center: Ten million two hundred sixty thousand dollars in each state fiscal year ~~((2016 through 2019))~~ 2018 through 2021, except if the full amount of the payments required under RCW 74.60.120 and 74.60.130 cannot be distributed in a given fiscal year, the amounts in this subsection must be reduced proportionately;

(c) All other certified public expenditure hospitals: Six million three hundred forty-five thousand dollars in each state fiscal year ~~((2016 through 2019))~~ 2018 through 2021, except if the full amount of the payments required under RCW 74.60.120 and 74.60.130 cannot be distributed in a given fiscal year, the amounts in this subsection must be reduced proportionately. The amount of payments to individual hospitals under this subsection must be determined using a methodology that provides each hospital with a proportional allocation of the group's total amount of medicaid and state children's health insurance program payments determined from claims and encounter data using the same general methodology set forth in RCW 74.60.120 (3) and (4).

(2) Payments must be made quarterly, before the end of each quarter, taking the total disbursement amount and dividing by four to calculate the quarterly amount. The authority shall provide a quarterly report of such payments to the Washington state hospital association.

Sec. 7. RCW 74.60.100 and 2015 2nd sp.s. c 5 s 6 are each amended to read as follows:

In each fiscal year commencing upon satisfaction of the conditions in RCW 74.60.150(1), the authority shall make access payments to critical access hospitals that do not qualify for or receive a small rural disproportionate share hospital payment in a given fiscal year in the total amount of ~~((seven hundred))~~ two million thirty-eight thousand dollars from the fund ~~((and to critical access hospitals that receive disproportionate share payments in the total amount of one million three hundred thirty six thousand dollars))~~. The amount of payments to individual hospitals under this section must be determined using a methodology that provides each hospital with a proportional allocation of the group's total amount of medicaid and state children's health insurance program payments determined from claims and encounter data using the same general methodology set forth in RCW 74.60.120 (3) and (4). Payments must be made after the authority determines a hospital's payments under RCW 74.60.110. These payments shall be in addition to any other amount payable with respect to services provided by critical access hospitals and shall not reduce any other payments to critical access hospitals. The authority shall provide a report of such payments to the Washington state hospital association within thirty days after payments are made.

Sec. 8. RCW 74.60.120 and 2015 2nd sp.s. c 5 s 7 are each amended to read as follows:

(1) In each state fiscal year, commencing upon satisfaction of the applicable conditions in RCW 74.60.150(1), the authority shall make supplemental payments directly to Washington hospitals, separately for inpatient and outpatient fee-for-service medicaid services, as follows unless there are federal restrictions on doing so. If there are federal restrictions, to the extent allowed, funds that cannot be paid under (a) of this subsection, should be paid under (b) of this subsection, and funds

that cannot be paid under (b) of this subsection, shall be paid under (a) of this subsection:

(a) For inpatient fee-for-service payments for prospective payment hospitals other than psychiatric or rehabilitation hospitals, twenty-nine million one hundred sixty-two thousand five hundred dollars per state fiscal year plus federal matching funds;

(b) For outpatient fee-for-service payments for prospective payment hospitals other than psychiatric or rehabilitation hospitals, thirty million dollars per state fiscal year plus federal matching funds;

(c) For inpatient fee-for-service payments for psychiatric hospitals, eight hundred seventy-five thousand dollars per state fiscal year plus federal matching funds;

(d) For inpatient fee-for-service payments for rehabilitation hospitals, two hundred twenty-five thousand dollars per state fiscal year plus federal matching funds;

(e) For inpatient fee-for-service payments for border hospitals, two hundred fifty thousand dollars per state fiscal year plus federal matching funds; and

(f) For outpatient fee-for-service payments for border hospitals, two hundred fifty thousand dollars per state fiscal year plus federal matching funds.

(2) If the amount of inpatient or outpatient payments under subsection (1) of this section, when combined with federal matching funds, exceeds the upper payment limit, payments to each category of hospital must be reduced proportionately to a level where the total payment amount is consistent with the upper payment limit. Funds under this chapter unable to be paid to hospitals under this section because of the upper payment limit must be paid to managed care organizations under RCW 74.60.130, subject to the limitations in this chapter.

(3) The amount of such fee-for-service inpatient payments to individual hospitals within each of the categories identified in subsection (1) (a), (c), (d), and (e) of this section must be determined by:

(a) ~~((Applying the medicaid fee for service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to each hospital's inpatient fee-for-~~

~~services claims and medicaid managed care encounter data for)) Totaling the inpatient fee-for-service claims payments and inpatient managed care encounter rate payments for each hospital during the base year;~~

(b) ~~((Applying the medicaid fee for service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to all hospitals' inpatient fee-for-services claims and medicaid managed care encounter data for)) Totaling the inpatient fee-for-service claims payments and inpatient managed care encounter rate payments for all hospitals during the base year; and~~

(c) Using the amounts calculated under (a) and (b) of this subsection to determine an individual hospital's percentage of the total amount to be distributed to each category of hospital.

(4) The amount of such fee-for-service outpatient payments to individual hospitals within each of the categories identified in subsection (1) (b) and (f) of this section must be determined by:

(a) ~~((Applying the medicaid fee for service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to each hospital's outpatient fee for services claims and medicaid managed care encounter data for)) Totaling the outpatient fee-for-service claims payments and outpatient managed care encounter rate payments for each hospital during the base year;~~

(b) ~~((Applying the medicaid fee for service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to all hospitals' outpatient fee for services claims and medicaid managed care encounter data for)) Totaling the outpatient fee-for-service claims payments and outpatient managed care encounter rate payments for all hospitals during the base year; and~~

(c) Using the amounts calculated under (a) and (b) of this subsection to determine an individual hospital's percentage of the total amount to be distributed to each category of hospital.

(5) Sixty days before the first payment in each subsequent fiscal year, the authority shall provide each hospital and the Washington state hospital association with an explanation of how the amounts due

to each hospital under this section were calculated.

(6) Payments must be made in quarterly installments on or about the last day of every quarter.

(7) A prospective payment system hospital commencing operations after January 1, 2009, is eligible to receive payments in accordance with this section after becoming an eligible new prospective payment system hospital as defined in RCW 74.60.010.

(8) Payments under this section are supplemental to all other payments and do not reduce any other payments to hospitals.

Sec. 9. RCW 74.60.130 and 2015 2nd sp.s. c 5 s 8 are each amended to read as follows:

(1) For state fiscal year 2016 and for each subsequent fiscal year, commencing within thirty days after satisfaction of the conditions in RCW 74.60.150(1) and subsection (5) of this section, the authority shall increase capitation payments in a manner consistent with federal contracting requirements to managed care organizations by an amount at least equal to the amount available from the fund after deducting disbursements authorized by RCW 74.60.020(4) (c) through (f) and payments required by RCW 74.60.080 through 74.60.120. When combined with applicable federal matching funds, the capitation payment under this subsection must be ((no less than ninety six million dollars per state fiscal year plus the maximum available amount of federal matching funds)) at least three hundred sixty million dollars per year. The initial payment following satisfaction of the conditions in RCW 74.60.150(1) must include all amounts due from July 1, 2015, to the end of the calendar month during which the conditions in RCW 74.60.150(1) are satisfied. Subsequent payments shall be made monthly.

(2) Payments to individual managed care organizations shall be determined by the authority based on each organization's or network's enrollment relative to the anticipated total enrollment in each program for the fiscal year in question, the anticipated utilization of hospital services by an organization's or network's medicaid enrollees, and such other factors as are reasonable and appropriate to ensure that purposes of this chapter are met.

(3) If the federal government determines that total payments to managed care organizations under this section exceed what is permitted under applicable medicaid laws and regulations, payments must be reduced to levels that meet such requirements, and the balance remaining must be applied as provided in RCW 74.60.050. Further, in the event a managed care organization is legally obligated to repay amounts distributed to hospitals under this section to the state or federal government, a managed care organization may recoup the amount it is obligated to repay under the medicaid program from individual hospitals by not more than the amount of overpayment each hospital received from that managed care organization.

(4) Payments under this section do not reduce the amounts that otherwise would be paid to managed care organizations: PROVIDED, That such payments are consistent with actuarial soundness certification and enrollment.

(5) Before making such payments, the authority shall require medicaid managed care organizations to comply with the following requirements:

(a) All payments to managed care organizations under this chapter must be expended for hospital services provided by Washington hospitals, which for purposes of this section includes psychiatric and rehabilitation hospitals, in a manner consistent with the purposes and provisions of this chapter, and must be equal to all increased capitation payments under this section received by the organization or network, consistent with actuarial certification and enrollment, less an allowance for any estimated premium taxes the organization is required to pay under Title 48 RCW associated with the payments under this chapter;

(b) Managed care organizations shall expend the increased capitation payments under this section in a manner consistent with the purposes of this chapter, with the initial expenditures to hospitals to be made within thirty days of receipt of payment from the authority. Subsequent expenditures by the managed care plans are to be made before the end of the quarter in which funds are received from the authority;

(c) Providing that any delegation or attempted delegation of an organization's or network's obligations under agreements with the authority do not relieve the

organization or network of its obligations under this section and related contract provisions.

(6) No hospital or managed care organizations may use the payments under this section to gain advantage in negotiations.

(7) No hospital has a claim or cause of action against a managed care organization for monetary compensation based on the amount of payments under subsection (5) of this section.

(8) If funds cannot be used to pay for services in accordance with this chapter the managed care organization or network must return the funds to the authority which shall return them to the hospital safety net assessment fund.

Sec. 10. RCW 74.60.150 and 2015 2nd sp.s. c 5 s 9 are each amended to read as follows:

(1) The assessment, collection, and disbursement of funds under this chapter shall be conditional upon:

(a) Final approval by the centers for medicare and medicaid services of any state plan amendments or waiver requests that are necessary in order to implement the applicable sections of this chapter including, if necessary, waiver of the broad-based or uniformity requirements as specified under section 1903(w)(3)(E) of the federal social security act and 42 C.F.R. 433.68(e);

(b) To the extent necessary, amendment of contracts between the authority and managed care organizations in order to implement this chapter; and

(c) Certification by the office of financial management that appropriations have been adopted that fully support the rates established in this chapter for the upcoming fiscal year.

(2) This chapter does not take effect or ceases to be imposed, and any moneys remaining in the fund shall be refunded to hospitals in proportion to the amounts paid by such hospitals, if and to the extent that any of the following conditions occur:

(a) The federal department of health and human services and a court of competent jurisdiction makes a final determination, with all appeals exhausted, that any element of this chapter, other than RCW 74.60.100, cannot be validly implemented;

(b) Funds generated by the assessment for payments to prospective payment hospitals or managed care organizations are determined to be not eligible for federal ~~((match))~~ matching funds in addition to those federal funds that would be received without the assessment, or the federal government replaces medicaid matching funds with a block grant or grants;

(c) Other funding sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the ~~((levels))~~ rates the state paid for those services on July 1, 2015, as adjusted for current enrollment and utilization is not appropriated or available;

(d) Payments required by this chapter are reduced, except as specifically authorized in this chapter, or payments are not made in substantial compliance with the time frames set forth in this chapter; or

(e) The fund is used as a substitute for or to supplant other funds, except as authorized by RCW 74.60.020.

Sec. 11. RCW 74.60.160 and 2015 2nd sp.s. c 5 s 10 are each amended to read as follows:

(1) The legislature intends to provide the hospitals with an opportunity to contract with the authority each fiscal biennium to protect the hospitals from future legislative action during the biennium that could result in hospitals receiving less from supplemental payments, increased managed care payments, disproportionate share hospital payments, or access payments than the hospitals expected to receive in return for the assessment based on the biennial appropriations and assessment legislation.

(2) Each odd-numbered year after enactment of the biennial omnibus operating appropriations act, the authority shall ~~((offer to enter into a contract or to))~~ extend ~~((an))~~ the existing contract for the period of the fiscal biennium beginning July 1st with a hospital that is required to pay the assessment under this chapter or shall offer to enter into a contract with any hospital subject to this chapter that has not previously been a party to a contract or whose contract has expired. The contract must include the following terms:

(a) The authority must agree not to do any of the following:

(i) Increase the assessment from the level set by the authority pursuant to this chapter on the first day of the contract period for reasons other than those allowed under RCW 74.60.050(2)(e);

(ii) Reduce aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, adjusting for changes in enrollment and utilization, from the levels the state paid for those services on the first day of the contract period;

(iii) For critical access hospitals only, reduce the levels of disproportionate share hospital payments under RCW 74.60.110 or access payments under RCW 74.60.100 for all critical access hospitals below the levels specified in those sections on the first day of the contract period;

(iv) For prospective payment system, psychiatric, and rehabilitation hospitals only, reduce the levels of supplemental payments under RCW 74.60.120 for all prospective payment system hospitals below the levels specified in that section on the first day of the contract period unless the supplemental payments are reduced under RCW 74.60.120(2);

(v) For prospective payment system, psychiatric, and rehabilitation hospitals only, reduce the increased capitation payments to managed care organizations under RCW 74.60.130 below the levels specified in that section on the first day of the contract period unless the managed care payments are reduced under RCW 74.60.130(3); or

(vi) Except as specified in this chapter, use assessment revenues for any other purpose than to secure federal medicaid matching funds to support payments to hospitals for medicaid services; and

(b) As long as payment levels are maintained as required under this chapter, the hospital must agree not to challenge the authority's reduction of hospital reimbursement rates to July 1, 2009, levels, which results from the elimination of assessment supported rate restorations and increases, under 42 U.S.C. Sec. 1396a(a)(30)(a) either through administrative appeals or in court during the period of the contract.

(3) If a court finds that the authority has breached an agreement with a hospital under subsection (2)(a) of this section, the authority:

(a) Must immediately refund any assessment payments made subsequent to the breach by that hospital upon receipt; and

(b) May discontinue supplemental payments, increased managed care payments, disproportionate share hospital payments, and access payments made subsequent to the breach for the hospital that are required under this chapter.

(4) The remedies provided in this section are not exclusive of any other remedies and rights that may be available to the hospital whether provided in this chapter or otherwise in law, equity, or statute.

Sec. 12. RCW 74.60.901 and 2015 2nd sp.s. c 5 s 11 are each amended to read as follows:

This chapter expires July 1, (~~2019~~) 2021.

Sec. 13. RCW 74.60.902 and 2010 1st sp.s. c 30 s 22 are each amended to read as follows:

Upon expiration of chapter 74.60 RCW, inpatient and outpatient hospital reimbursement rates shall return to a (~~rate structure~~) funding level as if the four percent medicaid inpatient and outpatient rate reductions did not occur on July 1, 2009, using the rate structure in effect July 1, 2015, or as otherwise specified in the ((2013-15)) 2019-2021 biennial operating appropriations act.

NEW SECTION. Sec. 14. A new section is added to chapter 74.60 RCW to read as follows:

(1) The estimated hospital net financial benefit under this chapter shall be determined by the authority by summing the following anticipated hospital payments, including all applicable federal matching funds, specified in RCW 74.60.090 for grants to certified public expenditure hospitals, RCW 74.60.100 for payments to critical access hospitals, RCW 74.60.110 for payments to small rural disproportionate share hospitals, RCW 74.60.120 for direct supplemental payments to hospitals, RCW 74.60.130 for managed care capitation payments, RCW 74.60.020(4)(f) for quality improvement incentives, minus the total assessments paid by all hospitals under RCW 74.60.030 for hospital assessments, and minus any

taxes paid on RCW 74.60.130 for managed care payments.

(2) If, for any reason including reduction or elimination of federal matching funds, the estimated hospital net financial benefit falls below one hundred thirty million dollars in any state fiscal year, the office of financial management shall direct the authority to modify the assessment rates provided for in RCW 74.60.030, and the office of financial management is authorized to direct the authority to adjust the amounts disbursed from the fund, including disbursements for payments under RCW 74.60.020(4)(f) and payments to hospitals under RCW 74.60.090 through 74.60.130 and 74.60.020(4)(g), such that the estimated hospital net financial benefit is equal to the amount disbursed from the fund for use in lieu of state general fund payments. Each category of adjusted payments to hospitals under RCW 74.60.090 through 74.60.130 and payments under RCW 74.60.020(4)(g) must bear the same relationship to the total of such adjusted payments as originally provided in this chapter.

NEW SECTION. **Sec. 15.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2017."

Correct the title.

Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist; Buys; Cody; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Kagi; Lytton; Manweller; Nealey; Pettigrew; Sawyer; Schmick; Senn; Springer; Stanford; Sullivan; Tharinger; Vick; Volz and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Taylor.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5679 was referred to the Committee on Rules

There being no objection, ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200, HOUSE BILL NO. 2202 and SUBSTITUTE SENATE BILL 5815 were placed on the second reading calendar.

There being no objection, the House adjourned until 1:30 p.m., April 18, 2017, the 100th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

HOUSE JOURNAL
OF THE
SIXTY-FIFTH LEGISLATURE
OF THE
STATE OF WASHINGTON
AT
OLYMPIA, THE STATE CAPITOL

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Convened January 9, 2017
Adjourned Sine Die April 23, 2017
2017 First Special Session
Convened April 24, 2017
Adjourned Sine Die May 23, 2017
2017 Second Special Session
Convened May 23, 2017
Adjourned June 21, 2017
2017 Third Special Session
Convened June 21, 2017
Adjourned July 20, 2017

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Tina Orwall, Speaker Pro Tempore
Bernard Dean, Chief Clerk

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SIXTY FIFTH LEGISLATURE - REGULAR SESSION

ONE HUNDREDTH DAY

House Chamber, Olympia, Tuesday, April 18, 2017

The House was called to order at 1:30 p.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chiara Solomon and Spencer Trop. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Brian Wiele, River Ridge Covenant Church, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 5679 and the bill was placed on the second reading calendar.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

April 17, 2017

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5035,
 SENATE BILL NO. 5049,
 SENATE BILL NO. 5119,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5173,
 SENATE BILL NO. 5274,
 SECOND SUBSTITUTE SENATE BILL NO. 5285,
 SENATE BILL NO. 5391,
 SUBSTITUTE SENATE BILL NO. 5402,
 SUBSTITUTE SENATE BILL NO. 5404,
 SENATE BILL NO. 5454,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5470,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5552,
 SENATE BILL NO. 5581,
 SUBSTITUTE SENATE BILL NO. 5618,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5628,
 SENATE BILL NO. 5632,
 SENATE BILL NO. 5635,
 SUBSTITUTE SENATE BILL NO. 5644,

SENATE BILL NO. 5661,
 ENGROSSED SENATE BILL NO. 5665,
 SENATE BILL NO. 5691,
 SUBSTITUTE SENATE BILL NO. 5705,
 SUBSTITUTE SENATE BILL NO. 5713,
 SENATE BILL NO. 5715,
 SUBSTITUTE SENATE BILL NO. 5779,
 SUBSTITUTE SENATE BILL NO. 5806,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5808,
 ENGROSSED SENATE BILL NO. 5834,
 SENATE BILL NO. 5849,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 17, 2017

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1153,
 ENGROSSED HOUSE BILL NO. 1201,
 SUBSTITUTE HOUSE BILL NO. 1234,
 SUBSTITUTE HOUSE BILL NO. 1258,
 HOUSE BILL NO. 1262,
 HOUSE BILL NO. 1274,
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 HOUSE BILL NO. 1578,
 HOUSE BILL NO. 1623,
 SUBSTITUTE HOUSE BILL NO. 1671,
 HOUSE BILL NO. 1676,
 SUBSTITUTE HOUSE BILL NO. 1683,
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 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1739,
 SUBSTITUTE HOUSE BILL NO. 1741,
 SUBSTITUTE HOUSE BILL NO. 1747,
 HOUSE BILL NO. 1757,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1802,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1808,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1809,
SUBSTITUTE HOUSE BILL NO. 1815,
SUBSTITUTE HOUSE BILL NO. 1816,
HOUSE BILL NO. 1829,
HOUSE BILL NO. 1931,
HOUSE BILL NO. 1959,
SUBSTITUTE HOUSE BILL NO. 2037,
HOUSE BILL NO. 2038,
HOUSE BILL NO. 2064,
SUBSTITUTE HOUSE BILL NO. 2138,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 17, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5022,
SENATE BILL NO. 5030,
SUBSTITUTE SENATE BILL NO. 5138,
SUBSTITUTE SENATE BILL NO. 5152,
SENATE BILL NO. 5177,
ENGROSSED SENATE BILL NO. 5234,
SECOND SUBSTITUTE SENATE BILL NO. 5258,
ENGROSSED SENATE BILL NO. 5266,
SUBSTITUTE SENATE BILL NO. 5327,
SUBSTITUTE SENATE BILL NO. 5346,
SUBSTITUTE SENATE BILL NO. 5358,
SENATE BILL NO. 5359,
SECOND SUBSTITUTE SENATE BILL NO. 5474,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2202, by Representatives Manweller and Ormsby

Addressing the eligibility of emergency medical technicians for membership in the law enforcement officers' and firefighters' retirement system plan 2.

The bill was read the second time.

There being no objection, the House deferred action on HOUSE BILL NO. 2202, and the bill held its place on the second reading calendar.

SUBSTITUTE SENATE BILL NO. 5815, by Senate Committee on Ways & Means (originally sponsored by Senators Rivers, Cleveland, Becker and Ranker)

Concerning the hospital safety net assessment.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 99, April 17, 2017).

Representative Cody moved the adoption of amendment (558) to the committee amendment:

On page 6, line 2, after "74.09.611." of the striking amendment, strike the following:

"By June 1, 2018 and by each June 1 thereafter, the authority, in cooperation with the department of health, must certify that each hospital eligible to receive quality improvement incentives under the terms of this chapter has met the reporting requirements in RCW 43.70.052 and RCW 70.01.040 for the prior period. The authority must distribute quality improvement incentives to hospitals that have met these requirements beginning July 1 of 2018 and each July 1 thereafter"

On page 6, line 2, after "74.09.611." of the striking amendment, insert the following:

"By May 16, 2018 and by each May 16 thereafter, the authority, in cooperation with the department of health, must verify that each hospital eligible to receive quality improvement incentives under the terms of this chapter is in substantial compliance with the reporting requirements in RCW 43.70.052 and RCW 70.01.040 for the prior period. For the purposes of this subsection, "substantial compliance" means, in the prior period, the hospital has submitted at least nine of the twelve monthly reports by the due date. The authority must distribute quality improvement incentives to hospitals that have met these requirements beginning July 1 of 2018 and each July 1 thereafter"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment (558) to the committee striking amendment.

Amendment (558) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

MOTION

On motion of Representative Hayes, Representatives DeBolt and Kristiansen were excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5815, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5815, and the bill passed the House by the following vote: Yeas, 91; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, McCaslin, Orcutt, Shea and Taylor.

Excused: Representatives DeBolt and Kristiansen.

SUBSTITUTE SENATE BILL NO. 5815, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 7, 2017

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 42.56.430 and 2008 c 252 s 1 are each amended to read as follows:

The following information relating to fish and wildlife is exempt from disclosure under this chapter:

(1) Commercial fishing catch data from logbooks required to be provided to the department of fish and wildlife under RCW 77.12.047, when the data identifies specific catch location, timing, or methodology and the release of which would result in unfair competitive disadvantage to the commercial fisher providing the catch data, however, this information may be released to government agencies concerned with the management of fish and wildlife resources;

(2) Sensitive fish and wildlife data. Sensitive fish and wildlife data may be released to the following entities and their agents for fish, wildlife, land management purposes, or scientific research needs: Government agencies, public utilities, and accredited colleges and universities. Sensitive fish and wildlife data may be released to tribal governments. Sensitive fish and wildlife data may also be released to the owner, lessee, or right-of-way or easement holder of the private land to which the data pertains. The release of sensitive fish and wildlife data may be subject to a confidentiality agreement, except upon release of sensitive fish and wildlife data to the owner, lessee, or right-of-way or easement holder of private land who initially provided the data. Sensitive fish and wildlife data does not include data related to reports of predatory wildlife as specified in RCW 77.12.885. Sensitive fish and wildlife data must meet at least one of the following criteria of this subsection as applied by the department of fish and wildlife:

(a) The nesting sites or specific locations of endangered species designated under RCW 77.12.020, or threatened or sensitive species classified by rule of the department of fish and wildlife;

(b) Radio frequencies used in, or locational data generated by, telemetry studies; or

(c) Other location data that could compromise the viability of a specific fish or wildlife population, and where at least one of the following criteria are met:

(i) The species has a known commercial or black market value;

(ii) There is a history of malicious take of that species and the species behavior or ecology renders it especially vulnerable;

(iii) There is a known demand to visit, take, or disturb the species; or

(iv) The species has an extremely limited distribution and concentration;

(3) The following information regarding any damage prevention cooperative agreement, or nonlethal preventative measures deployed to minimize wolf interactions with pets and livestock:

(a) The name, telephone number, residential address, and other personally identifying information, of any person who has a current damage prevention cooperative agreement with the department, including a pet or livestock owner, and his or her employees or immediate family members, who agrees to deploy, or is responsible for the deployment of nonlethal, preventative measures; and

(b) The legal description or name of any residential property, ranch, or farm, that is owned, leased, or used by any person included in (a) of this subsection;

(4) The following information regarding a reported depredation by wolves on pets or livestock:

(a) The name, telephone number, residential address, and other personally identifying information of:

(i) Any person who reported the depredation; and

(ii) Any pet or livestock owner, and his or her employees or immediate family members, whose pet or livestock was the subject of a reported depredation; and

(b) The legal description, location coordinates, or name that identifies any residential property, or ranch or farm that contains a residence, that is owned, leased, or used by any person included in (a) of this subsection;

(5) The personally identifying information of persons who acquire recreational licenses under RCW 77.32.010 or commercial licenses under chapter 77.65 or 77.70 RCW, except name, address of contact used by the department, and type of license, endorsement, or tag; however, the department of fish and wildlife may

disclose personally identifying information to:

(a) Government agencies concerned with the management of fish and wildlife resources;

(b) The department of social and health services, child support division, and to the department of licensing in order to implement RCW 77.32.014 and 46.20.291; and

(c) Law enforcement agencies for the purpose of firearm possession enforcement under RCW 9.41.040; and

~~((4))~~ (6) Information that the department of fish and wildlife has received or accessed but may not disclose due to confidentiality requirements in the Magnuson-Stevens fishery conservation and management reauthorization act of 2006 (16 U.S.C. Sec. 1861(h)(3) and (i), and Sec. 1881a(b)).

Sec. 2. RCW 77.12.885 and 2007 c 293 s 2 are each amended to read as follows:

Except for the personal information on reported depredations by wolves that is exempted from disclosure as provided in RCW 42.56.430, the department shall post on its internet web site all reported predatory wildlife interactions, including reported human safety confrontations or sightings as well as the known details of reported depredations by predatory wildlife on humans, pets, or livestock, within ten days of receiving the report. The posted material must include, but is not limited to, the location and time, the known details, and a running summary of such reported interactions by identified specie and interaction type within each affected county. For the purposes of this section and RCW 42.56.430, "predatory wildlife" means grizzly bears, wolves, and cougars.

NEW SECTION. Sec. 3. A new section is added to chapter 42.56 RCW to read as follows:

By December 1, 2019, the public records exemptions accountability committee, in addition to its duties in RCW 42.56.140, must prepare and submit a report to the legislature that includes recommendations on whether the exemptions created in section 1, chapter . . . , Laws of 2017 (section 1 of this act) should be continued or allowed to expire. The report should focus on

whether the exemption continues to serve the intent of the legislature in section 1, chapter . . ., Laws of 2017 (section 1 of this act) to provide protections of personal information during the period the state establishes and implements new policies regarding wolf management. The committee must consider whether the development of wolf management policy, by the time of the report, has diminished risks of threats to personal safety so that the protection of personal information in section 1, chapter . . ., Laws of 2017 (section 1 of this act) is no longer an ongoing necessity.

NEW SECTION. Sec. 4. This act expires December 31, 2019."

and the same is herewith transmitted,

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 13, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5081 and asks the House to recede therefrom, and the same is herewith transmitted.

Paul Campos, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SUBSTITUTE SENATE BILL NO. 5081 was returned to second reading for the purpose of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5081, by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen and Miloscia)

Adopting the revised uniform law on notarial acts.

Representative Jinkins moved the adoption of amendment (554):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. SHORT TITLE. This chapter may be known and cited as the revised uniform law on notarial acts.

NEW SECTION. Sec. 2. DEFINITIONS. In this chapter:

(1) "Acknowledgment" means a declaration by an individual in the presence of a notarial officer stating that the individual has signed a record of the individual's free will for the purpose stated in the record and, if the record is signed in a representative capacity, the individual also declares that he or she signed the record with proper authority and signed it as the act of the individual or entity identified in the record.

(2) "Department" means the department of licensing.

(3) "Director" means the director of licensing or the director's designee.

(4) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(5) "Electronic records notary public" means an individual commissioned by the director to perform a notarial act with respect to electronic records. Nothing in this act authorizes an electronic records notary public to provide court reporting services.

(6) "Electronic signature" means an electronic symbol, sound, or process attached to or logically associated with a record and executed or adopted by an individual with the intent to sign the record.

(7) "In a representative capacity" means acting as:

(a) An authorized officer, agent, partner, trustee, or other representative for a person other than an individual;

(b) A public officer, personal representative, guardian, or other representative, in the capacity stated in a record;

(c) An agent or attorney-in-fact for a principal; or

(d) An authorized representative of another in any other capacity.

(8) "Notarial act" means an act, whether performed with respect to a

tangible or electronic record, that a notarial officer may perform under the law of this state. The term includes taking an acknowledgment, administering an oath or affirmation, taking a verification on oath or affirmation, witnessing or attesting a signature, certifying or attesting a copy, certifying the occurrence of an event or the performance of an act, and noting a protest of a negotiable instrument if the protest was prepared under the authority of an attorney licensed to practice law in this state or another state, or was prepared under the authority of a financial institution that is regulated by this state, another state, or the federal government.

(9) "Notarial officer" means a notary public or other individual authorized to perform a notarial act.

(10) "Notary public" means an individual commissioned to perform a notarial act by the director.

(11) "Official stamp" means a physical image affixed to or embossed on a tangible record or an electronic image attached to or logically associated with an electronic record.

(12) "Person" means an individual, corporation, business trust, statutory trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(13) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in human perceivable form.

(14) "Sign" means, with present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach to or logically associate with the record an electronic symbol, sound, or process.

(15) "Signature" means a tangible symbol or an electronic signature that evidences the signing of a record.

(16) "Stamping device" means:

(a) A physical device capable of affixing to or embossing on a tangible record an official stamp; or

(b) An electronic device or process capable of attaching to or logically associating with an electronic record an official stamp.

(17) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(18) "Verification on oath or affirmation" means a declaration, made by an individual on oath or affirmation before a notarial officer, that a statement in a record is true.

NEW SECTION. **Sec. 3. APPLICABILITY.** This chapter applies to a notarial act performed on or after the effective date of this section.

NEW SECTION. **Sec. 4. AUTHORITY TO PERFORM NOTARIAL ACT.** (1) A notarial officer may perform a notarial act authorized by this chapter or by law of this state other than this chapter.

(2)(a) A notarial officer may not perform a notarial act with respect to a record to which the officer or the officer's spouse or domestic partner is a party, or in which any of the above have a direct beneficial interest.

(b) A notarial officer may not notarize the notarial officer's own signature.

(c) A notarial act performed in violation of this subsection (2) is voidable.

NEW SECTION. **Sec. 5. REQUIREMENTS FOR CERTAIN NOTARIAL ACTS.** (1) A notarial officer who takes an acknowledgment of a record shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and making the acknowledgment has the identity claimed and that the signature on the record is the signature of the individual.

(2) A notarial officer who takes a verification of a statement on oath or affirmation shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and making the verification has the identity claimed and that the signature on the statement

verified is the signature of the individual.

(3) A notarial officer who witnesses or attests to a signature shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and signing the record has the identity claimed.

(4) A notarial officer who certifies or attests a copy of a record or an item that was copied shall compare the copy with the original record or item and determine that the copy is a full, true, and accurate transcription or reproduction of the record or item.

(5) A notarial officer may make or note a protest of a negotiable instrument only if the notarial officer is licensed to practice law in this state, acting under the authority of an attorney who is licensed to practice law in this or another state, or acting under the authority of a financial institution regulated by this state, another state, or the federal government. In making or noting a protest of a negotiable instrument the notarial officer or licensed attorney shall determine the matters set forth in RCW 62A.3-505(b).

NEW SECTION. Sec. 6. PERSONAL APPEARANCE REQUIRED. If a notarial act relates to a statement made in or a signature executed on a record, the individual making the statement or executing the signature shall appear personally before the notarial officer.

NEW SECTION. Sec. 7. IDENTIFICATION OF INDIVIDUAL. (1) A notarial officer has personal knowledge of the identity of an individual appearing before the officer if the individual is personally known to the officer through dealings sufficient to provide reasonable certainty that the individual has the identity claimed.

(2) A notarial officer has satisfactory evidence of the identity of an individual appearing before the officer if the officer can identify the individual:

(a) By means of:

(i) A passport, driver's license, or government-issued nondriver identification card, which is current or expired not more than three years before performance of the notarial act; or

(ii) Another form of government identification issued to an individual, which is current or expired not more than three years before performance of the notarial act, contains the signature or a photograph of the individual, and is satisfactory to the officer; or

(b) By a verification on oath or affirmation of a credible witness personally appearing before the officer and personally known to the officer and who provides satisfactory evidence of his or her identity as described in (a) of this subsection.

(3) A notarial officer may require an individual to provide additional information or identification credentials necessary to assure the officer of the identity of the individual.

NEW SECTION. Sec. 8. AUTHORITY TO REFUSE TO PERFORM NOTARIAL ACT. (1) A notarial officer has the authority to refuse to perform a notarial act if the officer is not satisfied that:

(a) The individual executing the record is competent or has the capacity to execute the record; or

(b) The individual's signature is knowingly and voluntarily made.

(2) A notarial officer has the authority to refuse to perform a notarial act unless refusal is prohibited by law other than this chapter.

NEW SECTION. Sec. 9. SIGNATURE IF INDIVIDUAL UNABLE TO SIGN. Except as otherwise provided in RCW 64.08.100, if an individual is physically unable to sign a record, the individual may direct an individual other than the notarial officer to sign the individual's name on the record. The notarial officer shall insert "signature affixed by (name of other individual) at the direction of (name of individual)" or words of similar import.

NEW SECTION. Sec. 10. NOTARIAL ACT IN THIS STATE. (1) A notarial act may be performed in this state by:

(a) A notary public of this state;

(b) A judge, clerk, or deputy clerk of a court of this state; or

(c) Any other individual authorized to perform the specific act by the law of this state.

(2) The signature and title of an individual authorized by this act to perform a notarial act in this state are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(3) The signature and title of a notarial officer described in subsection (1)(a) or (b) of this section conclusively establishes the authority of the officer to perform the notarial act.

NEW SECTION. Sec. 11. NOTARIAL ACT IN ANOTHER STATE. (1) A notarial act performed in another state has the same effect under the law of this state as if performed by a notarial officer of this state, if the act performed in that state is performed by:

(a) A notary public of that state;

(b) A judge, clerk, or deputy clerk of a court of that state; or

(c) Any other individual authorized by the law of that state to perform the notarial act.

(2) The signature and title of an individual performing a notarial act in another state are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(3) The signature and title of a notarial officer described in subsection (1)(a) through (c) of this section conclusively establishes the authority of the officer to perform the notarial act.

NEW SECTION. Sec. 12. NOTARIAL ACT UNDER AUTHORITY OF FEDERALLY RECOGNIZED INDIAN TRIBE. (1) A notarial act performed under the authority and in the jurisdiction of a federally recognized Indian tribe has the same effect as if performed by a notarial officer of this state, if the act performed in the jurisdiction of the tribe is performed by:

(a) A notary public of the tribe;

(b) A judge, clerk, or deputy clerk of a court of the tribe; or

(c) Any other individual authorized by the law of the tribe to perform the notarial act.

(2) The signature and title of an individual performing a notarial act under the authority of and in the

jurisdiction of a federally recognized Indian tribe are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(3) The signature and title of a notarial officer described in subsection (1)(a) through (c) of this section conclusively establishes the authority of the officer to perform the notarial act.

NEW SECTION. Sec. 13. NOTARIAL ACT UNDER FEDERAL AUTHORITY. (1) A notarial act performed under federal law has the same effect under the law of this state as if performed by a notarial officer of this state, if the act performed under federal law is performed by:

(a) A judge, clerk, or deputy clerk of a court;

(b) An individual in military service or performing duties under the authority of military service who is authorized to perform notarial acts under federal law;

(c) An individual designated a notarizing officer by the United States department of state for performing notarial acts overseas; or

(d) Any other individual authorized by federal law to perform the notarial act.

(2) The signature and title of an individual acting under federal authority and performing a notarial act are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(3) The signature and title of an officer described in subsection (1)(a), (b), or (c) of this section conclusively establishes the authority of the officer to perform the notarial act.

NEW SECTION. Sec. 14. FOREIGN NOTARIAL ACT. (1) In this section, "foreign state" means a government other than the United States, a state, or a federally recognized Indian tribe.

(2) If a notarial act is performed under the authority and in the jurisdiction of a foreign state or constituent unit of the foreign state or is performed under the authority of a multinational or international governmental organization, the act has the same effect under the law of this state as if performed by a notarial officer of this state.

(3) If the title of office and indication of authority to perform notarial acts in a foreign state appears in a digest of foreign law or in a list customarily used as a source for that information, the authority of an officer with that title to perform notarial acts is conclusively established.

(4) The signature and official stamp of an individual holding an office described in subsection (3) of this section are prima facie evidence that the signature is genuine and the individual holds the designated title.

(5) An apostille in the form prescribed by the Hague Convention of October 5, 1961, and issued by a foreign state party to the Hague Convention conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the indicated office.

(6) A consular authentication issued by an individual designated by the United States department of state as a notarizing officer for performing notarial acts overseas and attached to the record with respect to which the notarial act is performed conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the indicated office.

NEW SECTION. Sec. 15. CERTIFICATE OF NOTARIAL ACT. (1) A notarial act must be evidenced by a certificate. The certificate must:

(a) Be executed contemporaneously with the performance of the notarial act;

(b) Be signed and dated by the notarial officer and, if the notarial officer is a notary public, be signed in the same manner as on file with the department;

(c) Identify the jurisdiction in which the notarial act is performed;

(d) Contain the title of office of the notarial officer;

(e) Be written in English or in dual languages, one of which must be English; and

(f) If the notarial officer is a notary public, indicate the date of expiration, if any, of the officer's commission.

(2) Regarding notarial act certificates on a tangible record:

(a) If a notarial act regarding a tangible record is performed by a notary

public, an official stamp must be affixed to or embossed on the certificate.

(b) If a notarial act regarding a tangible record is performed by a notarial officer other than a notary public and the certificate contains the information specified in subsection (1)(b), (c), and (d) of this section, an official stamp may be affixed to or embossed on the certificate.

(3) Regarding notarial act certificates on an electronic record:

(a) If a notarial act regarding an electronic record is performed by an electronic records notary public, an official stamp must be attached to or logically associated with the certificate.

(b) If a notarial act regarding an electronic record is performed by a notarial officer other than a notary public and the certificate contains the information specified in subsection (1)(b), (c), and (d) of this section, an official stamp may be attached to or logically associated with the certificate.

(4) A certificate of a notarial act is sufficient if it meets the requirements of subsections (1) through (3) of this section and:

(a) Is in a short form set forth in section 16 of this act;

(b) Is in a form otherwise permitted by the law of this state;

(c) Is in a form permitted by the law applicable in the jurisdiction in which the notarial act was performed; or

(d) Sets forth the actions of the notarial officer and the actions are sufficient to meet the requirements of the notarial act as provided in sections 5, 6, and 7 of this act or law of this state other than this chapter.

(5) By executing a certificate of a notarial act, a notarial officer certifies that the officer has complied with the requirements and made the determinations specified in sections 5, 6, and 7 of this act.

(6) A notarial officer may not affix the officer's signature to, or logically associate it with, a certificate until the notarial act has been performed.

(7) If a notarial act is performed regarding a tangible record, a

certificate must be part of, or securely attached to, the record. If a notarial act is performed regarding an electronic record, the certificate must be affixed to, or logically associated with, the electronic record. If the director has established standards pursuant to section 27 of this act for attaching, affixing, or logically associating the certificate, the process must conform to the standards.

NEW SECTION. Sec. 16. SHORT FORM CERTIFICATES. The following short form certificates of notarial acts are sufficient for the purposes indicated, if completed with the information required by section 15 (1) through (4) of this act:

(1) For an acknowledgment in an individual capacity:

State of

County of

This record was acknowledged before me on (date) by (name(s) of individuals).

.....
(Signature of notary public)

(Stamp)

.....
(Title of office)

My commission expires:

.....
(date)

(2) For an acknowledgment in a representative capacity:

State of

County of

This record was acknowledged before me on (date) by (name(s) of individuals) as (type of authority, such as officer or trustee) of (name of party on behalf of whom record was executed).

.....
(Signature of notary public)

(Stamp)

.....
(Title of office)

My commission expires:

.....
(date)

(3) For verification on oath or affirmation:

State of

County of

Signed and sworn to (or affirmed) before me on (date) by (name(s) of individuals making statement).

.....
(Signature of notary public)

(Stamp)

.....
(Title of office)

My commission expires:

.....
(date)

(4) For witnessing or attesting a signature:

State of

County of

Signed or attested before me on (date) by (name(s) of individuals).

.....
(Signature of notary public)

(Stamp)

.....
(Title of office)

My commission expires:

.....
(date)

(5) For certifying or attesting a copy of a record:

State of

County of

I certify that this is a true and correct copy of a record in the possession of

Dated:

 (Signature of notary public)
 (Stamp)
 (Title of office)
 My commission expires:
 (date)

(6) For certifying the occurrence of an event or the performance of any act:

State of

County of

I certify that the event described in this document has occurred or been performed.

Dated:

 (Signature of notary public)
 (Stamp)
 (Title of office)
 My commission expires:
 (date)

NEW SECTION. Sec. 17. OFFICIAL STAMP.
 (1) It is unlawful for any person intentionally to manufacture, give, sell, procure, or possess a seal or stamp evidencing the current appointment of a person as a notary public until the director has issued a notary commission. The official seal or stamp of a notary public must include:

- (a) The words "notary public;"
- (b) The words "state of Washington;"
- (c) The notary public's name as commissioned;
- (d) The notary public's commission expiration date; and
- (e) Any other information required by the director.

(2) The size and form or forms of the seal or stamp shall be prescribed by the director in rule.

(3) The seal or stamp must be capable of being copied together with the record to which it is affixed or attached or with which it is logically associated.

(4) The seal or stamp used at the time that a notarial act is performed must be the seal or stamp evidencing the notary public's commission in effect as of such time, even if the notary public has received the seal or stamp evidencing his or her next commission.

NEW SECTION. Sec. 18. STAMPING DEVICE.

(1) A notary public is responsible for the security of the notary public's stamping device and may not allow another individual to use the device to perform a notarial act. On resignation from, or the revocation or expiration of, the notary public's commission, or on the expiration of the date set forth in the stamping device, the notary public shall disable the stamping device by destroying, defacing, damaging, erasing, or securing it against use in a manner that renders it unusable. On the death or adjudication of incompetency of a notary public, the notary public's personal representative or guardian or any other person knowingly in possession of the stamping device shall render it unusable by destroying, defacing, damaging, erasing, or securing it against use in a manner that renders it unusable.

(2) The seal or stamp should be kept in a locked and secured area, under the direct and exclusive control of the notary public. If a notary public's stamping device is lost or stolen, the notary public or the notary public's personal representative or guardian shall notify promptly the department on discovering that the device is lost or stolen. Any replacement device must contain a variance from the lost or stolen seal or stamp.

NEW SECTION. Sec. 19. FEES. (1) The director may establish by rule the maximum fees that may be charged by notaries public for various notarial services.

(2) A notary public need not charge fees for notarial acts.

NEW SECTION. Sec. 20. JOURNAL. (1) A notary public shall maintain a journal in which the notary public chronicles all

notarial acts that the notary public performs. The notary public shall retain the journal for ten years after the performance of the last notarial act chronicled in the journal. The journal is to be destroyed as required by the director in rule upon completion of the ten-year period.

(2) Notwithstanding any other provision of this chapter requiring a notary public to maintain a journal, a notary public who is an attorney licensed to practice law in this state is not required to chronicle a notarial act in a journal if documentation of the notarial act is otherwise maintained by professional practice.

(3) A notary public shall maintain only one tangible journal at a time to chronicle notarial acts, whether those notarial acts are performed regarding tangible or electronic records. The journal must be a permanent, bound register with numbered pages. An electronic records notary public may also maintain an electronic format journal, which can be kept concurrently with the tangible journal. The electronic journal must be in a permanent, tamper-evident electronic format complying with the rules of the director.

(4) An entry in a journal must be made contemporaneously with performance of the notarial act and contain the following information:

(a) The date and time of the notarial act;

(b) A description of the record, if any, and type of notarial act;

(c) The full name and address of each individual for whom the notarial act is performed; and

(d) Any additional information as required by the director in rule.

(5) The journal shall be kept in a locked and secured area, under the direct and exclusive control of the notary public. Failure to secure the journal may be cause for the director to take administrative action against the commission held by the notary public. If a notary public's journal is lost or stolen, the notary public promptly shall notify the department on discovering that the journal is lost or stolen.

(6) On resignation from, or the revocation or suspension of, a notary public's commission, the notary public

shall retain the notary public's journal in accordance with subsection (1) of this section and inform the department where the journal is located.

NEW SECTION. Sec. 21. NOTIFICATION REGARDING PERFORMANCE OF NOTARIAL ACT ON ELECTRONIC RECORD-SELECTION OF TECHNOLOGY. (1) A notary public may not perform notarial acts with respect to electronic records unless the notary public holds a commission as an electronic records notary public.

(2) An electronic records notary public may select one or more tamper-evident technologies to perform notarial acts with respect to electronic records that meet the standards provided in subsection (4) of this section. A person cannot require an electronic records notary public to perform a notarial act with respect to an electronic record with a technology that the notary public has not selected.

(3) Before an electronic records notary public performs the notary public's initial notarial act with respect to an electronic record, an electronic records notary public shall notify the department that he or she will be performing notarial acts with respect to electronic records and identify the technology the electronic records notary public intends to use.

(4) The director shall establish standards for approval of technology in rule. If the technology conforms to the standards, the director shall approve the use of the technology.

NEW SECTION. Sec. 22. COMMISSION AS NOTARY PUBLIC-QUALIFICATIONS-NO IMMUNITY OR BENEFIT. (1) An individual qualified under subsection (2) of this section may apply to the director for a commission as a notary public. The applicant shall comply with and provide the information required by rules established by the director and pay any application fee.

(2) An applicant for a commission as a notary public must:

(a) Be at least eighteen years of age;

(b) Be a citizen or permanent legal resident of the United States;

(c) Be a resident of or have a place of employment or practice in this state;

(d) Be able to read and write English; and

(e) Not be disqualified to receive a commission under section 23 of this act.

(3) Before issuance of a commission as a notary public, an applicant for the commission shall execute an oath of office and submit it to the department in the format prescribed by the director in rule.

(4) Before issuance of a commission as a notary public, the applicant for a commission shall submit to the director an assurance in the form of a surety bond in the amount established by the director in rule. The assurance must be issued by a surety or other entity licensed or authorized to write surety bonds in this state. The assurance must be effective for a four-year term or for a term that expires on the date the notary public's commission expires. The assurance must cover acts performed during the term of the notary public's commission and must be in the form prescribed by the director. If a notary public violates law with respect to notaries public in this state, the surety or issuing entity is liable under the assurance. The surety or issuing entity shall give at least thirty days notice to the department before canceling the assurance. The surety or issuing entity shall notify the department not later than thirty days after making a payment to a claimant under the assurance. A notary public may perform notarial acts in this state only during the period that a valid assurance is on file with the department.

(5) On compliance with this section, the director shall issue a commission as a notary public to an applicant for a term of four years or for a term that expires on the date of expiration of the assurance, whichever comes first.

(6) A commission to act as a notary public authorizes the notary public to perform notarial acts. The commission does not provide the notary public any immunity or benefit conferred by law of this state on public officials or employees.

(7) An individual qualified under (a) of this subsection may apply to the director for a commission as an electronic records notary public. The applicant shall comply with and provide the information required by rules established by the director and pay the relevant application fee.

(a) An applicant for a commission as an electronic records notary public must hold a commission as notary public.

(b) An electronic records notary public commission may take the form of an endorsement to the notary public commission if deemed appropriate by the director.

NEW SECTION. **Sec. 23.** GROUND~~S~~ TO DENY, REFUSE TO RENEW, REVOKE, SUSPEND, OR CONDITION COMMISSION OF NOTARY PUBLIC.

(1) In addition to conduct defined as unprofessional under RCW 18.235.130, the director may take action as provided for in RCW 18.235.110 against a commission as notary public for any act or omission that demonstrates the individual lacks the honesty, integrity, competence, or reliability to act as a notary public, including:

(a) Failure to comply with this chapter;

(b) A fraudulent, dishonest, or deceitful misstatement or omission in the application for a commission as a notary public submitted to the department;

(c) A conviction of the applicant or notary public of any felony or crime involving fraud, dishonesty, or deceit;

(d) A finding against, or admission of liability by, the applicant or notary public in any legal proceeding or disciplinary action based on the applicant's or notary public's fraud, dishonesty, or deceit;

(e) Failure by the notary public to discharge any duty required of a notary public, whether by this chapter, rules of the director, or any federal or state law;

(f) Use of false or misleading advertising or representation by the notary public representing that the notary public has a duty, right, or privilege that the notary public does not have;

(g) Violation by the notary public of a rule of the director regarding a notary public;

(h) Denial, refusal to renew, revocation, suspension, or conditioning of a notary public commission in another state;

(i) Failure of the notary public to maintain an assurance as provided in section 22(4) of this act; or

(j) Making or noting a protest of a negotiable instrument without being a person authorized by section 5(5) of this act.

(2) If the director denies, refuses to renew, revokes, suspends, imposes conditions, or otherwise sanctions, a commission as a notary public, the applicant or notary public is entitled to timely notice and hearing in accordance with chapter 34.05 RCW.

(3) The authority of the director to take disciplinary action on a commission as a notary public does not prevent a person from seeking and obtaining other criminal or civil remedies provided by law.

NEW SECTION. **Sec. 24.** DATABASE OF NOTARIES PUBLIC. The director shall maintain an electronic database of notaries public:

(1) Through which a person may verify the authority of a notary public to perform notarial acts; and

(2) Which indicates whether a notary public has notified the director that the notary public will be performing notarial acts on electronic records.

NEW SECTION. **Sec. 25.** PROHIBITED ACTS. (1) A commission as a notary public does not authorize an individual to:

(a) Assist persons in drafting legal records, give legal advice, or otherwise practice law;

(b) Act as an immigration consultant or an expert on immigration matters;

(c) Represent a person in a judicial or administrative proceeding relating to immigration to the United States, United States citizenship, or related matters;

(d) Receive compensation for performing any of the activities listed in this subsection; or

(e) Provide court reporting services.

(2) A notary public may not engage in false or deceptive advertising.

(3) A notary public, other than an attorney licensed to practice law in this state, or a Washington-licensed limited license legal technician acting within the scope of his or her license, may not use the term "notario" or "notario publico."

(4) A notary public, other than an attorney licensed to practice law in this state or a limited license legal technician acting within the scope of his or her license, may not assist another person in selecting the appropriate certificate required by section 15 of this act.

(5) A notary public, other than an attorney licensed to practice law in this state, or a Washington-licensed limited license legal technician acting within the scope of his or her license, may not advertise or represent that the notary public may assist persons in drafting legal records, give legal advice, or otherwise practice law. If a notary public who is not an attorney licensed to practice law in this state, or a Washington-licensed limited license legal technician acting within the scope of his or her license, in any manner advertises or represents that the notary public offers notarial services, whether orally or in a record, including broadcast media, print media, and the internet, the notary public shall include the following statement, or an alternate statement authorized or required by the director, in the advertisement or representation, prominently and in each language used in the advertisement or representation: "I am not an attorney licensed to practice law in this state. I am not allowed to draft legal records, give advice on legal matters, including immigration, or charge a fee for those activities." If the form of advertisement or representation is not broadcast media, print media, or the internet and does not permit inclusion of the statement required by this subsection because of size, it must be displayed prominently or provided at the place of performance of the notarial act before the notarial act is performed.

(6) Except as otherwise allowed by law, a notary public may not withhold access to or possession of an original record provided by a person that seeks performance of a notarial act by the notary public. A notary public may not maintain copies or electronic images of documents notarized unless the copies or images are maintained by an attorney or Washington-licensed limited license legal technician acting within his or her scope of practice for the performance of legal services or for other services performed for the client and the copies or images are not maintained solely as part of the notary transaction.

NEW SECTION. **Sec. 26.** VALIDITY OF NOTARIAL ACTS. Except as otherwise provided in section 4(2) of this act, the failure of a notarial officer to perform a duty or meet a requirement specified in this chapter does not invalidate a notarial act performed by the notarial officer. The validity of a notarial act under this chapter does not prevent an aggrieved person from seeking to invalidate the record or transaction that is the subject of the notarial act or from seeking other remedies based on law of this state other than this chapter or law of the United States. This section does not validate a purported notarial act performed by an individual who does not have the authority to perform notarial acts. Nothing in this act gives the director authority to invalidate a notarial act.

NEW SECTION. **Sec. 27.** RULES. (1) The director may adopt rules necessary to implement this chapter.

(2) In adopting, amending, or repealing rules about notarial acts with respect to electronic records, the director shall consider standards, practices, and customs of other jurisdictions that substantially enact this chapter.

NEW SECTION. **Sec. 28.** NOTARY PUBLIC COMMISSION IN EFFECT. A commission as a notary public in effect on the effective date of this section continues until its date of expiration. A notary public who applies to renew a commission as a notary public on or after the effective date of this section is subject to and shall comply with this chapter. A notary public, in performing notarial acts after the effective date of this section, shall comply with this chapter.

NEW SECTION. **Sec. 29.** SAVINGS CLAUSE. This chapter does not affect the validity or effect of a notarial act performed before the effective date of this section.

NEW SECTION. **Sec. 30.** UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

NEW SECTION. **Sec. 31.** RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This chapter modifies, limits, and supersedes the electronic signatures in global and

national commerce act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

NEW SECTION. **Sec. 32.** UNIFORM REGULATION OF BUSINESS AND PROFESSIONS ACT. The uniform regulation of business and professions act, chapter 18.235 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter.

NEW SECTION. **Sec. 33.** NEW CHAPTER. Sections 1 through 32 and 44 of this act constitute a new chapter in Title 42 RCW.

NEW SECTION. **Sec. 34.** REPEALS. The following acts or parts of acts are each repealed:

(1)RCW 42.44.010 (Definitions) and 1985 c 156 s 1;

(2)RCW 42.44.020 (Qualifications—Application—Bond) and 1985 c 156 s 2;

(3)RCW 42.44.030 (Appointment—Denial for unprofessional conduct—Certificate of appointment) and 2011 c 244 s 6, 2002 c 86 s 287, & 1985 c 156 s 3;

(4)RCW 42.44.050 (Seal or stamp) and 1985 c 156 s 5;

(5)RCW 42.44.060 (Term) and 2002 c 86 s 288 & 1985 c 156 s 6;

(6)RCW 42.44.070 (Reappointment without endorsements) and 1985 c 156 s 7;

(7)RCW 42.44.080 (Standards for notarial acts) and 1987 c 76 s 3 & 1985 c 156 s 8;

(8)RCW 42.44.090 (Form of certificate—General—Seal or stamp as exclusive property) and 1985 c 156 s 9;

(9)RCW 42.44.100 (Short forms of certificate) and 1988 c 69 s 4 & 1985 c 156 s 10;

(10)RCW 42.44.110 (Illegible writing) and 1985 c 156 s 11;

(11)RCW 42.44.120 (Fees) and 1985 c 156 s 12;

(12)RCW 42.44.130 (Notarial acts by officials of other jurisdictions) and 1985 c 156 s 13;

(13)RCW 42.44.140 (Notarial acts by federal authorities) and 1985 c 156 s 14;

(14)RCW 42.44.150 (Notarial acts by foreign authorities) and 1985 c 156 s 15;

(15)RCW 42.44.160 (Official misconduct—Penalty) and 2002 c 86 s 289 & 1985 c 156 s 16;

(16)RCW 42.44.170 (Revocation of appointment—Resignation) and 2002 c 86 s 290 & 1985 c 156 s 17;

(17)RCW 42.44.180 (Evidence of authenticity of notarial seal and signature) and 1985 c 156 s 18;

(18)RCW 42.44.190 (Rules) and 2002 c 86 s 291 & 1985 c 156 s 20;

(19)RCW 42.44.200 (Transfer of records) and 1985 c 156 s 22;

(20)RCW 42.44.210 (Uniform regulation of business and professions act) and 2002 c 86 s 292;

(21)RCW 42.44.220 (Military training or experience) and 2011 c 351 s 18;

(22)RCW 42.44.221 (Spouses of military personnel—Appointment) and 2011 2nd sp.s. c 5 s 7;

(23)RCW 42.44.900 (Savings—1985 c 156) and 1985 c 156 s 21;

(24)RCW 42.44.901 (Construction) and 1985 c 156 s 23; and

(25)RCW 42.44.903 (Effective date—1985 c 156) and 1985 c 156 s 27.

Sec. 35. RCW 9.97.020 and 2016 c 81 s 3 are each amended to read as follows:

(1) Except as provided in this section, no state, county, or municipal department, board, officer, or agency authorized to assess the qualifications of any applicant for a license, certificate of authority, qualification to engage in the practice of a profession or business, or for admission to an examination to qualify for such a license or certificate may disqualify a qualified applicant, solely based on the applicant's criminal history, if the qualified applicant has obtained a certificate of restoration of opportunity and the applicant meets all other statutory and regulatory requirements, except as required by federal law or exempted under this subsection. Nothing in this section is interpreted as restoring or creating a means to restore any firearms rights or eligibility to obtain a firearm dealer license pursuant to RCW 9.41.110 or

requiring the removal of a protection order.

(a)(i) Criminal justice agencies, as defined in RCW 10.97.030, and the Washington state bar association are exempt from this section.

(ii) This section does not apply to the licensing, certification, or qualification of the following professionals: Accountants, RCW 18.04.295; assisted living facilities employees, RCW 18.20.125; bail bond agents, RCW 18.185.020; escrow agents, RCW 18.44.241; long-term care workers, RCW 18.88B.080; nursing home administrators, RCW 18.52.071; nursing, chapter 18.79 RCW; physicians and physician assistants, chapters 18.71 and 18.71A RCW; private investigators, RCW 18.165.030; receivers, RCW 7.60.035; teachers, chapters 28A.405 and 28A.410 RCW; notaries public, chapter ~~(42.44 RCW)~~ 42.--- RCW (the new chapter created in section 33 of this act); private investigators, chapter 18.165 RCW; real estate brokers and salespersons, chapters 18.85 and 18.86 RCW; security guards, chapter 18.170 RCW; and vulnerable adult care providers, RCW 43.43.842.

(iii) To the extent this section conflicts with the requirements for receipt of federal funding under the adoption and safe families act, 42 U.S.C. Sec. 671, this section does not apply.

(b) Unless otherwise addressed in statute, in cases where an applicant would be disqualified under RCW 43.20A.710, and the applicant has obtained a certificate of restoration of opportunity, the department of social and health services may, after review of relevant factors, including the nature and seriousness of the offense, time that has passed since conviction, changed circumstances since the offense occurred, and the nature of the employment or license sought, at its discretion:

(i) Allow the applicant to have unsupervised access to children, vulnerable adults, or individuals with mental illness or developmental disabilities if the applicant is otherwise qualified and suitable; or

(ii) Disqualify the applicant solely based on the applicant's criminal history.

(c) If the practice of a profession or business involves unsupervised contact with vulnerable adults, children, or individuals with mental illness or developmental disabilities, or populations otherwise defined by statute as vulnerable, the department of health may, after review of relevant factors, including the nature and seriousness of the offense, time that has passed since conviction, changed circumstances since the offense occurred, and the nature of the employment or license sought, at its discretion:

(i) Disqualify an applicant who has obtained a certificate of restoration of opportunity, for a license, certification, or registration to engage in the practice of a health care profession or business solely based on the applicant's criminal history; or

(ii) If such applicant is otherwise qualified and suitable, credential or credential with conditions an applicant who has obtained a certificate of restoration of opportunity for a license, certification, or registration to engage in the practice of a health care profession or business.

(d) The state of Washington, any of its counties, cities, towns, municipal corporations, or quasi-municipal corporations, the department of health, and its officers, employees, contractors, and agents are immune from suit in law, equity, or any action under the administrative procedure act based upon its exercise of discretion under this section. This section does not create a protected class; private right of action; any right, privilege, or duty; or change to any right, privilege, or duty existing under law. This section does not modify a licensing or certification applicant's right to a review of an agency's decision under the administrative procedure act or other applicable statute or agency rule. A certificate of restoration of opportunity does not remove or alter citizenship or legal residency requirements already in place for state agencies and employers.

(2) A qualified court has jurisdiction to issue a certificate of restoration of opportunity to a qualified applicant.

(a) A court must determine, in its discretion whether the certificate:

(i) Applies to all past criminal history; or

(ii) Applies only to the convictions or adjudications in the jurisdiction of the court.

(b) The certificate does not apply to any future criminal justice involvement that occurs after the certificate is issued.

(c) A court must determine whether to issue a certificate by determining whether the applicant is a qualified applicant as defined in RCW 9.97.010.

(3) An employer or housing provider may, in its sole discretion, determine whether to consider a certificate of restoration of opportunity issued under this chapter in making employment or rental decisions. An employer or housing provider is immune from suit in law, equity, or under the administrative procedure act for damages based upon its exercise of discretion under this section or the refusal to exercise such discretion. In any action at law against an employer or housing provider arising out of the employment of or provision of housing to the recipient of a certificate of restoration of opportunity, evidence of the crime for which a certificate of restoration of opportunity has been issued may not be introduced as evidence of negligence or intentionally tortious conduct on the part of the employer or housing provider. This subsection does not create a protected class, private right of action, any right, privilege, or duty, or to change any right, privilege, or duty existing under law related to employment or housing except as provided in RCW 7.60.035.

(4) (a) Department of social and health services: A certificate of restoration of opportunity does not apply to the state abuse and neglect registry. No finding of abuse, neglect, or misappropriation of property may be removed from the registry based solely on a certificate. The department must include such certificates as part of its criminal history record reports, qualifying letters, or other assessments pursuant to RCW 43.43.830 through 43.43.838. The department shall adopt rules to implement this subsection.

(b) Washington state patrol: The Washington state patrol is not required to remove any records based solely on a certificate of restoration of opportunity. The state patrol must include a certificate as part of its criminal history record report.

(c) Court records:

(i) A certificate of restoration of opportunity has no effect on any other court records, including records in the judicial information system. The court records related to a certificate of restoration of opportunity must be processed and recorded in the same manner as any other record.

(ii) The qualified court where the applicant seeks the certificate of restoration of opportunity must administer the court records regarding the certificate in the same manner as it does regarding all other proceedings.

(d) Effect in other judicial proceedings: A certificate of restoration of opportunity may only be submitted to a court to demonstrate that the individual met the specific requirements of this section and not for any other procedure, including evidence of character, reputation, or conduct. A certificate is not an equivalent procedure under Rule of Evidence 609(c).

(e) Department of health: The department of health must include a certificate of restoration of opportunity on its public web site if:

(i) Its web site includes an order, stipulation to informal disposition, or notice of decision related to the conviction identified in the certificate of restoration of opportunity; and

(ii) The credential holder has provided a certified copy of the certificate of restoration of opportunity to the department of health.

(5) In all cases, an applicant must provide notice to the prosecutor in the county where he or she seeks a certificate of restoration of opportunity of the pendency of such application. If the applicant has been sentenced by any other jurisdiction in the five years preceding the application for a certificate, the applicant must also notify the prosecuting attorney in those jurisdictions. The prosecutor in the county where an applicant applies for a certificate shall provide the court with a report of the applicant's criminal history.

(6) Application for a certificate of restoration of opportunity must be filed as a civil action.

(7) A superior court in the county in which the applicant resides may decline

to consider the application for certificate of restoration of opportunity. If the superior court in which the applicant resides declines to consider the application, the court must dismiss the application without prejudice and the applicant may refile the application in another qualified court. The court must state the reason for the dismissal on the order. If the court determines that the applicant does not meet the required qualifications, then the court must dismiss the application without prejudice and state the reason(s) on the order. The superior court in the county of the applicant's conviction or adjudication may not decline to consider the application.

(8) Unless the qualified court determines that a hearing on an application for certificate of restoration is necessary, the court must decide without a hearing whether to grant the certificate of restoration of opportunity based on a review of the application filed by the applicant and pleadings filed by the prosecuting attorney.

(9) The clerk of the court in which the certificate of restoration of opportunity is granted shall transmit the certificate of restoration of opportunity to the Washington state patrol identification section, which holds criminal history information for the person who is the subject of the conviction. The Washington state patrol shall update its records to reflect the certificate of restoration of opportunity.

(10)(a) The administrative office of the courts shall develop and prepare instructions, forms, and an informational brochure designed to assist applicants applying for a certificate of restoration of opportunity.

(b) The instructions must include, at least, a sample of a standard application and a form order for a certificate of restoration of opportunity.

(c) The administrative office of the courts shall distribute a master copy of the instructions, informational brochure, and sample application and form order to all county clerks and a master copy of the application and order to all superior courts by January 1, 2017.

(d) The administrative office of the courts shall determine the significant

non-English-speaking or limited English-speaking populations in the state. The administrator shall then arrange for translation of the instructions, which shall contain a sample of the standard application and order, and the informational brochure into languages spoken by those significant non-English-speaking populations and shall distribute a master copy of the translated instructions and informational brochures to the county clerks by January 1, 2017.

(e) The administrative office of the courts shall update the instructions, brochures, standard application and order, and translations when changes in the law make an update necessary.

Sec. 36. RCW 18.235.010 and 2007 c 256 s 11 are each amended to read as follows:

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

(1) "Board" means those boards specified in RCW 18.235.020(2)(b).

(2) "Department" means the department of licensing.

(3) "Director" means the director of the department or director's designee.

(4) "Disciplinary action" means sanctions identified in RCW 18.235.110.

(5) "Disciplinary authority" means the director, board, or commission having the authority to take disciplinary action against a holder of, or applicant for, a professional or business license upon a finding of a violation of this chapter or a chapter specified under RCW 18.235.020.

(6) "License," "licensing," and "license" are deemed equivalent to the terms "license," "licensing," "licensure," "certificate," "certification," and "registration" as those terms are defined in RCW 18.118.020. Each of these terms, and the term ("~~appointment~~") "commission" under chapter (~~42.44 RCW~~) 42.--- RCW (the new chapter created in section 33 of this act), are interchangeable under the provisions of this chapter.

(7) "Unlicensed practice" means:

(a) Practicing a profession or operating a business identified in RCW 18.235.020 without holding a valid, unexpired, unrevoked, and unsuspended license to do so; or

(b) Representing to a person, through offerings, advertisements, or use of a professional title or designation, that the individual or business is qualified to practice a profession or operate a business identified in RCW 18.235.020 without holding a valid, unexpired, unrevoked, and unsuspended license to do so.

Sec. 37. RCW 18.235.020 and 2013 c 322 s 29 are each amended to read as follows:

(1) This chapter applies only to the director and the boards and commissions having jurisdiction in relation to the businesses and professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The director has authority under this chapter in relation to the following businesses and professions:

(i) Auctioneers under chapter 18.11 RCW;

(ii) Bail bond agents and bail bond recovery agents under chapter 18.185 RCW;

(iii) Camping resorts' operators and salespersons under chapter 19.105 RCW;

(iv) Commercial telephone solicitors under chapter 19.158 RCW;

(v) Cosmetologists, barbers, manicurists, and estheticians under chapter 18.16 RCW;

(vi) Court reporters under chapter 18.145 RCW;

(vii) Driver training schools and instructors under chapter 46.82 RCW;

(viii) Employment agencies under chapter 19.31 RCW;

(ix) For hire vehicle operators under chapter 46.72 RCW;

(x) Limousines under chapter 46.72A RCW;

(xi) Notaries public under chapter (~~42.44 RCW~~) 42.--- RCW (the new chapter created in section 33 of this act);

(xii) Private investigators under chapter 18.165 RCW;

(xiii) Professional boxing, martial arts, and wrestling under chapter 67.08 RCW;

(xiv) Real estate appraisers under chapter 18.140 RCW;

(xv) Real estate brokers and salespersons under chapters 18.85 and 18.86 RCW;

(xvi) Scrap metal processors, scrap metal recyclers, and scrap metal suppliers under chapter 19.290 RCW;

(xvii) Security guards under chapter 18.170 RCW;

(xviii) Sellers of travel under chapter 19.138 RCW;

(xix) Timeshares and timeshare salespersons under chapter 64.36 RCW;

(xx) Whitewater river outfitters under chapter 79A.60 RCW;

(xxi) Home inspectors under chapter 18.280 RCW;

(xxii) Body artists, body piercers, and tattoo artists, and body art, body piercing, and tattooing shops and businesses, under chapter 18.300 RCW; and

(xxiii) Appraisal management companies under chapter 18.310 RCW.

(b) The boards and commissions having authority under this chapter are as follows:

(i) The state board for architects established in chapter 18.08 RCW;

(ii) The Washington state collection agency board established in chapter 19.16 RCW;

(iii) The state board of registration for professional engineers and land surveyors established in chapter 18.43 RCW governing licenses issued under chapters 18.43 and 18.210 RCW;

(iv) The funeral and cemetery board established in chapter 18.39 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;

(v) The state board of licensure for landscape architects established in chapter 18.96 RCW; and

(vi) The state geologist licensing board established in chapter 18.220 RCW.

(3) In addition to the authority to discipline license holders, the disciplinary authority may grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. This chapter also

governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered under RCW 18.235.110 by the disciplinary authority.

Sec. 38. RCW 19.34.340 and 1997 c 27 s 21 are each amended to read as follows:

(1) Unless otherwise provided by law or contract, if so provided in the certificate issued by a licensed certification authority, a digital signature verified by reference to the public key listed in a valid certificate issued by a licensed certification authority satisfies the requirements for an acknowledgment under (~~RCW 42.44.010(4)~~) section 2(1) of this act and for acknowledgment of deeds and other real property conveyances under RCW 64.04.020 if words of an express acknowledgment appear with the digital signature regardless of whether the signer personally appeared before either the certification authority or some other person authorized to take acknowledgments of deeds, mortgages, or other conveyance instruments under RCW 64.08.010 when the digital signature was created, if that digital signature is:

(a) Verifiable by that certificate; and

(b) Affixed when that certificate was valid.

(2) If the digital signature is used as an acknowledgment, then the certification authority is responsible to the same extent as a notary up to the recommended reliance limit for failure to satisfy the requirements for an acknowledgment. The certification authority may not disclaim or limit, other than as provided in RCW 19.34.280, the effect of this section.

Sec. 39. RCW 19.154.060 and 2011 c 244 s 3 are each amended to read as follows:

(1) Persons, other than those licensed to practice law in this state or otherwise permitted to practice law or represent others under federal law in an immigration matter, are prohibited from engaging in the practice of law in an immigration matter for compensation.

(2) Persons, other than those licensed to practice law in this state or otherwise permitted to practice law or

represent others under federal law in an immigration matter, are prohibited from engaging in the following acts or practices, for compensation:

(a) Advising or assisting another person in determining the person's legal or illegal status for the purpose of an immigration matter;

(b) Selecting or assisting another in selecting, or advising another as to his or her answers on, a government agency form or document in an immigration matter;

(c) Selecting or assisting another in selecting, or advising another in selecting, a benefit, visa, or program to apply for in an immigration matter;

(d) Soliciting to prepare documents for, or otherwise representing the interests of, another in a judicial or administrative proceeding in an immigration matter;

(e) Explaining, advising, or otherwise interpreting the meaning or intent of a question on a government agency form in an immigration matter;

(f) Charging a fee for referring another to a person licensed to practice law;

(g) Selecting, drafting, or completing legal documents affecting the legal rights of another in an immigration matter.

(3) Persons, other than those holding an active license to practice law issued by the Washington state bar association or otherwise permitted to practice law or represent others under federal law in an immigration matter, are prohibited from engaging in the following acts or practices, regardless of whether compensation is sought:

(a) Representing, either orally or in any document, letterhead, advertisement, stationery, business card, web site, or other comparable written material, that he or she is a notario publico, notario, immigration assistant, immigration consultant, immigration specialist, or using any other designation or title, in any language, that conveys or implies that he or she possesses professional legal skills in the area of immigration law;

(b) Representing, in any language, either orally or in any document, letterhead, advertisement, stationery,

business card, web site, or other comparable written material, that he or she can or is willing to provide services in an immigration matter, if such services would constitute the practice of law.

(4) (a) The prohibitions of subsections (1) through (3) of this section shall not apply to the activities of nonlawyer assistants acting under the supervision of a person holding an active license to practice law issued by the Washington state bar association or otherwise permitted to practice law or represent others under federal law in an immigration matter.

(b) This section does not prohibit a person from offering translation services, regardless of whether compensation is sought. Translating words contained on a government form from English to another language and translating a person's words from another language to English does not constitute the unauthorized practice of law.

(5) In addition to complying with the prohibitions of subsections (1) through (3) of this section, persons licensed as a notary public under chapter ~~((42.44 RCW))~~ 42.--- RCW (the new chapter created in section 33 of this act) who do not hold an active license to practice law issued by the Washington state bar association shall not use the term notario publico, notario, immigration assistant, immigration consultant, immigration specialist, or any other designation or title, in any language, that conveys or implies that he or she possesses professional legal skills in the areas of immigration law, when advertising notary public services in the conduct of their business. A violation of any provision of this chapter by a person licensed as a notary public under chapter ~~((42.44 RCW))~~ 42.--- RCW (the new chapter created in section 33 of this act) shall constitute unprofessional conduct under the uniform regulation of business and professions act, chapter 18.235 RCW.

Sec. 40. RCW 43.24.150 and 2013 2nd sp.s. c 4 s 978 are each amended to read as follows:

(1) The business and professions account is created in the state treasury. All receipts from business or professional licenses, registrations, certifications, renewals, examinations, or civil penalties assessed and collected by the department from the following

chapters must be deposited into the account:

- (a) Chapter 18.11 RCW, auctioneers;
- (b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;
- (c) Chapter 18.145 RCW, court reporters;
- (d) Chapter 18.165 RCW, private investigators;
- (e) Chapter 18.170 RCW, security guards;
- (f) Chapter 18.185 RCW, bail bond agents;
- (g) Chapter 18.280 RCW, home inspectors;
- (h) Chapter 19.16 RCW, collection agencies;
- (i) Chapter 19.31 RCW, employment agencies;
- (j) Chapter 19.105 RCW, camping resorts;
- (k) Chapter 19.138 RCW, sellers of travel;
- (l) Chapter ((~~42.44 RCW~~) 42.--- RCW (the new chapter created in section 33 of this act), notaries public;
- (m) Chapter 64.36 RCW, timeshares;
- (n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;
- (o) Chapter 18.300 RCW, body art, body piercing, and tattooing;
- (p) Chapter 79A.60 RCW, whitewater river outfitters;
- (q) Chapter 19.158 RCW, commercial telephone solicitation; and
- (r) Chapter 19.290 RCW, scrap metal businesses.

Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for expenses incurred in carrying out these business and professions licensing activities of the department. Any residue in the account must be accumulated and may not revert to the general fund at the end of the biennium. However, during the 2013-2015 fiscal biennium the legislature may transfer to the state general fund such amounts as reflect the excess fund balance in the account.

(2) The director must biennially prepare a budget request based on the anticipated costs of administering the business and professions licensing activities listed in subsection (1) of this section, which must include the estimated income from these business and professions fees.

Sec. 41. RCW 64.08.060 and 2016 c 202 s 40 are each amended to read as follows:

A certificate of acknowledgment for an individual, substantially in the following form or, after December 31, 1985, substantially in the form set forth in ((~~RCW 42.44.100(1)~~) section 16(1) of this act, shall be sufficient for the purposes of this chapter and for any acknowledgment required to be taken in accordance with this chapter:

State of ss

 County of

On this day personally appeared before me (here insert the name of grantor or grantors) to me known to be the individual, or individuals described in and who executed the within and foregoing instrument, and acknowledged that he (she or they) signed the same as his (her or their) free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal this day of, (year) (Signature of officer and official seal)

If acknowledgment is taken before a notary public of this state the signature shall be followed by substantially the following: Notary Public in and for the state of Washington, residing at, (giving place of residence).

Sec. 42. RCW 64.08.070 and 2016 c 202 s 41 are each amended to read as follows:

A certificate of acknowledgment for a corporation, substantially in the following form or, after December 31, 1985, substantially in the form set forth in ((~~RCW 42.44.100(2)~~) section 16(2) of this act, shall be sufficient for the purposes of this chapter and for any acknowledgment required to be taken in accordance with this chapter:

State of ss.

County
of

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On this day of, (year), before me personally appeared, to me known to be the (president, vice president, secretary, treasurer, or other authorized officer or agent, as the case may be) of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written. (Signature and title of officer with place of residence of notary public.)

NEW SECTION. Sec. 43. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 44. EFFECTIVE DATE. This act takes effect July 1, 2018."

Correct the title.

Representatives Jinkins and Rodne spoke in favor of the adoption of the striking amendment (554).

Striking amendment (554) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill, as amended by the House.

Representative Klippert spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5081, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5081, as amended by the House,

and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Klippert and Sawyer.
Excused: Representatives DeBolt and Kristiansen.

SUBSTITUTE SENATE BILL NO. 5081, as amended by the House, having received the necessary constitutional majority, was declared passed.

The House resumed consideration of SUBSTITUTE HOUSE BILL NO. 2202 on second reading.

SECOND READING

HOUSE BILL NO. 2202, by Representatives Manweller and Ormsby

Addressing the eligibility of emergency medical technicians for membership in the law enforcement officers' and firefighters' retirement system plan 2.

There being no objection, Substitute House Bill No. 2202 was substituted for House Bill No. 2202 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2202 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Manweller and Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2202.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2202, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives DeBolt and Kristiansen.

SUBSTITUTE HOUSE BILL NO. 2202, having received the necessary constitutional majority, was declared passed.

There being no objection, SUBSTITUTE HOUSE BILL NO. 2202 was immediately transmitted to the Senate.

MESSAGE FROM THE SENATE

April 6, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1353 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the Colockum elk herd in central Washington is the fifth largest elk herd in the state and is currently managed for the state by the department of fish and wildlife.

(2) The legislature further finds that the Colockum elk herd has been the subject of a great deal of planning by the department of fish and wildlife. The herd is subject to an existing herd management plan that attempts to ensure a healthy, productive population, manage the herd for a variety of purposes, and allow for a sustainable yield within the population. Proper management of the Colockum elk herd is important, since the herd is a resource that provides significant recreational, aesthetic, cultural, and economic benefits to recreationalists, local communities, and native Americans.

(3) The legislature further finds that the department of fish and wildlife has studied the Colockum elk herd as recently

as 2012. This study led to a greater understanding of the challenges facing the herd and resulted in recommendations as to management approaches to address those challenges.

(4) The legislature further finds that despite the active management and research by the department of fish and wildlife, there are still undesirable consequences of the Colockum elk herd's size, location, and behaviors. These consequences manifest as significant agricultural crop damage within the herd's range and unacceptably threatens to degrade highway safety levels on Interstate 90 and other roadways within the range of the herd due to collisions between herd members and vehicles.

(5) The legislature further finds that the unwanted consequences of the current Colockum elk herd management protocol are not isolated to the range of the Colockum herd. Other elk herds in the state are also the subject of similar management outcomes.

(6) The legislature further finds that the department of fish and wildlife should use the Colockum elk herd as the subject of a pilot project that explores the benefits of more active management. The department must work with the Yakama Nation to obtain input from the tribe on the tribe's recommendations. The pilot project should be limited in time and geography to ensure that overall herd health is not disrupted; however, it should be robust enough to offer scientifically rigorous results.

NEW SECTION. Sec. 2. A new section is added to chapter 77.36 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department must conduct an elk management pilot project to explore the viability of various wildlife management actions to reduce elk highway collisions and elk damage to private crop lands. The pilot project must initially focus on achieving a reduction in highway collisions on interstate highways, and crop damage on properties, within the range of the Colockum herd. The department must invite the Yakama Nation to participate in all aspects of the project.

(2) The department must work with the department of transportation to explore the viability of various wildlife management actions to reduce elk highway

collisions, initially focusing on reducing traffic collisions along interstate highways within the range of the herd.

(3) Direct wildlife management efforts must be employed in the pilot project implemented under this section, including:

(a) Increased use of special depredation hunts and general hunting opportunity within the Colockum herd. Total hunting depredations under the pilot project must be limited to three hundred elk per calendar year and these efforts must be designed and implemented in a manner that does not conflict with the primary goals of the current elk herd management plan for the Colockum herd;

(b) Feeding elk within the pilot project area by persons other than the department is prohibited, although in no event may this prohibition affect a person who sets out feed with the intent to feed domestic animals or livestock, even though such feed may be inadvertently consumed by elk or other wildlife; and

(c) The use of managed livestock grazing to attract elk away from roads and private property.

(4) Consistent with RCW 43.01.036, the department and the department of transportation must report the results of the pilot project to the appropriate committees of the legislature by October 31, 2020. Along with results, the departments must report on how the information gleaned from the pilot project will be used to manage the Colockum elk herd and other similarly situated elk herds in the state.

(5) This section expires July 1, 2021."

On page 1, line 2 of the title, after "herd;" strike the remainder of the title and insert "adding a new section to chapter 77.36 RCW; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO.

1353 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Dent and Chapman spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1353, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1353, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives DeBolt and Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1353, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1445 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that it should review and revise the K-12 educational program taking into consideration the needs of students as they evolve. In Washington state, immigrant students whose first language is not English represent a significant part of evolving and more diverse school demographics. The legislature finds that Washington's

educator workforce in school districts has not evolved in a manner consistent with changing student demographics. Thus, more and more schools are without the capacity to meet the needs of English learners and without the capacity to communicate effectively with parents whose first language is not English.

(2) The legislature finds that:

(a) Between 1986 and 2016, the number of students served in the state's transitional bilingual instruction program increased from fifteen thousand twenty-four to one hundred eighteen thousand five hundred twenty-six, an increase of six hundred eighty-nine percent, and that two-thirds of the students were native Spanish speakers; the next ten most common languages were Russian, Vietnamese, Somali, Chinese, Arabic, Ukrainian, Tagalog, Korean, Marshallese, and Punjabi;

(b) In the 2015-16 school year, forty-six percent of instructors in the state's transitional bilingual instruction program were instructional aides, or paraeducators, not certificated teachers; and

(c) Eleven percent of students in the transitional bilingual instruction program received instruction in their native language in the 2015-16 school year, and research shows that non-English speaking students develop academic proficiency in English more quickly when they are provided instruction in their native language initially.

(3) The legislature showed its commitment to equity in education by passing legislation creating a seal of biliteracy, requiring world language for high school graduation, easing the transitions of English learners, encouraging training for staff in cultural competence, monitoring the racial and ethnic data of teachers, and funding the creation of K-12 dual language programs.

(4) However, the legislature finds it is necessary to better serve non-English speaking students by addressing and closing the significant language and instructional gaps that hinder English learners from meeting the state's rigorous educational standards.

(5) Thus, the legislature intends to establish a comprehensive approach to support English learners by creating grant programs to: (a) Expand dual

language programs for elementary and secondary students; and (b) recruit bilingual individuals to become educators who are able to provide instruction in, and support for, dual language programs.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.630 RCW to read as follows:

(1)(a) The K-12 dual language grant program is created to grow capacity for high quality dual language learning in the common schools and in state-tribal compact schools.

(b) A dual language program is an instructional model that provides content-based instruction to students in two languages: English and a target language other than English spoken in the local community, for example Spanish, Somali, Vietnamese, Russian, Arabic, native languages, or indigenous languages. The goal of the program is for students to eventually become proficient and literate in both languages, while also meeting high academic standards in all subject areas. Typically, programs begin at kindergarten or first grade and continue through at least elementary school. Two-way dual language programs begin with a balanced number of native and nonnative speakers of the target language so that both groups of students serve in the role of language modeler and language learner at different times. One-way dual language programs serve only nonnative English speakers.

(2)(a) The office of the superintendent of public instruction shall develop and administer the grant program.

(b) Subject to the availability of amounts appropriated for this specific purpose, by October 1, 2017, the office of the superintendent of public instruction must award grants of up to two hundred thousand dollars each through a competitive process to school districts or state-tribal compact schools proposing to: (i) Establish a two-way dual language program or a one-way dual language program in a school with predominantly English learners; or (ii) expand a recently established two-way dual language program or a one-way dual language program in a school with predominantly English learners. When awarding a grant to a school district or a state-tribal compact school proposing to establish a dual language program in

a target language other than Spanish, the office must provide a bonus of up to twenty thousand dollars.

(c) The office of the superintendent of public instruction must identify criteria for awarding the grants, evaluate applicants, and award grant money. The office must select grantees that represent sufficient geographic, demographic, and enrollment diversity to produce meaningful data for the report required in section 6 of this act. The application must require, among other things, that the applicant describe: (i) How the program will serve the applicant's English learner population; (ii) the number of classrooms that the applicant expects to add with the grant money; (iii) the planned use of the grant money; (iv) the applicant's plan for student enrollment and outreach to families who speak the target language; (v) the applicant's plan to recruit and support bilingual paraeducators, classified staff, parents, and high school students to become bilingual teachers in the district or state-tribal compact school; (vi) the applicant's commitment to, and plan for, sustaining a dual language program beyond the grant period; and (vii) whether the school district board of directors or the governing body of a state-tribal compact school has expressed support for dual language programs.

(d) The grant money must be used for dual language program start-up and expansion costs, such as staff and teacher training, teacher recruitment, development and implementation of a dual language learning model and curriculum, and other costs identified in the application as key for start-up. The grant money may not be used for ongoing program costs.

(3) The grant period is two years. At the end of the grant period, the grantees must work with the office of the superintendent of public instruction to draft the report required in section 6 of this act.

(4) The office of the superintendent of public instruction must notify school districts and state-tribal compact schools of the grant program established under this section and provide ample time for the application process.

(5) The superintendent of public instruction may adopt rules to implement this section.

(6) This section expires July 1, 2020.

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

(1) Within existing resources, the office of the superintendent of public instruction shall facilitate dual language learning cohorts for school districts and state-tribal compact schools establishing or expanding dual language programs. The office must provide technical assistance and support to school districts and state-tribal compact schools implementing dual language programs, including those establishing or expanding dual language programs under section 1 of this act.

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

NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.180 RCW to read as follows:

In 2017, funds must be appropriated for the purposes in this section.

(1) The professional educator standards board, beginning in the 2017-2019 biennium, shall administer the bilingual educator initiative, which is a long-term program to recruit, prepare, and mentor bilingual high school students to become future bilingual teachers and counselors.

(2) Subject to the availability of amounts appropriated for this specific purpose, pilot projects must be implemented in one or two school districts east of the crest of the Cascade mountains and one or two school districts west of the crest of the Cascade mountains, where immigrant students are shown to be rapidly increasing. Districts selected by the professional educator standards board must partner with at least one two-year and one four-year college in planning and implementing the program. The professional educator standards board shall provide oversight.

(3) Participating school districts must implement programs, including: (a) An outreach plan that exposes the program to middle school students and recruits them to enroll in the program when they begin their ninth grade of high school; (b) activities in ninth and tenth grades that help build student agency, such as self-confidence and awareness, while

helping students to develop academic mind-sets needed for high school and college success; the value and benefits of teaching and counseling as careers; and introduction to leadership, civic engagement, and community service; (c) credit-bearing curricula in grades eleven and twelve that include mentoring, shadowing, best practices in teaching in a multicultural world, efficacy and practice of dual language instruction, social and emotional learning, enhanced leadership, civic engagement, and community service activities.

(4) There must be a pipeline to college using two-year and four-year college faculty and consisting of continuation services for program participants, such as advising, tutoring, mentoring, financial assistance, and leadership.

(5) High school and college teachers and counselors must be recruited and compensated to serve as mentors and trainers for participating students.

(6) After obtaining a high school diploma, students qualify to receive conditional loans to cover the full cost of college tuition, fees, and books. To qualify for funds, students must meet program requirements as developed by their local implementation team, which consists of staff from their school district and the partnering two-year and four-year college faculty.

(7) In order to avoid loan repayment, students must (a) earn their baccalaureate degree and certification needed to serve as a teacher or professional guidance counselor; and (b) teach or serve as a counselor in their educational service district region for at least five years. Students who do not meet the repayment terms in this subsection are subject to repaying all or part of the financial aid they receive for college unless students are recipients of funding provided through programs such as the state need grant program or the college bound scholarship program.

(8) Grantees must work with the professional educator standards board to draft the report required in section 6 of this act.

(9) The professional educator standards board may adopt rules to implement this section.

NEW SECTION. **Sec. 5.** A new section is added to chapter 43.215 RCW to read as follows:

(1) The department of early learning must work with community partners to support outreach and education for parents and families around the benefits of native language development and retention, as well as the benefits of dual language learning. Native language means the language normally used by an individual or, in the case of a child or youth, the language normally used by the parents or family of the child or youth. Dual language learning means learning in two languages, generally English and a target language other than English spoken in the local community, for example Spanish, Somali, Vietnamese, Russian, Arabic, native languages, or indigenous languages where the goal is bilingualism.

(2) Within existing resources, the department must create training and professional development resources on dual language learning, such as supporting English learners, working in culturally and linguistically diverse communities, strategies for family engagement, and cultural responsiveness. The department must design the training modules to be culturally responsive.

(3) Within existing resources, the department must support dual language learning communities for teachers and coaches.

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

NEW SECTION. **Sec. 6.** (1) By December 1, 2019, subject to the availability of amounts appropriated for this specific purpose and in compliance with RCW 43.01.036, the office of the superintendent of public instruction and the professional educator standards board must submit a combined report to the appropriate committees of the legislature that:

(a) Details the successes, best practices, lessons learned, and outcomes of the grant programs described in this act; and

(b) Describes how the K-12 education system has met the goals of each grant program and expanded their capacities to support dual language models of instruction because of this act, that is, how many more children were educated in dual language classrooms as a result of the grants in this act.

(2) This section expires July 1, 2020.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.180 RCW; adding a new section to chapter 43.215 RCW; creating new sections; and providing expiration dates."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1445 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Ortiz-Self and Harris spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1445, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1445, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Dent, Dye, Hargrove, Harmsworth, Hayes, Holy, Jenkin, Klippert, Koster, Kraft, Kretz, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives DeBolt and Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1445, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 5, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1819 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that a prioritized recommendation of the children's mental health work group, as reported in December 2016, is to reduce burdensome and duplicative paperwork requirements for providers of children's mental health services. This recommendation is consistent with the recommendations of the behavioral health workforce assessment of the workforce training and education coordinating board to reduce time-consuming documentation requirements and the behavioral and primary health regulatory alignment task force to streamline regulations and reduce the time spent responding to inefficient and excessive audits.

The legislature further finds that duplicative and overly prescriptive documentation and audit requirements negatively impact the adequacy of the provider network by reducing workforce morale and limiting the time available for patient care. Such requirements create costly barriers to the efficient provision of services for children and their families. The legislature also finds that current state regulations are often duplicative or conflicting with research-based models and other state-mandated treatment models intended to improve the quality of services and ensure positive outcomes. These barriers can be reduced while creating a greater emphasis on quality, outcomes, and safety.

The legislature further finds that social workers serving children are encumbered by burdensome paperwork requirements which can interfere with the effective delivery of services.

Therefore, the legislature intends to require the department of social and

health services to take steps to reduce paperwork, documentation, and audit requirements that are inefficient or duplicative for social workers who serve children and for providers of mental health services to children and families, and to encourage the use of effective treatment models to improve the quality of services.

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

(1) Subject to the availability of amounts appropriated for this specific purpose, the department must immediately perform a review of its rules, policies, and procedures related to the documentation requirements for behavioral health services. Rules adopted by the department relating to the provision of behavioral health services must:

(a) Identify areas in which duplicative or inefficient documentation requirements can be eliminated or streamlined for providers;

(b) Limit prescriptive requirements for individual initial assessments to allow clinicians to exercise professional judgment to conduct age-appropriate, strength-based psychosocial assessments, including current needs and relevant history according to current best practices;

(c) By April 1, 2018, provide a single set of regulations for agencies to follow that provide mental health, substance use disorder, and co-occurring treatment services;

(d) Exempt providers from duplicative state documentation requirements when the provider is following documentation requirements of an evidence-based, research-based, or state-mandated program that provides adequate protection for patient safety; and

(e) Be clear and not unduly burdensome in order to maximize the time available for the provision of care.

(2) Subject to the availability of amounts appropriated for this specific purpose, audits conducted by the department relating to provision of behavioral health services must:

(a) Rely on a sampling methodology to conduct reviews of personnel files and clinical records based on written guidelines established by the department

that are consistent with the standards of other licensing and accrediting bodies;

(b) Treat organizations with multiple locations as a single entity. The department must not require annual visits at all locations operated by a single entity when a sample of records may be reviewed from a centralized location;

(c) Share audit results with behavioral health organizations to assist with their review process and, when appropriate, take steps to coordinate and combine audit activities;

(d) Coordinate audit functions between the department and the department of health to combine audit activities into a single site visit and eliminate redundancies;

(e) Not require information to be provided in particular documents or locations when the same information is included or demonstrated elsewhere in the clinical file, except where required by federal law; and

(f) Ensure that audits involving manualized programs such as wraparound with intensive services or other evidence or research-based programs are conducted to the extent practicable by personnel familiar with the program model and in a manner consistent with the documentation requirements of the program.

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

(1) Subject to the availability of amounts appropriated for this specific purpose, the health care authority must immediately perform a review of its rules, policies, and procedures related to the documentation requirements for behavioral health services. Rules adopted by the health care authority relating to the provision of behavioral health services must:

(a) Identify areas in which duplicative or inefficient documentation requirements can be eliminated or streamlined for providers;

(b) Limit prescriptive requirements for individual initial assessments to allow clinicians to exercise professional judgment to conduct age-appropriate, strength-based psychosocial assessments, including current needs and relevant history according to current best practices;

(c) By April 1, 2018, provide a single set of regulations for agencies to follow that provide mental health, substance use disorder, and co-occurring treatment services;

(d) Exempt providers from duplicative state documentation requirements when the provider is following documentation requirements of an evidence-based, research-based, or state-mandated program that provides adequate protection for patient safety; and

(e) Be clear and not unduly burdensome in order to maximize the time available for the provision of care.

(2) Subject to the availability of amounts appropriated for this specific purpose, audits conducted by the health care authority relating to provision of behavioral health services must:

(a) Rely on a sampling methodology to conduct reviews of personnel files and clinical records based on written guidelines established by the health care authority that are consistent with the standards of other licensing and accrediting bodies;

(b) Treat organizations with multiple locations as a single entity. The health care authority must not require annual visits at all locations operated by a single entity when a sample of records may be reviewed from a centralized location;

(c) Share audit results with behavioral health organizations to assist with their review process and, when appropriate, take steps to coordinate and combine audit activities;

(d) Coordinate audit functions between the health care authority and the department of health to combine audit activities into a single site visit and eliminate redundancies;

(e) Not require information to be provided in particular documents or locations when the same information is included or demonstrated elsewhere in the clinical file, except where required by federal law; and

(f) Ensure that audits involving manualized programs such as wraparound with intensive services or other evidence or research-based programs are conducted to the extent practicable by personnel familiar with the program model and in a manner consistent with the documentation requirements of the program.

NEW SECTION. **Sec. 4.** (1) Subject to the availability of amounts appropriated for this specific purpose, the department of social and health services must immediately perform a review of casework documentation and paperwork requirements for social service specialists and other direct service staff with the children's administration who provide services to children. The review must identify areas in which duplicative or inefficient documentation and paperwork requirements can be eliminated or streamlined in order to allow social workers to spend greater amounts of time and attention on direct services to children and their families. The department must complete the review by November 1, 2017. Upon completion of the review, the department must take immediate steps to amend department rules and procedures accordingly.

(2) This section expires December 31, 2018.

NEW SECTION. **Sec. 5.** Section 2 of this act takes effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. **Sec. 6.** Section 3 of this act takes effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

On page 1, line 3 of the title, after "families;" strike the remainder of the title and insert "adding new sections to chapter 71.24 RCW; creating new sections; providing contingent effective dates; and providing an expiration date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1819 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Dent and Senn spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1819, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1819, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives DeBolt and Kristiansen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1819, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1863 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.44.060 and 2010 1st sp.s. c 7 s 50 are each amended to read as follows:

(1) The chief of each organized fire department, or the sheriff or other designated county official having jurisdiction over areas not within the jurisdiction of any fire department, shall report statistical information and data to the chief of the Washington state patrol, through the director of fire protection, on each fire occurring within the official's jurisdiction and, within two business days, report any death resulting from fire.

(2) Reports submitted pursuant to subsection (1) of this section shall be consistent with the national fire incident reporting system developed by the United States fire administration and rules established by the chief of the Washington state patrol, through the director of fire protection. Rules established by the chief of the Washington state patrol, through the director of fire protection, must require fire departments to report data on the age of any structure involved in a fire when that information is available through property records or other methods.

(3) Subject to availability of amounts appropriated for this specific purpose, the chief of the Washington state patrol, through the director of fire protection, shall administer the national fire incident reporting system including, but not limited to, the following responsibilities:

(a) Purchasing equipment, including software, needed for the operation of the reporting system;

(b) Establishing procedures, standards, and guidelines pertaining to the statistical information and data reported by fire departments through the reporting system;

(c) Providing training and education to fire departments pertaining to the reporting system; and

(d) Employing staff to administer the reporting system, as needed.

(4) The chief of the Washington state patrol, through the director of fire protection, and the department of natural resources shall jointly determine the statistical information to be reported on fires on land under the jurisdiction of the department of natural resources.

~~((2))~~ (5) The chief of the Washington state patrol, through the director of fire protection, shall analyze the information and data reported, compile a report, and distribute a copy annually by July 1st to each chief fire official in the state. Upon request, the chief of the Washington state patrol, through the director of fire protection, shall also furnish a copy of the report to any other interested person at cost.

(6) For purposes of this section, "national fire incident reporting

system" or "reporting system" means the national fire incident reporting system or the state equivalent as selected by the chief of the Washington state patrol, through the director of fire protection.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 1 of the title, after "system;" strike the remainder of the title and insert "amending RCW 43.44.060; and creating a new section."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1863 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Gregerson and Griffey spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1863, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1863, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives DeBolt and Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1863, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 31, 2017

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1965 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.41.070 and 2011 c 294 s 1 are each amended to read as follows:

(1) The chief of police of a municipality or the sheriff of a county shall within thirty days after the filing of an application of any person, issue a license to such person to carry a pistol concealed on his or her person within this state for five years from date of issue, for the purposes of protection or while engaged in business, sport, or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. The issuing authority shall not refuse to accept completed applications for concealed pistol licenses during regular business hours.

The applicant's constitutional right to bear arms shall not be denied, unless:

(a) He or she is ineligible to possess a firearm under the provisions of RCW 9.41.040 or 9.41.045, or is prohibited from possessing a firearm under federal law;

(b) The applicant's concealed pistol license is in a revoked status;

(c) He or she is under twenty-one years of age;

(d) He or she is subject to a court order or injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590;

(e) He or she is free on bond or personal recognizance pending trial,

appeal, or sentencing for a felony offense;

(f) He or she has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor; or

(g) He or she has been ordered to forfeit a firearm under RCW 9.41.098(1)(e) within one year before filing an application to carry a pistol concealed on his or her person.

No person convicted of a felony may have his or her right to possess firearms restored or his or her privilege to carry a concealed pistol restored, unless the person has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c), or RCW 9.41.040 (3) or (4) applies.

(2)(a) The issuing authority shall conduct a check through the national instant criminal background check system, the Washington state patrol electronic database, the department of social and health services electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited from possessing a firearm under federal law, and therefore ineligible for a concealed pistol license.

(b) The issuing authority shall deny a permit to anyone who is found to be prohibited from possessing a firearm under federal or state law.

(c) This subsection applies whether the applicant is applying for a new concealed pistol license or to renew a concealed pistol license.

(3) Any person whose firearms rights have been restricted and who has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec. 921(a)(20)(A) shall have his or her right to acquire, receive, transfer, ship, transport, carry, and possess firearms in accordance with Washington state law restored except as otherwise prohibited by this chapter.

(4) The license application shall bear the full name, residential address, telephone number at the option of the applicant, date and place of birth, race, gender, description, a complete set of fingerprints, and signature of the

licensee, and the licensee's driver's license number or state identification card number if used for identification in applying for the license. A signed application for a concealed pistol license shall constitute a waiver of confidentiality and written request that the department of social and health services, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility for a concealed pistol license to an inquiring court or law enforcement agency.

The application for an original license shall include (~~two~~) a complete set(~~s~~) of fingerprints to be forwarded to the Washington state patrol.

The license and application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

The application shall contain questions about the applicant's eligibility under RCW 9.41.040 and federal law to possess a pistol, the applicant's place of birth, and whether the applicant is a United States citizen. If the applicant is not a United States citizen, the applicant must provide the applicant's country of citizenship, United States issued alien number or admission number, and the basis on which the applicant claims to be exempt from federal prohibitions on firearm possession by aliens. The applicant shall not be required to produce a birth certificate or other evidence of citizenship. A person who is not a citizen of the United States shall, if applicable, meet the additional requirements of RCW 9.41.173 and produce proof of compliance with RCW 9.41.173 upon application. The license may be in triplicate or in a form to be prescribed by the department of licensing.

The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing the license.

The department of licensing shall make available to law enforcement and corrections agencies, in an on-line format, all information received under this subsection.

(5) The nonrefundable fee, paid upon application, for the original five-year license shall be thirty-six dollars plus additional charges imposed by the federal bureau of investigation that are passed on to the applicant. No other state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license.

The fee shall be distributed as follows:

(a) Fifteen dollars shall be paid to the state general fund;

(b) Four dollars shall be paid to the agency taking the fingerprints of the person licensed;

(c) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and

(d) Three dollars to the firearms range account in the general fund.

(6) The nonrefundable fee for the renewal of such license shall be thirty-two dollars. No other branch or unit of government may impose any additional charges on the applicant for the renewal of the license.

The renewal fee shall be distributed as follows:

(a) Fifteen dollars shall be paid to the state general fund;

(b) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and

(c) Three dollars to the firearms range account in the general fund.

(7) The nonrefundable fee for replacement of lost or damaged licenses is ten dollars to be paid to the issuing authority.

(8) Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment

may be allowed at the option of the issuing authority.

(9) A licensee may renew a license if the licensee applies for renewal within ninety days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty of ten dollars in addition to the renewal fee specified in subsection (6) of this section. The fee shall be distributed as follows:

(a) Three dollars shall be deposited in the state wildlife account and used exclusively first for the printing and distribution of a pamphlet on the legal limits of the use of firearms, firearms safety, and the preemptive nature of state law, and subsequently the support of volunteer instructors in the basic firearms safety training program conducted by the department of fish and wildlife. The pamphlet shall be given to each applicant for a license; and

(b) Seven dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

(10) Notwithstanding the requirements of subsections (1) through (9) of this section, the chief of police of the municipality or the sheriff of the county of the applicant's residence may issue a temporary emergency license for good cause pending review under subsection (1) of this section. However, a temporary emergency license issued under this subsection shall not exempt the holder of the license from any records check requirement. Temporary emergency licenses shall be easily distinguishable from regular licenses.

(11) A political subdivision of the state shall not modify the requirements of this section or chapter, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section.

(12) A person who knowingly makes a false statement regarding citizenship or identity on an application for a concealed pistol license is guilty of false swearing under RCW 9A.72.040. In addition to any other penalty provided for by law, the concealed pistol license of a person who knowingly makes a false statement shall be revoked, and the person shall be permanently ineligible for a concealed pistol license.

(13) A person may apply for a concealed pistol license:

(a) To the municipality or to the county in which the applicant resides if the applicant resides in a municipality;

(b) To the county in which the applicant resides if the applicant resides in an unincorporated area; or

(c) Anywhere in the state if the applicant is a nonresident.

(14) Any person who, as a member of the armed forces, including the national guard and armed forces reserves, is unable to renew his or her license under subsections (6) and (9) of this section because of the person's assignment, reassignment, or deployment for out-of-state military service may renew his or her license within ninety days after the person returns to this state from out-of-state military service, if the person provides the following to the issuing authority no later than ninety days after the person's date of discharge or assignment, reassignment, or deployment back to this state: (a) A copy of the person's original order designating the specific period of assignment, reassignment, or deployment for out-of-state military service, and (b) if appropriate, a copy of the person's discharge or amended or subsequent assignment, reassignment, or deployment order back to this state. A license so renewed under this subsection (14) shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license under this subsection (14) shall pay only the renewal fee specified in subsection (6) of this section and shall not be required to pay a late renewal penalty in addition to the renewal fee.

Sec. 2. RCW 9.41.173 and 2009 c 216 s 3 are each amended to read as follows:

(1) In order to obtain an alien firearm license, a nonimmigrant alien residing in Washington must apply to the sheriff of the county in which he or she resides.

(2) The sheriff of the county shall within sixty days after the filing of an application of a nonimmigrant alien residing in the state of Washington, issue an alien firearm license to such person to carry or possess a firearm for the purposes of hunting and sport shooting. The license shall be good for two years. The issuing authority shall not refuse to accept completed

applications for alien firearm licenses during regular business hours. An application for a license may not be denied, unless the applicant's alien firearm license is in a revoked status, or the applicant:

(a) Is ineligible to possess a firearm under the provisions of RCW 9.41.040 or 9.41.045;

(b) Is subject to a court order or injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590;

(c) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense; or

(d) Has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor.

No license application shall be granted to a nonimmigrant alien convicted of a felony unless the person has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c), or unless RCW 9.41.040 (3) or (4) applies.

(3) The sheriff shall check with the national crime information center, the Washington state patrol electronic database, the department of social and health services electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm.

(4) The license application shall bear the full name, residential address, telephone number at the option of the applicant, date and place of birth, race, gender, description, (~~not more than two~~) a complete set(±) of fingerprints, and signature of the applicant, a copy of the applicant's passport and visa showing the applicant is in the country legally, and a valid Washington hunting license or documentation that the applicant is a member of a sport shooting club.

A signed application for an alien firearm license shall constitute a waiver of confidentiality and written request that the department of social and health services, mental health institutions, and other health care facilities release information relevant to the applicant's

eligibility for an alien firearm license to an inquiring court or law enforcement agency.

The application for an original license shall include a complete set of fingerprints to be forwarded to the Washington state patrol.

The license and application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law. The application shall contain questions about the applicant's eligibility under RCW 9.41.040 to possess a firearm. The nonimmigrant alien applicant shall be required to produce a passport and visa as evidence of being in the country legally.

The license may be in triplicate or in a form to be prescribed by the department of licensing. The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing the license.

The department of licensing shall make available to law enforcement and corrections agencies, in an online format, all information received under this section.

(5) The sheriff has the authority to collect a nonrefundable fee, paid upon application, for the two-year license. The fee shall be fifty dollars plus additional charges imposed by the Washington state patrol and the federal bureau of investigation that are passed on to the applicant. No other state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license. The fee shall be retained by the sheriff.

(6) Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the sheriff.

(7) A political subdivision of the state shall not modify the requirements of this section, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section.

(8) A person who knowingly makes a false statement regarding citizenship or identity on an application for an alien firearm license is guilty of false swearing under RCW 9A.72.040. In addition to any other penalty provided for by law, the alien firearm license of a person who knowingly makes a false statement shall be revoked, and the person shall be permanently ineligible for an alien firearm license.

Sec. 3. RCW 9A.44.130 and 2015 c 261 s 3 are each amended to read as follows:

(1)(a) Any adult or juvenile residing whether or not the person has a fixed residence, or who is a student, is employed, or carries on a vocation in this state who has been found to have committed or has been convicted of any sex offense or kidnapping offense, or who has been found not guilty by reason of insanity under chapter 10.77 RCW of committing any sex offense or kidnapping offense, shall register with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation, or as otherwise specified in this section. When a person required to register under this section is in custody of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility as a result of a sex offense or kidnapping offense, the person shall also register at the time of release from custody with an official designated by the agency that has jurisdiction over the person.

(b) Any adult or juvenile who is required to register under (a) of this subsection must give notice to the county sheriff of the county with whom the person is registered within three business days:

(i) Prior to arriving at a school or institution of higher education to attend classes;

(ii) Prior to starting work at an institution of higher education; or

(iii) After any termination of enrollment or employment at a school or institution of higher education.

(2)(a) A person required to register under this section must provide the following information when registering: (i) Name and any aliases used; (ii) complete and accurate residential address or, if the person lacks a fixed residence, where he or she plans to stay; (iii) date and place of birth; (iv) place of employment; (v) crime for which convicted; (vi) date and place of conviction; (vii) social security number; (viii) photograph; and (ix) fingerprints.

(b) A person may be required to update any of the information required in this subsection in conjunction with any address verification conducted by the county sheriff or as part of any notice required by this section.

(c) A photograph or copy of an individual's fingerprints, which may include palmprints may be taken at any time to update an individual's file.

(3) Any person required to register under this section who intends to travel outside the United States must provide, by certified mail, with return receipt requested, or in person, signed written notice of the plan to travel outside the country to the county sheriff of the county with whom the person is registered at least twenty-one days prior to travel. The notice shall include the following information: (a) Name; (b) passport number and country; (c) destination; (d) itinerary details including departure and return dates; (e) means of travel; and (f) purpose of travel. If the offender subsequently cancels or postpones travel outside the United States, the offender must notify the county sheriff not later than three days after cancellation or postponement of the intended travel outside the United States or on the departure date provided in the notification, whichever is earlier. The county sheriff shall notify the United States marshals service as soon as practicable after receipt of the notification. In cases of unexpected travel due to family or work emergencies, or for offenders who travel routinely

across international borders for work-related purposes, the notice must be submitted in person at least twenty-four hours prior to travel to the sheriff of the county where such offenders are registered with a written explanation of the circumstances that make compliance with this subsection (3) impracticable.

(4)(a) Offenders shall register with the county sheriff within the following deadlines:

(i) OFFENDERS IN CUSTODY. Sex offenders or kidnapping offenders who are in custody of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility, must register at the time of release from custody with an official designated by the agency that has jurisdiction over the offender. The agency shall within three days forward the registration information to the county sheriff for the county of the offender's anticipated residence. The offender must also register within three business days from the time of release with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register.

When the agency with jurisdiction intends to release an offender with a duty to register under this section, and the agency has knowledge that the offender is eligible for developmental disability services from the department of social and health services, the agency shall notify the division of developmental disabilities of the release. Notice shall occur not more than thirty days before the offender is to be released. The agency and the division shall assist the offender in meeting the initial registration requirement under this section. Failure to provide such assistance shall not constitute a defense for any violation of this section.

When a person required to register under this section is in the custody of the state department of corrections or a local corrections or probations agency and has been approved for partial confinement as defined in RCW 9.94A.030, the person must register at the time of transfer to partial confinement with the

official designated by the agency that has jurisdiction over the offender. The agency shall within three days forward the registration information to the county sheriff for the county in which the offender is in partial confinement. The offender must also register within three business days from the time of the termination of partial confinement or release from confinement with the county sheriff for the county of the person's residence. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register.

(ii) OFFENDERS UNDER FEDERAL JURISDICTION. Sex offenders or kidnapping offenders who are in the custody of the United States bureau of prisons or other federal or military correctional agency must register within three business days from the time of release with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation.

(iii) OFFENDERS WHO ARE CONVICTED BUT NOT CONFINED. Sex offenders who are convicted of a sex offense and kidnapping offenders who are convicted for a kidnapping offense but who are not sentenced to serve a term of confinement immediately upon sentencing shall report to the county sheriff to register within three business days of being sentenced.

(iv) OFFENDERS WHO ARE NEW RESIDENTS, TEMPORARY RESIDENTS, OR RETURNING WASHINGTON RESIDENTS. Sex offenders and kidnapping offenders who move to Washington state from another state or a foreign country must register within three business days of establishing residence or reestablishing residence if the person is a former Washington resident. If the offender is under the jurisdiction of an agency of this state when the offender moves to Washington, the agency shall provide notice to the offender of the duty to register.

Sex offenders and kidnapping offenders who are visiting Washington state and intend to reside or be present in the state for ten days or more shall register his or her temporary address or where he or she plans to stay with the county sheriff of each county where the offender will be staying within three business days of arrival. Registration for temporary residents shall include the

information required by subsection (2)(a) of this section, except the photograph and fingerprints.

(v) OFFENDERS FOUND NOT GUILTY BY REASON OF INSANITY. Any adult or juvenile who has been found not guilty by reason of insanity under chapter 10.77 RCW of committing a sex offense or a kidnapping offense and who is in custody, as a result of that finding, of the state department of social and health services, must register within three business days from the time of release with the county sheriff for the county of the person's residence. The state department of social and health services shall provide notice to the adult or juvenile in its custody of the duty to register.

(vi) OFFENDERS WHO LACK A FIXED RESIDENCE. Any person who lacks a fixed residence and leaves the county in which he or she is registered and enters and remains within a new county for twenty-four hours is required to register with the county sheriff not more than three business days after entering the county and provide the information required in subsection (2)(a) of this section.

(vii) OFFENDERS WHO LACK A FIXED RESIDENCE AND WHO ARE UNDER SUPERVISION. Offenders who lack a fixed residence and who are under the supervision of the department shall register in the county of their supervision.

(viii) OFFENDERS WHO MOVE TO, WORK, CARRY ON A VOCATION, OR ATTEND SCHOOL IN ANOTHER STATE. Offenders required to register in Washington, who move to another state, or who work, carry on a vocation, or attend school in another state shall register a new address, fingerprints, and photograph with the new state within three business days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. The person must also send written notice within three business days of moving to the new state or to a foreign country to the county sheriff with whom the person last registered in Washington state. The county sheriff shall promptly forward this information to the Washington state patrol.

(b) The county sheriff shall not be required to determine whether the person is living within the county.

(c) An arrest on charges of failure to register, service of an information, or a complaint for a violation of RCW

9A.44.132, or arraignment on charges for a violation of RCW 9A.44.132, constitutes actual notice of the duty to register. Any person charged with the crime of failure to register under RCW 9A.44.132 who asserts as a defense the lack of notice of the duty to register shall register within three business days following actual notice of the duty through arrest, service, or arraignment. Failure to register as required under this subsection (4)(c) constitutes grounds for filing another charge of failing to register. Registering following arrest, service, or arraignment on charges shall not relieve the offender from criminal liability for failure to register prior to the filing of the original charge.

(5)(a) If any person required to register pursuant to this section changes his or her residence address within the same county, the person must provide, by certified mail, with return receipt requested or in person, signed written notice of the change of address to the county sheriff within three business days of moving.

(b) If any person required to register pursuant to this section moves to a new county, within three business days of moving the person must register with the county sheriff of the county into which the person has moved and provide, by certified mail, with return receipt requested or in person, signed written notice of the change of address to the county sheriff with whom the person last registered. The county sheriff with whom the person last registered is responsible for address verification pursuant to RCW 9A.44.135 until the person completes registration of his or her new residence address.

(6)(a) Any person required to register under this section who lacks a fixed residence shall provide signed written notice to the sheriff of the county where he or she last registered within three business days after ceasing to have a fixed residence. The notice shall include the information required by subsection (2)(a) of this section, except the photograph (~~and~~), fingerprints, and palmprints. The county sheriff may, for reasonable cause, require the offender to provide a photograph and fingerprints. The sheriff shall forward this information to the sheriff of the county in which the person intends to reside, if

the person intends to reside in another county.

(b) A person who lacks a fixed residence must report weekly, in person, to the sheriff of the county where he or she is registered. The weekly report shall be on a day specified by the county sheriff's office, and shall occur during normal business hours. The person must keep an accurate accounting of where he or she stays during the week and provide it to the county sheriff upon request. The lack of a fixed residence is a factor that may be considered in determining an offender's risk level and shall make the offender subject to disclosure of information to the public at large pursuant to RCW 4.24.550.

(c) If any person required to register pursuant to this section does not have a fixed residence, it is an affirmative defense to the charge of failure to register, that he or she provided written notice to the sheriff of the county where he or she last registered within three business days of ceasing to have a fixed residence and has subsequently complied with the requirements of subsections (4)(a)(vi) or (vii) and (6) of this section. To prevail, the person must prove the defense by a preponderance of the evidence.

(7) A sex offender subject to registration requirements under this section who applies to change his or her name under RCW 4.24.130 or any other law shall submit a copy of the application to the county sheriff of the county of the person's residence and to the state patrol not fewer than five days before the entry of an order granting the name change. No sex offender under the requirement to register under this section at the time of application shall be granted an order changing his or her name if the court finds that doing so will interfere with legitimate law enforcement interests, except that no order shall be denied when the name change is requested for religious or legitimate cultural reasons or in recognition of marriage or dissolution of marriage. A sex offender under the requirement to register under this section who receives an order changing his or her name shall submit a copy of the order to the county sheriff of the county of the person's residence and to the state patrol within three business days of the entry of the order.

(8) Except as may otherwise be provided by law, nothing in this section shall impose any liability upon a peace officer, including a county sheriff, or law enforcement agency, for failing to release information authorized under this section."

On page 1, line 2 of the title, after "records;" strike the remainder of the title and insert "and amending RCW 9.41.070, 9.41.173, and 9A.44.130."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1965 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Lovick and Rodne spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1965, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1965, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives DeBolt and Kristiansen.

HOUSE BILL NO. 1965, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1858, by Representatives Sawyer, Appleton and Kloba

Increasing marijuana license fees and adding a temporary additional fee on marijuana licenses issued by the Washington state liquor and cannabis board.

The bill was read the second time.

Representative Sawyer moved the adoption of amendment (447):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Beginning on the effective date of this section, a nonrefundable additional fee is imposed on all applications and renewals of licenses relating to marijuana required under chapter 69.50 RCW. The fee applies to all applications and license modifications received on or after the effective date of this section and renewals where the date of the license expiration is on or after June 30, 2017. The fees established in this section are to be used for the replacement of the state liquor and cannabis board's traceability system. Except for licensed marijuana producers, the additional fee for all marijuana licensees licensed under chapter 69.50 RCW is four hundred eighty dollars. The fee structure for licensed marijuana producers is as follows:

(a) One hundred eighty-five dollars for tier one producers;

(b) Three hundred sixty-five dollars for tier two producers; and

(c) Seven hundred fifty dollars for tier three producers.

(2) This section expires June 30, 2018.

Sec. 2. RCW 69.50.325 and 2016 c 170 s 1 are each amended to read as follows:

(1) There shall be a marijuana producer's license to produce marijuana for sale at wholesale to marijuana processors and other marijuana producers and to produce marijuana plants for sale to cooperatives as described under RCW 69.51A.250, regulated by the state liquor and cannabis board and subject to annual renewal. The production, possession, delivery, distribution, and sale of marijuana in accordance with the

provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand one hundred fifteen dollars for tier one producers, one thousand two hundred thirty dollars for tier two producers, and one thousand four hundred seventy dollars for tier three producers. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.

(2) There shall be a marijuana processor's license to process, package, and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the state liquor and cannabis board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, and marijuana concentrates in accordance with the provisions of this chapter and chapter 69.51A RCW and the rules adopted to implement and enforce these chapters, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand three hundred dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana.

(3) There shall be a marijuana retailer's license to sell marijuana

concentrates, useable marijuana, and marijuana-infused products at retail in retail outlets, regulated by the state liquor and cannabis board and subject to annual renewal. The possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand three hundred dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates, useable marijuana, and marijuana-infused products.

Sec. 3. RCW 69.50.372 and 2016 sp.s. c 9 s 1 are each amended to read as follows:

(1) A marijuana research license is established that permits a licensee to produce, process, and possess marijuana for the following limited research purposes:

(a) To test chemical potency and composition levels;

(b) To conduct clinical investigations of marijuana-derived drug products;

(c) To conduct research on the efficacy and safety of administering marijuana as part of medical treatment; and

(d) To conduct genomic or agricultural research.

(2) As part of the application process for a marijuana research license, an applicant must submit to the liquor and cannabis board's designated scientific reviewer a description of the research that is intended to be conducted. The liquor and cannabis board must select a scientific reviewer to review an applicant's research project and

determine that it meets the requirements of subsection (1) of this section, as well as assess the following:

(a) Project quality, study design, value, or impact;

(b) Whether applicants have the appropriate personnel, expertise, facilities/infrastructure, funding, and human/animal/other federal approvals in place to successfully conduct the project; and

(c) Whether the amount of marijuana to be grown by the applicant is consistent with the project's scope and goals.

If the scientific reviewer determines that the research project does not meet the requirements of subsection (1) of this section, the application must be denied.

(3) A marijuana research licensee may only sell marijuana grown or within its operation to other marijuana research licensees. The liquor and cannabis board may revoke a marijuana research license for violations of this subsection.

(4) A marijuana research licensee may contract with the University of Washington or Washington State University to perform research in conjunction with the university. All research projects, not including those projects conducted pursuant to a contract entered into under RCW 28B.20.502(3), must be approved by the scientific reviewer and meet the requirements of subsection (1) of this section.

(5) In establishing a marijuana research license, the liquor and cannabis board may adopt rules on the following:

(a) Application requirements;

(b) Marijuana research license renewal requirements, including whether additional research projects may be added or considered;

(c) Conditions for license revocation;

(d) Security measures to ensure marijuana is not diverted to purposes other than research;

(e) Amount of plants, useable marijuana, marijuana concentrates, or marijuana-infused products a licensee may have on its premises;

(f) Licensee reporting requirements;

(g) Conditions under which marijuana grown by marijuana processors may be

donated to marijuana research licensees; and

(h) Additional requirements deemed necessary by the liquor and cannabis board.

(6) The production, processing, possession, delivery, donation, and sale of marijuana in accordance with this section and the rules adopted to implement and enforce it, by a validly licensed marijuana researcher, shall not be a criminal or civil offense under Washington state law. Every marijuana research license must be issued in the name of the applicant, must specify the location at which the marijuana researcher intends to operate, which must be within the state of Washington, and the holder thereof may not allow any other person to use the license.

(7) The application fee for a marijuana research license is two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana research license is one thousand three hundred dollars. The applicant must pay the cost of the review process directly to the scientific reviewer as designated by the liquor and cannabis board.

(8) The scientific reviewer shall review any reports made by marijuana research licensees under liquor and cannabis board rule and provide the liquor and cannabis board with its determination on whether the research project continues to meet research qualifications under this section.

(9) For the purposes of this section, "scientific reviewer" means an organization that convenes or contracts with persons who have the training and experience in research practice and research methodology to determine whether a project meets the criteria for a marijuana research license under this section and to review any reports submitted by marijuana research licensees under liquor and cannabis board rule. "Scientific reviewers" include, but are not limited to, educational institutions, research institutions, peer review bodies, or such other organizations that are focused on science or research in its day-to-day activities.

NEW SECTION. Sec. 4. Sections 2 and 3 of this act take effect July 1, 2018."

Correct the title.

Representatives Sawyer and Condotta spoke in favor of the adoption of the striking amendment (447).

Amendment (447) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1858.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1858, and the bill passed the House by the following vote: Yeas, 73; Nays, 23; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Dye, Griffey, Haler, Hargrove, Harmsworth, Holy, Johnson, Koster, Kraft, Kretz, MacEwen, Maycumber, McCabe, McCaslin, Orcutt, Schmick, Shea, Taylor, Van Werven, Volz, J. Walsh and Young.

Excused: Representatives DeBolt and Kristiansen.

ENGROSSED HOUSE BILL NO. 1858, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1017 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 36.70A RCW to read as follows:

(1) This chapter does not prohibit a county planning under RCW 36.70A.040 from authorizing the extension of public facilities and utilities to serve a school sited in a rural area that serves students from a rural area and an urban area so long as the following requirements are met:

(a) The applicable school district board of directors has adopted a policy addressing school service area and facility needs and educational program requirements;

(b) The applicable school district has made a finding, with the concurrence of the county legislative authority and the legislative authorities of any affected cities, that the district's proposed site is suitable to site the school and any associated recreational facilities that the district has determined cannot reasonably be colocated on an existing school site, taking into consideration the policy adopted in (a) of this subsection and the extent to which vacant or developable land within the growth area meets those requirements;

(c) The county and any affected cities agree to the extension of public facilities and utilities to serve the school sited in a rural area that serves urban and rural students at the time of concurrence in (b) of this subsection;

(d) If the public facility or utility is extended beyond the urban growth area to serve a school, the public facility or utility must serve only the school and the costs of such extension must be borne by the applicable school district based on a reasonable nexus to the impacts of the school, except as provided in subsection (3) of this section; and

(e) Any impacts associated with the siting of the school are mitigated as required by the state environmental policy act, chapter 43.21C RCW.

(2) This chapter does not prohibit either the expansion or modernization of an existing school in the rural area or the placement of portable classrooms at an existing school in the rural area.

(3) Where a public facility or utility has been extended beyond the urban growth area to serve a school, the public facility or utility may, where consistent

with RCW 36.70A.110(4), serve a property or properties in addition to the school if a property owner so requests, provided that the county and any affected cities agree with the request and provided that the property is located no further from the public facility or utility than the distance that, if the property were within the urban growth area, the property would be required to connect to the public facility or utility. In such an instance, the school district may, for a period not to exceed twenty years, require reimbursement from a requesting property owner for a proportional share of the construction costs incurred by the school district for the extension of the public facility or utilities.

NEW SECTION. Sec. 2. A new section is added to chapter 36.70A RCW to read as follows:

(1) A county may authorize the siting in a rural area of a school that serves students from an urban area, even where otherwise prohibited by a multicounty planning policy, under the following circumstances:

(a) The county has a population of more than eight hundred forty thousand but fewer than one million five hundred thousand and abuts at least six other counties;

(b) The county must have adopted in its comprehensive plan a policy concerning the siting of schools in rural areas;

(c) Any impacts associated with the siting of such a school are mitigated as required by the state environmental policy act, chapter 43.21C RCW; and

(d) The county must be a participant in a multicounty planning policy as described in RCW 36.70A.210.

(2) A multicounty planning policy in which any county referenced in subsection (1) of this section is a participant must be amended, at its next regularly scheduled update, to include a policy that addresses the siting of schools in rural areas of all counties subject to the multicounty planning policy.

(3) A school sited under this section may not collect or impose the impact fees described in RCW 82.02.050.

(4) This section expires June 30, 2031.

NEW SECTION. Sec. 3. A new section is added to chapter 36.70A RCW to read as follows:

In a county that chooses to site schools under section 2 of this act, each school district within the county must participate in the county's periodic updates required by RCW 36.70A.130(1)(b) by:

(1) Coordinating its enrollment forecasts and projections with the county's adopted population projections;

(2) Identifying school siting criteria with the county, cities, and regional transportation planning organizations;

(3) Identifying suitable school sites with the county and cities, with priority to siting urban-serving schools in existing cities and towns in locations where students can safely walk and bicycle to the school from their homes and that can effectively be served with transit; and

(4) Working with the county and cities to identify school costs and funding for the capital facilities plan element required by RCW 36.70A.070(3)."

On page 1, line 1 of the title, after "facilities;" strike the remainder of the title and insert "adding new sections to chapter 36.70A RCW; and providing an expiration date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1017 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Fitzgibbon, McCaslin and Klippert spoke in favor of the passage of the bill, as amended by the Senate.

Representative Appleton spoke against the passage of the bill, as amended by the Senate.

COLLOQUY

Representative Fitzgibbon: "Thank you, Mr. Speaker. Will the good gentleman from the fourth district yield to a question? ... Thank you. Is it the intent of this bill that section 2, subsection 1, is not conditioned upon an

amendment to the multicounty planning policies referenced in Section 2, subsection 2, and that Section 2 only applies to counties with specific populations?

Representative McCaslin: "I thank the good gentleman for the question. Yes, it is the intent that section 2, subsection 1, operates independently of section 2, subsection 2, and is not contingent upon an amendment to the multicounty planning policy. Section 2, subsection 2, is a directive to the multicounty planning jurisdiction to modify its plans to include policies addressing the siting of schools in rural areas. Section 2 only applies to counties with a population greater than 840,000 but less than 1.5 million. It does not affect the countywide planning policies, comprehensive plans, or school siting development regulations for counties with populations lesser or greater than the range specified in section 2."

Representative Fitzgibbon: "Thank you, I appreciate the good gentleman's clarifying remarks."

Representative Appleton (again) spoke against the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1017, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1017, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 81; Nays, 15; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Dolan, Dye, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Johnson, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Santos, Sawyer, Schmick, Sells, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Doglio, Farrell, Fey, Goodman, Jinkins, Kagi, Kloba, Macri, McBride, Ryu, Senn, Stanford and Tarleton.

Excused: Representatives DeBolt and Kristiansen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1017, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1086
HOUSE BILL NO. 1091
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105
HOUSE BILL NO. 1150
HOUSE BILL NO. 1250
HOUSE BILL NO. 1278
SUBSTITUTE HOUSE BILL NO. 1444
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1481
SUBSTITUTE HOUSE BILL NO. 1520
ENGROSSED HOUSE BILL NO. 1648
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1814
SUBSTITUTE HOUSE BILL NO. 1845
HOUSE BILL NO. 1906
ENGROSSED HOUSE BILL NO. 1924
SUBSTITUTE HOUSE BILL NO. 1944
HOUSE BILL NO. 1983
SUBSTITUTE HOUSE BILL NO. 1988
ENGROSSED HOUSE BILL NO. 2003
ENGROSSED HOUSE BILL NO. 2010
SUBSTITUTE SENATE BILL NO. 5022
SENATE BILL NO. 5030
SUBSTITUTE SENATE BILL NO. 5138
SUBSTITUTE SENATE BILL NO. 5152
SENATE BILL NO. 5177
ENGROSSED SUBSTITUTE SENATE BILL NO.
5198
ENGROSSED SENATE BILL NO. 5234
SECOND SUBSTITUTE SENATE BILL NO. 5258
ENGROSSED SENATE BILL NO. 5266
SUBSTITUTE SENATE BILL NO. 5327
SUBSTITUTE SENATE BILL NO. 5346
SUBSTITUTE SENATE BILL NO. 5358
SENATE BILL NO. 5359
SECOND SUBSTITUTE SENATE BILL NO. 5474
SENATE BILL NO. 5674

The Speaker called upon Representative Lovick to preside.

THIRD READING

MESSAGE FROM THE SENATE

April 7, 2017

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 28C.18 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the board shall convene a work-integrated learning advisory committee.

(2) The purpose of the advisory committee is to provide advice to the legislature and the education and workforce sectors on creating opportunities for students to:

(a) Explore and understand a wide range of career-related opportunities through applied learning;

(b) Engage with industry mentors; and

(c) Plan for career and college success.

(3) The committee shall:

(a) Review and evaluate existing opportunities for students to:

(i) Engage in work-based academic programs with public and private sector employers, such as internships, externships, and apprenticeships; and

(ii) Participate in school district or school programs developed in collaboration with students and parents or guardians, local employers, community members, apprenticeship programs, and the office of the superintendent of public instruction, that reflect local circumstances, including local industries, employers, and labor markets;

(b) Review and evaluate existing instructional programs of schools that implement work-integrated learning, including the following:

(i) The academic curricula used in work-integrated and career-contextualized experiences;

(ii) The use of external mentors for participating students in a work-integrated program;

(iii) How the work-integrated learning program complies with the twenty-four credit graduation requirements established by the state board of education;

(iv) The numeric and other data summarizing the impacts of the work-integrated learning programs on in-school progress, high school graduation rates, state test scores, and other indicators of career and college readiness, both overall and in reducing opportunity gaps; and the effects on community partnerships, including partnerships with local employers and industries;

(c) Analyze barriers to statewide adoption of work-integrated and career-related learning opportunities and instructional programs;

(d) Advise the superintendent of public instruction and the board on the development and implementation of work-integrated instructional programs;

(e) Recommend policies to implement work-integrated and career-related strategies that increase college and career readiness of students statewide. Policies recommended under this subsection (3)(e) may include, but are not limited to, policies related to aligning career and technical education programs with statewide and local industry projections and career cluster needs evidenced through economic development data and appropriate longitudinal data;

(f) Consult with individuals from the public and private sectors with expertise in career and technical education and work-integrated training, including representatives of labor unions, professional technical organizations, and business and industry;

(g) Create a framework for the development and replication of successful work-integrated learning programs throughout the state;

(h) Recommend best practices for partnering with industry and the local communities to create opportunities for applied learning through internships, externships, apprenticeships, and mentorships; and

(i) Recommend best practices for linking high school and beyond plans with work-integrated and career-related learning opportunities, and increasing college readiness.

(4) The committee must, at a minimum, be composed of the following members:

(a) One member from each of the two largest caucuses of the senate, appointed by the majority and minority leaders of the senate;

(b) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(c) The superintendent of public instruction or the superintendent's designee;

(d) One educator representing the K-12 career and technical education sector, appointed by the superintendent of public instruction, as determined from recommendations of the association for career and technical education;

(e) One school counselor appointed by the superintendent of public instruction, as determined from recommendations of the school counselor association;

(f) One educator representing the community and technical colleges, appointed by the state board for community and technical colleges;

(g) One member of the governor's office specializing in career and technical education and workforce needs, appointed by the governor;

(h) One member of the workforce training and education coordinating board;

(i) One or more members from employers representing manufacturing and industry, as determined by the committee; and

(j) Other members with specialized expertise, as determined by the committee.

(5) The chair or cochairs of the committee must be selected by the members of the committee.

(6) Staff support for the committee must be provided by the board.

(7) The committee shall report its findings and recommendations to the superintendent of public instruction, the state board for community and technical colleges, the state board of education, and, in accordance with RCW 43.01.036, the education committees and economic development committees of the house of representatives and the senate by July 1, 2021.

(8) Schools and school districts shall provide data and information as requested by the board and the office of the superintendent of public instruction for the purposes of this section.

(9) This section expires September 1, 2021.

NEW SECTION. **Sec. 2.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "students;" strike the remainder of the title and insert "adding a new section to chapter 28C.18 RCW; creating a new section; and providing an expiration date."

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 18, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 5201 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to SENATE BILL NO. 5201 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 18, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 5436 and asks the House to recede therefrom, and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment to SENATE BILL NO. 5436 and advanced the bill to final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5436.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5436, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives DeBolt and Kristiansen.

SENATE BILL NO. 5436, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5018 and asks the House to recede therefrom, and the same is herewith transmitted.

Paul Campos, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SUBSTITUTE SENATE BILL NO. 5018 was returned to second reading for the purpose of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5018, by Senate Committee on Transportation (originally sponsored by Senators Hasegawa and Kuderer

Authorizing wheelchair accessible taxicabs access to high occupancy vehicle lanes. Revised for 1st Substitute: Authorizing wheelchair accessible taxicabs access to high occupancy vehicle lanes.

There being no objection, the committee amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, March 27, 2017).

Representative Orcutt moved the adoption of amendment (559) to the committee amendment:

On page 1, line 12 of the striking amendment, after "January 1," strike "2019" and insert "2018"

Representatives Orcutt and Clibborn spoke in favor of the adoption of the amendment to the committee amendment (559).

Amendment (559), to the committee amendment, was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5018, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5018, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Kloba.

Excused: Representatives DeBolt and Kristiansen.

SUBSTITUTE SENATE BILL NO. 5018, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:00 a.m., April 19, 2017, the 101st Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

ONE HUNDRED FIRST DAY

House Chamber, Olympia, Wednesday, April 19, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Eve China and Creed Leonard. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Imam Benjamin Shabazz, Al Islam Center, Seattle, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4645, by Representatives Riccelli, Shea, Pellicciotti, Holy, Volz, Rodne, Nealey, Ormsby, MacEwen, Steele, Stonier, Sells, Kilduff, Ryu, McCaslin, Kristiansen, Orwall, Chapman, Lovick, Santos, Dolan, Orcutt, Reeves, Gregerson, Johnson, Senn, Slatter, Frame, and Harris

WHEREAS, The Gonzaga University men's basketball team completed the NCAA Division I 2016-2017 season with 37 victories, a feat only nine teams have accomplished, and advanced to the National Championship matchup against North Carolina; and

WHEREAS, A Pacific Northwest team has not advanced to the championship since 1958; and

WHEREAS, Head Coach Mark Few earned the title of 2017 Naismith and Associated Press Men's College Coach of the Year; and

WHEREAS, Coach Few has led the Zags into the NCAA tournament in each of his 17 years as head coach. Coach Few's other accomplishments include fifteen West Coast Conference titles, five Sweet 16 appearances, two Elite Eight competitions, one Final Four matchup, and a National Championship game; and

WHEREAS, The 2016-2017 Gonzaga men's basketball team had the best defense in the nation, and won more games and scored more points than any previous Gonzaga team; and

WHEREAS, Gonzaga earned multiple number one rankings, including first in the ESPN Basketball Power Index, as well as a number 1 seed for the NCAA Tournament; and

WHEREAS, Gonzaga University student athletes have the third-highest Graduation Success Rate among all Division I schools in the nation; and

WHEREAS, Gonzaga's Nigel Williams-Goss was selected to the Wooden Award's 10-player All-America team and also received the Elite 90 Award for being the top academic achiever of any player in the Final Four; and

WHEREAS, Gonzaga's Przemek Karnowski finished his career as the NCAA Division I's all-time wins leader with 137, won the Kareem Abdul-Jabbar Award, and made the WCC All-Academic team; and

WHEREAS, Gonzaga has repeatedly committed to a culture of sportsmanship, academic excellence, and dedicated performance on the court; and

WHEREAS, The Zags' reputation as a team of close, resilient, and elite athletes made them a dominating powerhouse all the way to the National Championship game; and

WHEREAS, These extraordinary achievements have been supported by the community of Gonzaga University student body, faculty, staff, alumni, friends, family, benefactors, and fans from throughout the State of Washington; and

WHEREAS, The raucous Kennel Club, Gonzaga's famed student section, has helped the Zags men's basketball team to a record of 177 wins at home, and traveled near and far in large numbers to support their team;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives express its thanks and great pride to the players, coaches, staff, and fans of Gonzaga University basketball for their excellence in achievement both on and off the court; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the value and dedication of student athletes and the excitement and energy of collegiate athletics as a reflection of community pride and support; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the President of Gonzaga University, the Athletic Director of Gonzaga University, the coach of the Gonzaga University Bulldogs men's basketball team, and to each team member.

There being no objection, HOUSE RESOLUTION NO. 4645 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

April 18, 2017

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5100,
SENATE BILL NO. 5336,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5338,
SENATE BILL NO. 5437,
ENGROSSED SENATE BILL NO. 5647,
SENATE BILL NO. 5778,
SUBSTITUTE SENATE BILL NO. 5790,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 18, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5589 and asks the House to recede therefrom.

and the same is herewith transmitted.

Hunter Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to SUBSTITUTE SENATE BILL NO. 5589 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 18, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 5762 and asks the House to recede therefrom.

and the same is herewith transmitted.

Hunter Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to SENATE BILL NO. 5762 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2023 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW to read as follows:

The initial effective date of an action that amends the locally adopted critical areas ordinance, amends a locally adopted shoreline master program, adds the designation of agricultural, forest, or mineral lands designated under RCW 36.70A.170, reduces a limited area of more intensive rural development designated under RCW 36.70A.070(5), or reduces density or increases minimum lot size requirements, is after the latest of the following dates:

(1) Sixty days after the date of publication of notice of adoption of the comprehensive plan, development regulation, or amendment to the plan or regulation; or

(2) If a petition for review to the growth management hearings board is timely filed, upon issuance of the board's final order."

On page 1, line 2 of the title, after "act;" strike the remainder of the title and insert "and adding a new section to chapter 36.70A RCW."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL 2023 and asked the Senate to recede therefrom.

With the consent of the House, ENGROSSED SUBSTITUTE HOUSE BILL NO. 2023 was immediately transmitted to the Senate.

MESSAGE FROM THE SENATE

April 12, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1504 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that it enacted the rail preservation program because railroads provide benefits to state and local jurisdictions that are valuable to economic development, highway safety, and the environment. The Washington state freight mobility plan includes the goal of supporting rural economies farm-to-market, manufacturing, and resource industry sectors. The plan makes clear that ensuring the availability of rail capacity is vital to meeting the future needs of the Puget Sound region. Rail-served industrial sites are a necessary part of a thriving freight mobility system, and are a key means of assuring that food and goods from rural areas are able to make it to people living in urban areas and international markets. Planned and effective access to railroad services is a pivotal aspect of transportation planning. The legislature affirms that it is in the public interest to allow economic development infrastructure to occur near rail lines as a means to alleviate strains on government infrastructure elsewhere. Therefore, the legislature finds that there is a need for counties and cities to improve their planning under the growth management act to provide much needed infrastructure for freight rail dependent uses adjacent to railroad lines.

Sec. 2. RCW 36.70A.030 and 2012 c 21 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Adopt a comprehensive land use plan" means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.

(2) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed,

Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

(3) "City" means any city or town, including a code city.

(4) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.

(5) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

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

(7) "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

(8) "Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial

timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

(9) "Freight rail dependent uses" means buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods where the use is dependent on and makes use of an adjacent short line railroad. Such facilities are both urban and rural development for purposes of this chapter. "Freight rail dependent uses" does not include buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of coal, liquefied natural gas, or "crude oil" as defined in RCW 90.56.010.

(10) "Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

~~((10))~~ (11) "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

~~((11))~~ (12) "Minerals" include gravel, sand, and valuable metallic substances.

~~((12))~~ (13) "Public facilities" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

~~((13))~~ (14) "Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

~~((14))~~ (15) "Recreational land" means land so designated under RCW 36.70A.1701 and that, immediately prior to this designation, was designated as agricultural land of long-term commercial significance under RCW 36.70A.170. Recreational land must have playing fields and supporting facilities existing before July 1, 2004, for sports played on grass playing fields.

~~((15))~~ (16) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

~~((16))~~ (17) "Rural development" refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

~~((17))~~ (18) "Rural governmental services" or "rural services" include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic

water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

~~((18))~~ (19) "Short line railroad" means those railroad lines designated Class II or Class III by the United States Surface Transportation Board.

(20) "Urban governmental services" or "urban services" include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.

~~((19))~~ (21) "Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

~~((20))~~ (22) "Urban growth areas" means those areas designated by a county pursuant to RCW 36.70A.110.

~~((21))~~ (23) "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including,

but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

Sec. 3. RCW 36.70A.060 and 2014 c 147 s 2 are each amended to read as follows:

(1)(a) Each county that is required or chooses to plan under RCW 36.70A.040, and each city within such county, shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. Regulations adopted under this subsection may not prohibit uses legally existing on any parcel prior to their adoption and shall remain in effect until the county or city adopts development regulations pursuant to RCW 36.70A.040. Such regulations shall assure that the use of lands adjacent to agricultural, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner and in accordance with best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals. Each of the following counties, and each of the cities in such counties, may adopt development regulations to assure that agriculture, forest, and mineral resource lands adjacent to short line railroads may be developed for freight rail dependent uses: Counties located to the east of the crest of the Cascade mountains; and counties located to the west of the crest of the Cascade mountains that have both a population of at least two hundred forty thousand and a border that touches another state. Any development regulations related to the development of agriculture, forest, and mineral resource lands adjacent to short line railroads for freight rail dependent uses must require buffers sufficient to prevent encroachment on or impacts to the adjacent resource lands.

(b) Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as

agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

(c) Each county that adopts a resolution of partial planning under RCW 36.70A.040(2)(b), and each city within such county, shall adopt development regulations within one year after the adoption of the resolution of partial planning to assure the conservation of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. Regulations adopted under this subsection (1)(c) must comply with the requirements governing regulations adopted under (a) of this subsection.

(d)(i) A county that adopts a resolution of partial planning under RCW 36.70A.040(2)(b) and that is not in compliance with the planning requirements of this section, RCW 36.70A.040(4), 36.70A.070(5), 36.70A.170, and 36.70A.172 at the time the resolution is adopted must, by January 30, 2017, apply for a determination of compliance from the department finding that the county's development regulations, including development regulations adopted to protect critical areas, and comprehensive plans are in compliance with the requirements of this section, RCW 36.70A.040(4), 36.70A.070(5), 36.70A.170, and 36.70A.172. The department must approve or deny the application for a determination of compliance within one hundred twenty days of its receipt or by June 30, 2017, whichever date is earlier.

(ii) If the department denies an application under (d)(i) of this subsection, the county and each city within is obligated to comply with all requirements of this chapter and the resolution for partial planning adopted under RCW 36.70A.040(2)(b) is no longer in effect.

(iii) A petition for review of a determination of compliance under (d)(i) of this subsection may only be appealed to the growth management hearings board

within sixty days of the issuance of the decision by the department.

(iv) In the event of a filing of a petition in accordance with (d)(iii) of this subsection, the county and the department must equally share the costs incurred by the department for defending an approval of determination of compliance that is before the growth management hearings board.

(v) The department may implement this subsection ~~((11))~~(1)(d) by adopting rules related to determinations of compliance. The rules may address, but are not limited to: The requirements for applications for a determination of compliance; charging of costs under (d)(iv) of this subsection; procedures for processing applications; criteria for the evaluation of applications; issuance and notice of department decisions; and applicable timelines.

(2) Each county and city shall adopt development regulations that protect critical areas that are required to be designated under RCW 36.70A.170. For counties and cities that are required or choose to plan under RCW 36.70A.040, such development regulations shall be adopted on or before September 1, 1991. For the remainder of the counties and cities, such development regulations shall be adopted on or before March 1, 1992.

(3) Such counties and cities shall review these designations and development regulations when adopting their comprehensive plans under RCW 36.70A.040 and implementing development regulations under RCW 36.70A.120 and may alter such designations and development regulations to insure consistency.

(4) Forest land and agricultural land located within urban growth areas shall not be designated by a county or city as forest land or agricultural land of long-term commercial significance under RCW 36.70A.170 unless the city or county has enacted a program authorizing transfer or purchase of development rights.

(5) The department of commerce is directed to submit a written report to the legislature by November 15th of each even-numbered year, beginning in 2022 and ending in 2032, that describes any job gains, tax impacts, and impacts to resource lands resulting from freight rail dependent uses sited under this chapter.

Sec. 4. RCW 36.70A.070 and 2015 c 241 s 2 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by

urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas.

Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(~~(15)~~) (16). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(~~(15)~~) (16). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment,

but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six

years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after full payment of all impact fees is due to the county or city.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

Sec. 5. RCW 36.70A.108 and 2005 c 328 s 1 are each amended to read as follows:

(1) The transportation element required by RCW 36.70A.070 may include, in addition to improvements or strategies to accommodate the impacts of development authorized under RCW 36.70A.070(6)(b), multimodal transportation improvements or strategies that are made concurrent with the development. These transportation improvements or strategies may include, but are not limited to, measures implementing or evaluating:

(a) Multiple modes of transportation with peak and nonpeak hour capacity performance standards for locally owned transportation facilities; and

(b) Modal performance standards meeting the peak and nonpeak hour capacity performance standards.

(2) The transportation element required by RCW 36.70A.070 may, for each of the following counties, and for each of the cities in such counties, include development of freight rail dependent uses on land adjacent to a short line railroad: Counties located to the east of the crest of the Cascade mountains; and counties located to the west of the crest of the Cascade mountains that have both a population of at least two hundred forty thousand and a border that touches another state. Development regulations may be modified to include development of freight rail dependent uses that do not require urban governmental services in rural lands.

(3) Nothing in this section or RCW 36.70A.070(6)(b) shall be construed as prohibiting a county or city planning under RCW 36.70A.040 from exercising existing authority to develop multimodal improvements or strategies to satisfy the concurrency requirements of this chapter.

~~((3))~~ (4) Nothing in this section is intended to affect or otherwise modify the authority of jurisdictions planning under RCW 36.70A.040."

On page 1, line 2 of the title, after "regulations;" strike the remainder of the title and insert "amending RCW 36.70A.030, 36.70A.060, 36.70A.070, and 36.70A.108; and creating a new section."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1504 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Pike and Fitzgibbon spoke in favor of the passage of the bill, as amended by the Senate.

MOTION

On motion of Representative Harris, Representative DeBolt was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1504, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1504, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Orwall, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Santos, Sawyer, Schmick, Sells, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Farrell, Fey, Goodman, Hudgins, Jinkins, Kagi, Macri, McBride, Ortiz-Self, Pellicciotti, Pollet, Ryu, Senn and Stonier.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1504, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1711 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 79.10 RCW to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the department shall, to the extent feasible given all applicable trust responsibilities, develop and implement a policy for prioritizing investments on forest health treatments to protect state lands and state forestlands, as those terms are defined in RCW 79.02.010, to:

- (i) Reduce wildfire hazards and losses from wildfire;
- (ii) reduce insect infestation and disease; and
- (iii) achieve cumulative impact of improved forest health and resilience at a landscape scale.

(b) The prioritization policy in (a) of this subsection must consider whether state lands and state forestlands are within an area that is subject to a forest health hazard warning or order pursuant to RCW 76.06.180.

(2)(a) The department's prioritization of state lands and state forestlands must be based on an evaluation of the economic and noneconomic value of:

(i) Timber or other commercial forest products removed during any mechanical treatments;

(ii) Timber or other commercial forest products likely to be spared from damage by wildfire;

(iii) Homes, structures, agricultural products, and public infrastructure likely to be spared from damage by wildfire;

(iv) Impacts to recreation and tourism; and

(v) Ecosystem services such as water quality, air quality, or carbon sequestration.

(b) The department's evaluation of economic values may rely on heuristic techniques.

(3) The definitions in this subsection apply throughout this section and sections 2 and 3 of this act unless the context clearly requires otherwise.

(a) "Forest health" has the same meaning as defined in RCW 76.06.020.

(b) "Forest health treatment" or "treatment" means actions taken by the department to restore forest health including, but not limited to, sublandscape assessment and project planning, site preparation, reforestation, mechanical treatments including timber harvest, road realignment for fire protection and aquatic improvements, and prescribed burning.

NEW SECTION. Sec. 2. A new section is added to chapter 79.10 RCW to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, consistent with the prioritization policy developed pursuant to section 1 of this act, and to the extent feasible given all applicable trust responsibilities, the department must identify areas of state lands and state forestlands that would benefit from forest health treatments at the landscape level for the next twenty years, and ones that would benefit the most during the following six years, and prioritize and list specific lands for treatment during the subsequent biennium. The department shall update this list by November 15th of each even-numbered year.

(b) To expedite initial treatments under this act, for the 2017-2019 biennium the department may prioritize and, if funds are appropriated for this purpose, address lands for treatment that are currently identified by the department as pilot treatment projects.

(2) In order to develop a prioritized list that evaluates forest health treatments at a landscape scale, the department should consult with and take into account the land management plans and activities of nearby landowners, if available, including federal agencies, other state agencies, local governments, tribes, and private property owners, in addition to any statewide assessments done by the department. The department may include federally, locally, or privately managed lands on the list. The department may fund treatment on these lands provided that the treatments are funded with nontrust funds, and provided that the treatments produce a net benefit to the health of state lands and state forestlands.

(3) By December 1st of each even-numbered year, the department must submit a report to the legislature consistent with the requirements of RCW 43.01.036, to

the office of financial management, and to the board of natural resources. The report must include:

(a) A brief summary of the department's progress towards treating the state lands and state forestlands included on the preceding biennium's prioritization list;

(b) A list of lands prioritized for forest health treatments in the next biennium, including state lands and state forestlands prioritized for treatment pursuant to subsection (1) of this section;

(c) Recommended funding amounts required to carry out the treatment activities for the next biennium, including a summary of potential nontimber revenue sources that could finance specific forest health treatments pursuant to section 1 of this act, including but not limited to ecosystem services such as water and carbon sequestration as well as insurance and fire mitigation; and

(d) A summary of trends in forest health conditions.

NEW SECTION. Sec. 3. A new section is added to chapter 79.64 RCW to read as follows:

(1)(a) The forest health revolving account is created in the custody of the state treasurer. All receipts from the proceeds of forest health treatment sales as defined in this section and sections 1 and 2 of this act and all legislative transfers, gifts, grants, and federal funds must be deposited into the account. Expenditures from the account may be used only for the payment of costs, including management and administrative costs, incurred on forest health treatments necessary to improve forest health as defined in section 1 of this act. Only the commissioner or the commissioner's designee may authorize expenditures from the account. The board of natural resources has oversight of the account, and the commissioner must periodically report to the board of natural resources as to the status of the account, its disbursement, and receipts. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(b) The forest health revolving account is an interest-bearing account and the interest must be credited to the account.

(2) Beginning calendar year 2018, the fund balance attributable to the receipts

from the proceeds of forest health treatment sales is subject to the following:

(a) Any unobligated amounts up to ten million dollars at the end of the calendar year are not subject to disbursements to trust beneficiaries, the resource management account, or the forest development account.

(b) Any unobligated amounts exceeding ten million dollars at the end of the calendar year must be disbursed to the appropriate trust beneficiaries as determined by the board of natural resources and these disbursements are not subject to the deductions for the resource management cost account described in RCW 79.64.040 or the forest development account described in RCW 79.64.110.

(c) If the board of natural resources determines that the department has permanently discontinued using the forest health revolving account for the forest health treatments under sections 1 and 2 of this act, the board must disburse all remaining fund balance attributable to the proceeds of forest health treatment sales to the appropriate trust beneficiaries, and these disbursements are not subject to the deductions for the resource management cost account described in RCW 79.64.040 or the forest development account described in RCW 79.64.110.

(3)(a) Except as provided in (b) and (c) of this subsection, expenditures on state lands and state forestlands for forest health treatments by the department from the forest health revolving account must be consistent with the prioritization policy under section 1 of this act and the prioritization list created under section 2 of this act.

(b) The department is not bound to adhere to the list submitted to the legislature under section 1 of this act in the event that emerging information or changed circumstances support a reprioritization of lands consistent with the policy created under section 1 of this act.

(c) The department is not required to apply the prioritization policy of section 1 of this act where doing so would be incompatible with the conditions of funding provided by the federal government or another organization that is contributing funds to forest health treatments involving the department.

Sec. 4. RCW 43.30.325 and 2003 c 334 s 125 and 2003 c 313 s 9 are each reenacted and amended to read as follows:

(1) The department shall deposit daily all moneys and fees collected or received by the commissioner and the department in the discharge of official duties as follows:

(a) The department shall pay moneys received as advance payments, deposits, and security from successful bidders under RCW 79.15.100 and 79.11.150 to the state treasurer for deposit under (b) of this subsection. Moneys received from unsuccessful bidders shall be returned as provided in RCW 79.11.150;

(b) The department shall pay all moneys received on behalf of a trust fund or account to the state treasurer for deposit in the trust fund or account after making the deduction authorized under RCW (~~79.22.040~~) 79.64.110, 79.22.050, 79.64.040, and 79.15.520, except as provided in section 3 of this act;

(c) The natural resources deposit fund is hereby created. The state treasurer is the custodian of the fund. All moneys or sums which remain in the custody of the commissioner of public lands awaiting disposition or where the final disposition is not known shall be deposited into the natural resources deposit fund. Disbursement from the fund shall be on the authorization of the commissioner or the commissioner's designee, without necessity of appropriation;

(d) If it is required by law that the department repay moneys disbursed under (a) and (b) of this subsection the state treasurer shall transfer such moneys, without necessity of appropriation, to the department upon demand by the department from those trusts and accounts originally receiving the moneys.

(2) Money shall not be deemed to have been paid to the state upon any sale or lease of land until it has been paid to the state treasurer.

Sec. 5. RCW 79.64.040 and 2015 3rd sp.s. c 4 s 972 are each amended to read as follows:

(1) The board shall determine the amount deemed necessary in order to achieve the purposes of this chapter and shall provide by rule for the deduction of this amount from the moneys received from all leases, sales, contracts, licenses, permits, easements, and rights-of-way

issued by the department and affecting state lands and aquatic lands, except as provided in section 3 of this act, provided that no deduction shall be made from the proceeds from agricultural college lands.

(2) Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150 prior to December 1, 1981, which have not been subjected to deduction under this section are not subject to deduction under this section.

(3) Except as otherwise provided in subsection (5) of this section, the deductions authorized under this section shall not exceed twenty-five percent of the moneys received by the department in connection with any one transaction pertaining to state lands and aquatic lands other than second-class tide and shore lands and the beds of navigable waters, and fifty percent of the moneys received by the department pertaining to second-class tide and shore lands and the beds of navigable waters.

(4) In the event that the department sells logs using the contract harvesting process described in RCW 79.15.500 through 79.15.530, the moneys received subject to this section are the net proceeds from the contract harvesting sale.

(5) During the 2013-2015 fiscal biennium, the twenty-five percent limitation on deductions set in subsection (3) of this section may be increased up to thirty percent by the board. During the 2015-2017 fiscal biennium, the board may increase the twenty-five percent limitation up to thirty-two percent.

Sec. 6. RCW 79.64.110 and 2015 3rd sp.s. c 4 s 973 are each amended to read as follows:

(1) Any moneys derived from the lease of state forestlands or from the sale of valuable materials, oils, gases, coal, minerals, or fossils from those lands, except as provided in section 3 of this act, or the appraised value of these resources when transferred to a public agency under RCW 79.22.060, except as provided in RCW 79.22.060(4), must be distributed as follows:

(a) For state forestlands acquired through RCW 79.22.040 or by exchange for lands acquired through RCW 79.22.040:

(i) The expense incurred by the state for administration, reforestation, and

protection, not to exceed twenty-five percent, which rate of percentage shall be determined by the board, must be returned to the forest development account created in RCW 79.64.100. During the 2015-2017 fiscal biennium, the board may increase the twenty-five percent limitation up to twenty-seven percent.

(ii) Any balance remaining must be paid to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board. Payments made under this subsection are to be paid, distributed, and prorated, except as otherwise provided in this section, to the various funds in the same manner as general taxes are paid and distributed during the year of payment.

(iii) Any balance remaining, paid to a county with a population of less than sixteen thousand, must first be applied to the reduction of any indebtedness existing in the current expense fund of the county during the year of payment.

(iv) With regard to moneys remaining under this subsection (1) (a), within seven working days of receipt of these moneys, the department shall certify to the state treasurer the amounts to be distributed to the counties. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date.

(b) For state forestlands acquired through RCW 79.22.010 or by exchange for lands acquired through RCW 79.22.010, except as provided in RCW 79.64.120:

(i) Fifty percent shall be placed in the forest development account.

(ii) Fifty percent shall be prorated and distributed to the state general fund, to be dedicated for the benefit of the public schools, to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board, and according to the relative proportions of tax levies of all taxing districts in the county. The portion to be distributed to the state general fund shall be based on the regular school levy rate under RCW 84.52.065 and the levy rate for any maintenance and operation special school levies. With regard to the portion to be distributed to

the counties, the department shall certify to the state treasurer the amounts to be distributed within seven working days of receipt of the money. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date. The money distributed to the county must be paid, distributed, and prorated to the various other funds in the same manner as general taxes are paid and distributed during the year of payment.

(2) A school district may transfer amounts deposited in its debt service fund pursuant to this section into its capital projects fund as authorized in RCW 28A.320.330.

Sec. 7. RCW 43.79A.040 and 2016 c 203 s 2, 2016 c 173 s 10, 2016 c 69 s 21, and 2016 c 39 s 7 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Washington advanced college tuition

payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon

each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. **Sec. 8.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 9.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "treatments;" strike the remainder of the title and insert "amending RCW 79.64.040 and 79.64.110; reenacting and amending RCW 43.30.325 and 43.79A.040; adding new sections to chapter 79.10 RCW; adding a new section to chapter 79.64 RCW; and creating a new section."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1711 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Blake and Buys spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1711, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1711, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative DeBolt.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1711, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

MESSAGE FROM THE SENATE

April 11, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1719 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.215.090 and 2015 3rd sp.s. c 7 s 16 are each amended to read as follows:

(1) The early learning advisory council is established to advise the department on statewide early learning issues that ~~((would build))~~ contribute to the ongoing efforts of building a comprehensive system of quality early learning programs and services for Washington's young children and families ((by assessing needs and the

~~availability of services, aligning resources, developing plans for data collection and professional development of early childhood educators, and establishing key performance measures))~~.

(2) The council shall work in conjunction with the department to ~~((develop a statewide early learning plan that guides))~~ assist in policy development and implementation that assist the department in promoting alignment of private and public sector actions, objectives, and resources, ((and)) ensuring school readiness.

(3) The council shall include diverse, statewide representation from public, nonprofit, and for-profit entities. Its membership shall include critical partners in service delivery and reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(4) Councilmembers shall serve two-year terms. However, to stagger the terms of the council, the initial appointments for twelve of the members shall be for one year. Once the initial one-year to two-year terms expire, all subsequent terms shall be for two years, with the terms expiring on June 30th of the applicable year. The terms shall be staggered in such a way that, where possible, the terms of members representing a specific group do not expire simultaneously.

(5) The council shall consist of ~~((not more than twenty three))~~ members essential to coordinating services statewide prenatal through age five, as follows:

(a) In addition to being staffed and supported by the department, the governor shall appoint ((at least)) one representative from each of the following: The ((department, the office of financial management, the department of social and health services, the)) department of health, the student achievement council, and the state board for community and technical colleges;

(b) One representative from the office of the superintendent of public instruction, to be appointed by the superintendent of public instruction;

(c) The governor shall appoint ~~((seven))~~ leaders in early childhood education to represent critical service delivery and support sectors, with at least one ((representative with experience or expertise in one or more of the areas such as)) individual representing each of

the following: (~~The K-12 system, family day care providers, and child care centers with four of the seven governor's appointees made as follows:~~)

(i) The head start state collaboration office director or the director's designee;

(ii) A representative of a head start, early head start, or migrant/seasonal head start (~~, or tribal head start~~) program;

(iii) A representative of a local education agency; (~~and~~)

(iv) A representative of the state agency responsible for programs under section 619 or part C of the federal individuals with disabilities education act;

(v) A representative of the early childhood education and assistance program;

(vi) A representative of licensed family day care providers;

(vii) A representative of child day care centers; and

(viii) A representative from the home visiting advisory committee established in RCW 43.215.130;

(d) Two members of the house of representatives, one from each caucus, (~~and two members of the senate, one from each caucus,~~) to be appointed by the speaker of the house of representatives and (~~the president of the senate, respectively~~) two members of the senate, one from each caucus, to be appointed by the majority leader in the senate and the minority leader in the senate;

(e) Two parents, one of whom serves on the department's parent advisory group, to be appointed by the governor;

(f) One representative of the private-public partnership created in RCW 43.215.070, to be appointed by the partnership board;

(g) One representative from the developmental disabilities community;

(h) Two representatives from early learning regional coalitions;

(i) Representatives of underserved communities who have a special expertise or interest in high quality early learning, one to be appointed by each of the following commissions:

(i) The Washington state commission on Asian Pacific American affairs;

(ii) The Washington state commission on African-American affairs; and

(iii) The Washington state commission on Hispanic affairs;

~~((g) One)~~ (j) Two representatives designated by sovereign tribal governments, one of whom must be a representative of a tribal early childhood education assistance program or head start program; (~~and~~

~~(h))~~ (k) One representative from the Washington federation of independent schools;

(l) One representative from the Washington library association; and

(m) One representative from a statewide advocacy coalition of organizations that focuses on early learning.

(6) The council shall be cochaired by (~~one representative of a state agency and one nongovernmental~~) two members, to be elected by the council for two-year terms and not more than one cochair may represent a state agency.

(7) The council shall appoint two members and stakeholders with expertise in early learning to sit on the technical working group created in section 2, chapter 234, Laws of 2010.

(8) Each member of the board shall be compensated in accordance with RCW 43.03.240 and reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(9)(a) The council shall convene an early achievers review subcommittee to provide feedback and guidance on strategies to improve the quality of instruction and environment for early learning and provide input and recommendations on the implementation and refinement of the early achievers program. The review conducted by the subcommittee shall be a part of the annual progress report required in RCW 43.215.102. At a minimum the review shall address the following:

(i) Adequacy of data collection procedures;

(ii) Coaching and technical assistance standards;

(iii) Progress in reducing barriers to participation for low-income providers and providers from diverse cultural backgrounds, including a review of the early achievers program's rating tools, quality standard areas, and components, and how they are applied;

(iv) Strategies in response to data on the effectiveness of early achievers program standards in relation to providers and children from diverse cultural backgrounds;

(v) Status of the life circumstance exemption protocols; and

(vi) Analysis of early achievers program data trends.

(b) The subcommittee must include consideration of cultural linguistic responsiveness when analyzing the areas for review required by (a) of this subsection.

(c) The subcommittee shall include representatives from child care centers, family child care, the early childhood education and assistance program, contractors for early achievers program technical assistance and coaching, tribal governments, the organization responsible for conducting early ~~((achiever[s]))~~ achievers program ratings, and parents of children participating in early learning programs, including working connections child care and early childhood education and assistance programs. The subcommittee shall include representatives from diverse cultural and linguistic backgrounds.

(10) The department shall provide staff support to the council.

Sec. 2. RCW 43.215.130 and 2013 c 165 s 1 are each amended to read as follows:

(1)(a) The home visiting services account is created in the state treasury. Revenues to the account shall consist of appropriations by the legislature and all other sources deposited in the account. All federal funds received by the department for home visiting activities must be deposited into the account.

(b)(i) Expenditures from the account shall be used for state matching funds for the purposes of the program established in this section and federally funded activities for the home visiting program, including administrative expenses.

(ii) The department oversees the account and is the lead state agency for home visiting system development. The

nongovernmental private-public partnership ~~((administers))~~ supports the home visiting service delivery system and provides ~~((implementation))~~ support functions to funded programs.

(iii) It is the intent of the legislature that state funds invested in the account be matched ~~((at fifty percent))~~ by the private-public partnership each fiscal year. ~~((However, state funds in the account may be accessed in the event that the private public partnership fails to meet the fifty percent match target. Should the private-public partnership not meet the fifty percent match target by the conclusion of the fiscal year ending on June 30th, the department and the private public partnership, shall jointly submit a report to the relevant legislative committees detailing the reasons why the fifty percent match target was not met, the actual match rate achieved, and a plan to achieve fifty percent match in the subsequent fiscal year. This report shall be submitted as promptly as practicable, but the lack of receipt of this report shall not prevent state funds in the account from being accessed-))~~

(iv) Amounts used for program administration by the department may not exceed an average of ~~((four))~~ ten percent in any two consecutive fiscal years.

(v) Authorizations for expenditures may be given only after private funds are committed. The nongovernmental private-public partnership must report to the department quarterly to demonstrate ~~((sufficient))~~ investment of private match funds.

(c) Expenditures from the account are subject to appropriation and the allotment provisions of chapter 43.88 RCW.

(2) The department must expend moneys from the account to provide state matching funds for partnership activities to implement home visiting services and administer the infrastructure necessary to develop, support, and evaluate evidence-based, research-based, and promising home visiting programs.

(3) Activities eligible for funding through the account include, but are not limited to:

(a) Home visiting services that achieve one or more of the following: (i) Enhancing child development and well-being by alleviating the effects on child development of poverty and other known

risk factors; (ii) reducing the incidence of child abuse and neglect; or (iii) promoting school readiness for young children and their families; and

(b) Development and maintenance of the infrastructure for home visiting programs, including training, quality improvement, and evaluation.

(4) Beginning July 1, 2010, the department shall contract with the nongovernmental private-public partnership designated in RCW 43.215.070 to ~~((administer))~~ support programs funded through the home visiting services account. The department shall monitor performance and provide periodic reports on the ~~((use))~~ uses and outcomes of the home visiting services account.

(5) The ~~((nongovernmental private-public partnership))~~ department shall, in the administration of the programs:

(a) Fund programs through a competitive bid process or in compliance with the regulations of the funding source; and

(b) Convene an advisory committee of early learning and home visiting experts, including one representative from the department, to advise the partnership regarding research and the distribution of funds from the account to eligible programs."

On page 1, line 3 of the title, after "improvements;" strike the remainder of the title and insert "and amending RCW 43.215.090 and 43.215.130."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1719 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Lovick and Schmick spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1719, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1719, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1719, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 5268 and asks the House to recede therefrom,

and the same is herewith transmitted.

Paul Campos, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SENATE BILL NO. 5268 was returned to second reading for the purpose of amendment.

SECOND READING

SENATE BILL NO. 5268, by Senators Takko, Chase, Warnick, Schoesler, King, Sheldon, Saldaña, Cleveland, Pearson, Honeyford, Hawkins, Wilson, Becker and Hasegawa

Concerning notice to the licensee before a concealed pistol license expires.

Representative Jinkins moved the adoption of the striking amendment (564):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.41.070 and 2017 c ... (SHB 1100) s 1 are each amended to read as follows:

(1) The chief of police of a municipality or the sheriff of a county shall within thirty days after the filing of an application of any person, issue a license to such person to carry a pistol concealed on his or her person within this state for five years from date of issue, for the purposes of protection or while engaged in business, sport, or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. The issuing authority shall not refuse to accept completed applications for concealed pistol licenses during regular business hours.

The applicant's constitutional right to bear arms shall not be denied, unless:

(a) He or she is ineligible to possess a firearm under the provisions of RCW 9.41.040 or 9.41.045, or is prohibited from possessing a firearm under federal law;

(b) The applicant's concealed pistol license is in a revoked status;

(c) He or she is under twenty-one years of age;

(d) He or she is subject to a court order or injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590;

(e) He or she is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense;

(f) He or she has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor; or

(g) He or she has been ordered to forfeit a firearm under RCW 9.41.098(1) (e) within one year before filing an application to carry a pistol concealed on his or her person.

No person convicted of a felony may have his or her right to possess firearms restored or his or her privilege to carry a concealed pistol restored, unless the person has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c), or RCW 9.41.040 (3) or (4) applies.

(2)(a) The issuing authority shall conduct a check through the national instant criminal background check system, the Washington state patrol electronic database, the department of social and health services electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited from possessing a firearm under federal law, and therefore ineligible for a concealed pistol license.

(b) The issuing authority shall deny a permit to anyone who is found to be prohibited from possessing a firearm under federal or state law.

(c) This subsection applies whether the applicant is applying for a new concealed pistol license or to renew a concealed pistol license.

(3) Any person whose firearms rights have been restricted and who has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec. 921(a)(20)(A) shall have his or her right to acquire, receive, transfer, ship, transport, carry, and possess firearms in accordance with Washington state law restored except as otherwise prohibited by this chapter.

(4) The license application shall bear the full name, residential address, telephone number at the option of the applicant, email address at the option of the applicant, date and place of birth, race, gender, description, a complete set of fingerprints, and signature of the licensee, and the licensee's driver's license number or state identification card number if used for identification in applying for the license. A signed application for a concealed pistol license shall constitute a waiver of confidentiality and written request that the department of social and health services, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility for a concealed pistol license

to an inquiring court or law enforcement agency.

The application for an original license shall include two complete sets of fingerprints to be forwarded to the Washington state patrol.

The license and application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

The application shall contain questions about the applicant's eligibility under RCW 9.41.040 and federal law to possess a pistol, the applicant's place of birth, and whether the applicant is a United States citizen. If the applicant is not a United States citizen, the applicant must provide the applicant's country of citizenship, United States issued alien number or admission number, and the basis on which the applicant claims to be exempt from federal prohibitions on firearm possession by aliens. The applicant shall not be required to produce a birth certificate or other evidence of citizenship. A person who is not a citizen of the United States shall, if applicable, meet the additional requirements of RCW 9.41.173 and produce proof of compliance with RCW 9.41.173 upon application. The license may be in triplicate or in a form to be prescribed by the department of licensing.

The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing the license.

The department of licensing shall make available to law enforcement and corrections agencies, in an on-line format, all information received under this subsection.

(5) The nonrefundable fee, paid upon application, for the original five-year license shall be thirty-six dollars plus additional charges imposed by the federal bureau of investigation that are passed on to the applicant. No other state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license.

The fee shall be distributed as follows:

(a) Fifteen dollars shall be paid to the state general fund;

(b) Four dollars shall be paid to the agency taking the fingerprints of the person licensed;

(c) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter;

(d) Two dollars and sixteen cents to the firearms range account in the general fund; and

(e) Eighty-four cents to the concealed pistol license renewal notification account created in RCW 43.79.--- (section 2, chapter . . . (SHB 1100), Laws of 2017).

(6) The nonrefundable fee for the renewal of such license shall be thirty-two dollars. No other branch or unit of government may impose any additional charges on the applicant for the renewal of the license.

The renewal fee shall be distributed as follows:

(a) Fifteen dollars shall be paid to the state general fund;

(b) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter;

(c) Two dollars and sixteen cents to the firearms range account in the general fund; and

(d) Eighty-four cents to the concealed pistol license renewal notification account created in RCW 43.79.--- (section 2, chapter . . . (SHB 1100), Laws of 2017).

(7) The nonrefundable fee for replacement of lost or damaged licenses is ten dollars to be paid to the issuing authority.

(8) Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the issuing authority.

(9) (a) A licensee may renew a license if the licensee applies for renewal within ninety days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty of ten dollars in addition to the renewal fee specified in subsection (6) of this section. The fee shall be distributed as follows:

(i) Three dollars shall be deposited in the state wildlife account and used exclusively first for the printing and distribution of a pamphlet on the legal limits of the use of firearms, firearms safety, and the preemptive nature of state law, and subsequently the support of volunteer instructors in the basic firearms safety training program conducted by the department of fish and wildlife. The pamphlet shall be given to each applicant for a license; and

(ii) Seven dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

(b) Beginning with concealed pistol licenses that expire on or after August 1, 2018, the department of licensing shall mail a renewal notice approximately ninety days before the license expiration date to the licensee at the address listed on the concealed pistol license application, or to the licensee's new address if the licensee has notified the department of licensing of a change of address. Alternatively, if the licensee provides an email address at the time of license application, the department of licensing may send the renewal notice to the licensee's email address. The notice must contain the date the concealed pistol license will expire, the amount of renewal fee, the penalty for late renewal, and instructions on how to renew the license.

(10) Notwithstanding the requirements of subsections (1) through (9) of this section, the chief of police of the municipality or the sheriff of the county of the applicant's residence may issue a temporary emergency license for good cause pending review under subsection (1) of this section. However, a temporary emergency license issued under this subsection shall not exempt the holder of the license from any records check requirement. Temporary emergency licenses shall be easily distinguishable from regular licenses.

(11) A political subdivision of the state shall not modify the requirements of this section or chapter, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section.

(12) A person who knowingly makes a false statement regarding citizenship or identity on an application for a concealed pistol license is guilty of false swearing under RCW 9A.72.040. In addition to any other penalty provided for by law, the concealed pistol license of a person who knowingly makes a false statement shall be revoked, and the person shall be permanently ineligible for a concealed pistol license.

(13) A person may apply for a concealed pistol license:

(a) To the municipality or to the county in which the applicant resides if the applicant resides in a municipality;

(b) To the county in which the applicant resides if the applicant resides in an unincorporated area; or

(c) Anywhere in the state if the applicant is a nonresident.

(14) Any person who, as a member of the armed forces, including the national guard and armed forces reserves, is unable to renew his or her license under subsections (6) and (9) of this section because of the person's assignment, reassignment, or deployment for out-of-state military service may renew his or her license within ninety days after the person returns to this state from out-of-state military service, if the person provides the following to the issuing authority no later than ninety days after the person's date of discharge or assignment, reassignment, or deployment back to this state: (a) A copy of the person's original order designating the specific period of assignment, reassignment, or deployment for out-of-state military service, and (b) if appropriate, a copy of the person's discharge or amended or subsequent assignment, reassignment, or deployment order back to this state. A license so renewed under this subsection (14) shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license under this subsection (14) shall pay only the renewal fee specified in subsection (6) of this section and shall not be required to pay a late renewal penalty in addition to the renewal fee.

NEW SECTION. **Sec. 2.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided from the firearms range account by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Jinkins and Rodne spoke in favor of the adoption of the striking amendment (564).

Amendment (564) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5268, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5268, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.
 Excused: Representative DeBolt.

SENATE BILL NO. 5268, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

MESSAGE FROM THE SENATE

April 18, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5289 and asks the House to recede therefrom

and the same is herewith transmitted.

Hunter Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SUBSTITUTE SENATE BILL NO. 5289 was returned to second reading for the purpose of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5289, by Senate Committee on Transportation (originally sponsored by Senators Rivers, Liias, Miloscia, Carlyle and Kuderer

Modifying the infraction of and penalties for distracted driving.

Representative Farrell moved the adoption of the striking amendment (565):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW to read as follows:

(1) A person who uses a personal electronic device while driving a motor vehicle on a public highway is guilty of a traffic infraction and must pay a fine as provided in RCW 46.63.110(3).

(2) Subsection (1) of this section does not apply to:

(a) A driver who is using a personal electronic device to contact emergency services;

(b) The use of a system by a transit system employee for time-sensitive relay communication between the transit system employee and the transit system's dispatch services;

(c) An individual employed as a commercial motor vehicle driver who uses a personal electronic device within the scope of such individual's employment if such use is permitted under 49 U.S.C. Sec. 31136 as it existed on the effective date of this section; and

(d) A person operating an authorized emergency vehicle.

(3) The state preempts the field of regulating the use of personal electronic

devices in motor vehicles while driving, and this section supersedes any local laws, ordinances, orders, rules, or regulations enacted by any political subdivision or municipality to regulate the use of a personal electronic device by the operator of a motor vehicle.

(4) A second or subsequent offense under this section is subject to two times the penalty amount under RCW 46.63.110.

(5) For purposes of this section:

(a) "Driving" means to operate a motor vehicle on a public highway, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. "Driving" does not include when the vehicle has pulled over to the side of, or off of, an active roadway and has stopped in a location where it can safely remain stationary.

(b) "Personal electronic device" means any portable electronic device that is capable of wireless communication or electronic data retrieval and is not manufactured primarily for hands-free use in a motor vehicle. "Personal electronic device" includes, but is not limited to, a cell phone, tablet, laptop, two-way messaging device, or electronic game. "Personal electronic device" does not include two-way radio, citizens band radio, or amateur radio equipment.

(c) "Use" or "uses" means:

(i) Holding a personal electronic device in either hand or both hands;

(ii) Using your hand or finger to compose, send, read, view, access, browse, transmit, save, or retrieve email, text messages, instant messages, photographs, or other electronic data; however, this does not preclude the minimal use of a finger to activate, deactivate, or initiate a function of the device;

(iii) Watching video on a personal electronic device.

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

(1) RCW 46.61.667 (Using a wireless communications device or handheld mobile telephone while driving) and 2013 c 224 s 15, 2010 c 223 s 3, & 2007 c 417 s 2; and

(2) RCW 46.61.668 (Sending, reading, or writing a text message while driving) and 2013 c 224 s 16, 2010 c 223 s 4, & 2007 c 416 s 1.

NEW SECTION. **Sec. 3.** A new section is added to chapter 46.61 RCW to read as follows:

(1)(a) It is a traffic infraction to drive dangerously distracted. Any driver who commits this infraction must be assessed a base penalty of thirty dollars.

(b) Enforcement of the infraction of driving dangerously distracted may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of a separate traffic infraction or an equivalent local ordinance.

(c) For the purposes of this section, "dangerously distracted" means a person who engages in any activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such motor vehicle on any highway.

(2) The additional monetary penalty imposed under this section must be deposited into the distracted driving prevention account created in subsection (3) of this section.

(3) The distracted driving prevention account is created in the state treasury. All receipts from the base penalty in subsection (1) of this section must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only to support programs dedicated to reducing distracted driving and improving driver education on distracted driving.

Sec. 4. RCW 46.25.010 and 2013 c 224 s 3 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter.

(1) "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) "Alcohol concentration" means:

(a) The number of grams of alcohol per one hundred milliliters of blood; or

(b) The number of grams of alcohol per two hundred ten liters of breath.

(3) "Commercial driver's license" (CDL) means a license issued to an individual under chapter 46.20 RCW that has been endorsed in accordance with the requirements of this chapter to authorize

the individual to drive a class of commercial motor vehicle.

(4) The "commercial driver's license information system" (CDLIS) is the information system established pursuant to 49 U.S.C. Sec. 31309 to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers.

(5) "Commercial learner's permit" (CLP) means a permit issued under RCW 46.25.052 for the purposes of behind-the-wheel training.

(6) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(a) Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a [any] towed unit [or units] with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds or more), whichever is greater; or

(b) Has a gross vehicle weight rating or gross vehicle weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater; or

(c) Is designed to transport sixteen or more passengers, including the driver; or

(d) Is of any size and is used in the transportation of hazardous materials as defined in this section; or

(e) Is a school bus regardless of weight or size.

(7) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, entry into a deferred prosecution program under chapter 10.05 RCW, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(8) "Disqualification" means a prohibition against driving a commercial motor vehicle.

(9) "Drive" means to drive, operate, or be in physical control of a motor vehicle in any place open to the general public for purposes of vehicular traffic. For purposes of RCW 46.25.100, 46.25.110, and 46.25.120, "drive" includes operation or physical control of a motor vehicle anywhere in the state.

(10) "Drugs" are those substances as defined by RCW 69.04.009, including, but not limited to, those substances defined by 49 C.F.R. Sec. 40.3.

(11) "Employer" means any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle, or assigns a person to drive a commercial motor vehicle.

(12) "Gross vehicle weight rating" (GVWR) means the value specified by the manufacturer as the maximum loaded weight of a single vehicle. The GVWR of a combination or articulated vehicle, commonly referred to as the "gross combined weight rating" or GCWR, is the GVWR of the power unit plus the GVWR of the towed unit or units. If the GVWR of any unit cannot be determined, the actual gross weight will be used. If a vehicle with a GVWR of less than 11,794 kilograms (26,001 pounds or less) has been structurally modified to carry a heavier load, then the actual gross weight capacity of the modified vehicle, as determined by RCW 46.44.041 and 46.44.042, will be used as the GVWR.

(13) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. Sec. 5103 and is required to be placarded under subpart F of 49 C.F.R. Part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. Part 73.

(14) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, or any other vehicle required to be registered under the laws of this state, but does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(15) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a

driver, a commercial motor vehicle, or a motor carrier operation is out-of-service pursuant to 49 C.F.R. Secs. 386.72, 392.5, 395.13, 396.9, or compatible laws, or the North American uniform out-of-service criteria.

(16) "Positive alcohol confirmation test" means an alcohol confirmation test that:

(a) Has been conducted by a breath alcohol technician under 49 C.F.R. Part 40; and

(b) Indicates an alcohol concentration of 0.04 or more.

A report that a person has refused an alcohol test, under circumstances that constitute the refusal of an alcohol test under 49 C.F.R. Part 40, will be considered equivalent to a report of a positive alcohol confirmation test for the purposes of this chapter.

(17) "School bus" means a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier.

(18) "Serious traffic violation" means:

(a) Excessive speeding, defined as fifteen miles per hour or more in excess of the posted limit;

(b) Reckless driving, as defined under state or local law;

(c) Driving while using a ~~((handheld wireless communications device [handheld mobile telephone], defined as a violation of RCW 46.61.667(1)(b))~~ personal electronic device, defined as a violation of section 1 of this act, which includes in the activities it prohibits driving while holding a personal electronic device in either or both hands and using a hand or finger for texting, or an equivalent administrative rule or local law, ordinance, rule, or resolution;

(d) ~~((Texting, defined as a violation of RCW 46.61.668(1)(b) or an equivalent administrative rule or local law, ordinance, rule, or resolution;~~

~~(e))~~ A violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death to any person;

~~((f))~~ (e) Driving a commercial motor vehicle without obtaining a commercial driver's license;

~~((g))~~ (f) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession; however, any individual who provides proof to the court by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, is not guilty of a "serious traffic violation";

~~((h))~~ (g) Driving a commercial motor vehicle without the proper class of commercial driver's license endorsement or endorsements for the specific vehicle group being operated or for the passenger or type of cargo being transported; and

~~((i))~~ (h) Any other violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, that the department determines by rule to be serious.

(19) "State" means a state of the United States and the District of Columbia.

(20) "Substance abuse professional" means an alcohol and drug specialist meeting the credentials, knowledge, training, and continuing education requirements of 49 C.F.R. Sec. 40.281.

(21) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of one thousand gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle.

(22) "Type of driving" means one of the following:

(a) "Nonexcepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, is both subject to and meets the qualification requirements under 49 C.F.R. Part 391 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this

section, and is required to obtain a medical examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(b) "Excepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. Secs. 390.3(f), 391.2, 391.68, or 398.3, as they existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, from all or parts of the qualification requirements of 49 C.F.R. Part 391 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is therefore not required to obtain a medical examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on July 8, 2014, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(c) "Nonexcepted intrastate," which means the CDL or CLP holder or applicant operates only in intrastate commerce and is therefore subject to state driver qualification requirements; or

(d) "Excepted intrastate," which means the CDL or CLP holder or applicant operates in intrastate commerce, but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements.

(23) "United States" means the fifty states and the District of Columbia.

(24) "Verified positive drug test" means a drug test result or validity testing result from a laboratory certified under the authority of the federal department of health and human services that:

(a) Indicates a drug concentration at or above the cutoff concentration established under 49 C.F.R. Sec. 40.87; and

(b) Has undergone review and final determination by a medical review officer.

A report that a person has refused a drug test, under circumstances that

constitute the refusal of a federal department of transportation drug test under 49 C.F.R. Part 40, will be considered equivalent to a report of a verified positive drug test for the purposes of this chapter.

NEW SECTION. **Sec. 5.** This act takes effect January 1, 2019."

Correct the title.

Representative Farrell spoke in favor of the adoption of the striking amendment (565).

Representative Orcutt spoke against the adoption of the striking amendment (565).

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 49 - YEAS; 48 - NAYS.

Amendment (565) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Farrell and Hayes spoke in favor of the passage of the bill, as amended by the House.

Representative Orcutt spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5289, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5289, as amended by the House, and the bill passed the House by the following vote: Yeas, 61; Nays, 36; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Vick, Wylie, Young and Mr. Speaker.\par Voting nay: Representatives Bergquist, Blake, Buys, Caldier, Chandler, Condotta, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Holy, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Muri, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Volz, J. Walsh and Wilcox.\par Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5289, as amended by the House, having received the necessary constitutional majority, was declared passed.

With the consent of the House, SUBSTITUTE SENATE BILL NO. 5289 was immediately transmitted to the Senate.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1038
 SUBSTITUTE HOUSE BILL NO. 1055
 SUBSTITUTE HOUSE BILL NO. 1079
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1115
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1136
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1163
 SECOND SUBSTITUTE HOUSE BILL NO. 1170
 SUBSTITUTE HOUSE BILL NO. 1183
 SUBSTITUTE HOUSE BILL NO. 1184
 SUBSTITUTE HOUSE BILL NO. 1200
 SUBSTITUTE HOUSE BILL NO. 1273
 SUBSTITUTE HOUSE BILL NO. 1275
 SUBSTITUTE HOUSE BILL NO. 1279
 SUBSTITUTE HOUSE BILL NO. 1314
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1358
 SECOND SUBSTITUTE HOUSE BILL NO. 1402
 SUBSTITUTE HOUSE BILL NO. 1464
 SUBSTITUTE HOUSE BILL NO. 1467
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594
 ENGROSSED HOUSE BILL NO. 1595
 SUBSTITUTE HOUSE BILL NO. 1605
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1612
 SUBSTITUTE HOUSE BILL NO. 1641
 SUBSTITUTE HOUSE BILL NO. 1867
 ENGROSSED HOUSE BILL NO. 2005
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2126

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 19, 2017

Mr. Speaker:

The Senate insists on its position in the House amendment to ENGROSSED SENATE BILL NO. 5096 and asks the House for a Conference thereon. The President has

appointed the following members as Conferees: Senators King, Hobbs and Sheldon,

and the same is herewith transmitted.

Pablo S. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House granted the Senate's request for a Conference on ENGROSSED SENATE BILL NO. 5096. The Speaker appointed the following members as Conferees: Representatives Clibborn, Orcutt and Fey.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2200, by Representatives Hansen, Taylor, Smith, Buys, Harmsworth, Graves, Maycumber, J. Walsh, Kraft, Haler, Condotta, Nealey, Bergquist, Steele, Van Werven, Stonier, Macri, Farrell, Cody, Slatter, Tarleton, Senn, Kagi, Pollet, Frame, Chapman, Dye, Hudgins, Stanford, Reeves, Dent, Hayes, Ryu, Peterson, Sells, Kloba, Santos, Johnson, Fitzgibbon, Holy, Ormsby, Caldier, Sawyer, Wylie, Hargrove, Kilduff, Blake, Orcutt, Gregerson, Young, Appleton, Shea, Koster, Morris, Tharinger, Irwin, Muri, Schmick, Volz, Goodman, Clibborn, McCaslin, Pellicciotti, Doglio, Jinkins, Dolan, Kirby, Sullivan, Lytton, Kretz, Riccelli, Rodne, McBride, McCabe and Pettigrew

Protecting the privacy and security of internet users.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2200 was substituted for House Bill No. 2200 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2200 was read the second time.

Representative Manweller moved the adoption of amendment (560):

Strike everything after the enacting clause and insert the following:

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

(1) "Broadband internet access service" or "BIAS" means a mass market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and

enable the operation of the communications service, but excluding dial-up internet access service. This term also encompasses any service that the federal communications commission finds to be providing a functional equivalent of the service described in this subsection.

(2) "Broadband internet access service provider" or "BIAS provider" means a person engaged in the provision of BIAS.

(3) "Customer" means: (a) A current or former subscriber to a BIAS; or (b) an applicant for a BIAS.

(4) "Customer proprietary information" means any of the following a BIAS provider acquires in connection with its provision of BIAS:

- (a) Content of communication;
- (b) Call detail information;
- (c) Financial information;
- (d) Health information;
- (e) Information pertaining to children;
- (f) Social security numbers;
- (g) Precise geolocation information;
- (h) Web browsing history, application usage history, and the functional equivalents of either; and
- (i) Other personally identifiable information, which consists of any information that is linked or reasonably linkable to an individual or device.

(5) "Opt-in approval" means affirmative, express customer consent to an activity under section 2 of this act, after the customer is provided appropriate notification.

NEW SECTION. Sec. 2. (1) Except with the opt-in approval of the customer, a BIAS provider may not:

(a) Sell or transfer customer proprietary information; or

(b) Send or display to a customer an advertisement selected to be sent or displayed based on the customer's proprietary information.

(2) A BIAS provider must solicit the approval required under subsection (1) of this section at the point of sale. A BIAS provider must obtain new approval for any changes in the actions described in subsection (1) of this section, if those changes are inconsistent with the terms or

conditions provided at the time of prior customer approval.

(3) A BIAS provider must provide access to a mechanism that is reasonably designed to be readily available and understandable for a customer to grant, deny, or withdraw approval for the BIAS provider to take any of the actions described in subsection (1) of this section. The exact notice and mechanism to obtain opt-in approval or to deny or withdraw that approval is context dependent.

(4) For the purposes of this section, "transfer" does not include the use or disclosure of customer proprietary information for the provision of internet access service from which such information is derived or the provision of services necessary to, or used in, the provision of such services.

(5) Subsection (1)(a) of this section does not apply to the sale or transfer of customer proprietary information as part of any merger, acquisition, sale of company assets, or transition of service to another provider.

NEW SECTION. Sec. 3. (1) A BIAS provider must not condition, or effectively condition, provision of BIAS on a customer's agreement to waive privacy rights guaranteed by law or rule, including this chapter. A BIAS provider must not terminate service or otherwise refuse to provide BIAS as a direct or indirect consequence of a customer's refusal to waive any such privacy rights.

(2) A BIAS provider that offers a financial incentive in exchange for any customer approvals described in section 2(1) of this act must provide the customer with the terms and conditions of the use of the customer proprietary information, including the type of information sought, the purposes of its use, and the categories of entities to which the information may be disclosed.

(3) For any customer that has agreed to participate in a financial incentive program as described in subsection (2) of this section, a BIAS provider must provide access to a mechanism for customers to withdraw participation from such a program at any time.

NEW SECTION. Sec. 4. The utilities and transportation commission is authorized to adopt rules, consistent with the purposes of this chapter, that do either or both of the following:

(1) Further define the definitions in section 1 of this act; and

(2) Prescribe appropriate notice and the form of such a notice to be provided to customers under sections 2 and 3 of this act.

NEW SECTION. **Sec. 5.** The legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

NEW SECTION. **Sec. 6.** The consumer privacy and security account is created in the state treasury. All receipts from recoveries by the office of the attorney general for lawsuits related to the consumer protection act under the provisions of this chapter, or otherwise designated to this account, must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for costs incurred by the office of the attorney general in the administration and enforcement of this chapter.

NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act expire upon determination by the utilities and transportation commission that the federal government has established BIAS customer protections standards substantially equivalent to the levels of protection provided in this chapter. The utilities and transportation commission must provide notice of the expiration date of sections 1 through 6 of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the utilities and transportation commission.

NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act take effect December 31, 2018.

NEW SECTION. **Sec. 9.** Sections 1 through 7 of this act constitute a new chapter in Title 19 RCW."

Correct the title.

With the consent of the House, amendment (561) to the striking amendment (560) was withdrawn.

Representative Manweller moved the adoption of amendment (566) to the striking amendment (560):

On page 1, line 16 of the striking amendment, after "person" insert "or entity when"

On page 1, beginning on line 19 of the striking amendment, after "information" strike all material through "device" on line 32 and insert "or "customer PI" means personally identifiable sensitive information consisting of a customer's social security number, health information, information pertaining to children, financial information, precise geolocation information, or web browsing history or application usage history of a customer that includes any of the foregoing information listed in this definition that a BIAS provider acquires through its provision of BIAS"

On page 2, beginning on line 1 of the striking amendment, after "means" strike all material through "notification" on line 3 and insert "a customer's affirmative, express consent"

On page 2, beginning on line 4 of the striking amendment, after "(1)" strike all material through "act" on page 3, line 13, and insert "A BIAS provider may not sell customer proprietary information to third parties for their own purposes except with the opt-in approval of the customer.

(2) A BIAS provider must provide customers with access to a mechanism to grant or withdraw any opt-in approval for the BIAS provider to sell their customer proprietary information"

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

On page 3, beginning on line 31 of the striking amendment, after "**Sec. 7.**" strike all material through "2018" on page 4, line 6 and insert "Sections 1 through 4 of this act take effect March 1, 2019, if upon that date the utilities and transportation commission determines both of the following: 1) that the federal government has not established BIAS customer protections standards substantially equivalent to the levels of protection provided in this act; and 2) that broadband internet access service has not been classified as an information

service by the federal communications commission and there has been no other federal action granting either the federal trade commission or the federal communications commission authority to bring an enforcement action against broadband internet access service providers for the provision of broadband internet access service under section 5 of the federal trade commission act of 1914, as amended (15 U.S.C. Sec. 45), or under the Communications Act of 1934, as amended. The utilities and transportation commission must provide notice of the effective date of sections 1 through 4 of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the utilities and transportation commission."

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

On page 4, line 7, after "through" strike "7" and insert "4"

Representatives Manweller, Irwin and Irwin (again) spoke in favor of the adoption of the amendment (566) to the striking amendment (560).

Representative Morris spoke against the adoption of the amendment (566) to the striking amendment (560).

Amendment (566) to the striking amendment (560) was not adopted.

Representative Vick moved the adoption of amendment (567) to the striking amendment (560):

On page 2, line 1 of the amendment, after "(5)" insert "'Edge service" means any content, application, or service over the internet, or any device used for accessing any content, application, or service over the internet.

(6) "Edge service provider" means a publicly traded company and any privately held business with more than ten million dollars in gross revenue engaged in the provision of edge services.

(7) "Online service" means broadband internet access service or edge service.

(8) "

On page 2, after line 3 of the amendment, insert the following:

"(6) "Provider" means a person engaged in the provision of broadband internet access service or edge services."

On page 2, line 5 of the amendment, after "a" strike "BIAS"

On page 2, line 9 of the amendment, after "A" strike "BIAS"

On page 2, line 10 of the amendment, after "A" strike "BIAS"

On page 2, line 15 of the amendment, after "A" strike "BIAS"

On page 2, line 17 of the amendment, after "for the" strike "BIAS"

On page 2, line 30 of the amendment, after "A" strike "BIAS"

On page 2, line 31 of the amendment, after "provision of" strike "BIAS" and insert "online services"

On page 2, line 33 of the amendment, after "A" strike "BIAS"

On page 2, line 34 of the amendment, after "provide" strike "BIAS" and insert "online services"

On page 2, line 36 of the amendment, after "A" strike "BIAS"

On page 3, line 6 of the amendment, after "section, a" strike "BIAS"

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (567) to the striking amendment (560) to Substitute House Bill No. 2200.

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *Substitute House Bill 2200 regulates the sale and transfer of customer information and the display of advertising by broadband internet access providers.*

Amendment 567 regulates a different type of entity that does not provide broadband internet access services.

The Speaker therefore finds and rules that the amendment is beyond the scope and object of the bill.

The point of order is well taken.

Amendment (567) to the striking amendment (560) was not adopted.

Representative Hansen moved the adoption of amendment (562) to the striking amendment (560).

On page 2, line 28 of the striking amendment, after "sale of"

insert "all, or substantially all,"

Representatives Hansen and Smith spoke in favor of the adoption of the amendment (562) to the striking amendment (560).

Amendment (562) to the striking amendment (560) was adopted.

Representative Morris moved the adoption of amendment (563) to the striking amendment (560).

On page 3, line 17 of the striking amendment, after "RCW." strike

"A violation of this chapter" and insert "Notwithstanding the

provisions of RCW 19.86.170, a violation of this chapter, including

the violation of any rule adopted by the utilities and transportation

commission pursuant to section 4 of this act,"

On page 3, line 21 of the striking amendment, after "RCW." insert

"A violation of this chapter by a public service company providing

broadband internet access service may be subject to enforcement by the

utilities and transportation commission under Title 80 RCW."

Representatives Morris and Smith spoke in favor of the adoption of the amendment (563) to the striking amendment (560).

Amendment (563) to the striking amendment (560) was adopted.

Representatives Manweller and Morris spoke in favor of the adoption of the striking amendment (560) as amended.

Amendment (560), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen, Smith, Morris, Harmsworth and McDonald spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2200.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2200, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Dent, Jenkin, Johnson, Koster, Kristiansen, Nealey, Stokesbary, Vick and Wilcox.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Riccelli to preside.

There being no objection, the House advanced to the seventh order of business.

MESSAGE FROM THE SENATE

April 19, 2017

Mr. Speaker:

The Senate insists on its position in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5131 and asks the House for a Conference thereon. The President has appointed the following members as Conferees: Senators Rivers, Keiser and Baumgartner.

and the same is herewith transmitted.

Pablo S Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House granted the Senate's request for a Conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 5131. The Speaker appointed the following members as Conferees: Representatives Sawyer, Springer and Schmick.

There being no objection, the House adjourned until 10:00 a.m., April 20, 2017, the 102nd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

ONE HUNDRED SECOND DAY

House Chamber, Olympia, Thursday, April 20, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Devon Michaels and Kale Jeg. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rabbi Seth Goldstein, Temple Beth Hatfiloh, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of SENATE CONCURRENT RESOLUTION NO. 8401 and the bill was placed on the second reading calendar:

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

MOTION

There being no objection, the Committee on Rules was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 5810 and the bill was placed on the second reading calendar:

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

April 19, 2017

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SENATE BILL NO. 5867,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 19, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5100,
 SENATE BILL NO. 5336,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5338,
 SENATE BILL NO. 5436,
 SENATE BILL NO. 5437,
 ENGROSSED SENATE BILL NO. 5647,
 SENATE BILL NO. 5778,
 SUBSTITUTE SENATE BILL NO. 5790,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 19, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1086,
 HOUSE BILL NO. 1091,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105,
 HOUSE BILL NO. 1150,
 HOUSE BILL NO. 1250,
 HOUSE BILL NO. 1278,
 SUBSTITUTE HOUSE BILL NO. 1444,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1481,
 SUBSTITUTE HOUSE BILL NO. 1520,
 ENGROSSED HOUSE BILL NO. 1648,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1814,
 SUBSTITUTE HOUSE BILL NO. 1845,
 HOUSE BILL NO. 1906,
 ENGROSSED HOUSE BILL NO. 1924,
 SUBSTITUTE HOUSE BILL NO. 1944,
 HOUSE BILL NO. 1983,
 SUBSTITUTE HOUSE BILL NO. 1988,
 ENGROSSED HOUSE BILL NO. 2003,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2010,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 19, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5035,
 SENATE BILL NO. 5049,
 SENATE BILL NO. 5119,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5173,
 SENATE BILL NO. 5274,

SECOND SUBSTITUTE SENATE BILL NO. 5285,
 SENATE BILL NO. 5391,
 SUBSTITUTE SENATE BILL NO. 5402,
 SUBSTITUTE SENATE BILL NO. 5404,
 SENATE BILL NO. 5454,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5470,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5552,
 SENATE BILL NO. 5581,
 SUBSTITUTE SENATE BILL NO. 5618,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5628,
 SENATE BILL NO. 5632,
 SENATE BILL NO. 5635,
 SUBSTITUTE SENATE BILL NO. 5644,
 SENATE BILL NO. 5661,
 ENGROSSED SENATE BILL NO. 5665,
 SENATE BILL NO. 5691,
 SUBSTITUTE SENATE BILL NO. 5705,
 SUBSTITUTE SENATE BILL NO. 5713,
 SENATE BILL NO. 5715,
 SUBSTITUTE SENATE BILL NO. 5779,
 SUBSTITUTE SENATE BILL NO. 5806,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5808,
 ENGROSSED SENATE BILL NO. 5834,
 SENATE BILL NO. 5849,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 19, 2017

MR. SPEAKER:

The Senate receded from its amendment(s) to
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1547, and
 passed the bill without said amendments.

Hunter G. Goodman, Secretary

April 19, 2017

MR. SPEAKER:

The Senate receded from its amendment(s) to HOUSE
 BILL NO. 1718, and passed the bill without said
 amendments.

Hunter G. Goodman, Secretary

April 19, 2017

MR. SPEAKER:

The Senate receded from its amendment(s) to
 SUBSTITUTE HOUSE BILL NO. 1902, and passed the bill
 without said amendments.

Hunter G. Goodman, Secretary

April 19, 2017

MR. SPEAKER:

The Senate receded from its amendment(s) to HOUSE
 BILL NO. 1337, and passed the bill without said
 amendments.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the
 fourth order of business.

INTRODUCTION & FIRST READING

HB 2204 by Representatives Fey and Muri

AN ACT Relating to registration of land titles; creating
 new sections; repealing RCW 65.12.005, 65.12.010,
 65.12.015, 65.12.020, 65.12.025, 65.12.030, 65.12.035,
 65.12.040, 65.12.050, 65.12.055, 65.12.060, 65.12.065,
 65.12.070, 65.12.080, 65.12.085, 65.12.090, 65.12.100,
 65.12.110, 65.12.120, 65.12.125, 65.12.130, 65.12.135,
 65.12.140, 65.12.145, 65.12.150, 65.12.155, 65.12.160,
 65.12.165, 65.12.170, 65.12.175, 65.12.180, 65.12.190,
 65.12.195, 65.12.200, 65.12.210, 65.12.220, 65.12.225,
 65.12.230, 65.12.235, 65.12.240, 65.12.245, 65.12.250,
 65.12.255, 65.12.260, 65.12.265, 65.12.270, 65.12.275,
 65.12.280, 65.12.290, 65.12.300, 65.12.310, 65.12.320,
 65.12.330, 65.12.340, 65.12.350, 65.12.360, 65.12.370,
 65.12.375, 65.12.380, 65.12.390, 65.12.400, 65.12.410,
 65.12.420, 65.12.430, 65.12.435, 65.12.440, 65.12.445,
 65.12.450, 65.12.460, 65.12.470, 65.12.480, 65.12.490,
 65.12.500, 65.12.510, 65.12.520, 65.12.530, 65.12.540,
 65.12.550, 65.12.560, 65.12.570, 65.12.580, 65.12.590,
 65.12.600, 65.12.610, 65.12.620, 65.12.630, 65.12.635,
 65.12.640, 65.12.650, 65.12.660, 65.12.670, 65.12.680,
 65.12.690, 65.12.700, 65.12.710, 65.12.720, 65.12.730,
 65.12.740, 65.12.750, 65.12.760, 65.12.770, 65.12.780,
 65.12.790, 65.12.800, and 65.12.900; and providing an
 effective date.

Referred to Committee on Judiciary.

HB 2205 by Representatives Bergquist, Muri, Stanford and
 Gregerson

AN ACT Relating to increasing the dependability and
 program demand of the guaranteed education tuition
 and Washington college savings programs; amending
 RCW 28B.95.030; providing an effective date; and
 declaring an emergency.

Referred to Committee on Higher Education.

There being no objection, the bills listed on the day's
 introduction sheet under the fourth order of business were
 referred to the committees so designated.

There being no objection, the House advanced to the
 sixth order of business.

SECOND READING

**HOUSE BILL NO. 1309, by Representatives Steele,
 Chapman, Kretz and Condotta**

**Concerning removal of land from the current use
 property tax classification due to certain natural
 disasters.**

The bill was read the second time.

Representative Steele moved the adoption of the striking amendment (277):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) This section is the tax preference performance statement for the tax preference contained in section 4(15), chapter . . ., Laws of 2017 (section 4(15) of this act). This preference statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief as indicated in RCW 82.32.808(2)(e), to grant land removed from the designated forestland due to natural disaster an exemption from compensating tax.

(3) The joint legislative audit and review committee must review the revenue impact attributable to the tax exemption in section 4(15), chapter . . ., Laws of 2017 (section 4(15) of this act), by county and statewide. In order to obtain the data necessary to perform the review, the joint legislative audit and review committee may refer to data sources including county assessor records and information from the department of revenue.

NEW SECTION. Sec. 2. (1) The legislature intends section 3 of this act to clarify that land removed from the current use classification due to wildfire, rather than by virtue of an act of the landowner changing the use of the property, is not subject to additional tax, applicable interest, and penalty, as provided in RCW 84.34.108(6)(c). The section clarifies an ambiguity in current law and therefore is exempt from the provisions of RCW 82.32.805.

(2) The automatic expiration date provisions of RCW 82.32.805(1)(a) do not apply to section 3 of this act.

Sec. 3. RCW 84.34.108 and 2014 c 97 s 311 and 2014 c 58 s 28 are each reenacted and amended to read as follows:

(1) When land has once been classified under this chapter, a notation of the classification must be made each year upon

the assessment and tax rolls and the land must be valued pursuant to RCW 84.34.060 or 84.34.065 until removal of all or a portion of the classification by the assessor upon occurrence of any of the following:

(a) Receipt of notice from the owner to remove all or a portion of the classification;

(b) Sale or transfer to an ownership, except a transfer that resulted from a default in loan payments made to or secured by a governmental agency that intends to or is required by law or regulation to resell the property for the same use as before, making all or a portion of the land exempt from ad valorem taxation;

(c) Sale or transfer of all or a portion of the land to a new owner, unless the new owner has signed a notice of classification continuance, except transfer to an owner who is an heir or devisee of a deceased owner or transfer by a transfer on death deed does not, by itself, result in removal of classification. The notice of continuance must be on a form prepared by the department. If the notice of continuance is not signed by the new owner and attached to the real estate excise tax affidavit, all additional taxes, applicable interest, and penalty calculated pursuant to subsection (4) of this section become due and payable by the seller or transferor at time of sale. The auditor may not accept an instrument of conveyance regarding classified land for filing or recording unless the new owner has signed the notice of continuance or the additional tax, applicable interest, and penalty has been paid, as evidenced by the real estate excise tax stamp affixed thereto by the treasurer. The seller, transferor, or new owner may appeal the new assessed valuation calculated under subsection (4) of this section to the county board of equalization in accordance with the provisions of RCW 84.40.038. Jurisdiction is hereby conferred on the county board of equalization to hear these appeals;

(d)(i) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that all or a portion of the land no longer meets the criteria for classification under this chapter. The criteria for classification pursuant to this chapter continue to apply after classification has been granted.

(ii) The granting authority, upon request of an assessor, must provide reasonable assistance to the assessor in making a determination whether the land continues to meet the qualifications of RCW 84.34.020 (1) or (3). The assistance must be provided within thirty days of receipt of the request.

(2) Land may not be removed from classification because of:

(a) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or

(b) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

(3) Within thirty days after the removal of all or a portion of the land from current use classification under subsection (1) of this section, the assessor must notify the owner in writing, setting forth the reasons for the removal. The seller, transferor, or owner may appeal the removal to the county board of equalization in accordance with the provisions of RCW 84.40.038. The removal notice must explain the steps needed to appeal the removal decision, including when a notice of appeal must be filed, where the forms may be obtained, and how to contact the county board of equalization.

(4) Unless the removal is reversed on appeal, the assessor must revalue the affected land with reference to its true and fair value on January 1st of the year of removal from classification. Both the assessed valuation before and after the removal of classification must be listed and taxes must be allocated according to that part of the year to which each assessed valuation applies. Except as provided in subsection (6) of this section, an additional tax, applicable interest, and penalty must be imposed, which are due and payable to the treasurer thirty days after the owner is notified of the amount of the additional tax, applicable interest, and penalty. As soon as possible, the assessor must compute the amount of additional tax, applicable interest, and penalty and the treasurer must mail notice to the owner of the amount thereof and the date on which payment is due. The amount of the additional tax, applicable interest, and penalty must be determined as follows:

(a) The amount of additional tax is equal to the difference between the

property tax paid as "open space land," "farm and agricultural land," or "timberland" and the amount of property tax otherwise due and payable for the seven years last past had the land not been so classified;

(b) The amount of applicable interest is equal to the interest upon the amounts of the additional tax paid at the same statutory rate charged on delinquent property taxes from the dates on which the additional tax could have been paid without penalty if the land had been assessed at a value without regard to this chapter;

(c) The amount of the penalty must be as provided in RCW 84.34.080. The penalty may not be imposed if the removal satisfies the conditions of RCW 84.34.070.

(5) Additional tax, applicable interest, and penalty become a lien on the land that attaches at the time the land is removed from classification under this chapter and have priority to and must be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the land may become charged or liable. This lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. Any additional tax unpaid on the due date (~~are is~~) is delinquent as of the due date. From the date of delinquency until paid, interest must be charged at the same rate applied by law to delinquent ad valorem property taxes.

(6) The additional tax, applicable interest, and penalty specified in subsection (4) of this section may not be imposed if the removal of classification pursuant to subsection (1) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other land located within the state of Washington;

(b) (i) A taking through the exercise of the power of eminent domain, or (ii) sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power, said entity having manifested its intent in writing or by other official action;

(c) A natural disaster such as a flood, windstorm, earthquake, wildfire, or other such calamity rather than by virtue of the

act of the landowner changing the use of the property;

(d) Official action by an agency of the state of Washington or by the county or city within which the land is located which disallows the present use of the land;

(e) Transfer of land to a church when the land would qualify for exemption pursuant to RCW 84.36.020;

(f) Acquisition of property interests by state agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections. At such time as these property interests are not used for the purposes enumerated in RCW 84.34.210 and 64.04.130 the additional tax specified in subsection (4) of this section must be imposed;

(g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(f);

(h) Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification;

(i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;

(j) The creation, sale, or transfer of a conservation easement of private forestlands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;

(k) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as classified forestland, designated as forestland under chapter 84.33 RCW, or classified under this chapter continuously since 1993. The date of death shown on a death certificate is the date used for the purposes of this subsection (6)(k); or

(l)(i) The discovery that the land was classified under this chapter in error through no fault of the owner. For purposes of this subsection (6)(l), "fault" means a knowingly false or misleading statement, or other act or omission not in good faith, that contributed to the approval of classification under this chapter or the

failure of the assessor to remove the land from classification under this chapter.

(ii) For purposes of this subsection (6), the discovery that land was classified under this chapter in error through no fault of the owner is not the sole reason for removal of classification pursuant to subsection (1) of this section if an independent basis for removal exists. Examples of an independent basis for removal include the owner changing the use of the land or failing to meet any applicable income criteria required for classification under this chapter.

Sec. 4. RCW 84.33.140 and 2014 c 137 s 3, 2014 c 97 s 309, and 2014 c 58 s 27 are each reenacted and amended to read as follows:

(1) When land has been designated as forestland under RCW 84.33.130, a notation of the designation must be made each year upon the assessment and tax rolls. A copy of the notice of approval together with the legal description or assessor's parcel numbers for the land must, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded.

(2) In preparing the assessment roll as of January 1, 2002, for taxes payable in 2003 and each January 1st thereafter, the assessor must list each parcel of designated forestland at a value with respect to the grade and class provided in this subsection and adjusted as provided in subsection (3) of this section. The assessor must compute the assessed value of the land using the same assessment ratio applied generally in computing the assessed value of other property in the county. Values for the several grades of bare forestland are as follows:

LAND GRADE	OPERABILITY CLASS	VALUES PER ACRE
	1	\$234
1	2	229
	3	217
	4	157
	1	198
2	2	190
	3	183
	4	132
	1	154
3	2	149

	3	148
	4	113
	1	117
4	2	114
	3	113
	4	86
	1	85
5	2	78
	3	77
	4	52
	1	43
6	2	39
	3	39
	4	37
	1	21
7	2	21
	3	20
	4	20
8		1

comparing the resultant values calculated under (a) and (b) of this subsection.

(4) For the adjustments to be made on or before December 31, 2002, and each succeeding year thereafter, the same procedure described in subsection (3) of this section must be followed using harvester excise tax returns filed under RCW 84.33.074. However, this adjustment must be made to the prior year's adjusted value, and the five-year periods for calculating average harvested timber values must be successively one year more recent.

(5) Land graded, assessed, and valued as forestland must continue to be so graded, assessed, and valued until removal of designation by the assessor upon the occurrence of any of the following:

(a) Receipt of notice of request to withdraw land classified under RCW 84.34.020(3) within two years before the date of the merger under RCW 84.34.400. Land previously classified under chapter 84.34 RCW will be removed under the provisions of this chapter when two assessment years have passed following receipt of the notice as described in RCW 84.34.070(1);

(b) Receipt of notice from the owner to remove the designation;

(c) Sale or transfer to an ownership making the land exempt from ad valorem taxation;

(d) Sale or transfer of all or a portion of the land to a new owner, unless the new owner has signed a notice of forestland designation continuance, except transfer to an owner who is an heir or devisee of a deceased owner or transfer by a transfer on death deed, does not, by itself, result in removal of designation. The signed notice of continuance must be attached to the real estate excise tax affidavit provided for in RCW 82.45.150. The notice of continuance must be on a form prepared by the department. If the notice of continuance is not signed by the new owner and attached to the real estate excise tax affidavit, all compensating taxes calculated under subsection (11) of this section are due and payable by the seller or transferor at time of sale. The auditor may not accept an instrument of conveyance regarding designated forestland for filing or recording unless the new owner has signed the notice of continuance or the compensating tax has been paid, as evidenced by the real estate excise tax stamp affixed thereto by the treasurer.

(3) On or before December 31, 2001, the department must adjust by rule under chapter 34.05 RCW, the forestland values contained in subsection (2) of this section in accordance with this subsection, and must certify the adjusted values to the assessor who will use these values in preparing the assessment roll as of January 1, 2002. For the adjustment to be made on or before December 31, 2001, for use in the 2002 assessment year, the department must:

(a) Divide the aggregate value of all timber harvested within the state between July 1, 1996, and June 30, 2001, by the aggregate harvest volume for the same period, as determined from the harvester excise tax returns filed with the department under RCW 84.33.074; and

(b) Divide the aggregate value of all timber harvested within the state between July 1, 1995, and June 30, 2000, by the aggregate harvest volume for the same period, as determined from the harvester excise tax returns filed with the department under RCW 84.33.074; and

(c) Adjust the forestland values contained in subsection (2) of this section by a percentage equal to one-half of the percentage change in the average values of harvested timber reflected by

The seller, transferor, or new owner may appeal the new assessed valuation calculated under subsection (11) of this section to the county board of equalization in accordance with the provisions of RCW 84.40.038. Jurisdiction is hereby conferred on the county board of equalization to hear these appeals;

(e) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that:

(i) The land is no longer primarily devoted to and used for growing and harvesting timber. However, land may not be removed from designation if a governmental agency, organization, or other recipient identified in subsection (13) or (14) of this section as exempt from the payment of compensating tax has manifested its intent in writing or by other official action to acquire a property interest in the designated forestland by means of a transaction that qualifies for an exemption under subsection (13) or (14) of this section. The governmental agency, organization, or recipient must annually provide the assessor of the county in which the land is located reasonable evidence in writing of the intent to acquire the designated land as long as the intent continues or within sixty days of a request by the assessor. The assessor may not request this evidence more than once in a calendar year;

(ii) The owner has failed to comply with a final administrative or judicial order with respect to a violation of the restocking, forest management, fire protection, insect and disease control, and forest debris provisions of Title 76 RCW or any applicable rules under Title 76 RCW; or

(iii) Restocking has not occurred to the extent or within the time specified in the application for designation of such land.

(6) Land may not be removed from designation if there is a governmental restriction that prohibits, in whole or in part, the owner from harvesting timber from the owner's designated forestland. If only a portion of the parcel is impacted by governmental restrictions of this nature, the restrictions cannot be used as a basis to remove the remainder of the forestland from designation under this chapter. For the purposes of this section, "governmental restrictions" includes: (a) Any law, regulation, rule, ordinance,

program, or other action adopted or taken by a federal, state, county, city, or other governmental entity; or (b) the land's zoning or its presence within an urban growth area designated under RCW 36.70A.110.

(7) The assessor has the option of requiring an owner of forestland to file a timber management plan with the assessor upon the occurrence of one of the following:

(a) An application for designation as forestland is submitted;

(b) Designated forestland is sold or transferred and a notice of continuance, described in subsection (5)(d) of this section, is signed; or

(c) The assessor has reason to believe that forestland sized less than twenty acres is no longer primarily devoted to and used for growing and harvesting timber. The assessor may require a timber management plan to assist with determining continuing eligibility as designated forestland.

(8) If land is removed from designation because of any of the circumstances listed in subsection (5)(a) through (d) of this section, the removal applies only to the land affected. If land is removed from designation because of subsection (5)(e) of this section, the removal applies only to the actual area of land that is no longer primarily devoted to the growing and harvesting of timber, without regard to any other land that may have been included in the application and approved for designation, as long as the remaining designated forestland meets the definition of forestland contained in RCW 84.33.035.

(9) Within thirty days after the removal of designation as forestland, the assessor must notify the owner in writing, setting forth the reasons for the removal. The seller, transferor, or owner may appeal the removal to the county board of equalization in accordance with the provisions of RCW 84.40.038.

(10) Unless the removal is reversed on appeal a copy of the notice of removal with a notation of the action, if any, upon appeal, together with the legal description or assessor's parcel numbers for the land removed from designation must, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded and a notation of removal from designation must immediately be made upon the assessment and tax rolls.

The assessor must revalue the land to be removed with reference to its true and fair value as of January 1st of the year of removal from designation. Both the assessed value before and after the removal of designation must be listed. Taxes based on the value of the land as forestland are assessed and payable up until the date of removal and taxes based on the true and fair value of the land are assessed and payable from the date of removal from designation.

(11) Except as provided (~~in subsection (5) (d), (13), or (14) of~~) otherwise in this section, a compensating tax is imposed on land removed from designation as forestland. The compensating tax is due and payable to the treasurer thirty days after the owner is notified of the amount of this tax. As soon as possible after the land is removed from designation, the assessor must compute the amount of compensating tax, and the treasurer must mail a notice to the owner of the amount of compensating tax owed and the date on which payment of this tax is due. The amount of compensating tax is equal to the difference between the amount of tax last levied on the land as designated forestland and an amount equal to the new assessed value of the land multiplied by the dollar rate of the last levy extended against the land, multiplied by a number, in no event greater than nine, equal to the number of years for which the land was designated as forestland, plus compensating taxes on the land at forestland values up until the date of removal and the prorated taxes on the land at true and fair value from the date of removal to the end of the current tax year.

(12) Compensating tax, together with applicable interest thereon, becomes a lien on the land, which attaches at the time the land is removed from designation as forestland and has priority and must be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the land may become charged or liable. The lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. Any compensating tax unpaid on its due date will thereupon become delinquent. From the date of delinquency until paid, interest is charged at the same rate applied by law to delinquent ad valorem property taxes.

(13) The compensating tax specified in subsection (11) of this section may not be imposed if the removal of designation under subsection (5) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other forestland located within the state of Washington;

(b) (i) A taking through the exercise of the power of eminent domain, or (ii) a sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power based on official action taken by the entity and confirmed in writing;

(c) A donation of fee title, development rights, or the right to harvest timber, to a government agency or organization qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections, or the sale or transfer of fee title to a governmental entity or a nonprofit nature conservancy corporation, as defined in RCW 64.04.130, exclusively for the protection and conservation of lands recommended for state natural area preserve purposes by the natural heritage council and natural heritage plan as defined in chapter 79.70 RCW or approved for state natural resources conservation area purposes as defined in chapter 79.71 RCW, or for acquisition and management as a community forest trust as defined in chapter 79.155 RCW. At such time as the land is not used for the purposes enumerated, the compensating tax specified in subsection (11) of this section is imposed upon the current owner;

(d) The sale or transfer of fee title to the parks and recreation commission for park and recreation purposes;

(e) Official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present use of the land;

(f) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;

(g) The creation, sale, or transfer of a conservation easement of private forestlands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;

(h) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the

land if the land has been assessed and valued as classified forestland, designated as forestland under this chapter, or classified under chapter 84.34 RCW continuously since 1993. The date of death shown on a death certificate is the date used for the purposes of this subsection (13) (h); or

(i) (i) The discovery that the land was designated under this chapter in error through no fault of the owner. For purposes of this subsection (13) (i), "fault" means a knowingly false or misleading statement, or other act or omission not in good faith, that contributed to the approval of designation under this chapter or the failure of the assessor to remove the land from designation under this chapter.

(ii) For purposes of this subsection (13), the discovery that land was designated under this chapter in error through no fault of the owner is not the sole reason for removal of designation under subsection (5) of this section if an independent basis for removal exists. An example of an independent basis for removal includes the land no longer being devoted to and used for growing and harvesting timber.

(14) In a county with a population of more than six hundred thousand inhabitants or in a county with a population of at least two hundred forty-five thousand inhabitants that borders Puget Sound as defined in RCW 90.71.010, the compensating tax specified in subsection (11) of this section may not be imposed if the removal of designation as forestland under subsection (5) of this section resulted solely from:

(a) An action described in subsection (13) of this section; or

(b) A transfer of a property interest to a government entity, or to a nonprofit historic preservation corporation or nonprofit nature conservancy corporation, as defined in RCW 64.04.130, to protect or enhance public resources, or to preserve, maintain, improve, restore, limit the future use of, or otherwise to conserve for public use or enjoyment, the property interest being transferred. At such time as the property interest is not used for the purposes enumerated, the compensating tax is imposed upon the current owner.

(15) Compensating tax authorized in this section may not be imposed on land removed from designation as forestland solely as a result of a natural disaster

such as a flood, windstorm, earthquake, wildfire, or other such calamity rather than by virtue of the act of the landowner changing the use of the property.

NEW SECTION. **Sec. 5.** Section 4 of this act expires January 1, 2028."

Correct the title.

Representatives Steele and Lytton spoke in favor of the adoption of the striking amendment (277).

Amendment (277) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Steele, Bergquist, Condotta, Riccelli, Harmsworth, Tharinger, Barkis and Wilcox spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representatives Caldier, DeBolt and McCaslin were excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1309.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Frame.

Excused: Representatives Caldier and DeBolt.

ENGROSSED HOUSE BILL NO. 1309, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Condotta congratulated Representative Steele on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SENATE CONCURRENT RESOLUTION NO. 8401, by Senators Bailey, Rolfes, Hasegawa, Chase, Rivers, Zeiger, Keiser, Saldaña and Kuderer

Approving the 2016 state comprehensive plan for workforce training and education.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

Representatives Hansen and Holy spoke in favor of the passage of the concurrent resolution.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Concurrent Resolution No. 8401.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 8401, and the concurrent resolution passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and DeBolt.

SENATE CONCURRENT RESOLUTION NO. 8401, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 19, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5388 and asks the House to recede therefrom,

and the same is herewith transmitted.

Paul Campos, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SUBSTITUTE SENATE BILL NO. 5388 was returned to second reading for the purpose of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5388, by Senators Zeiger, Sheldon, Kuderer, Padden, Wilson, Conway, Fortunato, Hobbs, Becker, Warnick and Honeyford

Concerning unlawful entry on certain properties. Revised for 1st Substitute: Concerning the removal of unauthorized persons from certain premises.

Representative Kirby moved the adoption of amendment (569):):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.52 RCW to read as follows:

(1) Subject to subsections (2) and (3) of this section and upon the receipt of a declaration signed under penalty of perjury, in the form prescribed in section 2 of this act, declaring the truth of all of the required elements set forth in subsection (4) of this section, a peace officer shall have the authority to:

(a) Remove the person or persons from the premises, with or without arresting the person or persons; and

(b) Order the person or persons to remain off the premises or be subject to arrest for criminal trespass.

(2) Only a peace officer having probable cause to believe that a person is guilty of criminal trespass under RCW 9A.52.070 for knowingly entering or remaining unlawfully in a building considered residential real property, as defined in RCW 61.24.005, has the authority and discretion to make an arrest or exclude anyone under penalty of criminal trespass.

(3) While a peace officer can take into account a declaration from the property owner signed under penalty of perjury containing all of the required elements and in the form prescribed in section 2 of this act, the peace officer must provide the occupant or occupants with a reasonable opportunity to secure and present any credible evidence provided by the person or persons on the premises, which the peace officer must consider, showing that the person or persons are tenants, legal occupants, or the guests or invitees of tenants or legal occupants.

(4) The declaration must include the following elements:

(a) That the declarant is the owner of the premises or the authorized agent of the owner of the premises;

(b) That an unauthorized person or persons have entered and are remaining unlawfully on the premises;

(c) That the person or persons were not authorized to enter or remain;

(d) That the person or persons are not a tenant or tenants and have not been a tenant or tenants, or a homeowner or homeowners who have been on title, within the last twelve months on the property;

(e) That the declarant has demanded that the unauthorized person or persons vacate the premises but they have not done so;

(f) That the premises were not abandoned at the time the unauthorized person or persons entered;

(g) That the premises were not open to members of the public at the time the unauthorized person or persons entered;

(h) That the declarant understands that a person or persons removed from the premises pursuant to this section may bring a cause of action under section 3 of this act against the declarant for any false statements made in the declaration, and that as a result of such action the declarant may be held liable for actual damages, costs, and reasonable attorneys' fees;

(i) That the declarant understands and acknowledges the prohibitions in RCW 59.18.230 and 59.18.290 against taking or detaining an occupant's personal property or removing or excluding an occupant from a dwelling unit or rental premises without an authorizing court order; and

(j) That the declarant agrees to indemnify and hold harmless law enforcement for its actions or omissions made in good faith pursuant to the declaration.

(5) Neither the peace officer nor his or her law enforcement agency shall be held liable for actions or omissions made in good faith under this section.

(6) This section may not be construed to in any way limit rights under RCW 61.24.060 or to allow a peace officer to remove or exclude an occupant who is entitled to occupy a dwelling unit under a rental agreement or the occupant's guests or invitees.

NEW SECTION. Sec. 2. A new section is added to chapter 9A.52 RCW to read as follows:

The owner of premises, or his or her authorized agent, may initiate the investigation and request the removal of an unauthorized person or persons from the premises by providing to law enforcement a declaration containing all of the following required elements and in substantially the following form:

REQUEST TO REMOVE TRESPASSER(S) FORM

The undersigned owner, or authorized agent of the owner, of the premises located at hereby represents and declares under the penalty of perjury that (initial each box):

(1) [] The declarant is the owner of the premises or the authorized agent of the owner of the premises;

(2) [] An unauthorized person or persons have entered and are remaining unlawfully on the premises;

(3) [] The person or persons were not authorized to enter or remain;

(4) [] The person or persons are not a tenant or tenants and have not been a tenant or tenants, or a homeowner or homeowners who have been on title, within the last twelve months on the property;

(5) [] The declarant has demanded that the unauthorized person or persons vacate the premises but they have not done so;

(6) [] The premises were not abandoned at the time the unauthorized person or persons entered;

(7) [] The premises were not open to members of the public at the time the unauthorized person or persons entered;

(8) [] The declarant understands that a person or persons removed from the premises pursuant to section 1 of this act may bring a cause of action under section 3 of this act against the declarant for any false statements made in this declaration, and that as a result of such action the declarant may be held liable for actual damages, costs, and reasonable attorneys' fees;

(9) [] The declarant understands and acknowledges the prohibitions in RCW 59.18.230 and 59.18.290 against taking or detaining an occupant's personal property or removing or excluding an occupant from a dwelling unit or rental premises without an authorizing court order;

(10) [] The declarant agrees to indemnify and hold harmless law enforcement for its actions or omissions made in good faith pursuant to this declaration; and

(11) [] Additional Optional Explanatory Comments:

.....
.....
.....

A declarant of premises who falsely swears on a declaration provided under this section may be guilty of false swearing under RCW 9A.72.040 or of making a false or misleading statement to a public servant under RCW 9A.76.175, both of which are gross misdemeanors.

NEW SECTION. **Sec. 3.** A new section is added to chapter 4.24 RCW to read as follows:

All persons removed from premises pursuant to section 1 of this act on the basis of false statements made by a declarant pursuant to section 2 of this act shall have a cause of action to recover from the declarant for actual damages, together with costs and reasonable attorneys' fees."

Correct the title.

Representatives Kirby, Barkis and Pollet spoke in favor of the adoption of the striking amendment (569).

Amendment (569) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kirby, Barkis, Jinkins, Klippert, Dolan, Manweller, Goodman, Smith, Kilduff, Harmsworth, Appleton, Fey, Rodne, Dye, Tarleton, Doglio, Young,

Tharinger, Farrell and Pollet spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5388, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5388, as amended by the House, and the bill passed the House by the following vote:Yeas, 95; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Absent: Representative Pike.

Excused: Representatives Caldier and DeBolt.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5388, as amended by the House, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE SENATE BILL NO. 5388, as amended by the House, passed the House.

ROLL CALL

The Clerk called the roll on the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 5388, as amended by the House, and the bill passed the House by the following vote:Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli,

Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Caldier and DeBolt.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5388, as amended by the House, on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5388 was immediately transmitted to the Senate.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 19, 2017

Mr. Speaker:

The Senate receded from its amendment(s) to SUBSTITUTE HOUSE BILL NO. 1043, and under suspension of the rules returned SUBSTITUTE HOUSE BILL NO. 1043 to second reading for purpose of amendment(s). The Senate further adopted amendment 1043-S AMS BECK NEED 234 and passed the measure as amended.

On page 3, after line 13, after "section." Insert the following:

"(5)The commissioner shall add language in large font to the release consumers use when filing complaints with the office, whether on-line or in writing, informing them that the office may share their personal health information with other entities and for the purposes authorized under subsection (3) of this section, and that the information will only be shared if it is to be held confidential by the other entity. Consumers shall be provided the opportunity to opt out at the time of filing their complaint, indicating that their personal health information may not be shared under subsection (3) of this section.

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO.

1043 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Robinson spoke in favor of the passage of the bill, as amended by the Senate.

Representative Schmick spoke against the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1043, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1043, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Orcutt, Schmick and Taylor.

Excused: Representatives Caldier and DeBolt.

SUBSTITUTE HOUSE BILL NO. 1043, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 19, 2017

MR. SPEAKER:

The Senate receded from its amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427, and under suspension of the rules returned ESHB 1427 to second reading for purpose of amendment(s). The Senate further adopted amendment 1427-S.E AMS BECK S2711.2 and passed the measure as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that in 2015 an average of two

Washington residents died per day in this state from opioid overdose and that opioid overdose deaths have more than doubled between 2010 and 2015.

The legislature further finds that medically prescribed opioids intended to treat pain have contributed to the opioid epidemic and although Washington has done much to address the prescribing and tracking of opioid prescriptions, more needs to be done to ensure proper prescribing and use of opioids and access to treatment. This includes allowing local health officers to access the prescription monitoring program in order to provide patient follow-up and care coordination, including directing care to opioid treatment programs in the area as appropriate to the patient following an overdose event.

The legislature intends to streamline its already comprehensive system of tracking and treating opioid abuse by: Reducing barriers to the siting of opioid treatment programs; ensuring ease of access for prescribers, including those prescribers who provide services in opioid treatment programs, to the prescription monitoring program; allowing facilities and practitioners to use the information received under the prescription monitoring program for the purpose of providing individual prescriber quality improvement feedback; and requiring the boards and commissions of the health care professions with prescriptive authority to adopt rules establishing requirements for prescribing opioid drugs with the goal of reducing the number of people who inadvertently become addicted to opioids and, consequently, reducing the burden on opioid treatment programs.

NEW SECTION. Sec. 2. A new section is added to chapter 18.22 RCW to read as follows:

(1) By January 1, 2019, the board must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the board must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of podiatric physicians and surgeons in the state.

NEW SECTION. Sec. 3. A new section is added to chapter 18.32 RCW to read as follows:

(1) By January 1, 2019, the commission must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the commission must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of dentists in the state.

NEW SECTION. Sec. 4. A new section is added to chapter 18.57 RCW to read as follows:

(1) By January 1, 2019, the board must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the board must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of osteopathic physicians and surgeons in the state.

NEW SECTION. Sec. 5. A new section is added to chapter 18.57A RCW to read as follows:

(1) By January 1, 2019, the board must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the board must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of osteopathic physician assistants in the state.

NEW SECTION. Sec. 6. A new section is added to chapter 18.71 RCW to read as follows:

(1) By January 1, 2019, the commission must adopt rules establishing requirements for prescribing opioid drugs. The rules

may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the commission must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of physicians in the state.

NEW SECTION. Sec. 7. A new section is added to chapter 18.71A RCW to read as follows:

(1) By January 1, 2019, the commission must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the commission must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of physician assistants in the state.

NEW SECTION. Sec. 8. A new section is added to chapter 18.79 RCW to read as follows:

(1) By January 1, 2019, the commission must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the commission must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional associations for advanced registered nurse practitioners and certified registered nurse anesthetists in the state.

Sec. 9. RCW 70.225.040 and 2016 c 104 s 1 are each amended to read as follows:

(1) Prescription information submitted to the department must be confidential, in compliance with chapter 70.02 RCW and federal health care information privacy requirements and not subject to disclosure, except as provided in subsections (3) (~~(and)~~), (4), and (5) of this section.

(2) The department must maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted, and maintained is not disclosed to persons except as in subsections (3) (~~(and)~~), (4), and (5) of this section.

(3) The department may provide data in the prescription monitoring program to the following persons:

(a) Persons authorized to prescribe or dispense controlled substances or legend drugs, for the purpose of providing medical or pharmaceutical care for their patients;

(b) An individual who requests the individual's own prescription monitoring information;

(c) Health professional licensing, certification, or regulatory agency or entity;

(d) Appropriate law enforcement or prosecutorial officials, including local, state, and federal officials and officials of federally recognized tribes, who are engaged in a bona fide specific investigation involving a designated person;

(e) Authorized practitioners of the department of social and health services and the health care authority regarding medicaid program recipients;

(f) The director or the director's designee within the health care authority regarding medicaid clients for the purposes of quality improvement, patient safety, and care coordination. The information may not be used for contracting or value-based purchasing decisions;

(g) The director or director's designee within the department of labor and industries regarding workers' compensation claimants;

~~((g))~~ (h) The director or the director's designee within the department of corrections regarding offenders committed to the department of corrections;

~~((h))~~ (i) Other entities under grand jury subpoena or court order;

~~((i))~~ (j) Personnel of the department for purposes of:

(i) Assessing prescribing practices, including controlled substances related to mortality and morbidity;

(ii) Providing quality improvement feedback to providers, including comparison of their respective data to aggregate data for providers with the same type of license and same specialty; and

(iii) Administration and enforcement of this chapter or chapter 69.50 RCW;

~~((j))~~ (k) Personnel of a test site that meet the standards under RCW 70.225.070 pursuant to an agreement between the test site and a person identified in (a) of this subsection to provide assistance in determining which medications are being used by an identified patient who is under the care of that person;

~~((k))~~ (l) A health care facility or entity for the purpose of providing medical or pharmaceutical care to the patients of the facility or entity, or for quality improvement purposes if:

(i) The facility or entity is licensed by the department or is operated by the federal government or a federally recognized Indian tribe; and

(ii) The facility or entity is a trading partner with the state's health information exchange; ~~(and~~

~~((l))~~ (m) A health care provider group of five or more providers for purposes of providing medical or pharmaceutical care to the patients of the provider group, or for quality improvement purposes if:

(i) All the providers in the provider group are licensed by the department or the provider group is operated by the federal government or a federally recognized Indian tribe; and

(ii) The provider group is a trading partner with the state's health information exchange;

(n) The local health officer of a local health jurisdiction for the purposes of patient follow-up and care coordination following a controlled substance overdose event. For the purposes of this subsection "local health officer" has the same meaning as in RCW 70.05.010; and

(o) The coordinated care electronic tracking program developed in response to section 213, chapter 7, Laws of 2012 2nd sp. sess., commonly referred to as the seven best practices in emergency medicine, for the purposes of providing:

(i) Prescription monitoring program data to emergency department personnel when the patient registers in the emergency department; and

(ii) Notice to providers, appropriate care coordination staff, and prescribers listed in the patient's prescription monitoring program record that the patient has experienced a controlled substance overdose event. The department shall determine the content and format of the notice in consultation with the Washington state hospital association, Washington state medical association, and Washington state health care authority, and the notice may be modified as necessary to reflect current needs and best practices.

(4) The department shall, on at least a quarterly basis, and pursuant to a schedule determined by the department, provide a facility or entity identified under subsection (3)(1) of this section or a provider group identified under subsection (3)(m) of this section with facility or entity and individual prescriber information if the facility, entity, or provider group:

(a) Uses the information only for internal quality improvement and individual prescriber quality improvement feedback purposes and does not use the information as the sole basis for any medical staff sanction or adverse employment action; and

(b) Provides to the department a standardized list of current prescribers of the facility, entity, or provider group. The specific facility, entity, or provider group information provided pursuant to this subsection and the requirements under this subsection must be determined by the department in consultation with the Washington state hospital association, Washington state medical association, and Washington state health care authority, and may be modified as necessary to reflect current needs and best practices.

(5) (a) The department may provide data to public or private entities for statistical, research, or educational purposes after removing information that could be used to identify individual patients, dispensers, prescribers, and persons who received prescriptions from dispensers.

(b) (i) The department may provide dispenser and prescriber data and data that includes indirect patient identifiers to the Washington state hospital

association for use solely in connection with its coordinated quality improvement program maintained under RCW 43.70.510 after entering into a data use agreement as specified in RCW 43.70.052(8) with the association.

(ii) For the purposes of this subsection, "indirect patient identifiers" means data that may include: Hospital or provider identifiers, a five-digit zip code, county, state, and country of resident; dates that include month and year; age in years; and race and ethnicity; but does not include the patient's first name; middle name; last name; social security number; control or medical record number; zip code plus four digits; dates that include day, month, and year; or admission and discharge date in combination.

~~((5) A dispenser or practitioner)~~ (6) Persons authorized in subsections (3), (4), and (5) of this section to receive data in the prescription monitoring program from the department, acting in good faith ~~((is))~~, are immune from any civil, criminal, disciplinary, or administrative liability that might otherwise be incurred or imposed for ~~((requesting, receiving, or using information from the program))~~ acting under this chapter.

NEW SECTION. Sec. 10. A new section is added to chapter 70.225 RCW to read as follows:

Beginning November 15, 2017, the department shall annually report to the governor and the appropriate committees of the legislature on the number of facilities, entities, or provider groups identified in RCW 70.225.040(3) (l) and (m) that have integrated their federally certified electronic health records with the prescription monitoring program utilizing the state health information exchange.

Sec. 11. RCW 71.24.560 and 2016 sp.s. c 29 s 506 are each amended to read as follows:

(1) All approved ~~((opiate substitution))~~ opiod treatment programs that provide services to women who are pregnant are required to disseminate up-to-date and accurate health education information to all their pregnant clients concerning the possible addiction and health risks that their ~~((opiate substitution))~~ treatment may have on their baby. All pregnant clients must also be advised of the risks to both them and their

baby associated with not remaining on the ~~((opiate substitute))~~ opiod treatment program. The information must be provided to these clients both verbally and in writing. The health education information provided to the pregnant clients must include referral options for the ~~((addicted))~~ substance-exposed baby.

(2) The department shall adopt rules that require all ~~((opiate))~~ opiod treatment programs to educate all pregnant women in their program on the benefits and risks of ~~((methadone))~~ medication-assisted treatment to their fetus before they are provided these medications, as part of their ~~((addiction))~~ treatment. The department shall meet the requirements under this subsection within the appropriations provided for ~~((opiate))~~ opiod treatment programs. The department, working with treatment providers and medical experts, shall develop and disseminate the educational materials to all certified ~~((opiate))~~ opiod treatment programs.

Sec. 12. RCW 71.24.585 and 2016 sp.s. c 29 s 519 are each amended to read as follows:

The state of Washington declares that there is no fundamental right to ~~((opiate substitution))~~ medication-assisted treatment for opiod use disorder. The state of Washington further declares that while ~~((opiate substitution drugs))~~ medications used in the treatment of ((opiate dependency)) opiod use disorder are addictive substances, that they nevertheless have several legal, important, and justified uses and that one of their appropriate and legal uses is, in conjunction with other required therapeutic procedures, in the treatment of persons ~~((addicted to or habituated to opiods))~~ with opiod use disorder. The state of Washington recognizes as evidence-based for the management of opiod use disorder the medications approved by the federal food and drug administration for the treatment of opiod use disorder. ((Opiate substitution)) Medication-assisted treatment should only be used for participants who are deemed appropriate to need this level of intervention ((and should not be the first treatment intervention for all opiate addicts)). Providers must inform patients of all treatment options available. The provider and the patient shall consider alternative treatment options, like abstinence, when developing the treatment plan. If medications are prescribed,

follow up must be included in the treatment plan in order to work towards the goal of abstinence.

Because ~~((opiate substitution drugs, used in the treatment of opiate dependency are addictive and are listed as a schedule II))~~ some such medications are controlled substances in chapter 69.50 RCW, the state of Washington ((has)) maintains the legal obligation and right to regulate the ((use of opiate substitution treatment. The state of Washington declares its authority to control and regulate carefully, in consultation with counties and cities, all clinical uses of opiate substitution drugs used in the treatment of opiate addiction)) clinical uses of these medications in the treatment of opioid use disorder.

Further, the state declares that the ~~((primary))~~ main goal of opiate substitution treatment is total abstinence from substance use for the individuals who participate in the treatment program, but recognizes the additional goals of reduced morbidity, and restoration of the ability to lead a productive and fulfilling life. The state recognizes that a small percentage of persons who participate in ~~((opiate substitution))~~ opioid treatment programs require treatment for an extended period of time. ((Opiate substitution)) Opioid treatment programs shall provide a comprehensive transition program to eliminate substance use, including ((opiate and opiate substitute addiction)) opioid use of program participants.

NEW SECTION. Sec. 13. A new section is added to chapter 71.24 RCW to read as follows:

The state declares that a person lawfully possessing or using lawfully prescribed medication for the treatment of opioid use disorder must be treated the same in judicial and administrative proceedings as a person lawfully possessing or using other lawfully prescribed medications.

Sec. 14. RCW 71.24.590 and 2001 c 242 s 2 are each amended to read as follows:

(1) ~~((For purposes of this section, "area" means the county in which an applicant proposes to locate a certified program and counties adjacent, or near to, the county in which the program is proposed to be located.))~~

When making a decision on an application for certification of a program, the department shall:

(a) Consult with the county legislative authorities in the area in which an applicant proposes to locate a program and the city legislative authority in any city in which an applicant proposes to locate a program;

(b) Certify only programs that will be sited in accordance with the appropriate county or city land use ordinances. Counties and cities may require conditional ~~((or special))~~ use permits with reasonable conditions for the siting of programs. Pursuant to RCW 36.70A.200, no local comprehensive plan or development regulation may preclude the siting of essential public facilities;

(c) Not discriminate in its certification decision on the basis of the corporate structure of the applicant;

(d) Consider the size of the population in need of treatment in the area in which the program would be located and certify only applicants whose programs meet the necessary treatment needs of that population;

(e) ~~((Demonstrate a need in the community for opiate substitution treatment and not certify more program slots than justified by the need in that community. No program shall exceed three hundred fifty participants unless specifically authorized by the county in which the program is certified;~~

~~((f))~~ Consider the availability of other certified opioid treatment programs near the area in which the applicant proposes to locate the program;

~~((g))~~ (f) Consider the transportation systems that would provide service to the program and whether the systems will provide reasonable opportunities to access the program for persons in need of treatment;

~~((h))~~ (g) Consider whether the applicant has, or has demonstrated in the past, the capability to provide the appropriate services to assist the persons who utilize the program in meeting goals established by the legislature ~~((including abstinence from opiates and opiate substitutes, obtaining mental health treatment, improving economic independence, and reducing adverse consequences associated with illegal use of controlled substances))~~ in RCW 71.24.585. The department shall prioritize certification to applicants who have demonstrated such capability and are able

to measure their success in meeting such outcomes;

~~((i))~~ (h) Hold ~~((at least))~~ one public hearing in the ~~((county))~~ community in which the facility is proposed to be located ~~((and one hearing in the area in which the facility is proposed to be located))~~. The hearing shall be held at a time and location that are most likely to permit the largest number of interested persons to attend and present testimony. The department shall notify all appropriate media outlets of the time, date, and location of the hearing at least three weeks in advance of the hearing.

(2) A county may impose a maximum capacity for a program of not less than three hundred fifty participants if necessary to address specific local conditions cited by the county.

(3) A program applying for certification from the department and a program applying for a contract from a state agency that has been denied the certification or contract shall be provided with a written notice specifying the rationale and reasons for the denial.

~~((3))~~ (4) For the purpose of this chapter, ~~((opiate substitution))~~ opiod treatment program means:

(a) Dispensing ~~((an opiate substitution drug))~~ a medication approved by the federal drug administration for the treatment of ~~((opiate addiction))~~ opiod use disorder and dispensing medication for the reversal of opiod overdose; and

(b) Providing a comprehensive range of medical and rehabilitative services.

Sec. 15. RCW 71.24.590 and 2001 c 242 s 2 are each amended to read as follows:

(1) ~~((For purposes of this section, "area" means the county in which an applicant proposes to locate a certified program and counties adjacent, or near to, the county in which the program is proposed to be located.))~~

When making a decision on an application for licensing or certification of a program, the department shall:

(a) Consult with the county legislative authorities in the area in which an applicant proposes to locate a program and the city legislative authority in any city in which an applicant proposes to locate a program;

(b) License or certify only programs that will be sited in accordance with the

appropriate county or city land use ordinances. Counties and cities may require conditional ~~((or special))~~ use permits with reasonable conditions for the siting of programs. Pursuant to RCW 36.70A.200, no local comprehensive plan or development regulation may preclude the siting of essential public facilities;

(c) Not discriminate in its licensing or certification decision on the basis of the corporate structure of the applicant;

(d) Consider the size of the population in need of treatment in the area in which the program would be located and license or certify only applicants whose programs meet the necessary treatment needs of that population;

(e) ~~((Demonstrate a need in the community for opiate substitution treatment and not certify more program slots than justified by the need in that community. No program shall exceed three hundred fifty participants unless specifically authorized by the county in which the program is certified;~~

~~((f))~~ Consider the availability of other licensed or certified opiod treatment programs near the area in which the applicant proposes to locate the program;

~~((g))~~ (f) Consider the transportation systems that would provide service to the program and whether the systems will provide reasonable opportunities to access the program for persons in need of treatment;

~~((h))~~ (g) Consider whether the applicant has, or has demonstrated in the past, the capability to provide the appropriate services to assist the persons who utilize the program in meeting goals established by the legislature ~~((including abstinence from opiates and opiate substitutes, obtaining mental health treatment, improving economic independence, and reducing adverse consequences associated with illegal use of controlled substances))~~ in RCW 71.24.585. The department shall prioritize licensing or certification to applicants who have demonstrated such capability and are able to measure their success in meeting such outcomes;

~~((i))~~ (h) Hold ~~((at least))~~ one public hearing in the ~~((county))~~ community in which the facility is proposed to be located ~~((and one hearing in the area in which the facility is proposed to be located))~~. The hearing shall be held at a

time and location that are most likely to permit the largest number of interested persons to attend and present testimony. The department shall notify all appropriate media outlets of the time, date, and location of the hearing at least three weeks in advance of the hearing.

(2) A county may impose a maximum capacity for a program of not less than three hundred fifty participants if necessary to address specific local conditions cited by the county.

(3) A program applying for licensing or certification from the department and a program applying for a contract from a state agency that has been denied the licensing or certification or contract shall be provided with a written notice specifying the rationale and reasons for the denial.

~~((3))~~ (4) For the purpose of this chapter, ~~((opiate substitution))~~ opiod treatment program means:

(a) Dispensing ~~((an opiate substitution drug))~~ a medication approved by the federal drug administration for the treatment of ~~((opiate addiction))~~ opiod use disorder and dispensing medication for the reversal of opiod overdose; and

(b) Providing a comprehensive range of medical and rehabilitative services.

Sec. 16. RCW 71.24.595 and 2003 c 207 s 6 are each amended to read as follows:

(1) The department, in consultation with ~~((opiate substitution))~~ opiod treatment program service providers and counties and cities, shall establish statewide treatment standards for certified ~~((opiate substitution))~~ opiod treatment programs. The department shall enforce these treatment standards. The treatment standards shall include, but not be limited to, reasonable provisions for all appropriate and necessary medical procedures, counseling requirements, urinalysis, and other suitable tests as needed to ensure compliance with this chapter.

(2) The department, in consultation with ~~((opiate substitution))~~ opiod treatment programs and counties, shall establish statewide operating standards for certified ~~((opiate substitution))~~ opiod treatment programs. The department shall enforce these operating standards. The operating standards shall include, but not be limited to, reasonable provisions necessary to enable the department and

counties to monitor certified and licensed ~~((opiate substitution))~~ opiod treatment programs for compliance with this chapter and the treatment standards authorized by this chapter and to minimize the impact of the ~~((opiate substitution))~~ opiod treatment programs upon the business and residential neighborhoods in which the program is located.

(3) ~~((The department shall establish criteria for evaluating the compliance of opiate substitution treatment programs with the goals and standards established under this chapter. As a condition of certification, opiate substitution programs shall submit an annual report to the department and county legislative authority, including data as specified by the department necessary for outcome analysis.))~~ The department shall analyze and evaluate the data submitted by each treatment program and take corrective action where necessary to ensure compliance with the goals and standards enumerated under this chapter. Opiod treatment programs are subject to the oversight required for other substance use disorder treatment programs, as described in this chapter.

Sec. 17. RCW 71.24.595 and 2003 c 207 s 6 are each amended to read as follows:

(1) The department, in consultation with ~~((opiate substitution))~~ opiod treatment program service providers and counties and cities, shall establish statewide treatment standards for licensed or certified ~~((opiate substitution))~~ opiod treatment programs. The department shall enforce these treatment standards. The treatment standards shall include, but not be limited to, reasonable provisions for all appropriate and necessary medical procedures, counseling requirements, urinalysis, and other suitable tests as needed to ensure compliance with this chapter.

(2) The department, in consultation with ~~((opiate substitution))~~ opiod treatment programs and counties, shall establish statewide operating standards for certified ~~((opiate substitution))~~ opiod treatment programs. The department shall enforce these operating standards. The operating standards shall include, but not be limited to, reasonable provisions necessary to enable the department and counties to monitor certified ~~((and))~~ or licensed ~~((opiate substitution))~~ opiod treatment programs for compliance with this chapter and the treatment standards authorized by this chapter and to minimize

the impact of the (~~opiate substitution~~) opioid treatment programs upon the business and residential neighborhoods in which the program is located.

(3) ((The department shall establish criteria for evaluating the compliance of opiate substitution treatment programs with the goals and standards established under this chapter. As a condition of certification, opiate substitution programs shall submit an annual report to the department and county legislative authority, including data as specified by the department necessary for outcome analysis.)) The department shall analyze and evaluate the data submitted by each treatment program and take corrective action where necessary to ensure compliance with the goals and standards enumerated under this chapter. Opioid treatment programs are subject to the oversight required for other substance use disorder treatment programs, as described in this chapter.

NEW SECTION. Sec. 18. Sections 14 and 16 of this act take effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 19. Sections 15 and 17 of this act take effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

On page 1, line 1 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 70.225.040, 71.24.560, 71.24.585, 71.24.590, 71.24.590, 71.24.595, and 71.24.595; adding a new section to chapter 18.22 RCW; adding a new section to chapter 18.32 RCW; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new section to chapter 18.79 RCW; adding a new section to chapter 70.225 RCW; adding a new section to chapter 71.24 RCW; creating a new section; and providing contingent effective dates."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1427, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1427, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Holy, McCaslin, Orcutt, Shea, Taylor, Volz and Young.

Excused: Representatives Caldier and DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 19, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 42.56.430 and 2008 c 252 s 1 are each amended to read as follows:

The following information relating to fish and wildlife is exempt from disclosure under this chapter:

(1) Commercial fishing catch data from logbooks required to be provided to the department of fish and wildlife under RCW 77.12.047, when the data identifies specific catch location, timing, or methodology and the release of which would result in unfair competitive disadvantage to the commercial fisher providing the catch data, however, this information may be released to government agencies concerned with the management of fish and wildlife resources;

(2) Sensitive fish and wildlife data. Sensitive fish and wildlife data may be released to the following entities and their agents for fish, wildlife, land management purposes, or scientific research needs: Government agencies, public utilities, and accredited colleges and universities. Sensitive fish and wildlife data may be released to tribal governments. Sensitive fish and wildlife data may also be released to the owner, lessee, or right-of-way or easement holder of the private land to which the data pertains. The release of sensitive fish and wildlife data may be subject to a confidentiality agreement, except upon release of sensitive fish and wildlife data to the owner, lessee, or right-of-way or easement holder of private land who initially provided the data. Sensitive fish and wildlife data does not include data related to reports of predatory wildlife as specified in RCW 77.12.885. Sensitive fish and wildlife data must meet at least one of the following criteria of this subsection as applied by the department of fish and wildlife:

(a) The nesting sites or specific locations of endangered species designated under RCW 77.12.020, or threatened or sensitive species classified by rule of the department of fish and wildlife;

(b) Radio frequencies used in, or locational data generated by, telemetry studies; or

(c) Other location data that could compromise the viability of a specific fish or wildlife population, and where at least one of the following criteria are met:

(i) The species has a known commercial or black market value;

(ii) There is a history of malicious take of that species and the species

behavior or ecology renders it especially vulnerable;

(iii) There is a known demand to visit, take, or disturb the species; or

(iv) The species has an extremely limited distribution and concentration;

(3) The following information regarding any damage prevention cooperative agreement, or nonlethal preventative measures deployed to minimize wolf interactions with pets and livestock:

(a) The name, telephone number, residential address, and other personally identifying information of any person who has a current damage prevention cooperative agreement with the department, including a pet or livestock owner, and his or her employees or immediate family members, who agrees to deploy, or is responsible for the deployment of, nonlethal, preventative measures; and

(b) The legal description or name of any residential property, ranch, or farm, that is owned, leased, or used by any person included in (a) of this subsection;

(4) The following information regarding a reported depredation by wolves on pets or livestock:

(a) The name, telephone number, residential address, and other personally identifying information of:

(i) Any person who reported the depredation;

(ii) Any pet or livestock owner, and his or her employees or immediate family members, whose pet or livestock was the subject of a reported depredation; and

(iii) Any department of fish and wildlife employee, range rider contractor, or trapper contractor who directly:

(A) Responds to a depredation; or

(B) Assists in the lethal removal of a wolf; and

(b) The legal description, location coordinates, or name that identifies any residential property, or ranch or farm that contains a residence, that is owned, leased, or used by any person included in (a) of this subsection;

(5) The personally identifying information of persons who acquire recreational licenses under RCW 77.32.010 or commercial licenses under chapter 77.65 or 77.70 RCW, except name, address of contact used by the department, and type

of license, endorsement, or tag; however, the department of fish and wildlife may disclose personally identifying information to:

(a) Government agencies concerned with the management of fish and wildlife resources;

(b) The department of social and health services, child support division, and to the department of licensing in order to implement RCW 77.32.014 and 46.20.291; and

(c) Law enforcement agencies for the purpose of firearm possession enforcement under RCW 9.41.040; and

~~((4))~~ (6) Information that the department of fish and wildlife has received or accessed but may not disclose due to confidentiality requirements in the Magnuson-Stevens fishery conservation and management reauthorization act of 2006 (16 U.S.C. Sec. 1861(h)(3) and (i), and Sec. 1881a(b)).

Sec. 2. RCW 77.12.885 and 2007 c 293 s 2 are each amended to read as follows:

Except for the personal information on reported depredations by wolves that is exempted from disclosure as provided in RCW 42.56.430, the department shall post on its internet web site all reported predatory wildlife interactions, including reported human safety confrontations or sightings as well as the known details of reported depredations by predatory wildlife on humans, pets, or livestock, within ten days of receiving the report. The posted material must include, but is not limited to, the location and time, the known details, and a running summary of such reported interactions by identified specie and interaction type within each affected county. For the purposes of this section and RCW 42.56.430, "predatory wildlife" means grizzly bears, wolves, and cougars.

NEW SECTION. Sec. 3. A new section is added to chapter 42.56 RCW to read as follows:

By December 1, 2021, the public records exemptions accountability committee, in addition to its duties in RCW 42.56.140, must prepare and submit a report to the legislature that includes recommendations on whether the exemptions created in section 1, chapter . . . , Laws of 2017 (section 1 of this act) should be continued or allowed to expire. The report should focus on whether the exemption continues to serve the intent of the

legislature in section 1, chapter . . . , Laws of 2017 (section 1 of this act) to provide protections of personal information during the period the state establishes and implements new policies regarding wolf management. The committee must consider whether the development of wolf management policy, by the time of the report, has diminished risks of threats to personal safety so that the protection of personal information in section 1, chapter . . . , Laws of 2017 (section 1 of this act) is no longer an ongoing necessity.

NEW SECTION. Sec. 4. This act expires June 30, 2022."

On page 1, line 2 of the title, after "depredations;" strike the remainder of the title and insert "amending RCW 42.56.430 and 77.12.885; adding a new section to chapter 42.56 RCW; and providing an expiration date."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Hudgins and Maycumber spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1465, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1465, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Santos, Schmick, Sells, Senn, Shea,

Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Lytton, Ryu, Sawyer and Stonier.

Excused: Representatives Caldier and DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 19, 2017

MR. SPEAKER:

The Senate receded from its amendment(s) to SUBSTITUTE HOUSE BILL NO. 1477, and under suspension of the rules returned SHB 1477 to second reading for purpose of amendment(s). The Senate further adopted amendment 1477-S AMS ZEIG S2712.2 and passed the measure as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 70.02 RCW to read as follows:

(1) (a) A health care provider or health care facility may use or disclose the health care information of a patient without obtaining an authorization from the patient or the patient's personal representative if the conditions in (b) of this subsection are met and:

(i) The disclosure is to a family member, including a patient's state registered domestic partner, other relative, a close personal friend, or other person identified by the patient, and the health care information is directly relevant to the person's involvement with the patient's health care or payment related to the patient's health care; or

(ii) The use or disclosure is for the purpose of notifying, or assisting in the notification of, including identifying or locating, a family member, a personal representative of the patient, or another person responsible for the care of the patient of the patient's location, general condition, or death.

(b) A health care provider or health care facility may make the uses and disclosures described in (a) of this subsection if:

(i) The patient is not present or obtaining the patient's authorization or providing the opportunity to agree or object to the use or disclosure is not practicable due to the patient's incapacity or an emergency circumstance, the health care provider or health care facility may in the exercise of professional judgment, determine whether the use or disclosure is in the best interests of the patient and, if so, disclose only the health care information that is directly relevant to the person's involvement with the patient's health care or payment related to the patient's health care; or

(ii) The patient is present for, or otherwise available prior to, the use or disclosure and has the capacity to make health care decisions, the health care provider or health care facility may use or disclose the information if it:

(A) Obtains the patient's agreement;

(B) Provides the patient with the opportunity to object to the use or disclosure, and the patient does not express an objection; or

(C) Reasonably infers from the circumstances, based on the exercise of professional judgment, that the patient does not object to the use or disclosure.

(2) With respect to information and records related to mental health services provided to a patient by a health care provider, the health care information disclosed under this section may include, to the extent consistent with the health care provider's professional judgment and standards of ethical conduct:

(a) The patient's diagnoses and the treatment recommendations;

(b) Issues concerning the safety of the patient, including risk factors for suicide, steps that can be taken to make the patient's home safer, and a safety plan to monitor and support the patient;

(c) Information about resources that are available in the community to help the patient, such as case management and support groups; and

(d) The process to ensure that the patient safely transitions to a higher or lower level of care, including an interim safety plan.

(3) Any use or disclosure of health care information under this section must be limited to the minimum necessary to

accomplish the purpose of the use or disclosure.

(4) A health care provider or health care facility is not subject to any civil liability for making or not making a use or disclosure in accordance with this section.

Sec. 2. RCW 70.02.050 and 2014 c 220 s 6 are each amended to read as follows:

(1) A health care provider or health care facility may disclose health care information, except for information and records related to sexually transmitted diseases which are addressed in RCW 70.02.220, about a patient without the patient's authorization to the extent a recipient needs to know the information, if the disclosure is:

(a) To a person who the provider or facility reasonably believes is providing health care to the patient;

(b) To any other person who requires health care information for health care education, or to provide planning, quality assurance, peer review, or administrative, legal, financial, actuarial services to, or other health care operations for or on behalf of the health care provider or health care facility; or for assisting the health care provider or health care facility in the delivery of health care and the health care provider or health care facility reasonably believes that the person:

(i) Will not use or disclose the health care information for any other purpose; and

(ii) Will take appropriate steps to protect the health care information;

(c) To any person if the health care provider or health care facility ~~((reasonably))~~ believes, in good faith, that use or disclosure ~~((will avoid or minimize an imminent danger))~~ is necessary to prevent or lessen a serious and imminent threat to the health or safety of ~~((the patient or any other individual, however))~~ a person or the public, and the information is disclosed only to a person or persons reasonably able to prevent or lessen the threat, including the target of the threat. There is no obligation under this chapter on the part of the provider or facility to so disclose ~~((The fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services~~

~~to either voluntary or involuntary recipients of services at public or private agencies is not subject to disclosure unless disclosure is permitted in RCW 70.02.230)); or~~

(d) For payment, including information necessary for a recipient to make a claim, or for a claim to be made on behalf of a recipient for aid, insurance, or medical assistance to which he or she may be entitled.

(2) A health care provider shall disclose health care information, except for information and records related to sexually transmitted diseases, unless otherwise authorized in RCW 70.02.220, about a patient without the patient's authorization if the disclosure is:

(a) To federal, state, or local public health authorities, to the extent the health care provider is required by law to report health care information; when needed to determine compliance with state or federal licensure, certification or registration rules or laws, or to investigate unprofessional conduct or ability to practice with reasonable skill and safety under chapter 18.130 RCW. Any health care information obtained under this subsection is exempt from public inspection and copying pursuant to chapter 42.56 RCW; or

(b) When needed to protect the public health.

Sec. 3. RCW 70.02.200 and 2015 c 267 s 7 are each amended to read as follows:

(1) In addition to the disclosures authorized by RCW 70.02.050 and 70.02.210, a health care provider or health care facility may disclose health care information, except for information and records related to sexually transmitted diseases and information related to mental health services which are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization, to:

(a) Any other health care provider or health care facility reasonably believed to have previously provided health care to the patient, to the extent necessary to provide health care to the patient, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;

(b) ((Immediate family members of the patient, including a patient's state registered domestic partner, or any other

individual with whom the patient is known to have a close personal relationship, if made in accordance with good medical or other professional practice, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;)) Persons under section 1 of this act if the conditions in section 1 of this act are met;

(c) A health care provider or health care facility who is the successor in interest to the health care provider or health care facility maintaining the health care information;

(d) A person who obtains information for purposes of an audit, if that person agrees in writing to:

(i) Remove or destroy, at the earliest opportunity consistent with the purpose of the audit, information that would enable the patient to be identified; and

(ii) Not to disclose the information further, except to accomplish the audit or report unlawful or improper conduct involving fraud in payment for health care by a health care provider or patient, or other unlawful conduct by the health care provider;

(e) Provide directory information, unless the patient has instructed the health care provider or health care facility not to make the disclosure;

(f) Fire, police, sheriff, or other public authority, that brought, or caused to be brought, the patient to the health care facility or health care provider if the disclosure is limited to the patient's name, residence, sex, age, occupation, condition, diagnosis, estimated or actual discharge date, or extent and location of injuries as determined by a physician, and whether the patient was conscious when admitted;

(g) Federal, state, or local law enforcement authorities and the health care provider, health care facility, or third-party payor believes in good faith that the health care information disclosed constitutes evidence of criminal conduct that occurred on the premises of the health care provider, health care facility, or third-party payor;

(h) Another health care provider, health care facility, or third-party payor for the health care operations of the health care provider, health care facility, or third-party payor that

receives the information, if each entity has or had a relationship with the patient who is the subject of the health care information being requested, the health care information pertains to such relationship, and the disclosure is for the purposes described in RCW 70.02.010(17) (a) and (b);

(i) An official of a penal or other custodial institution in which the patient is detained; and

(j) Any law enforcement officer, corrections officer, or guard supplied by a law enforcement or corrections agency who is accompanying a patient pursuant to RCW 10.110.020, only to the extent the disclosure is incidental to the fulfillment of the role of the law enforcement officer, corrections officer, or guard under RCW 10.110.020.

(2) In addition to the disclosures required by RCW 70.02.050 and 70.02.210, a health care provider shall disclose health care information, except for information related to sexually transmitted diseases and information related to mental health services which are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization if the disclosure is:

(a) To federal, state, or local law enforcement authorities to the extent the health care provider is required by law;

(b) To federal, state, or local law enforcement authorities, upon receipt of a written or oral request made to a nursing supervisor, administrator, or designated privacy official, in a case in which the patient is being treated or has been treated for a bullet wound, gunshot wound, powder burn, or other injury arising from or caused by the discharge of a firearm, or an injury caused by a knife, an ice pick, or any other sharp or pointed instrument which federal, state, or local law enforcement authorities reasonably believe to have been intentionally inflicted upon a person, or a blunt force injury that federal, state, or local law enforcement authorities reasonably believe resulted from a criminal act, the following information, if known:

(i) The name of the patient;

(ii) The patient's residence;

(iii) The patient's sex;

(iv) The patient's age;

(v) The patient's condition;

(vi) The patient's diagnosis, or extent and location of injuries as determined by a health care provider;

(vii) Whether the patient was conscious when admitted;

(viii) The name of the health care provider making the determination in (b) (v), (vi), and (vii) of this subsection;

(ix) Whether the patient has been transferred to another facility; and

(x) The patient's discharge time and date;

(c) Pursuant to compulsory process in accordance with RCW 70.02.060.

Sec. 4. RCW 70.02.220 and 2013 c 200 s 6 are each amended to read as follows:

(1) No person may disclose or be compelled to disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease, except as authorized by this section, RCW 70.02.210, or chapter 70.24 RCW.

(2) No person may disclose or be compelled to disclose information and records related to sexually transmitted diseases, except as authorized by this section, RCW 70.02.210, section 1 of this act, or chapter 70.24 RCW. A person may disclose information related to sexually transmitted diseases about a patient without the patient's authorization, to the extent a recipient needs to know the information, if the disclosure is to:

(a) The subject of the test or the subject's legal representative for health care decisions in accordance with RCW 7.70.065, with the exception of such a representative of a minor fourteen years of age or over and otherwise competent;

(b) The state public health officer as defined in RCW 70.24.017, a local public health officer, or the centers for disease control of the United States public health service in accordance with reporting requirements for a diagnosed case of a sexually transmitted disease;

(c) A health facility or health care provider that procures, processes, distributes, or uses: (i) A human body part, tissue, or blood from a deceased person with respect to medical information regarding that person; (ii) semen, including that was provided prior to March

23, 1988, for the purpose of artificial insemination; or (iii) blood specimens;

(d) Any state or local public health officer conducting an investigation pursuant to RCW 70.24.024, so long as the record was obtained by means of court-ordered HIV testing pursuant to RCW 70.24.340 or 70.24.024;

(e) A person allowed access to the record by a court order granted after application showing good cause therefor. In assessing good cause, the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of the order, the court, in determining the extent to which any disclosure of all or any part of the record of any such test is necessary, shall impose appropriate safeguards against unauthorized disclosure. An order authorizing disclosure must: (i) Limit disclosure to those parts of the patient's record deemed essential to fulfill the objective for which the order was granted; (ii) limit disclosure to those persons whose need for information is the basis for the order; and (iii) include any other appropriate measures to keep disclosure to a minimum for the protection of the patient, the physician-patient relationship, and the treatment services;

(f) Persons who, because of their behavioral interaction with the infected individual, have been placed at risk for acquisition of a sexually transmitted disease, as provided in RCW 70.24.022, if the health officer or authorized representative believes that the exposed person was unaware that a risk of disease exposure existed and that the disclosure of the identity of the infected person is necessary;

(g) A law enforcement officer, firefighter, health care provider, health care facility staff person, department of correction's staff person, jail staff person, or other persons as defined by the board of health in rule pursuant to RCW 70.24.340(4), who has requested a test of a person whose bodily fluids he or she has been substantially exposed to, pursuant to RCW 70.24.340(4), if a state or local public health officer performs the test;

(h) Claims management personnel employed by or associated with an insurer, health care service contractor, health maintenance organization, self-funded health plan, state administered health

care claims payer, or any other payer of health care claims where such disclosure is to be used solely for the prompt and accurate evaluation and payment of medical or related claims. Information released under this subsection must be confidential and may not be released or available to persons who are not involved in handling or determining medical claims payment; and

(i) A department of social and health services worker, a child placing agency worker, or a guardian ad litem who is responsible for making or reviewing placement or case-planning decisions or recommendations to the court regarding a child, who is less than fourteen years of age, has a sexually transmitted disease, and is in the custody of the department of social and health services or a licensed child placing agency. This information may also be received by a person responsible for providing residential care for such a child when the department of social and health services or a licensed child placing agency determines that it is necessary for the provision of child care services.

(3) No person to whom the results of a test for a sexually transmitted disease have been disclosed pursuant to subsection (2) of this section may disclose the test results to another person except as authorized by that subsection.

(4) The release of sexually transmitted disease information regarding an offender or detained person, except as provided in subsection (2)(d) of this section, is governed as follows:

(a) The sexually transmitted disease status of a department of corrections offender who has had a mandatory test conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370 must be made available by department of corrections health care providers and local public health officers to the department of corrections health care administrator or infection control coordinator of the facility in which the offender is housed. The information made available to the health care administrator or the infection control coordinator under this subsection (4)(a) may be used only for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. The information may be submitted to transporting officers and receiving facilities, including facilities that are not under the department of corrections' jurisdiction

according to the provisions of (d) and (e) of this subsection.

(b) The sexually transmitted disease status of a person detained in a jail who has had a mandatory test conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370 must be made available by the local public health officer to a jail health care administrator or infection control coordinator. The information made available to a health care administrator under this subsection (4)(b) may be used only for disease prevention or control and for protection of the safety and security of the staff, offenders, detainees, and the public. The information may be submitted to transporting officers and receiving facilities according to the provisions of (d) and (e) of this subsection.

(c) Information regarding the sexually transmitted disease status of an offender or detained person is confidential and may be disclosed by a correctional health care administrator or infection control coordinator or local jail health care administrator or infection control coordinator only as necessary for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. Unauthorized disclosure of this information to any person may result in disciplinary action, in addition to the penalties prescribed in RCW 70.24.080 or any other penalties as may be prescribed by law.

(d) Notwithstanding the limitations on disclosure contained in (a), (b), and (c) of this subsection, whenever any member of a jail staff or department of corrections staff has been substantially exposed to the bodily fluids of an offender or detained person, then the results of any tests conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370, must be immediately disclosed to the staff person in accordance with the Washington Administrative Code rules governing employees' occupational exposure to blood-borne pathogens. Disclosure must be accompanied by appropriate counseling for the staff member, including information regarding follow-up testing and treatment. Disclosure must also include notice that subsequent disclosure of the information in violation of this chapter or use of the information to harass or discriminate against the offender or detainee may result in disciplinary action, in addition to the penalties prescribed in RCW

70.24.080, and imposition of other penalties prescribed by law.

(e) The staff member must also be informed whether the offender or detained person had any other communicable disease, as defined in RCW 72.09.251(3), when the staff person was substantially exposed to the offender's or detainee's bodily fluids.

(f) The test results of voluntary and anonymous HIV testing or HIV-related condition, as defined in RCW 70.24.017, may not be disclosed to a staff person except as provided in this section and RCW 70.02.050(1)((~~e~~)) (d) and 70.24.340(4). A health care administrator or infection control coordinator may provide the staff member with information about how to obtain the offender's or detainee's test results under this section and RCW 70.02.050(1)((~~e~~)) (d) and 70.24.340(4).

(5) The requirements of this section do not apply to the customary methods utilized for the exchange of medical information among health care providers in order to provide health care services to the patient, nor do they apply within health care facilities where there is a need for access to confidential medical information to fulfill professional duties.

(6) Upon request of the victim, disclosure of test results under this section to victims of sexual offenses under chapter 9A.44 RCW must be made if the result is negative or positive. The county prosecuting attorney shall notify the victim of the right to such disclosure. The disclosure must be accompanied by appropriate counseling, including information regarding follow-up testing.

(7) A person, including a health care facility or health care provider, shall disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease and information and records related to sexually transmitted diseases to federal, state, or local public health authorities, to the extent the health care provider is required by law to report health care information; when needed to determine compliance with state or federal certification or registration rules or laws; or when needed to protect the public health. Any health care information obtained under this subsection is exempt from public

inspection and copying pursuant to chapter 42.56 RCW.

Sec. 5. RCW 70.02.230 and 2014 c 225 s 71 and 2014 c 220 s 9 are each reenacted and amended to read as follows:

(1) Except as provided in this section, RCW 70.02.050, 71.05.445, (~~(70.96A.150)~~) 74.09.295, 70.02.210, 70.02.240, 70.02.250, and 70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

- (i) Employed by the facility;
- (ii) Who has medical responsibility for the patient's care;
- (iii) Who is a designated mental health professional;
- (iv) Who is providing services under chapter 71.24 RCW;
- (v) Who is employed by a state or local correctional facility where the person is confined or supervised; or
- (vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c)(i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d)(i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health professional shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the

health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a) ~~((iii))~~ (iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a) ~~((iii))~~ (iii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts

is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, to the director of behavioral health organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the mental health service agency where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department as necessary to coordinate treatment for mental illness, developmental disabilities, alcoholism, or drug abuse of persons who are under the supervision of the department;

(s) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(t) Consistent with the requirements of the federal health information portability and accountability act, to a licensed health professional or a health care professional licensed under chapter 18.71, 18.71A, 18.57, 18.57A, 18.79, or 18.36A RCW who is providing care to a person, or to whom a person has been referred for evaluation or treatment, to assure coordinated care and treatment of that person. Psychotherapy notes may not be released without authorization of the

person who is the subject of the request for release of information;

(u) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (t) of this subsection;

(v) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(w) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(x) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(y) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. The department may not release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

(z)(i) To the secretary of social and health services for either program evaluation or research, or both so long as the secretary adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary;

(aa) To any person if the conditions in section 1 of this act are met.

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives

treatment for chemical dependency, the department may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services under RCW 71.05.280(3) and 71.05.320(~~(4)~~) (4)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(~~(4)~~) (4)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

- (i) One thousand dollars; or
- (ii) Three times the amount of actual damages sustained, if any.
- (b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential

information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170.

Sec. 6. RCW 70.02.230 and 2016 sp.s. c 29 s 417 are each amended to read as follows:

(1) Except as provided in this section, RCW 70.02.050, 71.05.445, 74.09.295, 70.02.210, 70.02.240, 70.02.250, and 70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

- (i) Employed by the facility;
- (ii) Who has medical responsibility for the patient's care;
- (iii) Who is a designated crisis responder;
- (iv) Who is providing services under chapter 71.24 RCW;
- (v) Who is employed by a state or local correctional facility where the person is confined or supervised; or
- (vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the

necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c)(i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d)(i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional or designated crisis responder is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health

professional or designated crisis responder shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and

relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(iii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, to the director of behavioral health organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the mental health service agency where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department as necessary to coordinate treatment for mental illness, developmental disabilities, alcoholism, or drug abuse of persons who are under the supervision of the department;

(s) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(t) Consistent with the requirements of the federal health information portability

and accountability act, to a licensed mental health professional or a health care professional licensed under chapter 18.71, 18.71A, 18.57, 18.57A, 18.79, or 18.36A RCW who is providing care to a person, or to whom a person has been referred for evaluation or treatment, to assure coordinated care and treatment of that person. Psychotherapy notes may not be released without authorization of the person who is the subject of the request for release of information;

(u) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (t) of this subsection;

(v) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(w) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(x) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff

member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(y) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. The department may not release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

(z)(i) To the secretary of social and health services for either program evaluation or research, or both so long as the secretary adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance

of confidentiality, set forth by the secretary;

(aa) To any person if the conditions in section 1 of this act are met.

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives treatment for chemical dependency, the department may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services under RCW 71.05.280(3) and 71.05.320(4) (c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(4) (c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

(i) One thousand dollars; or

(ii) Three times the amount of actual damages sustained, if any.

(b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170.

NEW SECTION. **Sec. 7.** Section 6 of this act takes effect April 1, 2018.

NEW SECTION. **Sec. 8.** Section 5 of this act expires April 1, 2018."

On page 1, line 2 of the title, after "patient;" strike the remainder of the title and insert "amending RCW 70.02.050, 70.02.200, 70.02.220, and 70.02.230; reenacting and amending RCW 70.02.230; adding a new section to chapter 70.02 RCW; providing an effective date; and providing an expiration date."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1477 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kilduff and Schmick spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1477, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1477, as amended by the Senate,

and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Griffey, Hayes, Holy, Jenkin, Koster, Kraft, Kretz, Manweller, Maycumber, McCaslin, Orcutt, Pike, Shea, Smith, Taylor, Van Werven, Vick, Volz and J. Walsh.

Excused: Representatives Caldier and DeBolt.

SUBSTITUTE HOUSE BILL NO. 1477, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 19, 2017

MR. SPEAKER:

The Senate receded from its amendment(s) to ENGROSSED HOUSE BILL NO. 1620, and under suspension of the rules returned EHB 1620 to second reading for purpose of amendment(s). The Senate further adopted amendment 1620.E AMS SHOR S2714.2 and passed the measure as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 35.21.920 and 2010 c 47 s 2 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by city or town officials, cities or towns may(~~(7)~~):

(a) By ordinance, require a state and federal background investigation of license applicants or licensees in occupations specified by ordinance (~~(for the purpose of receiving criminal history record information by city or town officials)~~);

(b) By ordinance, require a federal background investigation of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to

children, persons with developmental disabilities, or vulnerable adults;

(c) Require a state criminal background investigation of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Require a criminal background investigation conducted through a private organization of city or town employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the city or town, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this section shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. (~~These~~)

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the city or town.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the city or town shall transmit appropriate fees for a state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the city or town.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 2. RCW 35A.21.370 and 2010 c 47 s 3 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by code city officials, code cities may~~((τ))~~:

(a) By ordinance, require a state and federal background investigation of license applicants or licensees in occupations specified by ordinance ~~((for the purpose of receiving criminal history record information by code city officials))~~;

(b) By ordinance, require a federal background investigation of code city employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults;

(c) Require a state criminal background investigation of code city employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Require a criminal background investigation conducted through a private organization of code city employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the code city, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this section shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. ~~((These))~~

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of

investigation, which must be disseminated to the code city.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the code city shall transmit appropriate fees for a state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the code city.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 3. RCW 36.01.300 and 2010 c 47 s 1 are each amended to read as follows:

(1) For the purpose of receiving criminal history record information by county officials, counties may~~((τ))~~:

(a) By ordinance, require a state and federal background investigation of license applicants or licensees in occupations specified by ordinance ~~((for the purpose of receiving criminal history record information by county officials))~~;

(b) By ordinance, require a federal background investigation of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults;

(c) Require a state background investigation of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; and

(d) Require a criminal background investigation conducted through a private organization of county employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the county, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults.

(2) The investigation conducted under subsection (1)(a) through (c) of this section shall consist of a background check as allowed through the Washington

state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. ((These))

(3) The background checks conducted under subsection (1)(a) through (c) of this section must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the county.

(4) For a criminal background check conducted under subsection (1)(a) through (c) of this section, the county shall transmit appropriate fees for a state and national criminal history check to the Washington state patrol, unless alternately arranged. The cost of investigations conducted under this section shall be borne by the county.

(5) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law.

Sec. 4. RCW 35.61.130 and 2006 c 222 s 1 are each amended to read as follows:

(1) A metropolitan park district has the right of eminent domain, and may purchase, acquire and condemn lands lying within or without the boundaries of said park district, for public parks, parkways, boulevards, aviation landings and playgrounds, and may condemn such lands to widen, alter and extend streets, avenues, boulevards, parkways, aviation landings and playgrounds, to enlarge and extend existing parks, and to acquire lands for the establishment of new parks, boulevards, parkways, aviation landings and playgrounds. The right of eminent domain shall be exercised and instituted pursuant to resolution of the board of park commissioners and conducted in the same manner and under the same procedure as is or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the state of Washington in the acquisition of property rights: PROVIDED, HOWEVER, Funds to pay for condemnation allowed by this section shall be raised only as specified in this chapter.

(2) The board of park commissioners shall have power to employ counsel, and to regulate, manage and control the parks, parkways, boulevards, streets, avenues, aviation landings and playgrounds under its control, and to provide for park police, for a secretary of the board of park commissioners and for all necessary employees, to fix their salaries and duties.

(3) The board of park commissioners shall have power to improve, acquire, extend and maintain, open and lay out, parks, parkways, boulevards, avenues, aviation landings and playgrounds, within or without the park district, and to authorize, conduct and manage the letting of boats, or other amusement apparatus, the operation of bath houses, the purchase and sale of foodstuffs or other merchandise, the giving of vocal or instrumental concerts or other entertainments, the establishment and maintenance of aviation landings and playgrounds, and generally the management and conduct of such forms of recreation or business as it shall judge desirable or beneficial for the public, or for the production of revenue for expenditure for park purposes; and may pay out moneys for the maintenance and improvement of any such parks, parkways, boulevards, avenues, aviation landings and playgrounds as now exist, or may hereafter be acquired, within or without the limits of said city and for the purchase of lands within or without the limits of said city, whenever it deems the purchase to be for the benefit of the public and for the interest of the park district, and for the maintenance and improvement thereof and for all expenses incidental to its duties: PROVIDED, That all parks, boulevards, parkways, aviation landings and playgrounds shall be subject to the police regulations of the city within whose limits they lie.

(4) ((For all employees, volunteers, or independent contractors, who may, in the course of their work or volunteer activity with the park district, have unsupervised access to children or vulnerable adults, or be responsible for collecting or disbursing cash or processing credit/debit card transactions,))

(a) For the purpose of receiving criminal history record information by metropolitan park districts, metropolitan park districts:

(i) Shall establish by resolution the requirements for a state and federal record check of park district employees,

applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the park district, may:

(A) Have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; or

(B) Be responsible for collecting or disbursing cash or processing credit/debit card transactions; and

(ii) May require a criminal background check conducted through a private organization of park district employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the park district, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults. A background check conducted through a private organization under this subsection is not required in addition to the requirement under (a) (i) of this subsection.

(b) The investigation under (a) (i) of this subsection shall consist of a background check as allowed through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834, the Washington state criminal records act under RCW 10.97.030 ~~((7))~~ and 10.97.050, and ~~((through))~~ the federal bureau of investigation ~~((, including a fingerprint check using a complete Washington state criminal identification fingerprint card))~~.

(c) The background checks conducted under (a) (i) of this subsection must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the metropolitan park district.

(d) The park district shall provide a copy of the record report to the employee, prospective employee, volunteer, vendor, or independent contractor.

(e) When necessary, as determined by the park district, prospective employees, volunteers, vendors, or independent contractors may be employed on a

conditional basis pending completion of the investigation.

(f) If the employee, prospective employee, volunteer, vendor, or independent contractor has had a record check within the previous twelve months, the park district may waive the requirement upon receiving a copy of the record. ~~((The park district may in its discretion require that the prospective employee, volunteer, or independent contractor pay the costs associated with the record check.))~~

(g) For background checks conducted pursuant to (c) of this subsection, the metropolitan park district must transmit appropriate fees, as the Washington state patrol may require under RCW 10.97.100 and 43.43.838, to the Washington state patrol, unless alternately arranged.

(h) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law."

On page 1, line 2 of the title, after "checks;" strike the remainder of the title and insert "and amending RCW 35.21.920, 35A.21.370, 36.01.300, and 35.61.130."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1620 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Lovick and Griffey spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1620, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1620, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 72; Nays, 24; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hargrove,

Harmsworth, Harris, Hayes, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Dye, Haler, Holy, Irwin, Jenkin, Klippert, Koster, Kretz, Manweller, Maycumber, McCaslin, Pike, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz and J. Walsh.

Excused: Representatives Caldier and DeBolt.

ENGROSSED HOUSE BILL NO. 1620, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 19, 2017

MR. SPEAKER:

The Senate receded from its amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714, and under suspension of the rules returned ESHB 1714 to second reading for purpose of amendment(s). The Senate further adopted amendment 1714-S.E AMS RIVE S2706.1 and passed the measure as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that:

(1) Research demonstrates that registered nurses play a critical role in improving patient safety and quality of care;

(2) Appropriate staffing of hospital personnel including registered nurses available for patient care assists in reducing errors, complications, and adverse patient care events and can improve staff safety and satisfaction and reduce incidences of workplace injuries;

(3) Health care professional, technical, and support staff comprise vital components of the patient care team, bringing their particular skills and services to ensuring quality patient care;

(4) Assuring sufficient staffing of hospital personnel, including registered nurses, is an urgent public policy priority in order to protect patients and support greater retention of registered nurses and safer working conditions; and

(5) Steps should be taken to promote evidence-based nurse staffing and increase transparency of health care data and decision making based on the data.

Sec. 2. RCW 70.41.420 and 2008 c 47 s 3 are each amended to read as follows:

(1) By September 1, 2008, each hospital shall establish a nurse staffing committee, either by creating a new committee or assigning the functions of a nurse staffing committee to an existing committee. At least one-half of the members of the nurse staffing committee shall be registered nurses currently providing direct patient care and up to one-half of the members shall be determined by the hospital administration. The selection of the registered nurses providing direct patient care shall be according to the collective bargaining agreement if there is one in effect at the hospital. If there is no applicable collective bargaining agreement, the members of the nurse staffing committee who are registered nurses providing direct patient care shall be selected by their peers.

(2) Participation in the nurse staffing committee by a hospital employee shall be on scheduled work time and compensated at the appropriate rate of pay. Nurse staffing committee members shall be relieved of all other work duties during meetings of the committee.

(3) Primary responsibilities of the nurse staffing committee shall include:

(a) Development and oversight of an annual patient care unit and shift-based nurse staffing plan, based on the needs of patients, to be used as the primary component of the staffing budget. Factors to be considered in the development of the plan should include, but are not limited to:

(i) Census, including total numbers of patients on the unit on each shift and activity such as patient discharges, admissions, and transfers;

(ii) Level of intensity of all patients and nature of the care to be delivered on each shift;

(iii) Skill mix;

(iv) Level of experience and specialty certification or training of nursing personnel providing care;

(v) The need for specialized or intensive equipment;

(vi) The architecture and geography of the patient care unit, including but not limited to placement of patient rooms, treatment areas, nursing stations, medication preparation areas, and equipment; ~~((and))~~

(vii) Staffing guidelines adopted or published by national nursing professional associations, specialty nursing organizations, and other health professional organizations;

(viii) Availability of other personnel supporting nursing services on the unit; and

(ix) Strategies to enable registered nurses to take meal and rest breaks as required by law or the terms of an applicable collective bargaining agreement, if any, between the hospital and a representative of the nursing staff;

(b) Semiannual review of the staffing plan against patient need and known evidence-based staffing information, including the nursing sensitive quality indicators collected by the hospital;

(c) Review, assessment, and response to staffing variations or concerns presented to the committee.

(4) In addition to the factors listed in subsection (3)(a) of this section, hospital finances and resources ~~((may))~~ must be taken into account in the development of the nurse staffing plan.

(5) The staffing plan must not diminish other standards contained in state or federal law and rules, or the terms of an applicable collective bargaining agreement, if any, between the hospital and a representative of the nursing staff.

(6) The committee will produce the hospital's annual nurse staffing plan. If this staffing plan is not adopted by the hospital, the chief executive officer shall provide a written explanation of the reasons why the plan was not adopted to the committee. The chief executive officer must then either: (a) Identify those elements of the proposed plan being changed prior to adoption of the plan by the hospital or (b) prepare an alternate annual staffing plan that must be adopted by the hospital. Beginning January 1, 2019, each hospital shall submit its staffing plan to the department and thereafter on an annual basis and at any time in between that the plan is updated.

(7) Beginning January 1, 2019, each hospital shall implement the staffing plan

and assign nursing personnel to each patient care unit in accordance with the plan.

(a) A registered nurse may report to the staffing committee any variations where the nurse personnel assignment in a patient care unit is not in accordance with the adopted staffing plan and may make a complaint to the committee based on the variations.

(b) Shift-to-shift adjustments in staffing levels required by the plan may be made by the appropriate hospital personnel overseeing patient care operations. If a registered nurse on a patient care unit objects to a shift-to-shift adjustment, the registered nurse may submit the complaint to the staffing committee.

(c) Staffing committees shall develop a process to examine and respond to data submitted under (a) and (b) of this subsection, including the ability to determine if a specific complaint is resolved or dismissing a complaint based on unsubstantiated data.

(8) Each hospital shall post, in a public area on each patient care unit, the nurse staffing plan and the nurse staffing schedule for that shift on that unit, as well as the relevant clinical staffing for that shift. The staffing plan and current staffing levels must also be made available to patients and visitors upon request.

~~((9))~~ (9) A hospital may not retaliate against or engage in any form of intimidation of:

(a) An employee for performing any duties or responsibilities in connection with the nurse staffing committee; or

(b) An employee, patient, or other individual who notifies the nurse staffing committee or the hospital administration of his or her concerns on nurse staffing.

~~((10))~~ (10) This section is not intended to create unreasonable burdens on critical access hospitals under 42 U.S.C. Sec. 1395i-4. Critical access hospitals may develop flexible approaches to accomplish the requirements of this section that may include but are not limited to having nurse staffing committees work by telephone or ~~((electronic mail))~~ email.

NEW SECTION. Sec. 3. A new section is added to chapter 70.41 RCW to read as follows:

(1) (a) The department shall investigate a complaint submitted under this section for violation of RCW 70.41.420 following receipt of a complaint with documented evidence of failure to:

(i) Form or establish a staffing committee;

(ii) Conduct a semiannual review of a nurse staffing plan;

(iii) Submit a nurse staffing plan on an annual basis and any updates; or

(iv) (A) Follow the nursing personnel assignments in a patient care unit in violation of RCW 70.41.420(7) (a) or shift-to-shift adjustments in staffing levels in violation of RCW 70.41.420(7) (b).

(B) The department may only investigate a complaint under this subsection (1) (a) (iv) after making an assessment that the submitted evidence indicates a continuing pattern of unresolved violations of RCW 70.41.420(7) (a) or (b), that were submitted to the nurse staffing committee excluding complaints determined by the nurse staffing committee to be resolved or dismissed. The submitted evidence must include the aggregate data contained in the complaints submitted to the hospital's nurse staffing committee that indicate a continuing pattern of unresolved violations for a minimum sixty-day continuous period leading up to receipt of the complaint by the department.

(C) The department may not investigate a complaint under this subsection (1) (a) (iv) in the event of unforeseeable emergency circumstances or if the hospital, after consultation with the nurse staffing committee, documents it has made reasonable efforts to obtain staffing to meet required assignments but has been unable to do so.

(b) After an investigation conducted under (a) of this subsection, if the department determines that there has been a violation, the department shall require the hospital to submit a corrective plan of action within forty-five days of the presentation of findings from the department to the hospital.

(2) In the event that a hospital fails to submit or submits but fails to follow such a corrective plan of action in response to a violation or violations found by the department based on a complaint filed pursuant to subsection (1) of this section, the department may

impose, for all violations asserted against a hospital at any time, a civil penalty of one hundred dollars per day until the hospital submits or begins to follow a corrective plan of action or takes other action agreed to by the department.

(3) The department shall maintain for public inspection records of any civil penalties, administrative actions, or license suspensions or revocations imposed on hospitals under this section.

(4) For purposes of this section, "unforeseeable emergency circumstance" means:

(a) Any unforeseen national, state, or municipal emergency;

(b) When a hospital disaster plan is activated;

(c) Any unforeseen disaster or other catastrophic event that substantially affects or increases the need for health care services; or

(d) When a hospital is diverting patients to another hospital or hospitals for treatment or the hospital is receiving patients who are from another hospital or hospitals.

(5) Nothing in this section shall be construed to preclude the ability to otherwise submit a complaint to the department for failure to follow RCW 70.41.420.

(6) The department shall submit a report to the legislature on December 31, 2020. This report shall include the number of complaints submitted to the department under this section, the disposition of these complaints, the number of investigations conducted, the associated costs for complaint investigations, and recommendations for any needed statutory changes. The department shall also project, based on experience, the impact, if any, on hospital licensing fees over the next four years. Prior to the submission of the report, the secretary shall convene a stakeholder group consisting of the Washington state hospital association, the Washington state nurses association, service employees international union healthcare 1199NW, and united food and commercial workers 21. The stakeholder group shall review the report prior to its submission to review findings and jointly develop any legislative recommendations to be included in the report.

(7) No fees shall be increased to implement this act prior to July 1, 2021.

NEW SECTION. **Sec. 4.** This act expires June 1, 2023.

NEW SECTION. **Sec. 5.** This act may be known and cited as the Washington state patient safety act."

On page 1, line 1 of the title, after "hospitals;" strike the remainder of the title and insert "amending RCW 70.41.420; adding a new section to chapter 70.41 RCW; creating new sections; prescribing penalties; and providing an expiration date."

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1714, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1714, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Caldier and DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Commerce & Gaming was relieved of SENATE BILL NO. 5130 and the bill was placed on the second reading calendar:

There being no objection, the House reverted to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 19, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5106 and asks the House to recede therefrom,

and the same is herewith transmitted.

Hunter Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SUBSTITUTE SENATE BILL NO. 5106 was returned to second reading for the purpose of amendment.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5106, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senator O'Ban)

Clarifying obligations under the involuntary treatment act.

Representative Jinkins moved the adoption of the striking amendment (571):

Strike everything after the enacting clause and insert the following:

"Part One - Joel's Law Amendments

Sec. 1. RCW 71.05.201 and 2016 c 107 s 1 are each amended to read as follows:

(1) If a designated mental health professional decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated mental health professional received a request for investigation and the designated mental health professional has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2) A petition under this section must be filed within ten calendar days following the designated mental health professional investigation or the request for a designated mental health professional investigation. If more than ten days have elapsed, the immediate family member, guardian, or conservator may request a new designated mental health professional investigation.

(3)(a) The petition must be filed in the county in which the designated mental health professional investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated mental health professional.

~~((3))~~ (4) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated mental health professional agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated mental health professional's current decision.

~~((4))~~ (5) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

~~((5))~~ (6) The court shall dismiss the petition at any time if it finds that a designated mental health professional has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

~~((6))~~ (7) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

~~((7))~~ (8) If the court enters an order for initial detention, it shall provide the order to the designated mental health professional agency (~~(, which shall execute the order without delay)~~) and issue a written order for apprehension of the person by a peace officer for delivery of the person to a facility or emergency room determined by the designated mental health professional. The designated mental health agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement regarding apprehensions and detentions under this subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a written order issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated mental health professional. An order for initial detention under this section expires one hundred eighty days from issuance.

~~((8))~~ (9) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

~~((9))~~ (10) For purposes of this section, "immediate family member" means

a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

Sec. 2. RCW 71.05.201 and 2016 sp.s. c 29 s 222 and 2016 c 107 s 1 are each reenacted and amended to read as follows:

(1) If a designated crisis responder decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2) A petition under this section must be filed within ten calendar days following the designated crisis responder investigation or the request for a designated crisis responder investigation. If more than ten days have elapsed, the immediate family member, guardian, or conservator may request a new designated crisis responder investigation.

(3)(a) The petition must be filed in the county in which the designated ~~(mental health professional)~~ crisis responder investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated crisis responder.

~~((3))~~ (4) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated crisis responder agency with an order for the agency to provide the court, within one judicial day, with

a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated crisis responder's current decision.

~~((4))~~ (5) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

~~((5))~~ (6) The court shall dismiss the petition at any time if it finds that a designated crisis responder has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

~~((6))~~ (7) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

~~((7))~~ (8) If the court enters an order for initial detention, it shall provide the order to the designated crisis responder agency ~~(, which shall execute the order without delay)~~ and issue a written order for apprehension of the person by a peace officer for delivery of the person to a facility or emergency room determined by the designated crisis responder. The designated crisis responder agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement regarding apprehensions and detentions under this subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a written order issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated crisis responder. An order for initial detention under this section expires one hundred eighty days from issuance.

~~((8))~~ (9) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW

71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

((~~9~~)) (10) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

Sec. 3. RCW 71.05.203 and 2015 c 258 s 3 are each amended to read as follows:

(1) The department and each (~~regional support network~~) behavioral health organization or agency employing designated mental health professionals shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under RCW 71.05.201.

(2) A designated mental health professional or designated mental health professional agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under RCW 71.05.201. If the designated mental health professional decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since the request for investigation was received and the designated mental health professional has not taken action to have the person detained, the designated mental health professional or designated mental health professional agency must inform the immediate family member, guardian, or conservator who made the request for investigation about the process to petition for court review under RCW 71.05.201 and, to the extent feasible, provide the immediate family member, guardian, or conservator with written or electronic information about the petition process. If provision of written or electronic information is not feasible, the designated mental health professional or designated mental health professional agency must refer the immediate family member, guardian, or conservator to a web site where published information on the petition process may be accessed. The designated mental health professional or designated mental health professional agency must document the manner and date on which the information required under this subsection was provided to the

immediate family member, guardian, or conservator.

(3) A designated mental health professional or designated mental health professional agency must, upon request, disclose the date of a designated mental health professional investigation under this chapter to an immediate family member, guardian, or conservator of a person to assist in the preparation of a petition under RCW 71.05.201.

Sec. 4. RCW 71.05.203 and 2016 sp.s. c 29 s 223 are each amended to read as follows:

(1) The department and each behavioral health organization or agency employing designated crisis responders shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under RCW 71.05.201.

(2) A designated crisis responder or designated crisis responder agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under RCW 71.05.201. If the designated crisis responder decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since the request for investigation was received and the designated crisis responder has not taken action to have the person detained, the designated crisis responder or designated crisis responder agency must inform the immediate family member, guardian, or conservator who made the request for investigation about the process to petition for court review under RCW 71.05.201 and, to the extent feasible, provide the immediate family member, guardian, or conservator with written or electronic information about the petition process. If provision of written or electronic information is not feasible, the designated crisis responder or designated crisis responder agency must refer the immediate family member, guardian, or conservator to a web site where published information on the petition process may be accessed. The designated crisis responder or designated crisis responder agency must document the manner and date on which the information required under this subsection was provided to the immediate family member, guardian, or conservator.

(3) A designated crisis responder or designated crisis responder agency must, upon request, disclose the date of a designated crisis responder investigation under this chapter to an immediate family member, guardian, or conservator of a person to assist in the preparation of a petition under RCW 71.05.201.

NEW SECTION. Sec. 5. By December 15, 2017, the administrative office of the courts, in collaboration with stakeholders, including but not limited to judges, prosecutors, defense attorneys, the department of social and health services, behavioral health advocates, and families, shall: (1) Develop and publish on its web site a user's guide to assist pro se litigants in the preparation and filing of a petition under RCW 71.05.201; and (2) develop a model order of detention under RCW 71.05.201 which contains an advisement of rights for the detained person.

NEW SECTION. Sec. 6. Sections 1 and 3 of this act expire April 1, 2018.

NEW SECTION. Sec. 7. Sections 2 and 4 of this act take effect April 1, 2018.

Part Two - Less Restrictive Alternative Revocations

Sec. 8. RCW 71.05.590 and 2015 c 250 s 13 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated mental health professional, may take action to enforce, modify, or revoke a less restrictive alternative or conditional release order ((if)). The agency, facility, or designated mental health professional ((determines)) must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate

to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel ~~((7))~~ or advise ~~((7 or admonish))~~ the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated mental health professional, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or evaluation and treatment facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated mental health professional or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not

limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated mental health professional when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) A designated mental health professional or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this section to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment, or initiate proceedings under this subsection (4) without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated mental health professional or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated mental health professional or secretary shall (~~notify the court that originally ordered commitment within two judicial days of a person's detention and~~) file a revocation petition and order of apprehension and detention with the court (~~and~~) of the county where the person is currently located or being detained. The designated mental health professional shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings (~~regarding a petition for~~

~~modification or revocation must be in~~) is the county ((in which)) where the petition ((was)) is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order.

(e) Revocation proceedings under this subsection (4) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

(5) In determining whether or not to take action under this section the designated mental health professional, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Sec. 9. RCW 71.05.590 and 2016 sp.s. c 29 s 242 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a

less restrictive alternative or conditional release order ~~((if))~~. The agency, facility, or designated crisis responder ~~((determines))~~ must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel ~~((7))~~ or advise ~~((7 or admonish))~~ the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the

agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or to an evaluation and treatment facility if the person is committed for mental health treatment, or to a secure detoxification facility with available space or an approved substance use disorder treatment program with available space if the person is committed for substance use disorder treatment. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4) (a) A designated crisis responder or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a secure detoxification facility or approved substance use disorder treatment program if either is available in or near

the county in which he or she is receiving outpatient treatment and has adequate space. Proceedings under this subsection (4) may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated crisis responder or secretary shall ~~((notify the court that originally ordered commitment within two judicial days of a person's detention and))~~ file a revocation petition and order of apprehension and detention with the court ~~((and))~~ of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings ((regarding a petition for modification or revocation must be in)) is the county ((in which)) where the petition ((was)) is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court

hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order. A court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder treatment program under this subsection unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.

(e) Revocation proceedings under this subsection (4) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

(5) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Sec. 10. RCW 71.05.590 and 2016 sp.s. c 29 s 243 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative or conditional release order ((if)). The agency, facility, or designated crisis responder ((determines)) must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel(~~(7)~~) or advise(~~(7 or admonish)~~) the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or to an evaluation and treatment facility if the person is committed for mental health treatment, or to a secure detoxification facility or an approved substance use disorder treatment program if the person is committed for substance use disorder treatment. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or

physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4) (a) A designated crisis responder or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a secure detoxification facility or approved substance use disorder treatment program if either is available in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection (4) may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated crisis responder or secretary shall ~~((notify the court that originally ordered commitment within two judicial days of a person's detention and))~~ file a revocation petition and order of apprehension and detention with the court ~~((and))~~ of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings ~~((regarding a petition for modification or revocation must be in))~~ is the county ~~((in which))~~ where the petition ~~((was))~~ is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order.

(e) Revocation proceedings under this subsection (4) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

(5) In determining whether or not to take action under this section the designated crisis responder, agency, or

facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Part Three - Initial Detention Investigations

Sec. 11. RCW 71.05.154 and 2013 c 334 s 1 are each amended to read as follows:

~~((A))~~ If a person subject to evaluation under RCW 71.05.150 or 71.05.153 is located in an emergency room at the time of evaluation, the designated mental health professional conducting ~~((an))~~ the evaluation ~~((of a person under RCW 71.05.150 or 71.05.153 must consult with any examining emergency room physician regarding the physician's observations and opinions relating to the person's condition, and whether, in the view of the physician, detention is appropriate. The designated mental health professional))~~ shall take serious consideration of observations and opinions by an examining emergency room physician~~((s))~~, advanced registered nurse practitioner, or physician assistant in determining whether detention under this chapter is appropriate. The designated mental health professional must document ~~((the))~~ his or her consultation with ~~((an examining emergency room physician))~~ this professional, ~~((including))~~ if the professional is available, or his or her review of the ~~((physician's))~~ professional's written observations or opinions regarding whether detention of the person is appropriate.

Sec. 12. RCW 71.05.154 and 2016 sp.s. c 29 s 214 are each amended to read as follows:

~~((A))~~ If a person subject to evaluation under RCW 71.05.150 or 71.05.153 is located in an emergency room at the time of evaluation, the designated crisis responder conducting ~~((an))~~ the evaluation ~~((of a person under RCW 71.05.150 or 71.05.153 must consult with any examining emergency room physician regarding the physician's observations and opinions relating to the person's condition, and whether, in the view of the physician, detention is appropriate. The designated crisis responder))~~ shall take serious consideration of observations and opinions by an examining emergency room physician~~((s))~~, advanced registered nurse practitioner, or physician assistant in

determining whether detention under this chapter is appropriate. The designated crisis responder must document ~~((the))~~ his or her consultation with ~~((an examining emergency room physician))~~ this professional, ~~((including))~~ if the professional is available, or his or her review of the ~~((physician's))~~ professional's written observations or opinions regarding whether detention of the person is appropriate.

Part Four - Evaluation and Petition by Chemical

Dependency Professionals

Sec. 13. RCW 70.96A.140 and 2016 sp.s. c 29 s 102 are each amended to read as follows:

(1)(a) When a designated chemical dependency specialist receives information alleging that a person presents a likelihood of serious harm or is gravely disabled as a result of ~~((chemical dependency))~~ a substance use disorder, the designated chemical dependency specialist, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the information, may file a petition for commitment of such person with the superior court, district court, or in another court permitted by court rule.

If a petition for commitment is not filed in the case of a minor, the parent, guardian, or custodian who has custody of the minor may seek review of that decision made by the designated chemical dependency specialist in superior or district court. The parent, guardian, or custodian shall file notice with the court and provide a copy of the designated chemical dependency specialist's report.

If the designated chemical dependency specialist finds that the initial needs of such person would be better served by placement within the mental health system, the person shall be referred to either a designated mental health professional or an evaluation and treatment facility as defined in RCW 71.05.020 or 71.34.020.

(b) If placement in a ~~((chemical dependency))~~ substance use disorder treatment program is available and deemed appropriate, the petition shall allege that: The person is chemically dependent and presents a likelihood of serious harm or is gravely disabled by alcohol or drug addiction, or that the person has twice before in the preceding twelve months been

admitted for withdrawal management, sobering services, or ~~((chemical dependency))~~ substance use disorder treatment pursuant to RCW 70.96A.110 or 70.96A.120, and is in need of a more sustained treatment program, or that the person ~~((is chemically dependent))~~ has a substance use disorder and has threatened, attempted, or inflicted physical harm on another and is likely to inflict physical harm on another unless committed. A refusal to undergo treatment, by itself, does not constitute evidence of lack of judgment as to the need for treatment.

(c) If involuntary detention is sought, the petition must state facts that support a finding of the grounds identified in (b) of this subsection and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition must state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition must state facts that support a finding of the grounds for commitment identified in (b) of this subsection and set forth the proposed less restrictive alternative.

(d)(i) The petition must be signed by:

(A) ~~((Two physicians,))~~ One physician, physician assistant, or advanced registered nurse practitioner; and

(B) ~~((One physician and a mental health professional;~~

(C) One physician assistant and a mental health professional; or

(D) One psychiatric advanced registered nurse practitioner and a mental health professional.

~~((ii) The persons signing the petition must have examined the person))~~ One physician, physician assistant, advanced registered nurse practitioner, or designated chemical dependency specialist.

(2) Upon filing the petition, the court shall fix a date for a hearing no less than two and no more than seven days after the date the petition was filed unless the person petitioned against is presently being detained in a program, pursuant to RCW 70.96A.120, 71.05.210, or 71.34.710, in which case the hearing shall be held within seventy-two hours of the filing of the petition ~~((: PROVIDED, HOWEVER, That))~~.

The (~~above specified~~) seventy-two hours shall be computed by excluding Saturdays, Sundays, and holidays (~~(- PROVIDED FURTHER, That,)~~). The court may, upon motion of the person whose commitment is sought, or upon motion of petitioner with written permission of the person whose commitment is sought, or his or her counsel and, upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of the hearing, including the date fixed by the court, shall be served (~~by the designated chemical dependency specialist~~) on the person whose commitment is sought, his or her next of kin, a parent or his or her legal guardian if he or she is a minor, and any other person the court believes advisable. A copy of the petition and certificate shall be delivered to each person notified.

(3) At the hearing the court shall hear all relevant testimony including, if possible, the testimony, which may be telephonic, of at least one licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or (~~mental health professional~~) designated chemical dependency specialist who has examined the person whose commitment is sought. Communications otherwise deemed privileged under the laws of this state are deemed to be waived in proceedings under this chapter when a court of competent jurisdiction in its discretion determines that the waiver is necessary to protect either the detained person or the public. The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person, or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical, nursing, or psychological records of detained persons so long as the requirements of RCW 5.45.020 are met, except that portions of the record that contain opinions as to whether the detained person (~~is chemically dependent~~) has a substance use disorder shall be deleted from the records unless the person offering the opinions is available for cross-examination. The person shall be present unless the court believes that his or her presence is likely to be injurious to him or her; in

this event the court may deem it appropriate to appoint a guardian ad litem to represent him or her throughout the proceeding. If deemed advisable, the court may examine the person out of courtroom. If the person has refused to be examined by a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or (~~mental health professional~~) designated chemical dependency specialist, he or she shall be given an opportunity to be examined by a court appointed licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or other professional person qualified to provide such services. If he or she refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more medical evidence is necessary, the court may make a temporary order committing him or her to the department for a period of not more than five days for purposes of a diagnostic examination.

(4) (a) If, after hearing all relevant evidence, including the results of any diagnostic examination, the court finds that grounds for involuntary commitment have been established by a preponderance of the evidence and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interest of the person or others, it shall make an order of commitment to an approved substance use disorder treatment program. It shall not order commitment of a person unless it determines that an approved substance use disorder treatment program is available and able to provide adequate and appropriate treatment for him or her.

(b) If the court finds that the grounds for commitment have been established by a preponderance of the evidence, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive course of treatment. The less restrictive order may impose treatment conditions and other conditions that are in the best interest of the respondent and others. A copy of the less restrictive order must be given to the respondent, the designated chemical dependency specialist, and any program designated to provide less restrictive treatment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary

treatment, the program so designated must agree in writing to assume such responsibility. The court may not order commitment of a person to a less restrictive course of treatment unless it determines that an approved substance use disorder treatment program is available and able to provide adequate and appropriate treatment for him or her.

(5) A person committed to inpatient treatment under this section shall remain in the program for treatment for a period of fourteen days unless sooner discharged. A person committed to a less restrictive course of treatment under this section shall remain in the program of treatment for a period of ninety days unless sooner discharged. At the end of the fourteen-day period, or ninety-day period in the case of a less restrictive alternative to inpatient treatment, he or she shall be discharged automatically unless the program or the designated chemical dependency specialist, before expiration of the period, files a petition for his or her recommitment upon the grounds set forth in subsection (1) of this section for a further period of ninety days of inpatient treatment or ninety days of less restrictive alternative treatment unless sooner discharged. The petition for ninety-day inpatient or less restrictive alternative treatment must be filed with the clerk of the court at least three days before expiration of the fourteen-day period of intensive treatment.

If a petition for recommitment is not filed in the case of a minor, the parent, guardian, or custodian who has custody of the minor may seek review of that decision made by the designated chemical dependency specialist in superior or district court. The parent, guardian, or custodian shall file notice with the court and provide a copy of the treatment progress report.

If a person has been committed because he or she (~~is chemically dependent~~) has a substance use disorder and is likely to inflict physical harm on another, the program or designated chemical dependency specialist shall apply for recommitment if after examination it is determined that the likelihood still exists.

(6) Upon the filing of a petition for recommitment under subsection (5) of this section, the court shall fix a date for hearing no less than two and no more than seven days after the date the petition was filed (~~(+ PROVIDED, That,)~~). The court may, upon motion of the person whose commitment is sought and upon good cause shown,

extend the date for the hearing. A copy of the petition and of the notice of hearing, including the date fixed by the court, shall be served by the treatment program on the person whose commitment is sought, his or her next of kin, the original petitioner under subsection (1) of this section if different from the petitioner for recommitment, one of his or her parents or his or her legal guardian if he or she is a minor, and his or her attorney and any other person the court believes advisable. At the hearing the court shall proceed as provided in subsections (3) and (4) of this section, except that the burden of proof upon a hearing for recommitment must be proof by clear, cogent, and convincing evidence.

(7) The approved substance use disorder treatment program shall provide for adequate and appropriate treatment of a person committed to its custody on an inpatient or outpatient basis. A person committed under this section may be transferred from one approved public treatment program to another if transfer is medically advisable.

(8) A person committed to a program for treatment shall be discharged at any time before the end of the period for which he or she has been committed and he or she shall be discharged by order of the court if either of the following conditions are met:

(a) In case of a (~~chemically dependent~~) person with a substance use disorder committed on the grounds of likelihood of infliction of physical harm upon himself, herself, or another, the likelihood no longer exists; or further treatment will not be likely to bring about significant improvement in the person's condition, or treatment is no longer adequate or appropriate.

(b) In case of a (~~chemically dependent~~) person with a substance use disorder committed on the grounds of the need of treatment and incapacity, that the incapacity no longer exists.

(9) The court shall inform the person whose commitment or recommitment is sought of his or her right to contest the application, be represented by counsel at every stage of any proceedings relating to his or her commitment and recommitment, and have counsel appointed by the court or provided by the court, if he or she wants the assistance of counsel and is unable to obtain counsel. If the court believes that the person needs the assistance of

counsel, the court shall require, by appointment if necessary, counsel for him or her regardless of his or her wishes. The person shall, if he or she is financially able, bear the costs of such legal service; otherwise such legal service shall be at public expense. The person whose commitment or recommitment is sought shall be informed of his or her right to be examined by a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, designated chemical dependency specialist, or other professional person of his or her choice who is qualified to provide such services. If the person is unable to obtain a qualified person and requests an examination, the court shall employ a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, designated chemical dependency specialist, or other professional person to conduct an examination and testify on behalf of the person.

(10) A person committed under this chapter may at any time seek to be discharged from commitment by writ of habeas corpus in a court of competent jurisdiction.

(11) The venue for proceedings under this section is the county in which person to be committed resides or is present.

(12) When in the opinion of the professional person in charge of the program providing involuntary inpatient treatment under this chapter, the committed patient can be appropriately served by less restrictive treatment before expiration of the period of commitment, then the less restrictive care may be required as a condition for early release for a period which, when added to the initial treatment period, does not exceed the period of commitment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary treatment, the program so designated must agree in writing to assume such responsibility. A copy of the conditions for early release shall be given to the patient, the designated chemical dependency specialist of original commitment, and the court of original commitment. The program designated to provide less restrictive care may modify the conditions for continued release when the modifications are in the best interests of the patient. If the program providing less restrictive care and the

designated chemical dependency specialist determine that a conditionally released patient is failing to adhere to the terms and conditions of his or her release, or that substantial deterioration in the patient's functioning has occurred, then the designated chemical dependency specialist shall notify the court of original commitment and request a hearing to be held no less than two and no more than seven days after the date of the request to determine whether or not the person should be returned to more restrictive care. The designated chemical dependency specialist shall file a petition with the court stating the facts substantiating the need for the hearing along with the treatment recommendations. The patient shall have the same rights with respect to notice, hearing, and counsel as for the original involuntary treatment proceedings. The issues to be determined at the hearing are whether the conditionally released patient did or did not adhere to the terms and conditions of his or her release to less restrictive care or that substantial deterioration of the patient's functioning has occurred and whether the conditions of release should be modified or the person should be returned to a more restrictive program. The hearing may be waived by the patient and his or her counsel and his or her guardian or conservator, if any, but may not be waived unless all such persons agree to the waiver. Upon waiver, the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions. The grounds and procedures for revocation of less restrictive alternative treatment ordered by the court must be the same as those set forth in this section for less restrictive care arranged by an approved substance use disorder treatment program as a condition for early release.

Sec. 14. RCW 71.05.020 and 2016 sp.s. c 29 s 204 and 2016 c 155 s 1 are each reenacted and amended to read as follows:

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

(1) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount

and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(3) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(4) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(5) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(6) "Chemical dependency" means:

(a) Alcoholism;

(b) Drug addiction; or

(c) Dependence on alcohol and one or more psychoactive chemicals, as the context requires;

(7) "Chemical dependency professional" means a person certified as a chemical dependency professional by the department of health under chapter 18.205 RCW;

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

(9) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(10) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(11) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of

unconditional release from commitment from a facility providing involuntary care and treatment;

(12) "Department" means the department of social and health services;

(13) "Designated crisis responder" means a mental health professional appointed by the behavioral health organization to perform the duties specified in this chapter;

(14) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(15) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(16) "Developmental disability" means that condition defined in RCW 71A.10.020(5);

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

(18) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(19) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. The department may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is

part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(20) "Gravely disabled" means a condition in which a person, as a result of a mental disorder, or as a result of the use of alcohol or other psychoactive chemicals: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(21) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(22) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, a long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction;

(23) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(24) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

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

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

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

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

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

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

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

(25) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(26) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

(27) "In need of assisted outpatient mental health treatment" means that a person, as a result of a mental disorder: (a) Has been committed by a court to detention for involuntary mental health treatment at least twice during the preceding thirty-six months, or, if the person is currently committed for involuntary mental health treatment, the person has been committed to detention for involuntary mental health treatment at least once during the thirty-six months preceding the date of initial detention of the current commitment cycle; (b) is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, in view of the person's treatment history or current behavior; (c) is unlikely to survive safely in the community without supervision; (d) is likely to benefit from less restrictive alternative treatment; and (e) requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration

that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time. For purposes of (a) of this subsection, time spent in a mental health facility or in confinement as a result of a criminal conviction is excluded from the thirty-six month calculation;

(28) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(29) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health and substance use disorder service providers under RCW 71.05.130;

(30) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585;

(31) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

(32) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(33) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder;

(34) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on

a person's cognitive or volitional functions;

(35) "Mental health professional" means a psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(36) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders or substance use disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or behavioral health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, approved substance use disorder treatment programs as defined in this section, secure detoxification facilities as defined in this section, and correctional facilities operated by state and local governments;

(37) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(38) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW;

(39) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders;

(40) "Professional person" means a mental health professional, chemical dependency professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse

practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(41) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(42) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(43) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(44) "Public agency" means any evaluation and treatment facility or institution, secure detoxification facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(45) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness or substance use disorders;

(46) "Release" means legal termination of the commitment under the provisions of this chapter;

(47) "Resource management services" has the meaning given in chapter 71.24 RCW;

(48) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(49) "Secure detoxification facility" means a facility operated by either a public or private agency or by the program of an agency that:

(a) Provides for intoxicated persons:

(i) Evaluation and assessment, provided by certified chemical dependency professionals;

(ii) Acute or subacute detoxification services; and

(iii) Discharge assistance provided by certified chemical dependency professionals, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Includes security measures sufficient to protect the patients, staff, and community; and

(c) Is certified as such by the department;

(50) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(51) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(52) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(53) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(54) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not

include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others;

(55) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(56) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

Sec. 15. RCW 71.05.210 and 2016 sp.s. c 29 s 224 and 2016 c 155 s 2 are each reenacted and amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program:

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by:

(i) One physician (~~and a mental health professional~~), physician assistant, or advanced registered nurse practitioner; and

(ii) One (~~physician assistant and a~~) mental health professional (~~or~~);

~~(iii) One advanced registered nurse practitioner and a mental health professional~~). If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a chemical dependency professional instead of a mental health professional; and

(b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric

medications, but may not refuse: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional or chemical dependency professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment (~~facility~~) program, or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the person shall be referred to the more appropriate placement; however, a person may only be referred to a secure detoxification facility or approved substance use disorder treatment program if there is an available secure detoxification facility or approved substance use disorder treatment program with adequate space for the person.

(3) An evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated crisis responder and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 16. RCW 71.05.210 and 2016 sp.s. c 29 s 225 are each amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program:

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by:

(i) One physician (~~and a mental health professional~~), physician assistant, or advanced registered nurse practitioner; and

(ii) One (~~physician assistant and a~~) mental health professional (~~or~~

~~(iii) One advanced registered nurse practitioner and a mental health~~). If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a chemical dependency professional instead of a mental health professional; and

(b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional or chemical dependency professional and licensed physician, physician assistant, or psychiatric advanced registered nurse

practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment (~~facility~~) program, or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the person shall be referred to the more appropriate placement.

(3) An evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated crisis responder and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 17. RCW 71.05.230 and 2016 sp.s. c 29 s 230, 2016 c 155 s 5, and 2016 c 45 s 1 are each reenacted and amended to read as follows:

A person detained or committed for seventy-two hour evaluation and treatment or for an outpatient evaluation for the purpose of filing a petition for a less restrictive alternative treatment order may be committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative to involuntary intensive treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by mental disorder or substance use disorder and results in a likelihood of serious harm, results in the person being gravely disabled, or results in the person being in need of assisted outpatient mental health treatment, and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has

evidence that he or she has not in good faith volunteered; and

(3) The agency or facility providing intensive treatment or which proposes to supervise the less restrictive alternative is certified to provide such treatment by the department; and

(4) (a) (i) The professional staff of the agency or facility or the designated crisis responder has filed a petition with the court for a fourteen day involuntary detention or a ninety day less restrictive alternative. The petition must be signed ~~((either))~~ by:

~~(((a) Two physicians))~~ (A) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

~~(((b)))~~ (B) One physician ~~((and a))~~, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional ~~((+))~~

(c) One physician assistant and a mental health professional; or

(d) One psychiatric advanced registered nurse practitioner and a mental health professional).

(ii) If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner. The persons signing the petition must have examined the person.

(b) If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of a mental disorder or substance use disorder, presents a likelihood of serious harm, or is gravely disabled and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition shall state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition shall state facts that support the finding that such person, as a result of a mental disorder or as a result of a substance use disorder, presents a likelihood of serious harm, is gravely disabled, or is in need of assisted outpatient mental health treatment, and

shall set forth any recommendations for less restrictive alternative treatment services; and

(5) A copy of the petition has been served on the detained or committed person, his or her attorney and his or her guardian or conservator, if any, prior to the probable cause hearing; and

(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed for mental health treatment; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated crisis responder may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide less restrictive alternative treatment is other than the facility providing involuntary treatment, the outpatient facility so designated to provide less restrictive alternative treatment has agreed to assume such responsibility.

Sec. 18. RCW 71.05.290 and 2016 sp.s. c 29 s 235, 2016 c 155 s 6, and 2016 c 45 s 3 are each reenacted and amended to read as follows:

(1) At any time during a person's fourteen day intensive treatment period, the professional person in charge of a treatment facility or his or her professional designee or the designated crisis responder may petition the superior court for an order requiring such person to undergo an additional period of treatment. Such petition must be based on one or more of the grounds set forth in RCW 71.05.280.

(2) (a) (i) The petition shall summarize the facts which support the need for further commitment and shall be supported by affidavits based on an examination of the patient and signed by:

~~(((a) Two physicians))~~ (A) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

~~((b))~~ (B) One physician ~~((and a))~~, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional ~~((+))~~

(c) One physician assistant and a mental health professional; or

(d) One psychiatric advanced registered nurse practitioner and a mental health professional).

(ii) If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner.

(b) The affidavits shall describe in detail the behavior of the detained person which supports the petition and shall explain what, if any, less restrictive treatments which are alternatives to detention are available to such person, and shall state the willingness of the affiant to testify to such facts in subsequent judicial proceedings under this chapter. If less restrictive alternative treatment is sought, the petition shall set forth any recommendations for less restrictive alternative treatment services.

(3) If a person has been determined to be incompetent pursuant to RCW 10.77.086(4), then the professional person in charge of the treatment facility or his or her professional designee or the designated crisis responder may directly file a petition for one hundred eighty day treatment under RCW 71.05.280(3). No petition for initial detention or fourteen day detention is required before such a petition may be filed.

Sec. 19. RCW 71.05.300 and 2016 sp.s. c 29 s 236 and 2016 c 155 s 7 are each reenacted and amended to read as follows:

(1) The petition for ninety day treatment shall be filed with the clerk of the superior court at least three days before expiration of the fourteen-day period of intensive treatment. At the time of filing such petition, the clerk shall set a time for the person to come before the court on the next judicial day after the day of filing unless such appearance is waived by the person's attorney, and the clerk shall notify the designated crisis responder. The designated crisis responder shall immediately notify the person detained, his or her attorney, if

any, and his or her guardian or conservator, if any, the prosecuting attorney, and the behavioral health organization administrator, and provide a copy of the petition to such persons as soon as possible. The behavioral health organization administrator or designee may review the petition and may appear and testify at the full hearing on the petition.

(2) At the time set for appearance the detained person shall be brought before the court, unless such appearance has been waived and the court shall advise him or her of his or her right to be represented by an attorney, his or her right to a jury trial, and, if the petition is for commitment for mental health treatment, his or her loss of firearm rights if involuntarily committed. If the detained person is not represented by an attorney, or is indigent or is unwilling to retain an attorney, the court shall immediately appoint an attorney to represent him or her. The court shall, if requested, appoint a reasonably available licensed physician, physician assistant, psychiatric advanced registered nurse practitioner, psychologist, ~~((or))~~ psychiatrist, or other professional person, designated by the detained person to examine and testify on behalf of the detained person.

(3) The court may, if requested, also appoint a professional person as defined in RCW 71.05.020 to seek less restrictive alternative courses of treatment and to testify on behalf of the detained person. In the case of a person with a developmental disability who has been determined to be incompetent pursuant to RCW 10.77.086(4), then the appointed professional person under this section shall be a developmental disabilities professional.

(4) The court shall also set a date for a full hearing on the petition as provided in RCW 71.05.310.

Sec. 20. RCW 71.05.360 and 2016 sp.s. c 29 s 244 and 2016 c 155 s 8 are each reenacted and amended to read as follows:

(1)(a) Every person involuntarily detained or committed under the provisions of this chapter shall be entitled to all the rights set forth in this chapter, which shall be prominently posted in the facility, and shall retain all rights not denied him or her under this chapter except as chapter 9.41 RCW may limit the right of a person to purchase or possess

a firearm or to qualify for a concealed pistol license if the person is committed under RCW 71.05.240 or 71.05.320 for mental health treatment.

(b) No person shall be presumed incompetent as a consequence of receiving an evaluation or voluntary or involuntary treatment for a mental disorder or substance use disorder, under this chapter or any prior laws of this state dealing with mental illness or substance use disorders. Competency shall not be determined or withdrawn except under the provisions of chapter 10.77 or 11.88 RCW.

(c) Any person who leaves a public or private agency following evaluation or treatment for a mental disorder or substance use disorder shall be given a written statement setting forth the substance of this section.

(2) Each person involuntarily detained or committed pursuant to this chapter shall have the right to adequate care and individualized treatment.

(3) The provisions of this chapter shall not be construed to deny to any person treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination.

(4) Persons receiving evaluation or treatment under this chapter shall be given a reasonable choice of an available physician, physician assistant, psychiatric advanced registered nurse practitioner, or other professional person qualified to provide such services.

(5) Whenever any person is detained for evaluation and treatment pursuant to this chapter, both the person and, if possible, a responsible member of his or her immediate family, personal representative, guardian, or conservator, if any, shall be advised as soon as possible in writing or orally, by the officer or person taking him or her into custody or by personnel of the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program where the person is detained that unless the person is released or voluntarily admits himself or herself for treatment within seventy-two hours of the initial detention:

(a) A judicial hearing in a superior court, either by a judge or court commissioner thereof, shall be held not more than seventy-two hours after the

initial detention to determine whether there is probable cause to detain the person after the seventy-two hours have expired for up to an additional fourteen days without further automatic hearing for the reason that the person is a person whose mental disorder or substance use disorder presents a likelihood of serious harm or that the person is gravely disabled;

(b) The person has a right to communicate immediately with an attorney; has a right to have an attorney appointed to represent him or her before and at the probable cause hearing if he or she is indigent; and has the right to be told the name and address of the attorney that the mental health professional has designated pursuant to this chapter;

(c) The person has the right to remain silent and that any statement he or she makes may be used against him or her;

(d) The person has the right to present evidence and to cross-examine witnesses who testify against him or her at the probable cause hearing; and

(e) The person has the right to refuse psychiatric medications, including antipsychotic medication beginning twenty-four hours prior to the probable cause hearing.

(6) When proceedings are initiated under RCW 71.05.153, no later than twelve hours after such person is admitted to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program the personnel of the facility or the designated crisis responder shall serve on such person a copy of the petition for initial detention and the name, business address, and phone number of the designated attorney and shall forthwith commence service of a copy of the petition for initial detention on the designated attorney.

(7) The judicial hearing described in subsection (5) of this section is hereby authorized, and shall be held according to the provisions of subsection (5) of this section and rules promulgated by the supreme court.

(8) At the probable cause hearing the detained person shall have the following rights in addition to the rights previously specified:

(a) To present evidence on his or her behalf;

(b) To cross-examine witnesses who testify against him or her;

(c) To be proceeded against by the rules of evidence;

(d) To remain silent;

(e) To view and copy all petitions and reports in the court file.

(9) Privileges between patients and physicians, physician assistants, psychologists, or psychiatric advanced registered nurse practitioners are deemed waived in proceedings under this chapter relating to the administration of antipsychotic medications. As to other proceedings under this chapter, the privileges shall be waived when a court of competent jurisdiction in its discretion determines that such waiver is necessary to protect either the detained person or the public.

The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical or psychological records of the detained person so long as the requirements of RCW 5.45.020 are met except that portions of the record which contain opinions as to the detained person's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.

(10) Insofar as danger to the person or others is not created, each person involuntarily detained, treated in a less restrictive alternative course of treatment, or committed for treatment and evaluation pursuant to this chapter shall have, in addition to other rights not specifically withheld by law, the following rights:

(a) To wear his or her own clothes and to keep and use his or her own personal possessions, except when deprivation of same is essential to protect the safety of the resident or other persons;

(b) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;

(c) To have access to individual storage space for his or her private use;

(d) To have visitors at reasonable times;

(e) To have reasonable access to a telephone, both to make and receive confidential calls, consistent with an effective treatment program;

(f) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

(g) To discuss treatment plans and decisions with professional persons;

(h) Not to consent to the administration of antipsychotic medications and not to thereafter be administered antipsychotic medications unless ordered by a court under RCW 71.05.217 or pursuant to an administrative hearing under RCW 71.05.215;

(i) Not to consent to the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by a court under RCW 71.05.217;

(j) Not to have psychosurgery performed on him or her under any circumstances;

(k) To dispose of property and sign contracts unless such person has been adjudicated an incompetent in a court proceeding directed to that particular issue.

(11) Every person involuntarily detained shall immediately be informed of his or her right to a hearing to review the legality of his or her detention and of his or her right to counsel, by the professional person in charge of the facility providing evaluation and treatment, or his or her designee, and, when appropriate, by the court. If the person so elects, the court shall immediately appoint an attorney to assist him or her.

(12) A person challenging his or her detention or his or her attorney shall have the right to designate and have the court appoint a reasonably available independent physician, physician assistant, psychiatric advanced registered nurse practitioner, or (~~licensed mental health~~) other professional person to examine the person detained, the results of which examination may be used in the proceeding. The person shall, if he or she is financially able,

bear the cost of such expert examination, otherwise such expert examination shall be at public expense.

(13) Nothing contained in this chapter shall prohibit the patient from petitioning by writ of habeas corpus for release.

(14) Nothing in this chapter shall prohibit a person committed on or prior to January 1, 1974, from exercising a right available to him or her at or prior to January 1, 1974, for obtaining release from confinement.

(15) Nothing in this section permits any person to knowingly violate a no-contact order or a condition of an active judgment and sentence or an active condition of supervision by the department of corrections.

Sec. 21. RCW 71.05.760 and 2016 sp.s. c 29 s 201 are each amended to read as follows:

(1)(a) By April 1, 2018, the department, by rule, must combine the functions of a designated mental health professional and designated chemical dependency specialist by establishing a designated crisis responder who is authorized to conduct investigations, detain persons up to seventy-two hours to the proper facility, and carry out the other functions identified in this chapter and chapter 71.34 RCW. The behavioral health organizations shall provide training to the designated crisis responders as required by the department.

(b)(i) To qualify as a designated crisis responder, a person must have received chemical dependency training as determined by the department and be a:

(A) Psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or social worker;

(B) Person with a master's degree or further advanced degree in counseling or one of the social sciences from an accredited college or university and who have, in addition, at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, such experience gained under the direction of a mental health professional;

(C) Person who meets the waiver criteria of RCW 71.24.260, which waiver was granted before 1986;

(D) Person who had an approved waiver to perform the duties of a mental health professional that was requested by the regional support network and granted by the department before July 1, 2001; or

(E) Person who has been granted an exception of the minimum requirements of a mental health professional by the department consistent with rules adopted by the secretary.

(ii) Training must include chemical dependency training specific to the duties of a designated crisis responder, including diagnosis of substance abuse and dependence and assessment of risk associated with substance use.

(c) The department must develop a transition process for any person who has been designated as a designated mental health professional or a designated chemical dependency specialist before April 1, 2018, to be converted to a designated crisis responder. The behavioral health organizations shall provide training, as required by the department, to persons converting to designated crisis responders, which must include both mental health and chemical dependency training applicable to the designated crisis responder role.

(2)(a) The department must ensure that at least one sixteen-bed secure detoxification facility is operational by April 1, 2018, and that at least two sixteen-bed secure detoxification facilities are operational by April 1, 2019. In addition, the department shall ensure that an additional sixteen-bed secure detoxification facility is operational by April 1st of each year beginning in 2020 until there is adequate capacity to meet the involuntary treatment requirements for substance use disorder clients.

(b) If, at any time during the implementation of secure detoxification facility capacity, federal funding becomes unavailable for federal match for services provided in secure detoxification facilities, then the department must cease any expansion of secure detoxification facilities until further direction is provided by the legislature.

Part Five - Technical

NEW SECTION. **Sec. 22.** Section 13 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public

institutions, and takes effect immediately.

NEW SECTION. Sec. 23. Sections 8, 11, and 13 of this act expire April 1, 2018.

NEW SECTION. Sec. 24. Sections 9, 12, 14, 15, and 17 through 21 of this act take effect April 1, 2018.

NEW SECTION. Sec. 25. Sections 9 and 15 of this act expire July 1, 2026.

NEW SECTION. Sec. 26. Sections 10 and 16 of this act take effect July 1, 2026."

Correct the title.

Representatives Jinkins and Rodne spoke in favor of the adoption of the striking amendment (571).

Amendment (571) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill, as amended by the House.

MOTION

On motion of Representative Hayes, Representative Irwin was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5106, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5106, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dye, Holy, McCaslin, Orcutt, Schmick, Shea, Stanford, Taylor and Volz.

Excused: Representatives DeBolt and Irwin.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5106, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute Senate Bill No. 5106.

Representative Stanford, 1st Legislative District

CONFERENCE COMMITTEE REPORT

April 20, 2017

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 5096, Making transportation appropriations for the 2017-2019 fiscal biennium, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment be adopted and that the bill do pass as recommended by the Conference Committee:

Strike everything after the enacting clause and insert the following:

"2017-2019 FISCAL BIENNIUM

NEW SECTION. Sec. 1. (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2019.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2018" or "FY 2018" means the fiscal year ending June 30, 2018.

(b) "Fiscal year 2019" or "FY 2019" means the fiscal year ending June 30, 2019.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

GENERAL GOVERNMENT AGENCIES—OPERATING

NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor	Vehicle	Account—State
Appropriation	\$496,000	

NEW SECTION. Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State
Appropriation

NEW SECTION. Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor	Vehicle	Account—State
Appropriation	\$1,580,000	

Puget Sound Ferry Operations Account—State
Appropriation

TOTAL APPROPRIATION \$1,696,000

The appropriations in this section are subject to the following conditions and limitations: \$300,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management to work with the department of transportation on integrating the transportation reporting and accounting information system or its successor system with the One Washington project. The office of financial management and the department of transportation must provide a joint status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: The status of the department's ability to integrate the transportation reporting and accounting information system or its successor system with the One Washington project; the status of the One Washington project; and a description

of significant changes to planned timelines or deliverables.

NEW SECTION. Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION

Motor	Vehicle	Account—State
Appropriation	\$986,000	

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE

Motor	Vehicle	Account—State
Appropriation	\$1,254,000	

The appropriation in this section is subject to the following conditions and limitations: Within the amount provided in this section, the department shall conduct a pilot program to consist of the following activities:

(1) The department shall produce a fuel tax sticker for display on each motor fuel pump from which fuel is sold at retail that displays and provides notice of the federal and state fuel tax rates. The sticker must display the rate of each tax, in cents per gallon, for each type of fuel.

(2) The department shall provide notice of federal and state fuel tax rates, in the form of a fuel tax sticker, with any other notice displayed or required by department rule to be displayed on motor fuel pumps.

(3) The department shall distribute fuel tax stickers to all individuals who conduct fuel pump inspections, including department employees and local government employees. Government employees who conduct fuel pump inspections shall display a fuel tax sticker on each motor fuel pump or shall verify that such a sticker is being displayed at the time of inspection as required under this subsection. Fuel tax stickers must:

(a) Be displayed on each face of the motor fuel pump on which the price of the fuel sold from the pump is displayed; and

(b) Be displayed in a clear, conspicuous, and prominent manner.

(4) The department shall provide fuel tax stickers by mail to fuel pump owners who request them for the face of each motor fuel pump for which a sticker is requested.

(5) The department shall produce updated fuel tax stickers on an annual basis when one or more fuel tax rates have changed. Fuel tax stickers must be replaced at the time of motor fuel pump inspection if the sticker has been updated with any new fuel tax rates.

NEW SECTION. Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor	Vehicle	Account-State
Appropriation	\$597,000	

NEW SECTION. Sec. 107. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Motor	Vehicle	Account-State
Appropriation	\$250,000	

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the motor vehicle account-state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the Washington state association of cities to identify city-owned fish passage barriers that share the same stream system as state-owned fish passage barriers. The study must identify, map, and provide a preliminary assessment of city-owned barriers that need correction. The study must provide recommendations on: (a) How to prioritize city-owned barriers within the same stream system of state-owned barriers in the current six-year construction plan to maximize state investment; and (b) how future state six-year construction plans should incorporate city-owned barriers. A report must be provided to the office of financial management and the transportation committees of the legislature by July 1, 2018.

NEW SECTION. Sec. 108. FOR THE BOARD OF PILOTAGE COMMISSIONERS

Multimodal Transportation	Account-State
Appropriation	\$1,100,000

The appropriation in this section is subject to the following conditions and limitations: \$1,100,000 of the multimodal transportation account-state appropriation is provided solely for self-insurance liability premium expenditures; however, this appropriation is contingent upon the board:

(1) Annually depositing the first one hundred fifty thousand dollars collected through Puget Sound pilotage district

pilotage tariffs into the pilotage account solely for the expenditure of self-insurance premiums;

(2) Maintaining the Puget Sound pilotage district pilotage tariff at the rate in existence on January 1, 2017; and

(3) Assessing a self-insurance premium surcharge of sixteen dollars per pilotage assignment on vessels requiring pilotage in the Puget Sound pilotage district.

TRANSPORTATION AGENCIES-OPERATING

NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway	Safety	Account-State
Appropriation	\$4,266,000	

Highway	Safety	Account-Federal
Appropriation	\$22,048,000	

Highway	Safety	Account-Private/Local
Appropriation	\$118,000	

School	Zone	Safety	Account-State
Appropriation	\$850,000		

TOTAL APPROPRIATION \$27,282,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5402), Laws of 2017 (bicyclist safety advisory council). If chapter . . . (Substitute Senate Bill No. 5402), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(2) \$1,000,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5037), Laws of 2017 (DUI fourth offense). If chapter . . . (Senate Bill No. 5037), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses. The funding is provided for grants to organizations that seek to reduce driving under the influence of drugs and alcohol and for administering the program. \$108,806 of the amount provided in this subsection is for the commission to cover the costs associated with administering the grant program. The funding provided in this subsection is contingent on the availability of funds raised by the blood alcohol content test fee sufficient to cover the costs of administering the program, as provided in section 705 of this act.

NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account--State
Appropriation \$1,022,000

Motor Vehicle Account--State
Appropriation \$2,504,000

County Arterial Preservation Account--
State

Appropriation \$1,541,000

TOTAL APPROPRIATION \$5,067,000

NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account--
State

Appropriation \$4,089,000

NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account--State
Appropriation \$1,589,000

Multimodal Transportation Account--
State

Appropriation \$700,000

TOTAL APPROPRIATION \$2,289,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$200,000 of the multimodal transportation account--state appropriation is for a consultant study of marine pilotage in Washington state, with a goal of recommending best practices for: An analytically-driven pilotage tariff and fee setting process; determination of the total number of pilots and pilot workload; pilot recruitment, training, review, and selection, with a focus on increasing pilot diversity; and selection of governance structures for the oversight and management of pilotage activities. The study must include the following:

(i)(A) An examination of current practices of the board of pilotage related to: Pilotage tariff and fee setting, including a review of the development and composition of fees, their relationship to tariffs and pilotage district expenditures, and an analysis of pilot benefits; the setting of the total number of pilots and pilot workload distribution; pilot candidate recruitment and training; pilot review and selection processes; and reporting to comply with statutory requirements;

(B) An examination of the current oversight, administrative practices, and governance of the board of pilotage commissioners and the two pilotage districts, including board composition analysis, the possible role of the legislative appropriations process, and options for insurance liability coverage for the board of pilotage commissioners;

(ii) A comparison of current practices identified under this subsection (1)(a) to best practices in marine pilotage elsewhere in the United States, including both state licensed pilotage and federal pilotage systems with independent contractor, public employee, or private employee pilots; and a comparison to marine pilotage activities outside of the United States, to the extent these marine pilotage activities can inform the evaluation process and identify additional best practices that could be implemented in Washington state;

(iii) A comparison of the results of the examination of current practices to best practices in the United States in areas other than marine pilotage for which similar activities are conducted;

(iv) An evaluation of the extent to which the best practices examined can be implemented and would be effective in Washington state; and

(v) A recommendation for the best practices that should be adopted by Washington state for each of the areas examined.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by January 8, 2018.

(2) \$160,000 of the motor vehicle account--state appropriation is for the joint transportation committee to contract with the University of Minnesota to independently analyze and assess traffic data for the express toll lanes and general purpose lanes of the Interstate 405 tolled corridor, including in terms of the performance measures described in RCW 47.56.880, and to develop and recommend near-term and longer-term strategies for the improvement of traffic performance in this corridor. A report summarizing the results of the traffic data assessment and providing recommended strategies is due to the transportation committees of the legislature by January 8, 2018.

(3) (a) \$500,000 of the multimodal transportation account—state appropriation is for a consultant study of air cargo movement at Washington airports. The study must:

(i) Describe the state's air cargo system, and identify the facilities that comprise the system;

(ii) Evaluate the current and projected future capacity of the air cargo system;

(iii) Identify underutilized capacity;

(iv) Identify and describe what market forces may determine demand for cargo service at different facilities and what role the shippers and cargo service providers play in determining how cargo is moved in the state;

(v) Develop a definition of congestion in the state's air cargo system, including metrics by which to measure congestion and the cost of congestion to shippers; and

(vi) Evaluate what would be needed to more effectively use existing capacity at airports across the state. As part of this evaluation, the study must:

(A) Evaluate air, land, and surface transportation constraints, including intermodal constraints, to accommodate current demand and future growth;

(B) Evaluate impediments to addressing those constraints;

(C) Evaluate options to address those constraints; and

(D) Evaluate the impacts to air cargo-related industries that would result from shifting cargo service to Washington airports that currently have available capacity.

(b) The study must also identify the state's interest in reducing air cargo congestion and evaluate ways to address this interest on a statewide basis.

(c) The study must provide recommendations regarding:

(i) Options to reduce air cargo congestion and more efficiently use available capacity at Washington airports;

(ii) Options to address the state's interest in reducing air cargo congestion on a statewide basis;

(iii) Strategies to accomplish the recommendations under this subsection (3) (c); and

(iv) Statutory changes needed to implement the recommendations under this subsection (3) (c).

(d) The department of transportation shall provide technical support for the study, including providing guidance regarding information that may already be available due to the department's ongoing work on the Washington aviation system plan.

(e) The joint transportation committee shall issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2018.

(4) \$100,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct an assessment of the current roles and responsibilities of the transportation commission. The purpose of the assessment is to review the current membership, functions, powers, and duties of the transportation commission beyond those granted to the transportation commission as the tolling authority under RCW 47.56.850, for the adoption of ferry fares and pricing policies under RCW 47.60.315, or for work related to the road usage charge pilot project as directed by the legislature. When conducting the assessment, the joint transportation committee must consult with the transportation commission and the office of financial management.

(a) The assessment must consist of a review of the following:

(i) The primary enabling statutes of the transportation commission contained in RCW 47.01.051 through 47.01.075;

(ii) The transportation commission's functions relating to ferries under chapters 47.60 and 47.64 RCW beyond those granted by the legislature for adoption of fares and pricing policies;

(iii) The existing budget of the transportation commission to ensure it is appropriate for the roles and responsibilities it is directed to do by the governor and the legislature;

(iv) The transportation commission's current roles and responsibilities relating to transportation planning, transportation policy development, and other functions; and

(v) Other issues related to the transportation commission as determined by the joint transportation committee.

(b) A report of the assessment findings and recommendations is due to the transportation committees of the legislature by December 31, 2017.

NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION

Motor	Vehicle	Account-State
Appropriation	\$2,074,000	

Multimodal	Transportation	Account-State
Appropriation	\$462,000	

TOTAL APPROPRIATION \$2,536,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) The commission shall coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available to fund a road usage charge pilot project. Where feasible, grant application content prepared by the commission must reflect the direction provided by the road usage charge steering committee on the preferred road usage charge pilot project approach. One or more grant applications may be developed as part of the road usage charge pilot project implementation plan development work, but the pilot project implementation plan must nevertheless include any details necessary for a full launch of the pilot project not required to be included in any grant application.

(b) The commission shall reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, as well as the addition of a representative from the Puget Sound regional council, and, upon finalization of the federal grant award for stage 1 of the road usage charge pilot project, shall report at least once every three months to the steering committee with updates on project progress, key project milestones, and developments related to securing additional federal funding for future road usage charge pilot work. Each report must include a phone or in-person meeting with the steering committee, with a maximum of two in-person meetings to be held in 2017. A year-end report on the status of the project must be provided to the governor's office and the transportation committees of the house of representatives and the senate by December 1, 2017. If the year-end report is not the final report for stage 1 of the pilot project, a final report that includes an evaluation of stage 1 of the pilot project must be provided to the governor's office and the

transportation committees of the house of representatives and the senate following completion of stage 1 of the pilot project. Any legislative vacancies on the steering committee must be appointed by the speaker of the house of representatives for a house of representatives member vacancy, and by the majority leader and minority leader of the senate for a senate member vacancy.

(2) The legislature finds that there is a need for long-term toll payer relief from increasing toll rates on the Tacoma Narrows bridge. Therefore, the commission must convene a work group to review, update, add to as necessary, and comment on various scenarios for toll payer relief outlined in the 2014 joint transportation committee report on internal refinance opportunities for the Tacoma Narrows bridge. The work group must include participation from the Tacoma Narrows bridge citizen's advisory group, at least one member from each of the legislative delegations from the districts immediately abutting the Tacoma Narrows bridge, the local chambers of commerce, and affected local communities. Legislative members of the work group must be reimbursed for travel expenses by the commission. The work group must submit a report with its preferred and prioritized policy solutions to the transportation committees of the legislature by December 1, 2017.

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor	Vehicle	Account-State
Appropriation	\$818,000	

The appropriation in this section is subject to the following conditions and limitations: \$60,000 of the motor vehicle account-state appropriation is provided solely for the board, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to manage and update the road-rail conflicts database produced as a result of the joint transportation committee's "Study of Road-rail Conflicts in Cities (2016)." The board shall update the database using data from the most recent versions of the Washington state freight and goods transportation system update, marine cargo forecast, and other relevant sources. The database must continue to identify prominent road-rail conflicts that will help to inform strategic state investment for freight mobility statewide. The board shall form a committee including, but not limited to, representatives from local governments,

the department of transportation, the utilities and transportation commission, and relevant stakeholders to identify and recommend a statewide list of projects using a corridor-based approach. The board shall provide the list to the transportation committees of the legislature and the office of financial management by September 1, 2018.

NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation \$480,926,000

State Patrol Highway Account—Federal Appropriation \$14,025,000

State Patrol Highway Account—Private/Local Appropriation \$3,863,000

Highway Safety Account—State Appropriation \$1,067,000

Ignition Interlock Device Revolving Account—State

Appropriation \$510,000

Multimodal Transportation Account—State Appropriation \$276,000

TOTAL APPROPRIATION \$500,667,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the ignition interlock device revolving account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$1,000,000 of the state patrol highway account—state appropriation is

provided solely for ongoing support, system updates, maintenance, and an independent assessment of the P25 digital land mobile radio system. Of the amount provided in this subsection, \$400,000 must be used for the independent assessment of the P25 digital land mobile radio system. The independent assessment must identify implementation issues and coverage gaps and recommend strategies to address these issues and gaps. The assessment must be submitted to the governor and the transportation committees of the legislature by September 1, 2018. To the extent practicable, the Washington state patrol shall begin implementing recommendations before the completion of the independent assessment.

(4) The Washington state patrol and the department of transportation shall jointly submit a prioritized list of weigh station projects to the office of financial management by October 1, 2017. Projects submitted must include estimated costs for preliminary engineering, rights-of-way, and construction and must also consider the timing of any available funding for weigh station projects.

(5) The Washington state patrol and the office of financial management must be consulted by the department of transportation during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department of transportation must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

(6) \$510,000 of the state patrol highway account—state appropriation is provided solely for the operation of the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of sales and use taxes remitted to the state pursuant to activity conducted by the license investigation unit. At the end of the calendar quarter in which it is estimated that more than \$625,000 in taxes have been remitted to the state since the effective date of this section, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 408(25) of this act.

(7) \$600,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5274), Laws of 2017 (WSPRS salary definition). If chapter . . . (Senate Bill No. 5274), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State
Appropriation \$34,000

Motorcycle Safety Education Account—
State

Appropriation \$4,523,000

State Wildlife Account—State
Appropriation \$1,030,000

Highway Safety Account—State
Appropriation \$202,973,000

Highway Safety Account—Federal
Appropriation \$3,215,000

Motor Vehicle Account—State
Appropriation \$90,659,000

Motor Vehicle Account—Federal
Appropriation \$329,000

Motor Vehicle Account—Private/Local
Appropriation \$2,048,000

Ignition Interlock Device Revolving
Account—State

Appropriation \$5,250,000

Department of Licensing Services
Account—State

Appropriation \$6,611,000

License Plate Technology Account—State

Appropriation \$3,000,000

TOTAL APPROPRIATION \$319,672,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$205,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed House Bill No. 2201), Laws of 2017 (MVET collection). If chapter . . . (Engrossed House Bill No. 2201), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(2) \$20,810,000 of the highway safety account—state appropriation and \$3,000,000 of the license plate technology

account—state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(3) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. Pursuant to the restrictions in federal and state law, a person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(4) \$4,471,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2016. The department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait times and volume data for enhanced drivers' licenses and enhanced identicards.

(5) The department shall continue to encourage the use of online vehicle registration renewal reminders and minimize the number of letters mailed by

the department. To further this goal, the department shall develop a pilot program to replace first-class mail, letter-form renewal reminders with postcard renewal reminders. The goal of the pilot program is to realize substantial savings on printing and postage costs. The pilot program must include customers who performed their last renewal online and still receive a paper renewal notice. The appropriations in this section reflect savings in postage and printing costs of at least \$250,000 in the 2017-2019 fiscal biennium.

(6) \$350,000 of the highway safety account-state appropriation is provided solely for communication and outreach activities necessary to inform the public of federally acceptable identification options including, but not limited to, enhanced drivers' licenses and enhanced identicards. The department shall develop and implement an outreach plan that includes informational material that can be effectively communicated to all communities and populations in Washington.

(7) \$19,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5289), Laws of 2017 (distracted driving). If chapter . . . (Substitute Senate Bill No. 5289), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(8) \$57,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 1400), Laws of 2017 (aviation license plate). If chapter . . . (House Bill No. 1400), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(9) \$572,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 1481), Laws of 2017 (driver education uniformity). If chapter . . . (Engrossed Substitute House Bill No. 1481), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(10) \$39,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1568), Laws of 2017 (Fred Hutch license plate). If chapter . . . (Substitute House Bill No. 1568), Laws of 2017 is not enacted by

June 30, 2017, the amount provided in this subsection lapses.

(11) \$104,000 of the ignition interlock device revolving account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 1614), Laws of 2017 (impaired driving). If chapter . . . (Engrossed Second Substitute House Bill No. 1614), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(12) \$500,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 1808), Laws of 2017 (foster youth/driving). If chapter . . . (Engrossed Substitute House Bill No. 1808), Laws of 2017 is not enacted by June 30, 2017, the amount provided in this subsection lapses.

(13) \$61,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Senate Bill No. 5008), Laws of 2017 (REAL ID compliance). If chapter . . . (Engrossed Senate Bill No. 5008), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(14)(a) Within existing funds, the department, in consultation with the department of ecology, shall convene a work group comprised of registered tow truck operators, hulk haulers, representatives from county solid waste facilities, and the recycling community to develop a sustainable plan for the collection and disposal of abandoned recreational vehicles.

(b) The work group shall report on the current problems relating to abandoned recreational vehicles and develop policy options for procedures relating to the transportation, recycling, and disposal of abandoned recreational vehicles, as well as other potentially related issues. As a result of its discussions, the work group shall also produce draft legislation. The final report and draft legislation are due to the standing transportation committees of the legislature on December 1, 2017.

(15) \$30,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5382), Laws of 2017 (reduced-cost identicards). If chapter . . . (Senate Bill No. 5382), Laws of 2017

is not enacted by June 30, 2017, the amount in this subsection lapses.

(16) \$112,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5338), Laws of 2017 (registration enforcement). If chapter . . . (Engrossed Substitute Senate Bill No. 5338), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(17) \$30,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5343), Laws of 2017 (tow truck notices). If chapter . . . (Substitute Senate Bill No. 5343), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

High Occupancy Toll Lanes Operations Account—State

Appropriation \$4,033,000

Motor Vehicle Account—State
Appropriation \$513,000

State Route Number 520 Corridor Account—State

Appropriation \$52,671,000

State Route Number 520 Civil Penalties Account—State

Appropriation \$4,328,000

Tacoma Narrows Toll Bridge Account—State

Appropriation \$32,134,000

Interstate 405 Express Toll Lanes Operations

Account—State Appropriation
\$22,194,000

Alaskan Way Viaduct Replacement Project Account—State

Appropriation \$6,506,000

TOTAL APPROPRIATION \$122,379,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$9,048,000 of the state route number 520 corridor account—state appropriation

are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) \$3,100,000 of the Interstate 405 express toll lanes operations account—state appropriation, \$1,498,000 of the state route number 520 corridor account—state appropriation, and \$1,802,000 of the high occupancy toll lanes operations account—state appropriation are provided solely for the operation and maintenance of roadside toll collection systems.

(3) \$4,328,000 of the state route number 520 civil penalties account—state appropriation, \$2,192,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$1,191,000 of the Interstate 405 express toll lanes operations account—state appropriation are provided solely for expenditures related to the toll adjudication process.

(4) The department shall make detailed quarterly expenditure reports available to the Washington state transportation commission and to the public on the department's web site using current resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(5) As long as the facility is tolled, the department must provide quarterly reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405

at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(6) \$666,000 of the high occupancy toll lanes operations account-state appropriation, \$11,527,000 of the state route number 520 corridor account-state appropriation, \$4,955,000 of the Tacoma Narrows toll bridge account-state appropriation, \$4,286,000 of the Interstate 405 express toll lanes operations account-state appropriation, and \$6,506,000 of the Alaskan Way viaduct replacement project account-state appropriation are provided solely for the department to implement a new tolling customer service toll collection system, and are subject to the conditions, limitations, and review provided in section 701 of this act.

(a) The office of financial management shall place \$2,000,000 of the amounts provided in this subsection in unallotted status, to be distributed between the facilities using the account proportions in this subsection. If the vendors selected as the successful bidders for the new tolling customer service toll

collection system or the operator of the new system are different than the vendor as of January 1, 2017, the office of financial management may release portions of this amount as transition costs.

(b) The funds provided in this subsection from the Alaskan Way viaduct replacement project account-state appropriation are provided through a transfer from the motor vehicle account-state in section 408(26) of this act. These funds are a loan to the Alaskan Way viaduct replacement project account-state, and the legislature assumes that these funds will be reimbursed to the motor vehicle account-state at a later date when the portion of state route number 99 that is the deep bore tunnel is operational.

(c) The department must provide a project status report to the office of financial management and the transportation committees of the legislature on at least a calendar quarterly basis. The report must include, but is not limited to:

(i) Detailed information about the planned and actual scope, schedule, and budget;

(ii) Status of key vendor and other project deliverables; and

(iii) A description of significant changes to planned deliverables or system functions over the life of the project.

(d) The department shall continue to work with the office of financial management, office of the chief information officer, and the transportation committees of the legislature on the project management plan that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation.

(7) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty.

(8) \$13,617,000 of the Interstate 405 express toll lanes operations account-state appropriation is provided solely for operational costs related to the express toll lane facility. The office of financial management shall place \$6,808,000 of the amount provided in this subsection in unallotted status. The office of financial management may only release the funds to the department upon the passage of a 2018 supplemental transportation budget.

(9)(a) The department shall conduct a study before the planned replacement of equipment regarding the potential for conversion of at least two of the toll booths for the Tacoma Narrows bridge to unstaffed toll booths that exclusively accept credit cards for toll payment. The study must, at a minimum, consider the following:

(i) Operational savings associated with conversion;

(ii) Capital costs of conversion;

(iii) Additional operating costs associated with conversion; and

(iv) Any other operational issues associated with conversion.

(b) The department shall provide a report of its findings to the transportation committees of the legislature by November 15, 2017.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION-INFORMATION TECHNOLOGY-PROGRAM C

Transportation Partnership Account-State Appropriation \$1,460,000

Motor Vehicle Account-State Appropriation \$83,572,000

Puget Sound Ferry Operations Account-State

Appropriation \$263,000

Multimodal Transportation Account-State

Appropriation \$2,876,000

Transportation 2003 Account (Nickel Account)-State

Appropriation \$1,460,000

TOTAL APPROPRIATION \$89,631,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,588,000 of the motor vehicle account-state appropriation is provided solely for the development of the labor system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. It is the intent of the legislature that if any portion of the labor system replacement project is leveraged in the future for the time, leave, and labor distribution of any other agencies, the motor vehicle account will be reimbursed proportionally for the development of the system since amounts expended from the motor vehicle account must be used exclusively for highway purposes in conformance with Article II, section 40 of the state Constitution. This must be accomplished through a loan arrangement with the current interest rate under the terms set by the office of the state treasurer at the time the system is deployed to additional agencies. If the motor vehicle account is not reimbursed for future use of the system, it is further the intent of the legislature that

reductions will be made to central service agency charges accordingly.

(2) \$2,296,000 of the motor vehicle account-state appropriation is provided solely for the development of ferries network systems support.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION-FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION-PROGRAM D-OPERATING

Motor Vehicle Account-State
Appropriation \$28,146,000

State Route Number 520 Corridor
Account-State

Appropriation \$34,000

TOTAL APPROPRIATION \$28,180,000

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION-AVIATION-PROGRAM F

Aeronautics Account-State
Appropriation \$6,749,000

Aeronautics Account-Federal
Appropriation \$4,900,000

Aeronautics Account-Private/Local
Appropriation \$171,000

TOTAL APPROPRIATION \$11,820,000

The appropriations in this section are subject to the following conditions and limitations: \$2,637,000 of the aeronautics account-state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public airports for pavement, safety, planning, and security.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION-PROGRAM DELIVERY MANAGEMENT AND SUPPORT-PROGRAM H

Motor Vehicle Account-State
Appropriation \$54,512,000

Motor Vehicle Account-Federal
Appropriation \$500,000

Multimodal Transportation Account-State
Appropriation \$252,000

TOTAL APPROPRIATION \$55,264,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the motor vehicle account-state appropriation is provided solely for the completion of property value determinations for surplus properties to be sold. The value

determinations must be completed by agency staff if available; otherwise, the agency may contract out for these services. The real estate services division of the department must recover the cost of its efforts from the sale of surplus property. Proceeds for surplus property sales must fund additional future sales, and the real estate services division shall prioritize staff resources to meet revenue assumptions for surplus property sales.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

NEW SECTION. Sec. 214. FOR THE
DEPARTMENT OF TRANSPORTATION—PUBLIC-
PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State
Appropriation \$622,000

Electric Vehicle Charging
Infrastructure Account—State

Appropriation \$1,000,000

Multimodal Transportation Account—
State

Appropriation \$535,000

TOTAL APPROPRIATION \$2,157,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$35,000 of the multimodal transportation account—state appropriation is provided solely for the public-private partnerships program to conduct an outreach effort to assess interest in a public-private partnership to rebuild the Anacortes ferry terminal. The public-private partnerships program shall issue a request for letters of interest, similar to the request issued in 2009, in a public-private partnership to rebuild the Anacortes ferry terminal by combining the ferry terminal functions and structure with one or more commercial ventures, including, but not limited to, ventures to provide lodging, conference and meeting facilities, food service, shopping, or other retail operations. The public-private partnerships program shall notify the transportation committees of the legislature upon release of the request for letters of interest and shall provide the transportation committees of the legislature with a summary of the information collected once the letters of interest have been received.

(2) \$1,000,000 of the electric vehicle charging infrastructure account—state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue). The department may spend no more than one million dollars from the electric vehicle charging infrastructure account during the four-year period of the 2015-2017 and 2017-2019 fiscal biennia.

(3) The economic partnerships program must continue to explore retail partnerships at state-owned park and ride

facilities, as authorized in RCW 47.04.295.

(4) \$500,000 of the multimodal transportation account—state appropriation is provided solely to study public-private partnership alternatives for the financing and construction of an entry building located at Colman Dock.

(a) As part of the study, the public-private partnerships program must work with the city of Seattle, Native American tribes, and local community groups to evaluate the efficacy of contracting with a private entity to participate in the construction of the Colman Dock entry building. The study must:

(i) Identify and discuss options to construct the facility as currently scoped;

(ii) Identify and discuss options, including rescoping the current design of the facility for purposes of providing a project that has the potential to increase economic development activities along the Seattle waterfront area, such as through the inclusion of office space and restaurants;

(iii) Consider concepts and options found in the design development described in the 2013-2015 capital budget (chapter 19, Laws of 2013 2nd sp. sess.), including connections to Pier 48 as a future public park;

(iv) Consider rooftop public access for panoramic views of the Puget Sound and Olympic mountains; and

(v) Consider exhibits of the history and heritage of the vicinity.

(b) By November 15, 2017, the public-private partnerships program must provide a report to the governor and the transportation committees of the legislature on the program's findings and recommendations.

NEW SECTION. Sec. 215. FOR THE
DEPARTMENT OF TRANSPORTATION—HIGHWAY
MAINTENANCE—PROGRAM M

Motor Vehicle Account—State
Appropriation \$434,781,000

Motor Vehicle Account—Federal
Appropriation \$7,000,000

State Route Number 520 Corridor
Account—State

Appropriation \$4,447,000

Tacoma Narrows Toll Bridge Account—
State

Appropriation \$1,233,000
TOTAL APPROPRIATION \$447,461,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,092,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways.

(2) \$4,447,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) \$1,233,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) \$35,000 of the motor vehicle account—state appropriation is provided solely for the department to submit a request for proposals as part of a pilot project that explores the use of rotary auger ditch cleaning and reshaping service technology in maintaining roadside ditches for state highways. The pilot project must consist of at least one technology test on each side of the Cascade mountain range.

(5) \$250,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle. Direct or contracted activities must include collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements. Funds may also be used to contract with the city of Seattle to provide mutual services in rights-of-way similar to contract agreements in the 2015-2017 fiscal biennium.

(6) The department must maintain a maintenance budget for the Hood Canal bridge. Expenditures that result in exceeding the planned budget must be tracked.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Motor Vehicle Account—State
Appropriation \$62,578,000

Motor Vehicle Account—Federal
Appropriation \$2,050,000

Motor Vehicle Account—Private/Local
Appropriation \$250,000

TOTAL APPROPRIATION \$64,878,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(3) The department must make signage for low-height bridges a high priority.

(4) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to coordinate with the appropriate local jurisdictions for development and implementation of a historic route 10 signage program on Interstate 90 from the Columbia River to the Idaho state border.

(5) During the 2017-2019 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private

nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION-TRANSPORTATION MANAGEMENT AND SUPPORT-PROGRAM S

Motor	Vehicle	Account-State
Appropriation	\$32,794,000	
Motor	Vehicle	Account-Federal
Appropriation	\$1,656,000	
Multimodal	Transportation	Account-State
Appropriation	\$1,128,000	
TOTAL APPROPRIATION\$35,578,000		

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,500,000 of the motor vehicle account-state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonprofit agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women, veterans, and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2017, and annually thereafter.

(2) \$300,000 of the motor vehicle account-state appropriation is provided solely for succession planning and leadership training. The department shall report on the implementation of these activities to the transportation committees of the legislature by December 31, 2018.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION-

TRANSPORTATION PLANNING, DATA, AND RESEARCH-PROGRAM T

Motor	Vehicle	Account-State
Appropriation	\$23,117,000	
Motor	Vehicle	Account-Federal
Appropriation	\$35,182,000	
Multimodal	Transportation	Account-State
Appropriation	\$711,000	
Multimodal	Transportation	Account-Federal
Appropriation	\$2,809,000	
Multimodal	Transportation	Account-Private/Local
Appropriation	\$100,000	
TOTAL APPROPRIATION\$61,919,000		

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall investigate opportunities for a transit-oriented development pilot project at the existing Kingsgate park and ride at Interstate 405 and 132nd. The department must coordinate with the city of Kirkland and other key stakeholders to determine the feasibility and cost of transit-oriented development at Kingsgate. A report on the process and outcomes is due to the transportation committees of the legislature no later than December 1, 2017.

(2) \$100,000 of the motor vehicle account-state appropriation and \$250,000 of the motor vehicle account-federal appropriation are provided solely for a study that details a cost estimate for replacing the westbound U.S. 2 trestle and recommends a series of financing options to address that cost and to satisfy debt service requirements.

In conducting the study, the department shall work in close collaboration with a stakeholder group that includes, but is not limited to, Snohomish county, the port of Everett, economic alliance Snohomish county, the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe, and affected transit agencies.

The department shall quantify both the cost of replacing the westbound trestle structure and making mobility and capacity improvements to maximize the use of the structure in the years leading up to full replacement. Financing options that should be examined and quantified include public-private partnerships, public-public

partnerships, a transportation benefit district tailored to the specific incorporated and unincorporated area, loans and grants, and other alternative financing measures available at the state or federal level.

The department shall also evaluate ways in which the costs of alternative financing can be debt financed.

The department shall complete the study and submit a final report and recommendations to the transportation committees of the legislature, including recommendations on statutory changes needed to implement available financing options, by January 8, 2018.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U

Motor Vehicle	Account—State
Appropriation	\$69,997,000
Multimodal Transportation	Account—State
Appropriation	\$1,285,000
TOTAL APPROPRIATION \$71,282,000	

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

State Vehicle Parking	Account—State
Appropriation	\$754,000
Regional Mobility Grant Program	Account—State
Appropriation	\$93,920,000
Rural Mobility Grant Program	Account—State
Appropriation	\$32,223,000
Multimodal Transportation	Account—State
Appropriation	\$92,437,000
Multimodal Transportation	Account—Federal
Appropriation	\$3,574,000
TOTAL APPROPRIATION \$222,908,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,679,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit

agencies and nonprofit providers of transportation. Of this amount:

(a) \$12,000,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Of the amount provided in this subsection (1) (a), \$25,000 of the multimodal transportation account—state appropriation is provided solely for the ecumenical christian helping hands organization for special needs transportation services.

(b) \$40,679,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2015 as reported in the "Summary of Public Transportation - 2015" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$32,223,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3) (a) \$10,290,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage

grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(4) \$16,241,000 of the regional mobility grant program account-state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017, Program - Public Transportation Program (V).

(5)(a) \$77,679,000 of the regional mobility grant program account-state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2017, and December 15, 2018, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2017-2019 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this

subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$5,920,000 of the multimodal transportation account-state appropriation and \$754,000 of the state vehicle parking account-state appropriation are provided solely for CTR grants and activities. Of this amount, \$250,000 of the multimodal transportation account-state appropriation is provided solely for a voluntary pilot program to expand public-private partnership CTR incentives to make measurable reductions in off-peak, weekend, and nonwork trips. Ridesharing may be integrated into grant proposals. The department shall prioritize grant proposals that focus on the Interstate 90, Interstate 5, or Interstate 405 corridor. The department shall offer competitive trip-reduction grants. The department shall report to the transportation committees of the legislature by December 1, 2018, on the pilot program's impacts to the transportation system and potential improvements to the CTR grant program.

(8) \$17,590,000 of the multimodal transportation account-state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017. It is the intent of the legislature that entities identified to receive funding in the LEAP document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this subsection before the time frame identified, the entity may substitute another transit

project or projects that cost a similar or lesser amount.

(9) \$2,000,000 of the multimodal transportation account-state appropriation is provided solely for transit coordination grants.

(10) \$250,000 of the multimodal transportation account-state appropriation is provided solely for King county for a pilot program to provide certain students in the Highline and Lake Washington school districts with an ORCA card during the summer. To be eligible for an ORCA card under this program, a student must also be in high school, be eligible for free and reduced-price lunches, and have a job or other responsibility during the summer. King county must provide a report to the department and the transportation committees of legislature by December 15, 2018, regarding: The annual student usage of the pilot program, available ridership data, the cost to expand the program to other King county school districts, the cost to expand the program to student populations other than high school or eligible for free and reduced-price lunches, opportunities for subsidized ORCA cards or local grant or matching funds, and any additional information that would help determine if the pilot program should be extended or expanded.

(11) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

(12) (a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (4) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

(i) King County Metro - RapidRide Expansion, Burien-Delridge (G2000031);

(ii) King County Metro - Route 40 Northgate to Downtown (G2000032);

(iii) Spokane Transit - Spokane Central City Line (G2000034);

(iv) Kitsap Transit - East Bremerton Transfer Center (G2000039); or

(v) City of Seattle - Northgate Transit Center Pedestrian Bridge (G2000041).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION-MARINE-PROGRAM X

Puget Sound Ferry Operations Account-State

Appropriation \$496,307,000

Puget Sound Ferry Operations Account-Federal

Appropriation \$8,743,000

Puget Sound Ferry Operations Account-Private/Local

Appropriation \$121,000

TOTAL APPROPRIATION \$505,171,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2017-2019 supplemental and 2019-2021 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) For the 2017-2019 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(3) \$68,049,000 of the Puget Sound ferry operations account-state appropriation is provided solely for auto ferry vessel operating fuel in the 2017-2019 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 of this

act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(4) \$30,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2017, and annually thereafter, and that the report include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(5) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Multimodal Transportation Account—State	
Appropriation	\$80,146,000
Multimodal Transportation Account—Private/Local	
Appropriation	\$46,000
TOTAL APPROPRIATION	\$80,192,000

The appropriations in this section are subject to the following conditions and limitations: \$300,000 of the multimodal transportation account—state appropriation is provided solely for a consultant study of ultra high-speed ground transportation. "Ultra high-speed" means two hundred fifty miles per hour or more. The study must identify the costs and benefits of ultra high-speed ground transportation along a north-south alignment in Washington state. The study must provide:

(1) An update to the high speed ground transportation study commissioned pursuant to chapter 231, Laws of 1991 and delivered to the governor and legislature on October 15, 1992;

(2) An analysis of an ultra high-speed ground transportation alignment between Vancouver, British Columbia and Portland, Oregon with stations in: Vancouver, British Columbia; Bellingham, Everett, Seattle, SeaTac, Tacoma, Olympia, and Vancouver, Washington; and Portland, Oregon, with an option to connect with an east-west alignment in Washington state and with a similar system in the state of California;

(3) An analysis of the following key elements:

- (a) Economic feasibility;
- (b) Forecasted demand;
- (c) Corridor identification;
- (d) Land use and economic development and environmental implications;

(e) Compatibility with other regional transportation plans, including interfaces and impacts on other travel modes such as air transportation;

(f) Technological options for ultra high-speed ground transportation, both foreign and domestic;

(g) Required specifications for speed, safety, access, and frequency;

(h) Identification of existing highway or railroad rights-of-way that are suitable for ultra high-speed travel, including identification of additional rights-of-way that may be needed and the process for acquiring those rights-of-way;

(i) Institutional arrangements for carrying out detailed system planning, construction, and operations; and

(j) An analysis of potential financing mechanisms for an ultra high-speed travel system.

The department shall provide a report of its study findings to the governor and transportation committees of the legislature by December 15, 2017.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State	
Appropriation	\$10,644,000

Motor Vehicle Account—Federal
Appropriation \$2,567,000

Multiuse Roadway Safety Account—State
Appropriation \$132,000

TOTAL APPROPRIATION \$13,343,000

The appropriations in this section are subject to the following conditions and limitations: \$1,100,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to: Provide statewide updates to transportation metrics and financial reporting; develop and implement an inventory of county culvert and short-span bridge infrastructure; and develop and implement enhanced road safety data in support of county road systemic safety programs. The Washington state association of counties must develop and implement data collection, management, and reporting in cooperation with state agencies involved with the collection and maintenance of related inventory systems.

TRANSPORTATION AGENCIES—CAPITAL

NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State

Appropriation \$22,462,000

Highway Safety Account—State
Appropriation \$1,900,000

Motor Vehicle Account—Federal
Appropriation \$3,250,000

Freight Mobility Multimodal Account—State

Appropriation \$21,843,000

Freight Mobility Multimodal Account—Private/Local

Appropriation \$1,320,000

TOTAL APPROPRIATION \$50,775,000

NEW SECTION. Sec. 302. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State
Appropriation \$3,103,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for the following projects:

- (1) \$250,000 for emergency repairs;
- (2) \$728,000 for roof replacements;
- (3) \$2,000,000 for the state patrol academy in Shelton for replacement of the skid pan, repair of the training tank, and replacement of the HVAC system; and
- (4) \$125,000 for the Whiskey Ridge generator shelter.

The Washington state patrol may transfer funds between projects specified in this section to address cash flow requirements. If a project specified in this section is completed for less than the amount provided, the remainder may be transferred to another project specified in this section not to exceed the total appropriation provided in this section.

NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State
Appropriation \$58,186,000

Motor Vehicle Account—State
Appropriation \$706,000

County Arterial Preservation Account—State

Appropriation \$35,434,000

TOTAL APPROPRIATION \$94,326,000

NEW SECTION. Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State

Appropriation \$5,780,000

Transportation Improvement Account—State

Appropriation \$240,300,000

Multimodal Transportation Account—State

Appropriation \$14,670,000

TOTAL APPROPRIATION \$260,750,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) The entire multimodal transportation account—state appropriation is provided solely for the complete streets program.
- (2) \$9,687,000 of the transportation improvement account—state appropriation is provided solely for:

(a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(b) The small city pavement program to help cities meet urgent preservation needs; and

(c) The small city low-energy street light retrofit program.

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION-FACILITIES-PROGRAM D-(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)-CAPITAL

Motor	Vehicle	Account-State
Appropriation	\$6,087,000	

Connecting	Washington	Account-State
Appropriation	\$24,257,000	

TOTAL APPROPRIATION \$30,344,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$16,170,000 of the connecting Washington account-state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue in Lacey, Washington.

(2) \$8,087,000 of the connecting Washington account-state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION-IMPROVEMENTS-PROGRAM I

Transportation	Partnership	Account-State
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Appropriation	\$570,992,000
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Motor	Vehicle	Account-State
Appropriation	\$47,406,000	

Motor	Vehicle	Account-Federal
Appropriation	\$216,647,000	

Motor	Vehicle	Account-Private/Local
Appropriation	\$24,209,000	

Connecting	Washington	Account-State
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Appropriation	\$1,159,822,000
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Special	Category	C	Account-State
Appropriation	\$6,146,000		

Multimodal	Transportation	Account-State
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Appropriation	\$15,162,000
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Alaskan Way Viaduct Replacement Project	Account-State
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Appropriation	\$122,046,000
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Transportation	2003	Account	(Nickel Account)-State
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Appropriation	\$51,115,000
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Interstate	405	Express	Toll	Lanes	Operations	Account-State
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Appropriation	\$12,000,000
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TOTAL APPROPRIATION \$2,225,545,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account-state appropriation and the entire transportation partnership account-state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2017-1 as developed April 20, 2017, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as otherwise provided in this section, the entire transportation 2003 account (nickel account)-state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document 2017-1 as developed April 20, 2017, Program - Highway Improvements Program (I).

(3) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that

are otherwise restricted in this act. The department shall submit a report on fiscal year 2017 funds transferred using this subsection as part of the department's 2018 budget submittal.

(5) The connecting Washington account-state appropriation includes up to \$360,433,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(6) The transportation 2003 account (nickel account)-state appropriation includes up to \$51,115,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(7) The transportation partnership account-state appropriation includes up to \$325,748,000 in proceeds from the sale of bonds authorized in RCW 47.10.873. Of this amount, \$122,046,000 must be transferred to the Alaskan Way viaduct replacement project account.

(8) \$159,407,000 of the transportation partnership account-state appropriation, \$7,000 of the motor vehicle account-federal appropriation, \$8,000,000 of the motor vehicle account-private/local appropriation, \$29,100,000 of the transportation 2003 account (nickel account)-state appropriation, \$122,046,000 of the Alaskan Way viaduct replacement project account-state appropriation, and \$2,662,000 of the multimodal transportation account-state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(9) \$12,500,000 of the multimodal transportation account-state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

(10) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(11) \$5,804,000 of the transportation partnership account-state appropriation, \$5,162,000 of the transportation 2003 account (nickel account)-state appropriation, and \$146,000 of the special category C account-state appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2017-2019.

(12) \$26,601,000 of the transportation partnership account-state appropriation and \$10,956,000 of the transportation 2003 account (nickel account)-state appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C), the I-405 Renton to Bellevue project (M00900R), or the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) in the 2017-2019 fiscal biennium.

(13) \$1,500,000 of the transportation partnership account-state appropriation is provided solely for preliminary engineering for adding capacity on Interstate 405 between state route number 522 and Interstate 5. The funding is a transfer from the I-405/Kirkland Vicinity Stage 2 - Widening project due to savings, and will start an additional phase of this I-405 project.

(14) (a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$924,615,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) \$44,311,000 of the transportation partnership account-state appropriation is provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003).

(c) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(15) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2018 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(16) Any advisory group that the department convenes during the 2017-2019 fiscal biennium must consider the interests of the entire state of Washington.

(17) It is the intent of the legislature that a new I-5/Exit 274 Interchange project in Blaine be funded with \$12,100,000 of connecting Washington account-state funds in the 2023-2025 fiscal biennium and be changed accordingly on the LEAP transportation document referenced in subsection (1) of this section. This new project would create a new southbound off-ramp on Interstate 5 at Exit 274 onto Peace Portal Drive and a direct northbound connection to Blaine's industrial area from the existing northbound off-ramp by reconfiguring it to tie into Odell Street.

(18) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(19) \$93,500,000 of the connecting Washington account-state appropriation is provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R). Any savings on the project must stay on the Puget Sound gateway corridor until the project is complete.

(20) (a) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number

167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(b) The secretary of transportation must develop a memorandum of understanding with local project stakeholders that identifies a schedule for stakeholders to provide local matching funds for the Puget Sound Gateway project. Criteria for eligibility of local match includes matching funds and equivalent in-kind contributions including, but not limited to, land donations. The memorandum of understanding must be finalized by July 1, 2018. The department must submit a copy of the memorandum of understanding to the transportation committees of the legislature and report regularly on the status of the requirements outlined in this subsection (20) (b) and (c) of this subsection.

(c) During the course of developing the memorandum of understanding, the department must evaluate the project schedules to determine if there are any benefits to be gained by moving the project schedule forward. Additionally, the department must consider completing a full single-point urban interchange at the junction of state route number 161 (Meridian avenue) and state route number 167 and a full single-point urban interchange at the junction of state route number 509 and 188th Street. If the department receives additional funds from an outside source for this project, the funds must be applied toward the completion of these two full single-point urban interchanges.

(21) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(22) \$600,000 of the motor vehicle account-state appropriation is provided solely for the department to complete an interchange justification report (IJR) for the U.S. 2 trestle (L1000158), covering

the state route number 204 and 20th Street interchanges at the end of the westbound structure.

(a) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

(b) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

(c) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(23) (a) The legislature recognizes that the city of Mercer Island has unique access issues that require the use of Interstate 90 to leave the island and that this access may be affected by the I-90/Two-Way Transit and HOV Improvements project. One of the most heavily traveled on-ramps from Mercer Island to the westbound Interstate 90 general purpose lanes is from Island Crest Way. The department must continue to consult with the city of Mercer Island and the other signatories to the 1976 memorandum of agreement to preserve access provided to Mercer Island by the Island Crest Way on-ramp, and thus grandfather in the current use of the on-ramp for both high occupancy vehicles as well as vehicles seeking to access the general purpose lanes of Interstate 90. The department must consider all reasonable access solutions, including allowing all vehicles to use the Island Crest Way on-ramp to access the new high occupancy vehicle lane with a reasonable and safe distance provided for single-occupancy vehicles to merge into the general purpose lanes.

(b) A final access solution for Mercer Island must consider the following criteria: Safety; operational effects on all users, including maintaining historic access to Interstate 90 provided from Mercer Island by Island Crest Way; enforcement requirements; and compliance with state and federal law.

(c) The department may not restrict by occupancy the westbound on-ramp from Island Crest Way until a final access solution that meets the criteria in (b) of this subsection has been reached.

(24) \$2,000,000 of the Interstate 405 express toll lanes operations account-

state appropriation is provided solely for the I-405 NB Hard Shoulder Running - SR 527 to I-5 project (L1000163).

(25) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Before the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2019, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(26) For the SR 526 Corridor Improvements project (N52600R), the department shall look holistically at the state route number 526 corridor from the state route number 526/Interstate 5 interchange at the east end to the southwest Everett industrial area and Boeing's west access road on the west end. The department, working with affected jurisdictions and stakeholders, shall select project elements that best maximize mobility and congestion relief in the corridor and draw from project elements identified in a practical solutions process.

(27) It is the intent of the legislature that for the I-5/Slater Road Interchange - Improvements project (L1000099), \$2,000,000 of connecting Washington account-state funds be added in the 2021-2023 fiscal biennium and \$10,100,000 of connecting Washington account-state funds be added in the 2023-2025 fiscal biennium, and that the LEAP transportation document referenced in subsection (1) of this section be updated accordingly.

(28) (a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for

the current fiscal biennium to advance one or more of the following projects:

- (i) SR 20/Sharpes Corner Vicinity Intersection (L1000112);
- (ii) I-5/Marvin Road/SR 510 Interchange (L1100110);
- (iii) I-5/Northbound On-ramp at Bakerview (L2000119);
- (iv) US 395/Ridgeline Intersection (L2000127);
- (v) I-90/Eastside Restripe Shoulders (L2000201);
- (vi) SR 240/Richland Corridor Improvements (L2000202);
- (vii) SR 14/Bingen Overpass (L2220062);
- (viii) US Hwy 2 Safety (N00200R);
- (ix) SR 520/148th Ave NE Overlake Access Ramp (L1100101);
- (x) SR 28/SR 285 North Wenatchee Area Improvements (L2000061);
- (xi) I-5/Rebuild Chambers Way Interchange Improvements (L2000223);
- (xii) SR 28 East Wenatchee Corridor Improvements (T10300R);
- (xiii) SR 3/Belfair Bypass - New Alignment (T30400R); or
- (xiv) SR 510/Yelm Loop Phase 2 (T32700R).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(29) Within existing resources and in consultation with local communities, the department shall begin planning efforts, including traffic data collection, analysis and evaluation, scoping, and environmental review, for roundabouts at the intersection of state route number 900 and SE May Valley Road and at the intersection of state route number 169 and Cedar Grove Road SE.

(30) Among the options studied as part of the SR 410 Corridor Study project (L1000174), the department shall examine the mobility and safety benefits of replacing or expanding the White River

bridge between Enumclaw and Buckley to four lanes and removing the trestle.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION-PRESERVATION-PROGRAM P

Recreational Vehicle Account-State Appropriation \$2,480,000

Transportation Partnership Account-State

Appropriation \$204,000

Motor Vehicle Account-State Appropriation \$49,192,000

Motor Vehicle Account-Federal Appropriation \$515,368,000

Motor Vehicle Account-Private/Local Appropriation \$10,400,000

State Route Number 520 Corridor Account-State

Appropriation \$498,000

Connecting Washington Account-State Appropriation \$185,030,000

Tacoma Narrows Toll Bridge Account-State Appropriation \$384,000

Transportation 2003 Account (Nickel Account)-State

Appropriation \$58,894,000

TOTAL APPROPRIATION \$822,450,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account-state appropriation and the entire transportation partnership account-state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2017-1 as developed April 20, 2017, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as otherwise provided in this section, the entire transportation 2003 account (nickel account)-state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document 2017-1 as developed April 20, 2017, Program - Highway Preservation Program (P).

(3) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year 2017 funds transferred using this subsection as part of the department's 2018 budget submittal.

(5) The transportation 2003 account (nickel account)—state appropriation includes up to \$13,395,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(6) \$7,200,000 of the connecting Washington account—state appropriation is provided solely for the land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701 of this act. The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(7) \$3,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection

must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project.

(8) \$22,620,000 of the motor vehicle account—federal appropriation and \$663,000 of the motor vehicle account—state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington. When practicable, the department shall pursue design-build contracts for these bridge projects to expedite delivery. The department shall provide a report that identifies the progress of each project funded in this subsection as part of its 2018 agency budget request.

(9) The appropriation in this section includes funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(10) (a) \$4,820,000 of the motor vehicle account—federal appropriation and \$182,000 of the motor vehicle account—state appropriation are provided solely for weigh station preservation (OBP3006). These amounts must be held in unallotted status, except that the director of the office of financial management may approve allotment of the funds upon fulfillment of the conditions of (b) of this subsection.

(b) The department and the Washington state patrol shall jointly submit a prioritized list of weigh station projects to the office of financial management by October 1, 2017. Projects submitted must include estimated costs for preliminary engineering, rights-of-way, and construction and must also consider the timing of any available funding for weigh station projects.

(11) The department must consult with the Washington state patrol and the office of financial management during the design

phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

(12) During the course of any planned resurfacing or other preservation activity on state route number 26 between Colfax and Othello in the 2017-2019 fiscal biennium, the department must add dug-in reflectors.

(13) The department shall continue to monitor the test patch of pavement that used electric arc furnace slag as an aggregate and report back to the legislature by December 1, 2018, on its comparative wear resistance, skid resistance, and feasibility for use throughout the state in new pavement construction.

(14) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance the US 12/Wildcat Bridge Replacement project (L2000075). At least ten business days before advancing the project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of the project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION-TRAFFIC OPERATIONS-PROGRAM Q-CAPITAL

Motor	Vehicle	Account-State
Appropriation	\$4,913,000	

Motor	Vehicle	Account-Federal
Appropriation	\$5,106,000	

Motor	Vehicle	Account-Private/Local
Appropriation	\$500,000	

TOTAL APPROPRIATION \$10,519,000

The appropriations in this section are subject to the following conditions and

limitations: The department shall set aside a sufficient portion of the motor vehicle account-state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION-WASHINGTON STATE FERRIES CONSTRUCTION-PROGRAM W

Puget	Sound	Capital	Construction
Account-State			

Appropriation	\$59,924,000
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Puget	Sound	Capital	Construction
Account-Federal			

Appropriation	\$152,838,000
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Puget	Sound	Capital	Construction
Account-Private/Local			

Appropriation	\$15,654,000
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Transportation	Partnership	Account-State
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Appropriation	\$2,923,000
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Connecting	Washington	Account-State
Appropriation	\$142,837,000	

TOTAL APPROPRIATION \$374,176,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017, Program - Washington State Ferries Capital Program (W) and is contingent upon the enactment of subsection (6) of this section.

(2) \$26,252,000 of the Puget Sound capital construction account-federal appropriation and \$63,804,000 of the connecting Washington account-state appropriation are provided solely for the Mukilteo ferry terminal (952515P). To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net-zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the

terminal. To the extent practicable, the department shall avoid the closure of, or disruption to, any existing public access walkways in the vicinity of the terminal project during construction.

(3) \$61,729,000 of the Puget Sound capital construction account—federal appropriation, \$36,529,000 of the connecting Washington account—state appropriation, and \$15,554,000 of the Puget Sound capital construction account—private/local appropriation are provided solely for the Seattle Terminal Replacement project (900010L).

(4) \$5,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) \$775,000 of the Puget Sound capital construction account—state appropriation is provided solely for life extension of the existing ticketing system and ORCA acceptance (998521A and 998521B). The ferry system shall work with Washington technology solutions and the tolling division on the development of a new, interoperable ticketing system.

(6)(a) The department shall, in consultation with the office of financial management, hire an independent planning consultant to assist with overall scope development of a new ferry system long-range plan, including incorporating the items listed in (b) of this subsection. The independent planning consultant must have experience in planning for other ferry systems.

(b) The department shall update the ferries division long-range plan by January 1, 2019. In reviewing the changing needs of the users of the ferry system and the associated funding opportunities and challenges, the department must include, but is not limited to, the following elements in the new long-range plan:

(i) Identify changes in the demographics of users of the system;

(ii) Review route timetables and propose adjustments that take into consideration ridership volume, vessel load times, proposed and current passenger-only ferry system ridership, and other operational needs;

(iii) Review vessel needs by route and propose a vessel replacement schedule, vessel retirement schedule, and estimated

number of vessels needed. This analysis should also articulate a reserve vessel strategy;

(iv) Identify the characteristics most appropriate for replacement vessels, such as passenger and car-carrying capacity, while taking into consideration other cost-driving factors. These factors should include:

(A) Anticipated crewing requirements;

(B) Fuel type;

(C) Other operating and maintenance costs;

(v) Review vessel dry dock needs, consider potential impacts of the United States navy, and propose strategies to meet these needs;

(vi) Address the seismic vulnerability of the system and articulate emergency preparedness plans;

(vii) Evaluate leased and state-owned property locations for the ferry headquarters, to include an analysis of properties outside the downtown area of Seattle;

(viii) Evaluate strategies that may help spread peak ridership, such as time-of-day ticket pricing and expanding the reservation system; and

(ix) Identify operational changes that may reduce costs, such as nighttime tie-up locations.

(c) The department shall submit a status report on the long-range plan update to the governor and the transportation committees of the legislature by June 30, 2018, and a final report by January 1, 2019.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Essential Rail Assistance Account—State Appropriation \$424,000

Transportation Infrastructure Account—State

Appropriation \$5,367,000

Multimodal Transportation Account—State

Appropriation \$51,665,000

Multimodal Transportation Account—Federal

Appropriation \$1,487,000

TOTAL APPROPRIATION \$58,943,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017, Program - Rail Program (Y).

(2) \$5,000,000 of the transportation infrastructure account-state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) \$7,017,000 of the multimodal transportation account-state appropriation and \$24,000 of the essential rail assistance account-state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account-state appropriation and \$1,100,000 of the multimodal transportation account-state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures,

but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(5) (a) \$400,000 of the essential rail assistance account-state appropriation and \$305,000 of the multimodal transportation account-state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account-state in this subsection may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2018, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(7) For projects funded as part of the 2015 connecting Washington transportation package identified on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance the South Kelso Railroad Crossing project (L1000147). At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations

are necessary for the 2019-2021 fiscal biennium.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION-LOCAL PROGRAMS-PROGRAM Z-CAPITAL

Highway Infrastructure Account-State Appropriation \$293,000

Highway Infrastructure Account-Federal Appropriation \$218,000

Transportation Partnership Account-State

Appropriation \$1,143,000

Highway Safety Account-State Appropriation \$2,388,000

Motor Vehicle Account-State Appropriation \$15,080,000

Motor Vehicle Account-Federal Appropriation \$65,187,000

Motor Vehicle Account-Private/Local Appropriation \$18,000,000

Connecting Washington Account-State Appropriation \$118,293,000

Multimodal Transportation Account-State

Appropriation \$56,079,000

TOTAL APPROPRIATION \$276,681,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$18,380,000 of the multimodal transportation account-state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. \$6,432,000 of the multimodal transportation account-state appropriation and \$1,143,000 of the transportation partnership account-state appropriation are reappropriated for pedestrian and bicycle safety program

projects selected in the previous biennia (L2000188).

(b) \$11,400,000 of the motor vehicle account-federal appropriation and \$7,750,000 of the multimodal transportation account-state appropriation are provided solely for newly selected safe routes to school projects. \$6,372,000 of the motor vehicle account-federal appropriation, \$923,000 of the multimodal transportation account-state appropriation, and \$2,388,000 of the highway safety account-state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2017, and December 1, 2018, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) \$18,741,000 of the multimodal transportation account-state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) \$43,800,000 of the motor vehicle account-federal appropriation is provided solely for national highway freight network projects identified on the project list submitted in accordance with section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016. The department shall validate the projects on the list. Only tier one projects on the prioritized freight project list that are validated by the department may receive funding under this subsection. The department shall continue to work with the Washington state freight advisory committee to improve project screening and validation to

support project prioritization and selection, including during the freight mobility plan update in 2017. The department may compete for funding under this program and shall provide an updated prioritized freight project list when submitting its 2019-2021 budget request. To the greatest extent practicable, the department shall follow the Washington state freight advisory committee recommendation to allocate ten percent of the funds in this subsection to multimodal projects as permitted under the fixing America's surface transportation (FAST) act.

(6) It is the expectation of the legislature that the department will be administering a local railroad crossing safety grant program for \$7,400,000 in federal funds during the 2017-2019 fiscal biennium. Of the amounts identified in this subsection, a minimum of \$500,000 must be for railroad grade-crossing safety grants at locations where multiple pedestrian or bicyclist fatalities have occurred in the vicinity of a grade-crossing in the last five years.

(7) \$8,000,000 of the connecting Washington account-state appropriation is provided solely for the Covington Connector (L2000104). The amounts described in the LEAP transportation document referenced in subsection (1) of this section are not a commitment by future legislatures, but it is the legislature's intent that future legislatures will work to approve appropriations in the 2019-2021 fiscal biennium to reimburse the city of Covington for approved work completed on the project up to the full \$24,000,000 cost of this project.

(8)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

- (i) SR 502 Main Street Project/Widening (L2000065);
- (ii) Complete SR 522 Improvements-Kenmore (T10600R);
- (iii) Issaquah-Fall City Road (L1000094);

- (iv) Lewis Street Bridge (L2000066);
- (v) Covington Connector (L2000104);
- (vi) Orchard Street Connector (L2000120);
- (vii) Harbour Reach Extension (L2000136);
- (viii) Sammamish Bridge Corridor (L2000137);
- (ix) Brady Road (L2000164);
- (x) Thornton Road Overpass (L2000228);
- (xi) I-5/Port of Tacoma Road Interchange (L1000087);
- (xii) Wilburton Reconnection Project (G2000006);
- (xiii) SR 520 Trail Grade Separation at 40th Street (G2000013);
- (xiv) Bay Street Pedestrian Project (G2000015); or
- (xv) Cowiche Canyon Trail (G2000010).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(9) \$1,500,000 of the motor vehicle account-state appropriation is provided solely for the Spokane Valley Barker/Trent grade separation project.

(10) \$280,000 of the motor vehicle account-state appropriation is provided solely for the Woodin Avenue bridge one-way conversion project in Chelan.

NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

(1) As part of its budget submittal for the 2018 supplemental budget, the department of transportation shall provide an update to the report provided to the legislature in 2017 that: (a) Compares the original project cost estimates approved in the 2003, 2005, and 2015 revenue package project lists to the completed cost of the project, or the most recent legislatively approved budget and total project costs for projects not yet completed; (b) identifies highway projects that may be reduced in scope and still achieve a functional benefit; (c) identifies highway projects that have

experienced scope increases and that can be reduced in scope; (d) identifies highway projects that have lost significant local or regional contributions that were essential to completing the project; and (e) identifies contingency amounts allocated to projects.

(2) As part of its budget submittal for the 2018 supplemental budget, the department of transportation shall provide: (a) An annual report on the number of toll credits the department has accumulated and how the department has used the toll credits, and (b) a status report on the projects funded using federal national highway freight program funds.

NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

(1) For active projects, the report must include:

(a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(c) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;

(d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;

(e) Highway projects that may be reduced in scope and still achieve a functional benefit;

(f) Highway projects that have experienced scope increases and that can be reduced in scope;

(g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and

(h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

(2) For completed projects, the report must:

(a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and

(b) Provide a list of nickel and TPA projects charging to the nickel/TPA environmental mitigation reserve (OB4ENV) and the amount each project is charging.

(3) For prospective projects, the report must:

(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

NEW SECTION. Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES

To the greatest extent practicable, the department of transportation shall expend federal funds received for capital project expenditures before state funds.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State

Appropriation \$2,239,000

Connecting Washington Account—State
Appropriation \$1,802,000

Highway Bond Retirement Account—State
Appropriation \$1,238,072,000

Ferry Bond Retirement Account—State
Appropriation \$28,873,000

Transportation Improvement Board Bond
Retirement
Account—State Appropriation
\$13,254,000

Nondebt-Limit Reimbursable Bond
Retirement
Account—State Appropriation
\$26,609,000

Toll Facility Bond Retirement Account—
State
Appropriation \$86,493,000

Transportation 2003 Account (Nickel
Account)—State
Appropriation \$323,000

TOTAL APPROPRIATION \$1,397,665,000

NEW SECTION. Sec. 402. FOR THE STATE
TREASURER—BOND RETIREMENT AND INTEREST,
AND ONGOING BOND REGISTRATION AND TRANSFER
CHARGES: FOR BOND SALE EXPENSES AND FISCAL
AGENT CHARGES

Transportation Partnership Account—
State
Appropriation \$448,000

Connecting Washington Account—State
Appropriation \$360,000

Transportation 2003 Account (Nickel
Account)—State
Appropriation \$65,000

TOTAL APPROPRIATION \$873,000

NEW SECTION. Sec. 403. FOR THE STATE
TREASURER—BOND RETIREMENT AND INTEREST,
AND ONGOING BOND REGISTRATION AND TRANSFER
CHARGES: FOR DEBT TO BE PAID BY
STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—
Federal
Appropriation \$199,901,000

Toll Facility Bond Retirement Account—
State
Appropriation \$25,372,000

TOTAL APPROPRIATION \$225,273,000

NEW SECTION. Sec. 404. FOR THE STATE
TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State
Appropriation:

For motor vehicle fuel tax
distributions to
cities and counties \$514,648,000

NEW SECTION. Sec. 405. FOR THE STATE
TREASURER—STATE REVENUES FOR DISTRIBUTION

Multimodal Transportation Account—
State
Appropriation: For distribution to
cities and counties \$26,786,000

Motor Vehicle Account—State
Appropriation: For distribution to
cities and counties \$23,438,000

TOTAL APPROPRIATION \$50,224,000

NEW SECTION. Sec. 406. FOR THE STATE
TREASURER—TRANSFERS

Motor Vehicle Account—State
Appropriation:

For motor vehicle fuel tax refunds and
statutory transfers \$2,196,693,000

NEW SECTION. Sec. 407. FOR THE
DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State
Appropriation:

For motor vehicle fuel tax refunds and
transfers \$200,747,000

NEW SECTION. Sec. 408. FOR THE STATE
TREASURER—ADMINISTRATIVE TRANSFERS

(1) State Patrol Highway Account—State
Appropriation: For transfer to the
Connecting
Washington Account—State \$21,221,000

(2) Transportation Partnership Account—
State
Appropriation: For transfer to the
Connecting
Washington Account—State \$10,946,000

(3) Highway Safety Account—State
Appropriation: For transfer to the
Multimodal
Transportation Account—State
\$57,000,000

(4) Motor Vehicle Account-State
Appropriation:

For transfer to the Connecting
Washington

Account-State \$56,464,000

(5) Motor Vehicle Account-State
Appropriation:

For transfer to the Freight Mobility
Investment

Account-State \$8,511,000

(6) Motor Vehicle Account-State
Appropriation:

For transfer to the Puget Sound Capital
Construction Account-State \$20,000,000

(7) Motor Vehicle Account-State
Appropriation:

For transfer to the Rural Arterial
Trust

Account-State \$4,844,000

(8) Motor Vehicle Account-State
Appropriation:

For transfer to the Transportation
Improvement

Account-State \$9,688,000

(9) Motor Vehicle Account-State
Appropriation:

For transfer to the State Patrol
Highway

Account-State \$43,000,000

(10) Puget Sound Ferry Operations
Account-State

Appropriation: For transfer to the
Connecting

Washington Account-State \$1,305,000

(11) Rural Mobility Grant Program
Account-State

Appropriation: For transfer to the
Multimodal

Transportation Account-State
\$3,000,000

(12) State Route Number 520 Civil
Penalties

Account-State Appropriation: For
transfer to

the State Route Number 520 Corridor

Account-State \$1,240,000

(13) Capital Vessel Replacement
Account-State

Appropriation: For transfer to the
Connecting

Washington Account-State \$36,500,000

(14) Multimodal Transportation Account-
State

Appropriation: For transfer to the
Freight

Mobility Multimodal Account-
State \$8,511,000

(15) Multimodal Transportation Account-
State

Appropriation: For transfer to the
Puget Sound

Capital Construction Account-
State \$32,000,000

(16) Multimodal Transportation Account-
State

Appropriation: For transfer to the
Puget Sound

Ferry Operations Account-State
\$20,000,000

(17) Multimodal Transportation Account-
State

Appropriation: For transfer to the
Regional

Mobility Grant Program Account-
State \$27,679,000

(18) Multimodal Transportation Account-
State

Appropriation: For transfer to the
Rural

Mobility Grant Program Account-
State \$15,223,000

(19) Tacoma Narrows Toll Bridge
Account-State

Appropriation: For transfer to the
Motor

Vehicle Account-State \$950,000

(20) Transportation 2003 Account
(Nickel Account)-

State Appropriation: For transfer to
the Connecting

Washington Account-State \$22,970,000

(21) (a) Interstate 405 Express Toll
Lanes Operations

Account-State Appropriation: For
transfer to the

Motor Vehicle Account-State
\$2,019,000

(b) The transfer identified in this subsection is provided solely to repay in full the motor vehicle account-state appropriation loan from section 407(19), chapter 222, Laws of 2014.

(22) (a) Transportation Partnership
Account-State

Appropriation: For transfer to the
Alaskan Way Viaduct

Replacement Project Account-
State \$122,046,000

(b) The amount transferred in this subsection represents that portion of the up to \$200,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873, intended to be sold through the 2021-2023 fiscal biennium, used only for construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z), and that must be repaid from the Alaskan Way viaduct replacement project account consistent with RCW 47.56.864.

(23) (a) Motor Vehicle Account-State

Appropriation: For transfer to the
Tacoma Narrows Toll

Bridge Account-State \$5,000,000

(b) The transfer in this subsection must be made in April 2019. It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases, and an equivalent reimbursing transfer is to occur in November 2019.

(24) Motor Vehicle Account-State

Appropriation: For transfer to the
County Arterial

Preservation Account-State \$4,844,000

(25) (a) General Fund Account-State
Appropriation:

For transfer to the State Patrol
Highway

Account-State \$625,000

(b) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207(6) of this act.

(26) (a) Motor Vehicle Account-State
Appropriation:

For transfer to the Alaskan Way Viaduct
Replacement Project

Account-State \$6,506,000

(b) The funds provided in (a) of this subsection are a loan to the Alaskan Way viaduct replacement project account-state, and the legislature assumes that these funds will be reimbursed to the motor vehicle account-state at a later date when the portion of state route number 99 that is a deep bore tunnel is operational.

NEW SECTION. **Sec. 409.** The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

COMPENSATION

NEW SECTION. **Sec. 501.** GENERAL STATE
EMPLOYEE COMPENSATION ADJUSTMENTS

Except as otherwise provided in sections 502 through 516 of this act, state employee compensation adjustments will be provided in accordance with funding adjustments provided in the 2017-2019 omnibus appropriations act.

NEW SECTION. **Sec. 502.** COLLECTIVE
BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. **Sec. 503.** COLLECTIVE
BARGAINING AGREEMENTS

Sections 504 through 516 of this act represent the results of the 2017-2019 collective bargaining process required under chapters 47.64 and 41.56 RCW. Provisions of the collective bargaining agreements contained in sections 504 through 516 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in

sections 504 through 516 of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-OPEIU

An agreement has been reached between the governor and the office and professional employees international union local eight (OPEIU) through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded six and one-half percent general wage increase effective July 1, 2017, and six and one-half percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and restructuring of the pay schedule.

NEW SECTION. Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-FASPAA

An agreement has been reached between the governor and the ferry agents, supervisors, and project administrators association pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018.

NEW SECTION. Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-SEIU LOCAL 6

An agreement has been reached between the governor and the service employees international union local 6 pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a six percent general wage increase effective July 1, 2017, and a four percent general wage increase effective July 1, 2018.

NEW SECTION. Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-CARPENTERS

An agreement has been reached between the governor and the Pacific Northwest regional council of carpenters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded four percent general wage increase

effective July 1, 2017, and three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications.

NEW SECTION. Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-METAL TRADES

An agreement has been reached between the governor and the Puget Sound metal trades council through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2017, and three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications.

NEW SECTION. Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MEBA-UL

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018.

NEW SECTION. Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MEBA-L

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for an additional pay increase to address inversion among certain job classifications.

NEW SECTION. Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MM&P MATES

An agreement has been reached between the governor and the master, mates, and pilots - mates pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1,

2017, and a two percent general wage increase effective July 1, 2018.

NEW SECTION. Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MM&P MASTERS

An agreement has been reached between the governor and the master, mates, and pilots - masters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a five and one-half percent general wage increase effective July 1, 2017, and a two and one-half percent general wage increase effective July 1, 2018. The award also includes and funding is provided for an additional pay increase to address inversion among certain job classifications.

NEW SECTION. Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-MM&P WATCH CENTER SUPERVISORS

An agreement has been reached between the governor and the master, mates, and pilots - watch center supervisors pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for an increase for the fleet safety and training administrators equal to the same hourly rate of pay as the watch center supervisors.

NEW SECTION. Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT-IBU

An agreement has been reached between the governor and the inlandboatmen's union pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a four percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications and for employees hired on or after June 30, 2011, an increase in leave earned.

NEW SECTION. Sec. 515. COLLECTIVE BARGAINING AGREEMENT-WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state

patrol troopers association pursuant to chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a sixteen percent general wage increase for troopers effective July 1, 2017, and a three percent general wage increase for troopers effective July 1, 2018. Funding is also provided for a twenty percent general wage increase for sergeants effective July 1, 2017, and a three percent general wage increase for sergeants effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay, changes to specialty pay, and an increase to vacation accruals.

NEW SECTION. Sec. 516. COLLECTIVE BARGAINING AGREEMENT-WSP LIEUTENANTS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants association pursuant to chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a twenty percent general wage increase effective July 1, 2017, and a three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay.

IMPLEMENTING PROVISIONS

NEW SECTION. Sec. 601. FUND TRANSFERS

(1) The 2005 transportation partnership projects or improvements and 2015 connecting Washington projects or improvements are listed in the LEAP Transportation Document 2017-1 as developed April 20, 2017, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and connecting Washington account projects on the LEAP transportation document referenced in this subsection. For the 2017-2019 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations or connecting Washington account appropriations to

manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers may not be made while the legislature is in session;

(f) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(g) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2018 supplemental omnibus transportation appropriations act, any unexpended 2015-2017 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects; and

(h) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount does not exceed two hundred fifty thousand dollars or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline

project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(5) No fewer than ten days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section.

NEW SECTION. Sec. 602. To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. Sec. 603. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the

agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 604. FOR THE DEPARTMENT OF TRANSPORTATION

(1) As part of its 2018 supplemental budget submittal, the department shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2015-2017 fiscal biennium into the 2017-2019 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2015 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2017-2019 fiscal biennium into budgeting systems.

NEW SECTION. Sec. 605. FOR THE DEPARTMENT OF TRANSPORTATION-WEB SITE REPORTING REQUIREMENTS

(1) The department of transportation shall post on its web site every report that is due from the department to the legislature during the 2017-2019 fiscal biennium on one web page. The department must post both completed reports and planned reports on a single web page.

(2) The department shall provide a web link for each change order that is more than five hundred thousand dollars on the affected project web page.

NEW SECTION. **Sec. 606.** (1) By November 15, 2017, and annually thereafter, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 20, 2017. The report must address each modal category separately and identify if eighteenth amendment protected funds have been used and, if not, the source of funding.

(2) To facilitate the report in subsection (1) of this section, the department of transportation must require that all bids on connecting Washington projects include an estimate on the cost

to implement any transit, bicycle, or pedestrian project elements.

NEW SECTION. Sec. 607. PROJECT SCOPE CHANGES

(1) The legislature finds that in the course of efficiently delivering connecting Washington projects, it is necessary to create a process for the department of transportation to request and receive approval of practical design-related project scope changes while the legislature is not in session. During the 2017-2019 fiscal biennium, the director of the office of financial management may approve project scope change requests to connecting Washington projects in the highway improvements program, provided that the requests meet the criteria outlined in RCW 47.01.480 and are subject to the limitations in this section.

(2) At the time the department of transportation submits a request for a project scope change under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested project scope changes.

(4) No fewer than ten days after the receipt of a scope change request, the director of the office of financial management must provide written notification to the department of any decision regarding project scope changes, with copies submitted to the transportation committees of the legislature.

(5) As part of its annual budget submittal, the department of transportation must report on all approved scope change requests from the prior year, including a comparison of the scope before and after the requested change.

NEW SECTION. Sec. 608. FOR THE DEPARTMENT OF TRANSPORTATION

The department of transportation may provide up to three million dollars in toll credits to Kitsap transit for its role in passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for

passenger-only ferry service, but must not exceed the amount authorized in this section.

MISCELLANEOUS 2017-2019 FISCAL BIENNIUM

NEW SECTION. Sec. 701. INFORMATION TECHNOLOGY PROJECTS

(1) All appropriations for designated information technology projects in this act must be placed in unallotted status and must not be expended before the office of the chief information officer certifies that the project complies with state information technology and security policy and strategies. At a minimum, the office of the chief information officer must certify, if the chief information officer deems appropriate, that the project meets critical project success factors, aligns with statewide technology strategy and architecture, reuses existing technology services and solutions, minimizes custom development, complies with security and other policy requirements, and uses modularized, component-based architectures. The office of the chief information officer must evaluate the project at the appropriate stages. The office of the chief information officer must notify the office of financial management and the legislative fiscal committees each time it certifies a project is ready to proceed with the next stage. Appropriations may then be allotted for that certified phase only.

(2) The chief information officer may suspend or terminate a project at any time if the chief information officer determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall not make additional expenditures on the project without approval of the chief information officer.

The following projects are subject to the conditions, limitations, and review provided in this section: Department of Transportation - Labor System Replacement, Department of Transportation - New Ferry Division Dispatch System, Department of Transportation - Land Mobile Radio System Replacement, and Department of Transportation - New CSC System and Operator.

(3) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section other than those listed in subsection (2) of this section, including

projects that are not separately identified within an agency budget.

NEW SECTION. Sec. 702. SETTLEMENT FUNDS EXPENDITURE

The legislature finds that it is appropriate to provide a framework for the administration of mitigation funds provided to the state as a beneficiary under the terms of the consent decrees entered into by the United States, Volkswagen AG, and other participating parties that settle emissions-related claims for 2.0 and 3.0 liter diesel vehicles of certain models and years. The legislature deems the department of ecology the responsible agency for the administration and expenditure of funds provided by the trustee under the terms of the consent decrees, including the development of a mitigation plan to guide the use of the funds, whether or not the department receives funds directly for projects included in the plan.

The legislature also finds that a framework to govern the administration of mitigation funds requires appropriations, guiding principles, allocation of funds, consideration of agencies' roles, legislative oversight, and ancillary provisions. Accordingly, the omnibus capital budget for the department of ecology includes the necessary provisions to administer the mitigation funds and the development of the mitigation plan. With respect to this act and transportation governance generally, these provisions require: The participation of legislators from the transportation committees as part of a legislative work group; consultation by the department of ecology with the department of transportation on several components of the plan development and implementation; and consideration of and coordination with the several transportation programs and policies that intersect with potential mitigation actions that may become part of the plan. The department of transportation is directed to work with the department of ecology as needed to facilitate the plan development and implementation.

Sec. 703. RCW 43.19.642 and 2016 c 197 s 2 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that

the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the (~~2011-2013, 2013-2015, and~~) 2015-2017 and 2017-2019 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

Sec. 704. RCW 46.20.745 and 2013 c 306 s 712 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same

meaning as in RCW 10.101.010, as determined by the department. During the (~~2013-2015~~) 2017-2019 fiscal biennium, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

Sec. 705. RCW 46.61.5054 and 2017 c ... (SB 5037) s 5 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 46.61.5051 through 46.61.5053 until September 1, 1995, and RCW 46.61.5055 thereafter, a two hundred fifty dollar fee shall be assessed to a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution, as a result of an arrest for violating RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522. This fee is for the purpose of funding the Washington state toxicology laboratory and the Washington state patrol for grants and

activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(b) Upon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay.

(2) The fee assessed under subsection (1) of this section shall be collected by the clerk of the court and, subject to subsection (5) of this section, one hundred seventy-five dollars of the fee must be distributed as follows:

(a) Forty percent shall be subject to distribution under RCW 3.46.120, 3.50.100, 35.20.220, 3.62.020, 3.62.040, or 10.82.070.

(b) The remainder of the fee shall be forwarded to the state treasurer who shall, through June 30, 1997, deposit: Fifty percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and fifty percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs. Effective July 1, 1997, the remainder of the fee shall be forwarded to the state treasurer who shall deposit: Fifteen percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and eighty-five percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(3) Twenty-five dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to reduce statewide collisions caused by persons driving under the influence of alcohol or drugs. Grants awarded under this subsection may be for projects that encourage collaboration with other community, governmental, and private organizations, and that utilize innovative approaches based on best practices or proven strategies supported by research or rigorous evaluation. Grants recipients may include, for example:

(a) DUI courts; and

(b) Jurisdictions implementing the victim impact panel registries under RCW 46.61.5152 and 10.01.230.

(4) Fifty dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to organizations within counties targeted for programs to reduce driving under the influence of alcohol or drugs. For the 2017-2019 fiscal biennium, the fee may also be used to support the cost of administration of the grant program by the Washington traffic safety commission.

(5) If the court has suspended payment of part of the fee pursuant to subsection (1)(b) of this section, amounts collected shall be distributed proportionately.

(6) This section applies to any offense committed on or after July 1, 1993, and only to adult offenders.

Sec. 706. RCW 46.68.030 and 2016 c 28 s 2 are each amended to read as follows:

(1) The director shall forward all fees for vehicle registrations under chapters 46.16A and 46.17 RCW, unless otherwise specified by law, to the state treasurer with a proper identifying detailed report. The state treasurer shall credit these moneys to the motor vehicle fund created in RCW 46.68.070.

(2) Proceeds from vehicle license fees and renewal vehicle license fees must be deposited by the state treasurer as follows:

(a) \$23.60 of each initial or renewal vehicle license fee must be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal vehicle license fees, and all other funds in the state patrol highway account must be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations.

(b) \$2.02 of each initial vehicle license fee and \$0.93 of each renewal vehicle license fee must be deposited each biennium in the Puget Sound ferry operations account.

(c) Any remaining amounts of vehicle license fees and renewal vehicle license fees that are not distributed otherwise under this section must be deposited in the motor vehicle fund.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the state patrol highway account to the connecting Washington account such amounts as reflect the excess fund balance of the state patrol highway account.

(4) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the state patrol highway account to the connecting Washington account.

Sec. 707. RCW 46.68.060 and 2015 3rd sp.s. c 43 s 602 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the highway safety fund to the Puget Sound ferry operations account, the motor vehicle fund, and the multimodal transportation account such amounts as reflect the excess fund balance of the highway safety fund. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account.

Sec. 708. RCW 46.68.280 and 2015 3rd sp.s. c 43 s 603 are each amended to read as follows:

(1) The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements, moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003

projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

(2) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation 2003 account (nickel account) to the connecting Washington account such amounts as reflect the excess fund balance of the transportation 2003 account (nickel account).

(3) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the connecting Washington account.

(4) The "nickel account" means the transportation 2003 account.

Sec. 709. RCW 46.68.290 and 2015 3rd sp.s. c 43 s 604 are each amended to read as follows:

(1) The transportation partnership account is hereby created in the state treasury. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within thirty days after receipt of the preliminary performance audit report unless a different time period is

approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation partnership account to the connecting Washington account such amounts as reflect the excess fund balance of the transportation partnership account.

(12) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the connecting Washington account.

Sec. 710. RCW 46.68.325 and 2015 1st sp.s. c 10 s 703 are each amended to read as follows:

(1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the ((2013-2015 and)) 2015-2017 fiscal ((biennia)) biennium, the legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

(4) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the rural mobility grant program account to the multimodal transportation account.

Sec. 711. RCW 47.29.170 and 2015 1st sp.s. c 10 s 704 are each amended to read as follows:

Before accepting any unsolicited project proposals, the commission must adopt rules to facilitate the acceptance, review, evaluation, and selection of unsolicited project proposals. These rules must include the following:

(1) Provisions that specify unsolicited proposals must meet predetermined criteria;

(2) Provisions governing procedures for the cessation of negotiations and consideration;

(3) Provisions outlining that unsolicited proposals are subject to a two-step process that begins with concept proposals and would only advance to the second step, which are fully detailed proposals, if the commission so directed;

(4) Provisions that require concept proposals to include at least the following information: Proposers' qualifications and experience; description of the proposed project and impact; proposed project financing; and known public benefits and opposition; and

(5) Provisions that specify the process to be followed if the commission is interested in the concept proposal, which must include provisions:

(a) Requiring that information regarding the potential project would be published for a period of not less than thirty days, during which time entities could express interest in submitting a proposal;

(b) Specifying that if letters of interest were received during the thirty days, then an additional sixty days for submission of the fully detailed proposal would be allowed; and

(c) Procedures for what will happen if there are insufficient proposals submitted or if there are no letters of interest submitted in the appropriate time frame.

The commission may adopt other rules as necessary to avoid conflicts with existing laws, statutes, or contractual obligations of the state.

The commission may not accept or consider any unsolicited proposals before July 1, (~~2017~~) 2018.

Sec. 712. RCW 47.56.403 and 2015 1st sp.s. c 10 s 705 are each amended to read as follows:

(1) The department may provide for the establishment, construction, and operation of a pilot project of high occupancy toll lanes on state route 167 high occupancy vehicle lanes within King county. The department may issue, buy, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction of high occupancy toll lanes, carry insurance, and handle any other matters pertaining to the high occupancy toll lane pilot project.

(2) Tolls for high occupancy toll lanes will be established as follows:

(a) The schedule of toll charges for high occupancy toll lanes must be established by the transportation commission and collected in a manner determined by the commission.

(b) Toll charges shall not be assessed on transit buses and vanpool vehicles owned or operated by any public agency.

(c) The department shall establish performance standards for the state route 167 high occupancy toll lane pilot project. The department must automatically adjust the toll charge, using dynamic tolling, to ensure that toll-paying single-occupant vehicle users are only permitted to enter the lane to the extent that average vehicle speeds in the lane remain above forty-five miles per hour at least ninety percent of the time during peak hours. The toll charge may vary in amount by time of day, level of traffic congestion within the highway facility, vehicle occupancy, or other criteria, as the commission may deem appropriate. The commission may also vary toll charges for single-occupant inherently low-emission vehicles such as those powered by electric batteries, natural gas, propane, or other clean burning fuels.

(d) The commission shall periodically review the toll charges to determine if the toll charges are effectively maintaining travel time, speed, and reliability on the highway facilities.

(3) The department shall monitor the state route 167 high occupancy toll lane pilot project and shall annually report to the transportation commission and the legislature on operations and findings. At a minimum, the department shall provide facility use data and review the impacts on:

(a) Freeway efficiency and safety;

(b) Effectiveness for transit;

(c) Person and vehicle movements by mode;

(d) Ability to finance improvements and transportation services through tolls; and

(e) The impacts on all highway users. The department shall analyze aggregate use data and conduct, as needed, separate surveys to assess usage of the facility in relation to geographic, socioeconomic, and demographic information within the corridor in order to ascertain actual and perceived questions of equitable use of the facility.

(4) The department shall modify the pilot project to address identified safety issues and mitigate negative impacts to high occupancy vehicle lane users.

(5) Authorization to impose high occupancy vehicle tolls for the state route 167 high occupancy toll pilot project expires if either of the following two conditions apply:

(a) If no contracts have been let by the department to begin construction of the toll facilities associated with this pilot project within four years of July 24, 2005; or

(b) If high occupancy vehicle tolls are being collected on June 30, (~~2017~~) 2019.

(6) The department of transportation shall adopt rules that allow automatic vehicle identification transponders used for electronic toll collection to be compatible with other electronic payment devices or transponders from the Washington state ferry system, other public transportation systems, or other toll collection systems to the extent that technology permits.

(7) The conversion of a single existing high occupancy vehicle lane to a high occupancy toll lane as proposed for SR-167 must be taken as the exception for this pilot project.

(8) A violation of the lane restrictions applicable to the high occupancy toll lanes established under this section is a traffic infraction.

(9) Procurement activity associated with this pilot project shall be open and competitive in accordance with chapter 39.29 RCW.

Sec. 713. RCW 47.56.876 and 2015 1st sp.s. c 10 s 706 are each amended to read as follows:

A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state route number 520 civil penalties account to the state route number 520 corridor account such amounts

as reflect the excess fund balance of the state route number 520 civil penalties account. Funds transferred must be used solely for capital expenditures for the state route number 520 bridge replacement and HOV project. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account.

Sec. 714. RCW 47.60.530 and 2015 3rd sp.s. c 43 s 605 are each amended to read as follows:

(1) The Puget Sound ferry operations account is created in the motor vehicle fund.

(2) The following funds must be deposited into the account:

(a) All moneys directed by law;

(b) All revenues generated from ferry fares; and

(c) All revenues generated from commercial advertising, concessions, parking, and leases as allowed under RCW 47.60.140.

(3) Moneys in the account may be spent only after appropriation.

(4) Expenditures from the account may be used only for the maintenance, administration, and operation of the Washington state ferry system.

(5) During the 2015-2017 fiscal biennium, the legislature may transfer from the Puget Sound ferry operations account to the connecting Washington account such amounts as reflect the excess fund balance of the Puget Sound ferry operations account.

(6) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Puget Sound ferry operations account to the connecting Washington account.

Sec. 715. RCW 81.53.281 and 2016 c 14 s 701 are each amended to read as follows:

There is hereby created in the state treasury a "grade crossing protective fund" to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or subsidies to public, private, and nonprofit entities for rail safety projects authorized or ordered by the commission; and for personnel and

associated costs related to supervising and administering rail safety grants and/or subsidies. During the 2013-2015 fiscal biennium, funds in this account may also be used to conduct the study required under section 102, chapter 222, Laws of 2014. The commission shall transfer from the public service revolving fund's miscellaneous fees and penalties accounts moneys appropriated for these purposes as needed. At the time the commission makes each allocation of cost to said grade crossing protective fund, it shall certify that such cost shall be payable out of said fund. When federal-aid highway funds are involved, the department of transportation shall, upon entry of an order by the commission requiring the installation or upgrading of a grade crossing protective device, submit to the commission an estimate for the cost of the proposed installation and related work. Upon receipt of the estimate the commission shall pay to the department of transportation the percentage of the estimate specified in RCW 81.53.295, as now or hereafter amended, to be used as the grade crossing protective fund portion of the cost of the installation and related work.

The commission may adopt rules for the allocation of money from the grade crossing protective fund. During the 2015-2017 and 2017-2019 fiscal (~~biennium~~) biennia, the commission may waive rules regarding local matching fund requirements, maximum awards for individual projects, and other application requirements as necessary to expedite the allocation of money from the grade crossing protective fund to address underprotected grade crossings as identified by the commission.

2015-2017 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 801. 2016 c 14 s 102 (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State

Appropriation (~~(\$1,604,000)~~)

\$504,000

Sec. 802. 2016 c 14 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State
Appropriation (~~(\$2,296,000)~~)

\$2,196,000

Puget Sound Ferry Operations Account—State

Appropriation \$115,000

State Patrol Highway Account—State
Appropriation \$150,000

TOTAL APPROPRIATION ~~\$2,561,000~~

\$2,461,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$835,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to develop, implement, and report on transportation metrics associated with transportation system policy goals outlined in RCW 47.04.280. The Washington state association of counties, in cooperation with state agencies, must: Evaluate and implement opportunities to streamline reporting of county transportation financial data; expand reporting and collection of short-span bridge and culvert data; evaluate and report on the impact of increased freight and rail traffic on county roads; and to evaluate, implement, and report on the opportunities for improved capital project management and delivery.

(2) \$100,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from funds set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to work with the department of fish and wildlife to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. A report must be presented to the legislature by December 31, 2016, on the implementation of developed voluntary programmatic agreements.

(3) \$150,000 of the state patrol highway account—state appropriation is

provided solely for an organizational assessment of the Washington state patrol.

(4) The office of financial management, in conjunction with the office of the chief information officer, shall provide oversight and review of the department of transportation's development of the request for proposal for a new tolling customer service toll collection system and development of a project management plan as required in section 209(8) (~~of this act~~), chapter 14, Laws of 2016.

Sec. 803. 2016 c 14 s 104 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account-State
Appropriation (~~(\$1,240,000)~~)

\$1,239,000

TRANSPORTATION AGENCIES-OPERATING

Sec. 901. 2016 c 14 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account-State
Appropriation (~~(\$3,193,000)~~)

\$3,175,000

Highway Safety Account-Federal
Appropriation (~~(\$21,644,000)~~)

\$22,035,000

Highway Safety Account-Private/Local
Appropriation \$118,000

School Zone Safety Account-State
Appropriation \$850,000

TOTAL APPROPRIATION ~~\$25,795,000~~

\$26,178,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission may continue to oversee pilot projects implementing the use of automated traffic safety cameras to detect speed violations within cities west of the Cascade mountains that have a population of more than one hundred ninety-five thousand and that are located in a county with a population of fewer than one million five hundred thousand. For the purposes of pilot projects in this subsection, no more than one automated traffic safety camera may be used to detect speed violations within any one jurisdiction.

(a) The commission shall comply with RCW 46.63.170 in administering the pilot projects.

(b) By January 1, 2017, any local authority that is operating an automated traffic safety camera to detect speed violations must provide a summary to the transportation committees of the legislature concerning the use of the cameras and data regarding infractions, revenues, and costs.

(2) \$99,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter 243, Laws of 2015 (pedestrian safety reviews).

(3) (~~(\$6,500,000)~~) \$1,030,000 of the highway safety account-federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2015-2017 fiscal biennium.

(4) Within current resources, the commission must examine the declining revenue going to the school zone safety account with the goal of identifying factors contributing to the decline. By December 31, 2015, the commission must provide a report to the transportation committees of the legislature that summarizes its findings and provides recommendations designed to ensure that the account is receiving all amounts that should be deposited into the account.

Sec. 902. 2016 c 14 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account-State
Appropriation \$1,000,000

Motor Vehicle Account-State
Appropriation (~~(\$2,459,000)~~)

\$2,404,000

County Arterial Preservation Account-State

Appropriation \$1,518,000

TOTAL APPROPRIATION ~~\$4,977,000~~

\$4,922,000

Sec. 903. 2016 c 14 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account-State

Appropriation ((~~\$4,063,000~~))

\$4,035,000

Sec. 904. 2016 c 14 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Motor	Vehicle	Account-State
Appropriation	((\$2,222,000))	

\$2,272,000

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

(1)(a) \$250,000 of the motor vehicle account-state appropriation is for a consultant study of Washington state patrol recruitment and retention of troopers. The study must identify barriers to effective candidate recruitment, candidates' successful completion of training, and retention of trained troopers of various tenure. The study must provide:

(i) An overview of current attrition rates;

(ii) Options and strategies on reducing the average number of trooper positions that are vacant;

(iii) Identification of best practices for recruitment and retention of law enforcement officers;

(iv) Recommendations to improve existing recruitment and selection programs;

(v) Recommendations for where salary and benefit adjustments should be targeted to most effectively address recruitment and retention challenges;

(vi) Recommendations regarding changes to the training and education program; and

(vii) Other recommendations for cost-effective personnel strategies.

(b) The joint transportation committee shall issue a report of its findings to the house and senate transportation committees by December 14, 2015. The Washington state patrol shall work with the consultant to identify costs for each recommendation.

(2)(a) \$125,000 of the motor vehicle account-state appropriation is for a study of Washington state weigh station planning, placement, and operations by the Washington state patrol and department of transportation as they relate to roadway safety and preservation. The study must:

(i) Provide a high-level overview of commercial vehicle enforcement programs, with a focus on weigh stations, including both state and federal funding programs. This overview must include a description of how the Washington state patrol and department of transportation allocate these state and federal funds.

(ii) Review Washington state patrol and department of transportation planning related to weigh station location and operation, and the extent to which their efforts complement, coordinate with, or overlap each other;

(iii) Identify best practices in the funding, placement, and operation of weigh stations;

(iv) Review plans by the department of transportation and Washington state patrol to reopen a Federal Way area southbound weigh station;

(v) Recommend changes in state statutes, policy, or agency practices and rules to improve the efficiency and effectiveness of weigh station funding, placement, and operation, including potential savings to be achieved by adopting the changes; and

(vi) Review whether it is cost-effective or more efficient to place future weigh stations in the median of a highway instead of placing two individual weigh stations on either side of a highway.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2015.

(3) \$250,000 of the motor vehicle account-state appropriation, from the cities' statewide fuel tax distributions under RCW 46.68.110(2), is for a study to be conducted in 2016 to identify prominent road-rail conflicts, recommend a corridor-based prioritization process for addressing the impacts of projected increases in rail traffic, and identify areas of state public policy interest, such as the critical role of freight movement to the Washington economy and the state's competitiveness in world trade. The study must consider the results of the updated marine cargo forecast due to be delivered to the joint transportation committee on December 1, 2015. In conducting the study, the joint transportation committee must consult with the department of transportation, the

freight mobility strategic investment board, the utilities and transportation commission, local governments, and other relevant stakeholders. The joint transportation committee must issue a report of its recommendations and findings by January 9, 2017.

(4) The legislature intends for the joint transportation committee to undertake a study during the 2017-2019 fiscal biennium of consolidating rail employee safety and regulatory functions in the utilities and transportation commission. The joint transportation committee should review the information provided by the utilities and transportation commission and should provide recommendations to the transportation committees of the legislature regarding such a consolidation of rail employee safety and regulatory functions.

(5) Within existing resources, during the interim periods between regular sessions of the legislature, the joint transportation committee shall include on its agendas work sessions on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders. The joint transportation committee shall have at least two such work sessions before December 31, 2015.

(6) \$450,000 of the motor vehicle account-state appropriation is for the design-build contracting review study established in chapter 18, Laws of 2015 3rd sp. sess. The department of transportation must provide technical assistance, as necessary.

(7) The joint transportation committee must study the issues surrounding minority and women-owned business contracting related to the transportation sector. The study should identify any best practices adopted in other states that encourage participation by minority and women-owned businesses. The joint transportation committee, with direction from the executive committee, may form a legislative task force at the conclusion of the study to help to inform the legislature of any best practices

identified from other states that encourage minority and women-owned businesses' participation in the transportation sector.

Sec. 905. 2016 c 14 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle	Account-State
Appropriation	(\$2,667,000)

\$2,516,000

Motor Vehicle	Account-Federal
Appropriation	\$500,000

Multimodal Transportation	Account-State
Appropriation	\$112,000

TOTAL APPROPRIATION ~~\$3,279,000~~

\$3,128,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the motor vehicle account-state appropriation is provided solely to continue evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund investments in transportation. The evaluation must include monitoring and reviewing work that is underway in other states and nationally. The commission may coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available and eligible for road usage charge pilot projects. The commission must reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, and report to the governor's office and the transportation committees of the house of representatives and the senate by December 15, 2015.

(2) \$150,000 of the motor vehicle account-state appropriation is provided solely for the commission to use an outside survey firm to conduct three transportation surveys during the 2015-2017 fiscal biennium. The commission must consult with the joint transportation committee when deciding on the survey topics and design to ensure the survey results will deliver the data, information, and analysis for future transportation policy and strategic planning decisions in a manner useful to the legislature.

(3)(a) The legislature finds that, while some travel times have improved through Interstate 405 between the junctions with Interstate 5 on the north end and NE 6th Street in the city of Bellevue on the south end, especially for transit trips, the implementation of the express toll lane system has made travel more difficult for a number of other drivers and trips. To provide some relief to drivers, the legislature encourages the commission to expedite consideration of the elimination of tolls during evening nonpeak hours, weekends, and holidays, to the extent that such a change will improve commuters' experience on this portion of Interstate 405. The legislature further finds that the commission, as the tolling authority of the state, should act swiftly, working in conjunction with the department of transportation's comprehensive effort to tackle obstacles adversely affecting commutes on this portion of Interstate 405, to drive improved results for the users of this critical corridor as soon as is practicable.

(b) In accordance with the rule-making authority provided under RCW 34.05.350(1)(a), the legislature deems it necessary, for preservation of the general welfare, that operational changes be made to improve the express toll lane program on Interstate 405 and that the tolling authority use its emergency rule-making authority to effect such changes in accordance with RCW 47.56.850 and 47.56.880. The legislature finds that the need for improvements to the commuter experience on the portion of Interstate 405 identified in (a) of this subsection necessitates that such action be taken in an expedited fashion. The tolling authority, with input from the department of transportation, shall evaluate the hours and days of operation for the express toll lanes and the minimum high occupancy vehicle passenger requirements for using the express toll lanes, taking into consideration the goals of: Reducing travel time on this portion of Interstate 405, including in the general purpose lanes; reducing the cost of traveling within the express toll lanes on this portion of Interstate 405; and maintaining sufficient revenue to pay for this portion of Interstate 405's express toll lane operating costs. This subsection (3) does not create a private right of action.

(4)(a) \$500,000 of the motor vehicle account—federal appropriation is provided solely to advance the work completed since

2011 in evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund future investments in transportation by completing the work necessary to launch a road usage charge pilot project, with all implementation details for a pilot project identified and incorporated into a pilot project implementation plan.

(i) Pilot project implementation preparation must include identification of all essential agency roles and responsibilities for the pilot project, a selection of the technologies and methodologies to be included, a target number of participants and participant characteristics, rigorous specific evaluation criteria by which the pilot project will be assessed, a communication plan for the pilot project that consists of a participant recruitment plan and a plan for communicating information about the launch and ongoing progress of the pilot project, and pilot project expenditure and revenue estimates.

(ii) In developing the road usage charge pilot project implementation plan, the commission shall consult and coordinate with the department of transportation, the department of licensing, the department of revenue, and the office of the state treasurer to establish participation and coordination parameters for the project.

(b) The commission shall coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available to fund a road usage charge pilot project. Where feasible, grant application content prepared by the commission must reflect the direction provided by the road usage charge steering committee on the preferred road usage charge pilot project approach. One or more grant applications may be developed as part of the road usage charge pilot project implementation plan development work, but the pilot project implementation plan must nevertheless include any details necessary for a full launch of the pilot project not required to be included in any grant application.

(c) The commission shall reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, as well as the addition of a representative from the Puget Sound regional council, and may obtain guidance from the steering committee when it reaches key pilot project implementation plan development milestones. The

commission must provide a report on the road usage charge pilot project implementation plan that includes all implementation details for a road usage charge pilot project to the governor's office and the transportation committees of the house of representatives and the senate by November 1, 2016.

((5) \$150,000 of the motor vehicle account-state appropriation is provided solely for supporting the disadvantaged business enterprise advisory committee established in chapter . . . (Senate Bill No. 6180), Laws of 2016. If chapter . . . (Senate Bill No. 6180), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.))

Sec. 906. 2016 c 14 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor Vehicle Account-State	
Appropriation	(\$1,024,000)
	\$1,015,000

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the motor vehicle account-state appropriation is provided solely to conduct a study of freight infrastructure needs, including an update of the long-term marine cargo forecast. The board must work with the Washington public ports association to evaluate: (1) Forecasted cargo movement by commodity, type, and mode of land transport; and (2) current and projected freight infrastructure capacity needs. A report on the study must be delivered to the joint transportation committee by December 1, 2015.

Sec. 907. 2016 c 14 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account-State	
Appropriation	(\$415,364,000)
	\$407,845,000
State Patrol Highway Account-Federal	
Appropriation	\$13,291,000
State Patrol Highway Account-Private/Local	
Appropriation	\$3,823,000

Highway Safety Account-State	
Appropriation	\$1,494,000
Multimodal Transportation Account-State	
Appropriation	\$276,000
TOTAL APPROPRIATION	\$434,248,000
	\$426,729,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the highway safety account-state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$23,000 of the state patrol highway account-state appropriation is provided solely for the implementation of chapter 3, Laws of 2015 2nd sp. sess. (impaired driving).

(4) \$5,000,000 of the state patrol highway account-state appropriation is provided solely for compensation increases for Washington state patrol troopers, sergeants, lieutenants, and captains. This increase is not subject to interest arbitration and is for salary and benefits that are in addition to the current interest arbitration award. It is the intent of the legislature that chapter . . . (Engrossed Second Substitute House Bill No. 2872), Laws of 2016 provide the revenue to support the ongoing costs associated with the compensation increases identified in this subsection in order to provide the means necessary to recruit and retain state patrol officers in subsequent biennia.

(5) (a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

(6) \$115,000 of the state patrol highway account-state appropriation is provided solely for the operation of the license investigation unit to enforce vehicle registration laws in southwestern Washington.

Sec. 908. 2016 c 14 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account-State
 Appropriation \$34,000

License Plate Technology Account-State
 Appropriation \$3,200,000

Motorcycle Safety Education Account-State
 Appropriation \$4,488,000

State Wildlife Account-State
 Appropriation \$1,001,000

Highway Safety Account-State
 Appropriation ~~(\$201,666,000)~~
 \$198,735,000

Highway Safety Account-Federal
 Appropriation \$3,573,000

Motor Vehicle Account-State
 Appropriation ~~(\$92,044,000)~~
 \$92,662,000

Motor Vehicle Account-Federal
 Appropriation \$362,000

Motor Vehicle Account-Private/Local
 Appropriation ~~(\$1,544,000)~~
 \$1,859,000

Ignition Interlock Device Revolving
 Account-State
 Appropriation \$5,142,000

Department of Licensing Services
 Account-State

Appropriation ~~(\$6,672,000)~~
 \$6,671,000

TOTAL APPROPRIATION ~~\$319,726,000~~
 \$317,727,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$30,954,000)~~ \$28,570,000 of the highway safety account-state appropriation and \$3,200,000 of the license plate technology account-state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(2) \$5,059,000 of the motor vehicle account-state appropriation is provided solely for replacing prorated and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(3) \$3,714,000 of the highway safety account-state appropriation is provided solely for the implementation of an updated central issuance system.

(4) \$3,082,000 of the highway safety account-state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2) (e) (v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other

state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2) (e) (v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(5) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. A person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(6) Within existing resources and in consultation with the traffic safety commission, the Washington state patrol, and a representative of the insurance industry and the professional driving school association, the department must review options and make recommendations on strategies for addressing young and high-risk drivers. The recommendations must consider the findings of Washington state's strategic highway safety plan, Target Zero, and must include an analysis of expanding traffic safety education to eighteen to twenty-four year olds that have not taken a traffic safety course and drivers that have been convicted of high-risk behavior, such as driving under the influence of drugs and alcohol and reckless driving. An overview of the work conducted and the recommendations are due to the transportation committees of the legislature and the governor by December 31, 2015.

(7) \$57,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 1, Laws of 2015 2nd sp. sess. (quick title service fees).

(8) \$283,000 of the highway safety account-state appropriation and \$33,000 of the ignition interlock device revolving account-state appropriation are provided solely for the implementation of chapter 3, Laws of 2015 2nd sp. sess. (impaired driving).

(9) \$4,000,000 of the motor vehicle account-state appropriation is provided solely for implementation of chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

(10) ((\$335,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2942), Laws of 2016 or chapter . . . (Senate Bill No. 6591), Laws of 2016 (nondomiciled commercial drivers' licenses). If both chapter . . . (Substitute House Bill No. 2942), Laws of 2016 and chapter . . . (Senate Bill No. 6591), Laws of 2016 are not enacted by June 30, 2016, the amount provided in this subsection lapses.

~~((11))~~ \$2,421,000 of the highway safety account-state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2015. The department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait times and volume data for enhanced drivers' licenses and enhanced identicards.

~~((12))~~ (11) \$43,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 6200), Laws of 2016 (Washington's fish collection license plate). If chapter . . . (Senate Bill No. 6200), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

~~((13))~~ (12) \$388,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 (impaired driving). If chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

~~((14))~~ (13) \$29,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 (Purple Heart license plate). If chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

((15)) (14) \$20,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 (alternative fuel vehicles). If chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

Sec. 909. 2016 c 14 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-TOLL OPERATIONS AND MAINTENANCE-PROGRAM B

High Occupancy Toll Lanes Operations Account-State

Appropriation ((~~\$3,185,000~~)
\$3,175,000

Motor Vehicle Account-State
Appropriation \$510,000

State Route Number 520 Corridor
Account-State

Appropriation \$39,029,000

State Route Number 520 Civil Penalties
Account-State

Appropriation \$6,008,000

Tacoma Narrows Toll Bridge Account-State

Appropriation \$26,636,000

Interstate 405 Express Toll Lanes
Operations

Account-State Appropriation
\$15,552,000

TOTAL APPROPRIATION ~~\$90,920,000~~

\$90,910,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account-state appropriation and \$8,157,000 of the state route number 520 corridor account-state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status.

The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) \$4,778,000 of the state route number 520 civil penalties account-state appropriation and \$2,065,000 of the Tacoma Narrows toll bridge account-state appropriation are provided solely for expenditures related to the toll adjudication process. The department shall report on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees by the end of each calendar quarter. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(3) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(4) \$3,100,000 of the Interstate 405 express toll lanes operations account-state appropriation, \$1,498,000 of the state route number 520 corridor account-state appropriation, and \$1,802,000 of the high occupancy toll lanes operations account-state appropriation are provided solely for the operation and maintenance of roadside toll collection systems. Due to underruns, the office of financial management shall place \$1,000,000 of the Interstate 405 express toll lanes operations account-state appropriation, \$360,000 of the state route number 520 corridor account-state appropriation, and \$1,000,000 of the high occupancy toll lanes operations account-state appropriation in unallotted status. The office of financial management may release portions of the funds if it determines operation and maintenance costs of the roadside toll collection systems exceed the allotted amounts.

(5) \$12,202,000 of the Interstate 405 express toll lanes operations account-state appropriation is provided solely for operational costs related to the express toll lane facility, including the customer service center vendor, transponders, credit card fees, printing and postage, rent, office supplies, telephone and communications equipment, computers, and vehicle operations. Within the amount provided in this subsection, the department must, to the greatest extent possible, without adding additional tolling gantries, continue to expand the length of the access and exit points to the express toll lanes, clarify signage and striping to eliminate confusion, and make other operational and customer service improvements to enhance the public's use of the toll facility. The office of financial management shall place \$5,371,000 of the amount provided in this subsection in unallotted status. The office of financial management may release funds to the department on a monthly basis beginning July 1, 2016; however, the amount to be released monthly must be calculated to address the department's projected expenditure need based on the previous month's actual expenditures, financial statement, actual toll transaction experience, and actual revenue collections for the Interstate 405 express toll lanes facility. Prior to releasing any funding from unallotted status, the office of financial management shall notify the joint transportation committee of the amount to be released and provide the documentation used in determining the amount.

(6) \$250,000 of the Interstate 405 express toll lanes operations account-state appropriation is provided solely for the identification and prioritization of projects that will help reduce congestion and provide added capacity on the Interstate 405 tolling corridor between state route number 522 and Interstate 5.

(7) The department must provide quarterly reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor

including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(8) \$56,000 of the high occupancy toll lanes operations account-state appropriation, \$1,124,000 of the state route number 520 corridor account-state appropriation, and \$596,000 of the Tacoma Narrows toll bridge account-state appropriation are provided solely for the department to develop a request for proposal for a new tolling customer service center.

(a) The department must address the replacement of the Wave2Go ferry ticketing system that is reaching the end of its useful life by developing functional and technical requirements that integrate Washington state ferries ticketing into the new tolling division customer service center toll collection system. The department shall continue to report quarterly to the governor, legislature, and state auditor on: (i) The department's effort to mitigate risk to the state, (ii)

the development of a request for proposal, and (iii) the overall progress towards procuring a new tolling customer service center.

(b) The department shall release a request for proposal for a new tolling customer service toll collection system by December 1, 2016.

(i) During the request for proposal development process and prior to its release, the office of financial management shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

(A) Provides for the business needs of the state; and

(B) Mitigates risk to the state.

(ii) During development of the request for proposal and prior to its release, the office of the chief information officer shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

(A) Contains requirements that meet the security standards and policies of the office of the chief information officer; and

(B) Is flexible and adaptable to advances in technology.

(c)(i) Prior to commencement of the new tolling customer service toll collection system implementation, the department shall submit a draft project management plan to the office of financial management and the office of the chief information officer that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation;

(ii) The office of financial management and the office of the chief information officer shall review the draft project management plan to ensure that it contains adequate contract management and quality assurance measures.

(iii) The department shall submit the project management plan to the transportation committees of the legislature prior to the commencement of system implementation.

(9) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(10) \$5,000 of the motor vehicle account-state appropriation is provided solely for membership dues for the alliance for toll interoperability.

(11) \$1,230,000 of the state route number 520 civil penalties account-state appropriation and \$695,000 of the Tacoma Narrows toll bridge account-state appropriation are provided solely to implement chapter 292, Laws of 2015 (tolling customer service reform) to improve integration between the Good to Go! electronic tolling system with the pay-by-mail system through increased communication with customers and improvements to the Good to Go! web site allowing customers to manage all of their toll accounts regardless of method of payment. Within the amounts provided, the department must include in the request for proposals for a new customer service center the requirement that the new tolling customer service center link to the vehicle records system of the department of licensing to enable vehicle record updates that relate to tolling customer accounts to occur between the two systems seamlessly. The department must work with the department of licensing to develop the appropriate specifications to include in the request for proposals to allow the new tolling customer service

center to link to the vehicle records system without cost to the department of licensing and report to the transportation committees of the legislature when the appropriate specifications have been completed. By June 30, 2017, the department shall report how many people with Good to Go! accounts were issued civil penalties for each toll facility and whether the number was reduced each fiscal year in the biennium. The department shall also report on the number of customer contacts that occur, number of civil penalties reduced or waived, the amount of the total civil penalties that are waived, and the number of customers that are referred to the administrative law judge process during the biennium.

Sec. 910. 2016 c 14 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
INFORMATION TECHNOLOGY-PROGRAM C

Transportation Partnership Account-
State

Appropriation \$1,460,000

Motor Vehicle Account-State
Appropriation (~~(\$69,291,000)~~)

\$69,281,000

Multimodal Transportation Account-
State

Appropriation \$2,883,000

Transportation 2003 Account (Nickel
Account)-State

Appropriation \$1,460,000

Puget Sound Ferry Operations Account-
State

Appropriation \$263,000

TOTAL APPROPRIATION ~~\$75,357,000~~

\$75,347,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,460,000 of the transportation partnership account-state appropriation and \$1,460,000 of the transportation 2003 account (nickel account)-state appropriation are provided solely for maintaining the department's project management reporting system.

(2) \$250,000 of the motor vehicle account-state appropriation is provided solely for the development of a timeline and funding plan for the labor system

replacement project. As part of its 2017-2019 biennial budget submittal, and in coordination with the office of financial management and the office of the chief information officer, the department shall submit a timeline and funding plan for the labor system replacement project. The plan must identify a timeline and all one-time and ongoing costs for the integration of all headquarters, regional, and marine employees into the new labor system.

Sec. 911. 2016 c 14 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
FACILITY MAINTENANCE, OPERATIONS, AND
CONSTRUCTION-PROGRAM D-OPERATING

Motor Vehicle Account-State
Appropriation (~~(\$27,609,000)~~)

\$27,592,000

State Route Number 520 Corridor
Account-State

Appropriation \$34,000

TOTAL APPROPRIATION ~~\$27,643,000~~

\$27,626,000

Sec. 912. 2016 c 14 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
AVIATION-PROGRAM F

Aeronautics Account-State
Appropriation (~~(\$8,628,000)~~)

\$8,632,000

Aeronautics Account-Federal
Appropriation (~~(\$4,100,000)~~)

\$1,600,000

Aeronautics Account-Private/Local
Appropriation \$60,000

TOTAL APPROPRIATION ~~\$12,788,000~~

\$10,292,000

The appropriations in this section are subject to the following conditions and limitations: \$4,557,000 of the aeronautics account-state appropriation is provided solely for airport investment studies and the airport aid grant program, which provides competitive grants to public airports for pavement, safety, maintenance, planning, and security.

Sec. 913. 2016 c 14 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
PROGRAM DELIVERY MANAGEMENT AND SUPPORT—
PROGRAM H

Motor Vehicle Account—State
Appropriation ((~~\$53,911,000~~))

\$53,892,000

Motor Vehicle Account—Federal
Appropriation \$500,000

Multimodal Transportation Account—
State

Appropriation \$250,000

TOTAL APPROPRIATION ~~\$54,661,000~~

\$54,642,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The real estate services division of the department must recover the cost of its efforts from sale proceeds and fund additional future sales from those proceeds.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any

facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(3) \$250,000 of the motor vehicle account—state appropriation is provided solely for training intended to retain a knowledgeable and competent core technical staff in the changing environment of highway project design and construction and to provide for the efficient and effective delivery and oversight of projects. The training must focus on the following areas:

(a) Training appropriate staff in regard to coordinating and administrating projects with private sector designers and builders for projects delivered by the design-build construction process;

(b) Training on community engagement to provide project managers with the skills necessary to develop personal relations with the leaders of the affected community to blend project needs with the needs of the community, while providing fair treatment and involvement of community groups and individuals regarding elements of a project subject to environmental regulations, laws, and policies;

(c) Training for partnering and team building skills to avoid conflict and reduce construction claims that arise in contract administration; and

(d) Technical design training required in the fields of hydraulics, hydrology, and storm water abatement, and other fields in support of projects dealing with the fish passage program and highway runoff treatment.

Sec. 914. 2016 c 14 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
ECONOMIC PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State
Appropriation ((~~\$600,000~~))

\$604,000

(Electric Vehicle Charging
Infrastructure

Account-State Appropriation
\$1,000,000

TOTAL APPROPRIATION \$1,600,000

The appropriation ~~((s))~~ in this section ~~((are))~~ is subject to the following conditions and limitations: ~~((1))~~ The economic partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

~~((3))~~ \$1,000,000 of the electric vehicle charging infrastructure account-state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).)

Sec. 915. 2016 c 14 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-HIGHWAY MAINTENANCE-PROGRAM M

Motor Vehicle Account-State
Appropriation ~~((418,524,000))~~

\$428,755,000

Motor Vehicle Account-Federal
Appropriation ~~((7,000,000))~~

\$12,000,000

Tacoma Narrows Toll Bridge Account-State

Appropriation \$1,235,000

State Route Number 520 Corridor
Account-State

Appropriation \$4,448,000

TOTAL APPROPRIATION ~~431,207,000~~

\$446,438,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((6,091,000))~~ \$7,122,000 of the motor vehicle account-state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(2) \$4,448,000 of the state route number 520 corridor account-state appropriation is provided solely to maintain the state route number 520

floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) \$1,235,000 of the Tacoma Narrows toll bridge account-state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(5) The department must make signage for low-height bridges a high priority.

(6) \$25,000 of the motor vehicle account-state appropriation is provided solely for the Northwest avalanche center for an additional forecaster. However, the amount in this subsection is contingent on the state parks and recreation commission receiving funding for its portion of the Northwest avalanche center forecaster in the omnibus appropriations act. If this funding is not provided by June 30, 2016, the appropriation provided in this subsection lapses.

(7) \$1,000,000 of the motor vehicle account-state appropriation is provided solely for safety improvements and operations relating to homeless encampments along Interstate 5 between milepost 162 and milepost 165. The department shall coordinate the timing of the safety improvements with the city of Seattle and King county to ensure that a collaborative and comprehensive approach is taken to address emergency conditions in support of the city's transitional services.

(8) \$5,000,000 of the motor vehicle account-state appropriation is provided solely for extraordinary snow and ice removal expenses and related road repair expenses incurred during the winter of 2016-2017.

(9) \$5,000,000 of the motor vehicle account-federal appropriation is provided solely for costs necessary to respond to federally reimbursable disasters. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that a federally reimbursable disaster has occurred that requires maintenance funds.

(10) \$161,000 of the motor vehicle account-state appropriation is provided solely for electrical repairs on the Hood Canal bridge due to power surges that caused an electrical fire. The department shall continue to investigate the cause of the fire and pursue cost recovery from the company providing power at the time of the incident if it is determined the incident was the fault of the power company.

Sec. 916. 2016 c 14 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
TRAFFIC OPERATIONS-PROGRAM Q-OPERATING

Connecting Washington Account-State
Appropriation \$30,000

Motor Vehicle Account-State
Appropriation (~~(\$57,622,000)~~)

\$57,504,000

Motor Vehicle Account-Federal
Appropriation \$2,050,000

Motor Vehicle Account-Private/Local
Appropriation \$250,000

TOTAL APPROPRIATION ~~\$59,952,000~~

\$59,834,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account-state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) During the 2015-2017 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto

transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(3) The legislature recognizes that congestion is increasing on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station, and that allowing transit buses to operate on the shoulder would provide congestion relief and more reliable travel times. Therefore, the department shall, within existing resources, implement a transit bus shoulder operations pilot project on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station. The department shall make all necessary changes to handle the increased traffic and provide a ten-foot shoulder for the transit bypass.

(4) \$30,000 of the connecting Washington account-state appropriation is provided solely for the department to create and install motorist information sign panels for the Jerry Taylor Veterans Plaza in Sunnyside along the state-owned right-of-way near exits 63, 67, and 69 on Interstate 182 and on state route number 241 near the junction with Yakima Valley highway and to install supplemental directional signs as permitted by the affected local government and in accordance with the "Manual on Uniform Traffic Control Devices" and chapter 47.36 RCW.

(5) The department shall implement Senate Joint Memorial No. 8019 within existing resources if Senate Joint Memorial No. 8019 is enacted by the legislature by June 30, 2016, and the Washington state transportation

commission takes action to name the facility per Senate Joint Memorial No. 8019 by June 30, 2017.

Sec. 917. 2016 c 14 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION MANAGEMENT AND SUPPORT—
PROGRAM S

Motor	Vehicle	Account—State
Appropriation	(\$29,625,000)	

\$29,622,000

Motor	Vehicle	Account—Federal
Appropriation	(\$1,205,000)	

\$1,323,000

Multimodal	Transportation	Account— State
Appropriation	\$1,131,000	

TOTAL APPROPRIATION ~~\$31,961,000~~

\$32,076,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$288,000 of the motor vehicle account—state appropriation is provided solely for enhanced disadvantaged business enterprise outreach to increase the pool of disadvantaged businesses available for department contracts and to collaborate with the department of labor and industries to recruit women and persons of color to participate in existing transportation apprenticeship programs. The department must submit a status report on disadvantaged business enterprise outreach and apprenticeship recruitment to the transportation committees of the legislature by November 15, 2015.

(2) \$3,000,000 of the motor vehicle account—state appropriation is provided solely for the headquarters communications office. Within the amount provided in this subsection, the department shall complete the web content management system and upgrade the department's web site.

(3) \$750,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonproject agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women and

minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2016, and annually thereafter.

(4)(a) During the 2015–2017 fiscal biennium, the department may proceed with the pilot project selling commercial advertising, including product placement, on department web sites and social media. In addition, the department may sell a version of its mobile application(s) to users who desire to have access to application(s) without advertising.

(b) The department shall deposit all moneys received from the sale of advertisements on web site and mobile applications into the motor vehicle fund created in RCW 46.68.070.

(c) The department shall adopt standards for advertising, product placement, and other forms of commercial recognition that require the department to define and prohibit, at a minimum, the content containing any of the following characteristics, which is not permitted: (i) Obscene, indecent, or discriminatory content; (ii) political or public issue advocacy content; (iii) products, services, or other materials that are offensive, insulting, disparaging, or degrading; or (iv) products, services, or messages that are contrary to the public interest, including any advertisements that encourage or depict unsafe behaviors or encourage unsafe or prohibited driving activities. Alcohol, tobacco, and cannabis are included among the products prohibited.

Sec. 918. 2016 c 14 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION PLANNING, DATA, AND
RESEARCH—PROGRAM T

Motor	Vehicle	Account—State
Appropriation	(\$22,717,000)	

\$22,707,000

Motor	Vehicle	Account—Federal
Appropriation	(\$26,342,000)	

\$28,217,000

Multimodal	Transportation	Account— State
Appropriation	\$662,000	

Multimodal	Transportation	Account— Federal
Appropriation		

Appropriation \$2,809,000
 Multimodal Transportation Account-Private/Local
 Appropriation \$100,000
 TOTAL APPROPRIATION ~~\$52,630,000~~
 \$54,495,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$368,000 of the motor vehicle account-state appropriation is provided solely for the purchase of an economic impact model. The department shall work with appropriate local jurisdictions to improve consistency between existing and planned transportation demand models. The department shall report back to the transportation committees of the legislature and the office of financial management by December 31, 2015, with any recommendations requiring legislative action.

(2) \$1,000,000 of the motor vehicle account-federal appropriation is provided solely for the corridor sketch program. Priority must be given to the state route number 522 corridor between Maltby and the Snohomish river bridge. Initial corridors must also include state route number 195, Interstate 5 between Bellingham and the vicinity of Mount Vernon, state route number 160 in the vicinity of Port Orchard, and state route number 28 in the vicinity of East Wenatchee.

(3) Within existing resources, the department shall conduct a traffic and access study of the intersection of the Interurban trail and state route number 104. Options to improve safety at this location must include consideration of a pedestrian and bike overcrossing.

(4)(a) The department must update the state freight mobility plan to comply with the requirements in section 70202 of the federal fixing America's surface transportation act. In updating the state freight mobility plan, the department must involve key freight stakeholders, such as representatives of public ports, the trucking industry, railroads, the marine industry, local governments and planning organizations, the Washington state freight advisory committee, and other freight stakeholders. The updated plan must delete any obsolete project references from the prioritized freight project list.

(b) The department, in conjunction with the stakeholder group, must provide a list of prioritized projects for consideration for funding in the 2017-2019 fiscal biennium. The prioritized list must have approval from all impacted stakeholders. The prioritized list must be submitted to the office of financial management and the transportation committees of the legislature by November 1, 2016.

(5) Within existing resources, the department must evaluate how light pollution from state highways and facilities can be minimized while still meeting appropriate safety standards. Additionally, the department must evaluate how budget savings can be achieved through different types of lighting. To the extent practicable, the department must conduct this work in conjunction with other ongoing study and corridor planning efforts.

~~((7))~~ (6) \$150,000 of the motor vehicle account-state appropriation is provided solely for a safety study of state route number 169 from Jones Road to Cedar Grove. The department must consider collision data and work with local stakeholders to make recommendations for safety improvements in the corridor. A report on the study is due to the transportation committees of the legislature by December 31, 2016.

Sec. 919. 2016 c 14 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-CHARGES FROM OTHER AGENCIES-PROGRAM U

Motor Vehicle Account-State
 Appropriation ~~((74,666,000))~~

\$77,036,000

Motor Vehicle Account-Federal
 Appropriation \$500,000

Multimodal Transportation Account-State

Appropriation ~~((3,115,000))~~

\$3,213,000

TOTAL APPROPRIATION ~~\$78,281,000~~

\$80,749,000

Sec. 920. 2016 c 14 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-PUBLIC TRANSPORTATION-PROGRAM V

State Vehicle Parking Account-State
 Appropriation \$754,000

Regional Mobility Grant Program
Account-State

Appropriation (~~(\$74,976,000)~~)
\$57,060,000

Rural Mobility Grant Program Account-
State

Appropriation \$20,438,000

Multimodal Transportation Account-
State

Appropriation (~~(\$72,930,000)~~)
\$71,604,000

Multimodal Transportation Account-
Federal

Appropriation \$3,588,000

TOTAL APPROPRIATION ~~\$172,686,000~~
\$153,444,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$41,250,000 of the multimodal transportation account-state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$8,750,000 of the multimodal transportation account-state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$32,500,000 of the multimodal transportation account-state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2013 as reported in the "Summary of Public Transportation - 2013" published by the department of transportation. No transit agency may

receive more than thirty percent of these distributions.

(2) \$20,438,000 of the rural mobility grant program account-state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) \$6,969,000 of the multimodal transportation account-state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) \$400,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving or traveling through the Joint Base Lewis-McChord I-5 corridor between mile post 116 and 127.

(4) (~~(\$18,726,000)~~) \$13,010,000 of the regional mobility grant program account-state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((~~2016-2~~)) 2017-2 ALL PROJECTS as developed ((~~March 7, 2016~~)) April 20, 2017, Program - Public Transportation Program (V).

(5)(a) (~~(\$56,250,000)~~) \$44,050,000 of the regional mobility grant program account-state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((~~2016-2~~)) 2017-2 ALL PROJECTS as developed ((~~March 7, 2016~~)) April 20, 2017, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed

by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2015, and December 15, 2016, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2015-2017 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$5,670,000 of the multimodal transportation account-state appropriation and \$754,000 of the state vehicle parking account-state appropriation are provided solely for CTR grants and activities.

(8) \$200,000 of the multimodal transportation account-state appropriation is contingent on the timely

development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(9) (a) \$1,000,000 of the multimodal transportation account-state appropriation is provided solely for the Everett connector service for Island and Skagit transit agencies. The amount provided in this subsection is contingent on Island Transit charging fares that achieve a farebox recovery ratio similar to comparable transit systems.

(b) The amount provided in (a) of this subsection must be held in unallotted status until the office of financial management determines that fares have been both adopted and implemented by Island Transit that achieve a farebox recovery ratio similar to comparable transit systems. Island Transit must notify the office of financial management when it has met the requirements of this subsection.

(10) (a) (~~(\$13,890,000)~~) \$12,565,000 of the multimodal transportation account-state appropriation is provided solely for projects identified in LEAP Transportation Document (~~(2016-3)~~) 2017-2 ALL PROJECTS as developed (~~(March 7, 2016. Except as provided otherwise in this subsection, funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects. If a higher priority project is bypassed, it must be funded when the project is ready. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed transit projects that have been funded and projects that have been bypassed, including an estimated time frame for when the bypassed project will be funded)~~) April 20, 2017.

(b) \$831,000 of the amount provided in (a) of this subsection is provided solely for Skagit transit system enhancements for expenditure in 2015-2017.

(c) \$2,300,000 of the amount provided in (a) of this subsection is provided solely for Island transit's tri-county connector service for expenditure in 2015-2017.

(d) It is the intent of the legislature to provide \$6,000,000 in the 2017-2019 fiscal biennium and \$6,000,000 in the 2019-2021 fiscal biennium for the Spokane Central city line, in addition to the 2015-2017 fiscal biennium funding provided

in the LEAP transportation document identified in (a) of this subsection. It is further the intent of the legislature to provide a total of \$10,000,000 over the 2017-2019 and 2019-2021 fiscal biennia for the Northgate transit center pedestrian bridge.

((e) Within existing resources, the public transportation program must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating the delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016.))

(11) \$1,000,000 of the multimodal transportation account-state appropriation is provided solely for transit coordination grants.

(12) Within the amounts provided in this section, the public transportation program must conduct a study of public transportation agencies in Washington that provide regional public transportation service outside the boundaries of the agency. The study must consider: (a) The cost to provide these existing regional services, the current source of funds for these services, and the applicable ridership data from these existing regional services; (b) the number of trips removed from the state highway system as a result of these regional services; (c) areas of the state highway system that do not have such regional service available; and (d) potential funding sources at the state level to support a portion of current and potential regional services. The public transportation program must provide a report on its findings and recommendations to the transportation committees of the legislature by November 15, 2016.

Sec. 921. 2016 c 14 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-MARINE-PROGRAM X

Puget Sound Ferry Operations Account-State

Appropriation (~~(\$478,319,000)~~)

\$478,985,000

Puget Sound Ferry Operations Account-Federal

Appropriation (~~(\$5,908,000)~~)

\$5,156,000

Puget Sound Ferry Operations Account-Private/Local

Appropriation \$121,000

TOTAL APPROPRIATION ~~\$484,348,000~~

\$484,262,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2015-2017 supplemental and 2017-2019 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) Until a reservation system is operational on the San Juan islands inter-island route, the department shall provide the same priority loading benefits on the San Juan islands inter-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(3) For the 2015-2017 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(4) (~~(\$78,306,000)~~) \$77,091,000 of the Puget Sound ferry operations account-state appropriation is provided solely for auto ferry vessel operating fuel in the 2015-2017 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 701, c 10, Laws of 2015 1st sp. sess. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(5) When purchasing uniforms that are required by collective bargaining

agreements, the department shall contract with the lowest cost provider.

(6) During the 2015-2017 fiscal biennium, the department shall not operate a winter sailing schedule for a time period longer than twelve weeks.

(7) \$496,000 of the Puget Sound ferry operations account-state appropriation is provided solely for ferry terminal traffic control at the Fauntleroy ferry terminal. The department shall utilize existing contracts to provide a uniformed officer to assist with ferry terminal traffic control at the Fauntleroy ferry terminal.

(8) \$1,551,000 of the Puget Sound ferry operations account-state appropriation is provided solely for improvements to the reservation system. The department shall actively encourage ferry reservation customers to use the online option for making and changing reservations and shall not use these funds for call center staff.

(9) \$30,000 of the Puget Sound ferry operations account-state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2015, and annually thereafter, and that the report include the establishment of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(10) (~~(\$5,908,000)~~) \$5,156,000 of the Puget Sound ferry operations account-federal appropriation is provided solely for vessel maintenance.

(11) \$48,000 of the Puget Sound ferry operations account-state appropriation is provided solely for staff sufficient to allow passenger accessibility aboard the M/V Tokitae to the sun deck during daylight hours on Saturdays and Sundays of the summer sailing season.

Sec. 922. 2016 c 14 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-OPERATING

Multimodal Transportation Account-State
 Appropriation (~~(\$59,473,000)~~)
 \$59,476,000
 Multimodal Transportation Account-Private/Local
 Appropriation \$45,000
 TOTAL APPROPRIATION ~~\$59,518,000~~
 \$59,521,000

Sec. 923. 2016 c 14 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-LOCAL PROGRAMS-PROGRAM Z-OPERATING

Motor Vehicle Account-State
 Appropriation (~~(\$9,324,000)~~)
 \$9,321,000
 Motor Vehicle Account-Federal
 Appropriation \$2,567,000
 Multiuse Roadway Safety Account-State
 Appropriation \$131,000
 TOTAL APPROPRIATION ~~\$12,022,000~~
 \$12,019,000

TRANSPORTATION AGENCIES-CAPITAL

Sec. 1001. 2016 c 14 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account-State
 Appropriation (~~(\$13,217,000)~~)
 \$5,142,000
 Freight Mobility Multimodal Account-State
 Appropriation (~~(\$11,859,000)~~)
 \$3,315,000

((Freight Mobility Multimodal Account-Private/Local
 Appropriation \$1,320,000))

Highway Safety Account-State
 Appropriation (~~(\$2,765,000)~~)
 \$865,000

Motor Vehicle Account-State
 Appropriation \$83,000

((Motor Vehicle Account—Federal Appropriation \$3,250,000))

TOTAL APPROPRIATION ~~\$32,494,000~~

\$9,405,000

Sec. 1002. 2016 c 14 s 302 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation ((~~\$5,895,000~~))

\$5,815,000

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

(1) \$250,000 of the state patrol highway account—state appropriation is provided solely for unforeseen emergency repairs on facilities.

(2) \$560,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the roofs of the Shelton academy multipurpose building, Tacoma district office building, Kennewick detachment building, and Ridgefield and Plymouth weigh station buildings.

(3) \$150,000 of the state patrol highway account—state appropriation is provided solely for upgrades to scales at Goldendale required to meet current certification requirements.

(4) \$2,350,000 of the state patrol highway account—state appropriation is provided solely for funding to repair and replace the academy asphalt emergency vehicle operation course.

(5) \$500,000 of the state patrol highway account—state appropriation is provided solely for replacement of generators at Marysville, Baw Faw, Gardner, Pilot Rock, and Ridpath.

(6) \$150,000 of the state patrol highway account—state appropriation is provided solely for painting and caulking in several locations.

(7) \$350,000 of the state patrol highway account—state appropriation is provided solely for pavement preservation at the Wenatchee district office and the Spokane district office.

(8) \$700,000 of the state patrol highway account—state appropriation is provided solely for energy upgrades at two district offices and two detachments.

(9) \$300,000 of the state patrol highway account—state appropriation is provided solely for repair of the academy training tank.

(10) \$130,000 of the state patrol highway account—state appropriation is provided solely for communication site roof repair to reroof equipment shelters at radio communication sites statewide.

(11) \$275,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the broadcast tower at the Steptoe Butte radio communications site.

(12) \$100,000 of the state patrol highway account—state appropriation is provided solely for the dry-pipe fire suppression system rebuild at the Marysville district office.

Sec. 1003. 2016 c 14 s 303 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State

Appropriation ((~~\$56,094,000~~))

\$45,055,000

Motor Vehicle Account—State Appropriation \$10,706,000

County Arterial Preservation Account—State

Appropriation \$32,344,000

TOTAL APPROPRIATION ~~\$99,144,000~~

\$88,105,000

Sec. 1004. 2016 c 14 s 304 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State

Appropriation ((~~\$4,361,000~~))

\$2,551,000

Highway Safety Account—State Appropriation \$10,000,000

Transportation Improvement Account—State

Appropriation ((~~\$249,988,000~~))

\$218,488,000

Multimodal Transportation Account—State

Appropriation \$3,313,000
 TOTAL APPROPRIATION ~~\$267,602,000~~
 \$234,352,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The highway safety account-state appropriation is provided solely for:

(a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(b) The small city pavement program to help cities meet urgent preservation needs; and

(c) The small city low-energy street light retrofit demonstration program.

(2) \$3,313,000 of the multimodal transportation account-state appropriation is provided solely for the complete streets program.

Sec. 1005. 2016 c 14 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-FACILITIES-PROGRAM D-(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)-CAPITAL

Transportation Partnership Account-State

Appropriation (~~(\$1,043,000)~~)
 \$1,044,000

Motor Vehicle Account-State
 Appropriation (~~(\$7,276,000)~~)
 \$7,387,000

Connecting Washington Account-State
 Appropriation (~~(\$14,000,000)~~)
 \$4,847,000

TOTAL APPROPRIATION ~~\$22,319,000~~
 \$13,278,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,043,000 of the transportation partnership account-state appropriation is provided solely for completion of a new traffic management center in Shoreline, Washington. By September 30, 2015, the department shall report to the transportation committees of the legislature and the office of financial management on the resulting vacancy rate of the existing regional headquarters building in Shoreline, plans to

consolidate department staff into the building, and the schedule for terminating the current lease of the Goldsmith building in Seattle, and provide an update on future plans to consolidate agency staff within the region.

(2) (~~(\$4,000,000)~~) \$934,000 of the connecting Washington account-state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue. The property purchase was approved by the 2005 legislature for the site of the new Olympic region and the land was acquired by the department in August 2005. The department must work with the office of financial management's facilities oversight program to develop a revised predesign for a new Olympic region facility, with an estimated total cost of no more than forty million dollars. Priority must be given to accommodating the maintenance and operations functions of the Olympic region. The department must provide a copy of the revised predesign to the transportation committees of the legislature by December 2015.

(3) (~~(\$10,000,000)~~) \$3,913,000 of the connecting Washington account-state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

Sec. 1006. 2016 c 14 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-IMPROVEMENTS-PROGRAM I

Multimodal Transportation Account-State

Appropriation (~~(\$19,181,000)~~)
 \$19,176,000

Transportation Partnership Account-State

Appropriation (~~(\$1,065,758,000)~~)
 \$994,147,000

Motor Vehicle Account-State
 Appropriation (~~(\$71,841,000)~~)
 \$72,890,000

Motor Vehicle Account-Federal
 Appropriation (~~(\$315,447,000)~~)
 \$293,164,000

Motor Vehicle Account-Private/Local
 Appropriation (~~(\$177,022,000)~~)

\$186,360,000

Transportation 2003 Account (Nickel Account)-State

Appropriation (~~(\$79,064,000)~~)

\$76,668,000

State Route Number 520 Corridor Account-State

Appropriation (~~(\$369,121,000)~~)

\$135,041,000

State Route Number 520 Corridor Account-Federal

Appropriation \$104,801,000

State Route Number 520 Civil Penalties Account-

State Appropriation \$14,000,000

Special Category C Account-State Appropriation (~~(\$6,000,000)~~)

\$5,855,000

Interstate 405 Express Toll Lanes Operations

Account-State Appropriation \$9,500,000

Connecting Washington Account-State Appropriation (~~(\$229,425,000)~~)

\$181,837,000

TOTAL APPROPRIATION ~~\$2,450,660,000~~

\$2,093,439,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((~~2016-1~~)) 2017-1 as developed ((~~March 7, 2016~~)) April 20, 2017, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 (~~(of this act)~~), chapter . . . (Engrossed Senate Bill No. 5096), Laws of 2017.

(2) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor

vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((~~2016-2~~)) 2017-2 ALL PROJECTS as developed ((~~March 7, 2016~~)) April 20, 2017, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)-state appropriation includes up to (~~(\$79,064,000)~~) \$76,666,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account-state appropriation includes up to \$546,857,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) (~~(\$4,359,000)~~) \$4,360,000 of the motor vehicle account-state appropriation is provided solely for the I-5/JBLM Early Corridor Design project (300596S) to complete an environmental impact statement for a project that creates additional general purpose lanes on Interstate 5 in the Joint Base Lewis-McChord corridor. The design of this project must be high occupancy vehicle lane ready for a future connection to the Interstate 5 high occupancy vehicle lane system that currently terminates in Tacoma.

(7) (~~(\$267,071,000)~~) \$266,277,000 of the transportation partnership account-state appropriation, (~~(\$55,389,000)~~) \$55,390,000 of the motor vehicle account-federal appropriation, (~~(\$156,423,000)~~) \$166,423,000 of the motor vehicle account-private/local appropriation, (~~(\$45,400,000)~~) \$45,401,000 of the transportation 2003 account (nickel account)-state appropriation, and \$2,139,000 of the multimodal transportation account-state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(8) \$17,000,000 of the multimodal transportation account-state appropriation and \$1,676,000 of the transportation partnership account-state appropriation are provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B). The transportation partnership account-state appropriation must be placed in unallotted status and may only be released by the office of financial management for unpaid invoices from the 2013-2015 fiscal biennium.

(9) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(10) (~~(\$22,191,000)~~) \$21,463,000 of the transportation partnership account-state appropriation, (~~(\$5,576,000)~~) \$6,342,000 of the transportation 2003 account (nickel account)-state appropriation, (~~(\$42,000)~~) \$37,000 of the multimodal transportation account-state appropriation, (~~(\$6,000,000)~~) \$5,855,000 of the special category C account-state appropriation, \$368,000 of the motor vehicle account-state appropriation, (~~(\$13,000)~~) \$14,000 of the motor vehicle account-private/local appropriation, and (~~(\$12,976,000)~~) \$12,696,000 of the motor vehicle account-federal appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2015-2017.

(11) (~~(\$34,732,000)~~) (a) \$31,225,000 of the transportation partnership account-state appropriation, (~~(\$7,329,000)~~) \$6,274,000 of the transportation 2003 account (nickel account)-state appropriation, and \$56,000 of the motor vehicle account-private/local appropriation are provided solely for the

I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to (~~(either)~~) the I-405/SR 167 Interchange - Direct Connector project (140504C) (~~(or)~~), the I-405 Renton to Bellevue project (M00900R), or the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) in the 2015-2017 fiscal biennium.

(b) \$3,500,000 of the transportation partnership account-state appropriation is provided solely for preliminary engineering for adding capacity on Interstate 405 between state route number 522 and Interstate 5. The funding is a transfer from the I-405/Kirkland Vicinity Stage 2 - Widening project due to savings, and will start an additional phase of this I-405 project.

(12) (a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$923,000,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) The state route number 520 corridor account-state appropriation includes up to \$343,834,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account-federal appropriation includes up to \$104,801,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) (~~(\$126,937,000)~~) \$45,680,000 of the transportation partnership account-state appropriation, \$104,801,000 of the state route number 520 corridor account-federal appropriation, and (~~(\$368,121,000)~~) \$110,910,000 of the state route number 520 corridor account-state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003). (~~(Of the amounts appropriated in this subsection (12) (d), \$233,085,000 of the state route number 520 corridor account-state appropriation must be put into unallotted status and is subject to review by the office of financial management. The director of the office of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.)~~)

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(13) \$14,000,000 of the state route number 520 civil penalties account—state appropriation is provided solely for the department to continue to work with the Seattle department of transportation in their joint planning, design, right-of-way acquisition, outreach, and operation of the remaining west side elements including, but not limited to, the Montlake lid, the bicycle/pedestrian path, the effective network of transit connections, and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV project.

(14) \$1,056,000 of the motor vehicle account—federal appropriation and \$38,000 of the motor vehicle account—state appropriation are provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2017, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(16) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(17) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive

information system as part of the department's 2016 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(18) (~~(\$52,869,000)~~) \$44,742,000 of the motor vehicle account—federal appropriation, (~~(\$4,439,000)~~) \$4,381,000 of the motor vehicle account—state appropriation, and (~~(\$1,085,000)~~) \$529,000 of the motor vehicle account—private/local appropriation are provided solely for fish passage barrier and chronic deficiency improvements (0BI4001).

(19) Any new advisory group that the department convenes during the 2015-2017 fiscal biennium must consider the interests of the entire state of Washington.

(20) Except as provided otherwise in this section, the entire connecting Washington account appropriation is provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~(2016-1)~~) 2017-1 as developed (~~(March 7, 2016)~~) April 20, 2017, Program - Highway Improvements Program (I).

(21) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(22) Of the amounts allocated to the Puget Sound Gateway project (M00600R) in LEAP Transportation Document (~~(2016-1)~~) 2017-1 as developed (~~(March 7, 2016)~~) April 20, 2017, \$4,000,000 must be used to complete the bridge connection at 28th/24th Street over state route number 509 in the city of SeaTac. The bridge connection must be completed prior to other construction on the state route number 509 segment of the project.

(23) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's

construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(24) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(25) (~~(\$1,500,000)~~) \$901,000 of the motor vehicle account-state appropriation is provided solely for the department to (~~(complete)~~) continue to work on an interchange justification report (IJR) for the U.S. 2 trestle, covering the state route number 204 and 20th Street interchanges at the end of the westbound structure.

(a) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

(b) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

(c) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(26)(a) The department must conduct outreach to local transit agencies during the planning process for highway construction projects led by the department.

(b) The department must develop process recommendations for best practices in minimizing impacts to transit and freight during project construction. A report on best practices must be submitted to the transportation committees of the legislature by December 1, 2016.

(27) The legislature finds that project efficiencies and savings may be gained by combining the I-5 Marine Drive project (I5OTC1A1) and the SR 529/I-5 Interchange project (N52900R). The department must deliver them as one project, the I-5 Peak Hour Use Lanes and Interchange Improvements project (L2000229), using a design-build approach.

(28)(a) The legislature recognizes that the city of Mercer Island has unique access issues that require the use of Interstate 90 to leave the island and that this access may be impeded by the I-90/Two-Way Transit and HOV Improvements project. ~~(The department must continue to work with the city of Mercer Island to address potential access solutions as the project nears completion)~~ One of the most heavily traveled on-ramps from Mercer Island to the westbound Interstate 90 general purpose lanes is from Island Crest Way. The department must continue to consult with the city of Mercer Island and the other signatories to the 1976 memorandum of agreement to preserve access provided to Mercer Island by the Island Crest Way on-ramp, and thus grandfather-in the current use of the on-ramp for both high occupancy vehicles as well as vehicles seeking to access the general purpose lanes of Interstate 90. The department must consider all reasonable access solutions, including allowing all vehicles to use the Island Crest Way on-ramp to access the new high occupancy vehicle lane with a reasonable and safe distance provided for single-occupancy vehicles to merge into the general purpose lanes.

(b) A final access solution must consider the following criteria: Safety; operational effects on all users, including maintaining historic access to Interstate 90 provided from Mercer Island by Island Crest Way; enforcement requirements; and compliance with state and federal law.

(c) The department may not restrict by occupancy the westbound on-ramp from Island Crest Way until a final access solution that meets the criteria in (b) of this subsection has been reached.

(29) \$9,500,000 of the Interstate 405 express toll lanes operations account-state appropriation is provided solely for the I-405 NB Hard Shoulder Running - SR 527 to I-5 project (L1000163).

Sec. 1007. 2016 c 14 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
PRESERVATION-PROGRAM PTransportation Partnership Account-
StateAppropriation ((~~\$6,489,000~~))

\$6,434,000

Motor Vehicle Account-State
Appropriation ((~~\$70,908,000~~))

\$68,694,000

Motor Vehicle Account-Federal
Appropriation ((~~\$475,025,000~~))

\$525,688,000

Motor Vehicle Account-Private/Local
Appropriation ((~~\$8,647,000~~))

\$8,092,000

Transportation 2003 Account (Nickel
Account)-StateAppropriation ((~~\$28,032,000~~))

\$26,654,000

Tacoma Narrows Toll Bridge Account-
StateAppropriation ((~~\$4,564,000~~))

\$1,038,000

Recreational Vehicle Account-State
Appropriation ((~~\$2,194,000~~))

\$2,197,000

High Occupancy Toll Lanes Operations
Account-State

Appropriation \$1,000,000

State Route Number 520 Corridor
Account-StateAppropriation ((~~\$1,730,000~~))

\$1,460,000

Connecting Washington Account-State
Appropriation ((~~\$79,963,000~~))

\$77,134,000

TOTAL APPROPRIATION ~~\$678,552,000~~

\$718,391,000

The appropriations in this section are
subject to the following conditions and
limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the

projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((~~2016-1~~)) 2017-1 as developed ((~~March 7, 2016~~)) April 20, 2017, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ((~~of this act~~)), chapter . . . (Engrossed Senate Bill No. 5096), Laws of 2017.

(2) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((~~2016-2~~)) 2017-2 ALL PROJECTS as developed ((~~March 7, 2016~~)) April 20, 2017, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)-state appropriation includes up to ((~~\$28,032,000~~)) \$26,654,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature by December 1, 2015, on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

(6) ((~~\$38,142,000~~)) \$6,545,000 of the motor vehicle account-federal appropriation and ((~~\$958,000~~)) \$188,000 of the motor vehicle account-state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of

becoming structurally deficient. These funds must be used widely around the state of Washington. The department shall provide a report that identifies the scope, cost, and benefit of each project funded in this subsection as part of its 2016 agency budget request.

(7) Except as provided otherwise in this section, the entire connecting Washington account appropriation in this section is provided solely for the projects and activities as listed in LEAP Transportation Document ((2016-1)) 2017-1 as developed ((March 7, 2016)) April 20, 2017, Program - Highway Preservation Program (P).

(8) It is the intent of the legislature that, with respect to the amounts provided for highway preservation from the connecting Washington account, the department consider the preservation and rehabilitation of concrete roadway on Interstate 5 from the Canadian border to the Oregon border to be a priority within the preservation program.

(9) \$5,000,000 of the motor vehicle account-state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR99/Alaskan Way viaduct replacement project.

(10) (a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

(11) The department must consult with the Washington state patrol during the design phase of a department-led improvement or preservation project that could impact weigh station operations. The department must ensure that the designs of the projects do not prevent or interfere with weigh station operations.

Sec. 1008. 2016 c 14 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-TRAFFIC OPERATIONS-PROGRAM Q-CAPITAL

Motor	Vehicle	Account-State
Appropriation ((\$7,190,000))		
\$6,783,000		

Motor	Vehicle	Account-Federal
Appropriation ((\$7,567,000))		
\$6,716,000		

Motor	Vehicle	Account-Private/Local
Appropriation ((\$200,000))		
\$201,000		

TOTAL APPROPRIATION ~~\$14,957,000~~

\$13,700,000

The appropriations in this section are subject to the following conditions and limitations: The department shall set aside a sufficient portion of the motor vehicle account-state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

Sec. 1009. 2016 c 14 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-WASHINGTON STATE FERRIES CONSTRUCTION-PROGRAM W

Puget Sound	Capital	Construction
Account-State		
Appropriation ((\$57,764,000))		
\$57,037,000		

Puget Sound	Capital	Construction
Account-Federal		
Appropriation ((\$153,647,000))		
\$136,346,000		

Puget Sound	Capital	Construction
Account-Private/Local		
Appropriation		
\$3,730,000		

Transportation 2003 Account (Nickel Account)-State

Appropriation \$122,089,000

Connecting Washington Account-State Appropriation (~~(\$68,805,000)~~)

\$72,689,000

TOTAL APPROPRIATION ~~\$406,035,000~~

\$391,891,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document (~~(2016-2)~~) 2017-2 ALL PROJECTS as developed (~~(March 7, 2016)~~) April 20, 2017, Program - Washington State Ferries Capital Program (W).

(2) \$90,545,000 of the transportation 2003 account (nickel account)-state appropriation is provided solely for the acquisition of a 144-car vessel (L1000063). The department shall use as much already procured equipment as practicable on the 144-car vessels.

(3) (~~(\$46,989,000)~~) \$26,742,000 of the Puget Sound capital construction account-federal appropriation, (~~(\$2,000,000)~~) \$5,884,000 of the connecting Washington account-state appropriation, \$562,000 of the transportation 2003 account (nickel account)-state appropriation, and (~~(\$490,000)~~) \$491,000 of the Puget Sound capital construction account-state appropriation are provided solely for the Mukilteo ferry terminal (952515P). It is the intent of the legislature, over the sixteen-year investment program, to provide (~~(\$155,000,000)~~) \$159,061,000 to complete the Mukilteo Terminal Replacement project (952515P). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section. To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal.

(4) \$7,000,000 of the Puget Sound capital construction account-state

appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future terminal modifications.

(6) If the department pursues a conversion of the existing diesel powered Issaquah class fleet to a different fuel source or engine technology or the construction of a new vessel powered by a fuel source or engine technology that is not diesel powered, the department must use a design-build procurement process.

(7) Funding is included in the future biennia of the LEAP transportation document referenced in subsection (1) of this section for future vessel purchases. Given that the recent purchase of new vessels varies from the current long range plan, the department shall include in its updated long range plan revised estimates for new vessel costs, size, and purchase time frames. Additionally, the long range plan must include a vessel retirement schedule and associated reserve vessel policy recommendations.

(8) \$325,000 of the Puget Sound capital construction account-state appropriation is provided solely for the ferry system to participate in the development of one account-based system for customers of both the ferry system and tolling system. The current Wave2Go ferry ticketing system is reaching the end of its useful life and the department is expected to develop a replacement account-based system as part of the new tolling division customer service center toll collection system.

(9) Within existing resources, the department must evaluate the feasibility of utilizing the federal EB-5 immigrant investor program for financing the construction of a safety of life at sea (SOLAS) certificated vessel for the Anacortes-Sidney ferry route. The department must establish a group that includes, but is not limited to, the department of commerce and entities or individuals experienced with vessel engineering and EB-5 financing for assistance in evaluating the applicability

of the EB-5 immigrant investor program. The department must deliver a report containing the results of the evaluation to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(10) It is the intent of the legislature, over the sixteen-year investment program, to provide (~~(\$316,000,000)~~) \$349,500,000 to complete the Seattle Terminal Replacement project (900010L), including: (a) Design work and selection of a preferred plan, (b) replacing timber pilings with pilings sufficient to support a selected terminal design, (c) replacing the timber portion of the dock with a new and reconfigured steel and concrete dock, and (d) other staging and construction work as the amount allows. These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(11) It is the intent of the legislature, over the sixteen-year new investment program, to provide \$122,000,000 in state funds to complete the acquisition of a fourth 144-car vessel (L2000109). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(12) \$300,000 of the Puget Sound capital construction account-state appropriation is provided solely to issue a request for proposals and purchase pilot program customer counting equipment. By June 30, 2017, the department must report to the governor and the transportation committees of the legislature on the most effective way to count ferry passengers.

(13) (~~(\$1,430,000)~~) \$1,255,000 of the Puget Sound capital construction account-federal appropriation and (~~(\$1,366,000)~~) \$889,000 of the Puget Sound capital construction-state appropriation are provided solely for installation of security access control and video monitoring systems, and for enhancing wireless network capacity to handle higher security usage, increase connectivity between vessels and land-based facilities, and isolate the security portion of the network from regular business (~~(project)~~) 998925A).

(14) The transportation 2003 account (nickel account)-state appropriation includes up to (~~(\$4,131,000)~~) \$17,817,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(15) The department shall submit a cost estimate to procure a fifth 144-car vessel to the governor and the transportation committees of the legislature by June 30, 2017. The estimate must include, but is not limited to, construction costs, estimated operating costs, and any potential savings from replacing a currently operating vessel with a fifth 144-car vessel.

Sec. 1010. 2016 c 14 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-CAPITAL

Essential Rail Assistance Account-State

Appropriation \$1,459,000

Transportation Infrastructure Account-State

Appropriation \$7,154,000

Multimodal Transportation Account-State

Appropriation (~~(\$37,205,000)~~)

\$31,320,000

Multimodal Transportation Account-Federal

Appropriation (~~(\$492,217,000)~~)

\$491,591,000

TOTAL APPROPRIATION ~~\$538,935,000~~

\$531,524,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document (~~(2016-2)~~) 2017-2 ALL PROJECTS as developed (~~(March 7, 2016)~~) April 20, 2017, Program - Rail Program (Y).

(2) \$5,000,000 of the transportation infrastructure account-state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. For the 2015-2017 fiscal biennium,

the department shall first award loans to 2015-2017 FRIB loan applicants in priority order, and then offer loans to 2015-2017 unsuccessful freight rail assistance program grant applicants, if eligible. If any funds remain in the FRIB program, the department may reopen the loan program and shall evaluate new applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) (a) (~~(\$5,484,000)~~) \$5,429,000 of the multimodal transportation account-state appropriation, \$270,000 of the essential rail assistance account-state appropriation, and \$455,000 of the transportation infrastructure account-state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(b) Of the amounts provided in this subsection, \$367,000 of the transportation infrastructure account-state appropriation and \$1,100,000 of the multimodal transportation account-state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(4) (~~(\$487,297,000)~~) \$487,163,000 of the multimodal transportation account-federal appropriation and (~~(\$13,679,000)~~) \$10,991,000 of the multimodal transportation account-state appropriation are provided solely for

expenditures related to passenger high-speed rail grants. Except for the Mount Vernon project (P01101A), the multimodal transportation account-state funds reflect no more than one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement.

(5) (a) \$1,114,000 of the essential rail assistance account-state appropriation, \$766,000 of the multimodal transportation account-state appropriation, and \$68,000 of the transportation infrastructure account-state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account-state in this subsection may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2016, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

Sec. 1011. 2016 c 14 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-
LOCAL PROGRAMS-PROGRAM Z-CAPITAL

Highway Infrastructure Account-State
Appropriation \$790,000

Highway Infrastructure Account-
Federal

Appropriation \$503,000

Transportation Partnership Account-
State

Appropriation (~~(\$4,054,000)~~)
 \$2,911,000

Highway Safety Account-State
 Appropriation (~~(\$11,647,000)~~)
 \$9,259,000

Motor Vehicle Account-State
 Appropriation (~~(\$1,271,000)~~)
 \$1,171,000

Motor Vehicle Account-Federal
 Appropriation (~~(\$28,043,000)~~)
 \$17,571,000

Multimodal Transportation Account-State
 Appropriation (~~(\$34,031,000)~~)
 \$26,119,000

Connecting Washington Account-State
 Appropriation (~~(\$47,669,000)~~)
 \$27,069,000

TOTAL APPROPRIATION ~~\$128,008,000~~
 \$85,393,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document (~~(2016-2)~~) 2017-2 ALL PROJECTS as developed (~~(March 7, 2016)~~) April 20, 2017, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) (~~(\$20,653,000)~~) \$14,221,000 of the multimodal transportation account-state appropriation and (~~(\$3,579,000)~~) \$2,436,000 of the transportation partnership account-state appropriation are provided solely for pedestrian and bicycle safety program projects (~~(project)~~) L2000188).

(b) (~~(\$11,400,000)~~) \$6,303,000 of the motor vehicle account-federal appropriation, (~~(\$1,750,000)~~) \$925,000 of the multimodal transportation account-state appropriation, and (~~(\$6,750,000)~~) \$4,690,000 of the highway safety account-state appropriation are provided solely

for newly selected safe routes to school projects. (~~(\$8,782,000)~~) \$7,507,000 of the motor vehicle account-federal appropriation, (~~(\$124,000)~~) \$26,000 of the multimodal transportation account-state appropriation, and (~~(\$4,897,000)~~) \$4,569,000 of the highway safety account-state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (~~(project)~~) L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2015, and December 1, 2016, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) \$500,000 of the motor vehicle account-state appropriation is provided solely for the Edmonds waterfront at-grade train crossings alternatives analysis project (L2000135). The department shall work with the city of Edmonds and provide a preliminary report of key findings to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(5) (~~(\$9,900,000)~~) \$9,343,000 of the multimodal transportation account-state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document (~~(2016-4)~~) as developed March 7, 2016. Funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects and then to priority three projects. If a higher priority project is bypassed, it must be funded in the first round after the project is ready. If funds become available as a result of projects being removed from this list or completed under budget, the department may submit

~~additional bicycle and pedestrian safety projects for consideration by the legislature. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed bicycle and pedestrian projects that have been funded and projects that have been bypassed, including an estimated time frame for when the project will be funded.~~

(b) Within existing resources, the local programs division must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016) referenced in subsection (1) of this section.

TRANSFERS AND DISTRIBUTIONS

Sec. 1101. 2016 c 14 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State

Appropriation \$3,610,000

Highway Bond Retirement Account—State

Appropriation ((~~\$1,176,906,000~~))

\$1,173,441,000

Ferry Bond Retirement Account—State
Appropriation ((~~\$29,230,000~~))

\$29,231,000

Transportation Improvement Board Bond Retirement

Account—State Appropriation
(~~\$16,129,000~~)

\$16,080,000

State Route Number 520 Corridor
Account—State

Appropriation \$559,000

Nondebt-Limit Reimbursable Bond
Retirement Account—

State Appropriation ((~~\$25,837,000~~))

\$25,332,000

Toll Facility Bond Retirement Account—
State

Appropriation ((~~\$72,880,000~~))

\$67,850,000

Motor Vehicle Account—State
Appropriation \$2,500,000

Transportation 2003 Account (Nickel
Account)—State

Appropriation \$477,000

TOTAL APPROPRIATION ~~\$1,328,128,000~~

\$1,319,080,000

The appropriations in this section are subject to the following conditions and limitations: \$2,500,000 of the motor vehicle account—state appropriation is provided solely for debt service payment and withholding for the Tacoma Narrows bridge, with the intent of forestalling the need for the Washington state transportation commission to raise toll rates for the Tacoma Narrows bridge for fiscal year 2017.

Sec. 1102. 2016 c 14 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—
State

Appropriation \$697,000

Transportation 2003 Account (Nickel
Account)—State

Appropriation \$87,000

State Route Number 520 Corridor
Account—State

Appropriation \$134,000

TOTAL APPROPRIATION ~~\$784,000~~

\$918,000

Sec. 1103. 2016 c 14 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR

DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal

Appropriation ((~~\$200,215,000~~))
\$200,216,000

((Toll Facility Bond Retirement Account—State

Appropriation \$12,009,000

TOTAL APPROPRIATION \$212,224,000

Sec. 1104. 2016 c 14 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State
Appropriation: For

motor vehicle fuel tax distributions to cities

and counties ((~~\$497,071,000~~))
\$496,685,000

Sec. 1105. 2016 c 14 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State
Appropriation: For

motor vehicle fuel tax refunds and statutory

transfers ((~~\$1,831,879,000~~))
\$1,856,065,000

Sec. 1106. 2016 c 14 s 407 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State
Appropriation:

For motor vehicle fuel tax refunds and transfers ((~~\$182,730,000~~))

\$184,758,000

Sec. 1107. 2016 c 14 s 408 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Multimodal Transportation Account—State

Appropriation: For transfer to the Puget Sound

Ferry Operations Account—State
\$10,000,000

(2) Multimodal Transportation Account—State

Appropriation: For transfer to the Puget Sound

Capital Construction Account—State \$12,000,000

(3) State Route Number 520 Civil Penalties

Account—State Appropriation: For transfer to the

State Route Number 520 Corridor Account—State ((~~\$1,631,000~~))

\$1,630,000

(4) Highway Safety Account—State
Appropriation:

For transfer to the State Patrol Highway

Account—State \$20,000,000

(5) Highway Safety Account—State

Appropriation: For transfer to the Puget Sound Ferry

Operations Account—State \$10,000,000

(6) Tacoma Narrows Toll Bridge Account—State

Appropriation: For transfer to the Motor Vehicle

Account—State \$950,000

(7) Motor Vehicle Account—State
Appropriation:

For transfer to the Puget Sound Capital Construction

Account—State \$18,000,000

(8) Rural Mobility Grant Program Account—State

Appropriation: For transfer to the Multimodal

Transportation Account—State
\$3,000,000,

(9) Motor Vehicle Account—State
Appropriation:

For transfer to the Puget Sound Ferry Operations

Account—State \$10,000,000

(10) State Patrol Highway Account—State
Appropriation:

For transfer to the Connecting
Washington Account—State \$9,690,000

(11) Transportation Partnership
Account—State

Appropriation: For transfer to the
Connecting Washington

Account—State \$4,998,000

(12) Motor Vehicle Account—State
Appropriation:

For transfer to the Connecting
Washington Account—

State \$25,781,000

(13) Puget Sound Ferry Operations
Account—State

Appropriation: For transfer to the
Connecting Washington

Account—State \$596,000

(14) Transportation 2003 Account
(Nickel Account)—State

Appropriation: For transfer to the
Connecting Washington

Account—State \$2,270,000

(15) Highway Safety Account—State
Appropriation:

For transfer to the Multimodal
Transportation

Account—State \$5,000,000

(16) Motor Vehicle Account—State
Appropriation:

For transfer to the Freight Mobility
Investment

Account—State \$1,922,000

(17) Motor Vehicle Account—State
Appropriation:

For transfer to the Transportation
Improvement

Account—State \$2,188,000

(18) Motor Vehicle Account—State
Appropriation:

For transfer to the Rural Arterial
Trust Account—State \$1,094,000

(19) Motor Vehicle Account—State
Appropriation:

For transfer to the County Arterial
Preservation

Account—State \$1,094,000

(20) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Freight Mobility

Multimodal Account—State \$1,922,000

(21) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Regional Mobility

Grant Program Account—State
\$6,250,000

(22) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Rural Mobility

Grant Program Account—State
\$3,438,000

(23) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Electric Vehicle

Charging Infrastructure Account—
State \$1,000,000

(24) Capital Vessel Replacement
Account—State

Appropriation: For transfer to the
Connecting

Washington Account—State
(~~(\$59,000,000)~~)

\$58,000,000

(25) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Connecting

Washington Account—State \$8,000,000

(26) Multimodal Transportation Account—
State

Appropriation: For transfer to the
Aeronautics

Account—State (~~(\$250,000)~~)

\$550,000

MISCELLANEOUS 2015-2017 FISCAL BIENNIUM

NEW SECTION. Sec. 1201. A new section
is added to 2016 c 14 (uncodified) to read
as follows:

The appropriations to the department of
transportation in chapter 14, Laws of 2016
and this act must be expended for the

programs and in the amounts specified in this act. However, after May 1, 2017, unless specifically prohibited, the department may transfer state appropriations for the 2015-2017 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the transportation committees of the legislature in writing no fewer than seven days before approving any allotment modifications or transfers under this section. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by program and appropriation, both before and after any allotment modifications or transfers.

MISCELLANEOUS

NEW SECTION. **Sec. 1301.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 1302.** Except for sections 705 and 706 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. **Sec. 1303.** Section 705 of this act takes effect if chapter . . . (Senate Bill No. 5037), Laws of 2017 is enacted by June 30, 2017.

NEW SECTION. **Sec. 1304.** Section 706 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2017."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 43.19.642, 46.20.745, 46.61.5054, 46.68.030, 46.68.060, 46.68.280,

46.68.290, 46.68.325, 47.29.170, 47.56.403, 47.56.876, 47.60.530, and 81.53.281; amending 2016 c 14 ss 102-104, 201-223, 301-311, 401-404, and 406-408 (uncodified); adding a new section to 2016 c 14 (uncodified); creating new sections; making appropriations and authorizing expenditures for capital improvements; providing an effective date; providing a contingent effective date; and declaring an emergency."

Senators Hobbs, King and Sheldon
Representatives Clibborn, Fey and Orcutt

There being no objection, the House adopted the conference committee report on ENGROSSED SENATE BILL NO. 5096 and advanced the bill as recommended by the conference committee to final passage.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

Representatives Clibborn, Orcutt, Wylie, and Fey spoke in favor of the passage of the bill as recommended by the conference committee.

The Speaker (Representative Lovick presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 5096, as recommended by the conference committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5096, as recommended by the conference committee, and the bill passed the House by the following vote: Yeas, 82; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McDonald, Morris, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Dye, Koster, Kraft, Kretz, Maycumber, McCabe, McCaslin, Muri, Schmick, Shea, Taylor and J. Walsh.

Excused: Representatives DeBolt and Irwin.

ENGROSSED SENATE BILL NO. 5096, as recommended by the conference committee, having received the necessary constitutional majority, was declared passed.

CONFERENCE COMMITTEE REPORT

April 20, 2017

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 5131, concerning marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, certain transfers of plants and seeds, licensing agreements and contracts, advertising, and jurisdictional requirements, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment be adopted, and that the bill do pass as recommended by the Conference Committee:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 69.50.325 and 2016 c 170 s 1 are each amended to read as follows:

(1) There shall be a marijuana producer's license regulated by the state liquor and cannabis board and subject to annual renewal. The licensee is authorized to produce: (a) Marijuana for sale at wholesale to marijuana processors and other marijuana producers (~~and to produce marijuana~~); (b) immature plants or clones and seeds for sale to cooperatives as described under RCW 69.51A.250 (~~regulated by the state liquor and cannabis board and subject to annual renewal~~); and (c) immature plants or clones and seeds for sale to qualifying patients and designated providers as provided under section 11 of this act. The production, possession, delivery, distribution, and sale of marijuana in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.

(2) There shall be a marijuana processor's license to process, package,

and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the state liquor and cannabis board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, and marijuana concentrates in accordance with the provisions of this chapter and chapter 69.51A RCW and the rules adopted to implement and enforce these chapters, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana.

(3) (a) There shall be a marijuana retailer's license to sell marijuana concentrates, useable marijuana, and marijuana-infused products at retail in retail outlets, regulated by the state liquor and cannabis board and subject to annual renewal. The possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates,

useable marijuana, and marijuana-infused products.

(b) An individual retail licensee and all other persons or entities with a financial or other ownership interest in the business operating under the license are limited, in the aggregate, to holding a collective total of not more than five retail marijuana licenses.

(c)(i) A marijuana retailer's license is subject to forfeiture in accordance with rules adopted by the state liquor and cannabis board pursuant to this section.

(ii) The state liquor and cannabis board shall adopt rules to establish a license forfeiture process for a licensed marijuana retailer that is not fully operational and open to the public within a specified period from the date of license issuance, as established by the state liquor and cannabis board, subject to the following restrictions:

(A) No marijuana retailer's license may be subject to forfeiture within the first nine months of license issuance; and

(B) The state liquor and cannabis board must require license forfeiture on or before twenty-four calendar months of license issuance if a marijuana retailer is not fully operational and open to the public, unless the board determines that circumstances out of the licensee's control are preventing the licensee from becoming fully operational and that, in the board's discretion, the circumstances warrant extending the forfeiture period beyond twenty-four calendar months.

(iii) The state liquor and cannabis board has discretion in adopting rules under this subsection (3)(c).

(iv) This subsection (3)(c) applies to marijuana retailer's licenses issued before and after the effective date of this section. However, no license of a marijuana retailer that otherwise meets the conditions for license forfeiture established pursuant to this subsection (3)(c) may be subject to forfeiture within the first nine calendar months of the effective date of this section.

(v) The state liquor and cannabis board may not require license forfeiture if the licensee has been incapable of opening a fully operational retail marijuana business due to actions by the city, town, or county with jurisdiction over the licensee that include any of the following:

(A) The adoption of a ban or moratorium that prohibits the opening of a retail marijuana business; or

(B) The adoption of an ordinance or regulation related to zoning, business licensing, land use, or other regulatory measure that has the effect of preventing a licensee from receiving an occupancy permit from the jurisdiction or which otherwise prevents a licensed marijuana retailer from becoming operational.

Sec. 2. RCW 69.50.331 and 2015 2nd sp.s. c 4 s 301 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, or for the renewal of a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, the state liquor and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a) ((The state liquor and cannabis board must develop a competitive, merit-based application process that includes, at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. The state liquor and cannabis board must give preference between competing applications in the licensing process to applicants that have the following experience and qualifications, in the following order of priority:

(i) First priority is given to applicants who:

(A) Applied to the state liquor and cannabis board for a marijuana retailer license prior to July 1, 2014;

(B) Operated or were employed by a collective garden before January 1, 2013;

(C) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(D) Have had a history of paying all applicable state taxes and fees;

(ii) Second priority must be given to applicants who:

(A) Operated or were employed by a collective garden before January 1, 2013;

(B) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(C) Have had a history of paying all applicable state taxes and fees; and

(iii) Third priority must be given to all other applicants who do not have the experience and qualifications identified in (a) (i) and (ii) of this subsection.

~~(b)~~) The state liquor and cannabis board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor and cannabis board may consider any prior criminal conduct of the applicant including an administrative violation history record with the state liquor and cannabis board and a criminal history record information check. The state liquor and cannabis board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor and cannabis board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW do not apply to these cases. Subject to the provisions of this section, the state liquor and cannabis board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7) (c) and (10) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor and cannabis board to any staff member the board designates in writing. Conditions for granting this authority must be adopted by rule.

~~((e))~~) (b) No license of any kind may be issued to:

(i) A person under the age of twenty-one years;

(ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least six months prior to applying to receive a license;

(iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2) (a) The state liquor and cannabis board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, researching, or selling marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products thereunder must be suspended or terminated, as the case may be.

(b) The state liquor and cannabis board must immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license is automatic upon the state liquor and cannabis board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor and cannabis board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor and cannabis board may adopt.

(d) Witnesses must be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor and cannabis board or a subpoena issued by the state liquor and cannabis board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, compels obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee must forthwith deliver up the license to the state liquor and cannabis board. Where the license has been suspended only, the state liquor and cannabis board must return the license to the licensee at the expiration or termination of the period of suspension. The state liquor and cannabis board must notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under this chapter is subject to all conditions and restrictions imposed by this chapter or by rules adopted by the state liquor and cannabis board to implement and enforce this chapter. All conditions and restrictions imposed by the state liquor and cannabis board in the issuance of an individual license must be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee must post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee may employ any person under the age of twenty-one years.

(7)(a) Before the state liquor and cannabis board issues a new or renewed license to an applicant it must give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns, or to the tribal government if the application is for a license within Indian country, or to the port authority if the application for a license is located on property owned by a port authority.

(b) The incorporated city or town through the official or employee selected by it, ~~((or))~~ the county legislative authority or the official or employee selected by it, the tribal government, or port authority has the right to file with the state liquor and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The state liquor and cannabis board may extend the time period for submitting written objections upon request from the authority notified by the state liquor and cannabis board.

(c) The written objections must include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor and cannabis board representatives must present and defend the state liquor and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor and cannabis board must send written notification to the chief executive officer of the

incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8)(a) Except as provided in (b) through (d) of this subsection, the state liquor and cannabis board may not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(b) A city, county, or town may permit the licensing of premises within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance authorizing such distance reduction, provided that such distance reduction will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

(c) A city, county, or town may permit the licensing of research premises allowed under RCW 69.50.372 within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection by enacting an ordinance authorizing such distance reduction, provided that the ordinance will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement, public safety, or public health.

(d) The state liquor and cannabis board may license premises located in compliance with the distance requirements set in an ordinance adopted under (b) or (c) of this subsection. Before issuing or renewing a research license for premises within one thousand feet but not less than one hundred feet of an elementary school, secondary school, or playground in compliance with an ordinance passed pursuant to (c) of this subsection, the board must ensure that the facility:

(i) Meets a security standard exceeding that which applies to marijuana producer, processor, or retailer licensees;

(ii) Is inaccessible to the public and no part of the operation of the facility is in view of the general public; and

(iii) Bears no advertising or signage indicating that it is a marijuana research facility.

(e) The state liquor and cannabis board may not issue a license for any premises within Indian country, as defined in 18 U.S.C. Sec. 1151, including any fee patent lands within the exterior boundaries of a reservation, without the consent of the federally recognized tribe associated with the reservation or Indian country.

(9) (~~Subject to section 1601 of this act,~~) A city, town, or county may adopt an ordinance prohibiting a marijuana producer or marijuana processor from operating or locating a business within areas zoned primarily for residential use or rural use with a minimum lot size of five acres or smaller.

(10) In determining whether to grant or deny a license or renewal of any license, the state liquor and cannabis board must give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Sec. 3. RCW 69.50.372 and 2016 sp.s. c 9 s 1 are each amended to read as follows:

(1) A marijuana research license is established that permits a licensee to produce, process, and possess marijuana for the following limited research purposes:

(a) To test chemical potency and composition levels;

(b) To conduct clinical investigations of marijuana-derived drug products;

(c) To conduct research on the efficacy and safety of administering marijuana as part of medical treatment; and

(d) To conduct genomic or agricultural research.

(2) As part of the application process for a marijuana research license, an applicant must submit to the liquor and cannabis board's designated scientific reviewer a description of the research that is intended to be conducted. The liquor and cannabis board must select a scientific reviewer to review an applicant's research project and determine that it meets the requirements of subsection (1) of this section, as well as assess the following:

(a) Project quality, study design, value, or impact;

(b) Whether applicants have the appropriate personnel, expertise, facilities/infrastructure, funding, and human/animal/other federal approvals in place to successfully conduct the project; and

(c) Whether the amount of marijuana to be grown by the applicant is consistent with the project's scope and goals.

If the scientific reviewer determines that the research project does not meet the requirements of subsection (1) of this section, the application must be denied.

(3) A marijuana research licensee may only sell marijuana grown or within its operation to other marijuana research licensees. The liquor and cannabis board may revoke a marijuana research license for violations of this subsection.

(4) A marijuana research licensee may contract with the University of Washington or Washington State University to perform research in conjunction with the university. All research projects, not including those projects conducted pursuant to a contract entered into under RCW 28B.20.502(3), must be approved by the scientific reviewer and meet the requirements of subsection (1) of this section.

(5) In establishing a marijuana research license, the liquor and cannabis board may adopt rules on the following:

(a) Application requirements;

(b) Marijuana research license renewal requirements, including whether additional research projects may be added or considered;

(c) Conditions for license revocation;

(d) Security measures to ensure marijuana is not diverted to purposes other than research;

(e) Amount of plants, useable marijuana, marijuana concentrates, or marijuana-infused products a licensee may have on its premises;

(f) Licensee reporting requirements;

(g) Conditions under which marijuana grown by licensed marijuana producers and other product types from licensed marijuana processors may be donated to marijuana research licensees; and

(h) Additional requirements deemed necessary by the liquor and cannabis board.

(6) The production, processing, possession, delivery, donation, and sale of marijuana, including immature plants or clones and seeds, in accordance with this section, RCW 69.50.366(3), and the rules adopted to implement and enforce (~~the~~) this section and RCW 69.50.366(3), by a validly licensed marijuana researcher, shall not be a criminal or civil offense under Washington state law. Every marijuana research license must be issued in the name of the applicant, must specify the location at which the marijuana researcher intends to operate, which must be within the state of Washington, and the holder thereof may not allow any other person to use the license.

(7) The application fee for a marijuana research license is two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana research license is one thousand dollars. The applicant must pay the cost of the review process directly to the scientific reviewer as designated by the liquor and cannabis board.

(8) The scientific reviewer shall review any reports made by marijuana research licensees under liquor and cannabis board rule and provide the liquor and cannabis board with its determination on whether the research project continues to meet research qualifications under this section.

(9) For the purposes of this section, "scientific reviewer" means an

organization that convenes or contracts with persons who have the training and experience in research practice and research methodology to determine whether a project meets the criteria for a marijuana research license under this section and to review any reports submitted by marijuana research licensees under liquor and cannabis board rule. "Scientific reviewers" include, but are not limited to, educational institutions, research institutions, peer review bodies, or such other organizations that are focused on science or research in its day-to-day activities.

Sec. 4. RCW 66.08.100 and 2012 c 117 s 269 are each amended to read as follows:

No court of the state of Washington other than the superior court of Thurston county shall have jurisdiction over any action or proceeding against the board or any member thereof for anything done or omitted to be done in or arising out of the performance of his or her or their duties under this title. Neither the board nor any member or members thereof shall be personally liable in any action at law for damages sustained by any person because of any acts performed or done or omitted to be done by the board or any employee of the board in the performance of his or her duties and in the administration of this title or chapter 69.50 or 69.51A RCW.

Sec. 5. RCW 69.50.101 and 2015 2nd sp.s. c 4 s 901 are each reenacted and amended to read as follows:

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

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(d) "Commission" means the pharmacy quality assurance commission.

(e) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(f)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(g) "Deliver" or "delivery((τ))" means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(h) "Department" means the department of health.

(i) "Designated provider" has the meaning provided in RCW 69.51A.010.

(j) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(k) "Dispenser" means a practitioner who dispenses.

(l) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(m) "Distributor" means a person who distributes.

(n) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(o) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(p) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(q) "Immature plant or clone" means a plant or clone that has no flowers, is less than twelve inches in height, and is less than twelve inches in diameter.

(r) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

~~((+))~~ (s) "Isomer" means an optical isomer, but in subsection ~~((+))~~ (ee) (5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b) (4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a) (35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

~~((+))~~ (t) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

~~((+))~~ (u) "Lot number" must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

~~((+))~~ (v) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

~~((v))~~ (w) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

~~((w))~~ (x) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent.

~~((x))~~ (y) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

~~((y))~~ (z) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

~~((z))~~ (aa) "Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section.

~~((aa))~~ (bb) "Marijuana researcher" means a person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

~~((bb))~~ (cc) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

~~((cc))~~ (dd) "Marijuana-infused products" means products that contain

marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection ~~((v))~~ (w) of this section, and have a THC concentration no greater than ten percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

~~((dd))~~ (ee) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

~~((ee))~~ (ff) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and

its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

~~((ff))~~ (gg) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

~~((gg))~~ (hh) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

~~((hh))~~ (ii) "Plant" has the meaning provided in RCW 69.51A.010.

~~((ii))~~ (jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

~~((jj))~~ (kk) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and

surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

~~((kk))~~ (ll) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

~~((ll))~~ (mm) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

~~((mm))~~ (nn) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

~~((nn))~~ (oo) "Recognition card" has the meaning provided in RCW 69.51A.010.

~~((oo))~~ (pp) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

~~((pp))~~ (qq) "Secretary" means the secretary of health or the secretary's designee.

~~((qq))~~ (rr) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

~~((rr))~~ (ss) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

~~((ss))~~ (tt) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's

own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

~~((tt))~~ (uu) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

Sec. 6. RCW 69.50.366 and 2015 c 207 s 8 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana producer or employee of a validly licensed marijuana producer in compliance with rules adopted by the state liquor ~~((control))~~ and cannabis board to implement and enforce this chapter ((3, Laws of 2013)), do not constitute criminal or civil offenses under Washington state law:

(1) Production or possession of quantities of marijuana that do not exceed the maximum amounts established by the state liquor ~~((control))~~ and cannabis board under RCW 69.50.345(3);

(2) Delivery, distribution, and sale of marijuana to a marijuana processor or another marijuana producer validly licensed under this chapter ((3, Laws of 2013)); ~~((and))~~

(3) Delivery, distribution, and sale of immature plants or clones and marijuana seeds to a licensed marijuana researcher, and to receive or purchase immature plants or clones and seeds from a licensed marijuana researcher; and

(4) Delivery, distribution, and sale of marijuana or useable marijuana to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under RCW 43.06.490.

Sec. 7. RCW 69.50.382 and 2015 2nd sp.s. c 4 s 501 are each amended to read as follows:

(1) A licensed marijuana producer, marijuana processor, marijuana researcher, or marijuana retailer, or their employees, in accordance with the requirements of this chapter and the administrative rules adopted thereunder, may use the services of a common carrier subject to regulation under chapters 81.28 and 81.29 RCW and licensed in compliance with the regulations established under RCW 69.50.385, to physically transport or deliver, as authorized under this chapter,

marijuana, useable marijuana, marijuana concentrates, immature plants or clones, marijuana seeds, and marijuana-infused products between licensed marijuana businesses located within the state.

(2) An employee of a common carrier engaged in marijuana-related transportation or delivery services authorized under subsection (1) of this section is prohibited from carrying or using a firearm during the course of providing such services, unless:

(a) Pursuant to RCW 69.50.385, the state liquor and cannabis board explicitly authorizes the carrying or use of firearms by such employee while engaged in the transportation or delivery services;

(b) The employee has an armed private security guard license issued pursuant to RCW 18.170.040; and

(c) The employee is in full compliance with the regulations established by the state liquor and cannabis board under RCW 69.50.385.

(3) A common carrier licensed under RCW 69.50.385 may, for the purpose of transporting and delivering marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products, utilize Washington state ferry routes for such transportation and delivery.

(4) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized under, and in accordance with, this section and RCW 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

Sec. 8. RCW 69.51A.250 and 2016 c 170 s 2 are each amended to read as follows:

(1) Qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative. No more than four qualifying patients or designated providers may become members of a cooperative under this section and all members must hold valid recognition cards. All members of the cooperative must be at

least twenty-one years old. The designated provider of a qualifying patient who is under twenty-one years old may be a member of a cooperative on the qualifying patient's behalf. All plants grown in the cooperative must be ~~((purchased or cloned))~~ from an immature plant or clone purchased from a licensed marijuana producer as defined in RCW 69.50.101. Cooperatives may also purchase marijuana seeds from a licensed marijuana producer.

(2) Qualifying patients and designated providers who wish to form a cooperative must register the location with the state liquor and cannabis board and this is the only location where cooperative members may grow or process marijuana. This registration must include the names of all participating members and copies of each participant's recognition card. Only qualifying patients or designated providers registered with the state liquor and cannabis board in association with the location may participate in growing or receive useable marijuana or marijuana-infused products grown at that location.

(3) No cooperative may be located in any of the following areas:

(a) Within one mile of a marijuana retailer;

(b) Within the smaller of either:

(i) One thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade that admission to which is not restricted to persons aged twenty-one years or older; or

(ii) The area restricted by ordinance, if the cooperative is located in a city, county, or town that has passed an ordinance pursuant to RCW 69.50.331(8); or

(c) Where prohibited by a city, town, or county zoning provision.

(4) The state liquor and cannabis board must deny the registration of any cooperative if the location does not comply with the requirements set forth in subsection (3) of this section.

(5) If a qualifying patient or designated provider no longer participates in growing at the location, he or she must notify the state liquor and cannabis board within fifteen days of the date the qualifying patient or designated provider ceases participation. The state liquor and cannabis board must remove his or her name

from connection to the cooperative. Additional qualifying patients or designated providers may not join the cooperative until sixty days have passed since the date on which the last qualifying patient or designated provider notifies the state liquor and cannabis board that he or she no longer participates in that cooperative.

(6) Qualifying patients or designated providers who participate in a cooperative under this section:

(a) May grow up to the total amount of plants for which each participating member is authorized on their recognition cards, up to a maximum of sixty plants. At the location, the qualifying patients or designated providers may possess the amount of useable marijuana that can be produced with the number of plants permitted under this subsection, but no more than seventy-two ounces;

(b) May only participate in one cooperative;

(c) May only grow plants in the cooperative and if he or she grows plants in the cooperative may not grow plants elsewhere;

(d) Must provide assistance in growing plants. A monetary contribution or donation is not to be considered assistance under this section. Participants must provide nonmonetary resources and labor in order to participate; and

(e) May not sell, donate, or otherwise provide marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to a person who is not participating under this section.

(7) The location of the cooperative must be the domicile of one of the participants. Only one cooperative may be located per property tax parcel. A copy of each participant's recognition card must be kept at the location at all times.

(8) The state liquor and cannabis board may adopt rules to implement this section including:

(a) Any security requirements necessary to ensure the safety of the cooperative and to reduce the risk of diversion from the cooperative;

(b) A seed to sale traceability model that is similar to the seed to sale traceability model used by licensees that will allow the state liquor and cannabis

board to track all marijuana grown in a cooperative.

(9) The state liquor and cannabis board or law enforcement may inspect a cooperative registered under this section to ensure members are in compliance with this section. The state liquor and cannabis board must adopt rules on reasonable inspection hours and reasons for inspections.

NEW SECTION. Sec. 9. A new section is added to chapter 15.120 RCW to read as follows:

The department and the state liquor and cannabis board must collaboratively study the feasibility and practicality of implementing a legislatively authorized regulatory framework allowing industrial hemp produced in accordance with the requirements of this chapter to be sold or transferred to marijuana processors, licensed under chapter 69.50 RCW, for processing into industrial hemp or marijuana products to be sold at retail for human consumption.

NEW SECTION. Sec. 10. A new section is added to chapter 15.120 RCW to read as follows:

The department is granted the rule-making authority necessary to implement and enforce the provisions of this chapter. This includes the authority to impose monetary penalties, license suspension or forfeiture, or other sanctions for violations of statutory and regulatory requirements. The rules adopted by the department must be consistent with section 7606 of the federal agricultural act of 2014 (128 Stat. 649, 912; 7 U.S.C. Sec. 5940).

NEW SECTION. Sec. 11. A new section is added to chapter 69.51A RCW to read as follows:

Qualifying patients and designated providers, who hold a recognition card and have been entered into the medical marijuana authorization database, may purchase immature plants or clones from a licensed marijuana producer as defined in RCW 69.50.101. Qualifying patients and designated providers may also purchase marijuana seeds from a licensed marijuana producer.

NEW SECTION. Sec. 12. The legislature finds that protecting the state's children, youth, and young adults under the legal age to purchase and consume marijuana, by establishing limited

restrictions on the advertising of marijuana and marijuana products, is necessary to assist the state's efforts to discourage and prevent underage consumption and the potential risks associated with underage consumption. The legislature finds that these restrictions assist the state in maintaining a strong and effective regulatory and enforcement system as specified by the federal government. The legislature finds this act leaves ample opportunities for licensed marijuana businesses to market their products to those who are of legal age to purchase them, without infringing on the free speech rights of business owners. Finally, the legislature finds that the state has a substantial and compelling interest in enacting this act aimed at protecting Washington's children, youth, and young adults.

Sec. 13. RCW 69.50.357 and 2016 c 171 s 1 are each amended to read as follows:

(1) Retail outlets may not sell products or services other than marijuana concentrates, useable marijuana, marijuana-infused products, or paraphernalia intended for the storage or use of marijuana concentrates, useable marijuana, or marijuana-infused products.

(2) Licensed marijuana retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed marijuana retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the state liquor and cannabis board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed marijuana retailers with a medical marijuana endorsement must ensure

that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase marijuana for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) ((Licensed marijuana retailers may not display any signage outside of the licensed premises, other than two signs identifying the retail outlet by the licensee's business or trade name. Each sign must be no larger than one thousand six hundred square inches, be permanently affixed to a building or other structure, and be posted not less than one thousand feet from any elementary school, secondary school, or playground.

~~(5))~~) Except for the purposes of disposal as authorized by the state liquor and cannabis board, no licensed marijuana retailer or employee of a retail outlet may open or consume, or allow to be opened or consumed, any marijuana concentrates, useable marijuana, or marijuana-infused product on the outlet premises.

~~((6))~~) (5) The state liquor and cannabis board must fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated marijuana account created under RCW 69.50.530.

Sec. 14. RCW 69.50.369 and 2015 2nd sp.s. c 4 s 204 are each amended to read as follows:

(1) No licensed marijuana producer, processor, researcher, or retailer may place or maintain, or cause to be placed or maintained, ~~((a))~~ any sign or other advertisement ~~((b))~~ for a marijuana ~~((c))~~ business or marijuana product, including useable marijuana, marijuana concentrates, or ~~((d))~~ marijuana-infused product, in any form or through any medium whatsoever ~~((e))~~

~~((f))~~) within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older ~~((g))~~

(b) On or in a public transit vehicle or public transit shelter; or

(c) On or in a publicly owned or operated property)).

(2) Except for the use of billboards as authorized under this section, licensed marijuana retailers may not display any signage outside of the licensed premises, other than two signs identifying the retail outlet by the licensee's business or trade name, stating the location of the business, and identifying the nature of the business. Each sign must be no larger than one thousand six hundred square inches and be permanently affixed to a building or other structure. The location and content of the retail marijuana signs authorized under this subsection are subject to all other requirements and restrictions established in this section for indoor signs, outdoor signs, and other marijuana-related advertising methods.

(3) A marijuana licensee may not utilize transit advertisements for the purpose of advertising its business or product line. "Transit advertisements" means advertising on or within private or public vehicles and all advertisements placed at, on, or within any bus stop, taxi stand, transportation waiting area, train station, airport, or any similar transit-related location.

(4) A marijuana licensee may not engage in advertising or other marketing practice that specifically targets persons residing outside of the state of Washington.

(5) All signs, billboards, or other print advertising for marijuana businesses or marijuana products must contain text stating that marijuana products may be purchased or possessed only by persons twenty-one years of age or older.

(6) A marijuana licensee may not:

(a) Take any action, directly or indirectly, to target youth in the advertising, promotion, or marketing of marijuana and marijuana products, or take any action the primary purpose of which is to initiate, maintain, or increase the incidence of youth use of marijuana or marijuana products;

(b) Use objects such as toys or inflatables, movie or cartoon characters, or any other depiction or image likely to be appealing to youth, where such objects, images, or depictions indicate an intent to cause youth to become interested in the

purchase or consumption of marijuana products; or

(c) Use or employ a commercial mascot outside of, and in proximity to, a licensed marijuana business. A "commercial mascot" means live human being, animal, or mechanical device used for attracting the attention of motorists and passersby so as to make them aware of marijuana products or the presence of a marijuana business. Commercial mascots include, but are not limited to, inflatable tube displays, persons in costume, or wearing, holding, or spinning a sign with a marijuana-related commercial message or image, where the intent is to draw attention to a marijuana business or its products.

(7) A marijuana licensee that engages in outdoor advertising is subject to the advertising requirements and restrictions set forth in this subsection (7) and elsewhere in this chapter.

(a) All outdoor advertising signs, including billboards, are limited to text that identifies the retail outlet by the licensee's business or trade name, states the location of the business, and identifies the type or nature of the business. Such signs may not contain any depictions of marijuana plants, marijuana products, or images that might be appealing to children. The state liquor and cannabis board is granted rule-making authority to regulate the text and images that are permissible on outdoor advertising. Such rule making must be consistent with other administrative rules generally applicable to the advertising of marijuana businesses and products.

(b) Outdoor advertising is prohibited:

(i) On signs and placards in arenas, stadiums, shopping malls, fairs that receive state allocations, farmers markets, and video game arcades, whether any of the foregoing are open air or enclosed, but not including any such sign or placard located in an adult only facility; and

(ii) Billboards that are visible from any street, road, highway, right-of-way, or public parking area are prohibited, except as provided in (c) of this subsection.

(c) Licensed retail outlets may use a billboard or outdoor sign solely for the purpose of identifying the name of the business, the nature of the business, and providing the public with directional information to the licensed retail outlet.

Billboard advertising is subject to the same requirements and restrictions as set forth in (a) of this subsection.

(d) Advertising signs within the premises of a retail marijuana business outlet that are visible to the public from outside the premises must meet the signage regulations and requirements applicable to outdoor signs as set forth in this section.

(e) The restrictions and regulations applicable to outdoor advertising under this section are not applicable to:

(i) An advertisement inside a licensed retail establishment that sells marijuana products that is not placed on the inside surface of a window facing outward; or

(ii) An outdoor advertisement at the site of an event to be held at an adult only facility that is placed at such site during the period the facility or enclosed area constitutes an adult only facility, but in no event more than fourteen days before the event, and that does not advertise any marijuana product other than by using a brand name to identify the event.

(8) Merchandising within a retail outlet is not advertising for the purposes of this section.

~~((3))~~ (9) This section does not apply to a noncommercial message.

~~((4))~~ (10) (a) The state liquor and cannabis board must:

(i) Adopt rules implementing this section and specifically including provisions regulating the billboards and outdoor signs authorized under this section; and

(ii) Fine a licensee one thousand dollars for each violation of (~~subsection (1) of~~) this section until the state liquor and cannabis board adopts rules prescribing penalties for violations of this section. The rules must establish escalating penalties including fines and up to suspension or revocation of a marijuana license for subsequent violations.

(b) Fines collected under this subsection must be deposited into the dedicated marijuana account created under RCW 69.50.530.

(11) A city, town, or county may adopt rules of outdoor advertising by licensed marijuana retailers that are more restrictive than the advertising

restrictions imposed under this chapter. Enforcement of restrictions to advertising by a city, town, or county is the responsibility of the city, town, or county.

Sec. 15. RCW 69.50.4013 and 2015 2nd sp.s. c 4 s 503 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4)(a) The delivery by a person twenty-one years of age or older to one or more persons twenty-one years of age or older, during a single twenty-four hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following marijuana products, is not a violation of this section, this chapter, or any other provisions of Washington state law:

(i) One-half ounce of useable marijuana;

(ii) Eight ounces of marijuana-infused product in solid form;

(iii) Thirty-six ounces of marijuana-infused product in liquid form; or

(iv) Three and one-half grams of marijuana concentrates.

(b) The act of delivering marijuana or a marijuana product as authorized under this subsection (4) must meet one of the following requirements:

(i) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or

(ii) The marijuana or marijuana product must be in the original packaging as purchased from the marijuana retailer.

(5) No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

~~((5))~~ (6) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

NEW SECTION. Sec. 16. A new section is added to chapter 69.50 RCW to read as follows:

(1) A licensed marijuana business may enter into a licensing agreement, or consulting contract, with any individual, partnership, employee cooperative, association, nonprofit corporation, or corporation, for:

(a) Any goods or services that are registered as a trademark under federal law or under chapter 19.77 RCW;

(b) Any unregistered trademark, trade name, or trade dress; or

(c) Any trade secret, technology, or proprietary information used to manufacture a cannabis product or used to provide a service related to a marijuana business.

(2) All agreements or contracts entered into by a licensed marijuana business, as authorized under this section, must be disclosed to the state liquor and cannabis board.

Sec. 17. RCW 42.56.270 and 2016 sp.s. c 9 s 3, 2016 sp.s. c 8 s 1, and 2016 c

178 s 1 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10) (a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12) (a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described

in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants

under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information;

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4);

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities;

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to RCW 90.56.565(1)(a), and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to RCW 90.56.565;

(24) Financial institution and retirement account information, and building security plan information, supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345, when filed by or on behalf of a licensee or prospective licensee for the purpose of obtaining, maintaining, or renewing a license to produce, process, transport, or sell marijuana as allowed under chapter 69.50 RCW; (~~and~~)

(25) Marijuana transport information, vehicle and driver identification data, and account numbers or unique access identifiers issued to private entities for

traceability system access, submitted by an individual or business to the liquor and cannabis board under the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345 for the purpose of marijuana product traceability. Disclosure to local, state, and federal officials is not considered public disclosure for purposes of this section; (~~and~~)

(26) Financial and commercial information submitted to or obtained by the retirement board of any city that is responsible for the management of an employees' retirement system pursuant to the authority of chapter 35.39 RCW, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the retirement fund or to result in private loss to the providers of this information except that (a) the names and commitment amounts of the private funds in which retirement funds are invested and (b) the aggregate quarterly performance results for a retirement fund's portfolio of investments in such funds are subject to disclosure; (~~and~~)

(27) Proprietary financial, commercial, operations, and technical and research information and data submitted to or obtained by the liquor and cannabis board in applications for marijuana research licenses under RCW 69.50.372, or in reports submitted by marijuana research licensees in accordance with rules adopted by the liquor and cannabis board under RCW 69.50.372; and

(28) Trade secrets, technology, proprietary information, and financial considerations contained in any agreements or contracts, entered into by a licensed marijuana business under section 16 of this act, which may be submitted to or obtained by the state liquor and cannabis board.

NEW SECTION. Sec. 18. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the state liquor and cannabis board.

(2) "Licensee facilities" means any premises regulated by the board for producing, processing, or retailing marijuana or marijuana products.

(3) "Marijuana" has the meaning provided in RCW 69.50.101.

(4) "Marijuana processor" has the meaning provided in RCW 69.50.101.

(5) "Marijuana producer" has the meaning provided in RCW 69.50.101.

(6) "Marijuana products" has the meaning provided in RCW 69.50.101.

(7) "Marijuana retailer" has the meaning provided in RCW 69.50.101.

(8) "Person" means any natural person, firm, partnership, association, private or public corporation, governmental entity, or other business entity.

NEW SECTION. Sec. 19. (1) The department may adopt rules establishing:

(a) Standards for marijuana and marijuana products produced and processed in a manner consistent with, to the extent practicable, 7 C.F.R. Part 205;

(b) A self-sustaining program for certifying marijuana producers and marijuana processors as meeting the standards established under (a) of this subsection; and

(c) Other rules as necessary for administration of this chapter.

(2) To the extent practicable, the program must be consistent with the program established by the director under chapter 15.86 RCW.

(3) The rules must include a fee schedule that will provide for the recovery of the full cost of the program including, but not limited to, application processing, inspections, sampling and testing, notifications, public awareness programs, and enforcement.

NEW SECTION. Sec. 20. (1) No marijuana or marijuana product may be labeled, sold, or represented as produced or processed under the standards established under this chapter unless produced or processed by a person certified by the department under the program established under this chapter.

(2) No person may represent, sell, or offer for sale any marijuana or marijuana products as produced or processed under standards adopted under this chapter if the person knows, or has reason to know, that the marijuana or marijuana product has not been produced or processed in conformance with the standards established under this chapter.

(3) No person may represent, sell, or offer for sale any marijuana or marijuana

products as "organic products" as that term has meaning under chapter 15.86 RCW.

NEW SECTION. Sec. 21. (1) The department may inspect licensee facilities to verify compliance with this chapter and rules adopted under it.

(2) The department may deny, suspend, or revoke a certification provided for in this chapter if the department determines that an applicant or certified person has violated this chapter or rules adopted under it.

(3) The department may impose on and collect from any person who has violated this chapter or rules adopted under it a civil fine not exceeding the total of:

(a) The state's estimated costs of investigating and taking appropriate administrative and enforcement actions for the violation; and

(b) One thousand dollars.

(4) The board may take enforcement actions against a marijuana producer, marijuana processor, or marijuana retailer license issued by the board, including suspension or revocation of the license, when a licensee continues to violate this chapter after revocation of its certification or, if uncertified, receiving written notice from the department of certification requirements.

(5) The provisions of this chapter are cumulative and nonexclusive and do not affect any other remedy at law.

NEW SECTION. Sec. 22. Information about marijuana producers, marijuana processors, and marijuana retailers otherwise exempt from public inspection and copying under chapter 42.56 RCW is also exempt from public inspection and copying if submitted to or used by the department.

NEW SECTION. Sec. 23. All fees collected under this chapter must be deposited in an account within the agricultural local fund. The revenue from the fees must be used solely for carrying out the provisions of this chapter, and no appropriation is required for disbursement from the fund.

NEW SECTION. Sec. 24. (1) The state liquor and cannabis board must conduct a study of regulatory options for the legalization of marijuana plant possession and cultivation by recreational marijuana users. In conducting the study, the state liquor and cannabis board must consider

the federal guidelines provided by the Cole memorandum, issued by the United States department of justice on August 29, 2013, which allows individual states to implement marijuana legalization policies, provided such states enact strong and effective regulatory and enforcement systems that address public safety, public health, and law enforcement concerns as outlined in the memorandum.

(2) Not later than December 1, 2017, the state liquor and cannabis board must provide the appropriate committees of the legislature written findings and recommendations regarding the adoption and implementation of a regulatory and enforcement system for the legalization of marijuana plant possession and cultivation by recreational marijuana users, in light of the guidelines set forth in the federal Cole memorandum.

(3) The study, findings, and recommendations required under this section must be done through the use of the existing resources of the state liquor and cannabis board.

NEW SECTION. Sec. 25. This act applies prospectively only and not retroactively. It applies only to causes of action that arise (if change is substantive) or that are commenced (if change is procedural) on or after the effective date of this section.

NEW SECTION. Sec. 26. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 27. Sections 18 through 23 of this act constitute a new chapter in Title 15 RCW."

On page 1, line 5 of the title, after "requirements;" strike the remainder of the title and insert "amending RCW 69.50.325, 69.50.331, 69.50.372, 66.08.100, 69.50.366, 69.50.382, 69.51A.250, 69.50.357, 69.50.369, and 69.50.4013; reenacting and amending RCW 69.50.101 and 42.56.270; adding new sections to chapter 15.120 RCW; adding a new section to chapter 69.51A RCW; adding a new section to chapter 69.50 RCW; adding a new chapter to Title 15 RCW; creating new sections; and prescribing penalties."

Senators Baumgartner, Keiser and Rivers
Representatives Sawyer, Schmick and Springer

There being no objection, the House adopted the conference committee report on ENGROSSED SUBSTITUTE SENATE BILL NO. 5131 and advanced the bill as recommended by the conference committee to final passage.

**FINAL PASSAGE OF HOUSE BILL AS
RECOMMENDED BY CONFERENCE COMMITTEE**

Representatives Sawyer and Condotta spoke in favor of the passage of the bill as recommended by the conference committee.

Representative Klippert spoke against the passage of the bill as recommended by the conference committee.

The Speaker (Representative Lovick presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 5131 as recommended by the conference committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5131, as recommended by the conference committee, and the bill passed the House by the following votes: Yeas, 63; Nays, 33; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Holy, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lytton, MacEwen, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Buys, Chandler, Dent, Dye, Haler, Hargrove, Harmsworth, Hayes, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pellicciotti, Pike, Reeves, Rodne, Schmick, Shea, Smith, Taylor and Van Werven.

Excused: Representatives DeBolt and Irwin.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5131, as recommended by the conference committee, having received the constitutional majority, was declared passed.

There being no objection, the bills previously acted upon were immediately transmitted to the Senate.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1017

HOUSE BILL NO. 1337
 SUBSTITUTE HOUSE BILL NO. 1353
 SUBSTITUTE HOUSE BILL NO. 1445
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1547
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1819
 SUBSTITUTE HOUSE BILL NO. 1863
 SUBSTITUTE HOUSE BILL NO. 1902
 HOUSE BILL NO. 1965
 SUBSTITUTE SENATE BILL NO. 5035
 SENATE BILL NO. 5049
 SUBSTITUTE SENATE BILL NO. 5081
 SUBSTITUTE SENATE BILL NO. 5100
 SENATE BILL NO. 5119
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5173
 SENATE BILL NO. 5274
 SECOND SUBSTITUTE SENATE BILL NO. 5285
 SUBSTITUTE SENATE BILL NO. 5289
 SENATE BILL NO. 5336
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5338
 SENATE BILL NO. 5391
 SUBSTITUTE SENATE BILL NO. 5402
 SUBSTITUTE SENATE BILL NO. 5404
 SENATE BILL NO. 5436
 SENATE BILL NO. 5437
 SENATE BILL NO. 5454
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5470
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5552
 SENATE BILL NO. 5581
 SUBSTITUTE SENATE BILL NO. 5618
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5628
 SENATE BILL NO. 5632
 SENATE BILL NO. 5635
 SUBSTITUTE SENATE BILL NO. 5644
 ENGROSSED SENATE BILL NO. 5647
 SENATE BILL NO. 5661
 ENGROSSED SENATE BILL NO. 5665
 SENATE BILL NO. 5691
 SUBSTITUTE SENATE BILL NO. 5705
 SUBSTITUTE SENATE BILL NO. 5713
 SENATE BILL NO. 5715
 SENATE BILL NO. 5778
 SUBSTITUTE SENATE BILL NO. 5779
 SUBSTITUTE SENATE BILL NO. 5790
 SUBSTITUTE SENATE BILL NO. 5806
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5808
 SUBSTITUTE SENATE BILL NO. 5815
 ENGROSSED SENATE BILL NO. 5834
 SENATE BILL NO. 5849

The Speaker called upon Representative Lovick to
 preside.

THIRD READING

MESSAGE FROM THE SENATE

April 19, 2017

MR. SPEAKER:

The Senate insists on its position on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109 and asks the House to concur.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House insisted on its position regarding the Senate amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109 and again asked the Senate to concur thereon.

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

MESSAGE FROM THE SENATE

April 13, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 5008 and asks the House to recede therefrom,

and the same is herewith transmitted.

Paul Campos, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SENATE BILL NO. 5008 was returned to second reading for the purpose of amendment.

SECOND READING

ENGROSSED SENATE BILL NO. 5008, by Senators King, Hunt, Sheldon, Hobbs, Mullet and Warnick

Facilitating compliance with the federal REAL ID act by modifying driver's license and identicard design and fees.

Representative Clibborn moved the adoption of the striking amendment (572):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 46.20 RCW to read as follows:

(1) Beginning July 1, 2018, except for enhanced drivers' licenses and identicards issued under RCW 46.20.202, the department

must mark a driver's license or identicard issued under this chapter in accordance with the requirements of 6 C.F.R. Sec. 37.71 as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(2) The department must adopt rules necessary to implement this section.

NEW SECTION. **Sec. 2.** A new section is added to chapter 46.20 RCW to read as follows:

(1) A driver's license or identicard issued with the design features required in section 1 of this act may not be used as evidence of or as a basis to infer an individual's citizenship or immigration status for any purpose.

(2) The presence of the design features required in section 1 of this act on a person's driver's license or identicard may not be used as a basis for the criminal investigation, arrest, or detention of that person in circumstances where a person with a driver's license or identicard without these design features would not be criminally investigated, arrested, or detained.

Sec. 3. RCW 46.20.202 and 2016 c 32 s 2 are each amended to read as follows:

(1) The department may enter into a memorandum of understanding with any federal agency for the purposes of facilitating the crossing of the border between the state of Washington and the Canadian province of British Columbia.

(2) The department may enter into an agreement with the Canadian province of British Columbia for the purposes of implementing a border-crossing initiative.

(3)(a) The department may issue an enhanced driver's license or identicard for the purposes of crossing the border between the state of Washington and the Canadian province of British Columbia to an applicant who provides the department with proof of: United States citizenship, identity, and state residency. The department shall continue to offer a standard driver's license and identicard. If the department chooses to issue an enhanced driver's license, the department must allow each applicant to choose between a standard driver's license or identicard, or an enhanced driver's license or identicard.

(b) The department shall implement a one-to-many biometric matching system for the enhanced driver's license or identicard. An applicant for an enhanced driver's license or identicard shall submit a biometric identifier as designated by the department. The biometric identifier must be used solely for the purpose of verifying the identity of the holders and for any purpose set out in RCW 46.20.037. Applicants are required to sign a declaration acknowledging their understanding of the one-to-many biometric match.

(c) The enhanced driver's license or identicard must include reasonable security measures to protect the privacy of Washington state residents, including reasonable safeguards to protect against unauthorized disclosure of data about Washington state residents. If the enhanced driver's license or identicard includes a radio frequency identification chip, or similar technology, the department shall ensure that the technology is encrypted or otherwise secure from unauthorized data access.

(d) The requirements of this subsection are in addition to the requirements otherwise imposed on applicants for a driver's license or identicard. The department shall adopt such rules as necessary to meet the requirements of this subsection. From time to time the department shall review technological innovations related to the security of identity cards and amend the rules related to enhanced driver's licenses and identicards as the director deems consistent with this section and appropriate to protect the privacy of Washington state residents.

(e) Notwithstanding RCW 46.20.118, the department may make images associated with enhanced drivers' licenses or identicards from the negative file available to United States customs and border agents for the purposes of verifying identity.

(4)((a) Between July 15, 2015, and June 30, 2016, the fee for an enhanced driver's license or enhanced identicard is eighteen dollars, which is in addition to the fees for any regular driver's license or identicard. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the fee for each class is three dollars for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended.

~~(b))~~ Beginning ~~((July 1, 2016))~~ on the effective date of this section, the fee for an enhanced driver's license or enhanced identicard is ~~((fifty-four))~~ twenty-four dollars, which is in addition to the fees for any regular driver's license or identicard. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the fee for each class is ~~((nine))~~ four dollars for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended.

(5) The enhanced driver's license and enhanced identicard fee under this section must be deposited into the highway safety fund unless prior to July 1, 2023, the actions described in (a) or (b) of this subsection occur, in which case the portion of the revenue that is the result of the fee increased in section 209, chapter 44, Laws of 2015 3rd sp. sess. must be distributed to the connecting Washington account created under RCW 46.68.395.

(a) Any state agency files a notice of rule making under chapter 34.05 RCW for a rule regarding a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(b) Any state agency otherwise enacts, adopts, orders, or in any way implements a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(c) Nothing in this subsection acknowledges, establishes, or creates legal authority for the department of ecology or any other state agency to enact, adopt, order, or in any way implement a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

NEW SECTION. Sec. 4. RCW 43.41.390 (Implementation of federal REAL ID Act of 2005) and 2007 c 85 s 1 are each repealed."

Correct the title.

Representatives Clibborn and Orcutt spoke in favor of the adoption of the striking amendment (572).

Amendment (572) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn, Orcutt, Tarleton and Hargrove spoke in favor of the passage of the bill, as amended by the House.

Representatives Klippert and Volz spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5008, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5008, as amended by the House, and the bill passed the House by the following vote:Yeas, 55; Nays, 41; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Goodman, Graves, Griffey, Hansen, Hayes, Hudgins, Jenkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kristiansen, Lovick, Lytton, MacEwen, McBride, McCabe, Orcutt, Ormsby, Orwall, Pellicciotti, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Steele, Stokesbary, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Caldier, Chandler, Condotta, Dent, Frame, Gregerson, Haler, Hargrove, Harmsworth, Harris, Holy, Jenkin, Klippert, Kraft, Kretz, Macri, Manweller, Maycumber, McCaslin, McDonald, Morris, Muri, Nealey, Ortiz-Self, Peterson, Pike, Rodne, Santos, Schmick, Shea, Smith, Stanford, Stonier, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives DeBolt and Irwin.

ENGROSSED SENATE BILL NO. 5008, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED SENATE BILL NO. 5008 was immediately transmitted to the Senate.

SENATE BILL NO. 5130, by Senators Rivers, Conway and Chase

Increasing marijuana license fees and adding a temporary additional fee on marijuana licenses issued by the Washington state liquor and cannabis board.

The bill was read the second time.

Representative Senn moved the adoption of amendment (573):

On page 5, after line 20, insert the following:

"NEW SECTION. **Sec. 4.** Marijuana moneys must be distributed to counties, cities, and towns in the same proportion

as funding is distributed pursuant to RCW 69.50.540(2)(g)(i)."

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

Correct the title.

POINT OF ORDER

Representative Tarleton requested a scope and object ruling on amendment (573) to Senate Bill No. 5130

SPEAKER'S RULING

Mr. Speaker (Representative Orwall presiding): *The title of Senate Bill 5130 is "an act relating to increasing marijuana license fees and adding a temporary additional fee on marijuana licenses issued by the Washington State Liquor and Cannabis Board."*

The amendment does not relate to increasing marijuana fees; it relates to the distribution of marijuana monies to local governments.

The Speaker therefore finds and rules that the amendment is outside the scope of the bill as defined by its title.

The point of order is well taken.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5130.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5130, as amended by the House, and the bill passed the House by the following vote:Yeas, 71; Nays, 25; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hayes, Hudgins, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Dye, Griffey, Haler, Hargrove, Harmsworth,

Holy, Koster, Kraft, Kretz, Kristiansen, Maycumber, McCabe, McCaslin, Orcutt, Pike, Rodne, Schmick, Shea, Taylor, Van Werven, Volz and Young. \par Excused: Representatives DeBolt and Irwin.

SENATE BILL NO. 5130, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 20, 2017

Mr. Speaker:

The Senate receded from its amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109. Under suspension of the rules, the bill was returned to second reading for purpose of amendment. The Senate adopted the following amendment and passed the bill as amended by the Senate:

Strike everything after the enacting clause and insert the following:

"PART I - WASHINGTON SEXUAL ASSAULT KIT INITIATIVE PROJECT

NEW SECTION. **Sec. 1.** A new section is added to chapter 36.28A RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs shall establish and administer the Washington sexual assault kit initiative project.

(2) The project is created for the purpose of providing funding through a competitive grant program to support multidisciplinary community response teams engaged in seeking a just resolution to sexual assault cases resulting from evidence found in previously unsubmitted sexual assault kits.

(3) In administering the project, the Washington association of sheriffs and police chiefs has the following powers and duties:

(a) Design and implement the grant project with the elements included in this section;

(b) Screen and select eligible applicants to receive grants;

(c) Award grants and disburse funds to at least two eligible applicants, at least one located in western Washington and at least one located in eastern Washington;

(d) Adopt necessary policies and procedures to implement and administer the program;

(e) Monitor use of grant funds and compliance with the grant requirements;

(f) Create and implement reporting requirements for grant recipients;

(g) Facilitate the hosting of a sexual assault kit summit in the state of Washington through a grant recipient or directly through the Washington association of sheriffs and police chiefs, subject to the availability of funds, which may include a combination of public and private dollars allocated for the particular purpose; and

(h) Report to the appropriate committees of the legislature, the joint legislative task force on sexual assault forensic examination best practices, and the governor by December 1, 2017, and each December 1st of each subsequent year the project is funded and operating, regarding the status of grant awards, the progress of the grant recipients toward the identified goals in this section, the data required by subsection (4) of this section, and any other relevant information or recommendations related to the project or sexual assault kit policies.

(4) Grant recipients must:

(a) Perform an inventory of all unsubmitted sexual assault kits in the jurisdiction's possession regardless of where they are stored and submit those sexual assault kits for forensic analysis through the Washington state patrol or another laboratory with the permission of the Washington state patrol;

(b) Establish a multidisciplinary cold case or sexual assault investigation team or teams for follow-up investigations and prosecutions resulting from evidence from the testing of previously unsubmitted sexual assault kits. Cold case or sexual assault investigative teams must: Include prosecutors, law enforcement, and victim advocates for the duration of the project; use victim-centered, trauma-informed protocols, including for victim notification; and use protocols and

policies established by the Washington association of sheriffs and police chiefs. The grant funds may support personnel costs, including hiring and overtime, to allow for adequate follow-up investigations and prosecutions. Grant awards must be prioritized for eligible applicants with a commitment to colocate assigned prosecutors, law enforcement, and victim advocates for the duration of the grant program;

(c) Require participants in the multidisciplinary cold case or sexual assault investigation team or teams to participate in and complete specialized training for victim-centered, trauma-informed investigation and prosecutions;

(d) Identify and address individual level, organizational level, and systemic factors that lead to unsubmitted sexual assault kits in the jurisdiction and development of a comprehensive strategy to address the issues, including effecting changes in practice, protocol, and organizational culture, and implementing evidence-based, victim-centered, trauma-informed practices and protocols;

(e) Appoint an informed representative to attend meetings of and provide information and assistance to the joint legislative task force on sexual assault forensic examination best practices;

(f) Identify and maintain consistent, experienced, and committed leadership of their sexual assault kit initiative; and

(g) Track and report the following data to the Washington association of sheriffs and police chiefs, in addition to any data required by the Washington association of sheriffs and police chiefs: The number of kits inventoried; the dates collected and submitted for testing; the number of kits tested; the number of kits with information eligible for entry into the combined DNA index system; the number of combined DNA index system hits; the number of identified suspects; including serial perpetrators; the number of investigations conducted and cases reviewed; the number of charges filed; and the number of convictions.

(5) Subject to the availability of amounts appropriated for this specific purpose, the project may also allocate funds for grant recipients to:

(a) Create and employ training in relation to sexual assault evidence, victimization and trauma response, and other related topics to improve the

quality and outcomes of sexual assault investigations and prosecutions;

(b) Enhance victim services and support for past and current victims of sexual assault; or

(c) Develop evidence collection, retention, victim notification, and other protocols needed to optimize data sharing, case investigation, prosecution, and victim support.

(6) For the purposes of this section:

(a) "Eligible applicants" include: Law enforcement agencies, units of local government, or combination of units of local government, prosecutor's offices, or a governmental nonlaw enforcement agency acting as fiscal agent for one of the previously listed types of eligible applicants. A combination of jurisdictions, including contiguous jurisdictions of multiple towns, cities, or counties, may create a task force or other entity for the purposes of applying for and receiving a grant, provided that the relevant prosecutors and law enforcement agencies are acting in partnership in complying with the grant requirements.

(b) "Project" means the Washington sexual assault kit initiative project created in this section.

(c) "Unsubmitted sexual assault kit" are sexual assault kits that have not been submitted to a forensic laboratory for testing with the combined DNA index system-eligible DNA methodologies as of the effective date of the mandatory testing law in RCW 70.125.090. Unsubmitted sexual assault kits includes partially tested sexual assault kits, which are sexual assault kits that have only been subjected to serological testing, or that have previously been tested only with noncombined DNA index system-eligible DNA methodologies. The project does not include untested sexual assault kits that have been submitted to forensic labs for testing with combined DNA index system-eligible DNA methodologies but are delayed for testing as a result of a backlog of work in the laboratory.

Sec. 2. 2015 c 247 s 2 (uncodified) is amended to read as follows:

(1)(a) ~~((A))~~ The joint legislative task force on sexual assault forensic examination best practices is established ~~((to review))~~ for the purpose of reviewing best practice models for managing all

aspects of sexual assault examinations and for reducing the number of untested sexual assault examination kits in Washington state that were collected prior to the effective date of this section.

(i) The caucus leaders from the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The caucus leaders from the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall jointly appoint:

(A) One member representing each of the following:

(I) The Washington state patrol;

(II) The Washington association of sheriffs and police chiefs;

(III) The Washington association of prosecuting attorneys;

(IV) The Washington defender association or the Washington association of criminal defense lawyers;

(V) The Washington association of cities;

(VI) The Washington association of county officials;

(VII) The Washington coalition of sexual assault programs;

(VIII) The office of crime victims advocacy;

(IX) The Washington state hospital association;

(X) The Washington state forensic investigations council;

(XI) A public institution of higher education as defined in RCW 28B.10.016; (~~and~~)

(XII) A private higher education institution as defined in RCW 28B.07.020; and

(XIII) The office of the attorney general; and

(B) Two members representing survivors of sexual assault.

(b) The task force shall choose two cochairs from among its legislative membership. The legislative membership shall convene the initial meeting of the task force.

(2) The duties of the task force include, but are not limited to:

(a) Researching and determining the number of untested sexual assault examination kits in Washington state;

(b) Researching the locations where the untested sexual assault examination kits are stored;

(c) Researching, reviewing, and making recommendations regarding legislative policy options for reducing the number of untested sexual assault examination kits;

(d) Researching the best practice models both in state and from other states for collaborative responses to victims of sexual assault from the point the sexual assault examination kit is collected to the conclusion of the investigation and providing recommendations regarding any existing gaps in Washington and resources that may be necessary to address those gaps; and

(e) Researching, identifying, and making recommendations for securing nonstate funding for testing the sexual assault examination kits, and reporting on progress made toward securing such funding.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force meetings and expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The first meeting of the task force must occur prior to October 1, 2015. The task force shall submit a preliminary report regarding its initial findings and recommendations to the appropriate committees of the legislature and the governor no later than December 1, 2015.

(7) The task force must meet no less than twice annually.

(8) The task force shall report its findings and recommendations to the appropriate committees of the legislature and the governor by September 30, 2016, and by ((September 30th)) December 1st of ((each subsequent)) the following year.

(9) This section expires June 30, 2018.

PART II - TRAINING

NEW SECTION. Sec. 3. A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall provide ongoing specialized, intensive, and integrative training for persons responsible for investigating sexual assault cases involving adult victims. The training must be based on a victim-centered, trauma-informed approach to responding to sexual assault. Among other subjects, the training must include content on the neurobiology of trauma and trauma-informed interviewing, counseling, and investigative techniques.

(2) The training must: Be based on research-based practices and standards; offer participants an opportunity to practice interview skills and receive feedback from instructors; minimize the trauma of all persons who are interviewed during abuse investigations; provide methods of reducing the number of investigative interviews necessary whenever possible; assure, to the extent possible, that investigative interviews are thorough, objective, and complete; recognize needs of special populations; recognize the nature and consequences of victimization; require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; address record retention and retrieval; and address documentation of investigative interviews.

(3) In developing the training, the commission shall seek advice from the Washington association of sheriffs and police chiefs, the Washington coalition of sexual assault programs, and experts on sexual assault and the neurobiology of trauma. The commission shall consult with the Washington association of prosecuting attorneys in an effort to design training containing consistent elements for all professionals engaged in interviewing and interacting with sexual assault victims in the criminal justice system.

(4) The commission shall develop the training and begin offering it by July 1, 2018. Officers assigned to regularly investigate sexual assault involving adult victims shall complete the training within one year of being assigned or by July 1, 2020, whichever is later.

NEW SECTION. Sec. 4. A new section is added to chapter 43.101 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the commission shall incorporate victim-centered, trauma-informed approaches to policing in the basic law enforcement training curriculum. In modifying the curriculum, the commission shall seek advice from the Washington coalition of sexual assault programs and other experts on sexual assault and the neurobiology of trauma.

NEW SECTION. Sec. 5. A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall develop training on a victim-centered, trauma-informed approach to interacting with victims and responding to sexual assault calls. The curriculum must: Be designed for commissioned patrol officers not regularly assigned to investigate sexual assault cases; be designed for deployment and use within individual law enforcement agencies; include features allowing for it to be used in different environments, which may include multimedia or video components; allow for law enforcement agencies to host it in small segments at different times over several days or weeks, including roll calls. The training must include components on available resources for victims including, but not limited to, material on and references to community-based victim advocates.

(2) In developing the training, the commission shall seek advice from the Washington association of sheriffs and police chiefs, the Washington coalition of sexual assault programs, and experts on sexual assault and the neurobiology of trauma.

(3) Beginning in 2018, all law enforcement agencies shall annually host the training for commissioned peace officers. All law enforcement agencies shall, to the extent feasible, consult with and feature local community-based victim advocates during the training.

PART III - FUNDING

NEW SECTION. Sec. 6. (1) The sexual assault prevention and response account is created in the state treasury. All legislative appropriations and transfers; gifts, grants, and other donations; and all other revenues directed to the account must be deposited into the sexual assault prevention and response account. Moneys in the account may only be spent after appropriation.

(2) The legislature must prioritize appropriations from the account for: The Washington sexual assault kit initiative project created in section 1 of this act; the office of crime victims advocacy for the purpose of providing support and services, including educational and vocational training, to victims of sexual assault and trafficking; victim-centered, trauma-informed training for prosecutors, law enforcement, and victim advocates, including, but not limited to, the training in sections 3 through 5 of this act; the Washington state patrol for the purpose of funding the statewide sexual assault kit tracking system and funding the forensic analysis of sexual assault kits.

Sec. 7. RCW 43.330.470 and 2016 c 173 s 9 are each amended to read as follows:

(1) The Washington sexual assault kit program is created within the department for the purpose of accepting private funds ~~((conducting))~~ to fund forensic analysis of sexual assault kits in the possession of law enforcement agencies but not submitted for analysis as of July 24, 2015, and to fund other related programs aimed at improving the public's response to sexual assault. The director may accept gifts, grants, donations, or moneys from any source for deposit in the Washington sexual assault kit account created under subsection (2) of this section.

(2) The Washington sexual assault kit account is created in the custody of the state treasurer. Funds deposited in the Washington sexual assault kit account may be used for the Washington sexual assault kit program established under this section. The Washington sexual assault kit account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(3) Except when otherwise specified, public funds deposited in the Washington sexual assault kit account must be

transferred and used exclusively for the following:

(a) Eighty-five percent of the funds for the Washington state patrol bureau of forensic laboratory services for the purpose of conducting forensic analysis of sexual assault kits in the possession of law enforcement agencies but not submitted for forensic analysis as of July 24, 2015; and

(b) Fifteen percent of the funds for the office of crime victims advocacy in the department for the purpose of funding grants for sexual assault nurse examiner services and training.

(4) (a) Except as otherwise provided in (b) of this subsection, private funds donated to and deposited in the Washington sexual assault kit account must be transferred and used exclusively for the following:

(i) Thirty percent for the Washington association of sheriffs and police chiefs for the purpose of funding the Washington sexual assault kit initiative project created in section 1 of this act;

(ii) Thirty percent for the Washington state patrol bureau of forensic laboratory services for the purpose of conducting forensic analysis of sexual assault kits in the possession of law enforcement agencies but not submitted for forensic analysis as of July 24, 2015, unless the Washington state patrol bureau of forensic laboratory services deems that the funds are not necessary for this purpose, in which case the funds shall be divided equally for the purposes outlined in (a) (i), (iii), and (iv) of this subsection;

(iii) Thirty percent for the criminal justice training commission for the training in sections 3 through 5 of this act;

(iv) Ten percent for the office of crime victims advocacy in the department for the purpose of providing services to victims of sexual assault and training for professionals interacting with and providing services to victims of sexual assault.

(b) With the consent of the department, a grantor of funds may enter into an agreement with the department for a different allocation of funds specified in (a) of this subsection, provided that the funds are distributed for the purpose of the program created in this section.

Within thirty days of entering into an agreement under this subsection (4)(b), the department shall notify the sexual assault forensic examination best practices task force and the appropriate committees of the legislature.

(5) This section expires June 30, 2022.

Sec. 8. RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and 2016 c 112 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund

with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway

infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1

account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation future funding program account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall

receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. **Sec. 9.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

On page 1, line 1 of the title, after "assault;" strike the remainder of the title and insert "amending RCW 43.330.470; amending 2015 c 247 s 2 (uncodified); reenacting and amending RCW 43.84.092; adding a new section to chapter 36.28A RCW; adding new sections to chapter 43.101 RCW; and creating new sections."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Klippert spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1109, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1109, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald,

Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives DeBolt and Irwin.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5037, by Senators Padden, Frockt, O'Ban, Darnelle, Miloscia, Kuderer, Zeiger, Carlyle, Pearson, Conway, Rolfes, Palumbo, Angel and Wellman

Making a fourth driving under the influence offense a felony.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman, Klippert, McDonald, McCaslin, Orwall and Dent spoke in favor of the passage of the bill.

Representatives Cody and Appleton spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5037.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5037, and the bill passed the House by the following vote: Yeas, 85; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Goodman, Graves, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Jinkins, Johnson, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Rodne, Ryu, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Cody, Frame, Gregerson, Hudgins, Kagi, Lytton, Morris, Ormsby, Robinson and Santos.

Excused: Representatives DeBolt and Irwin.

SENATE BILL NO. 5037, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:00 a.m., April 21, 2017, the 103rd Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

ONE HUNDRED THIRD DAY

House Chamber, Olympia, Friday, April 21, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 20, 2017

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Audrey Glatthaar and McKenna Bradbury. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Tammy Stamfli, United Churches, Olympia, Washington.

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5081,
SUBSTITUTE SENATE BILL NO. 5289,
SUBSTITUTE SENATE BILL NO. 5815,

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the third order of business.

April 20, 2017

MESSAGE FROM THE SENATE

April 20, 2017

MR. SPEAKER:

MR. SPEAKER:

The President has signed:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 5131, and has passed the bill as recommended by the Conference Committee.

Hunter G. Goodman, Secretary

April 20, 2017

MR. SPEAKER:

SUBSTITUTE HOUSE BILL NO. 1038,
SUBSTITUTE HOUSE BILL NO. 1055,
SUBSTITUTE HOUSE BILL NO. 1079,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1115,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1136,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1163,
SECOND SUBSTITUTE HOUSE BILL NO. 1170,
SUBSTITUTE HOUSE BILL NO. 1183,
SUBSTITUTE HOUSE BILL NO. 1184,
SUBSTITUTE HOUSE BILL NO. 1200,
SUBSTITUTE HOUSE BILL NO. 1273,
SUBSTITUTE HOUSE BILL NO. 1275,
SUBSTITUTE HOUSE BILL NO. 1279,
SUBSTITUTE HOUSE BILL NO. 1314,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1358,
SECOND SUBSTITUTE HOUSE BILL NO. 1402,
SUBSTITUTE HOUSE BILL NO. 1464,
SUBSTITUTE HOUSE BILL NO. 1467,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594,
ENGROSSED HOUSE BILL NO. 1595,
SUBSTITUTE HOUSE BILL NO. 1605,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1612,
SUBSTITUTE HOUSE BILL NO. 1641,
SUBSTITUTE HOUSE BILL NO. 1867,
ENGROSSED HOUSE BILL NO. 2005,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2126,

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SENATE BILL NO. 5008,
SUBSTITUTE SENATE BILL NO. 5018,
SENATE BILL NO. 5268,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5388,
SUBSTITUTE SENATE BILL NO. 5589,
SENATE BILL NO. 5762,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 20, 2017

MR. SPEAKER:

and the same are herewith transmitted.

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2202,

Hunter G. Goodman, Secretary

April 20, 2017

Referred to Committee on Appropriations.

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1017,
HOUSE BILL NO. 1337,
SUBSTITUTE HOUSE BILL NO. 1353,
SUBSTITUTE HOUSE BILL NO. 1445,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1547,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1819,
SUBSTITUTE HOUSE BILL NO. 1863,
SUBSTITUTE HOUSE BILL NO. 1902,
HOUSE BILL NO. 1965,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 20, 2017

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s)
to ENGROSSED SUBSTITUTE SENATE BILL NO. 5033
and asks the House to recede therefrom.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the
fourth order of business.

INTRODUCTION & FIRST READING

HB 2206 by Representatives Pollet, Dolan and Kloba

AN ACT Relating to taxation of transportation network
companies; amending RCW 82.04.050; and adding a
new chapter to Title 46 RCW.

Referred to Committee on Transportation.

HCR 4403 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4404 by Representatives Sullivan and Kretz

Adjourning SINE DIE.

2ESB 5867 by Senator Braun

AN ACT Relating to creating a flexible voluntary
program to allow family members to provide personal
care services to persons with developmental disabilities
or long-term care needs under a consumer-directed
medicaid service program; amending RCW
74.39A.074, 74.39A.076, 74.39A.240, 74.39A.341,
and 18.88B.041; adding new sections to chapter
74.39A RCW; and creating a new section.

There being no objection, the bills listed on the day's
introduction sheet under the fourth order of business were
referred to the committees so designated, with the exception
of HOUSE CONCURRENT RESOLUTION NO. 4403 and
HOUSE CONCURRENT RESOLUTION NO. 4404 which
were read the first time, and under suspension of the rules,
were placed on the second reading calendar.

There being no objection, the House advanced to the
sixth order of business.

SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO.
5810, by Senate Committee on Law & Justice (originally
sponsored by Senator Padden)**

**Adding attempted murder to the list of offenses that
may be prosecuted at any time after their commission.
Revised for 1st Substitute: Adding attempted murder to
the list of offenses that may not be prosecuted more than
ten years their commission.**

The bill was read the second time.

There being no objection, the rules were suspended, the
second reading considered the third and the bill was placed
on final passage.

Representatives Goodman, Klippert, Van Werven and
Buys spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Riccelli, Representative
Pollet was excused.

On motion of Representative Hayes, Representative
Rodne was excused.

The Speaker (Representative Lovick presiding) stated
the question before the House to be the final passage of
Engrossed Substitute Senate Bill No. 5810.

ROLL CALL

The Clerk called the roll on the final passage of
Engrossed Substitute Senate Bill No. 5810, and the bill
passed the House by the following vote: Yeas, 96; Nays, 0;
Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis,
Bergquist, Blake, Buys, Caldier, Chandler, Chapman,
Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan,
Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves,
Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,
Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins,
Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster,
Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri,
Manweller, Maycumber, McBride, McCabe, McCaslin,
McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-

Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5810, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 20, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1501 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 9.41 RCW to read as follows:

(1) A dealer shall report to the Washington association of sheriffs and police chiefs information on each instance where the dealer denies an application for the purchase or transfer of a firearm, whether under RCW 9.41.090 or 9.41.113, or the requirements of federal law, as the result of a background check or completed and submitted firearm purchase or transfer application that indicates the applicant is ineligible to possess a firearm under state or federal law. The dealer shall report the denied application information to the Washington association of sheriffs and police chiefs within five days of the denial in a format as prescribed by the Washington association of sheriffs and police chiefs. The reported information must include the identifying information of the applicant, the date of the application and denial of the application, and other information or documents as prescribed by the Washington association of sheriffs and police chiefs. In any case where the purchase or transfer of a firearm is initially denied by the dealer as the result of a background check that indicates the applicant is ineligible to possess a firearm, but the purchase or transfer is subsequently approved, the dealer shall report the subsequent approval to the Washington association of

sheriffs and police chiefs within one day of the approval.

(2) Upon denying an application for the purchase or transfer of a firearm as a result of a background check or completed and submitted firearm purchase or transfer application that indicates the applicant is ineligible to possess a firearm under state or federal law, the dealer shall:

(a) Provide the applicant with a copy of a notice form generated and distributed by the Washington state patrol under section 3(5) of this act, informing denied applicants of their right to appeal the denial; and

(b) Retain the original records of the attempted purchase or transfer of a firearm for a period not less than six years.

NEW SECTION. Sec. 2. A new section is added to chapter 36.28A RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs must create and maintain an electronic portal for a dealer, as defined in RCW 9.41.010, to report the information as required pursuant to section 1 of this act pertaining to persons who have applied for the purchase or transfer of a firearm and were denied as the result of a background check or completed and submitted firearm purchase or transfer application that indicates the applicant is ineligible to possess a firearm under state or federal law.

(2) Upon receipt of information from a dealer pursuant to section 1 of this act that a person originally denied the purchase or transfer of a firearm as the result of a background check that indicates the applicant is ineligible to possess a firearm has subsequently been approved for the purchase or transfer, the Washington association of sheriffs and police chiefs must purge any record of the person's denial in its possession and inform the Washington state patrol and any local law enforcement agency participating in the grant program created in section 6 of this act of the subsequent approval of the purchase or transfer.

(3) Information and records prepared, owned, used, or retained by the Washington state patrol or the Washington association of sheriffs and police chiefs pursuant to

this act are exempt from public inspection and copying under chapter 42.56 RCW.

(4) The Washington association of sheriffs and police chiefs must destroy the information and data reported by a dealer pursuant to this act upon its satisfaction that the information and data is no longer necessary to carry out its duties pursuant to this act.

NEW SECTION. Sec. 3. A new section is added to chapter 43.43 RCW to read as follows:

(1) Upon receipt of the information from the Washington association of sheriffs and police chiefs pursuant to section 2 of this act, the Washington state patrol must incorporate the information into its electronic database accessible to law enforcement agencies and officers, including federally recognized Indian tribes, that have a connection to the Washington state patrol electronic database.

(2) Upon receipt of documentation that a person has appealed a background check denial, the Washington state patrol shall immediately remove the record of the person initially reported pursuant to section 2 of this act from its electronic database accessible to law enforcement agencies and officers. The Washington state patrol must keep a separate record of the person's information for a period of one year or until such time as the appeal has been resolved. Every twelve months, the Washington state patrol shall notify the person that the person must provide documentation that his or her appeal is still pending or the record of the person's background check denial will be put back in its electronic database accessible to law enforcement agencies and officers. At any time, upon receipt of documentation that a person's appeal has been granted, the Washington state patrol shall remove any record of the person's denied firearms purchase or transfer application from its electronic database accessible to law enforcement agencies and officers.

(3) Upon receipt of satisfactory proof that a person who was reported to the Washington state patrol pursuant to section 2 of this act is no longer ineligible to possess a firearm under state or federal law, the Washington state patrol must remove any record of the person's denied firearms purchase or transfer application from its electronic

database accessible to law enforcement agencies and officers.

(4) Upon receipt of notification from the Washington association of sheriffs and police chiefs that a person originally denied the purchase or transfer of a firearm as the result of a background check or completed and submitted firearm purchase or transfer application that indicates the applicant is ineligible to possess a firearm under state or federal law has subsequently been approved for the purchase or transfer, the Washington state patrol must remove any record of the person's denied firearms purchase or transfer application from its electronic database accessible to law enforcement agencies and officers within five business days.

(5) The Washington state patrol shall generate and distribute a notice form to all firearm dealers, to be provided by the dealers to applicants denied the purchase or transfer of a firearm as a result of a background check that indicates the applicant is ineligible to possess a firearm. The notice form must contain the following statements:

State law requires that I transmit the following information to the Washington association of sheriffs and police chiefs as a result of your firearm purchase or transfer denial within two days of the denial:

(a) Identifying information of the applicant;

(b) The date of the application and denial of the application;

(c) Other information as prescribed by the Washington association of sheriffs and police chiefs.

If you believe this denial is in error, and you do not exercise your right to appeal, you may be subject to criminal investigation by the Washington state patrol and/or a local law enforcement agency.

The notice form shall also contain information directing the applicant to a web site describing the process of appealing a national instant criminal background check system denial through the federal bureau of investigation and refer the applicant to local law enforcement for information on a denial based on a state background check. The notice form shall also contain a phone number for a contact

at the Washington state patrol to direct the person to resources regarding an individual's right to appeal a background check denial.

(6) The Washington state patrol may adopt rules as are necessary to carry out the purposes of this section.

NEW SECTION. **Sec. 4.** A new section is added to chapter 36.28A RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs shall prepare an annual report on the number of denied firearms sales or transfers reported pursuant to this act. The report shall indicate the number of cases in which a person was denied a firearms sale or transfer, the number of cases where the denied sale or transfer was investigated for potential criminal prosecution, and the number of cases where an arrest was made, the case was referred for prosecution, and a conviction was obtained. The Washington state patrol shall submit the report to the appropriate committees of the legislature on or before December 31st of each year.

NEW SECTION. **Sec. 5.** A new section is added to chapter 36.28A RCW to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs shall create and operate a statewide automated protected person notification system to automatically notify a registered person via the registered person's choice of telephone or email when a respondent subject to a court order specified in (b) of this subsection has attempted to purchase or acquire a firearm and been denied based on a background check or completed and submitted firearm purchase or transfer application that indicates the respondent is ineligible to possess a firearm under state or federal law. The system must permit a person to register for notification, or a registered person to update the person's registration information, for the statewide automated protected person notification system by calling a toll-free telephone number or by accessing a public web site.

(b) The notification requirements of this section apply to any court order issued under chapter 7.92 RCW and RCW 7.90.090, 9A.46.080, 10.14.080,

10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.26.590, 26.50.060, or 26.50.070, and any foreign protection order filed with a Washington court pursuant to chapter 26.52 RCW, where the order prohibits the respondent from possessing firearms or where by operation of law the respondent is ineligible to possess firearms during the term of the order. The notification requirements of this section apply even if the respondent has notified the Washington state patrol that he or she has appealed a background check denial under section 3 of this act.

(2) An appointed or elected official, public employee, or public agency as defined in RCW 4.24.470, or combination of units of government and its employees, as provided in RCW 36.28A.010, are immune from civil liability for damages for any release of information or the failure to release information related to the statewide automated protected person notification system in this section, so long as the release or failure to release was without gross negligence. The immunity provided under this subsection applies to the release of relevant and necessary information to other public officials, public employees, or public agencies, and to the general public.

(3) Information and records prepared, owned, used, or retained by the Washington association of sheriffs and police chiefs pursuant to this act, including information a person submits to register and participate in the statewide automated protected person notification system, are exempt from public inspection and copying under chapter 42.56 RCW.

NEW SECTION. **Sec. 6.** A new section is added to chapter 36.28A RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs shall establish a grant program for local law enforcement agencies to conduct criminal investigations regarding persons who illegally attempted to purchase or transfer a firearm within their jurisdiction.

(2) Each grant applicant must be required to submit reports to the Washington association of sheriffs and police chiefs that indicate the number of cases in which a person was denied a firearms sale or transfer, the number of

cases where the denied sale or transfer was investigated for potential criminal prosecution, and the number of cases where an arrest was made, the case was referred for prosecution, and a conviction was obtained.

(3) Information and records prepared, owned, used, or retained by the Washington association of sheriffs and police chiefs pursuant to this act are exempt from public inspection and copying under chapter 42.56 RCW.

Sec. 7. RCW 42.56.240 and 2016 c 173 s 8 and 2016 c 163 s 2 are each reenacted and amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be

released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) Information contained in a local or regionally maintained gang database as well as the statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and email address;

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business;

(10) The felony firearm offense conviction database of felony firearm offenders established in RCW 43.43.822;

(11) The identity of a state employee or officer who has in good faith filed a complaint with an ethics board, as provided in RCW 42.52.410, or who has in good faith reported improper governmental action, as defined in RCW 42.40.020, to the auditor or other public official, as defined in RCW 42.40.020;

(12) The following security threat group information collected and maintained by the department of corrections pursuant to RCW 72.09.745: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the number

of security threat group members, affiliates, or associates;

(13) The global positioning system data that would indicate the location of the residence of an employee or worker of a criminal justice agency as defined in RCW 10.97.030; ~~(and)~~

(14) Body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:

(i) (A) Any areas of a medical facility, counseling, or therapeutic program office where:

(I) A patient is registered to receive treatment, receiving treatment, waiting for treatment, or being transported in the course of treatment; or

(II) Health care information is shared with patients, their families, or among the care team; or

(B) Information that meets the definition of protected health information for purposes of the health insurance portability and accountability act of 1996 or health care information for purposes of chapter 70.02 RCW;

(ii) The interior of a place of residence where a person has a reasonable expectation of privacy;

(iii) An intimate image as defined in RCW 9A.86.010;

(iv) A minor;

(v) The body of a deceased person;

(vi) The identity of or communications from a victim or witness of an incident involving domestic violence as defined in RCW 10.99.020 or sexual assault as defined in RCW 70.125.030, or disclosure of intimate images as defined in RCW 9A.86.010. If at the time of recording the victim or witness indicates a desire for disclosure or nondisclosure of the recorded identity or communications, such desire shall govern; or

(vii) The identifiable location information of a community-based domestic violence program as defined in RCW 70.123.020, or emergency shelter as defined in RCW 70.123.020.

(b) The presumptions set out in (a) of this subsection may be rebutted by specific evidence in individual cases.

(c) In a court action seeking the right to inspect or copy a body worn camera recording, a person who prevails against a law enforcement or corrections agency that withholds or discloses all or part of a body worn camera recording pursuant to (a) of this subsection is not entitled to fees, costs, or awards pursuant to RCW 42.56.550 unless it is shown that the law enforcement or corrections agency acted in bad faith or with gross negligence.

(d) A request for body worn camera recordings must:

(i) Specifically identify a name of a person or persons involved in the incident;

(ii) Provide the incident or case number;

(iii) Provide the date, time, and location of the incident or incidents; or

(iv) Identify a law enforcement or corrections officer involved in the incident or incidents.

(e) (i) A person directly involved in an incident recorded by the requested body worn camera recording, an attorney representing a person directly involved in an incident recorded by the requested body worn camera recording, a person or his or her attorney who requests a body worn camera recording relevant to a criminal case involving that person, or the executive director from either the Washington state commission on African-American affairs, Asian Pacific American affairs, or Hispanic affairs, has the right to obtain the body worn camera recording, subject to any exemption under this chapter or any applicable law. In addition, an attorney who represents a person regarding a potential or existing civil cause of action involving the denial of civil rights under the federal or state Constitution, or a violation of a United States department of justice settlement agreement, has the right to obtain the body worn camera recording if relevant to the cause of action, subject to any exemption under this chapter or any applicable law. The attorney must explain

the relevancy of the requested body worn camera recording to the cause of action and specify that he or she is seeking relief from redaction costs under this subsection (14)(e).

(ii) A law enforcement or corrections agency responding to requests under this subsection (14)(e) may not require the requesting individual to pay costs of any redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of a body worn camera recording.

(iii) A law enforcement or corrections agency may require any person requesting a body worn camera recording pursuant to this subsection (14)(e) to identify himself or herself to ensure he or she is a person entitled to obtain the body worn camera recording under this subsection (14)(e).

(f)(i) A law enforcement or corrections agency responding to a request to disclose body worn camera recordings may require any requester not listed in (e) of this subsection to pay the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body worn camera recording prior to disclosure only to the extent necessary to comply with the exemptions in this chapter or any applicable law.

(ii) An agency that charges redaction costs under this subsection (14)(f) must use redaction technology that provides the least costly commercially available method of redacting body worn camera recordings, to the extent possible and reasonable.

(iii) In any case where an agency charges a requestor for the costs of redacting a body worn camera recording under this subsection (14)(f), the time spent on redaction of the recording shall not count towards the agency's allocation of, or limitation on, time or costs spent responding to public records requests under this chapter, as established pursuant to local ordinance, policy, procedure, or state law.

(g) For purposes of this subsection (14):

(i) "Body worn camera recording" means a video and/or sound recording that is made by a body worn camera attached to the uniform or eyewear of a law enforcement or corrections officer from a covered jurisdiction while in the course of his or her official duties and that is made on or

after June 9, 2016, and prior to July 1, 2019; and

(ii) "Covered jurisdiction" means any jurisdiction that has deployed body worn cameras as of June 9, 2016, regardless of whether or not body worn cameras are being deployed in the jurisdiction on June 9, 2016, including, but not limited to, jurisdictions that have deployed body worn cameras on a pilot basis.

(h) Nothing in this subsection shall be construed to restrict access to body worn camera recordings as otherwise permitted by law for official or recognized civilian and accountability bodies or pursuant to any court order.

(i) Nothing in this section is intended to modify the obligations of prosecuting attorneys and law enforcement under *Brady v. Maryland*, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963), *Kyles v. Whitley*, 541 U.S. 419, 115 S. Ct. 1555, 131 L. Ed.2d 490 (1995), and the relevant Washington court criminal rules and statutes.

(j) A law enforcement or corrections agency must retain body worn camera recordings for at least sixty days and thereafter may destroy the records; (~~and~~)

(15) Any records and information contained within the statewide sexual assault kit tracking system established in RCW 43.43.545; and

(16) Information and records prepared, owned, used, or retained by the Washington association of sheriffs and police chiefs and information and records prepared, owned, used, or retained by the Washington state patrol pursuant to this act.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "firearms;" strike the remainder of the title and insert "reenacting and amending RCW 42.56.240; adding a new section to chapter 9.41 RCW; adding new sections to chapter 36.28A RCW; and adding a new section to chapter 43.43 RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1501 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Hansen, Hayes and Klippert spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1501, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1501, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; Nays, 13; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Holy, Kretz, Manweller, Maycumber, McCaslin, Pike, Shea, Taylor, Volz and Young.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE HOUSE BILL NO. 1501, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 20, 2017

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1543 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 26.26 RCW to read as follows:

(1) This section applies in cases when a person alleged or presumed to be a legal parent to a child is alleged to have committed a sexual assault that resulted

in the victim of the assault becoming pregnant and subsequently giving birth to the child.

(2) For the purposes of this section, "sexual assault" means nonconsensual sexual penetration that results in pregnancy.

(3) For the purposes of this section, the fact that the person seeking parental rights or presumed to be a legal parent committed a sexual assault that resulted in the victim of the assault becoming pregnant and subsequently giving birth to the child may be proved by either:

(a) Evidence that the person seeking parental rights or presumed to be a legal parent was convicted of or pleaded guilty to a sexual assault under RCW 9A.44.040, 9A.44.050, 9A.44.060, or a comparable crime of sexual assault in any jurisdiction, against the child's parent, and that the child was born within three hundred twenty days after the sexual assault; or

(b) Clear, cogent, and convincing evidence that the person seeking parental rights or presumed to be a legal parent committed sexual assault, as defined in this section, against the child's parent, and that the child was born within three hundred twenty days after the sexual assault.

(4) An allegation that the child was born as the result of a sexual assault may be raised under this chapter:

(a) In a petition to adjudicate parentage; or

(b) In response to a petition to adjudicate parentage.

The pleading making the allegation must be filed in a petition or in a response to a petition in proceedings filed no later than four years after the birth of the child, except that (i) the pleading making the allegation that the child was born as a result of a sexual assault may be filed at any time in proceedings pursuant to RCW 26.26.525; or (ii) for a period of two years after the effective date of this section, a court may waive the time bar in cases in which a presumed, acknowledged, or adjudicated parent was found in a criminal or separate civil proceeding to have committed a sexual assault against the parent alleging that the child was born as a result of the sexual assault.

(5) If there is an allegation that the child was born as a result of a sexual

assault against the child's parent by the person seeking parentage or presumed to be the parent of the child, the court must conduct a fact-finding hearing on the allegation.

(a) The court may not enter any temporary orders providing residential time or decision making to the alleged perpetrator prior to the fact-finding hearing on the sexual assault allegation unless both of the following criteria are satisfied: (i) The alleged perpetrator is a presumed parent of the child; and (ii) the court specifically finds that it would be in the best interests of the child if such temporary orders are entered.

(b) Prior to the fact-finding hearing, the court may order genetic testing to determine whether the alleged perpetrator is biologically related to the child. If genetic testing reveals that the alleged perpetrator is not biologically related to the child, the fact-finding hearing must be stricken.

(c) Fourteen days prior to the fact-finding hearing, the party alleging that the child was born as a result of a sexual assault shall submit affidavits setting forth facts supporting the allegation and shall give notice, together with a copy of the affidavit, to other parties to the proceedings, who may file opposing affidavits. Opposing affidavits must be submitted and served to other parties to the proceeding five days prior to the fact-finding hearing.

(d) The court shall determine on the record whether affidavits and documents submitted for the fact-finding hearing should be sealed.

(6) If, after the fact-finding hearing or after a bench trial, the court finds that the person seeking parental rights or presumed to be a legal parent committed sexual assault, pursuant to the standards set forth in subsection (3)(a) or (b) of this section, against the child's parent, and that the child was born within three hundred twenty days of the sexual assault the court must:

(a) Enter an order holding that the person seeking parental rights or presumed to be a legal parent is not a parent of the child, if such an order is requested by the child's legal parent or guardian; or

(b) Enter an order consistent with the relief requested by the child's legal parent or guardian, provided that the

court determines that the relief requested is in the best interests of the child.

(7) Absent the express written consent of the child's legal parent or guardian, a person who is found to have committed a sexual assault, as defined in this section, against the child's parent, and that the child was born within three hundred twenty days of the sexual assault has:

(a) No right to an allocation of parental rights, including residential time or decision-making responsibilities for the child;

(b) No right to inheritance from the child; and

(c) No right to notification of, or standing to object to, the adoption of the child.

(8) If the court enters an order under subsection (6) of this section that is inconsistent with the information on the child's birth certificate, the court shall also order the birth certificate be amended in a manner that is consistent with the child's best interests and the wishes of the child's legal parent or guardian.

(9) If the court finds that the person seeking parentage or presumed to be the parent committed a sexual assault, as defined in this section, against the child's parent, and that the child was born within three hundred twenty days of the sexual assault, and the legal parent or guardian requests it, the court must order the person seeking parentage or presumed to be the parent to pay child support or birth-related costs or both.

(10) The legal parent or guardian may decline an order for child support or birth-related costs. If the legal parent or guardian declines an order for child support, and is either currently receiving public assistance or later applies for it for the child born as a result of the sexual assault, support enforcement agencies as defined in this chapter shall not file administrative or court proceedings to establish or collect child support, including medical support, from the person seeking parentage or presumed to be the parent who has been found to have committed a sexual assault, as defined in this section, against the child's parent, and that the child was born within three hundred twenty days of the sexual assault.

(11) If the court enters an order under subsection (10) of this section providing that no child support obligation may be established or collected from the person seeking parentage or presumed to be the parent who has been found to have committed a sexual assault, the court shall forward a copy of the order to the Washington state support registry.

(12) The court may order an award of attorneys' fees under this section on the same basis as attorneys' fees are awarded under RCW 26.09.140.

(13) Any party may move to close the fact-finding hearing and any related proceedings under this section to the public. If no party files such a motion, the court shall determine on its own initiative whether the fact-finding hearing and any related proceedings under this section should be closed to the public. Upon finding good cause for closing the proceeding, and if consistent with Article I, section 10 of the state Constitution, the court may: (a) Restrict admission to only those persons whom the court finds to have a direct interest in the case or in the work of the court, including witnesses deemed necessary to the disposition of the case; and (b) restrict persons who are admitted from disclosing any information obtained at the hearing that would identify the parties involved or the child.

Sec. 2. RCW 26.09.191 and 2011 c 89 s 6 are each amended to read as follows:

(1) The permanent parenting plan shall not require mutual decision-making or designation of a dispute resolution process other than court action if it is found that a parent has engaged in any of the following conduct: (a) Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; (b) physical, sexual, or a pattern of emotional abuse of a child; or (c) a history of acts of domestic violence as defined in RCW 26.50.010(~~(1)~~) (3) or an assault or sexual assault (~~(which)~~) that causes grievous bodily harm or the fear of such harm or that results in a pregnancy.

(2)(a) The parent's residential time with the child shall be limited if it is found that the parent has engaged in any of the following conduct: (i) Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; (ii) physical, sexual, or a pattern of

emotional abuse of a child; (iii) a history of acts of domestic violence as defined in RCW 26.50.010(~~(1)~~) (3) or an assault or sexual assault (~~(which)~~) that causes grievous bodily harm or the fear of such harm or that results in a pregnancy; or (iv) the parent has been convicted as an adult of a sex offense under:

(A) RCW 9A.44.076 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (d) of this subsection;

(B) RCW 9A.44.079 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (d) of this subsection;

(C) RCW 9A.44.086 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (d) of this subsection;

(D) RCW 9A.44.089;

(E) RCW 9A.44.093;

(F) RCW 9A.44.096;

(G) RCW 9A.64.020 (1) or (2) if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (d) of this subsection;

(H) Chapter 9.68A RCW;

(I) Any predecessor or antecedent statute for the offenses listed in (a) (iv) (A) through (H) of this subsection;

(J) Any statute from any other jurisdiction that describes an offense analogous to the offenses listed in (a) (iv) (A) through (H) of this subsection.

This subsection (2)(a) shall not apply when (c) or (d) of this subsection applies.

(b) The parent's residential time with the child shall be limited if it is found that the parent resides with a person who has engaged in any of the following conduct: (i) Physical, sexual, or a pattern of emotional abuse of a child; (ii) a history of acts of domestic violence as defined in RCW 26.50.010(~~(1)~~) (3) or an assault or sexual assault that causes grievous bodily harm or the fear of such harm or that results in a pregnancy; or (iii) the person has been convicted as an adult or as a juvenile has been adjudicated of a sex offense under:

(A) RCW 9A.44.076 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (e) of this subsection;

(B) RCW 9A.44.079 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (e) of this subsection;

(C) RCW 9A.44.086 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (e) of this subsection;

(D) RCW 9A.44.089;

(E) RCW 9A.44.093;

(F) RCW 9A.44.096;

(G) RCW 9A.64.020 (1) or (2) if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (e) of this subsection;

(H) Chapter 9.68A RCW;

(I) Any predecessor or antecedent statute for the offenses listed in (b)(iii)(A) through (H) of this subsection;

(J) Any statute from any other jurisdiction that describes an offense analogous to the offenses listed in (b)(iii)(A) through (H) of this subsection.

This subsection (2)(b) shall not apply when (c) or (e) of this subsection applies.

(c) If a parent has been found to be a sexual predator under chapter 71.09 RCW or under an analogous statute of any other jurisdiction, the court shall restrain the parent from contact with a child that would otherwise be allowed under this chapter. If a parent resides with an adult or a juvenile who has been found to be a sexual predator under chapter 71.09 RCW or under an analogous statute of any other jurisdiction, the court shall restrain the parent from contact with the parent's child except contact that occurs outside that person's presence.

(d) There is a rebuttable presumption that a parent who has been convicted as an adult of a sex offense listed in (d)(i) through (ix) of this subsection poses a present danger to a child. Unless the parent rebuts this presumption, the court shall restrain the parent from contact with a child that would otherwise be allowed under this chapter:

(i) RCW 9A.64.020 (1) or (2), provided that the person convicted was at least five years older than the other person;

(ii) RCW 9A.44.073;

(iii) RCW 9A.44.076, provided that the person convicted was at least eight years older than the victim;

(iv) RCW 9A.44.079, provided that the person convicted was at least eight years older than the victim;

(v) RCW 9A.44.083;

(vi) RCW 9A.44.086, provided that the person convicted was at least eight years older than the victim;

(vii) RCW 9A.44.100;

(viii) Any predecessor or antecedent statute for the offenses listed in (d)(i) through (vii) of this subsection;

(ix) Any statute from any other jurisdiction that describes an offense analogous to the offenses listed in (d)(i) through (vii) of this subsection.

(e) There is a rebuttable presumption that a parent who resides with a person who, as an adult, has been convicted, or as a juvenile has been adjudicated, of the sex offenses listed in (e)(i) through (ix) of this subsection places a child at risk of abuse or harm when that parent exercises residential time in the presence of the convicted or adjudicated person. Unless the parent rebuts the presumption, the court shall restrain the parent from contact with the parent's child except for contact that occurs outside of the convicted or adjudicated person's presence:

(i) RCW 9A.64.020 (1) or (2), provided that the person convicted was at least five years older than the other person;

(ii) RCW 9A.44.073;

(iii) RCW 9A.44.076, provided that the person convicted was at least eight years older than the victim;

(iv) RCW 9A.44.079, provided that the person convicted was at least eight years older than the victim;

(v) RCW 9A.44.083;

(vi) RCW 9A.44.086, provided that the person convicted was at least eight years older than the victim;

(vii) RCW 9A.44.100;

(viii) Any predecessor or antecedent statute for the offenses listed in (e) (i) through (vii) of this subsection;

(ix) Any statute from any other jurisdiction that describes an offense analogous to the offenses listed in (e) (i) through (vii) of this subsection.

(f) The presumption established in (d) of this subsection may be rebutted only after a written finding that the child was not conceived and subsequently born as a result of a sexual assault committed by the parent requesting residential time and that:

(i) If the child was not the victim of the sex offense committed by the parent requesting residential time, (A) contact between the child and the offending parent is appropriate and poses minimal risk to the child, and (B) the offending parent has successfully engaged in treatment for sex offenders or is engaged in and making progress in such treatment, if any was ordered by a court, and the treatment provider believes such contact is appropriate and poses minimal risk to the child; or

(ii) If the child was the victim of the sex offense committed by the parent requesting residential time, (A) contact between the child and the offending parent is appropriate and poses minimal risk to the child, (B) if the child is in or has been in therapy for victims of sexual abuse, the child's counselor believes such contact between the child and the offending parent is in the child's best interest, and (C) the offending parent has successfully engaged in treatment for sex offenders or is engaged in and making progress in such treatment, if any was ordered by a court, and the treatment provider believes such contact is appropriate and poses minimal risk to the child.

(g) The presumption established in (e) of this subsection may be rebutted only after a written finding that the child was not conceived and subsequently born as a result of a sexual assault committed by the parent requesting residential time and that:

(i) If the child was not the victim of the sex offense committed by the person who is residing with the parent requesting residential time, (A) contact between the child and the parent residing with the convicted or adjudicated person is appropriate and that parent is able to protect the child in the presence of the

convicted or adjudicated person, and (B) the convicted or adjudicated person has successfully engaged in treatment for sex offenders or is engaged in and making progress in such treatment, if any was ordered by a court, and the treatment provider believes such contact is appropriate and poses minimal risk to the child; or

(ii) If the child was the victim of the sex offense committed by the person who is residing with the parent requesting residential time, (A) contact between the child and the parent in the presence of the convicted or adjudicated person is appropriate and poses minimal risk to the child, (B) if the child is in or has been in therapy for victims of sexual abuse, the child's counselor believes such contact between the child and the parent residing with the convicted or adjudicated person in the presence of the convicted or adjudicated person is in the child's best interest, and (C) the convicted or adjudicated person has successfully engaged in treatment for sex offenders or is engaged in and making progress in such treatment, if any was ordered by a court, and the treatment provider believes contact between the parent and child in the presence of the convicted or adjudicated person is appropriate and poses minimal risk to the child.

(h) If the court finds that the parent has met the burden of rebutting the presumption under (f) of this subsection, the court may allow a parent who has been convicted as an adult of a sex offense listed in (d)(i) through (ix) of this subsection to have residential time with the child supervised by a neutral and independent adult and pursuant to an adequate plan for supervision of such residential time. The court shall not approve of a supervisor for contact between the child and the parent unless the court finds, based on the evidence, that the supervisor is willing and capable of protecting the child from harm. The court shall revoke court approval of the supervisor upon finding, based on the evidence, that the supervisor has failed to protect the child or is no longer willing or capable of protecting the child.

(i) If the court finds that the parent has met the burden of rebutting the presumption under (g) of this subsection, the court may allow a parent residing with a person who has been adjudicated as a juvenile of a sex offense listed in (e) (i)

through (ix) of this subsection to have residential time with the child in the presence of the person adjudicated as a juvenile, supervised by a neutral and independent adult and pursuant to an adequate plan for supervision of such residential time. The court shall not approve of a supervisor for contact between the child and the parent unless the court finds, based on the evidence, that the supervisor is willing and capable of protecting the child from harm. The court shall revoke court approval of the supervisor upon finding, based on the evidence, that the supervisor has failed to protect the child or is no longer willing or capable of protecting the child.

(j) If the court finds that the parent has met the burden of rebutting the presumption under (g) of this subsection, the court may allow a parent residing with a person who, as an adult, has been convicted of a sex offense listed in (e)(i) through (ix) of this subsection to have residential time with the child in the presence of the convicted person supervised by a neutral and independent adult and pursuant to an adequate plan for supervision of such residential time. The court shall not approve of a supervisor for contact between the child and the parent unless the court finds, based on the evidence, that the supervisor is willing and capable of protecting the child from harm. The court shall revoke court approval of the supervisor upon finding, based on the evidence, that the supervisor has failed to protect the child or is no longer willing or capable of protecting the child.

(k) A court shall not order unsupervised contact between the offending parent and a child of the offending parent who was sexually abused by that parent. A court may order unsupervised contact between the offending parent and a child who was not sexually abused by the parent after the presumption under (d) of this subsection has been rebutted and supervised residential time has occurred for at least two years with no further arrests or convictions of sex offenses involving children under chapter 9A.44 RCW, RCW 9A.64.020, or chapter 9.68A RCW and (i) the sex offense of the offending parent was not committed against a child of the offending parent, and (ii) the court finds that unsupervised contact between the child and the offending parent is appropriate and poses minimal risk to the child, after consideration of the

testimony of a state-certified therapist, mental health counselor, or social worker with expertise in treating child sexual abuse victims who has supervised at least one period of residential time between the parent and the child, and after consideration of evidence of the offending parent's compliance with community supervision requirements, if any. If the offending parent was not ordered by a court to participate in treatment for sex offenders, then the parent shall obtain a psychosexual evaluation conducted by a certified sex offender treatment provider or a certified affiliate sex offender treatment provider indicating that the offender has the lowest likelihood of risk to reoffend before the court grants unsupervised contact between the parent and a child.

(l) A court may order unsupervised contact between the parent and a child which may occur in the presence of a juvenile adjudicated of a sex offense listed in (e)(i) through (ix) of this subsection who resides with the parent after the presumption under (e) of this subsection has been rebutted and supervised residential time has occurred for at least two years during which time the adjudicated juvenile has had no further arrests, adjudications, or convictions of sex offenses involving children under chapter 9A.44 RCW, RCW 9A.64.020, or chapter 9.68A RCW, and (i) the court finds that unsupervised contact between the child and the parent that may occur in the presence of the adjudicated juvenile is appropriate and poses minimal risk to the child, after consideration of the testimony of a state-certified therapist, mental health counselor, or social worker with expertise in treatment of child sexual abuse victims who has supervised at least one period of residential time between the parent and the child in the presence of the adjudicated juvenile, and after consideration of evidence of the adjudicated juvenile's compliance with community supervision or parole requirements, if any. If the adjudicated juvenile was not ordered by a court to participate in treatment for sex offenders, then the adjudicated juvenile shall obtain a psychosexual evaluation conducted by a certified sex offender treatment provider or a certified affiliate sex offender treatment provider indicating that the adjudicated juvenile has the lowest likelihood of risk to reoffend before the court grants

unsupervised contact between the parent and a child which may occur in the presence of the adjudicated juvenile who is residing with the parent.

(m)(i) The limitations imposed by the court under (a) or (b) of this subsection shall be reasonably calculated to protect the child from the physical, sexual, or emotional abuse or harm that could result if the child has contact with the parent requesting residential time. The limitations shall also be reasonably calculated to provide for the safety of the parent who may be at risk of physical, sexual, or emotional abuse or harm that could result if the parent has contact with the parent requesting residential time. The limitations the court may impose include, but are not limited to: Supervised contact between the child and the parent or completion of relevant counseling or treatment. If the court expressly finds based on the evidence that limitations on the residential time with the child will not adequately protect the child from the harm or abuse that could result if the child has contact with the parent requesting residential time, the court shall restrain the parent requesting residential time from all contact with the child.

(ii) The court shall not enter an order under (a) of this subsection allowing a parent to have contact with a child if the parent has been found by clear and convincing evidence in a civil action or by a preponderance of the evidence in a dependency action to have sexually abused the child, except upon recommendation by an evaluator or therapist for the child that the child is ready for contact with the parent and will not be harmed by the contact. The court shall not enter an order allowing a parent to have contact with the child in the offender's presence if the parent resides with a person who has been found by clear and convincing evidence in a civil action or by a preponderance of the evidence in a dependency action to have sexually abused a child, unless the court finds that the parent accepts that the person engaged in the harmful conduct and the parent is willing to and capable of protecting the child from harm from the person.

(iii) The court shall not enter an order under (a) of this subsection allowing a parent to have contact with a child if the parent has been found by clear and convincing evidence pursuant to section 1 of this act to have committed sexual

assault, as defined in section 1 of this act, against the child's parent, and that the child was born within three hundred twenty days of the sexual assault.

(iv) If the court limits residential time under (a) or (b) of this subsection to require supervised contact between the child and the parent, the court shall not approve of a supervisor for contact between a child and a parent who has engaged in physical, sexual, or a pattern of emotional abuse of the child unless the court finds based upon the evidence that the supervisor accepts that the harmful conduct occurred and is willing to and capable of protecting the child from harm. The court shall revoke court approval of the supervisor upon finding, based on the evidence, that the supervisor has failed to protect the child or is no longer willing to or capable of protecting the child.

(n) If the court expressly finds based on the evidence that contact between the parent and the child will not cause physical, sexual, or emotional abuse or harm to the child and that the probability that the parent's or other person's harmful or abusive conduct will recur is so remote that it would not be in the child's best interests to apply the limitations of (a), (b), and (m)(i) and (~~(iii)~~) (iv) of this subsection, or if the court expressly finds that the parent's conduct did not have an impact on the child, then the court need not apply the limitations of (a), (b), and (m)(i) and (~~(iii)~~) (iv) of this subsection. The weight given to the existence of a protection order issued under chapter 26.50 RCW as to domestic violence is within the discretion of the court. This subsection shall not apply when (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), and (m)(ii) of this subsection apply.

(3) A parent's involvement or conduct may have an adverse effect on the child's best interests, and the court may preclude or limit any provisions of the parenting plan, if any of the following factors exist:

(a) A parent's neglect or substantial nonperformance of parenting functions;

(b) A long-term emotional or physical impairment which interferes with the parent's performance of parenting functions as defined in RCW 26.09.004;

(c) A long-term impairment resulting from drug, alcohol, or other substance

abuse that interferes with the performance of parenting functions;

(d) The absence or substantial impairment of emotional ties between the parent and the child;

(e) The abusive use of conflict by the parent which creates the danger of serious damage to the child's psychological development;

(f) A parent has withheld from the other parent access to the child for a protracted period without good cause; or

(g) Such other factors or conduct as the court expressly finds adverse to the best interests of the child.

(4) In cases involving allegations of limiting factors under subsection (2) (a) (ii) and (iii) of this section, both parties shall be screened to determine the appropriateness of a comprehensive assessment regarding the impact of the limiting factor on the child and the parties.

(5) In entering a permanent parenting plan, the court shall not draw any presumptions from the provisions of the temporary parenting plan.

(6) In determining whether any of the conduct described in this section has occurred, the court shall apply the civil rules of evidence, proof, and procedure.

(7) For the purposes of this section:

(a) "A parent's child" means that parent's natural child, adopted child, or stepchild; and

(b) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

Sec. 3. RCW 26.33.170 and 1999 c 173 s 1 are each amended to read as follows:

(1) An agency's, the department's, or a legal guardian's consent to adoption may be dispensed with if the court determines by clear, cogent and convincing evidence that the proposed adoption is in the best interests of the adoptee.

(2) An alleged father's, birth parent's, or parent's consent to adoption (~~may~~) shall be dispensed with if the court finds that the proposed adoption is in the best interests of the adoptee and:

(a) The alleged father, birth parent, or parent has been found guilty of rape

under chapter 9A.44 RCW or incest under RCW 9A.64.020, where the adoptee was the victim of the rape or incest; or

(b) The alleged father, birth parent, or parent has been found guilty of rape under chapter 9A.44 RCW or incest under RCW 9A.64.020, or has been found by clear and convincing evidence to have committed a sexual assault, where the other parent of the adoptee was the victim of the rape (~~(or)~~), incest, or sexual assault and the adoptee was conceived as a result of the rape (~~(or)~~), incest, or sexual assault, unless the parent who is the victim indicates by affidavit or sworn testimony that consent to adoption by the person who committed the rape, incest, or sexual assault should occur.

(3) Nothing in this section shall be construed to eliminate the notice provisions of this chapter.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "survivors;" strike the remainder of the title and insert "amending RCW 26.09.191 and 26.33.170; and adding a new section to chapter 26.26 RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1543 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Doglio and Graves spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1543, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1543, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Pollet and Rodne.

SUBSTITUTE HOUSE BILL NO. 1543, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 20, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1614 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is significant value in diligently combating the crime of driving under the influence and promoting the safety of all persons using our public roadways. The legislature also finds that phlebotomy, also known as venipuncture, is a health care procedure that involves removing blood from the body by making an incision in a vein with a needle. The legislature finds further that the use of forensic phlebotomy can be a useful tool when investigating whether a person may be impaired while operating a motor vehicle. The legislature also finds, however, that despite the value of forensic phlebotomy, both motorists and law enforcement officers must be protected from the potentially significant health risks inherent in allowing the practice of phlebotomy without adequate and appropriate training, as defined by the department of health.

Sec. 2. RCW 9.96.060 and 2014 c 176 s 1 and 2014 c 109 s 1 are each reenacted and amended to read as follows:

(1) Every person convicted of a misdemeanor or gross misdemeanor offense

who has completed all of the terms of the sentence for the misdemeanor or gross misdemeanor offense may apply to the sentencing court for a vacation of the applicant's record of conviction for the offense. If the court finds the applicant meets the tests prescribed in subsection (2) of this section, the court may in its discretion vacate the record of conviction by: (a) (i) Permitting the applicant to withdraw the applicant's plea of guilty and to enter a plea of not guilty; or (ii) if the applicant has been convicted after a plea of not guilty, the court setting aside the verdict of guilty; and (b) the court dismissing the information, indictment, complaint, or citation against the applicant and vacating the judgment and sentence.

(2) An applicant may not have the record of conviction for a misdemeanor or gross misdemeanor offense vacated if any one of the following is present:

(a) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal court;

(b) The offense was a violent offense as defined in RCW 9.94A.030 or an attempt to commit a violent offense;

(c) The offense was a violation of RCW 46.61.502 (driving while under the influence), 46.61.504 (actual physical control while under the influence), 9.91.020 (operating a railroad, etc. while intoxicated), or the offense is considered a "prior offense" under RCW 46.61.5055 and the applicant has had a subsequent alcohol or drug violation within ten years of the date of arrest for the prior offense or less than ten years has elapsed since the date of the arrest for the prior offense;

(d) The offense was any misdemeanor or gross misdemeanor violation, including attempt, of chapter 9.68 RCW (obscenity and pornography), chapter 9.68A RCW (sexual exploitation of children), or chapter 9A.44 RCW (sex offenses);

(e) The applicant was convicted of a misdemeanor or gross misdemeanor offense as defined in RCW 10.99.020, or the court determines after a review of the court file that the offense was committed by one family member or household member against another, or the court, after considering the damage to person or property that resulted in the conviction, any prior convictions for crimes defined in RCW 10.99.020, or for comparable offenses in another state or in federal court, and the

totality of the records under review by the court regarding the conviction being considered for vacation, determines that the offense involved domestic violence, and any one of the following factors exist:

(i) The applicant has not provided written notification of the vacation petition to the prosecuting attorney's office that prosecuted the offense for which vacation is sought, or has not provided that notification to the court;

(ii) The applicant has previously had a conviction for domestic violence. For purposes of this subsection, however, if the current application is for more than one conviction that arose out of a single incident, none of those convictions counts as a previous conviction;

(iii) The applicant has signed an affidavit under penalty of perjury affirming that the applicant has not previously had a conviction for a domestic violence offense, and a criminal history check reveals that the applicant has had such a conviction; or

(iv) Less than five years have elapsed since the person completed the terms of the original conditions of the sentence, including any financial obligations and successful completion of any treatment ordered as a condition of sentencing;

(f) For any offense other than those described in (e) of this subsection, less than three years have passed since the person completed the terms of the sentence, including any financial obligations;

(g) The offender has been convicted of a new crime in this state, another state, or federal court since the date of conviction;

(h) The applicant has ever had the record of another conviction vacated; or

(i) The applicant is currently restrained, or has been restrained within five years prior to the vacation application, by a domestic violence protection order, a no-contact order, an antiharassment order, or a civil restraining order which restrains one party from contacting the other party.

(3) Subject to RCW 9.96.070, every person convicted of prostitution under RCW 9A.88.030 who committed the offense as a result of being a victim of trafficking, RCW 9A.40.100, promoting prostitution in the first degree, RCW 9A.88.070, promoting

commercial sexual abuse of a minor, RCW 9.68A.101, or trafficking in persons under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq. may apply to the sentencing court for vacation of the applicant's record of conviction for the prostitution offense. An applicant may not have the record of conviction for prostitution vacated if any one of the following is present:

(a) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal court, for any crime other than prostitution; or

(b) The offender has been convicted of another crime, except prostitution, in this state, another state, or federal court since the date of conviction.

(4) Every person convicted prior to January 1, 1975, of violating any statute or rule regarding the regulation of fishing activities, including, but not limited to, RCW 75.08.260, 75.12.060, 75.12.070, 75.12.160, 77.16.020, 77.16.030, 77.16.040, 77.16.060, and 77.16.240 who claimed to be exercising a treaty Indian fishing right, may apply to the sentencing court for vacation of the applicant's record of the misdemeanor, gross misdemeanor, or felony conviction for the offense. If the person is deceased, a member of the person's family or an official representative of the tribe of which the person was a member may apply to the court on behalf of the deceased person. Notwithstanding the requirements of RCW 9.94A.640, the court shall vacate the record of conviction if:

(a) The applicant is a member of a tribe that may exercise treaty Indian fishing rights at the location where the offense occurred; and

(b) The state has been enjoined from taking enforcement action of the statute or rule to the extent that it interferes with a treaty Indian fishing right as determined under *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974), or *Sohappy v. Smith*, 302 F. Supp. 899 (D. Oregon 1969), and any posttrial orders of those courts, or any other state supreme court or federal court decision.

(5) Once the court vacates a record of conviction under this section, the person shall be released from all penalties and disabilities resulting from the offense and the fact that the person has been convicted of the offense shall not be included in the person's criminal history

for purposes of determining a sentence in any subsequent conviction. For all purposes, including responding to questions on employment or housing applications, a person whose conviction has been vacated under this section may state that he or she has never been convicted of that crime. Nothing in this section affects or prevents the use of an offender's prior conviction in a later criminal prosecution.

(6) All costs incurred by the court and probation services shall be paid by the person making the motion to vacate the record unless a determination is made pursuant to chapter 10.101 RCW that the person making the motion is indigent, at the time the motion is brought.

(7) The clerk of the court in which the vacation order is entered shall immediately transmit the order vacating the conviction to the Washington state patrol identification section and to the local police agency, if any, which holds criminal history information for the person who is the subject of the conviction. The Washington state patrol and any such local police agency shall immediately update their records to reflect the vacation of the conviction, and shall transmit the order vacating the conviction to the federal bureau of investigation. A conviction that has been vacated under this section may not be disseminated or disclosed by the state patrol or local law enforcement agency to any person, except other criminal justice enforcement agencies.

Sec. 3. RCW 10.31.100 and 2016 c 203 s 9 and 2016 c 113 s 1 are each reenacted and amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of an officer, except as provided in subsections (1) through (12) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the

acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.92, 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is eighteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer

has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (A) The intent to protect victims of domestic violence under RCW 10.99.010; (B) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (C) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) A police officer shall, at the request of a parent or guardian, arrest the sixteen or seventeen year old child of that parent or guardian if the officer has probable cause to believe that the child has assaulted a family or household member as defined in RCW 10.99.020 in the preceding four hours. Nothing in this subsection removes a police officer's existing authority provided in this section to make an arrest.

(4) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.503 or 46.25.110, relating to persons having alcohol or THC in their system;

(f) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(g) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(5) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of

a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(6) (a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(7) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

(8) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

(9) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(10) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

(11) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

(12) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

(13) A law enforcement officer having probable cause to believe that a person has committed a violation under RCW 77.15.160(4) may issue a citation for an infraction to the person in connection with the violation.

(14) A law enforcement officer having probable cause to believe that a person has committed a criminal violation under RCW 77.15.809 or 77.15.811 may arrest the person in connection with the violation.

(15) Except as specifically provided in subsections (2), (4), (5), and (8) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(16) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or (10) of this section if the police officer acts in good faith and without malice.

(17)(a) Except as provided in (b) of this subsection, a police officer shall arrest and keep in custody, until release by a judicial officer on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that the person has violated RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and the police officer: (i) Has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years; or (ii) has knowledge, based on a review of the information available to the officer at the time of arrest, that the person is charged with or is awaiting arraignment for an offense that would qualify as a prior offense as defined in RCW 46.61.5055 if it were a conviction.

(b) A police officer is not required to keep in custody a person under (a) of this subsection if the person requires immediate medical attention and is admitted to a hospital.

(18) A juvenile detention facility shall book into detention any person under age eighteen brought to that detention facility pursuant to an arrest for assaulting a family or household member as defined in RCW 10.99.020.

Sec. 4. RCW 46.20.385 and 2016 c 203 s 13 are each amended to read as follows:

(1)(a) Any person licensed under this chapter or who has a valid driver's license from another state, who is convicted of: (i) A violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance, or (ii) a violation of RCW 46.61.520(1)(a) or an equivalent local or out-of-state statute or ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1) (b) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520(1)(a), or (iv) RCW 46.61.522(1)(b) or an equivalent local or out-of-state statute or ordinance, or (v) RCW 46.61.522(1) (a) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522(1)(b) committed while under the influence of intoxicating liquor or any drug, or (vi) who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, or who is otherwise permitted under subsection (8) of this section, may submit to the department an application for an ignition interlock driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is eligible to receive the license, may issue an ignition interlock driver's license.

(b) A person may apply for an ignition interlock driver's license anytime, including immediately after receiving the notices under RCW 46.20.308 or after his or her license is suspended, revoked, or denied.

(c) An applicant under this subsection shall provide proof to the satisfaction of the department that a functioning ignition interlock device has been installed on all vehicles operated by the person.

(i) The department shall require the person to maintain the device on all vehicles operated by the person and shall restrict the person to operating only vehicles equipped with the device, for the remainder of the period of suspension, revocation, or denial, unless otherwise permitted under RCW 46.20.720(6).

(ii) Subject to any periodic renewal requirements established by the department under this section and subject to any applicable compliance requirements under this chapter or other law, an ignition interlock driver's license granted upon a suspension or revocation under RCW 46.61.5055 or 46.20.3101 extends through the remaining portion of any concurrent or consecutive suspension or revocation that may be imposed as the result of administrative action and criminal conviction arising out of the same incident.

(2) An applicant for an ignition interlock driver's license who qualifies under subsection (1) of this section is eligible to receive a license only if the applicant files satisfactory proof of financial responsibility under chapter 46.29 RCW.

(3) Upon receipt of evidence that a holder of an ignition interlock driver's license granted under this subsection no longer has a functioning ignition interlock device installed on all vehicles operated by the driver, the director shall give written notice by first-class mail to the driver that the ignition interlock driver's license shall be canceled. If at any time before the cancellation goes into effect the driver submits evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver, the cancellation shall be stayed. If the cancellation becomes effective, the driver may obtain, at no additional charge, a new ignition interlock driver's license upon submittal of evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver.

(4) A person aggrieved by the decision of the department on the application for an ignition interlock driver's license may request a hearing as provided by rule of the department.

(5) The director shall cancel an ignition interlock driver's license after receiving notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, no longer meets the eligibility requirements, or has been convicted of or found to have committed a separate offense or any other act or omission that under this chapter would warrant suspension or revocation of a regular driver's license. The department must give notice of the cancellation as provided under RCW 46.20.245. A person whose ignition

interlock driver's license has been canceled under this section may reapply for a new ignition interlock driver's license if he or she is otherwise qualified under this section and pays the fee required under RCW 46.20.380.

(6) (a) Unless costs are waived by the ignition interlock company or the person is indigent under RCW 10.101.010, the applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of twenty dollars per month. Payments shall be made directly to the ignition interlock company. The company shall remit the additional ~~((twenty dollar))~~ fee to the department, except that the company may retain twenty-five cents per month of the additional fee to cover the expenses associated with administering the fee.

(b) The department shall deposit the proceeds of the twenty dollar fee into the ignition interlock device revolving account. Expenditures from the account may be used only to administer and operate the ignition interlock device revolving account program. The department shall adopt rules to provide monetary assistance according to greatest need and when funds are available.

(7) The department shall adopt rules to implement ignition interlock licensing. The department shall consult with the administrative office of the courts, the state patrol, the Washington association of sheriffs and police chiefs, ignition interlock companies, and any other organization or entity the department deems appropriate.

(8) (a) Any person licensed under this chapter who is convicted of a violation of RCW 46.61.500 when the charge was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, may submit to the department an application for an ignition interlock driver's license under this section.

(b) A person who does not have any driver's license under this chapter, but who would otherwise be eligible under this section to apply for an ignition interlock license, may submit to the department an application for an ignition interlock license. The department may require the person to take any driver's licensing examination under this chapter and may require the person to also apply and

qualify for a temporary restricted driver's license under RCW 46.20.391.

Sec. 5. RCW 46.20.720 and 2016 c 203 s 14 are each amended to read as follows:

(1) **Ignition interlock restriction.** The department shall require that a person may drive only a motor vehicle equipped with a functioning ignition interlock device:

(a) **Pretrial release.** Upon receipt of notice from a court that an ignition interlock device restriction has been imposed under RCW 10.21.055;

(b) **Ignition interlock driver's license.** As required for issuance of an ignition interlock driver's license under RCW 46.20.385;

(c) **Deferred prosecution.** Upon receipt of notice from a court that the person is participating in a deferred prosecution program under RCW 10.05.020 for a violation of:

(i) RCW 46.61.502 or 46.61.504 or an equivalent local ordinance; or

(ii) RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person would be required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person in the event of a conviction;

(d) **Post conviction.** After any applicable period of suspension, revocation, or denial of driving privileges:

(i) Due to a conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance; or

(ii) Due to a conviction of a violation of RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person is required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person; or

(e) **Court order.** Upon receipt of an order by a court having jurisdiction that a person charged or convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle may drive only a motor vehicle equipped with a functioning ignition interlock. The court shall establish a specific calibration setting at which the ignition interlock will prevent the vehicle from being started. The court shall also establish the period

of time for which ignition interlock use will be required.

(2) **Calibration.** Unless otherwise specified by the court for a restriction imposed under subsection (1)(e) of this section, the ignition interlock device shall be calibrated to prevent the motor vehicle from being started when the breath sample provided has an alcohol concentration of 0.025 or more.

(3) **Duration of restriction.** A restriction imposed under:

(a) Subsection (1)(a) of this section shall remain in effect until:

(i) The court has authorized the removal of the device under RCW 10.21.055; or

(ii) The department has imposed a restriction under subsection (1)(b), (c), or (d) of this section arising out of the same incident.

(b) Subsection (1)(b) of this section remains in effect during the validity of any ignition interlock driver's license that has been issued to the person.

(c) Subsection (1)(c)(i) or (d)(i) of this section shall be for no less than:

(i) For a person who has not previously been restricted under this subsection, a period of one year;

(ii) For a person who has previously been restricted under (c)(i) of this subsection, a period of five years;

(iii) For a person who has previously been restricted under (c)(ii) of this subsection, a period of ten years.

The restriction of a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and who committed the offense while a passenger under the age of sixteen was in the vehicle shall be extended for an additional six-month period as required by RCW 46.61.5055(6) (a).

(d) Subsection (1)(c)(ii) or (d)(ii) of this section shall be for a period of no less than six months.

(e) Subsection (1)(e) of this section shall remain in effect for the period of time specified by the court.

The period of restriction under (c) and (d) of this subsection based on incidents occurring on or after June 9, 2016, must be tolled for any period in which the person does not have an ignition interlock

device installed on a vehicle owned or operated by the person unless the person receives a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. The department's determination that a person is unable to operate an ignition interlock device must be reasonable and be based upon good and substantial evidence. This determination is subject to review by a court of competent jurisdiction. The department may charge a person seeking a medical exemption under this subsection a reasonable fee for the assessment.

(4) **Requirements for removal.** A restriction imposed under subsection (1)(c) or (d) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying that there have been none of the following incidents in the ~~((four))~~ one hundred eighty consecutive ~~((months))~~ days prior to the date of release:

(a) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;

(b) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;

(c) Failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; or

(d) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device.

(5) **Day-for-day credit.** (a) The time period during which a person has an ignition interlock device installed in order to meet the requirements of subsection (1)(b) of this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident.

(b) The department must also give the person a day-for-day credit for any time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates, other than those subject to the employer exemption under subsection (6) of this section.

(c) If the day-for-day credit granted under this subsection equals or exceeds the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident, and the person has already met the requirements for removal of the device under subsection (4) of this section, the department may waive the requirement that a device be installed or that the person again meet the requirements for removal.

(6) **Employer exemption.** (a) Except as provided in (b) of this subsection, the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department with a declaration pursuant to RCW 9A.72.085 from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours.

(b) The employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment.

(7) **Ignition interlock device revolving account.** In addition to any other costs associated with the use of an ignition interlock device imposed on the person restricted under this section, the person shall pay an additional fee of twenty dollars per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional ~~((twenty dollar))~~ fee to the department to be deposited into the ignition interlock device revolving account, except that the company may retain twenty-five cents per month of the additional fee to cover the expenses associated with administering the fee. The department may waive the monthly fee if the person is indigent under RCW 10.101.010.

(8) **Foreign jurisdiction.** For a person restricted under this section who is residing outside of the state of Washington, the department may accept verification of installation of an ignition interlock device by an ignition interlock company authorized to do business in the jurisdiction in which the person resides, provided the device meets any applicable requirements of that jurisdiction. The department may waive the monthly fee required by subsection (7) of this section if collection of the fee would be impractical in the case of a person residing in another jurisdiction.

Sec. 6. RCW 46.61.5055 and 2016 sp.s. c 29 s 530 and 2016 c 203 s 17 are each reenacted and amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one day nor more than three hundred sixty-four days. Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court may order not less than fifteen days of electronic home monitoring or a ninety-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an

alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than two days nor more than three hundred sixty-four days. Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court may order not less than thirty days of electronic home monitoring or a one hundred twenty day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program testing as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or

46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom by reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. In lieu of the mandatory ~~((minimum))~~ term of ~~((sixty days))~~ imprisonment and electronic home monitoring under this subsection ~~(2) (a) (i), the court may order ((at least an additional)) a minimum of four days in jail ((or, if available in that county or city, a six month)) and either one hundred eighty days of electronic home monitoring or a one hundred twenty-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390((7 and)). The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing.~~ The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. In lieu of the mandatory minimum term of ~~((ninety days))~~ imprisonment and electronic home monitoring under this subsection ~~(2) (b) (i), the court may order ((at least an additional)) a minimum of six days in jail ((or, if available in that county or city)) and either six months of electronic home monitoring or a ~~((six month))~~ one hundred twenty-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390~~((7 and))~~. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and~~

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two or three prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW

46.61.502 or 46.61.504 and who has two or three prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred twenty days of electronic home monitoring, the court may order at least an additional eight days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result

indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred fifty days of electronic home monitoring, the court may order at least an additional ten days in jail. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Four or more prior offenses in ten years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has four or more prior offenses within ten years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b) (i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.** (a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while a passenger under the age of sixteen was in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional six months;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment and a fine of not less than one thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment and a fine of not less than two thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two or three prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment and a fine of not less than three thousand dollars and not more than ten thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section

is subject to the alcohol assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(a) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a ninety-day period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for fewer than two days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for two years or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a six-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(b) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

(i) Where there has been no prior offense within seven years, be revoked or denied by the department for one year or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a one hundred twenty day period of 24/7 sobriety program monitoring. In no circumstances shall the license revocation be for fewer than four days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(c) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(i) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(iii) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this subsection for a suspension, revocation, or denial imposed under RCW 46.20.3101 arising out of the same incident.

Upon receipt of a notice from the court under RCW 36.28A.390 that a participant has been removed from a 24/7 sobriety program, the department must resume any suspension, revocation, or denial that had been terminated early under this subsection due to participation in the program, granting credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 or this section arising out of the same incident.

Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the

convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the

combination does not exceed three hundred sixty-four days.

(13) **Extraordinary medical placement.**

An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1)(c).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the

influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (x), (xi), or (xii) of this subsection if committed in this state;

(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW

46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14) (a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means substance use disorder treatment approved by the department of social and health services;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 7. RCW 46.61.506 and 2016 c 203 s 8 are each amended to read as follows:

(1) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or any drug, if the person's alcohol concentration is less than 0.08 or the person's THC concentration is less than 5.00, it is evidence that may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor or any drug.

(2)(a) The breath analysis of the person's alcohol concentration shall be based upon grams of alcohol per two hundred ten liters of breath.

(b) The blood analysis of the person's THC concentration shall be based upon nanograms per milliliter of whole blood.

(c) The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor or any drug.

(3) Analysis of the person's blood or breath to be considered valid under the provisions of this section or RCW 46.61.502 or 46.61.504 shall have been performed according to methods approved by the state toxicologist and by an individual possessing a valid permit issued by the state toxicologist for this purpose. The state toxicologist is directed to approve satisfactory techniques or methods, to supervise the examination of individuals to ascertain their qualifications and competence to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the state toxicologist.

(4)(a) A breath test performed by any instrument approved by the state toxicologist shall be admissible at trial or in an administrative proceeding if the prosecution or department produces prima facie evidence of the following:

(i) The person who performed the test was authorized to perform such test by the state toxicologist;

(ii) The person being tested did not vomit or have anything to eat, drink, or smoke for at least fifteen minutes prior to administration of the test;

(iii) The person being tested did not have any foreign substances, not to include dental work or piercings, fixed or removable, in his or her mouth at the beginning of the fifteen-minute observation period;

(iv) Prior to the start of the test, the temperature of any liquid simulator solution utilized as an external standard, as measured by a thermometer approved of by the state toxicologist was thirty-four degrees centigrade plus or minus 0.3 degrees centigrade;

(v) The internal standard test resulted in the message "verified";

(vi) The two breath samples agree to within plus or minus ten percent of their mean to be determined by the method approved by the state toxicologist;

(vii) The result of the test of the liquid simulator solution external standard or dry gas external standard result did lie between .072 to .088 inclusive; and

(viii) All blank tests gave results of .000.

(b) For purposes of this section, "prima facie evidence" is evidence of sufficient circumstances that would support a logical and reasonable inference of the facts sought to be proved. In assessing whether there is sufficient evidence of the foundational facts, the court or administrative tribunal is to assume the truth of the prosecution's or department's evidence and all reasonable inferences from it in a light most favorable to the prosecution or department.

(c) Nothing in this section shall be deemed to prevent the subject of the test from challenging the reliability or accuracy of the test, the reliability or functioning of the instrument, or any maintenance procedures. Such challenges, however, shall not preclude the admissibility of the test once the prosecution or department has made a prima facie showing of the requirements contained in (a) of this subsection. Instead, such challenges may be considered by the trier of fact in determining what weight to give to the test result.

(5) When a blood test is administered under the provisions of RCW 46.20.308, the withdrawal of blood for the purpose of determining its ~~((alcoholic))~~ alcohol or drug content may be performed only by a physician licensed under chapter 18.71 RCW; an osteopathic physician licensed under chapter 18.57 RCW; a registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; a physician assistant licensed under chapter 18.71A RCW; an osteopathic physician assistant licensed under chapter 18.57A RCW; an advanced emergency medical technician or paramedic ~~((licensed))~~ certified under chapter ~~((18.73))~~ 18.71 RCW; ~~((until July 1, 2016, a health care assistant certified under chapter 18.135 RCW))~~ or a medical assistant-certified or medical assistant-phlebotomist certified under chapter 18.360 RCW, a person holding another credential under Title 18 RCW whose scope of practice includes performing venous blood draws, or a forensic phlebotomist certified under chapter 18.360 RCW. When the blood test is performed outside the state of Washington, the withdrawal of blood for the purpose of determining its alcohol or drug content may be performed by any person who is authorized by the out-of-state jurisdiction to perform venous blood draws. Proof of qualification to draw blood may be established through the

department of health's provider credential search. This limitation shall not apply to the taking of breath specimens.

(6) When a venous blood sample is performed by a forensic phlebotomist certified under chapter 18.360 RCW, it must be done under the following conditions:

(a) If taken at the scene, it must be performed in an ambulance or aid service vehicle licensed by the department of health under chapter 18.73 RCW.

(b) The collection of blood samples must not interfere with the provision of essential medical care.

(c) The blood sample must be collected using sterile equipment and the skin area of puncture must be thoroughly cleansed and disinfected.

(d) The person whose blood is collected must be seated, reclined, or lying down when the blood is collected.

(7) The person tested may have a licensed or certified health care provider listed in subsection (5) of this section, or a qualified technician, chemist, or other qualified person of his or her own choosing administer one or more tests in addition to any administered at the direction of a law enforcement officer. The test will be admissible if the person establishes the general acceptability of the testing technique or method. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

~~((7))~~ (8) Upon the request of the person who shall submit to a test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to him or her or his or her attorney.

Sec. 8. RCW 46.61.508 and 2015 2nd sp.s. c 3 s 23 are each amended to read as follows:

No physician licensed under chapter 18.71 RCW; osteopathic physician licensed under chapter 18.57 RCW; registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A RCW; advanced emergency medical technician or paramedic ~~((licensed))~~ certified under

chapter ~~((18.73))~~ 18.71 RCW; ~~((until July 1, 2016, health care assistant certified under chapter 18.135 RCW))~~ or medical assistant-certified or medical assistant-phlebotomist certified under chapter 18.360 RCW, person holding another credential under Title 18 RCW whose scope of practice includes performing venous blood draws, or forensic phlebotomist certified under chapter 18.360 RCW, or hospital, or duly licensed clinical laboratory employing or utilizing services of such licensed or certified health care provider, shall incur any civil or criminal liability as a result of the act of withdrawing blood from any person when directed by a law enforcement officer to do so for the purpose of a blood test under the provisions of a search warrant, a waiver of the search warrant requirement, exigent circumstances, or any other authority of law~~((, or RCW 46.20.308, as now or hereafter amended))~~: PROVIDED, That nothing in this section shall relieve such licensed or certified health care provider, ~~((or))~~ hospital or duly licensed clinical laboratory, or forensic phlebotomist from civil liability arising from the use of improper procedures or failing to exercise the required standard of care.

Sec. 9. RCW 18.130.410 and 2015 2nd sp.s. c 3 s 21 are each amended to read as follows:

It is not professional misconduct for a physician licensed under chapter 18.71 RCW; osteopathic physician licensed under chapter 18.57 RCW; registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A RCW; advanced emergency medical technician or paramedic ~~((licensed))~~ certified under chapter ~~((18.73))~~ 18.71 RCW; ~~((until July 1, 2016, health care assistant certified under chapter 18.135 RCW))~~ or medical assistant-certified ~~((or))~~ medical assistant-phlebotomist, or forensic phlebotomist certified under chapter 18.360 RCW, or person holding another credential under Title 18 RCW whose scope of practice includes performing venous blood draws, or hospital, or duly licensed clinical laboratory employing or utilizing services of such licensed or certified health care provider, to collect a blood sample without a person's consent when the physician licensed under chapter 18.71 RCW; osteopathic physician licensed under

chapter 18.57 RCW; registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A RCW; advanced emergency medical technician or paramedic ~~((licensed))~~ certified under chapter ~~((18.73))~~ 18.71 RCW; ~~((until July 1, 2016, health care assistant certified under chapter 18.135 RCW))~~ or medical assistant-certified ~~((or))~~ medical assistant-phlebotomist, or forensic phlebotomist certified under chapter 18.360 RCW, or person holding another credential under Title 18 RCW whose scope of practice includes performing venous blood draws, or hospital, or duly licensed clinical laboratory employing or utilizing services of such licensed or certified health care provider withdrawing blood was directed by a law enforcement officer to do so for the purpose of a blood test under the provisions of a search warrant or exigent circumstances: PROVIDED, That nothing in this section shall relieve a physician licensed under chapter 18.71 RCW; osteopathic physician licensed under chapter 18.57 RCW; registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A RCW; advanced emergency medical technician or paramedic ~~((licensed))~~ certified under chapter ~~((18.73))~~ 18.71 RCW; ~~((until July 1, 2016, health care assistant certified under chapter 18.135 RCW))~~ or medical assistant-certified ~~((or))~~ medical assistant-phlebotomist, or forensic phlebotomist certified under chapter 18.360 RCW, or person holding another credential under Title 18 RCW whose scope of practice includes performing venous blood draws, or hospital, or duly licensed clinical laboratory employing or utilizing services of such licensed or certified health care provider withdrawing blood from professional discipline arising from the use of improper procedures or from failing to exercise the required standard of care.

Sec. 10. RCW 46.61.517 and 2001 c 142 s 1 are each amended to read as follows:

The refusal of a person to submit to a test of the alcohol or drug concentration in the person's ~~((blood or))~~ breath under RCW 46.20.308 is admissible into evidence at a subsequent criminal trial. The

refusal of a person to submit to a test of the person's blood is admissible into evidence at a subsequent criminal trial when a search warrant, or an exception to the search warrant, authorized the seizure.

Sec. 11. RCW 46.64.025 and 2016 c 203 s 4 are each amended to read as follows:

Whenever any person served with, or provided notice of, a traffic ((citation)) infraction or a traffic-related criminal complaint willfully fails to appear at a requested hearing for a moving violation, or fails to comply with the terms of a notice of ((traffic citation)) infraction for a moving violation or a traffic-related criminal complaint, the court ((in which the defendant failed to appear)) with jurisdiction over the traffic infraction or traffic-related criminal complaint shall promptly give notice of such fact to the department of licensing. Whenever thereafter the case in which the defendant failed to appear or comply is adjudicated, the court hearing the case shall promptly file with the department a certificate showing that the case has been adjudicated. For the purposes of this section, "moving violation" is defined by rule pursuant to RCW 46.20.2891.

Sec. 12. RCW 36.28A.370 and 2015 2nd sp.s. c 3 s 18 are each amended to read as follows:

(1) Any daily user fee, installation fee, deactivation fee, enrollment fee, or monitoring fee must be collected by the participating agency and used to defray the participating agency's costs of the 24/7 sobriety program.

(2) Any participation fee must be collected by the participating agency and deposited in the state 24/7 sobriety account to cover 24/7 sobriety program administration costs incurred by the Washington association of sheriffs and police chiefs.

(3) All applicable fees shall be paid by the participant contemporaneously or in advance of the time when the fee becomes due; however, cities and counties may subsidize or pay any applicable fees.

(4) A city or county may accept for deposit, donations, gifts, grants, local account fund transfers, and other assistance into its local 24/7 sobriety account to defray the participating agency's costs of the 24/7 sobriety program.

Sec. 13. RCW 46.61.5054 and 2015 c 265 s 32 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 46.61.5051 through 46.61.5053 until September 1, 1995, and RCW 46.61.5055 thereafter, a two hundred fifty dollar fee shall be assessed to a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution, as a result of an arrest for violating RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522. This fee is for the purpose of funding the Washington state toxicology laboratory and the Washington state patrol for grants and activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(b) Upon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay.

(2) The fee assessed under subsection (1) of this section shall be collected by the clerk of the court and, subject to subsection ((4)) (5) of this section, one hundred seventy-five dollars of the fee must be distributed as follows:

(a) Forty percent shall be subject to distribution under RCW 3.46.120, 3.50.100, 35.20.220, 3.62.020, 3.62.040, or 10.82.070.

(b) The remainder of the fee shall be forwarded to the state treasurer who shall, through June 30, 1997, deposit: Fifty percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and fifty percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs. Effective July 1, 1997, the remainder of the fee shall be forwarded to the state treasurer who shall deposit: Fifteen percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and eighty-five percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(3) Twenty-five dollars of the fee assessed under subsection (1) of this

section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to reduce statewide collisions caused by persons driving under the influence of alcohol or drugs. Grants awarded under this subsection may be for projects that encourage collaboration with other community, governmental, and private organizations, and that utilize innovative approaches based on best practices or proven strategies supported by research or rigorous evaluation. Grants recipients may include, for example:

(a) DUI courts; ~~((and))~~

(b) Jurisdictions implementing the victim impact panel registries under RCW 46.61.5152 and 10.01.230; and

(c) Pilot programs in King and Spokane counties that are designed for persons with two or more prior offenses in seven years and include evidence-based assessment, enhanced intensive outpatient substance use disorder treatment, monitoring, and, when needed, priority entry into voluntary or involuntary detoxification services or residential substance use disorder treatment, if state funding is provided specifically for this purpose.

(4) Fifty dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to organizations within counties targeted for programs to reduce driving under the influence of alcohol or drugs. A minimum of three hundred thousand dollars of these grant funds shall support pilot programs in King and Spokane counties that are designed for persons with two or more prior offenses in seven years, as described in subsection (3)(c) of this section.

(5) If the court has suspended payment of part of the fee pursuant to subsection (1)(b) of this section, amounts collected shall be distributed proportionately.

~~((5))~~ (6) This section applies to any offense committed on or after July 1, 1993, and only to adult offenders.

Sec. 14. RCW 18.360.010 and 2016 c 124 s 1 are each amended to read as follows:

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

(1) "Administer" means the retrieval of medication, and its application to a patient, as authorized in RCW 18.360.050.

(2) "Delegation" means direct authorization granted by a licensed health care practitioner to a medical assistant to perform the functions authorized in this chapter which fall within the scope of practice of the health care provider and the training and experience of the medical assistant.

(3) "Department" means the department of health.

(4) "Health care practitioner" means:

(a) A physician licensed under chapter 18.71 RCW;

(b) An osteopathic physician and surgeon licensed under chapter 18.57 RCW; or

(c) Acting within the scope of their respective licensure, a podiatric physician and surgeon licensed under chapter 18.22 RCW, a registered nurse or advanced registered nurse practitioner licensed under chapter 18.79 RCW, a naturopath licensed under chapter 18.36A RCW, a physician assistant licensed under chapter 18.71A RCW, an osteopathic physician assistant licensed under chapter 18.57A RCW, or an optometrist licensed under chapter 18.53 RCW.

(5) "Medical assistant-certified" means a person certified under RCW 18.360.040 who assists a health care practitioner with patient care, executes administrative and clinical procedures, and performs functions as provided in RCW 18.360.050 under the supervision of the health care practitioner.

(6) "Medical assistant-hemodialysis technician" means a person certified under RCW 18.360.040 who performs hemodialysis and other functions pursuant to RCW 18.360.050 under the supervision of a health care practitioner.

(7) "Medical assistant-phlebotomist" means a person certified under RCW 18.360.040 who performs capillary, venous, and arterial invasive procedures for blood withdrawal and other functions pursuant to RCW 18.360.050 under the supervision of a health care practitioner.

(8) "Medical assistant-registered" means a person registered under RCW 18.360.040 who, pursuant to an endorsement by a health care practitioner, clinic, or group practice, assists a health care

practitioner with patient care, executes administrative and clinical procedures, and performs functions as provided in RCW 18.360.050 under the supervision of the health care practitioner.

(9) "Secretary" means the secretary of the department of health.

(10) "Supervision" means supervision of procedures permitted pursuant to this chapter by a health care practitioner who is physically present and is immediately available in the facility. The health care practitioner does not need to be present during procedures to withdraw blood, but must be immediately available.

(11) "Forensic phlebotomist" means a police officer, law enforcement officer, or employee of a correctional facility or detention facility, who is certified under this chapter and meets any additional training and proficiency standards of his or her employer to collect a venous blood sample for forensic testing pursuant to a search warrant, a waiver of the warrant requirement, or exigent circumstances.

Sec. 15. RCW 18.360.020 and 2012 c 153 s 3 are each amended to read as follows:

(1) No person may practice as a medical assistant-certified, medical assistant-hemodialysis technician, ~~((or))~~ medical assistant-phlebotomist, or forensic phlebotomist unless he or she is certified under RCW 18.360.040.

(2) No person may practice as a medical assistant-registered unless he or she is registered under RCW 18.360.040.

Sec. 16. RCW 18.360.030 and 2012 c 153 s 4 are each amended to read as follows:

(1) The secretary shall adopt rules specifying the minimum qualifications for a medical assistant-certified, medical assistant-hemodialysis technician, ~~((and))~~ medical assistant-phlebotomist, and forensic phlebotomist.

(a) The qualifications for a medical assistant-hemodialysis technician must be equivalent to the qualifications for hemodialysis technicians regulated pursuant to chapter 18.135 RCW as of January 1, 2012.

(b) The qualifications for a forensic phlebotomist must include training consistent with the occupational safety and health administration guidelines and must include between twenty and thirty hours of work in a clinical setting with the completion of more than one hundred

successful venipunctures. The secretary may not require more than forty hours of classroom training for initial training, which may include online preclass homework.

(2) The secretary shall adopt rules that establish the minimum requirements necessary for a health care practitioner, clinic, or group practice to endorse a medical assistant as qualified to perform the duties authorized by this chapter and be able to file an attestation of that endorsement with the department.

(3) The medical quality assurance commission, the board of osteopathic medicine and surgery, the podiatric medical board, the nursing care quality assurance commission, the board of naturopathy, and the optometry board shall each review and identify other specialty assistive personnel not included in this chapter and the tasks they perform. The department of health shall compile the information from each disciplining authority listed in this subsection and submit the compiled information to the legislature no later than December 15, 2012.

Sec. 17. RCW 18.360.040 and 2013 c 128 s 2 are each amended to read as follows:

(1)(a) The secretary shall issue a certification as a medical assistant-certified to any person who has satisfactorily completed a medical assistant training program approved by the secretary, passed an examination approved by the secretary, and met any additional qualifications established under RCW 18.360.030.

(b) The secretary shall issue an interim certification to any person who has met all of the qualifications in (a) of this subsection, except for the passage of the examination. A person holding an interim permit possesses the full scope of practice of a medical assistant-certified. The interim permit expires upon passage of the examination or after one year, whichever occurs first, and may not be renewed.

(2) The secretary shall issue a certification as a medical assistant-hemodialysis technician to any person who meets the qualifications for a medical assistant-hemodialysis technician established under RCW 18.360.030.

(3) The secretary shall issue a certification as a medical assistant-phlebotomist to any person who meets the

qualifications for a medical assistant-phlebotomist established under RCW 18.360.030.

(4) The secretary shall issue a certification as a forensic phlebotomist to any person who meets the qualifications for a forensic phlebotomist established under RCW 18.360.030.

(5)(a) The secretary shall issue a registration as a medical assistant-registered to any person who has a current endorsement from a health care practitioner, clinic, or group practice.

(b) In order to be endorsed under this subsection (~~(4)~~) (5), a person must:

(i) Be endorsed by a health care practitioner, clinic, or group practice that meets the qualifications established under RCW 18.360.030; and

(ii) Have a current attestation of his or her endorsement to perform specific medical tasks signed by a supervising health care practitioner filed with the department. A medical assistant-registered may only perform the medical tasks listed in his or her current attestation of endorsement.

(c) A registration based on an endorsement by a health care practitioner, clinic, or group practice is not transferable to another health care practitioner, clinic, or group practice.

(d) An applicant for registration as a medical assistant-registered who applies to the department within seven days of employment by the endorsing health care practitioner, clinic, or group practice may work as a medical assistant-registered for up to sixty days while the application is processed. The applicant must stop working on the sixtieth day of employment if the registration has not been granted for any reason.

~~((5))~~ (6) A certification issued under subsections (1) through (3) of this section is transferable between different practice settings. A certification under subsection (4) of this section is transferable between law enforcement agencies.

Sec. 18. RCW 18.130.040 and 2016 c 41 s 18 are each amended to read as follows:

(1) This chapter applies only to the secretary and the boards and commissions having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter

does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The secretary has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed and designated apprentices under chapter 18.34 RCW;

(ii) Midwives licensed under chapter 18.50 RCW;

(iii) Ocularists licensed under chapter 18.55 RCW;

(iv) Massage therapists and businesses licensed under chapter 18.108 RCW;

(v) Dental hygienists licensed under chapter 18.29 RCW;

(vi) East Asian medicine practitioners licensed under chapter 18.06 RCW;

(vii) Radiologic technologists certified and X-ray technicians registered under chapter 18.84 RCW;

(viii) Respiratory care practitioners licensed under chapter 18.89 RCW;

(ix) Hypnotherapists and agency affiliated counselors registered and advisors and counselors certified under chapter 18.19 RCW;

(x) Persons licensed as mental health counselors, mental health counselor associates, marriage and family therapists, marriage and family therapist associates, social workers, social work associates-advanced, and social work associates-independent clinical under chapter 18.225 RCW;

(xi) Persons registered as nursing pool operators under chapter 18.52C RCW;

(xii) Nursing assistants registered or certified or medication assistants endorsed under chapter 18.88A RCW;

(xiii) Dietitians and nutritionists certified under chapter 18.138 RCW;

(xiv) Chemical dependency professionals and chemical dependency professional trainees certified under chapter 18.205 RCW;

(xv) Sex offender treatment providers and certified affiliate sex offender treatment providers certified under chapter 18.155 RCW;

(xvi) Persons licensed and certified under chapter 18.73 RCW or RCW 18.71.205;

(xvii) Orthotists and prosthetists licensed under chapter 18.200 RCW;

(xviii) Surgical technologists registered under chapter 18.215 RCW;

(xix) Recreational therapists under chapter 18.230 RCW;

(xx) Animal massage therapists certified under chapter 18.240 RCW;

(xxi) Athletic trainers licensed under chapter 18.250 RCW;

(xxii) Home care aides certified under chapter 18.88B RCW;

(xxiii) Genetic counselors licensed under chapter 18.290 RCW;

(xxiv) Reflexologists certified under chapter 18.108 RCW;

(xxv) Medical assistants-certified, medical assistants-hemodialysis technician, medical assistants-phlebotomist, forensic phlebotomist, and medical assistants-registered certified and registered under chapter 18.360 RCW; and

(xxvi) Behavior analysts, assistant behavior analysts, and behavior technicians under chapter 18.380 RCW.

(b) The boards and commissions having authority under this chapter are as follows:

(i) The podiatric medical board as established in chapter 18.22 RCW;

(ii) The chiropractic quality assurance commission as established in chapter 18.25 RCW;

(iii) The dental quality assurance commission as established in chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW, licenses and registrations issued under chapter 18.260 RCW, and certifications issued under chapter 18.350 RCW;

(iv) The board of hearing and speech as established in chapter 18.35 RCW;

(v) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;

(vi) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;

(vii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;

(viii) The pharmacy quality assurance commission as established in chapter 18.64 RCW governing licenses issued under chapters 18.64 and 18.64A RCW;

(ix) The medical quality assurance commission as established in chapter 18.71 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;

(x) The board of physical therapy as established in chapter 18.74 RCW;

(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;

(xii) The nursing care quality assurance commission as established in chapter 18.79 RCW governing licenses and registrations issued under that chapter;

(xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;

(xiv) The veterinary board of governors as established in chapter 18.92 RCW;

(xv) The board of naturopathy established in chapter 18.36A RCW; and

(xvi) The board of denturists established in chapter 18.30 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses. The disciplining authority may also grant a license subject to conditions.

(4) All disciplining authorities shall adopt procedures to ensure substantially consistent application of this chapter, the uniform disciplinary act, among the disciplining authorities listed in subsection (2) of this section.

Sec. 19. RCW 18.120.020 and 2016 c 41 s 17 are each reenacted and amended to read as follows:

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

(1) "Applicant group" includes any health professional group or organization, any individual, or any other interested party which proposes that any health professional group not presently regulated be regulated or which proposes to substantially increase the scope of practice of the profession.

(2) "Certificate" and "certification" mean a voluntary process by which a

statutory regulatory entity grants recognition to an individual who (a) has met certain prerequisite qualifications specified by that regulatory entity, and (b) may assume or use "certified" in the title or designation to perform prescribed health professional tasks.

(3) "Grandfather clause" means a provision in a regulatory statute applicable to practitioners actively engaged in the regulated health profession prior to the effective date of the regulatory statute which exempts the practitioners from meeting the prerequisite qualifications set forth in the regulatory statute to perform prescribed occupational tasks.

(4) "Health professions" means and includes the following health and health-related licensed or regulated professions and occupations: Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW; dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW; dental anesthesia assistants under chapter 18.350 RCW; dispensing opticians under chapter 18.34 RCW; hearing instruments under chapter 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and funeral directing under chapter 18.39 RCW; midwifery under chapter 18.50 RCW; nursing home administration under chapter 18.52 RCW; optometry under chapters 18.53 and 18.54 RCW; ocularists under chapter 18.55 RCW; osteopathic medicine and surgery under chapters 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine under chapters 18.71 and 18.71A RCW; emergency medicine under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses under chapter 18.79 RCW; psychologists under chapter 18.83 RCW; registered nurses under chapter 18.79 RCW; occupational therapists licensed under chapter 18.59 RCW; respiratory care practitioners licensed under chapter 18.89 RCW; veterinarians and veterinary technicians under chapter 18.92 RCW; massage therapists under chapter 18.108 RCW; East Asian medicine practitioners licensed under chapter 18.06 RCW; persons registered under chapter 18.19 RCW; persons licensed as mental health counselors, marriage and family therapists, and social workers under chapter 18.225 RCW; dietitians and nutritionists certified by chapter 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing assistants registered or certified under chapter 18.88A RCW;

reflexologists certified under chapter 18.108 RCW; medical assistants-certified, medical assistants-hemodialysis technician, medical assistants-phlebotomist, forensic phlebotomist, and medical assistants-registered certified and registered under chapter 18.360 RCW; and licensed behavior analysts, licensed assistant behavior analysts, and certified behavior technicians under chapter 18.380 RCW.

(5) "Inspection" means the periodic examination of practitioners by a state agency in order to ascertain whether the practitioners' occupation is being carried out in a fashion consistent with the public health, safety, and welfare.

(6) "Legislative committees of reference" means the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider proposed legislation to regulate health professions not previously regulated.

(7) "License," "licensing," and "licensure" mean permission to engage in a health profession which would otherwise be unlawful in the state in the absence of the permission. A license is granted to those individuals who meet prerequisite qualifications to perform prescribed health professional tasks and for the use of a particular title.

(8) "Practitioner" means an individual who (a) has achieved knowledge and skill by practice, and (b) is actively engaged in a specified health profession.

(9) "Professional license" means an individual, nontransferable authorization to carry on a health activity based on qualifications which include: (a) Graduation from an accredited or approved program, and (b) acceptable performance on a qualifying examination or series of examinations.

(10) "Public member" means an individual who is not, and never was, a member of the health profession being regulated or the spouse of a member, or an individual who does not have and never has had a material financial interest in either the rendering of the health professional service being regulated or an activity directly related to the profession being regulated.

(11) "Registration" means the formal notification which, prior to rendering services, a practitioner shall submit to a state agency setting forth the name and

address of the practitioner; the location, nature and operation of the health activity to be practiced; and, if required by the regulatory entity, a description of the service to be provided.

(12) "Regulatory entity" means any board, commission, agency, division, or other unit or subunit of state government which regulates one or more professions, occupations, industries, businesses, or other endeavors in this state.

(13) "State agency" includes every state office, department, board, commission, regulatory entity, and agency of the state, and, where provided by law, programs and activities involving less than the full responsibility of a state agency.

NEW SECTION. **Sec. 20.** Sections 18 and 19 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2017."

On page 1, line 1 of the title, after "driving;" strike the remainder of the title and insert "amending RCW 46.20.385, 46.20.720, 46.61.506, 46.61.508, 18.130.140, 46.61.517, 46.64.025, 36.28A.370, 46.61.5054, 18.360.010, 18.360.020, 18.360.030, 18.360.040, and 18.130.040; reenacting and amending RCW 9.96.060, 10.31.100, 46.61.5055, and 18.120.020; creating a new section; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1614 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Goodman and Klippert spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1614, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1614, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Ryu, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Santos and Taylor.
Excused: Representatives Pollet and Rodne.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1614, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

- SUBSTITUTE HOUSE BILL NO. 1043
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465
- SUBSTITUTE HOUSE BILL NO. 1477
- SUBSTITUTE HOUSE BILL NO. 1501
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1504
- SUBSTITUTE HOUSE BILL NO. 1543
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1614
- ENGROSSED HOUSE BILL NO. 1620
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1711
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714
- HOUSE BILL NO. 1718
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1719
- SUBSTITUTE HOUSE BILL NO. 2202

The Speaker called upon Representative Lovick to preside.

THIRD READING

MESSAGE FROM THE SENATE

April 21, 2017

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5046 and asks the House to recede therefrom.

and the same is herewith transmitted.

Paul Campos, Deputy Secretary

**HOUSE AMENDMENT
TO SENATE BILL**

There being no objection, the House receded from its amendment. The rules were suspended and SUBSTITUTE SENATE BILL NO. 5046 was returned to second reading for the purpose of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5046, by Senate Committee on Local Government (originally sponsored by Senators Hasegawa, Chase, Darneille and Rolfe)

Providing public notices of public health, safety, and welfare in a language other than English.

Representative Santos moved the adoption of striking amendment (575):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that, as a matter of human dignity, all persons should be informed of emergency notifications in a manner in which they can understand. It is the intent of the legislature that all persons who may be in harm's way in an emergency are informed of their peril, and informed of appropriate actions they should take to protect themselves and their families.

NEW SECTION. Sec. 2. A new section is added to chapter 38.52 RCW to read as follows:

Beginning December 1, 2019, a state agency that provides life safety information in an emergency or disaster must provide, to the relevant committees of the legislature, a copy of its current communication plan for notifying significant population segments of such information, including the agency's point of contact. The state agency must also submit an annual report to the relevant committees of the legislature identifying those instances of emergency or disaster in the preceding year in which life safety information was provided and what public messaging strategies and means were used to notify citizens with limited English proficiency.

Sec. 3. RCW 38.52.010 and 2015 c 61 s 1 are each reenacted and amended to read as follows:

As used in this chapter:

(1) "Communication plan," as used in RCW 38.52.070, means a section in a local comprehensive emergency management plan that addresses emergency notification of life safety information.

(2) "Continuity of operations planning" means the internal effort of an organization to assure that the capability exists to continue essential functions and services in response to a comprehensive array of potential emergencies or disasters.

~~((2))~~ (3) "Department" means the state military department.

~~((3))~~ (4) "Director" means the adjutant general.

~~((4))~~ (5) "Emergency management" or "comprehensive emergency management" means the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, technological, or human caused, and to provide support for search and rescue operations for persons and property in distress. However, "emergency management" or "comprehensive emergency management" does not mean preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack.

~~((5))~~ (6) (a) "Emergency or disaster" as used in all sections of this chapter except RCW 38.52.430 shall mean an event or set of circumstances which: (i) Demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences, or (ii) reaches such a dimension or degree of destructiveness as to warrant the governor declaring a state of emergency pursuant to RCW 43.06.010.

(b) "Emergency" as used in RCW 38.52.430 means an incident that requires a normal police, coroner, fire, rescue, emergency medical services, or utility response as a result of a violation of one of the statutes enumerated in RCW 38.52.430.

~~((6))~~ (7) "Emergency response" as used in RCW 38.52.430 means a public agency's use of emergency services during an emergency or disaster as defined in subsection ~~((5))~~ (6) (b) of this section.

~~((7))~~ (8) "Emergency worker" means any person who is registered with a local emergency management organization or the department and holds an identification card issued by the local emergency management director or the department for the purpose of engaging in authorized emergency management activities or is an employee of the state of Washington or any political subdivision thereof who is called upon to perform emergency management activities.

~~((8))~~ (9) "Executive head" and "executive heads" means the county executive in those charter counties with an elective office of county executive, however designated, and, in the case of other counties, the county legislative authority. In the case of cities and towns, it means the mayor in those cities and towns with mayor-council or commission forms of government, where the mayor is directly elected, and it means the city manager in those cities and towns with council manager forms of government. Cities and towns may also designate an executive head for the purposes of this chapter by ordinance.

~~((9))~~ (10) "Expense of an emergency response" as used in RCW 38.52.430 means reasonable costs incurred by a public agency in reasonably making an appropriate emergency response to the incident, but shall only include those costs directly arising from the response to the particular incident. Reasonable costs shall include the costs of providing police, coroner, firefighting, rescue, emergency medical services, or utility response at the scene of the incident, as well as the salaries of the personnel responding to the incident.

~~((10))~~ (11) "Incident command system" means: (a) An all-hazards, on-scene functional management system that establishes common standards in organization, terminology, and procedures; provides a means (unified command) for the establishment of a common set of incident objectives and strategies during multiagency/multijurisdiction operations while maintaining individual agency/jurisdiction authority, responsibility, and accountability; and is a component of the national interagency incident management system; or (b) an

equivalent and compatible all-hazards, on-scene functional management system.

~~((11))~~ (12) "Injury" as used in this chapter shall mean and include accidental injuries and/or occupational diseases arising out of emergency management activities.

~~((12))~~ (13) "Life safety information" means information provided to people during a response to a life-threatening emergency or disaster informing them of actions they can take to preserve their safety. Such information may include, but is not limited to, information regarding evacuation, sheltering, sheltering-in-place, facility lockdown, and where to obtain food and water.

(14) "Local director" means the director of a local organization of emergency management or emergency services.

~~((13))~~ (15) "Local organization for emergency services or management" means an organization created in accordance with the provisions of this chapter by state or local authority to perform local emergency management functions.

~~((14))~~ (16) "Political subdivision" means any county, city or town.

~~((15))~~ (17) "Public agency" means the state, and a city, county, municipal corporation, district, town, or public authority located, in whole or in part, within this state which provides or may provide firefighting, police, ambulance, medical, or other emergency services.

~~((16))~~ (18) "Radio communications service company" has the meaning ascribed to it in RCW 82.14B.020.

~~((17))~~ (19) "Search and rescue" means the acts of searching for, rescuing, or recovering by means of ground, marine, or air activity any person who becomes lost, injured, or is killed while outdoors or as a result of a natural, technological, or human caused disaster, including instances involving searches for downed aircraft when ground personnel are used. Nothing in this section shall affect appropriate activity by the department of transportation under chapter 47.68 RCW.

Sec. 4. RCW 38.52.070 and 1997 c 49 s 4 are each amended to read as follows:

(1) Each political subdivision of this state is hereby authorized and directed to establish a local organization or to be a member of a joint local organization for

emergency management in accordance with the state comprehensive emergency management plan and program: PROVIDED, That a political subdivision proposing such establishment shall submit its plan and program for emergency management to the state director and secure his or her recommendations thereon, and verification of consistency with the state comprehensive emergency management plan, in order that the plan of the local organization for emergency management may be coordinated with the plan and program of the state. Local comprehensive emergency management plans must specify the use of the incident command system for multiagency/multijurisdiction operations. No political subdivision may be required to include in its plan provisions for the emergency evacuation or relocation of residents in anticipation of nuclear attack. If the director's recommendations are adverse to the plan as submitted, and, if the local organization does not agree to the director's recommendations for modification to the proposal, the matter shall be referred to the council for final action. The director may authorize two or more political subdivisions to join in the establishment and operation of a joint local organization for emergency management as circumstances may warrant, in which case each political subdivision shall contribute to the cost of emergency management upon such fair and equitable basis as may be determined upon by the executive heads of the constituent subdivisions. If in any case the executive heads cannot agree upon the proper division of cost the matter shall be referred to the council for arbitration and its decision shall be final. When two or more political subdivisions join in the establishment and operation of a joint local organization for emergency management each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision, which fund shall be known as the emergency management fund. Each local organization or joint local organization for emergency management shall have a director who shall be appointed by the executive head of the political subdivision, and who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency management, subject to the direction and control of such executive officer or officers. In the case of a joint local organization for emergency management, the director shall be

appointed by the joint action of the executive heads of the constituent political subdivisions. Each local organization or joint local organization for emergency management shall perform emergency management functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this chapter.

(2) In carrying out the provisions of this chapter each political subdivision, in which any disaster as described in RCW 38.52.020 occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds.

(3) (a) Each local organization or joint local organization for emergency management that produces a local comprehensive emergency management plan must include a communication plan for notifying significant population segments of life safety information during an emergency. Local organizations and joint local organizations are encouraged to consult with affected community organizations in the development of the communication plans.

(i) In developing communication plans, local organizations and joint organizations should consider, as part of their determination of the extent of the obligation to provide emergency notification to significant population segments, the following factors: The number or proportion of the limited English proficiency persons eligible to be served or likely to be encountered; the

frequency with which limited English proficiency individuals come in contact with the emergency notification; the nature and importance of the emergency notification, service, or program to people's lives; and the resources available to the political subdivision to provide emergency notifications.

(ii) "Significant population segment" means, for the purposes of this subsection (3), each limited English proficiency language group that constitutes five percent or one thousand residents, whichever is less, of the population of persons eligible to be served or likely to be affected within a city, town, or county. The office of financial management forecasting division's limited English proficiency population estimates are the demographic data set for determining eligible limited English proficiency language groups.

(b) Local organizations and joint local organizations must submit the plans produced under (a) of this subsection to the Washington military department emergency management division, and must implement those plans. An initial communication plan must be submitted with the local organization or joint local organization's next local emergency management plan update following the effective date of this section, and subsequent plans must be reviewed in accordance with the director's schedule.

(4) When conducting emergency or disaster after-action reviews, local organizations and joint local organizations must evaluate the effectiveness of communication of life safety information and must inform the emergency management division of the Washington military department of technological challenges which limited communications efforts, along with identifying recommendations and resources needed to address those challenges.

NEW SECTION. Sec. 5. A new section is added to chapter 38.52 RCW to read as follows:

(1) Beginning December 1, 2019, the Washington military department emergency management division must submit a report every five years to the relevant committees of the legislature containing the status of communication plans produced under RCW 38.52.070 (3) (a) .

(2) The emergency management division of the Washington military department must provide the legislature an annual report

on instances of emergency or disaster in which communication of life safety information was technologically infeasible, as reported to the department pursuant to RCW 38.52.070(4). When potential technology solutions exist, the report must include recommendations and an estimate of resources required to remedy the infeasibility. The first annual report is due December 1, 2019.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2017, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Santos and Griffey spoke in favor of the adoption of the striking amendment (575).

Amendment (575) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Santos spoke in favor of the passage of the bill, as amended by the House.

Representative Griffey spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5046, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5046, as amended by the House, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jenkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representative Pollet.

SUBSTITUTE SENATE BILL NO. 5046, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, SUBSTITUTE SENATE BILL NO. 5046 was immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

April 21, 2017

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5046,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 21, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5046,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 21, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1043,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1427,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465,
SUBSTITUTE HOUSE BILL NO. 1477,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1504,
ENGROSSED HOUSE BILL NO. 1620,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1711,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1714,
HOUSE BILL NO. 1718,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1719,
SUBSTITUTE HOUSE BILL NO. 2202,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 21, 2017

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 5008,
SUBSTITUTE SENATE BILL NO. 5018,
SENATE BILL NO. 5268,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5388,
SUBSTITUTE SENATE BILL NO. 5589,
SENATE BILL NO. 5762,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 21, 2017

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5131,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5810,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 21, 2017

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5037,
SENATE BILL NO. 5130,
SENATE CONCURRENT RESOLUTION NO. 8401,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 21, 2017

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 5096, and has passed the bill as recommended by the Conference Committee.

Hunter G. Goodman, Secretary

April 21, 2017

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 5096,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SENATE BILL NO. 5008
SUBSTITUTE SENATE BILL NO. 5018
SENATE BILL NO. 5037
SUBSTITUTE SENATE BILL NO. 5046
SENATE BILL NO. 5096
SENATE BILL NO. 5130
ENGROSSED SUBSTITUTE SENATE BILL NO.
5131
SENATE BILL NO. 5268
ENGROSSED SUBSTITUTE SENATE BILL NO.
5388

SUBSTITUTE SENATE BILL NO. 5589
SENATE BILL NO. 5762
ENGROSSED SUBSTITUTE SENATE BILL NO.
5810
SENATE CONCURRENT RESOLUTION NO. 8401

There being no objection, the House adjourned until 11
a.m., April 23, 2017, the 105th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

ONE HUNDRED FIFTH DAY

House Chamber, Olympia, Sunday, April 23, 2017

The House was called to order at 11:00 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION**HOUSE RESOLUTION NO. 2017-4646, by Representatives Sullivan and Kretz**

WHEREAS, It is necessary to provide for the continuation of the work of the House of Representatives after its adjournment and during the interim periods between legislative sessions;

NOW, THEREFORE, BE IT RESOLVED, That the Executive Rules Committee is hereby created by this resolution and shall consist of three members of the majority caucus and two members of the minority caucus, to be named by the Speaker of the House of Representatives and Minority Leader respectively; and

BE IT FURTHER RESOLVED, That the Executive Rules Committee may assign subject matters, bills, memorials, and resolutions to authorized committees of the House of Representatives for study during the interim, and the Speaker of the House of Representatives may create special and select committees as may be necessary to carry out the functions, including interim studies, of the House of Representatives in an orderly manner and shall appoint members to such committees with the approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That, during the interim, the schedules, agendas, and locations for all meetings of any legislative task force, committee, or subcommittee shall be approved by the Executive Rules Committee, and those task forces, committees, or subcommittees may conduct hearings and scheduling without a quorum being present; and

BE IT FURTHER RESOLVED, That, during the interim, authorized committees have the power of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall complete the

work of the 2017 Regular Session of the Sixty-Fifth Legislature during interim periods, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall make the necessary inventory of furnishings, fixtures, and supplies; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives may approve vouchers of the members of the House of Representatives, covering expenses incurred during the interim for official business of the Legislature in accordance with policies set by the Executive Rules Committee, at the per diem rate provided by law and established by the Executive Rules Committee, for each day or major portion of a day, plus mileage at the rate provided by law and established by the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall, during the interim, and as authorized by the Speaker of the House of Representatives, retain or hire any necessary employees and order necessary supplies, equipment, and printing to enable the House of Representatives to carry out its work promptly and efficiently, and accept committee reports, committee bills, prefiled bills, memorials, and resolutions as directed by the Rules of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall have authority to carry out the directions of the Executive Rules Committee regarding the authorization and execution of any personal services contracts or subcontracts that necessitate the expenditure of House of Representatives appropriations; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall execute the necessary vouchers upon which warrants are drawn for all legislative expenses and expenditures of the House of Representatives; and

BE IT FURTHER RESOLVED, That members and employees of the Legislature be reimbursed for expenses incurred in attending authorized conferences and meetings at the rate provided by law and established by the Executive Rules Committee, plus mileage to and from the conferences and meetings at the rate provided by law and established by the Executive Rules Committee, which reimbursement shall

be paid on vouchers from any appropriation made to the House of Representatives for legislative expenses; and

BE IT FURTHER RESOLVED, That, during the interim, the use of the House of Representatives Chamber, any of its committee rooms, or any of the furniture or furnishings in them is permitted upon such terms and conditions as the Chief Clerk of the House of Representatives shall deem appropriate; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives may express the sympathy of the House of Representatives by sending flowers and correspondence when the necessity arises; and

BE IT FURTHER RESOLVED, That this Resolution applies throughout the interim between sessions of the Sixty-Fifth Legislature, as well as any committee assembly.

There being no objection, HOUSE RESOLUTION NO. 4646 was adopted.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4403, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4403 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 4404, by Representatives Sullivan and Kretz

Adjourning SINE DIE.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4404 was adopted.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4403 and HOUSE CONCURRENT RESOLUTION NO. 4404 were immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

April 21, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1501,
SUBSTITUTE HOUSE BILL NO. 1543,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1614,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2017

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4403,
HOUSE CONCURRENT RESOLUTION NO. 4404,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4403
HOUSE CONCURRENT RESOLUTION NO. 4404

The Speaker called upon Representative Sullivan to preside.

MESSAGE FROM THE SENATE

April 23, 2017

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4403,
HOUSE CONCURRENT RESOLUTION NO. 4404,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2017

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4403, the following House Bills were returned to the House of Representatives:

SUBSTITUTE HOUSE BILL NO. 1022,
ENGROSSED HOUSE BILL NO. 1032,

SUBSTITUTE HOUSE BILL NO. 1037,
 HOUSE BILL NO. 1042,
 SUBSTITUTE HOUSE BILL NO. 1045,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1046,
 HOUSE BILL NO. 1053,
 HOUSE BILL NO. 1056,
 SUBSTITUTE HOUSE BILL NO. 1059,
 SUBSTITUTE HOUSE BILL NO. 1060,
 HOUSE BILL NO. 1063,
 HOUSE BILL NO. 1069,
 SUBSTITUTE HOUSE BILL NO. 1070,
 ENGROSSED HOUSE BILL NO. 1078,
 ENGROSSED HOUSE BILL NO. 1081,
 HOUSE BILL NO. 1089,
 HOUSE BILL NO. 1095,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097,
 HOUSE BILL NO. 1125,
 SUBSTITUTE HOUSE BILL NO. 1126,
 HOUSE BILL NO. 1128,
 SUBSTITUTE HOUSE BILL NO. 1129,
 HOUSE BILL NO. 1132,
 HOUSE BILL NO. 1139,
 SUBSTITUTE HOUSE BILL NO. 1155,
 SUBSTITUTE HOUSE BILL NO. 1160,
 HOUSE BILL NO. 1162,
 HOUSE BILL NO. 1167,
 SECOND SUBSTITUTE HOUSE BILL NO. 1168,
 SECOND SUBSTITUTE HOUSE BILL NO. 1169,
 HOUSE BILL NO. 1182,
 SUBSTITUTE HOUSE BILL NO. 1186,
 ENGROSSED HOUSE BILL NO. 1188,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1194,
 SUBSTITUTE HOUSE BILL NO. 1196,
 SUBSTITUTE HOUSE BILL NO. 1209,
 HOUSE BILL NO. 1221,
 SUBSTITUTE HOUSE BILL NO. 1232,
 ENGROSSED HOUSE BILL NO. 1237,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1239,
 HOUSE BILL NO. 1267,
 SECOND SUBSTITUTE HOUSE BILL NO. 1280,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1289,
 SUBSTITUTE HOUSE BILL NO. 1291,
 SUBSTITUTE HOUSE BILL NO. 1293,
 SUBSTITUTE HOUSE BILL NO. 1298,
 ENGROSSED HOUSE BILL NO. 1309,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1316,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1319,
 SUBSTITUTE HOUSE BILL NO. 1321,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1323,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1333,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1339,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1341,
 SUBSTITUTE HOUSE BILL NO. 1347,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1359,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371,
 HOUSE BILL NO. 1373,
 SUBSTITUTE HOUSE BILL NO. 1377,
 ENGROSSED HOUSE BILL NO. 1378,
 SUBSTITUTE HOUSE BILL NO. 1384,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1388,
 SUBSTITUTE HOUSE BILL NO. 1413,
 SUBSTITUTE HOUSE BILL NO. 1414,
 SUBSTITUTE HOUSE BILL NO. 1421,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1426,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432,
 SUBSTITUTE HOUSE BILL NO. 1433,
 SUBSTITUTE HOUSE BILL NO. 1434,
 HOUSE BILL NO. 1437,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1439,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1440,
 HOUSE BILL NO. 1452,
 SUBSTITUTE HOUSE BILL NO. 1456,
 HOUSE BILL NO. 1468,
 HOUSE BILL NO. 1470,
 SUBSTITUTE HOUSE BILL NO. 1472,
 ENGROSSED HOUSE BILL NO. 1476,
 ENGROSSED HOUSE BILL NO. 1480,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1482,
 HOUSE BILL NO. 1492,
 HOUSE BILL NO. 1494,
 HOUSE BILL NO. 1499,
 SUBSTITUTE HOUSE BILL NO. 1502,
 ENGROSSED HOUSE BILL NO. 1506,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1512,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1513,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1514,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1523,
 SUBSTITUTE HOUSE BILL NO. 1524,
 SUBSTITUTE HOUSE BILL NO. 1532,
 SECOND SUBSTITUTE HOUSE BILL NO. 1540,
 SECOND SUBSTITUTE HOUSE BILL NO. 1541,
 ENGROSSED HOUSE BILL NO. 1551,
 HOUSE BILL NO. 1558,
 HOUSE BILL NO. 1560,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1561,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1562,
 SUBSTITUTE HOUSE BILL NO. 1566,
 HOUSE BILL NO. 1571,
 SUBSTITUTE HOUSE BILL NO. 1586,
 HOUSE BILL NO. 1603,
 HOUSE BILL NO. 1606,
 SUBSTITUTE HOUSE BILL NO. 1618,
 HOUSE BILL NO. 1627,
 HOUSE BILL NO. 1630,
 HOUSE BILL NO. 1640,
 SUBSTITUTE HOUSE BILL NO. 1655,
 ENGROSSED HOUSE BILL NO. 1656,
 SECOND ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1661,
 HOUSE BILL NO. 1672,
 SUBSTITUTE HOUSE BILL NO. 1673,
 HOUSE BILL NO. 1674,
 SUBSTITUTE HOUSE BILL NO. 1680,
 HOUSE BILL NO. 1715,
 HOUSE BILL NO. 1716,
 SUBSTITUTE HOUSE BILL NO. 1723,
 HOUSE BILL NO. 1733,
 ENGROSSED HOUSE BILL NO. 1742,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1751,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1753,
 SUBSTITUTE HOUSE BILL NO. 1763,
 HOUSE BILL NO. 1772,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1777,
 SUBSTITUTE HOUSE BILL NO. 1782,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1783,
 SUBSTITUTE HOUSE BILL NO. 1787,
 SECOND SUBSTITUTE HOUSE BILL NO. 1789,
 HOUSE BILL NO. 1790,

ENGROSSED HOUSE BILL NO. 1795,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1796,
 HOUSE BILL NO. 1800,
 HOUSE BILL NO. 1806,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1807,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1824,
 SUBSTITUTE HOUSE BILL NO. 1825,
 HOUSE BILL NO. 1828,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1831,
 HOUSE BILL NO. 1833,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1843,
 HOUSE BILL NO. 1844,
 HOUSE BILL NO. 1849,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1851,
 HOUSE BILL NO. 1855,
 ENGROSSED HOUSE BILL NO. 1857,
 ENGROSSED HOUSE BILL NO. 1858,
 HOUSE BILL NO. 1859,
 HOUSE BILL NO. 1861,
 SUBSTITUTE HOUSE BILL NO. 1893,
 ENGROSSED HOUSE BILL NO. 1913,
 ENGROSSED HOUSE BILL NO. 1927,
 SECOND SUBSTITUTE HOUSE BILL NO. 1929,
 SUBSTITUTE HOUSE BILL NO. 1930,
 HOUSE BILL NO. 1939,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1952,
 HOUSE BILL NO. 1953,
 ENGROSSED HOUSE BILL NO. 1958,
 SUBSTITUTE HOUSE BILL NO. 1966,
 ENGROSSED HOUSE BILL NO. 1967,
 SECOND SUBSTITUTE HOUSE BILL NO. 1980,
 HOUSE BILL NO. 1991,
 SUBSTITUTE HOUSE BILL NO. 2006,
 HOUSE BILL NO. 2007,
 ENGROSSED HOUSE BILL NO. 2008,
 SECOND SUBSTITUTE HOUSE BILL NO. 2009,
 SUBSTITUTE HOUSE BILL NO. 2016,
 SUBSTITUTE HOUSE BILL NO. 2021,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2029,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2057,
 HOUSE BILL NO. 2066,
 HOUSE BILL NO. 2087,
 ENGROSSED HOUSE BILL NO. 2095,
 HOUSE BILL NO. 2097,
 SECOND ENGROSSED HOUSE BILL NO. 2107,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2121,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2143,

SUBSTITUTE HOUSE BILL NO. 2182,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200,
 ENGROSSED HOUSE BILL NO. 2201,
 HOUSE JOINT MEMORIAL NO. 4002,
 SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4008,
 HOUSE JOINT MEMORIAL NO. 4010,
 HOUSE JOINT MEMORIAL NO. 4011,
 HOUSE CONCURRENT RESOLUTION NO. 4400,
 HOUSE CONCURRENT RESOLUTION NO. 4402,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2017

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4403, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600,
 SUBSTITUTE HOUSE BILL NO. 1624,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2023,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MOTIONS

On motion of Representative Sullivan, the reading of the Journal of the 105th Day of the 2017 Regular Session of the 65th Legislature was dispensed with and ordered to stand approved.

On motion of Representative Sullivan, the 2017 Regular Session of the 65th Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

FIRST DAY

House Chamber, Olympia, Monday, April 24, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Sullivan presiding).

There being no objection, the House advanced to the third order of business.

MESSAGES

**PROCLAMATION BY THE GOVERNOR
17-06**

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2017 regular session on April 23, 2017, the 105th day of the session; and

WHEREAS, work remains to be done with respect to the 2017-18 biennial operating and capital budgets and bills necessary to implement those budgets; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Republican Leader, and Senate Democratic Leader, working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Monday, April 24, 2017, at 10:00 a.m. for the purpose of enacting legislation as described above.

Signed and sealed with the official seal of the state of Washington this 24th day of April, A.D. Two thousand and Seventeen at Olympia, Washington.

By:

Jay Inslee, Governor

MESSAGE FROM THE SENATE

April 24, 2017

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8404,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SCR 8404 by Senator Fain

Specifying the status of bills, memorials, and resolutions for the 2017 regular and first special sessions of the Sixty-fifth Legislature.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8404 was read the first time, and under suspension of the rules was placed on the third reading calendar.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8404 was adopted.

There being no objection, the House adjourned until 9:55 a.m., April 26, 2017, the 3rd Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

THIRD DAY

House Chamber, Olympia, Wednesday, April 26, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

April 25, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of
Washington

Ladies and Gentlemen:

I am returning herewith, without my approval,
Substitute House Bill No. 1877 entitled:

³AN ACT Relating to the release of driving record abstract information affecting registered tow truck operators.'

This bill prohibits actions committed by registered tow truck operators while fulfilling their occupational duties from being included in the driver record abstract requested by and submitted to insurance carriers, provided the operator has not been issued a citation. The intent and policy of this bill is identical to Section 2 of Substitute Senate Bill 5343, which I previously signed into law on April 17, 2017. This bill creates a duplication in the law and is therefore unnecessary.

For these reasons I have vetoed Substitute House Bill No. 1877 in its entirety.

Respectfully submitted,

Jay Inslee
Governor

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2207 by Representatives MacEwen and Taylor

AN ACT Relating to prohibiting state health care plans from covering individuals for repeated treatment for hepatitis C infection; and amending RCW 41.05.075.

Referred to Committee on Health Care & Wellness.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House adjourned until 9:55 a.m., April 28, 2017, the 5th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION**FIFTH DAY**

House Chamber, Olympia, Friday, April 28, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

SENATE CONCURRENT RESOLUTION NO. 8404,

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the third order of business.

There being no objection, the House adjourned until 9:55 a.m., May 1, 2017, the 8th Day of the 1st Special Session.

MESSAGE FROM THE SENATE

April 28, 2017

FRANK CHOPP, Speaker

MR. SPEAKER:

BERNARD DEAN, Chief Clerk

The President has signed:

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

EIGHTH DAY

House Chamber, Olympia, Monday, May 1, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

SUBSTITUTE HOUSE BILL NO. 1046
HOUSE BILL NO. 1056
ENGROSSED HOUSE BILL NO. 1309
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1440
HOUSE BILL NO. 1452
ENGROSSED HOUSE BILL NO. 1506

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508
HOUSE BILL NO. 1571
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600
HOUSE BILL NO. 1630
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1661
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1783
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886
ENGROSSED HOUSE BILL NO. 1958
SECOND SUBSTITUTE HOUSE BILL NO. 2143
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200

There being no objection, the House adjourned until 10:00 a.m., May 2, 2017, the 9th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

NINTH DAY

House Chamber, Olympia, Tuesday, May 2, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Mitch Larsson and Erik Kiffe. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Vicki Kraft, 17th Legislative District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of SECOND SUBSTITUTE HOUSE BILL NO. 1777 and the bill was placed on the third reading calendar:

The Speaker (Representative Lovick presiding) called upon Representative Orwall to preside.

There being no objection, the House reverted to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1046, by House Committee on Education (originally sponsored by Representative MacEwen)

Concerning certificates of academic and individual achievement.

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1046 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Bergquist moved the adoption of amendment (578):

On page 23, beginning on line 22, after "applies" strike all material through "classes" on line 23 and insert "beginning with the graduating class of 2014"

Representatives Bergquist and MacEwen spoke in favor of the adoption of the amendment (578).

Amendment (578) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives MacEwen, Santos, Harris and Stonier spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representatives DeBolt, Hargrove, Manweller, McDonald and Nealey were excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1046.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1046, and the bill passed the House by the following vote: Yeas, 89; Nays, 4; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Graves, Orcutt, Stokesbary and Wilcox.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1046, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 1056, by Representatives Kilduff, Muri, Appleton, Shea, Lovick, MacEwen, Stanford, Reeves, Fitzgibbon, Frame, Ormsby, Jinkins, Bergquist, Goodman, Gregerson, Kirby, Fey, Slatter and Sawyer

Concerning consumer protections for military service members on active duty.

The bill was read the third time.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

MOTION

On motion of Representative Bergquist, Representative Wylie was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1056.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1056, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

HOUSE BILL NO. 1056, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1309, by Representatives Steele, Chapman, Kretz and Condotta

Concerning removal of land from the current use property tax classification due to certain natural disasters.

The bill was read the third time.

Representatives Steele and Lytton spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1309.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 91; Nays, 1; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Voting nay: Representative Frame.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED HOUSE BILL NO. 1309, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1440, by House Committee on Appropriations (originally sponsored by Representatives Stonier, Stambaugh, Hudgins, Johnson, Ortiz-Self, Stokesbary, Sells, Jinkins, Ryu, Appleton, Pollet, Senn, Peterson, Kilduff, Bergquist, Stanford, Frame, Slatter and Dolan)

Establishing a student loan bill of rights.

The bill was read the third time.

Representatives Stonier and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1440.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1440, and the bill passed the House by the following vote: Yeas, 68; Nays, 24; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McCabe, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, Dent, Dye, Griffey, Harmsworth, Harris, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Orcutt, Steele, Taylor, Vick, J. Walsh and Wilcox.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1440, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1452, by Representatives Holy, Tarleton, Van Werven, Springer, Stambaugh, Haler, Pollet and Slatter

Concerning the opportunity scholarship program.

The bill was read the third time.

Representatives Holy and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1452.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1452, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

HOUSE BILL NO. 1452, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1506, by Representatives Senn, Pellicciotti, Slatter, Macri, Peterson, Chapman, Ortiz-Self, Bergquist, Sawyer, Frame, Gregerson, Farrell, Kilduff, Kagi, Dolan, Clibborn, Pollet, McBride, Stanford, Doglio, Appleton, Robinson, Fitzgibbon, Sells, Goodman, Tharinger, Hudgins, Ormsby, Riccelli, Fey and Pettigrew

Addressing workplace practices to achieve gender pay equity.

The bill was read the third time.

Representatives Senn, Kraft and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1506.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1506, and the bill passed the House by the following vote: Yeas, 61; Nays, 31; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, Dent, Griffey, Haler, Harmsworth, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz and Wilcox.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED HOUSE BILL NO. 1506, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed House Bill No. 1506.

Representative Dye, 9th Legislative District

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, by House Committee on Appropriations (originally sponsored by Representatives Stonier, Dolan, Ortiz-Self, Riccelli, Orwall, Peterson, Sawyer, Doglio, Gregerson, Slatter, Frame, Macri, Bergquist, Senn, Ryu, Kloba, Stanford, Sells, Farrell, Lovick, McBride, Pollet, Hudgins, Jinkins, Kagi, Appleton, Goodman, Tharinger, Clibborn, Ormsby, Cody, Santos, Fey and Pettigrew)

Promoting student health and readiness through meal and nutrition programs.

The bill was read the third time.

Representatives Stonier and Steele spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1508.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1508, and the bill passed the House by the following vote: Yeas, 81; Nays, 11; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Voting nay: Representatives Buys, Dent, Dye, Klippert, Kretz, Maycumber, McCaslin, Orcutt, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1571, by Representatives Reeves, Muri, Ryu, Kilduff, Sawyer, Steele, Macri, Orwall, Tharinger, Chapman, Stanford, Doglio, Fey, Hudgins, Stonier, Frame, Kloba, Springer, J. Walsh, McBride, Ortiz-Self, Riccelli and Slatter

Creating a community care and supportive services program for veterans.

The bill was read the third time.

Representatives Reeves and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1571.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1571, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

HOUSE BILL NO. 1571, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600, by House Committee on Appropriations (originally sponsored by Representatives Santos, Pettigrew, Harris, Young, Stonier, Pike, Appleton, Johnson, Fey, Bergquist, Hudgins, Kraft, Slatter and Tarleton)

Increasing the career and college readiness of public school students.

The bill was read the third time.

Representatives Santos and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1600.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1600, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins,

Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1630, by Representatives Slatter, McDonald, Senn, Dent, Kilduff, McBride, Frame, Jinkins, Kloba, Santos, Appleton, Muri, Fey, Doglio, Stanford and Kagi

Allowing minors to consent to share their personally identifying information in the Washington homeless client management information system.

The bill was read the third time.

Representatives Slatter and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1630.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1630, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

HOUSE BILL NO. 1630, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1661, by House Committee on Appropriations (originally sponsored by Representatives Kagi, Sullivan, Dent, Senn, Muri, Kilduff, Klippert, Frame, Goodman, Ortiz-Self, Wilcox, Lovick, Hargrove, Clibborn, Lytton, Appleton, Fitzgibbon, Orwall, Kloba, Sells, Fey, Macri, Bergquist, Pollet, Hudgins, Robinson, Stanford and Slatter)

Creating the department of children, youth, and families.

The bill was read the third time.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1661.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1661, and the bill passed the House by the following vote: Yeas, 69; Nays, 23; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wilcox and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dye, Haler, Hayes, Holy, Irwin, Jenkin, Koster, Kretz, Maycumber, McCaslin, Schmick, Shea, Smith, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1661, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1783, by House Committee on Appropriations (originally sponsored by Representatives Holy, Goodman, Hansen, Hayes, Stokesbary, Senn, Orwall, Kagi, Appleton, Kilduff, Rodne, Jinkins, Taylor, Shea, Tharinger, Frame, Fitzgibbon, Bergquist, Fey, Macri, Ryu, Doglio, Pellicciotti, Peterson, Santos, Reeves, Kloba, Robinson, Stanford, Hudgins, McBride, Ormsby and Pollet)

Concerning legal financial obligations.

The bill was read the third time.

Representatives Holy, Kilduff and Riccelli spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1783.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1783, and the bill passed the House by the following vote: Yeas, 89; Nays, 3; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCaslin, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Voting nay: Representatives Klippert, McCabe and Orcutt.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1783, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE HOUSE BILL NO. 1777, by House Committee on Capital Budget (originally sponsored by Representatives Kagi, Johnson, Doglio, Dent, Ryu, MacEwen, Senn, Farrell, Nealey, Ortiz-Self, McBride, Macri, Fey, Slatter and Jinkins)

Concerning the financing of early learning facilities.

The bill was read the third time.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1777.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1777, and the bill passed the House by the following vote: Yeas, 79; Nays, 13; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wilcox and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Holy, Kretz, Maycumber, McCaslin, Schmick, Shea, Taylor, Vick, Volz and Young.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

SECOND SUBSTITUTE HOUSE BILL NO. 1777, having received the necessary constitutional majority, was declared passed.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886, by House Committee on Education (originally sponsored by Representatives Harris, Santos and Pollet)

Concerning the responsibilities of the superintendent of public instruction and the state board of education. Revised for 1st Substitute: Concerning the responsibilities of the superintendent of public instruction and the state board of education. (REVISED FOR ENGROSSED: Establishing a legislative task force to review issues relating to the responsibilities of the superintendent of public instruction and the state board of education.)

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Harris moved the adoption of amendment (581):

On page 2, beginning on line 25, after "(i) The" strike all material through "committee" on line 27 and insert "leaders of the two major caucuses of the senate shall each appoint one task force member"

Representatives Harris and Santos spoke in favor of the adoption of the amendment (581).

Amendment (581) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1886.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1886, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 1958, by Representatives Harmsworth, Young, Rodne and Stanford

Prohibiting the imposition of regional transit authority property taxes on less than a whole parcel.

The bill was read the third time.

Representatives Harmsworth and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1958.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1958, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED HOUSE BILL NO. 1958, having received the necessary constitutional majority, was declared passed.

THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 2143, by House Committee on Appropriations (originally sponsored by Representatives Haler, Hansen, Holy, Stanford and Muri)

Expanding opportunities for higher education students.

There being no objection, the rules were suspended, and SECOND SUBSTITUTE HOUSE BILL NO. 2143 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Pollet moved the adoption of amendment (577):

On page 4, beginning on line 27, after "baccalaureate degrees" strike all material through "other programs," on line 29, and insert "in high employer demand and other programs and advanced degrees in health professions needed in service obligation areas,"

On page 12, beginning on line 13, after "baccalaureate degrees" strike all material through "study" on line 15, and insert "in high employer demand and other programs of study and advanced degrees in health professions needed in service obligation areas,"

Representatives Pollet, Holy and Haler spoke in favor of the adoption of the amendment (577).

Amendment (577) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2143.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2143, and the bill passed the House by the following vote: Yeas, 89; Nays, 3; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Young and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2143, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200, by House Committee on Technology & Economic Development (originally sponsored by Representatives Hansen, Taylor, Smith, Buys, Harmsworth, Graves, Maycumber, J. Walsh, Kraft, Haler, Condotta, Nealey, Bergquist, Steele, Van Werven, Stonier, Macri, Farrell, Cody, Slatter, Tarleton, Senn, Kagi, Pollet, Frame, Chapman, Dye, Hudgins, Stanford, Reeves, Dent, Hayes, Ryu, Peterson, Sells, Kloba, Santos, Johnson, Fitzgibbon,

Holy, Ormsby, Caldier, Sawyer, Wylie, Hargrove, Kilduff, Blake, Orcutt, Gregerson, Young, Appleton, Shea, Koster, Morris, Tharinger, Irwin, Muri, Schmick, Volz, Goodman, Clibborn, McCaslin, Pellicciotti, Doglio, Jinkins, Dolan, Kirby, Sullivan, Lytton, Kretz, Riccelli, Rodne, McBride, McCabe and Pettigrew)

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The bill was read the third time.

Representatives Hansen, Smith and Morris spoke in favor of the passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2200.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2200, and the bill passed the House by the following vote: Yeas, 79; Nays, 13; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Volz, J. Walsh, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Haler, Harris, Jenkin, Johnson, Koster, Kristiansen, Stokesbary, Vick and Wilcox.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED HOUSE BILL NO. 1506 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1506 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1506 on reconsideration, and the bill passed the House by the following vote: Yeas, 61; Nays, 31; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatner, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, Dent, Griffey, Haler, Harmsworth, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz and Wilcox.

Excused: Representatives DeBolt, Hargrove, Manweller, McDonald, Nealey and Wylie.

ENGROSSED HOUSE BILL NO. 1506 on reconsideration, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Santos: "Yesterday I was stunned to learn, and perhaps you were as well, that we, the state of Washington, lost an extraordinary public servant. A talented and generous native son.

Mike Lowry would serve as our governor, as a member of Congress, and in my neck of the woods, as a council member for Martin Luther King County.

Mike Lowry was one of the first persons I ever met who really embodied the philosophy and the vision of One Washington, having been born in eastern Washington and raised there from a little town of St. John, graduating from Endicott High School and was a very proud W.S.U. graduate.

In his adult life he moved to Western Washington where he made and forged a career of public service. Of believing in that notion of one nation indivisible with liberty and justice for all. His career trajectory encompassed many things and I can only hit on some of the highlights of his legacy.

We have debated many times on this House floor of the need to serve our homeless population, and Mike Lowry, as a member of Congress, was the author of the McKinney Vento act. He stood for immigrant rights in the early and late seventies and early eighties.

He was a champion of not only environmental protection and conservation, serving in his later years after he became governor, with former governor Dan Evans as founders of the Washington Wildlife and Recreation Coalition.

But I think the thing that most made him tick was his absolute commitment to civil rights and human rights, and

for me, his role as being the brave soul who stood up in Congress and introduced the very first civil liberties reparations act to redress the wrongs and injustices of World War II towards Japanese Americans is seared in my memory and in the memories of many in my community.

On a personal level Madam Speaker you may not know that I worked for Mr Lowry. I was very proud to have worked for Mr Lowry. I consider him a mentor and a friend, and my heart is filled with great sorrow for his wife Mary, his devoted beloved Mary; his daughter Dianne, whom he doted on, and her husband and children; and his surviving sister Sue Ellen.

Madam Speaker they say that the moral test of government is how they treat people at the dawn of life - the children; people in the twilight of life - the aged; the people who are in the shadows of life - those who are sick and needy; those who are handicapped, those who are marginalized. I stand here asking you to help remember a man who was not only a consummate public servant but who was a moral compass for government in the state of Washington. Who always pointed true north for all of our citizens.

I ask you to remember him with me and send our collective thoughts and prayers to his family and all of the people of the state of Washington at this very sad moment. Thank you Madam Speaker."

POINT OF PERSONAL PRIVILEGE

Representative Johnson: "I too stand to eulogize the good Governor we lost yesterday. He was kind of a unique individual. Many of the things that he favored and he pushed as a member of Congress in the decade in which he served, are now things that have come to pass. They didn't necessarily always come when Governor Lowry was a member of Congress, but they came later as the good lady from the thirty-seventh had to say.

You know I believe the last time I had an opportunity to visit with Governor Lowry was in Grandview, Washington. Like so many of us here in the chamber we kind of had our start over in Eastern Washington which means we sent good stock to Olympia.

You will remember Chairman Appleton, Representative Santos, that we were with him at the dedication of a housing project in Grandview. I think that one of the shining stars in his crown was what he did after he left public office. He pushed and pulled for housing for moderate income people and for low income people. That's what we were in Grandview for that day, the dedication of a housing project- apartments and single family homes, that were built by the diocese of Yakima. He made the trip on his own to be there and take part of that.

He was unique in a way that many of us wish we could say we were, he knew everybody. He knew something about you. He knew your name.

Although maybe we don't always agree on either side of the aisle, sometimes we can put that aside when we think of the kindness and consideration he showed to each and every one of us that he had the chance to meet in his long life of political service. So I too would like to join the good lady from the thirty-seventh and request that we remember Governor Lowry as one of the fine men who served not just

the politicians that we all are, but who also served the people of the state of Washington as well as any Governor that we've had in my time. Thank you Madam Speaker.”

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed:

SENATE CONCURRENT RESOLUTION NO. 8404.

The Speaker called upon Representative Pettigrew to preside.

There being no objection, the House adjourned until 12:00 p.m., May 5, 2017, the 12th Day of the 1ST Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

TENTH DAY

House Chamber, Olympia, Wednesday, May 3, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE GOVERNOR

April 26, 2017

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 1, Engrossed Substitute House Bill No. 1017 entitled:

³AN ACT Relating to the siting of schools and school facilities.'

Engrossed Substitute House Bill 1017 seeks to address the important and complicated subject of siting schools outside of Urban Growth Areas. While this bill adequately addresses many aspects of the issue, I remained concerned about three items that I would like to resolve with the legislature during the special session.

First, any extension of urban services to serve a rural school must be limited to the size and scale needed to

support the long-term needs of the school. Second, the land surrounding a new rural school must maintain its rural character and housing density as specified in RCW 36.70A.070(5). Finally, in order for schools to be sited outside the Urban Growth Boundary Line, school districts must demonstrate that there is no suitable land available within the Urban Growth Area.

For these reasons I have vetoed Section 1 of Engrossed Substitute House Bill No. 1017.

With the exception of Section 1, Engrossed Substitute House Bill No. 1017 is approved.

Respectfully submitted,

Jay Inslee
Governor

There being no objection, the House adjourned until 9:55 a.m., May 5, 2017, the 12th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

TWELFTH DAY

House Chamber, Olympia, Friday, May 5, 2017

The House was called to order at 12:00 p.m. by the Speaker (Representative Tharinger presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

May 2, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5001,
SECOND SUBSTITUTE SENATE BILL NO. 5135,
SECOND ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5239,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5303,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5431,
SENATE BILL NO. 5442,
THIRD SUBSTITUTE SENATE BILL NO. 5558,
SENATE BILL NO. 5614,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5729,
ENGROSSED SENATE BILL NO. 5741,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

May 2, 2017

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
5294,
ENGROSSED SENATE BILL NO. 5316,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5866,
SECOND ENGROSSED SENATE BILL NO. 5891,
SECOND ENGROSSED SENATE BILL NO. 5893,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2208 by Representative Hudgins

AN ACT Relating to authorizing criminal background investigations for current and prospective employees and contractors with access to federal tax information; and adding a new section to chapter 41.04 RCW.

Referred to Committee on State Government, Elections & Information Technology.

HB 2209 by Representative Klippert

AN ACT Relating to designating English as the official language of the state; adding new sections to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

SSB 5001 by Senate Committee on Transportation (originally sponsored by Senators O'Ban, Angel, Miloscia, Becker, Padden, Honeyford, King and Fortunato)

AN ACT Relating to the election and authority of regional transit authority board members; amending RCW 81.112.010 and 81.112.030; adding a new section to chapter 81.112 RCW; creating new sections; repealing RCW 81.112.040; and providing a contingent effective date.

Referred to Committee on Transportation.

2SSB 5135 by Senate Committee on Ways & Means (originally sponsored by Senators Rivers, Rolfes, Zeiger, Walsh, Angel, Keiser, Mullet, Cleveland, Hunt, Bailey, King, Warnick, Brown, Fain, Ranker, Van De Wege, Conway and Wellman)

AN ACT Relating to modifying the Washington main street program by increasing the total amount of tax credits allowed under the program and making administrative changes to the program; amending RCW 82.73.020 and 82.73.030; adding a new section to chapter 82.73 RCW; creating a new section; providing an effective date; and providing a contingent expiration date.

Referred to Committee on Finance.

E2SSB 5239 by Senate Committee on Ways & Means (originally sponsored by Senators Warnick, Takko, Ericksen, Becker, Walsh, Angel, Wilson,

Schoesler, Honeyford, Pearson, Brown and Padden)

AN ACT Relating to ensuring that water is available to support development; amending RCW 19.27.097, 36.70A.070, 58.17.110, 90.03.247, and 90.54.120; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

2ESSB 5294 by Senate Committee on Law & Justice (originally sponsored by Senators Padden and O'Ban)

AN ACT Relating to addressing the department of corrections early release error; amending RCW 72.09.010, 43.06.010, 42.40.040, 49.60.210, and 42.40.110; adding new sections to chapter 72.09 RCW; adding a new chapter to Title 43 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Appropriations.

SSB 5303 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Rolfes, Chase, Hawkins, Warnick, Bailey and Ranker)

AN ACT Relating to aquatic invasive species management; amending RCW 43.43.400, 77.120.110, 82.16.020, 77.120.070, 77.135.160, 77.120.010, 77.135.110, and 77.135.120; reenacting and amending RCW 88.02.640, 88.02.640, 77.15.160, and 77.135.010; adding new sections to chapter 77.135 RCW; adding new sections to chapter 77.120 RCW; creating a new section; repealing RCW 77.12.879; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

ESB 5316 by Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger and Wilson

AN ACT Relating to the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington; amending RCW 43.320.017, 70.95.532, 80.01.080, 48.18A.035, 48.25.140, 48.29.015, 21.20.880, 43.70.900, 29A.04.510, 35A.39.010, 44.05.080, 47.06.110, 82.42.090, and 82.80.070; adding a new section to chapter 42.30 RCW; recodifying RCW 42.32.030; decodifying RCW 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.016, 43.320.901, 15.15.900, 50.06.010, 50.13.010, 50.13.910, 50.38.900, 50.38.902, 50.60.902, 50.65.905, 50.70.902, 28A.315.075, 29A.04.903, 29A.04.905, 42.56.901, 42.56.902, 42.56.903, 71A.10.805, 10.77.900, 10.77.920, 10.77.930, 71.05.910, 71.05.920, 71.05.930,

71.24.900, 71.34.901, 5.45.920, 43.41.035, 43.41.940, 43.41.950, 43.41.981, and 43.88.910; and repealing RCW 66.08.230, 66.08.250, 66.12.020, 28A.305.900, 28A.305.901, 28A.630.005, 70.94.505, 70.95N.270, 70.104.070, 70.104.090, 80.36.901, 70.104.100, 21.20.886, 31.04.501, 48.102.190, 35.13A.0301, 70.22.005, 71A.20.190, 28B.65.010, 28B.65.020, 28B.65.030, 28B.65.040, 28B.65.050, 28B.65.060, 28B.65.070, 28B.65.080, 28B.65.110, 28B.65.900, 28B.65.905, 2.56.031, 10.77.810, 10.77.820, 71.24.055, 2.56.250, 9.04.040, 43.30.8351, 76.01.080, 76.01.090, 76.09.380, 77.12.605, 77.12.710, 79A.20.005, 79A.20.010, 79A.20.030, 79A.20.900, 43.31.088, 43.31.522, 43.31.524, 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 43.31.850, 47.01.141, 47.60.645, 47.78.010, 82.44.180, 82.80.040, 82.80.050, 82.80.060, 82.14.046, and 82.50.510.

Referred to Committee on Judiciary.

ESSB 5431 by Senate Committee on Agriculture, Water, Trade & Economic Development (originally sponsored by Senators Warnick, Takko, Brown, Hawkins, Liias, Schoesler, Honeyford and Fortunato)

AN ACT Relating to protection of composting from nuisance lawsuits; amending RCW 7.48.305; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

SB 5442 by Senators Fortunato and Pedersen

AN ACT Relating to expanding the permitted uses of surplus funds from boater education card fees to certain boating safety programs and activities; and amending RCW 79A.60.630, 79A.60.650, and 79A.60.640.

Referred to Committee on Appropriations.

3SSB 5558 by Senate Committee on Ways & Means (originally sponsored by Senators Darneille, O'Ban and Angel)

AN ACT Relating to issuing a two-year identicaid for offenders released from prison facilities; amending RCW 46.20.117 and 46.20.117; adding a new section to chapter 72.09 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Public Safety.

SB 5614 by Senators Darneille, Hasegawa and Kuderer

AN ACT Relating to diversion agreements and counsel and release agreements by modifying the conditions under which both may be entered into and mandating

eligibility for automatic destruction; and amending RCW 13.40.070 and 13.50.270.

Referred to Committee on Early Learning & Human Services.

ESSB 5729 by Senate Committee on State Government (originally sponsored by Senators Liias, Miloscia and Kuderer)

AN ACT Relating to legislative technology; amending RCW 44.68.010, 44.68.020, 44.68.030, 44.68.035, 44.68.040, 44.68.050, 44.68.060, 44.68.065, 44.68.080, 44.68.085, 44.68.090, 44.68.100, and 44.68.105; and decodifying RCW 44.68.900.

Referred to Committee on State Government, Elections & Information Technology.

ESB 5741 by Senator King

AN ACT Relating to clarifying the collection of fuel taxes within tribal jurisdictions; amending RCW 82.38.031 and 82.38.035; adding a new section to chapter 82.38 RCW; and creating a new section.

Referred to Committee on Transportation.

E2SSB 5866 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Hobbs, Braun, Mullet, Frockt and Warnick)

AN ACT Relating to creating a tax court for the state of Washington; amending RCW 2.04.110, 34.05.030, 39.88.060, 79.125.450, 82.01.090, 82.29A.060, 82.32.150, 82.32.160, 82.32.170, 82.32.180, 82.49.060, 84.08.060, 84.08.130, 84.33.091, 84.34.065, 84.36.850, 84.39.020, 84.40.038, 84.48.080, 84.52.018, 84.56.290, 84.69.020, 84.69.030, and 84.69.180; reenacting and amending RCW 34.12.020 and 42.17A.705; adding a new chapter to Title 2 RCW; creating new sections; repealing RCW 82.03.010, 82.03.020, 82.03.030, 82.03.040, 82.03.050, 82.03.060, 82.03.070, 82.03.080, 82.03.090, 82.03.100, 82.03.110, 82.03.120, 82.03.130,

82.03.140, 82.03.150, 82.03.160, 82.03.170, 82.03.180, 82.03.190, and 82.03.200; and providing contingent effective dates.

Referred to Committee on Judiciary.

2ESB 5891 by Senators Zeiger and Conway

AN ACT Relating to eliminating the use of the high school science assessment as a graduation prerequisite; and amending RCW 28A.655.061, 28A.655.065, and 28A.655.068.

Referred to Committee on Education.

2ESB 5893 by Senators O'Ban, Rossi, Becker, Rivers, Miloscia, King, Bailey, Braun, Wilson, Walsh, Zeiger, Angel, Warnick, Brown, Honeyford, Fortunato, Pearson, Padden, Fain, Schoesler and Hawkins

AN ACT Relating to the administration of motor vehicle excise taxes by regional transit authorities; amending RCW 82.44.135, 81.104.160, 82.44.035, and 81.104.190; and declaring an emergency.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., May 8, 2017, the 15th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION**FIFTEENTH DAY**

House Chamber, Olympia, Monday, May 8, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2210 by Representative Young

AN ACT Relating to theater licenses; and amending RCW 66.24.655.

Referred to Committee on Commerce & Gaming.

HB 2211 by Representative Young

AN ACT Relating to restricting the use of airport police to enforce private airlines' nonsecurity-related policies; amending RCW 53.08.280; and creating new sections.

Referred to Committee on Public Safety.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., May 10, 2017, the 17th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

SEVENTEENTH DAY

House Chamber, Olympia, Wednesday, May 10, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE GOVERNOR

May 5, 2017

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, House Bill No. 1150 entitled:

‘AN ACT Relating to clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016’

House Bill No. 1150 removes the requirement that tribal appointments to the Chehalis Board be confirmed by the Senate and clarifies the terms of initial appointments to that Board. This new Board and the Office of Chehalis Basin represent another example of citizens, governments and tribal nations coming together to solve problems that benefit both people and fish.

However, House Bill No. 1150 is identical to Engrossed Senate Bill No. 5097 that was presented to me as a five-day bill, and I signed into law on April 17, 2017. It is not necessary to enact duplicate legislation.

For these reasons I have vetoed House Bill No. 1150 in its entirety.

Respectfully submitted,

Jay Inslee
Governor

May 8, 2017

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 18, Engrossed Substitute House Bill No. 1115 entitled:

‘AN ACT Relating to paraeducators.’

This measure is an outgrowth of nearly five years of discussion and consideration of the Paraeducator Work Group.

It is also one of the late Senator Andy Hill’s many legacies.

The bill creates the nine-member Paraeducator Board to provide professional development for this group of education employees who assist teachers in the classroom. It requires paraeducators to meet certain minimum employment standards, among other things. This will provide an opportunity for the state's 36,000 paraeducators to develop in their profession and become a teacher through alternative routes, if they so choose.

However, I am vetoing Section 18, which modifies a section of statute that was repealed by another bill this session.

Thanks to the sponsor, Representative Bergquist, and the members of the work group whose great work led to this legislation.

For these reasons I have vetoed Section 18 of Engrossed Substitute House Bill No. 1115.

With the exception of Section 18, Engrossed Substitute House Bill No. 1115 is approved.

Respectfully submitted,

Jay Inslee
Governor

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2212 by Representatives Vick, Harris, Hargrove, Van Werven, Manweller, Buys, Muri, Haler, Graves, Hayes, Pike, Irwin, Shea, Johnson, Koster, McDonald and Stokesbary

AN ACT Relating to clarifying the prohibition of the imposition of a local income tax; amending RCW 36.65.030; and creating a new section.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

There being no objection, the House adjourned until 9:55 a.m., May 12, 2017, the 19th Day of the 1st Special Session.

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

NINETEENTH DAY

House Chamber, Olympia, Friday, May 12, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

May 10, 2017

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section Sec. 6, Engrossed Second Substitute House Bill No. 1612 entitled:

‘AN ACT Relating to a public health educational platform for suicide prevention and strategies to reduce access to lethal means.’

This section is the same as the language in Section 2 of Engrossed Substitute Senate Bill 5552. Because SB 5552 also includes a couple of additional changes unrelated to the language in this bill, the Code Reviser advises this action so the RCW is clear. I support the policy and am glad that is fully contained in the other bill.

For these reasons I have vetoed Section Sec. 6 of Engrossed Second Substitute House Bill No. 1612.

With the exception of Section Sec. 6, Engrossed Second Substitute House Bill No. 1612 is approved.

Respectfully submitted,

Jay Inslee
Governor

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2213 by Representatives Smith, Haler and Morris

AN ACT Relating to state agency collection, use, and retention of biometric identifiers

Referred to Committee on Rules.

There being no objection, the bill listed on the day’s introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House adjourned until 9:55 a.m., May 15, 2017, the 22nd Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION**TWENTY SECOND DAY**

House Chamber, Olympia, Monday, May 15, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2214 by Representatives Muri, Pike and Haler

AN ACT Relating to removing the prohibition on planning for a nuclear attack in emergency management plans; amending RCW 38.52.030 and

38.52.170; and reenacting and amending RCW 38.52.010.

Referred to Committee on Public Safety.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House adjourned until 9:55 a.m., May 17, 2017, the 24th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

TWENTY FOURTH DAY

House Chamber, Olympia, Wednesday, May 17, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE GOVERNOR

May 16, 2017

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill No. 1905 entitled:

‘AN ACT Relating to the volume limitation for certain vessels exempt from the pilotage act.’

Substitute House Bill 1905 increases the maximum vessel volume that can be exempt from the mandatory use of licensed pilotage within most of the Puget Sound and Grays Harbor. This measure would allow more modern and fuel-efficient passenger vessels to enjoy Washington's waterways. However, Substitute House Bill 1905 is identical to Substitute Senate Bill 5262, which I signed into law on April 20, 2017. It is not necessary to enact duplicate legislation.

For these reasons I have vetoed Substitute House Bill No. 1905 in its entirety.

Respectfully submitted,

Jay Inslee
Governor

May 16, 2017

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute House Bill No. 1504 entitled:

‘AN ACT Relating to rail dependent uses for purposes of the growth management act and related development regulations.’

I am committed to supporting economic development across Washington State so all areas and communities thrive. This commitment includes working with legislators and stakeholders on how we better develop rural and other underserved areas.

At the same time, I remain committed to fully supporting the Growth Management Act, which has created the framework for thoughtful growth and comprehensive development plans while protecting vital resource lands.

While this bill might help rural counties to develop adjacent to short line railroads in designated counties, it would undermine our longstanding commitment to preserve working farms and promote our agricultural economy.

The Growth Management Act provides for a process to redesignate resource lands and convert the use of those lands. As part of a broader review of the Growth Management Act, it would be appropriate to reexamine how we provide additional flexibility for encouraging economic development in rural areas. It is my understanding that such a review is proposed in the Senate and House budgets, and I would support that review.

For these reasons I have vetoed Engrossed Substitute House Bill No. 1504 in its entirety.

Respectfully submitted,

Jay Inslee
Governor

May 16, 2017

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, House Bill No. 1578 entitled:

‘AN ACT Relating to irrigation district authority.’

This bill provides new opportunities to develop infrastructure projects that support the economy in Eastern Washington and encourages investments in hydroelectric facilities. However, this bill is identical to Senate Bill 5261, which I signed into law on April 19, 2017. This duplicate bill is therefore unnecessary.

For these reasons I have vetoed House Bill No. 1578 in its entirety.

Respectfully submitted,

Jay Inslee
Governor

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

There being no objection, the House adjourned until 9:55 a.m., May 19, 2017, the 26th Day of the 1st Special Session.

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

TWENTY SIXTH DAY

House Chamber, Olympia, Friday, May 19, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2215 by Representatives Sawyer and Fitzgibbon

AN ACT Relating to the authority of counties, cities, and towns to regulate licensed retail marijuana businesses; amending RCW 69.50.325 and 69.50.334; adding new sections to chapter 69.50 RCW; adding a new section to chapter 36.01 RCW; adding a new

section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Commerce & Gaming.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House adjourned until 9:55 a.m., May 22, 2017, the 29th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

TWENTY NINTH DAY

House Chamber, Olympia, Monday, May 22, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 11:30 a.m., May 23, 2017, the 30th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - FIRST SPECIAL SESSION

THIRTIETH DAY

House Chamber, Olympia, Tuesday, May 23, 2017

The House was called to order at 11:30 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HCR 4405 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4406 by Representatives Sullivan and Kretz

Adjourning SINE DIE.

There being no objection, the concurrent resolutions listed on the day's introduction sheet under the fourth order of business were read the first time, and under suspension of the rules were placed on the third reading calendar.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

HOUSE CONCURRENT RESOLUTION NO. 4405,
by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The concurrent resolution was read the third time.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4405 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 4406,
by Representatives Sullivan and Kretz

Adjourning SINE DIE.

The concurrent resolution was read the third time.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4406 was adopted.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4405 and HOUSE CONCURRENT

RESOLUTION NO. 4406 were immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

May 23, 2017

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4405,
HOUSE CONCURRENT RESOLUTION NO. 4406,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4405
HOUSE CONCURRENT RESOLUTION NO. 4406

The Speaker called upon Representative Robinson to preside.

MESSAGES FROM THE SENATE

May 23, 2017

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4405,
HOUSE CONCURRENT RESOLUTION NO. 4406,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

May 23, 2017

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4405, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1046,
 HOUSE BILL NO. 1056,
 ENGROSSED HOUSE BILL NO. 1309,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1440,
 HOUSE BILL NO. 1452,
 ENGROSSED HOUSE BILL NO. 1506,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508,
 HOUSE BILL NO. 1571,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600,
 HOUSE BILL NO. 1630,
 SECOND ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1661,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1777,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1783,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.
 1886,
 ENGROSSED HOUSE BILL NO. 1958,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2143,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MOTIONS

There being no objection, the reading of the Journal of the 30 Day of the 2017 1st Special Session of the 65th Legislature was dispensed with and ordered to stand approved.

There being no objection, the 2017 1st Special Session of the 65th Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

FIRST DAY

House Chamber, Olympia, Tuesday, May 23, 2017

The House was called to order at 12:10 p.m. by the Speaker (Representative Robinson presiding).

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

PROCLAMATION

17-09

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2017 regular session on April 23, 2017, the 105th day of the session; and

WHEREAS, the Legislature reconvened on April 24, 2017, to continue work on the 2017-2019 biennial operating and critical policy and related bills; and

WHEREAS, the State enters into a new fiscal biennium on July 1, 2017, and State law requires the adoption of a budget providing appropriations for the operation of state government prior to the beginning of the fiscal biennium; and

WHEREAS, work remains to be done with respect to the 2017-19 biennial operating and bills necessary to implement the budget; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Republican Leader, and Senate Democratic Leader, working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Tuesday, May 23, 2017, at 12:00 p.m. for the purpose of enacting legislation as described above.

Signed and sealed with the official seal of the state of Washington this 23rd day of May, A.D. Twothousand and Seventeen at Olympia, Washington.

By: Jay Inslee, Governor

MESSAGE FROM THE SENATE

May 23, 2017

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8405,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2216 by Representative Fitzgibbon

AN ACT Relating to limiting the size and scale of utilities to support schools sited in rural areas serving urban resident students while maintaining the rural character and housing density on land surrounding schools sited in rural areas and requiring analyses by school districts demonstrating the absence of suitable land within the urban growth area for school siting; and adding a new section to chapter 36.70A RCW.

SCR 8405 by Senators Schoesler and Nelson

Specifying the status of bills, memorials, and resolutions for the 2017 regular, first, and second special sessions of the Sixty-fifth Legislature.

There being no objection, HOUSE BILL NO. 2216 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8405 was read the first time, and under suspension of the rules was placed on the third reading calendar.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SENATE CONCURRENT RESOLUTION NO. 8405, by Senators Schoesler and Nelson

Specifying the status of bills, memorials, and resolutions for the 2017 regular, first, and second special sessions of the Sixty-fifth Legislature.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8405 was adopted.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1570
HOUSE BILL NO. 1797
HOUSE BILL NO. 2213

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1046
HOUSE BILL NO. 1056
ENGROSSED HOUSE BILL NO. 1309
SUBSTITUTE HOUSE BILL NO. 1388
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432
HOUSE BILL NO. 1452
ENGROSSED HOUSE BILL NO. 1506
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508
HOUSE BILL NO. 1571

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600
SUBSTITUTE HOUSE BILL NO. 1624
HOUSE BILL NO. 1630
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1661
SECOND SUBSTITUTE HOUSE BILL NO. 1777
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1783
ENGROSSED HOUSE BILL NO. 1958
ENGROSSED HOUSE BILL NO. 2107
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 2143
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200
ENGROSSED HOUSE BILL NO. 2201

There being no objection, the House adjourned until 10:00 a.m., May 25, 2017, the 3rd Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

THIRD DAY

House Chamber, Olympia, Thursday, May 25, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, John Ahrens and Terry Swanson. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Matt Shea, 4th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of ENGROSSED HOUSE BILL NO. 1913 and the bill was placed on the third reading calendar:

There being no objection, the House reverted to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1046, by House Committee on Education (originally sponsored by Representative MacEwen)

Concerning certificates of academic and individual achievement.

The bill was read the third time.

Representatives MacEwen, Santos and Stonier spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Hargrove, Johnson, Koster and Nealey were excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1046.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1046, and the bill passed the House by the following vote: Yeas, 89; Nays, 5; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman,

Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives DeBolt, Graves, Orcutt, Stokesbary and Wilcox.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1046, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1056, by Representatives Kilduff, Muri, Appleton, Shea, Lovick, MacEwen, Stanford, Reeves, Fitzgibbon, Frame, Ormsby, Jinkins, Bergquist, Goodman, Gregerson, Kirby, Fey, Slatter and Sawyer

Concerning consumer protections for military service members on active duty.

The bill was read the third time.

Representative Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1056.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1056, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter,

Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

HOUSE BILL NO. 1056, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1309, by Representatives Steele, Chapman, Kretz and Condotta

Concerning removal of land from the current use property tax classification due to certain natural disasters.

The bill was read the third time.

Representatives Steele and Lytton spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1309.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Frame.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED HOUSE BILL NO. 1309, having received the necessary constitutional majority, was declared passed.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1388, by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Rodne, Harris, Macri and Frame)

Changing the designation of the state behavioral health authority from the department of social and health services to the health care authority and transferring the related powers, functions, and duties to the health care authority and the department of health.

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1388 was returned to second reading for the purpose of amendment.

SECOND READING

The bill was read the second time.

Representative Cody moved the adoption of amendment (605):

Beginning on page 100, line 37, strike all of section 4006 and insert the following:

"Sec. 4006. RCW 71.24.037 and 2017 c 330 s 2 are each amended to read as follows:

(1) The secretary shall by rule establish state minimum standards for licensed or certified behavioral health service providers and services, whether those service providers and services are licensed or certified to provide solely mental health services, substance use disorder treatment services, or services to persons with co-occurring disorders.

(2) Minimum standards for licensed or certified behavioral health service providers shall, at a minimum, establish: Qualifications for staff providing services directly to persons with mental disorders, substance use disorders, or both, the intended result of each service, and the rights and responsibilities of persons receiving behavioral health services pursuant to this chapter. The secretary shall provide for deeming of licensed or certified behavioral health service providers as meeting state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department.

(3) Minimum standards for community support services and resource management services shall include at least qualifications for resource management services, client tracking systems, and the transfer of patient information between behavioral health service providers.

(4) The department may suspend, revoke, limit, restrict, or modify an approval, or refuse to grant approval, for failure to

meet the provisions of this chapter, or the standards adopted under this chapter. RCW ((43.20A.205)) 43.70.115 governs notice of a license or certification denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.

(5) No licensed or certified behavioral health service provider may advertise or represent itself as a licensed or certified behavioral health service provider if approval has not been granted, has been denied, suspended, revoked, or canceled.

(6) Licensure or certification as a behavioral health service provider is effective for one calendar year from the date of issuance of the license or certification. The license or certification must specify the types of services provided by the behavioral health service provider that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(7) Licensure or certification as a licensed or certified behavioral health service provider must specify the types of services provided that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(8) Licensed or certified behavioral health service providers may not provide types of services for which the licensed or certified behavioral health service provider has not been certified. Licensed or certified behavioral health service providers may provide services for which approval has been sought and is pending, if approval for the services has not been previously revoked or denied.

(9) The department periodically shall inspect licensed or certified behavioral health service providers at reasonable times and in a reasonable manner.

(10) Upon petition of the department and after a hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the department authorizing him or her to enter and inspect at reasonable times, and examine the books and accounts of, any licensed or certified behavioral

health service provider refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.

(11) The department shall maintain and periodically publish a current list of licensed or certified behavioral health service providers.

(12) Each licensed or certified behavioral health service provider shall file with the department or the authority upon request, data, statistics, schedules, and information the department or the authority reasonably requires. A licensed or certified behavioral health service provider that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may have its license or certification revoked or suspended.

(13) The ((department)) authority shall use the data provided in subsection (12) of this section to evaluate each program that admits children to inpatient substance use disorder treatment upon application of their parents. The evaluation must be done at least once every twelve months. In addition, the ((department)) authority shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into substance use disorder treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.

(14) Any settlement agreement entered into between the department and licensed or certified behavioral health service providers to resolve administrative complaints, license or certification violations, license or certification suspensions, or license or certification revocations may not reduce the number of violations reported by the department unless the department concludes, based on evidence gathered by inspectors, that the licensed or certified behavioral health service provider did not commit one or more of the violations.

(15) In cases in which a behavioral health service provider that is in violation of licensing or certification standards attempts to transfer or sell the behavioral health service provider to a family member, the transfer or sale may

only be made for the purpose of remedying license or certification violations and achieving full compliance with the terms of the license or certification. Transfers or sales to family members are prohibited in cases in which the purpose of the transfer or sale is to avoid liability or reset the number of license or certification violations found before the transfer or sale. If the department finds that the owner intends to transfer or sell, or has completed the transfer or sale of, ownership of the behavioral health service provider to a family member solely for the purpose of resetting the number of violations found before the transfer or sale, the department may not renew the behavioral health service provider's license or certification or issue a new license or certification to the behavioral health service provider."

Beginning on page 111, line 22, strike all of section 4017 and insert the following:

"**Sec. 4017.** RCW 71.24.310 and 2017 c 222 s 1 are each amended to read as follows:

The legislature finds that administration of chapter 71.05 RCW and this chapter can be most efficiently and effectively implemented as part of the behavioral health organization defined in RCW 71.24.025. For this reason, the legislature intends that the ~~((department))~~ authority and the behavioral health organizations shall work together to implement chapter 71.05 RCW as follows:

(1) ~~((By June 1, 2006,))~~ Behavioral health organizations shall recommend to the ~~((department))~~ authority the number of state hospital beds that should be allocated for use by each behavioral health organization. The statewide total allocation shall not exceed the number of state hospital beds offering long-term inpatient care, as defined in this chapter, for which funding is provided in the biennial appropriations act.

(2) If there is consensus among the behavioral health organizations regarding the number of state hospital beds that should be allocated for use by each behavioral health organization, the ~~((department))~~ authority shall contract with each behavioral health organization accordingly.

(3) If there is not consensus among the behavioral health organizations regarding the number of beds that should be

allocated for use by each behavioral health organization, the ~~((department))~~ authority shall establish by emergency rule the number of state hospital beds that are available for use by each behavioral health organization. ~~((The emergency rule shall be effective September 1, 2006.))~~ The primary factor used in the allocation shall be the estimated number of adults with acute and chronic mental illness in each behavioral health organization area, based upon population-adjusted incidence and utilization.

(4) The allocation formula shall be updated at least every three years to reflect demographic changes, and new evidence regarding the incidence of acute and chronic mental illness and the need for long-term inpatient care. In the updates, the statewide total allocation shall include (a) all state hospital beds offering long-term inpatient care for which funding is provided in the biennial appropriations act; plus (b) the estimated equivalent number of beds or comparable diversion services contracted in accordance with subsection (5) of this section.

(5) The ~~((department))~~ authority is encouraged to enter performance-based contracts with behavioral health organizations to provide some or all of the behavioral health organization's allocated long-term inpatient treatment capacity in the community, rather than in the state hospital. The performance contracts shall specify the number of patient days of care available for use by the behavioral health organization in the state hospital.

(6) If a behavioral health organization uses more state hospital patient days of care than it has been allocated under subsection (3) or (4) of this section, or than it has contracted to use under subsection (5) of this section, whichever is less, it shall reimburse the ~~((department))~~ authority for that care. Reimbursements must be calculated using quarterly average census data to determine an average number of days used in excess of the bed allocation for the quarter. The reimbursement rate per day shall be the hospital's total annual budget for long-term inpatient care, divided by the total patient days of care assumed in development of that budget.

(7) One-half of any reimbursements received pursuant to subsection (6) of this section shall be used to support the

cost of operating the state hospital (~~and, during the 2007-2009 fiscal biennium, implementing new services that will enable a behavioral health organization to reduce its utilization of the state hospital~~). The (~~department~~) authority shall distribute the remaining half of such reimbursements among behavioral health organizations that have used less than their allocated or contracted patient days of care at that hospital, proportional to the number of patient days of care not used."

On page 150, after line 11, insert the following:

"**NEW SECTION. Sec. 4065.** A new section is added to chapter 71.24 RCW to read as follows:

(1) The authority shall, upon the request of a county authority or authorities within a regional service area, collaborate with counties to create an interlocal leadership structure that includes participation from counties and the managed health care systems serving that regional service area. The interlocal leadership structure must include representation from physical and behavioral health care providers, tribes, and other entities serving the regional service area as necessary.

(2) The interlocal leadership structure regional organization must be chaired by the counties and jointly administered by the authority, managed health care systems, and counties. It must design and implement the fully integrated managed care model for that regional service area to assure clients are at the center of care delivery and support integrated delivery of physical and behavioral health care at the provider level.

(3) The interlocal leadership structure may address, but is not limited to addressing, the following topics:

(a) Alignment of contracting, administrative functions, and other processes to minimize administrative burden at the provider level to achieve outcomes;

(b) Monitoring implementation of fully integrated managed care in the regional service area, including design of an early warning system to monitor ongoing success to achieve better outcomes and to make adjustments to the system as necessary;

(c) Developing regional coordination processes for capital infrastructure

requests, local capacity building, and other community investments;

(d) Identifying, using, and building on measures and data consistent with, but not limited to, RCW 70.320.030 and 41.05.690, for tracking and maintaining regional accountability for delivery system performance; and

(e) Discussing whether the managed health care systems awarded the contract by the authority for a regional service area should subcontract with a county-based administrative service organization or other local organization, which may include and determine, in partnership with that organization, which value-add services will best support a bidirectional system of care.

(4) To ensure an optimal transition, regional service areas that enter as mid-adopters must be allowed a transition period of up to one year during which the interlocal leadership structure develops and implements a local plan, including measurable milestones, to transition to fully integrated managed care. The transition plan may include provisions for the counties' organization to maintain existing contracts during some or all of the transition period if the managed care design begins during 2017 to 2018, with the mid-adopter transition year occurring in 2019.

(5) Nothing in this section may be used to compel contracts between a provider, integrated managed health care system, or administrative service organization.

(6) The interlocal leadership group expires December 1, 2021, unless the interlocal leadership group decides locally to extend it."

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

On page 218, line 31, after "2017" insert "2nd sp. sess."

On page 218, line 39, after "2017" insert "2nd sp. sess."

Beginning on page 255, line 1, strike all of section 8003 and insert the following:

"**Sec. 8003.** RCW 70.02.230 and 2017 c 325 s 1 and 2017 c 298 s 5 are each reenacted and amended to read as follows:

(1) Except as provided in this section, RCW 70.02.050, 71.05.445, 74.09.295, 70.02.210, 70.02.240, 70.02.250, and

70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

- (i) Employed by the facility;
- (ii) Who has medical responsibility for the patient's care;
- (iii) Who is a designated mental health professional;
- (iv) Who is providing services under chapter 71.24 RCW;
- (v) Who is employed by a state or local correctional facility where the person is confined or supervised; or
- (vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c)(i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d)(i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health professional shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW

71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be

notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(iii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, the authority, to the director of behavioral health organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the mental health service agency where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department and the authority as necessary to coordinate treatment for mental illness, developmental disabilities, alcoholism, or ~~((drug abuse))~~ substance use disorder of persons who are under the supervision of the department;

(s) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(t)(i) Consistent with the requirements of the federal health insurance portability and accountability act, to:

(A) A health care provider who is providing care to a patient, or to whom a patient has been referred for evaluation or treatment; or

(B) Any other person who is working in a care coordinator role for a health care facility or health care provider or is under an agreement pursuant to the federal health insurance portability and accountability act with a health care facility or a health care provider and requires the information and records to assure coordinated care and treatment of that patient.

(ii) A person authorized to use or disclose information and records related to mental health services under this

subsection (2)(t) must take appropriate steps to protect the information and records relating to mental health services.

(iii) Psychotherapy notes may not be released without authorization of the patient who is the subject of the request for release of information;

(u) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (t) of this subsection;

(v) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(w) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(x) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen

days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(y) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department or the authority may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department, or the authority, if applicable, shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. Neither the department nor the authority may ~~(not)~~ release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

(z)(i) To the secretary of social and health services and the director of the health care authority for either program evaluation or research, or both so long as the secretary or director, where applicable, adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance

of confidentiality, set forth by the secretary, or director, where applicable;

(aa) To any person if the conditions in RCW 70.02.--- (section 1, chapter 298, Laws of 2017) are met.

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives treatment for chemical dependency, the department or the authority may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services or the authority under RCW 71.05.280(3) and 71.05.320(4)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(4)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

- (i) One thousand dollars; or
 - (ii) Three times the amount of actual damages sustained, if any.
- (b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.
- (c) Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.
- (d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.
- (e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170."

Beginning on page 262, line 25, strike all of section 8004 and insert the following:

"Sec. 8004. RCW 70.02.230 and 2017 c 325 s 2 and 2017 c 298 s 6 are each reenacted and amended to read as follows:

(1) Except as provided in this section, RCW 70.02.050, 71.05.445, 74.09.295, 70.02.210, 70.02.240, 70.02.250, and 70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

- (i) Employed by the facility;
- (ii) Who has medical responsibility for the patient's care;

(iii) Who is a designated crisis responder;

(iv) Who is providing services under chapter 71.24 RCW;

(v) Who is employed by a state or local correctional facility where the person is confined or supervised; or

(vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c)(i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d)(i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional or designated crisis responder is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health professional or designated crisis responder shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized

absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy

of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(iii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, the authority, to the director of behavioral health organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the mental health service agency where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department and the authority as necessary to coordinate treatment for mental illness,

developmental disabilities, alcoholism, or (~~drug abuse~~) substance use disorder of persons who are under the supervision of the department;

(s) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(t)(i) Consistent with the requirements of the federal health insurance portability and accountability act, to:

(A) A health care provider who is providing care to a patient, or to whom a patient has been referred for evaluation or treatment; or

(B) Any other person who is working in a care coordinator role for a health care facility or health care provider or is under an agreement pursuant to the federal health insurance portability and accountability act with a health care facility or a health care provider and requires the information and records to assure coordinated care and treatment of that patient.

(ii) A person authorized to use or disclose information and records related to mental health services under this subsection (2)(t) must take appropriate steps to protect the information and records relating to mental health services.

(iii) Psychotherapy notes may not be released without authorization of the patient who is the subject of the request for release of information;

(u) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (t) of this subsection;

(v) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment

goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(w) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(x) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(y) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department or the authority may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department, or the authority, if applicable, shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. Neither the department nor the authority may ~~((not))~~ release counseling, inpatient psychiatric hospitalization, or drug and alcohol

treatment information without a signed written release from the client;

(z)(i) To the secretary of social and health services and the director of the health care authority for either program evaluation or research, or both so long as the secretary or director, where applicable, adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary, or director, where applicable;

(aa) To any person if the conditions in RCW 70.02.--- (section 1, chapter 298, Laws of 2017) are met.

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives treatment for chemical dependency, the department or the authority may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services or the authority under RCW 71.05.280(3) and 71.05.320(4)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(4)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

- (i) One thousand dollars; or
- (ii) Three times the amount of actual damages sustained, if any.

(b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170."

Beginning on page 277, line 31, strike all of section 8010 and insert the following:

"**Sec. 8010.** RCW 42.56.270 and 2017 c 317 s 17 are each amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and

data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10) (a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1) (b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services or the health care authority for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12) (a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being

considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17) (a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information;

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4);

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities;

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to RCW 90.56.565(1)(a), and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to RCW 90.56.565;

(24) Financial institution and retirement account information, and building security plan information, supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345, when filed by or on behalf of a licensee or prospective licensee for the purpose of obtaining, maintaining, or renewing a license to produce, process, transport, or sell marijuana as allowed under chapter 69.50 RCW;

(25) Marijuana transport information, vehicle and driver identification data, and account numbers or unique access identifiers issued to private entities for traceability system access, submitted by an individual or business to the liquor and cannabis board under the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345 for the purpose of marijuana product traceability. Disclosure to local, state, and federal officials is not considered public disclosure for purposes of this section;

(26) Financial and commercial information submitted to or obtained by the retirement board of any city that is responsible for the management of an employees' retirement system pursuant to the authority of chapter 35.39 RCW, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the retirement fund or to result in private loss to the providers of this information except that (a) the names and commitment amounts of the private funds in which retirement funds are invested and (b) the aggregate quarterly performance results for a retirement fund's portfolio of investments in such funds are subject to disclosure;

(27) Proprietary financial, commercial, operations, and technical and research information and data submitted to or obtained by the liquor and cannabis board in applications for marijuana research licenses under RCW 69.50.372, or in reports submitted by marijuana research licensees in accordance with rules adopted by the liquor and cannabis board under RCW 69.50.372; and

(28) Trade secrets, technology, proprietary information, and financial considerations contained in any agreements or contracts, entered into by a licensed marijuana business under RCW 69.50.--- (section 16, chapter 317, Laws of 2017), which may be submitted to or obtained by the state liquor and cannabis board."

Beginning on page 302, line 8, strike all of section 9009 and insert the following:

"**Sec. 9009.** RCW 46.61.5055 and 2017 c 336 s 6 and 2017 c 335 s 3 are each reenacted and amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504

and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one day nor more than three hundred sixty-four days. Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court may order not less than fifteen days of electronic home monitoring or a ninety-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than two days nor more than three hundred

sixty-four days. Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court may order not less than thirty days of electronic home monitoring or a one hundred twenty day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program testing as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. In lieu of the mandatory term of imprisonment and electronic home monitoring under this subsection (2)(a)(i), the court may order a minimum of four days in jail and either one hundred eighty days of electronic home monitoring or a one hundred twenty-day

period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. In lieu of the mandatory minimum term of imprisonment and electronic home monitoring under this subsection (2)(b)(i), the court may order a minimum of six days in jail and either six months of electronic home monitoring or a one hundred twenty-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded alcohol assessment and treatment,

if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred twenty days of electronic home monitoring, the court may order at least an additional eight days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The

court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred fifty days of electronic home monitoring, the court may order at least an additional ten days in jail. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic

home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Three or more prior offenses in ten years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has three or more prior offenses within ten years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b) (i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.** (a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source

identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while a passenger under the age of sixteen was in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional six months;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment and a fine of not less than one thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment and a fine of not less than two thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment and a fine of not less than three thousand dollars and not more than ten thousand dollars. One thousand

dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the alcohol assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(a) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a ninety-day period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for fewer than two days;

(ii) Where there has been one prior offense within seven years, be revoked or

denied by the department for two years or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a six-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(b) Penalty for alcohol concentration at least 0.15. If the person's alcohol concentration was at least 0.15:

(i) Where there has been no prior offense within seven years, be revoked or denied by the department for one year or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a one hundred twenty day period of 24/7 sobriety program monitoring. In no circumstances shall the license revocation be for fewer than four days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(c) Penalty for refusing to take test. If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(i) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(iii) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this subsection for a suspension, revocation, or denial imposed

under RCW 46.20.3101 arising out of the same incident.

Upon receipt of a notice from the court under RCW 36.28A.390 that a participant has been removed from a 24/7 sobriety program, the department must resume any suspension, revocation, or denial that had been terminated early under this subsection due to participation in the program, granting credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 or this section arising out of the same incident.

Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) Probation of driving privilege. After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) Conditions of probation. (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol

concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) Waiver of electronic home monitoring. A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain

such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-four days.

(13) Extraordinary medical placement. An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1)(c).

(14) Definitions. For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local

ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a) (i), (ii), (x), (xi), or (xii) of

this subsection if committed in this state;

(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14) (a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means substance use disorder treatment (~~(approved)~~) licensed or certified by the department of (~~(social and health services)~~) health;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment (605).

Amendment (605) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Cody spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1388.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1388, and the bill passed the House by the following vote: Yeas, 68; Nays, 26; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hayes, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Vick, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, DeBolt, Dent, Dye, Griffey, Haler, Harmsworth, Holy, Irwin, Jenkin, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Pike, Schmick, Shea, Stokesbary, Taylor, Van Werven, Volz, Wilcox and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1388, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432, by House Committee on Appropriations (originally sponsored by Representatives Robinson, Harris, Jenkins, Pollet, Kilduff, Slatter and Cody)

Concerning foundational public health services.

The bill was read the third time.

Representative Robinson spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1432.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1432, and the bill passed the House by the following vote: Yeas, 84; Nays, 10; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Griffey, MacEwen, McCaslin, Pike, Shea, Taylor, Vick and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1452, by Representatives Holy, Tarleton, Van Werven, Springer, Stambaugh, Haler, Pollet and Slatter

Concerning the opportunity scholarship program.

The bill was read the third time.

Representatives Holy and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1452.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1452, and the bill passed the House by the following vote: Yeas, 92; Nays, 2; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Kagi, Kilduff, Kirby, Klippert, Kloba,

Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

HOUSE BILL NO. 1452, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1506, by Representatives Senn, Pellicciotti, Slatter, Macri, Peterson, Chapman, Ortiz-Self, Bergquist, Sawyer, Frame, Gregerson, Farrell, Kilduff, Kagi, Dolan, Clibborn, Pollet, McBride, Stanford, Doglio, Appleton, Robinson, Fitzgibbon, Sells, Goodman, Tharinger, Hudgins, Ormsby, Riccelli, Fey and Pettigrew

Addressing workplace practices to achieve gender pay equity.

The bill was read the third time.

Representatives Senn and Kraft spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1506.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1506, and the bill passed the House by the following vote: Yeas, 61; Nays, 33; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Harmsworth, Hayes, Holy, Irwin, Jenkin, Klippert, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz and Wilcox.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED HOUSE BILL NO. 1506, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, by House Committee on Appropriations (originally sponsored by Representatives Stonier, Dolan, Ortiz-Self, Riccelli, Orwall, Peterson, Sawyer, Doglio, Gregerson, Slatter, Frame, Macri, Bergquist, Senn, Ryu, Kloba, Stanford, Sells, Farrell, Lovick, McBride, Pollet, Hudgins, Jinkins, Kagi, Appleton, Goodman, Tharinger, Clibborn, Ormsby, Cody, Santos, Fey and Pettigrew)

Promoting student health and readiness through meal and nutrition programs.

The bill was read the third time.

Representatives Stonier and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1508.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1508, and the bill passed the House by the following vote: Yeas, 84; Nays, 10; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Dent, Dye, Klippert, McCaslin, Orcutt, Schmick, Shea, Taylor and Vick.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1571, by Representatives Reeves, Muri, Ryu, Kilduff, Sawyer, Steele, Macri, Orwall, Tharinger, Chapman, Stanford, Doglio, Fey, Hudgins, Stonier, Frame, Kloba, Springer, J. Walsh, McBride, Ortiz-Self, Riccelli and Slatter

Creating a community care and supportive services program for veterans.

The bill was read the third time.

Representative Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1571.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1571, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

HOUSE BILL NO. 1571, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600, by House Committee on Appropriations (originally sponsored by Representatives Santos, Pettigrew, Harris, Young, Stonier, Pike, Appleton, Johnson, Fey, Bergquist, Hudgins, Kraft, Slatter and Tarleton)

Increasing the career and college readiness of public school students.

The bill was read the third time.

Representatives Santos and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1600.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1600, and the bill passed the House by the following vote: Yeas, 91; Nays, 3; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Hayes and Taylor.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1624, by House Committee on Appropriations (originally sponsored by Representatives Senn, Dent, Kagi, Lytton, Farrell, Pettigrew, Hudgins, Goodman, Frame and Slatter)

Concerning working connections child care eligibility for vulnerable children.

The bill was read the third time.

Representatives Senn and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1624.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1624, and the bill passed the House by the following vote: Yeas, 75; Nays, 19; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dye, Haler, Harris, Holy, Jenkin, Kraft, Manweller,

McCaslin, Pike, Schmick, Shea, Taylor, Van Werven, Vick, J. Walsh and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

SUBSTITUTE HOUSE BILL NO. 1624, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1630, by Representatives Slatter, McDonald, Senn, Dent, Kilduff, McBride, Frame, Jinkins, Kloba, Santos, Appleton, Muri, Fey, Doglio, Stanford and Kagi

Allowing minors to consent to share their personally identifying information in the Washington homeless client management information system.

The bill was read the third time.

Representatives Slatter and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1630.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1630, and the bill passed the House by the following vote: Yeas, 92; Nays, 2; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

HOUSE BILL NO. 1630, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1661, by House Committee on Appropriations (originally sponsored by Representatives Kagi, Sullivan, Dent, Senn, Muri, Kilduff, Klippert, Frame, Goodman, Ortiz-Self, Wilcox, Lovick, Hargrove, Clibborn, Lytton, Appleton, Fitzgibbon, Orwall, Kloba, Sells, Fey, Macri, Bergquist, Pollet, Hudgins, Robinson, Stanford and Slatter)

Creating the department of children, youth, and families.

The bill was read the third time.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

Representative Irwin spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1661.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1661, and the bill passed the House by the following vote: Yeas, 72; Nays, 22; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Haler, Hayes, Holy, Irwin, Jenkin, Kretz, Manweller, Maycumber, McCaslin, Schmick, Shea, Smith, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1661, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE HOUSE BILL NO. 1777, by House Committee on Capital Budget (originally sponsored by Representatives Kagi, Johnson, Doglio, Dent, Ryu, MacEwen, Senn, Farrell, Nealey, Ortiz-Self, McBride, Macri, Fey, Slatter and Jinkins)

Concerning the financing of early learning facilities.

The bill was read the third time.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1777.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1777, and the bill passed the House by the following vote: Yeas, 79; Nays, 15; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Holy, Kretz, Maycumber, McCaslin, Pike, Schmick, Shea, Taylor, Vick, Volz, J. Walsh and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

SECOND SUBSTITUTE HOUSE BILL NO. 1777, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1783, by House Committee on Appropriations (originally sponsored by Representatives Holy, Goodman, Hansen, Hayes, Stokesbary, Senn, Orwall, Kagi, Appleton, Kilduff, Rodne, Jinkins, Taylor, Shea, Tharinger, Frame, Fitzgibbon, Bergquist, Fey, Macri, Ryu, Doglio, Pellicciotti, Peterson, Santos, Reeves, Kloba, Robinson, Stanford, Hudgins, McBride, Ormsby and Pollet)

Concerning legal financial obligations.

The bill was read the third time.

Representatives Holy, Goodman, Riccelli and Appleton spoke in favor of the passage of the bill.

Representatives Klippert and DeBolt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1783.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1783, and the bill passed the House by the following vote: Yeas, 86; Nays, 8; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCaslin, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Condotta, DeBolt, Klippert, Manweller, McCabe, Orcutt and Wilcox.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1783, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1913, by Representatives Dolan, Van Werven and Haler

Creating a leasehold excise tax exemption for certain leasehold interests in facilities owned or used by schools, colleges, or universities.

The bill was read the third time.

Representatives Dolan and Orcutt spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1913.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1913, and the bill passed the House by the following vote: Yeas, 64; Nays, 30; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Griffey, Hansen, Harmsworth, Harris, Holy, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, McBride, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Frame, Graves, Haler, Hayes, Irwin, Jenkin, Klippert, Kretz, Kristiansen, Manweller,

Maycumber, McCabe, McCaslin, McDonald, Pike, Rodne, Schmick, Shea, Smith, Stokesbary, Taylor, Vick, J. Walsh and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED HOUSE BILL NO. 1913, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1958, by Representatives Harmsworth, Young, Rodne and Stanford

Prohibiting the imposition of regional transit authority property taxes on less than a whole parcel.

The bill was read the third time.

Representatives Harmsworth and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1958.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1958, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED HOUSE BILL NO. 1958, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 2107, by Representatives Schmick, Cody and Ormsby

Concerning the addition of services for long-term placement of mental health patients in community settings that voluntarily contract to provide the services.

There being no objection, the rules were suspended, and ENGROSSED HOUSE BILL NO. 2107 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Schmick moved the adoption of the striking amendment (604):

Strike everything after the enacting clause and insert the following:

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

The legislature finds that concentrating all long-term placements for mental health patients at eastern and western state hospitals is not a sustainable model for the future. There is insufficient capacity at eastern and western state hospitals to meet current and growing demand for services and patients, and families are better supported when care is provided in communities closer to their homes. Therefore, the legislature intends to facilitate the addition of services to the existing system by making long-term placement for mental health patients available in community hospitals and evaluation and treatment facilities that voluntarily contract and are certified by the department of social and health services.

Sec. 2. RCW 71.24.310 and 2017 c 222 s 1 are each amended to read as follows:

The legislature finds that administration of chapter 71.05 RCW and this chapter can be most efficiently and effectively implemented as part of the behavioral health organization defined in RCW 71.24.025. For this reason, the legislature intends that the department and the behavioral health organizations shall work together to implement chapter 71.05 RCW as follows:

(1) By June 1, 2006, behavioral health organizations shall recommend to the department the number of state hospital beds that should be allocated for use by each behavioral health organization. The statewide total allocation shall not exceed the number of state hospital beds offering long-term inpatient care, as defined in this chapter, for which funding is provided in the biennial appropriations act.

(2) If there is consensus among the behavioral health organizations regarding

the number of state hospital beds that should be allocated for use by each behavioral health organization, the department shall contract with each behavioral health organization accordingly.

(3) If there is not consensus among the behavioral health organizations regarding the number of beds that should be allocated for use by each behavioral health organization, the department shall establish by emergency rule the number of state hospital beds that are available for use by each behavioral health organization. The emergency rule shall be effective September 1, 2006. The primary factor used in the allocation shall be the estimated number of adults with acute and chronic mental illness in each behavioral health organization area, based upon population-adjusted incidence and utilization.

(4) The allocation formula shall be updated at least every three years to reflect demographic changes, and new evidence regarding the incidence of acute and chronic mental illness and the need for long-term inpatient care. In the updates, the statewide total allocation shall include (a) all state hospital beds offering long-term inpatient care for which funding is provided in the biennial appropriations act; plus (b) the estimated equivalent number of beds or comparable diversion services contracted in accordance with subsection (5) of this section.

(5)(a) The department (~~is encouraged to~~) shall enter into performance-based contracts with behavioral health organizations to provide some or all of the behavioral health organization's allocated long-term inpatient treatment capacity in the community, rather than in the state hospital, to the extent that willing certified facilities are available. The performance contracts shall specify the number of patient days of care available for use by the behavioral health organization in the state hospital and the number of patient days of care available for use by the behavioral health organization in a facility certified by the department to provide treatment to adults on a ninety or one hundred eighty day inpatient involuntary commitment order, including hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW.

(b) Nothing in this section requires a hospital licensed under chapter 70.41 or 71.12 RCW to contract or become certified to treat patients on ninety or one hundred eighty day involuntary commitment orders as a condition for continuing to treat adults who are waiting for placement at either the state hospital or in certified facilities that voluntarily contract to provide treatment to patients on ninety or one hundred eighty day involuntary commitment orders.

(6) If a behavioral health organization uses more state hospital patient days of care than it has been allocated under subsection (3) or (4) of this section, or than it has contracted to use under subsection (5) of this section, whichever is less, it shall reimburse the department for that care. Reimbursements must be calculated using quarterly average census data to determine an average number of days used in excess of the bed allocation for the quarter. The reimbursement rate per day shall be the hospital's total annual budget for long-term inpatient care, divided by the total patient days of care assumed in development of that budget.

(7) One-half of any reimbursements received pursuant to subsection (6) of this section shall be used to support the cost of operating the state hospital and, during the 2007-2009 fiscal biennium, implementing new services that will enable a behavioral health organization to reduce its utilization of the state hospital. The department shall distribute the remaining half of such reimbursements among behavioral health organizations that have used less than their allocated or contracted patient days of care at that hospital, proportional to the number of patient days of care not used.

Sec. 3. RCW 71.24.380 and 2014 c 225 s 5 are each amended to read as follows:

(1) The secretary shall purchase mental health and chemical dependency treatment services primarily through managed care contracting, but may continue to purchase behavioral health services directly from tribal clinics and other tribal providers.

(2)(a) The secretary shall request a detailed plan from the entities identified in (b) of this subsection that demonstrates compliance with the contractual elements of RCW 43.20A.894 and federal regulations related to medicaid managed care contracting((7)) including, but not limited to: Having a sufficient

network of providers to provide adequate access to mental health and chemical dependency services for residents of the regional service area that meet eligibility criteria for services, ability to maintain and manage adequate reserves, and maintenance of quality assurance processes. In addition, such entities must demonstrate the ability to contract for a minimum number of patient days, to be determined by the secretary, in a facility certified by the department to provide treatment to adults on a ninety or one hundred eighty day inpatient involuntary commitment order, including at hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW, to the extent that willing certified facilities are available. Any responding entity that submits a detailed plan that demonstrates that it can meet the requirements of this section must be awarded the contract to serve as the behavioral health organization.

(b)(i) For purposes of responding to the request for a detailed plan under (a) of this subsection, the entities from which a plan will be requested are:

(A) A county in a single county regional service area that currently serves as the regional support network for that area;

(B) In the event that a county has made a decision prior to January 1, 2014, not to contract as a regional support network, any private entity that serves as the regional support network for that area;

(C) All counties within a regional service area that includes more than one county, which shall form a responding entity through the adoption of an interlocal agreement. The interlocal agreement must specify the terms by which the responding entity shall serve as the behavioral health organization within the regional service area.

(ii) In the event that a regional service area is comprised of multiple counties including one that has made a decision prior to January 1, 2014, not to contract as a regional support network the counties shall adopt an interlocal agreement and may respond to the request for a detailed plan under (a) of this subsection and the private entity may also respond to the request for a detailed plan. If both responding entities meet the requirements of this section, the responding entities shall follow the department's procurement process

established in subsection (3) of this section.

(3) If an entity that has received a request under this section to submit a detailed plan does not respond to the request, a responding entity under subsection (1) of this section is unable to substantially meet the requirements of the request for a detailed plan, or more than one responding entity substantially meets the requirements for the request for a detailed plan, the department shall use a procurement process in which other entities recognized by the secretary may bid to serve as the behavioral health organization in that regional service area.

(4) Contracts for behavioral health organizations must begin on April 1, 2016.

(5) Upon request of all of the county authorities in a regional service area, the department and the health care authority may jointly purchase behavioral health services through an integrated medical and behavioral health services contract with a behavioral health organization or a managed health care system as defined in RCW 74.09.522, pursuant to standards to be developed jointly by the secretary and the health care authority. Any contract for such a purchase must comply with all federal medicaid and state law requirements related to managed health care contracting.

(6) As an incentive to county authorities to become early adopters of fully integrated purchasing of medical and behavioral health services, the standards adopted by the secretary and the health care authority under subsection (5) of this section shall provide for an incentive payment to counties which elect to move to full integration by January 1, 2016. Subject to federal approval, the incentive payment shall be targeted at ten percent of savings realized by the state within the regional service area in which the fully integrated purchasing takes place. Savings shall be calculated in alignment with the outcome and performance measures established in RCW 43.20A.895, 70.320.020, and 71.36.025, and incentive payments for early adopter counties shall be made available for up to a six-year period, or until full integration of medical and behavioral health services is accomplished statewide, whichever comes sooner, according to rules to be developed by the secretary and health care authority.

NEW SECTION. **Sec. 4.** A new section is added to chapter 71.24 RCW to read as follows:

(1) The department and the entities identified in RCW 71.24.310 and 71.24.380 shall: (a) Work with willing community hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW to assess their capacity to become certified to provide long-term mental health placements and to meet the requirements of this chapter; and (b) enter into contracts and payment arrangements with such hospitals and evaluation and treatment facilities choosing to provide long-term mental health placements, to the extent that willing certified facilities are available. Nothing in this chapter requires any community hospital or evaluation and treatment facility to be certified to provide long-term mental health placements.

(2) The department must establish reporting requirements for certified facilities. The reporting standards must allow the department to monitor the performance of the certified facilities and compare results with the state hospitals in a consistent format. The measures must align with the data reported by the department to the select committee on quality improvement in state hospitals, including the length of stay of patients, outcomes after discharge, employee-related measures, and demographic information.

NEW SECTION. **Sec. 5.** A new section is added to chapter 71.24 RCW to read as follows:

The legislature finds that concentrating all long-term placements for mental health patients at eastern and western state hospitals is not a sustainable model for the future. There is insufficient capacity at eastern and western state hospitals to meet current and growing demand for services and patients, and families are better supported when care is provided in communities closer to their homes. Therefore, the legislature intends to facilitate the addition of services to the existing system by making long-term placement for mental health patients available in community hospitals and evaluation and treatment facilities that voluntarily contract and are certified by the department of health.

Sec. 6. RCW 71.24.310 and 2017 c 222 s 1 are each amended to read as follows:

The legislature finds that administration of chapter 71.05 RCW and this chapter can be most efficiently and effectively implemented as part of the behavioral health organization defined in RCW 71.24.025. For this reason, the legislature intends that the ~~((department))~~ authority and the behavioral health organizations shall work together to implement chapter 71.05 RCW as follows:

(1) ~~((By June 1, 2006,))~~ Behavioral health organizations shall recommend to the ~~((department))~~ authority the number of state hospital beds that should be allocated for use by each behavioral health organization. The statewide total allocation shall not exceed the number of state hospital beds offering long-term inpatient care, as defined in this chapter, for which funding is provided in the biennial appropriations act.

(2) If there is consensus among the behavioral health organizations regarding the number of state hospital beds that should be allocated for use by each behavioral health organization, the ~~((department))~~ authority shall contract with each behavioral health organization accordingly.

(3) If there is not consensus among the behavioral health organizations regarding the number of beds that should be allocated for use by each behavioral health organization, the ~~((department))~~ authority shall establish by emergency rule the number of state hospital beds that are available for use by each behavioral health organization. ~~((The emergency rule shall be effective September 1, 2006.))~~ The primary factor used in the allocation shall be the estimated number of adults with acute and chronic mental illness in each behavioral health organization area, based upon population-adjusted incidence and utilization.

(4) The allocation formula shall be updated at least every three years to reflect demographic changes, and new evidence regarding the incidence of acute and chronic mental illness and the need for long-term inpatient care. In the updates, the statewide total allocation shall include (a) all state hospital beds offering long-term inpatient care for which funding is provided in the biennial appropriations act; plus (b) the estimated

equivalent number of beds or comparable diversion services contracted in accordance with subsection (5) of this section.

(5)(a) ~~The ((department is encouraged to))~~ authority shall enter into performance-based contracts with behavioral health organizations to provide some or all of the behavioral health organization's allocated long-term inpatient treatment capacity in the community, rather than in the state hospital, to the extent that willing certified facilities are available. The performance contracts shall specify the number of patient days of care available for use by the behavioral health organization in the state hospital and the number of patient days of care available for use by the behavioral health organization in a facility certified by the department to provide treatment to adults on a ninety or one hundred eighty day inpatient involuntary commitment order, including hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW.

(b) Nothing in this section requires a hospital licensed under chapter 70.41 or 71.12 RCW to contract or become certified to treat patients on ninety or one hundred eighty day involuntary commitment orders as a condition for continuing to treat adults who are waiting for placement at either the state hospital or in certified facilities that voluntarily contract to provide treatment to patients on ninety or one hundred eighty day involuntary commitment orders.

(6) If a behavioral health organization uses more state hospital patient days of care than it has been allocated under subsection (3) or (4) of this section, or than it has contracted to use under subsection (5) of this section, whichever is less, it shall reimburse the ((department)) authority for that care. Reimbursements must be calculated using quarterly average census data to determine an average number of days used in excess of the bed allocation for the quarter. The reimbursement rate per day shall be the hospital's total annual budget for long-term inpatient care, divided by the total patient days of care assumed in development of that budget.

(7) One-half of any reimbursements received pursuant to subsection (6) of this section shall be used to support the cost of operating the state hospital

~~((and, during the 2007-2009 fiscal biennium, implementing new services that will enable a behavioral health organization to reduce its utilization of the state hospital)).~~ The ((department)) authority shall distribute the remaining half of such reimbursements among behavioral health organizations that have used less than their allocated or contracted patient days of care at that hospital, proportional to the number of patient days of care not used.

Sec. 7. RCW 71.24.380 and 2014 c 225 s 5 are each amended to read as follows:

(1) The ((secretary)) director shall purchase mental health and chemical dependency treatment services primarily through managed care contracting, but may continue to purchase behavioral health services directly from tribal clinics and other tribal providers.

(2)(a) The ((secretary)) director shall request a detailed plan from the entities identified in (b) of this subsection that demonstrates compliance with the contractual elements of RCW 43.20A.894 and federal regulations related to medicaid managed care contracting((r)) including, but not limited to: Having a sufficient network of providers to provide adequate access to mental health and chemical dependency services for residents of the regional service area that meet eligibility criteria for services, ability to maintain and manage adequate reserves, and maintenance of quality assurance processes. In addition, such entities must demonstrate the ability to contract for a minimum number of patient days, to be determined by the secretary, in a facility certified by the department to provide treatment to adults on a ninety or one hundred eighty day inpatient involuntary commitment order, including at hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW, to the extent that willing certified facilities are available. Any responding entity that submits a detailed plan that demonstrates that it can meet the requirements of this section must be awarded the contract to serve as the behavioral health organization.

(b)(i) For purposes of responding to the request for a detailed plan under (a) of this subsection, the entities from which a plan will be requested are:

(A) A county in a single county regional service area that currently serves as the regional support network for that area;

(B) In the event that a county has made a decision prior to January 1, 2014, not to contract as a regional support network, any private entity that serves as the regional support network for that area;

(C) All counties within a regional service area that includes more than one county, which shall form a responding entity through the adoption of an interlocal agreement. The interlocal agreement must specify the terms by which the responding entity shall serve as the behavioral health organization within the regional service area.

(ii) In the event that a regional service area is comprised of multiple counties including one that has made a decision prior to January 1, 2014, not to contract as a regional support network the counties shall adopt an interlocal agreement and may respond to the request for a detailed plan under (a) of this subsection and the private entity may also respond to the request for a detailed plan. If both responding entities meet the requirements of this section, the responding entities shall follow the ~~((department's))~~ authority's procurement process established in subsection (3) of this section.

(3) If an entity that has received a request under this section to submit a detailed plan does not respond to the request, a responding entity under subsection (1) of this section is unable to substantially meet the requirements of the request for a detailed plan, or more than one responding entity substantially meets the requirements for the request for a detailed plan, the ~~((department))~~ authority shall use a procurement process in which other entities recognized by the ~~((secretary))~~ director may bid to serve as the behavioral health organization in that regional service area.

(4) Contracts for behavioral health organizations must begin on April 1, 2016.

(5) Upon request of all of the county authorities in a regional service area, the ~~((department and the health care))~~ authority may ~~((jointly))~~ purchase behavioral health services through an integrated medical and behavioral health services contract with a behavioral health organization or a managed health care system as defined in RCW 74.09.522, pursuant to standards to be developed

~~((jointly))~~ by the ~~((secretary and the health care))~~ authority. Any contract for such a purchase must comply with all federal medicaid and state law requirements related to managed health care contracting.

(6) As an incentive to county authorities to become early adopters of fully integrated purchasing of medical and behavioral health services, the standards adopted by the ~~((secretary and the health care))~~ authority under subsection (5) of this section shall provide for an incentive payment to counties which elect to move to full integration by January 1, 2016. Subject to federal approval, the incentive payment shall be targeted at ten percent of savings realized by the state within the regional service area in which the fully integrated purchasing takes place. Savings shall be calculated in alignment with the outcome and performance measures established in RCW 43.20A.895, 70.320.020, and 71.36.025, and incentive payments for early adopter counties shall be made available for up to a six-year period, or until full integration of medical and behavioral health services is accomplished statewide, whichever comes sooner, according to rules to be developed by the ~~((secretary and health care))~~ authority.

NEW SECTION. Sec. 8. A new section is added to chapter 71.24 RCW to read as follows:

(1) The authority and the entities identified in RCW 71.24.310 and 71.24.380 shall: (a) Work with willing community hospitals licensed under chapters 70.41 and 71.12 RCW and evaluation and treatment facilities certified under chapter 71.05 RCW to assess their capacity to become certified to provide long-term mental health placements and to meet the requirements of this chapter; and (b) enter into contracts and payment arrangements with such hospitals and evaluation and treatment facilities choosing to provide long-term mental health placements, to the extent that willing certified facilities are available. Nothing in this chapter requires any community hospital or evaluation and treatment facility to be certified to provide long-term mental health placements.

(2) The authority must establish reporting requirements for certified facilities. The reporting standards must allow the authority to monitor the performance of the certified facilities

and compare results with the state hospitals in a consistent format. The measures must align with the data reported by the authority to the select committee on quality improvement in state hospitals, including the length of stay of patients, outcomes after discharge, employee-related measures, and demographic information.

NEW SECTION. Sec. 9. Sections 1 through 4 of this act take effect only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. Sec. 10. Sections 5 through 8 of this act take effect only if Substitute House Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Representatives Schmick and Cody spoke in favor of the adoption of the striking amendment (604).

Amendment (604) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Engrossed House Bill No. 2107.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed House Bill No. 2107, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri,

Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

SECOND ENGROSSED HOUSE BILL NO. 2107, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114, by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody and Pollet)

Protecting consumers from charges for out-of-network health services. Revised for 1st Substitute: Addressing protecting consumers from charges for out-of-network health services.

The bill was read the third time.

Representatives Cody spoke in favor of the passage of the bill.

Representatives Schmick spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2114.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2114, and the bill passed the House by the following vote: Yeas, 61; Nays, 33; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harmsworth, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hayes, Holy, Irwin, Jenkin, Klippert, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin,

Pike, Schmick, Shea, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2143, by House Committee on Appropriations (originally sponsored by Representatives Haler, Hansen, Holy, Stanford and Muri)

Expanding opportunities for higher education students.

The bill was read the third time.

Representatives Haler and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2143.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2143, and the bill passed the House by the following vote: Yeas, 91; Nays, 3; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2143, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200, by House Committee on Technology & Economic Development (originally sponsored by Representatives Hansen, Taylor, Smith, Buys, Harmsworth, Graves, Maycumber, J. Walsh, Kraft, Haler, Condotta, Nealey, Bergquist, Steele, Van Werven, Stonier, Macri, Farrell, Cody, Slatter, Tarleton, Senn, Kagi, Pollet, Frame,

Chapman, Dye, Hudgins, Stanford, Reeves, Dent, Hayes, Ryu, Peterson, Sells, Kloba, Santos, Johnson, Fitzgibbon, Holy, Ormsby, Caldier, Sawyer, Wylie, Hargrove, Kilduff, Blake, Orcutt, Gregerson, Young, Appleton, Shea, Koster, Morris, Tharinger, Irwin, Muri, Schmick, Volz, Goodman, Clibborn, McCaslin, Pellicciotti, Doglio, Jinkins, Dolan, Kirby, Sullivan, Lytton, Kretz, Riccelli, Rodne, McBride, McCabe and Pettigrew)

Protecting the privacy and security of internet users.

The bill was read the third time.

Representatives Hansen, Manweller and Irwin spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2200.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2200, and the bill passed the House by the following vote: Yeas, 72; Nays, 22; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harmsworth, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Harris, Holy, Jenkin, Kristiansen, McCaslin, Pike, Rodne, Schmick, Shea, Stokesbary, Taylor, Vick, Volz and Wilcox.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 2201, by Representatives Pellicciotti, Slatter, Reeves, Clibborn, Lovick, Ormsby, Pollet, Kilduff, Kloba, Orwall, Sells, Stanford, Wylie and Senn

Concerning the collection of a motor vehicle excise tax approved by voters of a regional transit authority in 2016.

The bill was read the third time.

Representatives Pellicciotti and Harmsworth spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2201.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2201, and the bill passed the House by the following vote: Yeas, 64; Nays, 30; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harmsworth, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Griffey, Haler, Harris, Hayes, Holy, Jenkin, Klippert, Kraft, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, Pike, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED HOUSE BILL NO. 2201, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1570, by Representatives Macri, Robinson, McBride, Kagi, Sawyer, Tharinger, Doglio, Pollet, Ortiz-Self, Chapman, Cody, Jinkins, Bergquist, Hudgins, Peterson, Senn, Stonier, Riccelli, Frame, Gregerson, Dolan, Tarleton, Ormsby, Ryu, Fey, Fitzgibbon, Goodman, Slatter, Pettigrew, Kloba, Orwall, Appleton, Clibborn, Farrell and Stanford

Concerning access to homeless housing and assistance.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1570 was substituted for House Bill No. 1570 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1570 was read the second time.

Representative Jenkin moved the adoption of amendment (603):

On page 2, line 24, after "subsection" strike "~~((2))~~ (3)" and insert "(2)"

On page 2, line 29, after "this" strike "~~((section))~~ subsection" and insert "section"

On page 3, beginning on line 31, after "(2)" strike all material through "(3)" on page 4, line 4

Renumber the remaining subsection.

On page 4, line 4, after "The" strike "surcharges" and insert "surcharge"

On page 4, line 4, after "section" strike "~~((does))~~ do" and insert "does"

Representative Jenkin spoke in favor of the adoption of the amendment (603).

Representative Ryu spoke against the adoption of the amendment (603).

Amendment (603) was not adopted.

Representative Barkis moved the adoption of amendment (607):

On page 2, line 25, after "of" strike "~~((ten))~~ forty" and insert "ten"

On page 2, beginning on line 27, after "law." strike all material through "~~dollars.)~~" on line 28 and insert "From September 1, 2012, through June 30, ~~((2019))~~ 2029, the surcharge shall be forty dollars."

Representative Barkis spoke in favor of the adoption of the amendment (607).

Representative Ryu spoke against the adoption of the amendment (607).

Amendment (607) was not adopted.

Representative Macri moved the adoption of amendment (602):

On page 3, line 31, after "(2)" insert "(a)"

On page 3, beginning on line 34, after "dollars" strike all material through "section" on page 4, line 3 and insert "for each document recorded. The auditor shall retain two percent of the additional surcharge as a fee for the collection of"

any additional surcharge charged under this subsection, and shall remit the remainder of the amount collected to the county to accomplish the purposes set out in subsection (1) of this section.

(b) A county must wait ninety days from the effective date of the decision to impose an additional surcharge under this subsection before any additional surcharge may be collected.

(3) A county issuing general obligation bonds pursuant to RCW 36.67.010, to carry out the purposes of subsection (1) of this section, may provide that such bonds be made payable from any surcharge provided for in subsection (2) of this section and may pledge such surcharges to the repayment of the bonds"

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

Representative Macri spoke in favor of the adoption of the amendment (602).

Amendment (602) was adopted.

Representative J. Walsh moved the adoption of amendment (601):

On page 10, after line 12, insert the following:

"**Sec. 7.** RCW 43.185C.090 and 2005 c 484 s 13 are each amended to read as follows:

(1) The department shall allocate grant moneys from the ((homeless housing)) home security fund account to finance in whole or in part programs and projects in approved local homeless housing plans to assist homeless individuals and families gain access to adequate housing, prevent at-risk individuals from becoming homeless, address the root causes of homelessness, track and report on homeless-related data, and facilitate the movement of homeless or formerly homeless individuals along the housing continuum toward more stable and independent housing. The department may issue criteria or guidelines to guide local governments in the application process.

(2) The department may not prioritize grant funding from the home security fund account or other accounts for low and no-barrier housing over other homeless housing options."

Renumber the remaining sections consecutively, correct any internal

references accordingly, and correct the title.

Representative J. Walsh spoke in favor of the adoption of the amendment (601).

Representative Macri spoke against the adoption of the amendment (601).

An electronic roll call was requested.

The Speaker (Representative Lovick presiding) stated the question before the House to be adoption of amendment (601) to SUBSTITUTE HOUSE BILL NO. 1570.

ROLL CALL

The Clerk called the roll on the adoption of amendment (601) to SUBSTITUTE HOUSE BILL NO. 1570 and the amendment was not adopted by the following vote: Yeas, 43; Nays, 51; Absent, 0; Excused, 4.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

Amendment (601) was not adopted.

Representative Barkis moved the adoption of amendment (606):

On page 10, line 24, after "businesses," insert "real estate professionals,"

Representatives Barkis and Ryu spoke in favor of the adoption of the amendment (606).

Amendment (606) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Macri spoke in favor of the passage of the bill.

Representative McCabe spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1570.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1570, and the bill passed the House by the following vote: Yeas, 50; Nays, 44; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Graves, Griffey, Haler, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2213, by Representatives Smith, Haler and Morris

Concerning state agency collection, use, and retention of biometric identifiers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Morris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2213.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2213, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Johnson, Koster and Nealey.

HOUSE BILL NO. 2213, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., May 26, 2017, the 4th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

FOURTH DAY

House Chamber, Olympia, Friday, May 26, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 8:55 a.m., May 29, 2017, the 7th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

SEVENTH DAY

House Chamber, Olympia, Monday, May 29, 2017

The House was called to order at 8:55 a.m. by the Speaker (Kyle Overmiller presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2217 by Representative Young

AN ACT Relating to clarifying and protecting the Constitution's freedom of speech and guarantee of religious liberty for public employees; adding a new section to chapter 49.60 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2218 by Representatives Ryu and Smith

AN ACT Relating to community economic revitalization board membership; and amending RCW 43.160.030 and 43.160.035.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 2219 by Representatives Ryu and Orwall

AN ACT Relating to modifying the issuance fees for drivers' licenses and identicards; and amending RCW 46.20.117, 46.20.161, 46.20.181, and 46.20.202.

Referred to Committee on Transportation.

HB 2220 by Representatives Orcutt, Clibborn and Shea

Authorizing the issuance of temporary ORV use permits for wheeled all-terrain vehicles.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., May 31, 2017, the 9th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

NINTH DAY

House Chamber, Olympia, Wednesday, May 31, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., June 2, 2017, the 11th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION**ELEVENTH DAY**

House Chamber, Olympia, Friday, June 2, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2221 by Representatives Manweller, MacEwen, Haler, Jenkin, Koster, Nealey, Pike, Shea, Van Werven, Volz, Griffey, Buys, J. Walsh, Irwin and Vick

AN ACT Relating to transitioning The Evergreen State College to a private four-year institution of higher

education; adding a new section to chapter 28B.40 RCW; and creating a new section.

Referred to Committee on Higher Education.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House adjourned until 9:55 a.m., June 5, 2017, the 14th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

FOURTEENTH DAY

House Chamber, Olympia, Monday, June 5, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., June 7, 2017, the 16th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

SIXTEENTH DAY

House Chamber, Olympia, Wednesday, June 7, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

SENATE CONCURRENT RESOLUTION NO. 8405

The Speaker called upon Representative Robinson to preside.

There being no objection, the House adjourned until 9:55 a.m., June 9, 2017, the 18th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

EIGHTEENTH DAY

House Chamber, Olympia, Friday, June 9, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., June 12, 2017, the 21st Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION**TWENTY FIRST DAY**

House Chamber, Olympia, Monday, June 12, 2017

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2222 by Representatives Cody and Manweller

AN ACT Relating to protection of information obtained to develop or implement an individual health insurance market stability program; reenacting and amending RCW 42.56.400; adding a new section to chapter 48.02 RCW; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 2223 by Representatives J. Walsh, Graves, Haler, Manweller, Pike, Van Werven, Griffey, Irwin, Volz, Buys, Harris and Kraft

AN ACT Relating to protecting the freedom of speech in institutions of higher education; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., June 14, 2017, the 23rd Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

TWENTY THIRD DAY

House Chamber, Olympia, Wednesday, June 14, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Tarleton presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

June 13, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2213,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

HOUSE BILL NO. 2213

The Speaker called upon Representative Tarleton to preside.

MESSAGES FROM THE SENATE

June 13, 2017

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SENATE BILL NO. 5517,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 13, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5239,
ENGROSSED SENATE BILL NO. 5316,
SUBSTITUTE SENATE BILL NO. 5522,
SECOND ENGROSSED SENATE BILL NO. 5891,
SECOND ENGROSSED SENATE BILL NO. 5893,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2224 by Representatives MacEwen and Dolan

AN ACT Relating to providing flexibility in high school graduation requirements and supporting student success during the transition to a federal every student succeeds act-compliant accountability system; amending RCW 28A.230.090, 28A.305.130, 28A.655.068, 28A.655.070, 28A.320.195, and 28A.700.080; adding new sections to chapter 28A.655 RCW; creating a new section; repealing RCW 28A.655.061, 28A.655.063, 28A.655.065, and 28A.655.066; and declaring an emergency.

Referred to Committee on Education.

HB 2225 by Representatives Slatter, Senn and Robinson

AN ACT Relating to aligning Washington's greenhouse gas emissions limits with those established by the United States' commitment under the 2015 Paris climate agreement; amending RCW 70.235.020; and creating a new section.

Referred to Committee on Environment.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., June 16, 2017, the 25th Day of the 2nd Special Session

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

TWENTY FIFTH DAY

House Chamber, Olympia, Friday, June 16, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

June 16, 2017

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 2213,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2226 by Representatives Stanford and Springer

AN ACT Relating to addressing permit-exempt wells to support rural development while protecting groundwater and surface water resources; amending RCW 19.27.097, 58.17.110, 36.70A.070, and 90.54.120; adding new sections to chapter 90.54 RCW; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 2227 by Representative Sawyer

AN ACT Relating to the laboratory testing of marijuana products; and amending RCW 69.50.348.

Referred to Committee on Commerce & Gaming.

E2SSB 5239 by Senate Committee on Ways & Means (originally sponsored by Senators Warnick, Takko, Ericksen, Becker, Walsh, Angel, Wilson, Schoesler, Honeyford, Pearson, Brown and Padden)

AN ACT Relating to ensuring that water is available to support development; amending RCW 19.27.097, 36.70A.070, 58.17.110, 90.03.247, and 90.54.120; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

ESB 5316 by Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger and Wilson

AN ACT Relating to the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington; amending RCW 43.320.017, 70.95.532, 80.01.080, 48.18A.035, 48.25.140, 48.29.015, 21.20.880, 43.70.900, 29A.04.510, 35A.39.010, 44.05.080, 47.06.110, 82.42.090, and 82.80.070; adding a new section to chapter 42.30 RCW; recodifying RCW 42.32.030; decodifying RCW 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.016, 43.320.901, 15.15.900, 50.06.010, 50.13.010, 50.13.910, 50.38.900, 50.38.902, 50.60.902, 50.65.905, 50.70.902, 28A.315.075, 29A.04.903, 29A.04.905, 42.56.901, 42.56.902, 42.56.903, 71A.10.805, 10.77.900, 10.77.920, 10.77.930, 71.05.910, 71.05.920, 71.05.930, 71.24.900, 71.34.901, 5.45.920, 43.41.035, 43.41.940, 43.41.950, 43.41.981, and 43.88.910; and repealing RCW 66.08.230, 66.08.250, 66.12.020, 28A.305.900, 28A.305.901, 28A.630.005, 70.94.505, 70.95N.270, 70.104.070, 70.104.090, 80.36.901, 70.104.100, 21.20.886, 31.04.501, 48.102.190, 35.13A.0301, 70.22.005, 71A.20.190, 28B.65.010, 28B.65.020, 28B.65.030, 28B.65.040, 28B.65.050, 28B.65.060, 28B.65.070, 28B.65.080, 28B.65.110, 28B.65.900, 28B.65.905, 2.56.031, 10.77.810, 10.77.820, 71.24.055, 2.56.250, 9.04.040, 43.30.8351, 76.01.080, 76.01.090, 76.09.380, 77.12.605, 77.12.710, 79A.20.005, 79A.20.010, 79A.20.030, 79A.20.900, 43.31.088, 43.31.522, 43.31.524, 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 43.31.850, 47.01.141, 47.60.645, 47.78.010, 82.44.180, 82.80.040, 82.80.050, 82.80.060, 82.14.046, and 82.50.510.

Referred to Committee on Judiciary.

2ESB 5517 by Senators Wilson, Rivers, Cleveland, Hobbs, King, Sheldon, Miloscia, Brown, Angel, Warnick, Keiser and Schoesler

AN ACT Relating to rail dependent uses for purposes of the growth management act and related development regulations; amending RCW 36.70A.030, 36.70A.060, 36.70A.070, and 36.70A.108; and creating a new section.

Referred to Committee on Rules.

SSB 5522 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Palumbo, Fain and Nelson)

AN ACT Relating to requiring the department of social and health services to collect and publicly report information on the safe surrender of newborn children; amending RCW 13.34.360; and creating a new section.

Referred to Committee on Early Learning & Human Services.

2ESB 5891 by Senators Zeiger and Conway

AN ACT Relating to eliminating the use of the high school science assessment as a graduation prerequisite; and amending RCW 28A.655.061, 28A.655.065, and 28A.655.068.

Referred to Committee on Education.

2ESB 5893 by Senators O'Ban, Rossi, Becker, Rivers, Miloscia, King, Bailey, Braun, Wilson, Walsh, Zeiger, Angel, Warnick, Brown, Honeyford, Fortunato, Pearson, Padden, Fain, Schoesler and Hawkins

AN ACT Relating to the administration of motor vehicle excise taxes by regional transit authorities; amending RCW 82.44.135, 81.104.160, 82.44.035, and 81.104.190; and declaring an emergency.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1827, and the bill was referred to the Committee on Education.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENTS

The Speaker (Representative Robinson presiding) announced the following committee appointments:

Representative Oritz-Self is appointed to the Committee on Rules; and Representative Valdez is appointed to the Committee on Education, replacing Representative Springer; to the Committee on Judiciary, replacing Representative Frame; and to the Committee on Transportation.

There being no objection, the House adjourned until 9:55 a.m., June 19, 2017, the 28th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

TWENTY EIGHTH DAY

House Chamber, Olympia, Monday, June 19, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION**HOUSE RESOLUTION NO. 2017-4647, by Representative Lovick**

WHEREAS, The three most significant documents in United States history that exemplify America's passion for freedom are the Constitution, the Bill of Rights, and the Emancipation Proclamation; and

WHEREAS, Each has maintained its rightful place in the annals of American history, only the Constitution and the Bill of Rights have identifiable dates emphasizing their importance to the American People through celebration of the Fourth of July, Constitution Day, and Flag Day; and

WHEREAS, President Abraham Lincoln ended slavery in the United States with the Emancipation Proclamation, which became official January 1, 1863; and

WHEREAS, Slavery remained in the state of Texas for more than two years after the Emancipation Proclamation was signed by President Abraham Lincoln; and

WHEREAS, On June 19, 1865, Major General Gordon Granger of the Union Army led his troops into the city of Galveston, Texas and officially proclaimed freedom for slaves in that state; and

WHEREAS, General Granger's order reads in part: "The people of Texas are informed that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of rights

and rights of property between masters and slaves, and the connection heretofore existing between them becomes that between employer and free laborer"; and

WHEREAS, The celebration of "Juneteenth" - June 19th - is the oldest known celebration of the ending of slavery because it marks the day that slaves in the state of Texas were informed of the Emancipation Proclamation; and

WHEREAS, As African-Americans from Texas and other parts of the South began to migrate to other parts of the United States, they took with them the tradition of Juneteenth, spreading the word that African-American Freedom has roots in the celebration of Juneteenth; and

WHEREAS, Today, Juneteenth commemorates African-American freedom emphasizing education and achievement, through reflection, rejoicing, and planning for the future;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives celebrate the end of slavery on June 19th.

There being no objection, HOUSE RESOLUTION NO. 4647 was adopted.

There being no objection, the House adjourned until 9:55 a.m., June 21, 2017, the 30th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - SECOND SPECIAL SESSION

THIRTIETH DAY

House Chamber, Olympia, Wednesday, June 21, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2228 by Representatives J. Walsh, Schmick, Maycumber, Kraft and Kretz

AN ACT Relating to incentivizing participation in the Washington individual health insurance market in certain counties; amending RCW 43.71.065; adding a new section to chapter 48.43 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HCR 4407 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4408 by Representatives Sullivan and Kretz

Adjourning SINE DIE.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE CONCURRENT RESOLUTION No. 4407 and HOUSE CONCURRENT RESOLUTION No. 4408 which were read the first time, and under suspension of the rules, were placed on the second reading calendar.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

June 19, 2017

HB 1827 Prime Sponsor, Representative Santos: Relating to expanding the current and future educator workforce supply through evidence-based strategies to improve and incentivize the recruitment and retention of highly effective educators, especially in high-need subject, grade-level, and

geographic areas, and to establish a cohesive continuum of high quality professional learning from preparation programs to job embedded induction, mentoring, collaboration, and other professional development opportunities. Reported by Committee on Education

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Johnson; Kilduff; Lovick; Senn; Slatter; Steele; Valdez and Volz.

Referred to Committee on Appropriations.

There being no objection, the bill listed on the day's committee report under the fifth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4407, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4407 was adopted.

With consent of the House, HOUSE CONCURRENT RESOLUTION NO. 4407 was immediately transmitted to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 4408, by Representatives Sullivan and Kretz

Adjourning SINE DIE.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4408 was adopted.

With consent of the House, HOUSE CONCURRENT RESOLUTION NO. 4408 was immediately transmitted to the Senate.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, HOUSE BILL NO. 1797 and HOUSE BILL NO. 2216 were returned to the Committee on Rules.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

June 21, 2017

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4407, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1046,
HOUSE BILL NO. 1056,
ENGROSSED HOUSE BILL NO. 1309,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1388,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432,
HOUSE BILL NO. 1452,
ENGROSSED HOUSE BILL NO. 1506,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570,
HOUSE BILL NO. 1571,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600,
SUBSTITUTE HOUSE BILL NO. 1624,
HOUSE BILL NO. 1630,
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1661,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1777,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1783,
ENGROSSED HOUSE BILL NO. 1913,
ENGROSSED HOUSE BILL NO. 1958,
SECOND ENGROSSED HOUSE BILL NO. 2107,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
2143,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2200,
ENGROSSED HOUSE BILL NO. 2201,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 21, 2017

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4407,
HOUSE CONCURRENT RESOLUTION NO. 4408,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4407
HOUSE CONCURRENT RESOLUTION NO. 4408

The Speaker called upon Representative Robinson to preside.

MESSAGE FROM THE SENATE

June 21, 2017

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4407,
HOUSE CONCURRENT RESOLUTION NO. 4408,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

On motion of Representative Robinson, the reading of the Journal of the 30th Day of the 2017 2nd Special Session of the 65th Legislature was dispensed with and ordered to stand approved.

On motion of Representative Robinson, the 2017 2nd Special Session of the 65th Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

FIRST DAY

House Chamber, Olympia, Wednesday, June 21, 2017

The House was called to order at 12:50 p.m. by the Speaker (Representative Robinson presiding).

By: Jay Inslee, Governor

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

MESSAGE FROM THE GOVERNOR

June 21, 2017

PROCLAMATION 17-10

MR. SPEAKER:

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2017 regular session on April 23, 2017, the 105th day of the session; and

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8406,

WHEREAS, the Legislature reconvened on April 24, 2017, to continue work on the 2017-2019 biennial operating budget, and critical policy and related bills; and

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

WHEREAS, the Legislature failed to approve the 2017-19 biennial operating budget and bills necessary to implement the budget; and

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

WHEREAS, the Legislature reconvened on May 23, 2017, to continue work on the 2017-2019 biennial operating budget and related bills; and

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8406 was read the first time, and under suspension of the rules was placed on the third reading calendar.

WHEREAS, the Legislature has again failed to approve the 2017-19 biennial operating budget and bills necessary to implement the budget; and

There being no objection, the House advanced to the seventh order of business.

THIRD READING

WHEREAS, the State enters into a new fiscal biennium on July 1, 2017; and

SENATE CONCURRENT RESOLUTION NO. 8406, by Senators Schoesler and Nelson

WHEREAS, State law requires the adoption of a budget providing appropriations for the operation of state government prior to the beginning of the fiscal biennium; and

Specifying the status of bills, memorials, and resolutions for the 2017 regular, first, second, and third special sessions of the Sixty-fifth Legislature.

WHEREAS, work remains to be done with respect to the 2017-2019 biennial operating budget and bills necessary to implement the budget; and

The concurrent resolution was read the third time.

WHEREAS, the Speaker of the House, House Minority Leader, Senate Republican Leader, and Senate Democratic Leader, working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8406 was adopted.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Wednesday, June 21, 2017, at 12:30 p.m. for the purpose of enacting legislation as described above.

There being no objection, the House adjourned until 9:55 a.m., June 23, 2017, the 3rd Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

Signed and sealed with the official seal of the state of Washington this 21st day of June, A.D. Two-thousand and Seventeen at Olympia, Washington.

THIRD DAY

House Chamber, Olympia, Friday, June 23, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2229 by Representative Macri

AN ACT Relating to the applicability of dental practice laws to integrated care delivery systems; and amending RCW 18.32.675.

Referred to Committee on Health Care & Wellness.

HB 2230 by Representatives Fitzgibbon, Jinkins, Macri, McBride and Santos

AN ACT Relating to enacting a carbon emissions tax to fund stewardship of Washington's natural resources and investments in communities and economic opportunity; amending RCW 70.235.020 and 82.32.050; adding a new section to chapter 70.94 RCW; adding a new chapter to Title 70 RCW; adding a new chapter to Title 82 RCW; and creating new sections.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1116,
HOUSE BILL NO. 1797,
ENGROSSED SUBSTITUTE HOUSE BILL NO.
2222,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2224

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO.
1388,
HOUSE BILL NO. 1452,
ENGROSSED SUBSTITUTE HOUSE BILL NO.
1570,
SECOND ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1661,
ENGROSSED HOUSE BILL NO. 1958,
SECOND ENGROSSED HOUSE BILL NO. 2107,
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 2143,
ENGROSSED HOUSE BILL NO. 2201

There being no objection, the House adjourned until 9:55 a.m., June 26, 2017, the 6th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION**SIXTH DAY**

House Chamber, Olympia, Monday, June 26, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Robinson presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2231 by Representatives Pike, Haler, Sells, Van Werven, J. Walsh, Dent and Kraft

AN ACT Relating to rail dependent uses for purposes of the growth management act and related development regulations; amending RCW 36.70A.030, 36.70A.060, 36.70A.070, and 36.70A.108; and creating a new section.

Referred to Committee on Environment.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bill and the bill was placed on the third reading calendar:

ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1777

There being no objection, the House adjourned until 10 a.m., June 27, 2017, the 7th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

SEVENTH DAY

House Chamber, Olympia, Tuesday, June 27, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Tray Orf and Matt Grickey. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Keith Hopkins, Grace Foursquare Church, Centralia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced Representative Valdez as the newest member of the House and welcomed him to the chamber.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2232 by Representatives Riccelli, Pollet, Macri, Chapman, Graves and Stonier

AN ACT Relating to providing health insurance coverage options to individuals residing in underserved areas; adding new sections to chapter 74.09 RCW; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2222, by Representatives Cody and Manweller

Protecting information obtained to develop or implement an individual health insurance market stability program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2222 was substituted for House Bill No. 2222 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2222 was read the second time.

Representative Cody moved the adoption of amendment (622):

On page 2, line 24, after "submit a" strike "final" and insert "complete"

On page 2, line 28, after "act." insert "The commissioner shall provide the joint select committee on health care oversight established by RCW 44.82.010 with a progress report prior to submitting a draft waiver application to the federal government."

Representatives Cody and Schmick spoke in favor of the adoption of the amendment (622).

Amendment (622) was adopted.

Representative Schmick moved the adoption of amendment (616):

On page 2, line 25, after "provision of" insert "federal law, including"

Representatives Schmick and Cody spoke in favor of the adoption of the amendment (616).

Amendment (616) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Schmick, Johnson and J. Walsh spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Griffey, Representatives Hargrove and Hayes were excused.

On motion of Representative Riccelli, Representatives Morris and Pettigrew were excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2222.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2222, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Morris and Pettigrew.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2222, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2224, by Representatives MacEwen, Dolan, Appleton, Haler, Harris, Sells, Tarleton, J. Walsh, Santos and Doglio

Providing flexibility in high school graduation requirements and supporting student success during the transition to a federal every student succeeds act-compliant accountability system.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2224 by the committee on Education was substituted for House Bill No. 2224 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2224 was read the second time.

Representative Santos moved the adoption of amendment (619).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28A.655.061 and 2017 3rd sp.s. c ... s 5 (section 5 of this act) are each amended to read as follows:

(1) The high school assessment system shall include but need not be limited to the statewide student assessment, opportunities for a student to retake the content areas of the assessment in which the student was not successful, and, if approved by the legislature pursuant to subsection (10) of this section, one or more objective alternative assessments for a student to demonstrate achievement of state academic standards. The objective alternative assessments for each content area shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment for each content area.

(2) Subject to the conditions in this section, a certificate of academic achievement shall be obtained and is evidence that the students have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045 or 28A.655.0611, acquisition of the certificate is required for graduation from a public high school but is not the only requirement for graduation.

(3) (a) Beginning with the graduating class of 2008 through the graduating class of 2015, with the exception of students satisfying the provisions of RCW 28A.155.045, a student who meets the state standards on the (~~reading, writing~~) English language arts and mathematics high school statewide student assessment shall earn a certificate of academic achievement. The mathematics assessment shall be the end-of-course assessment for the first year of high school mathematics that assesses the standards common to algebra I and integrated mathematics I or the end-of-course assessment for the second year of high school mathematics that assesses standards common to geometry and integrated mathematics II.

(b) As the state transitions from reading and writing assessments to an English language arts assessment and from end-of-course assessments to a comprehensive assessment for high school mathematics, a student in a graduating class of 2016 through 2018 shall earn a certificate of academic achievement if

the student meets the ((state)) high school graduation standard as follows:

(i) Students in the graduating class of 2016 may use the results from:

(A) The reading and writing assessment or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(ii) Students in the graduating classes of 2017 and 2018 may use the results from:

(A) The tenth grade English language arts assessment developed by the superintendent of public instruction using resources from the multistate consortium or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(c) Beginning with the graduating class of 2019, a student who meets the ((state)) high school graduation standard((s)) on the high school English language arts assessment developed with the multistate consortium and the comprehensive mathematics assessment developed with the multistate consortium shall earn a certificate of academic achievement.

(d) Beginning with the graduating class of 2020, a student who meets the high school graduation standard on the high school English language arts assessment developed with the multistate consortium and the comprehensive mathematics assessment developed with the multistate consortium to be administered in tenth grade shall earn a certificate of academic achievement.

(e) If a student does not successfully meet the state standards in one or more content areas required for the certificate of academic achievement, then the student may retake the assessment in the content area at least

twice a year at no cost to the student. If the student successfully meets the state standards on a retake of the assessment then the student shall earn a certificate of academic achievement. Once objective alternative assessments are authorized pursuant to subsection (10) of this section, a student may use the objective alternative assessments to demonstrate that the student successfully meets the state standards for that content area if the student has taken the statewide student assessment at least once. If the student successfully meets the state standards on the objective alternative assessments then the student shall earn a certificate of academic achievement.

(4) Beginning with the graduating class of 2021, a student must meet the state standards in science in addition to the other content areas required under subsection (3) of this section on the statewide student assessment, a retake, or the objective alternative assessments in order to earn a certificate of academic achievement. The assessment under this subsection must be a comprehensive assessment of the science essential academic learning requirements adopted by the superintendent of public instruction in 2013.

(5) The state board of education may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.

(6) A student may retain and use the highest result from each successfully completed content area of the high school assessment.

(7) School districts must make available to students the following options:

(a) To retake the statewide student assessment at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a public school; or

(b) To retake the statewide student assessment at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a high school completion program at a community or technical college. The superintendent of

public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed.

(8) Students who achieve the standard in a content area of the high school assessment but who wish to improve their results shall pay for retaking the assessment, using a uniform cost determined by the superintendent of public instruction.

(9) Opportunities to retake the assessment at least twice a year shall be available to each school district.

(10) (a) The office of the superintendent of public instruction shall develop options for implementing objective alternative assessments, which may include an appeals process for students' scores, for students to demonstrate achievement of the state academic standards. The objective alternative assessments shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment and be objective in its determination of student achievement of the state standards. Before any objective alternative assessments in addition to those authorized in RCW 28A.655.065 or (b) of this subsection are used by a student to demonstrate that the student has met the state standards in a content area required to obtain a certificate, the legislature shall formally approve the use of any objective alternative assessments through the omnibus appropriations act or by statute or concurrent resolution.

(b) (i) A student's score on the mathematics, reading or English, or writing portion of the SAT or the ACT may be used as an objective alternative assessment under this section for demonstrating that a student has met or exceeded the state standards for the certificate of academic achievement. The state board of education shall identify the scores students must achieve on the relevant portion of the SAT or ACT to meet or exceed the state standard in the relevant content area on the statewide student assessment. A student's score on the science portion of the ACT or the science subject area tests of the SAT may be used as an objective alternative assessment under this section as soon as the state board of education determines that sufficient data is available to

identify reliable equivalent scores for the science content area of the statewide student assessment. After the first scores are established, the state board may increase but not decrease the scores required for students to meet or exceed the state standards.

(ii) A student who scores at least a three on the grading scale of one to five for selected AP examinations may use the score as an objective alternative assessment under this section for demonstrating that a student has met or exceeded state standards for the certificate of academic achievement. A score of three on the AP examinations in calculus or statistics may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of three on the AP examinations in English language and composition may be used as an alternative assessment for the writing portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examinations in English literature and composition, macroeconomics, microeconomics, psychology, United States history, world history, United States government and politics, or comparative government and politics may be used as an alternative assessment for the reading portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examination in biology, physics, chemistry, or environmental science may be used as an alternative assessment for the science portion of the statewide student assessment.

(iii) A student who scores at least a four on selected externally administered international baccalaureate (IB) examinations may use the score as an objective alternative assessment under this section for demonstrating that the student has met or exceeded state standards for the certificate of academic achievement. A score of four on the higher level IB examinations for any of the IB English language and literature courses or for any of the IB individuals and societies courses may be used as an alternative assessment for the reading, writing, or English language arts portions of the statewide student

assessment. A score of four on the higher level IB examinations for any of the IB mathematics courses may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of four on the higher level IB examinations for IB biology, chemistry, or physics may be used as an alternative assessment for the science portion of the statewide student assessment.

(iv)(A) Beginning in the 2018-19 school year, high school students who have not earned a certificate of academic achievement due to not meeting the high school graduation standard on the mathematics or English language arts assessment may take and pass a locally determined course in the content area in which the student was not successful, and may use the passing score on a locally administered assessment tied to that course and approved under the provisions of this subsection (10)(b)(iv), as an objective alternative assessment for demonstrating that the student has met or exceeded the high school graduation standard. High school transition courses and the assessments offered in association with high school transition courses shall be considered an approved locally determined course and assessment for demonstrating that the student met or exceeded the high school graduation standard. The course must be rigorous and consistent with the student's educational and career goals identified in his or her high school and beyond plan, and may include career and technical education equivalencies in English language arts or mathematics adopted pursuant to RCW 28A.230.097. School districts shall record students' participation in locally determined courses under this section in the statewide individual data system.

(B) The office of the superintendent of public instruction shall develop a process by which local school districts can submit assessments for review and approval for use as objective alternative assessments for graduation as allowed by (b)(iv) of this subsection. This process shall establish means to determine whether a local school district-administered assessment is comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment and is objective in its determination of student achievement of the state standards. The office of the

superintendent of public instruction shall post on its agency web site a compiled list of local school district-administered assessments approved as objective alternative assessments, including the comparable scores on these assessments necessary to meet the standard.

(C) For the purpose of this section, "high school transition course" means an English language arts or mathematics course offered in high school where successful completion by a high school student ensures the student college-level placement at participating institutions of higher education as defined in RCW 28B.10.016. High school transition courses must, in accordance with this section, satisfy core or elective credit graduation requirements established by the state board of education. A student's successful completion of a high school transition course does not entitle the student to be admitted to any institution of higher education as defined in RCW 28B.10.016.

(v) A student who completes a dual credit course in English language arts or mathematics in which the student earns college credit may use passage of the course as an objective alternative assessment under this section for demonstrating that the student has met or exceeded the high school graduation standard for the certificate of academic achievement.

(11) To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district shall:

(a) Provide students who have not earned a certificate of academic achievement before the beginning of grade eleven with the opportunity to access interventions and academic supports, courses, or both, designed to enable students to meet the high school graduation standard. These interventions, supports, or courses must be rigorous and consistent with the student's educational and career goals identified in his or her high school and beyond plan, and may include career and technical education equivalencies in English language arts or mathematics adopted pursuant to RCW 28A.230.097; and

(b) Prepare student learning plans (~~for~~) and notify students and their

parents or legal guardians as provided in this subsection. Student learning plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment during the previous school year or who may not be on track to graduate due to credit deficiencies or absences. The parent or legal guardian shall be notified about the information in the student learning plan, preferably through a parent conference and at least annually. To the extent feasible, schools serving English language learner students and their parents shall translate the plan into the primary language of the family. The plan shall include the following information as applicable:

~~((a))~~ (i) The student's results on the state assessment;

~~((b))~~ (ii) If the student is in the transitional bilingual program, the score on his or her Washington language proficiency test II;

~~((c))~~ (iii) Any credit deficiencies;

~~((d))~~ (iv) The student's attendance rates over the previous two years;

~~((e))~~ (v) The student's progress toward meeting state and local graduation requirements;

~~((f))~~ (vi) The courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation;

~~((g))~~ (vii) Remediation strategies and alternative education options available to students, including informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one;

~~((h))~~ (viii) The alternative assessment options available to students under this section and RCW 28A.655.065;

~~((i))~~ (ix) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements; and

~~((j))~~ (x) Available programs offered through skill centers or community and technical colleges,

including the college high school diploma options under RCW 28B.50.535.

Sec. 2. RCW 28A.655.065 and 2009 c 556 s 19 are each amended to read as follows:

(1) The legislature has made a commitment to rigorous academic standards for receipt of a high school diploma. The primary way that students will demonstrate that they meet the standards in reading, writing, mathematics, and science is through the ~~((Washington))~~ statewide student assessment ~~((of student learning))~~. Only objective assessments that are comparable in rigor to the state assessment are authorized as an alternative assessment. Before seeking an alternative assessment, the legislature expects students to make a genuine effort to meet state standards, through regular and consistent attendance at school and participation in extended learning and other assistance programs.

(2) Under RCW 28A.655.061, beginning in the 2006-07 school year, the superintendent of public instruction shall implement objective alternative assessment methods as provided in this section for students to demonstrate achievement of the state standards in content areas in which the student has not yet met the standard on the high school ~~((Washington))~~ statewide student assessment ~~((of student learning))~~. A student may access an alternative if the student meets applicable eligibility criteria in RCW 28A.655.061 and this section and other eligibility criteria established by the superintendent of public instruction, including but not limited to attendance criteria and participation in the remediation or supplemental instruction contained in the student learning plan developed under RCW 28A.655.061. A school district may waive attendance and/or remediation criteria for special, unavoidable circumstances.

(3) For the purposes of this section, "applicant" means a student seeking to use one of the alternative assessment methods in this section.

(4) One alternative assessment method shall be a combination of the applicant's grades in applicable courses and the applicant's highest score on the high school ~~((Washington))~~ statewide student assessment ~~((of student~~

learning)), as provided in this subsection. A student is eligible to apply for the alternative assessment method under this subsection (4) if the student has a cumulative grade point average of at least 3.2 on a four point grading scale. The superintendent of public instruction shall determine which high school courses are applicable to the alternative assessment method and shall issue guidelines to school districts.

(a) Using guidelines prepared by the superintendent of public instruction, a school district shall identify the group of students in the same school as the applicant who took the same high school courses as the applicant in the applicable content area. From the group of students identified in this manner, the district shall select the comparison cohort that shall be those students who met or slightly exceeded the state standard on the ((Washington)) statewide student assessment ((of student learning)).

(b) The district shall compare the applicant's grades in high school courses in the applicable content area to the grades of students in the comparison cohort for the same high school courses. If the applicant's grades are equal to or above the mean grades of the comparison cohort, the applicant shall be deemed to have met the state standard on the alternative assessment.

(c) An applicant may not use the alternative assessment under this subsection (4) if there are fewer than six students in the comparison cohort.

(5) ((The superintendent of public instruction shall develop an alternative assessment method that shall be an evaluation of a collection of work samples prepared and submitted by the applicant. Effective September 1, 2009, collection of work samples may be submitted only in content areas where meeting the state standard on the high school assessment is required for purposes of graduation.

(a) The superintendent of public instruction shall develop guidelines for the types and number of work samples in each content area that may be submitted as a collection of evidence that the applicant has met the state standard in that content area. Work samples may be collected from academic, career and technical, or remedial courses and may include performance tasks as well as

written products. The superintendent shall submit the guidelines for approval by the state board of education.

~~(b) The superintendent shall develop protocols for submission of the collection of work samples that include affidavits from the applicant's teachers and school district that the samples are the work of the applicant and a requirement that a portion of the samples be prepared under the direct supervision of a classroom teacher. The superintendent shall submit the protocols for approval by the state board of education.~~

~~(c) The superintendent shall develop uniform scoring criteria for evaluating the collection of work samples and submit the scoring criteria for approval by the state board of education. Collections shall be scored at the state level or regionally by a panel of educators selected and trained by the superintendent to ensure objectivity, reliability, and rigor in the evaluation. An educator may not score work samples submitted by applicants from the educator's school district. If the panel awards an applicant's collection of work samples the minimum required score, the applicant shall be deemed to have met the state standard on the alternative assessment.~~

~~(d) Using an open and public process that includes consultation with district superintendents, school principals, and other educators, the state board of education shall consider the guidelines, protocols, scoring criteria, and other information regarding the collection of work samples submitted by the superintendent of public instruction. The collection of work samples may be implemented as an alternative assessment after the state board of education has approved the guidelines, protocols, and scoring criteria and determined that the collection of work samples: (i) Will meet professionally accepted standards for a valid and reliable measure of the grade level expectations and the essential academic learning requirements; and (ii) is comparable to or exceeds the rigor of the skills and knowledge that a student must demonstrate on the Washington assessment of student learning in the applicable content area. The state board shall make an approval decision and determination no later than December 1, 2006, and thereafter may increase the~~

~~required rigor of the collection of work samples.~~

~~(c) By September of 2006, the superintendent of public instruction shall develop informational materials for parents, teachers, and students regarding the collection of work samples and the status of its development as an alternative assessment method. The materials shall provide specific guidance regarding the type and number of work samples likely to be required, include examples of work that meets the state learning standards, and describe the scoring criteria and process for the collection. The materials shall also encourage students in the graduating class of 2008 to begin creating a collection if they believe they may seek to use the collection once it is implemented as an alternative assessment.~~

~~(6) (a) For students enrolled in a career and technical education program approved under RCW 28A.700.030, the superintendent of public instruction shall develop additional guidelines for collections of work samples that are tailored to different career and technical programs. The additional guidelines shall:~~

~~(i) Provide multiple examples of work samples that are related to the particular career and technical program;~~

~~(ii) Permit work samples based on completed activities or projects where demonstration of academic knowledge is inferred; and~~

~~(iii) Provide multiple examples of work samples drawn from career and technical courses.~~

~~(b) The purpose of the additional guidelines is to provide a clear pathway toward a certificate of academic achievement for career and technical students by showing them applied and relevant opportunities to demonstrate their knowledge and skills, and to provide guidance to teachers in integrating academic and career and technical instruction and assessment and assisting career and technical students in compiling a collection. The superintendent of public instruction shall develop and disseminate additional guidelines for no fewer than ten career and technical education programs representing a variety of program offerings by no later than September 1, 2008. Guidelines for ten additional~~

~~programs shall be developed and disseminated no later than June 1, 2009.~~

~~(c) The superintendent shall consult with community and technical colleges, employers, the workforce training and education coordinating board, apprenticeship programs, and other regional and national experts in career and technical education to create appropriate guidelines and examples of work samples and other evidence of a career and technical student's knowledge and skills on the state academic standards.~~

~~(7) The superintendent of public instruction shall study the feasibility of using existing mathematics assessments in languages other than English as an additional alternative assessment option. The study shall include an estimation of the cost of translating the tenth grade mathematics assessment into other languages and scoring the assessments should they be implemented.~~

~~(8)) The superintendent of public instruction shall implement:~~

~~(a) By June 1, 2006, a process for students to appeal the score they received on the high school assessments; (and)~~

~~(b) By January 1, 2007, guidelines and appeal processes for waiving specific requirements in RCW 28A.655.061 pertaining to the certificate of academic achievement and to the certificate of individual achievement for students who: (i) Transfer to a Washington public school in their junior or senior year with the intent of obtaining a public high school diploma, or (ii) have special, unavoidable circumstances;~~

(c) (i) For the graduating classes of 2014, 2015, 2016, 2017, and 2018, an expedited appeal process for waiving specific requirements in RCW 28A.655.061 pertaining to the certificate of academic achievement and the certificate of individual achievement for eligible students who have not met the state standard on the English language arts statewide student assessment, the mathematics high school statewide student assessment, or both. The student or the student's parent, guardian, or principal may initiate an appeal with the district and the district has the authority to determine which appeals are submitted to the superintendent of public instruction for review and approval. The

superintendent of public instruction may only approve an appeal if it has been demonstrated that the student has the necessary skills and knowledge to meet the high school graduation standard and that the student has the skills necessary to successfully achieve the college or career goals established in his or her high school and beyond plan. Pathways for demonstrating the necessary skills and knowledge may include, but are not limited to:

(A) Successful completion of a college level class in the relevant subject area;

(B) Admission to a higher education institution or career preparation program;

(C) Award of a scholarship for higher education; or

(D) Enlistment in a branch of the military.

(ii) A student in the class of 2014, 2015, 2016, or 2017 is eligible for the expedited appeal process in (c)(i) of this subsection if he or she has met all other graduation requirements established by the state and district.

(iii) A student in the class of 2018 is eligible for the expedited appeal process in (c)(i) of this subsection if he or she has met all other graduation requirements established by the state and district and has attempted at least one alternative assessment option as established in RCW 28A.655.065.

~~((9))~~ (6) The state board of education shall examine opportunities for additional alternative assessments, including the possible use of one or more standardized norm-referenced student achievement tests and the possible use of the reading, writing, or mathematics portions of the ACT ASSET and ACT COMPASS test instruments as objective alternative assessments for demonstrating that a student has met the state standards for the certificate of academic achievement. The state board shall submit its findings and recommendations to the education committees of the legislature by January 10, 2008.

~~((10))~~ (7) The superintendent of public instruction shall adopt rules to implement this section.

Sec. 3. RCW 28A.305.130 and 2013 2nd sp.s. c 22 s 7 are each amended to read as follows:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation

rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b) (i) Identify the scores students must achieve in order to meet the standard on the statewide student assessment ~~((and, for high school students, to obtain a certificate of academic achievement))~~. The board shall also determine student scores that identify levels of student performance below and beyond the standard. ~~((The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates.))~~ The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose~~((-))~~;

(ii) ~~((By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the tenth grade English language arts assessment and the end-of-course mathematics assessments developed in accordance with RCW 28A.655.070 to be used as the state transitions to high school assessments developed with a multistate consortium.~~

~~((iii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the high school English language arts assessment and the comprehensive mathematics assessment developed with a multistate consortium in accordance with RCW 28A.655.070. To determine the appropriate score, the state board shall review the transition experience of Washington students to the consortium developed assessments, examine the student scores used in other states that are administering the consortium-developed assessments, and review the scores in other states that require passage of an eleventh grade~~

~~assessment as a high school graduation requirement. The scores established by the state board of education for the purposes of earning a certificate of academic achievement and graduation from high school may be different from the scores used for the purpose of determining a student's career and college readiness.~~

~~(iv) The legislature shall be advised of the initial performance standards for the high school statewide student assessment. Any changes recommended by the board in the performance standards for the high school assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature.)~~ (A) The legislature intends to continue the implementation of chapter 22, Laws of 2013, 2nd sp. sess. when the legislature expressed the intent for the state board of education to identify the student performance standard that demonstrates a student's career and college readiness for the eleventh grade consortium-developed assessments. Therefore, by December 1, 2018, the state board of education, in consultation with the superintendent of public instruction, must identify and report to the governor and the education policy and fiscal committees of the legislature on the equivalent student performance standard that a tenth grade student would need to achieve on the state assessments to be on track to be career and college ready at the end of the student's high school experience;

(B) Nothing in this section prohibits the state board of education from identifying a college and career readiness score that is different from the score required for high school graduation purposes;

(iii) The legislature shall be advised of the initial performance standards and any changes made to the elementary ((level performance standards and the)), middle, and high school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards

for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's web site;

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredite, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the

board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

Sec. 4. RCW 28A.230.090 and 2016 c 162 s 2 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) The certificate of academic achievement requirements under RCW 28A.655.061 or the certificate of individual achievement requirements under RCW 28A.155.045 are required for graduation from a public high school but are not the only requirements for graduation.

(c) (i) Each student must have a high school and beyond plan to guide the student's high school experience and prepare the student for postsecondary education or training and career.

(ii) A high school and beyond plan must be initiated for each student during the seventh or eighth grade. In preparation for initiating that plan, each student must first be administered a career interest and skills inventory.

(iii) The high school and beyond plan must be updated to reflect high school assessment results in RCW 28A.655.070(3)(b) and to review transcripts, assess progress toward identified goals, and revised as

necessary for changing interests, goals, and needs. The plan must identify available interventions and academic support, courses, or both, that are designed for students who have not met the high school graduation standard, to enable them to meet the standard. School districts are encouraged to involve parents and guardians in the process of developing and updating the high school and beyond plan.

(iv) All high school and beyond plans must, at a minimum, include the following elements:

(A) Identification of career goals, aided by a skills and interest assessment;

(B) Identification of educational goals;

(C) A four-year plan for course taking that fulfills state and local graduation requirements and aligns with the student's career and educational goals; and

(D) By the end of the twelfth grade, a current resume or activity log that provides a written compilation of the student's education, any work experience, and any community service and how the school district has recognized the community service pursuant to RCW 28A.320.193.

(d) Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation. A district may establish additional, local requirements for a high school and beyond plan to serve the needs and interests of its students and the purposes of this section.

~~((d))~~ (e)(i) The state board of education shall adopt rules to implement the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1) ~~((d))~~ (e). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with

written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the state board of education for a waiver to implement the career and college ready graduation requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The state board of education shall grant a waiver under this subsection (1) ~~((d))~~ (e) to an applying school district at the next subsequent meeting of the board after receiving an application.

(iii) A school district must update the high school and beyond plans for each student who has not earned a score of level 3 or level 4 on the middle school mathematics assessment identified in RCW 28A.655.070 by ninth grade, to ensure that the student takes a mathematics course in both ninth and tenth grades. This course may include career and technical education equivalencies in mathematics adopted pursuant to RCW 28A.230.097.

(2)(a) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have

sufficient opportunity to earn a certificate of academic achievement, complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review. The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school

courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

Sec. 5. RCW 28A.655.061 and 2015 3rd sp.s. c 42 s 2 are each amended to read as follows:

(1) The high school assessment system shall include but need not be limited to the statewide student assessment, opportunities for a student to retake the content areas of the assessment in which the student was not successful, and, if approved by the legislature pursuant to subsection (10) of this section, one or more objective alternative assessments for a student to demonstrate achievement of state academic standards. The objective alternative assessments for each content area shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment for each content area.

(2) Subject to the conditions in this section, a certificate of academic achievement shall be obtained and is evidence that the students have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045 or 28A.655.0611, acquisition of the certificate is required for graduation from a public high school but is not the only requirement for graduation.

(3) (a) Beginning with the graduating class of 2008 through the graduating class of 2015, with the exception of students satisfying the provisions of RCW 28A.155.045, a student who meets the state standards on the reading, writing, and mathematics high school statewide student assessment shall earn a certificate of academic achievement. The mathematics assessment shall be the end-of-course assessment for the first year of high school mathematics that assesses the standards common to algebra I and integrated mathematics I or the end-of-course assessment for the second year of high school mathematics that assesses standards common to geometry and integrated mathematics II.

(b) As the state transitions from reading and writing assessments to an English language arts assessment and from end-of-course assessments to a comprehensive assessment for high school mathematics, a student in a graduating class of 2016 through 2018 shall earn a certificate of academic achievement if the student meets the state standard as follows:

(i) Students in the graduating class of 2016 may use the results from:

(A) The reading and writing assessment or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(ii) Students in the graduating classes of 2017 and 2018 may use the results from:

(A) The tenth grade English language arts assessment developed by the superintendent of public instruction using resources from the multistate consortium or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(c) Beginning with the graduating class of 2019, a student who meets the state standards on the high school English language arts assessment developed with the multistate consortium and the comprehensive mathematics assessment developed with the multistate consortium shall earn a certificate of academic achievement.

(d) If a student does not successfully meet the state standards in one or more content areas required for the certificate of academic achievement, then the student may retake the assessment in the content area at least twice a year at no cost to the student. If the student successfully meets the state standards on a retake of the

assessment then the student shall earn a certificate of academic achievement. Once objective alternative assessments are authorized pursuant to subsection (10) of this section, a student may use the objective alternative assessments to demonstrate that the student successfully meets the state standards for that content area if the student has taken the statewide student assessment at least once. If the student successfully meets the state standards on the objective alternative assessments then the student shall earn a certificate of academic achievement.

(4) Beginning with the graduating class of ~~((2017))~~ 2021, a student must meet the state standards in science in addition to the other content areas required under subsection (3) of this section on the statewide student assessment, a retake, or the objective alternative assessments in order to earn a certificate of academic achievement. The assessment under this subsection must be a comprehensive assessment of the science essential academic learning requirements adopted by the superintendent of public instruction in 2013.

(5) The state board of education may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.

(6) A student may retain and use the highest result from each successfully completed content area of the high school assessment.

(7) School districts must make available to students the following options:

(a) To retake the statewide student assessment at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a public school; or

(b) To retake the statewide student assessment at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a high school completion program at a community or technical college. The superintendent of public instruction and the state board for community and technical colleges

shall jointly identify means by which students in these programs can be assessed.

(8) Students who achieve the standard in a content area of the high school assessment but who wish to improve their results shall pay for retaking the assessment, using a uniform cost determined by the superintendent of public instruction.

(9) Opportunities to retake the assessment at least twice a year shall be available to each school district.

(10)(a) The office of the superintendent of public instruction shall develop options for implementing objective alternative assessments, which may include an appeals process for students' scores, for students to demonstrate achievement of the state academic standards. The objective alternative assessments shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment and be objective in its determination of student achievement of the state standards. Before any objective alternative assessments in addition to those authorized in RCW 28A.655.065 or (b) of this subsection are used by a student to demonstrate that the student has met the state standards in a content area required to obtain a certificate, the legislature shall formally approve the use of any objective alternative assessments through the omnibus appropriations act or by statute or concurrent resolution.

(b)(i) A student's score on the mathematics, reading or English, or writing portion of the SAT or the ACT may be used as an objective alternative assessment under this section for demonstrating that a student has met or exceeded the state standards for the certificate of academic achievement. The state board of education shall identify the scores students must achieve on the relevant portion of the SAT or ACT to meet or exceed the state standard in the relevant content area on the statewide student assessment. A student's score on the science portion of the ACT or the science subject area tests of the SAT may be used as an objective alternative assessment under this section as soon as the state board of education determines that sufficient data is available to identify reliable equivalent scores for the science content area of the statewide

student assessment. After the first scores are established, the state board may increase but not decrease the scores required for students to meet or exceed the state standards.

(ii) A student who scores at least a three on the grading scale of one to five for selected AP examinations may use the score as an objective alternative assessment under this section for demonstrating that a student has met or exceeded state standards for the certificate of academic achievement. A score of three on the AP examinations in calculus or statistics may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of three on the AP examinations in English language and composition may be used as an alternative assessment for the writing portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examinations in English literature and composition, macroeconomics, microeconomics, psychology, United States history, world history, United States government and politics, or comparative government and politics may be used as an alternative assessment for the reading portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examination in biology, physics, chemistry, or environmental science may be used as an alternative assessment for the science portion of the statewide student assessment.

(iii) A student who scores at least a four on selected externally administered international baccalaureate (IB) examinations may use the score as an objective alternative assessment under this section for demonstrating that the student has met or exceeded state standards for the certificate of academic achievement. A score of four on the higher level IB examinations for any of the IB English language and literature courses or for any of the IB individuals and societies courses may be used as an alternative assessment for the reading, writing, or English language arts portions of the statewide student assessment. A score of four on the higher level IB examinations for any of the IB

mathematics courses may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of four on the higher level IB examinations for IB biology, chemistry, or physics may be used as an alternative assessment for the science portion of the statewide student assessment.

(11) To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district shall prepare plans for and notify students and their parents or legal guardians as provided in this subsection. Student learning plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment during the previous school year or who may not be on track to graduate due to credit deficiencies or absences. The parent or legal guardian shall be notified about the information in the student learning plan, preferably through a parent conference and at least annually. To the extent feasible, schools serving English language learner students and their parents shall translate the plan into the primary language of the family. The plan shall include the following information as applicable:

(a) The student's results on the state assessment;

(b) If the student is in the transitional bilingual program, the score on his or her Washington language proficiency test II;

(c) Any credit deficiencies;

(d) The student's attendance rates over the previous two years;

(e) The student's progress toward meeting state and local graduation requirements;

(f) The courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation;

(g) Remediation strategies and alternative education options available to students, including informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one;

(h) The alternative assessment options available to students under this section and RCW 28A.655.065;

(i) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements; and

(j) Available programs offered through skill centers or community and technical colleges, including the college high school diploma options under RCW 28B.50.535.

Sec. 6. RCW 28A.655.068 and 2013 2nd sp.s. c 22 s 4 are each amended to read as follows:

(1) Beginning in the 2011-12 school year, the statewide high school assessment in science shall be an end-of-course assessment for biology that measures the state standards for life sciences, in addition to systems, inquiry, and application as they pertain to life sciences.

(2) (a) The superintendent of public instruction may develop or adopt science end-of-course assessments or a comprehensive science assessment that includes subjects in addition to biology for purposes of RCW 28A.655.061, when so directed by the legislature. The legislature intends to transition from a biology end-of-course assessment to a more comprehensive science assessment in a manner consistent with the way in which the state transitioned to an English language arts assessment and a comprehensive mathematics assessment. The legislature further intends that the transition will include at least two years of using the student assessment results from either the biology end-of-course assessment or the more comprehensive assessment in order to provide students with reasonable opportunities to demonstrate high school competencies while being mindful of the increasing rigor of the new assessment.

(b) The superintendent of public instruction shall develop or adopt a science assessment in accordance with RCW 28A.655.070(10) that is not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(c) Before the next subsequent school year after the legislature directs the superintendent to develop or adopt a new science assessment, the superintendent of public instruction

shall review the objective alternative assessments for the science assessment and make recommendations to the legislature regarding additional objective alternatives, if any.

(3) The superintendent of public instruction may participate with consortia of multiple states as common student learning standards and assessments in science are developed. The superintendent of public instruction, in consultation with the state board of education, may modify the essential academic learning requirements and statewide student assessments in science, including the high school assessment, according to the multistate common student learning standards and assessments as long as the education committees of the legislature have opportunities for review before the modifications are adopted, as provided under RCW 28A.655.070.

(4) The statewide high school assessment under this section shall be used to demonstrate that a student meets the state standards in the science content area of the statewide student assessment ~~((for purposes of))~~ until a comprehensive science assessment is required under RCW 28A.655.061.

NEW SECTION. Sec. 7. Section 5 of this act applies retroactively to students in the graduating class of 2017.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Santos spoke in favor of the adoption of the amendment (619).

Amendment (619) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was passed on final passage.

Representatives MacEwen, Dolan, Orcutt, Ortiz-Self, Harris, Kilduff, Stonier and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2224.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2224, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Morris and Pettigrew.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2224, having received the necessary constitutional majority, was declared passed.

With consent of the House, ENGROSSED SUBSTITUTE HOUSE BILL NO 2224 was immediately transmitted to the Senate.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, the House adjourned until 10:00 a.m., June 28, 2017, the 8th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

EIGHTH DAY

House Chamber, Olympia, Wednesday, June 28, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Riccelli presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

June 26, 2017

MR. SPEAKER:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8406,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 27, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5316,
THIRD ENGROSSED SENATE BILL NO. 5517,
ENGROSSED SENATE BILL NO. 5646,
ENGROSSED SENATE BILL NO. 5720,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

RESOLUTIONS

HOUSE RESOLUTION NO. 2017-4648, by Representatives Sullivan and Kretz

WHEREAS, The House of Representatives adopted permanent rules for the Sixty-Fifth Legislature under House Resolution No. 2017-4610;

NOW, THEREFORE, BE IT RESOLVED, That Rule No. 23 as set forth in House Resolution No. 2017-4610 is amended to read as follows:

PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES
SIXTY-FIFTH LEGISLATURE 2017-2018

HOUSE

RULE NO.

- Rule 1** Definitions
- Rule 2** Chief Clerk to Call to Order
- Rule 3** Election of Officers
- Rule 4** Powers and Duties of the Speaker
- Rule 5** Chief Clerk
- Rule 6** Duties of Employees
- Rule 7** Admission to the House
- Rule 8** Absentees and Courtesy
- Rule 9** Bills, Memorials and Resolutions - Introductions
- Rule 10** Reading of Bills
- Rule 11** Amendments
- Rule 12** Final Passage
- Rule 13** Hour of Meeting, Roll Call and Quorum
- Rule 14** Daily Calendar and Order of Business
- Rule 15** Motions
- Rule 16** Members Right to Debate
- Rule 17** Rules of Debate
- Rule 18** Ending of Debate - Previous Question
- Rule 19** Voting
- Rule 20** Reconsideration
- Rule 21** Call of the House
- Rule 22** Appeal from Decision of Chair
- Rule 23** Standing Committees
- Rule 24** Duties of Committees
- Rule 25** Standing Committees - Expenses - Subpoena Power
- Rule 26** Vetoed Bills
- Rule 27** Suspension of Compensation
- Rule 28** Smoking
- Rule 29** Liquor
- Rule 30** Parliamentary Rules
- Rule 31** Standing Rules Amendment
- Rule 32** Rules to Apply for Assembly
- Rule 33** Legislative Mailings

Definitions

Rule 1. "Absent" means an unexcused failure to attend.

"Term" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the house in accordance with Article II § 12 of the state Constitution.

"Committee" means any standing, conference, joint, or select committee as so designated by rule or resolution.

"Fiscal committee" means the appropriations, capital budget, finance, and transportation committees.

"Bill" means bill, joint memorial, joint resolution, or concurrent resolution unless the context indicates otherwise.

Chief Clerk to Call to Order

Rule 2. It shall be the duty of the chief clerk of the previous term to call the house to order and to conduct the proceedings until a speaker is chosen.

Election of Officers

Rule 3. The house shall elect the following officers at the commencement of each term: Its presiding officer, who shall be styled speaker of the house; a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker; a deputy speaker pro tempore, who shall serve in absence or in case of the inability of the speaker and speaker pro tempore; and a chief clerk of the house. Such officers shall hold office during all sessions until the convening of the succeeding term: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their votes shall be entered on the journal. If any office is declared vacant, the house shall fill such vacant office as hereinafter provided. In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their votes shall be entered on the journal. (Art. II § 27)

Powers and Duties of the Speaker

Rule 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house to order precisely at the hour appointed for meeting and if a quorum be present, shall cause the journal of the preceding day to be read and shall proceed with the order of business.

(B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same and may order the sergeant at

arms to remove any person creating any disturbance within the house chamber or legislative area.

(C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) The speaker shall sign all bills in open session. (Art. II § 32)

(E) The speaker shall sign all writs, warrants, and subpoenas issued by order of the house, all of which shall be attested to by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall neither extend beyond adjournment nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) The speaker, in open session, shall appoint committee chairs as selected by the majority party caucus, and shall appoint members to committees in the same ratio as the membership of the respective parties of the house, unless otherwise provided by law or house rules.

(H) The speaker shall serve as chair of the rules committee.

(I) The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties.

(J) The speaker pro tempore shall exercise the duties, powers, and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act until the speaker's successor shall be elected.

Chief Clerk

Rule 5. The chief clerk shall perform the usual duties pertaining to the office, and shall hold office until a successor has been elected.

The chief clerk shall employ, subject to the approval of the speaker, all other house employees; the hours of duty and assignments of all house employees shall be under the chief clerk's directions and instructions, and they may be dismissed by the chief clerk with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and appropriately transmit the same. In the event of the chief clerk's death, illness, removal, or inability to act, the speaker may appoint an acting chief clerk who shall exercise the duties and powers of the chief clerk until the chief clerk's successor shall be elected.

Duties of Employees

Rule 6. Employees of the house shall perform such duties as are assigned to them by the chief clerk. Under no circumstances shall the compensation of any employee be increased for past services. No house employee shall seek to influence the passage or rejection of proposed legislation.

Admission to the House

Rule 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) The sergeant at arms shall admit only the following individuals to the wings and adjacent areas of the house chamber for the period of time beginning one-half hour prior to convening and ending one-half hour following the adjournment of the house's daily session:

- The governor or designees, or both;
- Members of the senate;
- State elected officials;
- Officers and authorized employees of the legislature;
- Former members of the house who are not advocating any pending or proposed legislation;
- Representatives of the press;
- Other persons with the consent of the speaker.

(B) Only members of the house, pages, sergeants at arms, and clerks are permitted on the floor while the house is in session.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited when the house or committee is in session unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

Absentees and Courtesy

Rule 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session, only the speaker shall recognize visitors and former members.

Bills, Memorials and Resolutions - Introductions

Rule 9. Any member desiring to introduce a bill shall file the same with the chief clerk. Bills filed by 10:00 a.m. shall be introduced at the next daily session, in the order filed: PROVIDED, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal. (Art. II § 36)

Any returning member or member-elect may prefile a bill with the chief clerk commencing the first Monday in December preceding any regular session or twenty (20) days before any special session. Prefiled bills shall be introduced on the first legislative day.

All bills shall be endorsed with a statement of the title and the name of the member or members introducing the same. The chief clerk shall attach to all bills a substantial cover bearing the title and sponsors and shall number each bill in the order filed. All bills shall be printed unless otherwise ordered by the house.

Any bill introduced at any session during the term shall be eligible for action at all subsequent sessions during the term.

No house bill may be introduced that is identical to any other pending house bill.

Reading of Bills

Rule 10. Every bill shall be read on three separate days: PROVIDED, That this rule may be temporarily suspended at any time by a two-thirds (2/3) vote of the members present; and that on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended by a majority vote.

A bill may be returned to second reading for the purpose of amendment by a suspension of the rules: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended and a bill returned to second reading for the purpose of amendment by a majority vote.

(A) **FIRST READING.** The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the bill shall be referred to an appropriate committee.

Upon being reported out of committee, all bills shall be referred to the rules committee, unless otherwise ordered by the house.

The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) **SECOND READING.** Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall

demand its reading in full. The bill shall be subject to amendment section by section. No amendment shall be considered by the house until it has been sent to the chief clerk's desk in writing, distributed to the desk of each member, and read by the clerk. All amendments adopted during second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments.

When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) **SUBSTITUTE BILLS.** When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute the first time and have the same printed. A motion for the substitution shall not be in order until the second reading of the original bill.

(D) **THIRD READING.** Only the last line of bills shall be read on third reading unless a majority of the members present demand a reading in full. No amendments to a bill shall be received on third reading but it may be referred or recommitted for the purpose of amendment.

(E) **SUSPENSION CALENDAR.** Bills may be placed on the second reading suspension calendar by the rules committee if at least two minority party members of the rules committee join in such motion. Bills on the second reading suspension calendar shall not be subject to amendment or substitution except as recommended in the committee report. When a bill is before the house on the suspension calendar, the question shall be to adopt the committee recommendations and advance the bill to third reading. If the question fails to receive a two-thirds vote of the members present, the bill shall be referred to the rules committee for second reading.

(F) **HOUSE RESOLUTIONS.** House resolutions shall be filed with the chief clerk who shall transmit them to the rules committee. If a rules committee meeting is not scheduled to occur prior to a time necessitated by the purpose of a house resolution, the majority leader and minority leader by agreement may waive transmission to the rules committee to permit consideration of the resolution by the house. The rules committee may adopt house resolutions by a sixty percent majority vote of its entire membership or may, by a majority vote of its members, place them on the motions calendar for consideration by the house. House resolutions are not subject to debate, except for resolutions necessary for the operation of the house, and resolutions commemorating Children's Day, Day of Remembrance, Martin Luther King Jr. Day, National Guard Day, and President's Day.

(G) **CONCURRENT RESOLUTIONS.** Reading of concurrent resolutions may be advanced by majority vote.

Amendments

Rule 11. The right of any member to offer amendments to proposed legislation shall not be limited except as provided in Rule 10(E) and as follows:

(A) **AMENDMENTS TO BE OFFERED IN PROPER FORM.** The chief clerk shall establish the proper form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) **COMMITTEE AMENDMENTS.** When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house before any amendments that may be offered from the floor.

(C) **SENATE AMENDMENTS TO HOUSE BILLS.** A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to the appropriate committee and shall take the same course as for original bills unless a motion not to concur is adopted prior to the bill being referred to committee.

(D) **AMENDMENTS TO BE GERMANE.** No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) **SCOPE AND OBJECT NOT TO BE CHANGED.** No amendment to any bill shall be allowed which shall change the scope and object of the bill. This objection may be raised at any time an amendment is under consideration. The speaker may allow the person raising the objection and the mover of the amendment to provide brief arguments as to the merits of the objection. (Art. II § 38)

(F) **NO AMENDMENT BY REFERENCE.** No act shall ever be revised or amended without being set forth at full length. (Art. II § 37)

(G) **TITLE AMENDMENTS.** The subject matter portion of a bill title shall not be amended in committee or on second reading. Changes to that part of the title after the subject matter statement shall either be presented with the text amendment or be incorporated by the chief clerk in the engrossing process.

Final Passage

Rule 12. Rules relating to bills on final passage are as follows:

(A) BUDGET BILLS. No final passage vote may be taken on an operating budget, transportation budget, or capital budget bill until twenty-four (24) hours after the bill is placed on the third reading calendar. The twenty-four (24) hour requirement does not apply to conference reports, which are governed by Joint Rule 20, or to bills placed on the third reading calendar by a two-thirds (2/3) vote of the members present.

(B) RECOMMITMENT BEFORE FINAL PASSAGE. A bill may be recommitted at any time before its final passage.

(C) FINAL PASSAGE. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor. (Art. II § 22)

(D) BILLS PASSED - CERTIFICATION. When a bill passes, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

Hour of Meeting, Roll Call and Quorum

Rule 13. (A) HOUR OF MEETING. The speaker shall call the house to order each day of sitting at 10:00 A.M., unless the house shall have adjourned to some other hour.

(B) ROLL CALL AND QUORUM. Before proceeding with business, the roll of the members shall be called and the names of those absent or excused shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 21(B). For the purpose of determining if a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8)

(C) The house shall adjourn not later than 10:00 P.M. of each working day. This rule may be suspended by a majority vote.

Daily Calendar and Order of Business

Rule 14. The rules relating to the daily calendar and order of business are as follows:

(A) DAILY CALENDAR. Business of the house shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer, and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor, and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions, and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials, and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

(B) UNFINISHED BUSINESS. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

(C) EXCEPTIONS. Exceptions to the order of business are as follows:

(1) The order of business may be changed by a majority vote of those present.

(2) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(3) House resolutions and messages from the senate, governor, or other state officials may be read at any time.

Motions

Rule 15. Rules relating to motions are as follows:

(A) MOTIONS TO BE ENTERTAINED OR DEBATED. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. A motion shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated and by the consent of the house may be withdrawn before amendment or action.

(B) MOTIONS IN ORDER DURING DEBATE. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

- (1) Privileged motions:
Adjourn

Adjourn to a time certain
 Recess to a time certain
 Reconsider
 Demand for division
 Question of privilege
 Orders of the day

- (2) Subsidiary motions:
- | | |
|--------------|------------------------------|
| First rank: | Question of consideration |
| Second rank: | To lay on the table |
| Third rank: | For the previous question |
| Fourth rank: | To postpone to a day certain |
| | To commit or recommit |
| | To postpone indefinitely |
| Fifth rank: | To amend |
- (3) Incidental motions:
- Points of order and appeal
 - Method of consideration
 - Suspension of the rules
 - Reading papers
 - Withdraw a motion
 - Division of a question

(C) THE EFFECT OF POSTPONEMENT - MOTIONS TO POSTPONE OR COMMIT. Once decided, no motion to postpone to a day certain, to commit, or to postpone indefinitely shall again be allowed on the same day and at the same stage of the proceedings. When a question has been postponed indefinitely, it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) MOTIONS DECIDED WITHOUT DEBATE. A motion to adjourn, to recess, to lay on the table and to call for the previous question shall be decided without debate.

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22.

Motions to adopt house resolutions shall be decided without debate, except as provided in Rule 10(F).

A motion for suspension of the rules shall not be debatable except that the mover of the motion may briefly explain the purpose of the motion and one member may briefly state the opposition to the motion.

(E) MOTION TO ADJOURN. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move for adjournment when another member has the floor.

Members Right to Debate

Rule 16. The methods by which a member may exercise his or her right to debate are as follows:

(A) RECOGNITION OF MEMBER. When any member desires to speak in debate or deliver any matter to the house, the member shall rise and respectfully address the speaker and pause until recognized.

(B) ORDER OF SPEAKING. When two or more members arise at once, the speaker shall name the one who is to speak.

(C) LIMITATION OF DEBATE. No member shall speak longer than ten (10) minutes without consent of the house: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day any bill must be reported from the house as established by concurrent resolution, no member shall speak more than three (3) minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chair of the committee or the mover of the question may close debate if it is consistent with Rule 18 (Previous Question).

Rules of Debate

Rule 17. The rules for debate in the house are as follows:

(A) QUESTION OF PRIVILEGE. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) WITHDRAWAL OF MOTION, BILL, ETC. After a motion is stated by the speaker or a bill, memorial, resolution, petition, or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

(C) READING OF A PAPER. When the reading of any paper is called for and is objected to by any member, it shall be determined by a vote of the house.

(D) DISTRIBUTION OF MATERIALS. Any materials of any nature distributed to the members' desks on the floor shall be subject to approval by the speaker and shall bear the name of at least one member granting permission for the distribution. This shall not apply to materials normally distributed by the chief clerk.

(E) ORDER OF QUESTIONS. All questions, whether in committee or in the house, shall be propounded

in the order in which they are named except that in filling blanks, the largest sum and the longest time shall be put first.

(F) DIVISION OF POINTS OF DEBATE. Any member may call for a division of a question which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

(G) DECORUM OF MEMBERS. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(H) REMARKS CONFINED. A member shall confine all remarks to the question under debate and avoid personalities. No member shall impugn the motive of any member's vote or argument.

(I) EXCEPTION TO WORDS SPOKEN IN DEBATE. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(J) TRANSGRESSION OF RULES - APPEAL. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall prevail.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

Ending of Debate - Previous Question

Rule 18. The previous question may be ordered by a two-thirds (2/3) vote of the members present on all recognized motions or amendments which are debatable.

The previous question is not debatable and cannot be amended.

The previous question shall be put in this form: "Representative _____ demands the previous question. As many as are in favor of ordering the previous

question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative it shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED HOWEVER, That when a bill is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the bill or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

Voting

Rule 19. (A) PUTTING OF QUESTION. The speaker shall put the question in the following form: "The question before the house is (state the question). As many as are in favor say 'Aye'; and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) ALL MEMBERS TO VOTE. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

Upon a division and count of the house on the question, only members at their desks within the bar of the house shall be counted.

(C) CHANGE OF VOTE. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When an oral roll call is taken, no member shall be allowed to vote or change a vote after the result has been announced.

(D) PRIVATE INTEREST. No member shall vote on any question which affects that member privately and particularly. A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (Art. II § 30)

(E) INTERRUPTION OF ROLL CALL. Once begun, the roll call may not be interrupted. No member or

other person shall visit or remain at the clerk's desk while the yeas and nays are being called.

(F) YEAS AND NAYS - RECORDED VOTES. Upon the final passage of any bill, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth (1/6) of the members present. (Art. II § 21)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question, it shall be entered upon the journal of the house. A recorded vote may be compelled by one-sixth (1/6) of the members present. A request for a recorded vote must be made before the vote is commenced.

(G) TIE VOTE, QUESTION LOSES. In case of an equal division, the question shall be lost.

(H) DIVISION. If the speaker is in doubt, or if division is called for by any member, the house shall divide.

(I) STATEMENT FOR JOURNAL. A member whose recorded vote does not accurately reflect his or her intent may submit a written statement for the journal clarifying their intent to vote aye or nay. The statement must be submitted to the chief clerk on the same day the vote is taken. A member who is excused for one or more days of recorded votes may submit a written statement for the journal explaining the reason for his or her absence. The statement may not exceed fifty words and must be submitted to the chief clerk on the same day the member returns.

Reconsideration

Rule 20. Notice of a motion for reconsideration on the final passage of bills shall be made on the day the vote to be reconsidered was taken and before the house has voted to transmit the bill to the senate.

Reconsideration of the votes on the final passage of bills must be taken on the next working day after such vote was taken: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, then reconsideration of votes on the final passage of bills must be taken on the same day as the original vote was taken.

A motion to reconsider an amendment may be made at any time the bill remains on second reading.

Any member who voted on the prevailing side may move for reconsideration or give notice thereof.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

Call of the House

Rule 21. One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) DOORS TO BE CLOSED. When call of the house has been ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) SERGEANT AT ARMS TO BRING IN THE ABSENTEES. The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are excused and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) HOUSE UNDER CALL. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to excuse absentees, or a motion to dispense with the call of the house. The motion to proceed with business under the call of the house and the motion to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof. The motion to dispense with the call of the house may be adopted by a majority of the members present.

Appeal from Decision of Chair

Rule 22. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal, the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

Standing Committees

Rule 23. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Agriculture & Natural Resources	15
2. Appropriations	33
3. Business & Financial Services	11
4. Capital Budget.....	19
5. Commerce & Gaming	((14)) 2
6. Community Development, Housing & Tribal Affairs.....	7
7. Early Learning & Human Services.....	13
8. Education	19
9. Environment.....	9
10. Finance	11
11. Health Care & Wellness	17
12. Higher Education	9
13. Judiciary.....	13
14. Labor & Workplace Standards	7
15. Local Government.....	7
16. Public Safety	11
17. Rules	25
18. State Government, Elections & Information Technology	9
19. Technology & Economic Development	17
20. Transportation	25

Committee members shall be selected by each party's caucus. The majority party caucus shall select all committee chairs.

Duties of Committees

Rule 24. House committees shall operate as follows:

(A) NOTICE OF COMMITTEE MEETING. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject.

(B) COMMITTEE QUORUM. A majority of any committee shall constitute a quorum for the transaction of business.

(C) SESSION MEETINGS. No committee shall sit while the house is in session without special leave of the speaker.

(D) DUTIES OF STANDING COMMITTEES.

(1) Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial, or resolution may be reported out: PROVIDED, That by motion under the eighth order of business, a majority of the members elected to the house may relieve a committee of a bill and place it on the second reading calendar.

Majority recommendations of a committee can only be "do pass," "do pass as amended," or that "the substitute bill be substituted therefor and that the substitute bill do pass."

(3) Members of the committee not concurring in the majority report may prepare a written minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a bill out of committee shall be taken by the yeas and nays, and the names of the members voting for and against, as well as the names of members absent, shall be recorded on the committee report. Any member may call for a recorded vote, which shall include the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct appropriation shall be referred to the appropriate fiscal committee before their final passage.

(7) No standing committee shall vote by secret written ballot on any issue.

(8) During its consideration of or vote on any bill, resolution, or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

(9) A standing committee to which a bill was originally referred shall, prior to voting the bill out of committee, consider whether the bill authorizes rule-making powers or requires the exercise of rule-making powers and, if so, consider:

- (a) The nature of the new rule-making powers; and
- (b) To which agencies the new rule-making powers would be delegated and which agencies, if any, may have related rule-making powers.

(10) Standing committee subcommittees established in Rule 23 have the same powers and duties as standing committees.

(11) Insofar as practicable, testimony in public hearings should be balanced between those in support of and in opposition to proposed legislation, with consideration given to providing an opportunity for members of the public to testify within available time.

Standing Committees - Expenses - Subpoena Power

Rule 25. Regardless of whether the legislature is in session, members of the house may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses, and payments in lieu of subsistence and lodging for conducting official business of the house.

The standing committees of the house may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. Before a standing committee of the house may issue any process, the committee chairperson shall submit for approval of the executive rules committee a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by the executive rules committee. The process shall be limited to the named individuals.

Vetoed Bills

Rule 26. Veto messages of the governor shall be read in the house and entered upon the journal. It shall then be in order to proceed to reconsider the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house. Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house, which have not been passed notwithstanding the veto of the governor, shall remain in the custody of the officers of the house until the close of the term, after which they shall be filed with the secretary of state.

Suspension of Compensation

Rule 27. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be

denied the legislative salary for future service and be denied per diem, compensation for expenses, office space facilities, and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since sentencing shall be forthwith paid, and the member shall thereafter have the rights and privileges of other members.

Smoking

Rule 28. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives or within House facilities.

"No smoking" signs shall be posted so as to give notice of this rule.

Liquor

Rule 29. The House of Representatives shall strictly adhere to the liquor laws of the state of Washington, including provisions relating to banquet and special occasion permits. The proper permits must always be obtained before consumption of liquor in any house facility.

Parliamentary Rules

Rule 30. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

Standing Rules Amendment

Rule 31. Any standing rule may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted at least one day in advance in writing to the members together with notice of the consideration thereof. Any standing rule may be suspended temporarily by a two-thirds (2/3) vote of the members present except as provided in Rule 10.

Rules to Apply for Assembly

Rule 32. The permanent house rules adopted at the beginning of the term are to govern all acts of the house during the course of the term unless amended or repealed.

Legislative Publications

Rule 33. The House of Representatives directs the house executive rules committee to adopt procedures and guidelines to ensure that all legislative publications at public expense are for legitimate legislative purposes.

There being no objection, HOUSE RESOLUTION NO. 4648 was adopted.

HOUSE RESOLUTION NO. 2017-4649, by Representatives Buys and Van Werven

WHEREAS, Fire Chief Gary Russell has made the decision to retire after 44 years of service to the residents of Whatcom County Fire District No. 7; and

WHEREAS, During his 44 years of service, Chief Russell has been a Volunteer Firefighter, Volunteer Captain, Career Assistant Chief, and Chief of the Department for the last 31 years; and

WHEREAS, When Chief Russell became Fire Chief, he had no other career staff but the 80 volunteers to assist him; and

WHEREAS, Since that time, the organization has grown to 50 career employees and 75 volunteer employees; and

WHEREAS, Chief Russell has overseen the addition of Advanced Life Support to Fire District No. 7; and

WHEREAS, Chief Russell has watched the fire district expand to four staffed stations serving nearly 22,000 residents; and

WHEREAS, Chief Russell's passion and hard work led him to hold every office in the Whatcom County Association of Fire Chiefs over the years; and

WHEREAS, Throughout his 44 years of service, Chief Russell carried out his duties with honor and selflessness;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives express its gratitude and appreciation for Chief Gary Russell's service and encourage all residents of Whatcom County Fire District No. 7 to join in recognizing his many contributions to the community.

There being no objection, HOUSE RESOLUTION NO. 4649 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HJM 4013 by Representatives Dent, Springer, Hargrove, Tarleton, Klippert, Clibborn, Dye, Gregerson, Orcutt, Manweller, Haler and Pike

Requesting that the TRACON facilities at the Grant County International Airport be made permanent.

Referred to Committee on Transportation.

There being no objection, the joint memorial listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

The Speaker (Representative Riccelli presiding) called upon Representative Robinson to preside.

SUPPLEMENTAL INTRODUCTION & FIRST READING

HB 2233 by Representative McDonald

AN ACT Relating to temporary registration cards for private investigators; amending RCW 18.165.010, 18.165.130, and 18.165.150; and adding a new section to chapter 18.165 RCW.

Referred to Committee on Business & Financial Services.

HB 2234 by Representative Goodman

AN ACT Relating to the crisis intervention response team pilot project; adding new sections to chapter 43.101 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Public Safety.

HB 2235 by Representatives Young, Orcutt and MacEwen

AN ACT Relating to narrowing the applicability of the prohibition on using a personal electronic device while driving a motor vehicle to exclude certain circumstances when a motor vehicle is temporarily stationary; and amending RCW 46.61.---

Referred to Committee on Transportation.

HB 2236 by Representatives Young, MacEwen and Condotta

AN ACT Relating to establishing driving in significant traffic delays in certain circumstances as an exemption from the prohibition on using a personal electronic device while driving a motor vehicle; and amending RCW 46.61.---

Referred to Committee on Transportation.

HB 2237 by Representatives Young, Reeves, Orcutt, Kilduff, Irwin, J. Walsh and Condotta

AN ACT Relating to providing tax relief to motorists by exempting certain mobile communications technology from retail sales and use tax; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 2238 by Representatives Klippert, Haler, McDonald and Dent

AN ACT Relating to the licensing of marijuana businesses that are located in close proximity to playgrounds, child care centers, and preschools; amending RCW 69.50.331, 69.50.369, and 69.50.580; and declaring an emergency.

Referred to Committee on Commerce & Gaming.

HB 2239 by Representatives Stanford, Springer, Blake, Tharinger and Dolan

AN ACT Relating to addressing water availability issues created by the Washington supreme court decision in *Whatcom County v. Western Washington Growth Management Hearings Board*, also known as the Hirst decision, solely by providing immediate and temporary relief to landowners affected by the Hirst decision by ensuring that a water well report for a groundwater withdrawal exempt from permitting and not prohibited by an applicable water resources management rule adopted by the department of ecology may serve until December 31, 2018, as evidence of an adequate water supply for a building necessitating potable water, allowing cities and counties to rely until December 31, 2018, on water resource management rules adopted by the department of ecology in providing for the protection of surface water and groundwater resources except in certain water resource inventory areas, and creating a task force; amending RCW 19.27.097, 36.70A.070, and 36.70A.070; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

ESB 5316 by Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger and Wilson

AN ACT Relating to the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington; amending RCW 43.320.017, 70.95.532, 80.01.080, 48.18A.035, 48.25.140, 48.29.015, 21.20.880, 43.70.900, 29A.04.510, 35A.39.010, 44.05.080, 47.06.110, 82.42.090, and 82.80.070; adding a new section to chapter 42.30 RCW; recodifying RCW 42.32.030; decodifying RCW 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.016, 43.320.901, 15.15.900, 50.06.010, 50.13.010, 50.13.910, 50.38.900, 50.38.902, 50.60.902, 50.65.905, 50.70.902, 28A.315.075, 29A.04.903, 29A.04.905, 42.56.901,

42.56.902, 42.56.903, 71A.10.805, 10.77.900, 10.77.920, 10.77.930, 71.05.910, 71.05.920, 71.05.930, 71.24.900, 71.34.901, 5.45.920, 43.41.035, 43.41.940, 43.41.950, 43.41.981, and 43.88.910; and repealing RCW 66.08.230, 66.08.250, 66.12.020, 28A.305.900, 28A.305.901, 28A.630.005, 70.94.505, 70.95N.270, 70.104.070, 70.104.090, 80.36.901, 70.104.100, 21.20.886, 31.04.501, 48.102.190, 35.13A.0301, 70.22.005, 71A.20.190, 28B.65.010, 28B.65.020, 28B.65.030, 28B.65.040, 28B.65.050, 28B.65.060, 28B.65.070, 28B.65.080, 28B.65.110, 28B.65.900, 28B.65.905, 2.56.031, 10.77.810, 10.77.820, 71.24.055, 2.56.250, 9.04.040, 43.30.8351, 76.01.080, 76.01.090, 76.09.380, 77.12.605, 77.12.710, 79A.20.005, 79A.20.010, 79A.20.030, 79A.20.900, 43.31.088, 43.31.522, 43.31.524, 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 43.31.850, 47.01.141, 47.60.645, 47.78.010, 82.44.180, 82.80.040, 82.80.050, 82.80.060, 82.14.046, and 82.50.510.

Referred to Committee on Judiciary.

3ESB 5517 by Senators Wilson, Rivers, Cleveland, Hobbs, King, Sheldon, Miloscia, Brown, Angel, Warnick, Keiser and Schoesler

AN ACT Relating to rail dependent uses for purposes of the growth management act and related development regulations; amending RCW 36.70A.030, 36.70A.060, 36.70A.070, and 36.70A.108; and creating a new section.

Referred to Committee on Rules.

ESB 5646 by Senators Honeyford, King, Chase, Keiser and Conway

AN ACT Relating to services provided by residential habilitation centers; and amending RCW 71A.20.180.

Referred to Committee on Early Learning & Human Services.

ESB 5720 by Senators Hawkins, Hobbs, Takko, Baumgartner, Sheldon, King, Brown and Schoesler

AN ACT Relating to payment of production-based compensation wages for the employment and use of labor in agricultural activities and in the production, handling, and storage of farm products; adding a new section to chapter 49.46 RCW; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2239, THIRD ENGROSSED

SENATE BILL NO. 5517, and ENGROSSED SENATE BILL NO. 5646 which were read the first time, and under suspension of the rules, were placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

MOTIONS

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1140
HOUSE BILL NO. 1406
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1677

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

HOUSE BILL NO. 1042
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1341
SUBSTITUTE HOUSE BILL NO. 1624
HOUSE BILL NO. 1716

There being no objection, the Committee on Appropriations was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1429
HOUSE BILL NO. 1597
HOUSE BILL NO. 2190

There being no objection, the House adjourned until 10:00 a.m., June 29, 2017, the 9th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

NINTH DAY

House Chamber, Olympia, Thursday, June 29, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gary Holt and Leo O'Leary. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Tana Senn, 41st Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of HOUSE CONCURRENT RESOLUTION NO. 4400 and the bill was placed on the third reading calendar:

There being no objection, the House reverted to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1661, by House Committee on Appropriations (originally sponsored by Representatives Kagi, Sullivan, Dent, Senn, Muri, Kilduff, Klippert, Frame, Goodman, Ortiz-Self, Wilcox, Lovick, Hargrove, Clibborn, Lytton, Appleton, Fitzgibbon, Orwall, Kloba, Sells, Fey, Macri, Bergquist, Pollet, Hudgins, Robinson, Stanford and Slatter)

Creating the department of children, youth, and families.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1661 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Kagi moved the adoption of the striking amendment (624):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. FINDINGS. (1) The legislature finds that state services are not currently organized and delivered in a way that achieves the optimal outcomes for children, youth, and families. The legislature believes that, to improve service delivery and outcomes, existing services must be restructured into a comprehensive agency dedicated to the safety, development, and well-being of children that emphasizes prevention, early childhood development, and early intervention, and supporting parents to be their children's first and most important teachers.

(2) The legislature finds that:

(a) The early years of a child's life are critical to the child's healthy brain development and that the quality of caregiving during the early years can significantly impact the child's intellectual, social, and emotional development;

(b) A successful outcome for every child obtaining a K-12 education depends on children being prepared from birth for academic and social success in school. For children at risk of school failure, the opportunity gap often emerges as early as eighteen months of age;

(c) A more cohesive and integrated early learning system has been established that provides a solid foundation for further improvements in the quality and availability of early learning programs; and

(d) Increasing the availability of high quality services for children ages birth to three and their parents or caregivers will result in improved school and life outcomes.

(3) Research is clear that quality culturally and linguistically responsive early care and education builds the foundation for a child's success in school and in life. In restructuring early learning and child welfare services, the legislature seeks to build on the success of Washington's early learning efforts to assure children most at risk of

experiencing adversity are provided high quality early learning experiences.

(4) The legislature finds that advancements in research and science have identified indicators of risk, how they impact healthy development, and the critical importance of stable, nurturing relationships, particularly in the early years. Services for families and children should be prioritized for those who are most at risk of neglect, physical harm, and other adverse factors.

(5) The legislature finds that a focus on adolescent development is needed to ensure that effective supports and interventions are targeted to support adolescents successfully transitioning to adulthood. Youth known to both the child welfare and juvenile justice systems often suffer from childhood trauma, have multisystem involvement, and experience homelessness. Increased integration of the child welfare and juvenile justice systems can increase opportunities for prevention and improve outcomes for youth in both systems.

(6) The legislature finds that children and youth of color are disproportionately impacted at every point in the child welfare and juvenile justice systems. The department of children, youth, and families must prioritize addressing equity, disproportionality, and disparity in service delivery and outcomes, and provide transparent, frequent reporting of outcomes by race, ethnicity, and geography. The legislature finds that the state values the partnership with tribes in providing services for our children and youth and intends to honor the government-to-government relationship between the state and tribes.

(7) The department of children, youth, and families must be anchored in a culture of innovation, transparency, accountability, rigorous data analysis, and reliance on research and evidence-based interventions.

(8) The legislature finds that the public expects an effective service delivery system that is comprehensive, accountable, and goes beyond a single department's role. For this reason, the legislature is creating a mechanism in the department of children, youth, and families to align, integrate, and ensure accountability of state services for children, youth, and their families across state agencies so that there is a seamless, effective, prevention and early

intervention-based service system regardless of which state agency is responsible for particular services.

(9) The legislature finds that the work of the department of children, youth, and families will only be as successful as the workforce—both the agency employees and community-based providers. Increased support for the professionals working with children, youth, and families is critical to improving outcomes.

(10) The legislature further finds that other states have successfully established integrated departments dedicated to serving children, youth, and families. These departments have improved the visibility of child and family issues, increased authority and accountability, enabled system improvements, and created a stronger focus on improving child outcomes.

PART I

DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES CREATED

NEW SECTION. **Sec. 101.** (1) (a) The department of children, youth, and families is created as an executive branch agency. The department is vested with all powers and duties transferred to it under this act and such other powers and duties as may be authorized by law. The vision for the department is that Washington state's children and youth grow up safe and health-thriving physically, emotionally, and academically, nurtured by family and community.

(b) The department, in partnership with state and local agencies, tribes, and communities, shall protect children and youth from harm and promote healthy development with effective, high quality prevention, intervention, and early education services delivered in an equitable manner. An important role for the department shall be to provide preventative services to help secure and preserve families in crisis. The department shall partner with the federally recognized Indian tribes to develop effective services for youth and families while respecting the sovereignty of those tribes and the government-to-government relationship. Nothing in chapter . . . , Laws of 2017 3rd sp. sess. (this act) alters the duties, requirements, and policies of the federal Indian child welfare act, 25 U.S.C. Secs. 1901 through 1963, as amended, or the Indian child welfare act, chapter 13.38 RCW.

(2) Beginning July 1, 2018, the department must develop definitions for, work plans to address, and metrics to measure the outcomes for children, youth, and families served by the department and must work with state agencies to ensure services for children, youth, and families are science-based, outcome-driven, data-informed, and collaborative.

(3)(a) Beginning July 1, 2018, the department must establish short and long-term population level outcome measure goals, including metrics regarding reducing disparities by family income, race, and ethnicity in each outcome.

(b) The department must report to the legislature on outcome measures, actions taken, progress toward these goals, and plans for the future year, no less than annually, beginning December 1, 2018.

(c) The outcome measures must include, but are not limited to:

(i) Improving child development and school readiness through voluntary, high quality early learning opportunities as measured by: (A) Increasing the number and proportion of children kindergarten-ready as measured by the Washington kindergarten inventory of developing skills (WAKids) assessment including mathematics; (B) increasing the proportion of children in early learning programs that have achieved the level 3 or higher early achievers quality standard; and (C) increasing the available supply of licensed child care in both child care centers and family homes, including providers not receiving state subsidy;

(ii) Preventing child abuse and neglect;

(iii) Improving child and youth safety, permanency, and well-being as measured by: (A) Reducing the number of children entering out-of-home care; (B) reducing a child's length of stay in out-of-home care; (C) reducing maltreatment of youth while in out-of-home care; (D) licensing more foster homes than there are children in foster care; (E) reducing the number of children that reenter out-of-home care within twelve months; (F) increasing the stability of placements for children in out-of-home care; and (G) developing strategies to demonstrate to foster families that their service and involvement is highly valued by the department, as demonstrated by the development of strategies to consult with foster families regarding future placement

of a foster child currently placed with a foster family;

(iv) Improving reconciliation of children and youth with their families as measured by: (A) Increasing family reunification; and (B) increasing the number of youth who are reunified with their family of origin;

(v) In collaboration with county juvenile justice programs, improving adolescent outcomes including reducing multisystem involvement and homelessness; and increasing school graduation rates and successful transitions to adulthood for youth involved in the child welfare and juvenile justice systems;

(vi) Reducing future demand for mental health and substance use disorder treatment for youth involved in the child welfare and juvenile justice systems;

(vii) In collaboration with county juvenile justice programs, reducing criminal justice involvement and recidivism as measured by: (A) An increase in the number of youth who successfully complete the terms of diversion or alternative sentencing options; (B) a decrease in the number of youth who commit subsequent crimes; and (C) eliminating the discharge of youth from institutional settings into homelessness; and

(viii) Reducing racial and ethnic disproportionality and disparities in system involvement and across child and youth outcomes in collaboration with other state agencies.

(4) Beginning July 1, 2018, the department must:

(a) Lead ongoing collaborative work to minimize or eliminate systemic barriers to effective, integrated services in collaboration with state agencies serving children, youth, and families;

(b) Identify necessary improvements and updates to statutes relevant to their responsibilities and proposing legislative changes to the governor no less than biennially;

(c) Help create a data-focused environment in which there are aligned outcomes and shared accountability for achieving those outcomes, with shared, real-time data that is accessible to authorized persons interacting with the family, child, or youth to identify what is needed and which services would be effective;

(d) Lead the provision of state services to adolescents, focusing on key transition points for youth, including exiting foster care and institutions, and coordinating with the office of homeless youth prevention and protection programs to address the unique needs of homeless youth; and

(e) Create and annually update a list of the rights and responsibilities of foster parents in partnership with foster parent representatives. The list of foster parent rights and responsibilities must be posted on the department's web site and provided to foster parents in writing at the time of licensure.

(5) The department is accountable to the public. To ensure transparency, beginning December 30, 2018, agency performance data for the services provided by the department, including outcome data for contracted services, must be available to the public, consistent with confidentiality laws, federal protections, and individual rights to privacy. Publicly available data must include budget and funding decisions, performance-based contracting data, including data for contracted services, and performance data on metrics identified in this section. The oversight board for children, youth, and families must work with the secretary and director to develop the most effective and cost-efficient ways to make department data available to the public, including making this data readily available on the department's web site.

(6) The department shall ensure that all new and renewed contracts for services are performance-based.

(7) As used in this section, "performance-based contract" means results-oriented contracting that focuses on the quality or outcomes that tie at least a portion of the contractor's payment, contract extensions, or contract renewals to the achievement of specific measurable performance standards and requirements.

(8) The department must execute all new and renewed contracts for services in accordance with this section and consistent with RCW 74.13B.020. When contracted services are managed through a network administrator or other third party, the department must execute data-sharing agreements with the entities managing the contracts to track provider performance measures. Contracts with network administrators or other third

parties must provide the contract administrator the ability to shift resources from one provider to another, to evaluate individual provider performance, to add or delete services in consultation with the department, and to reinvest savings from increased efficiencies into new or improved services in their catchment area. Whenever possible, contractor performance data must be made available to the public, consistent with confidentiality laws and individual rights to privacy.

(9) (a) The oversight board for children, youth, and families shall begin its work and call the first meeting of the board on or after July 1, 2018. The oversight board shall immediately assume the duties of the legislative children's oversight committee, as provided for in RCW 74.13.570 and assume the full functions of the board as provided for in this section by July 1, 2019. The office of innovation, alignment, and accountability shall provide quarterly updates regarding the implementation of the department of children, youth, and families to the board between July 1, 2018, and July 1, 2019.

(b) The ombuds shall establish the oversight board for children, youth, and families. The board is authorized for the purpose of monitoring and ensuring that the department of children, youth, and families achieves the stated outcomes of chapter . . . , Laws of 2017 3rd sp. sess. (this act), and complies with administrative acts, relevant statutes, rules, and policies pertaining to early learning, juvenile rehabilitation, juvenile justice, and children and family services.

(10) (a) The oversight board for children, youth, and families shall consist of two senators and two representatives from the legislature with one member from each major caucus, one nonvoting representative from the governor's office, one subject matter expert in early learning, one subject matter expert in child welfare, one subject matter expert in juvenile rehabilitation and justice, one subject matter expert in reducing disparities in child outcomes by family income and race and ethnicity, one tribal representative from the west of the crest of the Cascade mountains, one tribal representative from the east of the crest of the Cascade mountains, one current or former foster parent representative, one representative

of an organization that advocates for the best interest of the child, one parent stakeholder group representative, one law enforcement representative, one child welfare caseworker representative, one early childhood learning program implementation practitioner, and one judicial representative presiding over child welfare court proceedings or other children's matters.

(b) The senate members of the board shall be appointed by the leaders of the two major caucuses of the senate. The house of representatives members of the board shall be appointed by the leaders of the two major caucuses of the house of representatives. Members shall be appointed before the close of each regular session of the legislature during an odd-numbered year.

(c) The remaining board members shall be nominated by the governor, subject to the approval of the appointed legislators by majority vote, and serve four-year terms.

(11) The oversight board for children, youth, and families has the following powers, which may be exercised by majority vote of the board:

(a) To receive reports of the family and children's ombuds;

(b) To obtain access to all relevant records in the possession of the family and children's ombuds, except as prohibited by law;

(c) To select its officers and adoption of rules for orderly procedure;

(d) To request investigations by the family and children's ombuds of administrative acts;

(e) To request and receive information, outcome data, documents, materials, and records from the department of children, youth, and families relating to children and family welfare, juvenile rehabilitation, juvenile justice, and early learning;

(f) To determine whether the department of children, youth, and families is achieving the performance measures;

(g) If final review is requested by a licensee, to review whether department of children, youth, and families' licensors appropriately and consistently applied agency rules in child care facility licensing compliance agreements as defined in section 114 of this act that do not

involve a violation of health and safety standards as defined in section 114 of this act in cases that have already been reviewed by the internal review process described in section 114 of this act with the authority to overturn, change, or uphold such decisions;

(h) To conduct annual reviews of a sample of department of children, youth, and families contracts for services from a variety of program and service areas to ensure that those contracts are performance-based and to assess the measures included in each contract; and

(i) Upon receipt of records or data from the family and children's ombuds or the department of children, youth, and families, the oversight board for children, youth, and families is subject to the same confidentiality restrictions as the family and children's ombuds is under RCW 43.06A.050. The provisions of RCW 43.06A.060 also apply to the oversight board for children, youth, and families.

(12) The oversight board for children, youth, and families has general oversight over the performance and policies of the department and shall provide advice and input to the department and the governor.

(13) The oversight board for children, youth, and families must no less than twice per year convene stakeholder meetings to allow feedback to the board regarding contracting with the department of children, youth, and families, departmental use of local, state, private, and federal funds, and other matters as relating to carrying out the duties of the department.

(14) The oversight board for children, youth, and families shall review existing surveys of providers, customers, parent groups, and external services to assess whether the department of children, youth, and families is effectively delivering services, and shall conduct additional surveys as needed to assess whether the department is effectively delivering services.

(15) The oversight board for children, youth, and families is subject to the open public meetings act, chapter 42.30 RCW.

(16) Records or information received by the oversight board for children, youth, and families is confidential to the extent permitted by state or federal law. This subsection does not create an exception for records covered by RCW 13.50.100.

(17) The oversight board for children, youth, and families members shall receive no compensation for their service on the board, but shall be reimbursed for travel expenses incurred while attending meetings of the board when authorized by the board in accordance with RCW 43.03.050 and 43.03.060.

(18) The oversight board for children, youth, and families shall select, by majority vote, an executive director who shall be the chief administrative officer of the board and shall be responsible for carrying out the policies adopted by the board. The executive director is exempt from the provisions of the state civil service law, chapter 41.06 RCW, and shall serve at the pleasure of the board established in this section.

(19) The oversight board for children, youth, and families shall maintain a staff not to exceed one full-time equivalent employee. The board-selected executive director of the board is responsible for coordinating staff appointments.

(20) The oversight board for children, youth, and families shall issue an annual report to the governor and legislature by December 1st of each year with an initial report delivered by December 1, 2019. The report must review the department of children, youth, and families' progress towards meeting stated performance measures and desired performance outcomes, and must also include a review of the department's strategic plan, policies, and rules.

(21) As used in this section, "department" means the department of children, youth, and families, "director" means the director of the office of innovation, alignment, and accountability, and "secretary" means the secretary of the department.

(22) The governor must appoint the secretary of the department within thirty days of the effective date of this section.

Sec. 102. RCW 43.215.030 and 2006 c 265 s 104 are each amended to read as follows:

(1) The executive head and appointing authority of the department is the ~~((director))~~ secretary. The ~~((director))~~ secretary shall be appointed by the governor with the consent of the senate, and shall serve at the pleasure of the governor. ~~((The governor shall solicit input from all parties involved in the~~

~~private public partnership concerning this appointment.))~~ The ~~((director))~~ secretary shall be paid a salary to be fixed by the governor in accordance with RCW 43.03.040. If a vacancy occurs in the position of ~~((director))~~ secretary while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate when the governor's nomination for the office of ~~((director))~~ secretary shall be presented.

(2) The ~~((director))~~ secretary may employ staff members, who shall be exempt from chapter 41.06 RCW, and any additional staff members as are necessary to administer this chapter and such other duties as may be authorized by law. The employment of such additional staff shall be in accordance with chapter 41.06 RCW, except as otherwise provided. The ~~((director))~~ secretary may delegate any power or duty vested in him or her by ~~((this))~~ chapter . . . , Laws of 2017 3rd sp. sess. (this act) or other law, including authority to make final decisions and enter final orders in hearings conducted under chapter 34.05 RCW.

(3) The internal affairs of the department are under the control of the secretary in order that the secretary may manage the department in a flexible and intelligent manner as dictated by changing contemporary circumstances. Unless specifically limited by law, the secretary has the complete charge and supervisory powers over the department. The secretary may create the administrative structures in consultation with the office of innovation, alignment, and accountability established in section 104 of this act, except as otherwise specified in law, and the secretary may employ personnel as may be necessary in accordance with chapter 41.06 RCW, except as otherwise provided by law.

NEW SECTION. Sec. 103. (1) The office of innovation, alignment, and accountability is created within the department of children, youth, and families. The secretary of the department of children, youth, and families is the executive head and appointing authority, and serves at the pleasure of the governor. The secretary has the responsibility to work with the governor's office, the office of financial management, the department of social and health services, the department of early learning, and other impacted agencies to plan for the implementation of the

department of children, youth, and families until July 1, 2018. The secretary shall be paid a salary to be fixed by the governor in accordance with RCW 43.03.040. If a vacancy occurs in the position of secretary, the governor shall fill the vacancy. Beginning July 1, 2018, the secretary of the department of children, youth, and families shall appoint a separate director of the office of innovation, alignment, and accountability.

(2) Until July 1, 2018, the primary duties and focus of the office of innovation, alignment, and accountability is on developing and presenting a plan for the establishment of the department of children, youth, and families, including consulting with stakeholders on the development of the plan and the functions in this subsection:

(a) Coordination among the department of early learning and the department of social and health services including technical and policy work groups to aid in the development of the items in (c) of this subsection;

(b) To convene research institutions that include federally recognized tribal representatives and address tribal specific topics, including university-based research institutions, the education data center, the department of social and health services' research and data analysis office, the Washington state institute for public policy, and the Washington state center for court research, to establish priorities for (c) of this subsection;

(c) Developing an integrated portfolio management and administrative structure for the department of children, youth, and families, that includes:

(i) Establishing mechanisms for effectively partnering with community-based agencies, courts, small businesses, the federally recognized tribes in the state of Washington, federally recognized Indian tribes that are signatories to the Centennial Accord, providers of services for children and families, communities of color, and families themselves;

(ii) Establishing outcomes that the department of children, youth, and families and other partner state government agencies will be held accountable to in order to measure the performance of the reforms and the priorities created in this section;

(d) Coordinating, partnering, and building lines of communication with other state agencies including, but not limited to, the department of social and health services, the health care authority, the office of the superintendent of public instruction, the administrative office of the courts, and the department of commerce;

(e) Developing a stakeholder advisory mechanism for the department of children, youth, and families. The office of innovation, alignment, and accountability must review and consult with advisory bodies from the department of early learning, the children's administration of the department of social and health services, and the juvenile rehabilitation division of the department of social and health services in order to devise this mechanism. The office shall ensure that tribes, parents, families, kinship care providers, and foster parents are also included in the development of the stakeholder advisory mechanism. The office must review existing advisory committees and recommend continuation or consolidation. The office will further develop an external review protocol for the department to ensure effective implementation of the policies and practices established by the office. Both the stakeholder advisory mechanism and external review protocol must include ongoing consultation with tribes, families, and a cross-cultural representation of communities of color. The office must also make recommendations for external oversight on disparity and disproportionality in the department's outcomes, programs, and services;

(f) In coordination with the office of the chief information officer and the department of social and health services and in consultation with experts in the technology field, development of an information technology design and investment plan required to effectively integrate the department of early learning, the children's administration of the department of social and health services, and the juvenile rehabilitation division of the department of social and health services, and to meet other goals of this section. The plan must be provided to the governor and to the legislature for consideration in the 2018 supplemental omnibus appropriations act;

(g) Developing a consultation policy and protocol with the twenty-nine federally recognized tribes in the state

of Washington and the federally recognized Indian tribes that are signatories to the Centennial Accord. This consultation policy and protocol shall include comprehensive dialogues. Tribal-state consultation should be a process of decision making that works cooperatively toward reaching a true consensus before a decision is made or action taken. The department shall honor the provisions of the Indian child welfare act, chapter 13.38 RCW. The office of innovation, alignment, and accountability must strive to honor and integrate the existing agreements between these twenty-nine federally recognized tribes and the department of early learning, the children's administration of the department of social and health services, and the juvenile rehabilitation division of the department of social and health services;

(h) Reviewing existing statutes affecting the department of early learning and the department of social and health services and identification of any conflicts or barriers that these statutes present in the execution of the plan in this subsection (2); and

(i) Preparing a report, in coordination with the department of early learning and the department of social and health services on how to incorporate the staff responsible for determining eligibility for the working connections child care program into the department of children, youth, and families. The report must outline a plan for transferring child care eligibility staff, the treatment of shared client data, information technology systems, phone systems, staff training, federal cost allocation, and service delivery from the department of social and health services to the department of children, youth, and families. This report must include recommendations for effectively integrating working connections child care eligibility into the department of children, youth, and families by July 1, 2019.

(3) The reports and plans in this section must be delivered to the governor and the appropriate committees of the legislature by December 1, 2017.

(4) This section expires July 1, 2018.

NEW SECTION. Sec. 104. (1) Beginning July 1, 2018, the office of innovation, alignment, and accountability shall have a director, appointed by the secretary, who shall set the agenda and oversee the

office, who reports to the secretary. The secretary shall ensure that the leadership and staff of the office do not have responsibility for service delivery but are wholly dedicated to directing and implementing the innovation, alignment, integration, collaboration, systemic reform work, and building external partnerships for which the office is responsible.

(2) The primary duties and focus of the office are on continuous improvement and includes the functions in this subsection:

(a) To review and recommend implementation of advancements in research;

(b) To work with other state government agencies and tribal governments to align and measure outcomes across state agencies and state-funded agencies serving children, youth, and families including, but not limited to, the use of evidence-based and research-based practices and contracting;

(c) To work with other state government agencies, tribal governments, partner agencies, and state-funded organizations on the use of data-driven, research-based interventions that effectively intervene in the lives of at-risk young people and align systems that serve children, youth, and their families;

(d) To develop approaches for integrated real-time data sharing, aligned outcomes, and collective accountability across state government agencies to the public;

(e) To conduct quality assurance and evaluation of programs and services within the department;

(f) To lead partnerships with the community, research and teaching institutions, philanthropic organizations, and nonprofit organizations;

(g) To lead collaboration with courts, tribal courts and tribal attorneys, attorneys, court-appointed special advocates, and guardians ad litem to align and integrate the work of the department with those involved in decision making in child welfare and juvenile justice cases;

(h) To produce, in collaboration with key stakeholders, an annual work plan that includes priorities for ongoing policy, practice, and system reform, tracking, and reporting out on the performance of department reforms;

(i) To appoint members of an external stakeholder committee who value racial and ethnic diversity and that includes representatives from a philanthropic organization, research entity representatives, representatives from the business community, one or more parent representatives, youth representatives, tribal representatives, representatives from communities of color, foster parent representatives, representatives from an organization that advocates for the best interest of the child, and community-based providers, who will advise the office on priorities for practice, policy, and system reform and on effective management policies, development of appropriate organizational culture, external partnerships, knowledge of best practices, and leveraging additional resources to carry out the duties of the department;

(j) To provide a report to the governor and the appropriate committees of the legislature by November 1, 2018, that includes recommendations regarding whether the juvenile rehabilitation division of the department of social and health services should be integrated into the department of children, youth, and families, and if so, what the appropriate timing and process is for integration of the juvenile rehabilitation division into the department of children, youth, and families;

(k) To provide a report to the governor and the appropriate committees of the legislature by November 1, 2019, that includes a description of the current review process for foster parent complaints using the office of family and children's ombuds established in chapter 43.06A RCW, if deemed necessary, for expanding or modifying the current foster parent complaint process; and

(l) To provide a report to the governor and the appropriate committees of the legislature by November 1, 2018, that includes recommendations regarding whether the office of homeless youth prevention and protection programs in the department of commerce should be integrated into the department, and the process for that integration if recommended.

NEW SECTION. Sec. 105. A new section is added to chapter 41.06 RCW to read as follows:

In addition to the exemptions under RCW 41.06.070, this chapter does not apply in the department of children, youth, and

families to the secretary; the secretary's confidential secretary; deputy, assistant, and regional secretaries, one confidential secretary for each of the aforesaid officers; and any other exempt staff members provided for in chapter . . ., Laws of 2017 3rd sp. sess. (this act).

NEW SECTION. Sec. 106. (1) The secretary or the secretary's designee has the full authority to administer oaths and take testimony, to issue subpoenas requiring the attendance of witnesses before him or her together with all books, memoranda, papers, and other documents, articles, or instruments, and to compel the disclosure by those witnesses of all facts known to them relative to the matters under investigation.

(2) Subpoenas issued in adjudicative proceedings are governed by RCW 34.05.588(1).

(3) Subpoenas issued in the conduct of investigations required or authorized by other statutory provisions or necessary in the enforcement of other statutory provisions are governed by RCW 34.05.588(2).

(4) When a judicially approved subpoena is required by law, the secretary or the secretary's designee may apply for and obtain a superior court order approving and authorizing a subpoena in advance of its issuance. The application may be made in the county where the subpoenaed person resides or is found, or in the county where the subpoenaed documents, records, or evidence are located, or in Thurston county. The application must:

(a) State that an order is sought under this section;

(b) Adequately specify the documents, records, evidence, or testimony; and

(c) Include a declaration made under oath that an investigation is being conducted for a lawfully authorized purpose related to an investigation within the department's authority and that the subpoenaed documents, records, evidence, or testimony are reasonably related to an investigation within the department's authority.

(5) When an application under subsection (4) of this section is made to the satisfaction of the court, the court must issue an order approving the subpoena. When a judicially approved subpoena is required by law, an order under this subsection constitutes

authority of law for the agency to subpoena the documents, records, evidence, or testimony.

(6) The secretary or the secretary's designee may seek approval and a court may issue an order under this section without prior notice to any person, including the person to whom the subpoena is directed and the person who is the subject of an investigation. An application for court approval is subject to the fee and process set forth in RCW 36.18.012(3).

NEW SECTION. Sec. 107. The secretary shall administer family services and programs to promote the state's policy as provided in RCW 74.14A.025.

NEW SECTION. Sec. 108. The secretary shall make all of the department's evaluation and research materials and data on private nonprofit group homes available to group home contractors. The department may delete any information from the materials that identifies a specific client or contractor, other than the contractor requesting the materials.

Sec. 109. RCW 43.17.010 and 2011 1st sp.s. c 43 s 107 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of social and health services, (2) the department of ecology, (3) the department of labor and industries, (4) the department of agriculture, (5) the department of fish and wildlife, (6) the department of transportation, (7) the department of licensing, (8) the department of enterprise services, (9) the department of commerce, (10) the department of veterans affairs, (11) the department of revenue, (12) the department of retirement systems, (13) the department of corrections, (14) the department of health, (15) the department of financial institutions, (16) the department of archaeology and historic preservation, (17) the department of (~~early learning~~) children, youth, and families, and (18) the Puget Sound partnership, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 110. RCW 43.17.020 and 2011 1st sp.s. c 43 s 108 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as:

(1) The secretary of social and health services, (2) the director of ecology, (3) the director of labor and industries, (4) the director of agriculture, (5) the director of fish and wildlife, (6) the secretary of transportation, (7) the director of licensing, (8) the director of enterprise services, (9) the director of commerce, (10) the director of veterans affairs, (11) the director of revenue, (12) the director of retirement systems, (13) the secretary of corrections, (14) the secretary of health, (15) the director of financial institutions, (16) the director of the department of archaeology and historic preservation, (17) the (~~director of early learning~~) secretary of children, youth, and families, and (18) the executive director of the Puget Sound partnership.

Such officers, except the director of fish and wildlife, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. The director of fish and wildlife shall be appointed by the fish and wildlife commission as prescribed by RCW 77.04.055.

Sec. 111. RCW 42.17A.705 and 2015 3rd sp.s. c 1 s 406 and 2015 3rd sp.s. c 1 s 317 are each reenacted and amended to read as follows:

For the purposes of RCW 42.17A.700, "executive state officer" includes:

(1) The chief administrative law judge, the director of agriculture, the director of the department of services for the blind, the secretary of children, youth, and families, the director of the state system of community and technical colleges, the director of commerce, the director of the consolidated technology services agency, the secretary of corrections, (~~the director of early learning~~) the director of ecology, the commissioner of employment security, the chair of the energy facility site evaluation council, the director of enterprise services, the secretary of the state finance committee, the director of financial management, the director of fish and wildlife, the executive secretary of the forest practices appeals board, the director of the gambling commission, the secretary of health, the administrator of the Washington state health care authority, the executive secretary of the health care facilities authority, the executive secretary of the higher education facilities authority, the executive secretary of the horse racing

commission, the executive secretary of the human rights commission, the executive secretary of the indeterminate sentence review board, the executive director of the state investment board, the director of labor and industries, the director of licensing, the director of the lottery commission, the director of the office of minority and women's business enterprises, the director of parks and recreation, the executive director of the public disclosure commission, the executive director of the Puget Sound partnership, the director of the recreation and conservation office, the director of retirement systems, the director of revenue, the secretary of social and health services, the chief of the Washington state patrol, the executive secretary of the board of tax appeals, the secretary of transportation, the secretary of the utilities and transportation commission, the director of veterans affairs, the president of each of the regional and state universities and the president of The Evergreen State College, and each district and each campus president of each state community college;

(2) Each professional staff member of the office of the governor;

(3) Each professional staff member of the legislature; and

(4) Central Washington University board of trustees, the boards of trustees of each community college and each technical college, each member of the state board for community and technical colleges, state convention and trade center board of directors, Eastern Washington University board of trustees, Washington economic development finance authority, Washington energy northwest executive board, The Evergreen State College board of trustees, executive ethics board, fish and wildlife commission, forest practices appeals board, forest practices board, gambling commission, Washington health care facilities authority, student achievement council, higher education facilities authority, horse racing commission, state housing finance commission, human rights commission, indeterminate sentence review board, board of industrial insurance appeals, state investment board, commission on judicial conduct, legislative ethics board, life sciences discovery fund authority board of trustees, state liquor ((control)) and cannabis board, lottery commission, Pacific Northwest electric power and conservation planning council, parks and

recreation commission, Washington personnel resources board, board of pilotage commissioners, pollution control hearings board, public disclosure commission, public employees' benefits board, recreation and conservation funding board, salmon recovery funding board, shorelines hearings board, board of tax appeals, transportation commission, University of Washington board of regents, utilities and transportation commission, Washington State University board of regents, and Western Washington University board of trustees.

Sec. 112. RCW 43.06A.030 and 2013 c 23 s 73 are each amended to read as follows:

The ombuds shall perform the following duties:

(1) Provide information as appropriate on the rights and responsibilities of individuals receiving family and children's services, juvenile justice, juvenile rehabilitation, and child early learning, and on the procedures for providing these services;

(2) Investigate, upon his or her own initiative or upon receipt of a complaint, an administrative act alleged to be contrary to law, rule, or policy, imposed without an adequate statement of reason, or based on irrelevant, immaterial, or erroneous grounds; however, the ombuds may decline to investigate any complaint as provided by rules adopted under this chapter;

(3) Monitor the procedures as established, implemented, and practiced by the department of children, youth, and families to carry out its responsibilities in delivering family and children's services with a view toward appropriate preservation of families and ensuring children's health and safety;

(4) Review periodically the facilities and procedures of state institutions serving children, youth, and families, and state-licensed facilities or residences;

(5) Recommend changes in the procedures for addressing the needs of children, youth, and families (~~and children~~);

(6) Submit annually to the ~~((committee))~~ oversight board for children, youth, and families created in section 101 of this act and to the governor by November 1st a report analyzing the work of the ~~((office))~~ department of children, youth, and families, including recommendations;

(7) Grant the committee access to all relevant records in the possession of the ombuds unless prohibited by law; and

(8) Adopt rules necessary to implement this chapter.

Sec. 113. RCW 43.215.100 and 2015 3rd sp.s. c 7 s 2 are each amended to read as follows:

(1) The department, in collaboration with tribal governments and community and statewide partners, shall implement a quality rating and improvement system, called the early achievers program. The early achievers program provides a foundation of quality for the early care and education system. The early achievers program is applicable to licensed or certified child care centers and homes and early learning programs such as working connections child care and early childhood education and assistance programs.

(2) The objectives of the early achievers program are to:

(a) Improve short-term and long-term educational outcomes for children as measured by assessments including, but not limited to, the Washington kindergarten inventory of developing skills in RCW 28A.655.080;

(b) Give parents clear and easily accessible information about the quality of child care and early education programs;

(c) Support improvement in early learning and child care programs throughout the state;

(d) Increase the readiness of children for school;

(e) Close the disparities in access to quality care;

(f) Provide professional development and coaching opportunities to early child care and education providers; and

(g) Establish a common set of expectations and standards that define, measure, and improve the quality of early learning and child care settings.

(3) (a) Licensed or certified child care centers and homes serving nonschool-age children and receiving state subsidy payments must participate in the early achievers program by the required deadlines established in RCW 43.215.135.

(b) Approved early childhood education and assistance program providers receiving

state-funded support must participate in the early achievers program by the required deadlines established in RCW 43.215.415.

(c) Participation in the early achievers program is voluntary for:

(i) Licensed or certified child care centers and homes not receiving state subsidy payments; and

(ii) Early learning programs not receiving state funds.

(d) School-age child care providers are exempt from participating in the early achievers program. By July 1, 2017, the department and the office of the superintendent of public instruction shall jointly design a plan to incorporate school-age child care providers into the early achievers program or other appropriate quality improvement system. To test implementation of the early achievers system for school-age child care providers the department and the office of the superintendent of public instruction shall implement a pilot program.

(4) There are five levels in the early achievers program. Participants are expected to actively engage and continually advance within the program.

(5) The department has the authority to determine the rating cycle for the early achievers program. The department shall streamline and eliminate duplication between early achievers standards and state child care rules in order to reduce costs associated with the early achievers rating cycle and child care licensing.

(a) Early achievers program participants may request to be rated at any time after the completion of all level 2 activities.

(b) The department shall provide an early achievers program participant an update on the participant's progress toward completing level 2 activities after the participant has been enrolled in the early achievers program for fifteen months.

(c) The first rating is free for early achievers program participants.

(d) Each subsequent rating within the established rating cycle is free for early achievers program participants.

(6) (a) Early achievers program participants may request to be rerated outside the established rating cycle.

(b) The department may charge a fee for optional rerating requests made by program participants that are outside the established rating cycle.

(c) Fees charged are based on, but may not exceed, the cost to the department for activities associated with the early achievers program.

(7)(a) The department must create a single source of information for parents and caregivers to access details on a provider's early achievers program rating level, licensing history, and other indicators of quality and safety that will help parents and caregivers make informed choices. The licensing history that the department must provide for parents and caregivers pursuant to this subsection shall only include license suspension, surrender, revocation, denial, stayed suspension, or reinstatement. No unfounded child abuse or neglect reports may be provided to parents and caregivers pursuant to this subsection.

(b) The department shall publish to the department's web site, or offer a link on its web site to, the following information:

(i) By November 1, 2015, early achievers program rating levels 1 through 5 for all child care programs that receive state subsidy, early childhood education and assistance programs, and federal head start programs in Washington; and

(ii) New early achievers program ratings within thirty days after a program becomes licensed or certified, or receives a rating.

(c) The early achievers program rating levels shall be published in a manner that is easily accessible to parents and caregivers and takes into account the linguistic needs of parents and caregivers.

(d) The department must publish early achievers program rating levels for child care programs that do not receive state subsidy but have voluntarily joined the early achievers program.

(e) Early achievers program participants who have published rating levels on the department's web site or on a link on the department's web site may include a brief description of their program, contingent upon the review and approval by the department, as determined by established marketing standards.

(8)(a) The department shall create a professional development pathway for early achievers program participants to obtain a high school diploma or equivalency or higher education credential in early childhood education, early childhood studies, child development, or an academic field related to early care and education.

(b) The professional development pathway must include opportunities for scholarships and grants to assist early achievers program participants with the costs associated with obtaining an educational degree.

(c) The department shall address cultural and linguistic diversity when developing the professional development pathway.

(9) The early achievers quality improvement awards shall be reserved for participants offering programs to an enrollment population consisting of at least five percent of children receiving a state subsidy.

(10) In collaboration with tribal governments, community and statewide partners, and the early achievers review subcommittee created in RCW 43.215.090 (as recodified by this act), the department shall develop a protocol for granting early achievers program participants an extension in meeting rating level requirement timelines outlined for the working connections child care program and the early childhood education and assistance program.

(a) The department may grant extensions only under exceptional circumstances, such as when early achievers program participants experience an unexpected life circumstance.

(b) Extensions shall not exceed six months, and early achievers program participants are only eligible for one extension in meeting rating level requirement timelines.

(c) Extensions may only be granted to early achievers program participants who have demonstrated engagement in the early achievers program.

(11)(a) The department shall accept national accreditation that meets the requirements of this subsection (11) as a qualification for the early achievers program ratings.

(b) Each national accreditation agency will be allowed to submit its most current standards of accreditation to establish

potential credit earned in the early achievers program. The department shall grant credit to accreditation bodies that can demonstrate that their standards meet or exceed the current early achievers program standards.

(c) Licensed child care centers and child care home providers must meet national accreditation standards approved by the department for the early achievers program in order to be granted credit for the early achievers program standards. Eligibility for the early achievers program is not subject to bargaining, mediation, or interest arbitration under RCW 41.56.028, consistent with the legislative reservation of rights under RCW 41.56.028(4)(d).

(12) The department shall explore the use of alternative quality assessment tools that meet the culturally specific needs of the federally recognized tribes in the state of Washington.

(13) A child care or early learning program that is operated by a federally recognized tribe and receives state funds shall participate in the early achievers program. The tribe may choose to participate through an interlocal agreement between the tribe and the department. The interlocal agreement must reflect the government-to-government relationship between the state and the tribe, including recognition of tribal sovereignty. The interlocal agreement must provide that:

(a) Tribal child care facilities and early learning programs may volunteer, but are not required, to be licensed by the department;

(b) Tribal child care facilities and early learning programs are not required to have their early achievers program rating level published to the department's web site or through a link on the department's web site; and

(c) Tribal child care facilities and early learning programs must provide notification to parents or guardians who apply for or have been admitted into their program that early achievers program rating level information is available and provide the parents or guardians with the program's early achievers program rating level upon request.

(14) The department shall consult with the early achievers review subcommittee on all substantial policy changes to the early achievers program.

(15) Nothing in this section changes the department's responsibility to collectively bargain over mandatory subjects or limits the legislature's authority to make programmatic modifications to licensed child care and early learning programs under RCW 41.56.028(4)(d).

NEW SECTION. Sec. 114. (1) The department shall develop an internal review process to determine whether department licensors have appropriately and consistently applied agency rules in child care facility licensing compliance agreements that do not involve a violation of health and safety standards. Adverse licensing decisions including license denial, suspension, revocation, modification, or nonrenewal pursuant to RCW 43.215.300 (as recodified by this act) or imposition of civil fines pursuant to RCW 43.215.307 (as recodified by this act) are not subject to the internal review process in this section, but may be appealed using the administrative procedure act, chapter 34.05 RCW.

(2) The definitions in this subsection apply throughout this section.

(a) "Child care facility licensing compliance agreement" means an agreement issued by the department in lieu of the department taking enforcement action against a child care provider that contains: (i) A description of the violation and the rule or law that was violated; (ii) a statement from the licensee regarding the proposed plan to comply with the rule or law; (iii) the date the violation must be corrected; (iv) information regarding other licensing action that may be imposed if compliance does not occur by the required date; and (v) the signature of the licensor and licensee.

(b) "Health and safety standards" means rules or requirements developed by the department to protect the health and safety of children against substantial risk of bodily injury, illness, or death.

(3) The internal review process shall be conducted by the following six individuals:

(a) Three department employees who may include child care licensors; and

(b) Three child care providers selected by the department from names submitted by the oversight board for children, youth, and families established in section 101 of this act.

(4) The internal review process established in this section may overturn, change, or uphold a department licensing decision by majority vote. In the event that the six individuals conducting the internal review process are equally divided, the secretary shall make the decision of the internal review process. The internal review process must provide the parties with a written decision of the outcome after completion of the internal review process. A licensee must request a review under the internal review process within ten days of the development of a child care facility licensing compliance agreement and the internal review process must be completed within thirty days after the request from the licensee to initiate the internal review process is received.

(5) A licensee may request a final review by the oversight board for children, youth, and families after completing the internal review process established in this section by giving notice to the department and the oversight board for children, youth, and families within ten days of receiving the written decision produced by the internal review process.

(6) The department shall not develop a child care facility licensing compliance agreement with a child care provider for first-time violations of rules that do not relate to health and safety standards and that can be corrected on the same day that the violation is identified. The department shall develop a procedure for providing a warning and offering technical assistance to providers in response to these first-time violations.

Sec. 115. RCW 44.04.220 and 2013 c 23 s 100 are each amended to read as follows:

(1) There is created the legislative children's oversight committee for the purpose of monitoring and ensuring compliance with administrative acts, relevant statutes, rules, and policies pertaining to family and children services and the placement, supervision, and treatment of children in the state's care or in state-licensed facilities or residences. The committee shall consist of three senators and three representatives from the legislature. The senate members of the committee shall be appointed by the president of the senate. The house members of the committee shall be appointed by the speaker of the house. Not more than two members from each chamber shall be from the same political party. Members shall be appointed before the close of each regular

session of the legislature during an odd-numbered year.

(2) The committee shall have the following powers:

(a) Selection of its officers and adopt rules for orderly procedure;

(b) Request investigations by the ombuds of administrative acts;

(c) Receive reports of the ombuds;

(d) (i) Obtain access to all relevant records in the possession of the ombuds, except as prohibited by law; and (ii) make recommendations to all branches of government;

(e) Request legislation;

(f) Conduct hearings into such matters as it deems necessary.

(3) Upon receipt of records from the ombuds, the committee is subject to the same confidentiality restrictions as the ombuds under RCW 43.06A.050.

(4) From July 1, 2018, through June 30, 2019, the oversight board for children, youth, and families established in section 101 of this act shall assume the duties of the legislative children's oversight committee.

(5) This section expires July 1, 2019.

PART II

POWERS AND DUTIES TRANSFERRED FROM THE DEPARTMENT OF EARLY LEARNING

Sec. 201. RCW 43.215.010 and 2016 c 231 s 1 and 2016 c 169 s 3 are each reenacted and amended to read as follows:

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

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies;

child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child care provider who regularly provides early childhood education and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a) (i), (ii), or (iii) of this subsection, even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools that are engaged primarily in early childhood education

with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, and accept only school age children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;

(i) Any entity that provides recreational or educational programming for school age children only and the entity meets all of the following requirements:

(i) The entity utilizes a drop-in model for programming, where children are able to attend during any or all program hours without a formal reservation;

(ii) The entity does not assume responsibility in lieu of the parent, unless for coordinated transportation;

(iii) The entity is a local affiliate of a national nonprofit; and

(iv) The entity is in compliance with all safety and quality standards set by the associated national agency;

(j) A program operated by any unit of local, state, or federal government;

(k) A program located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

(l) A program located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(m) A program that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of ~~((early learning))~~ children, youth, and families.

(6) ~~(("Director" means the director))~~ "Secretary" means the secretary of the department.

(7) "Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for their participation.

(8) "Early childhood education and assistance program contractor" means an organization that provides early childhood education and assistance program services under a signed contract with the department.

(9) "Early childhood education and assistance program provider" means an organization that provides site level, direct, and high quality early childhood education and assistance program services under the direction of an early childhood education and assistance program contractor.

(10) "Early start" means an integrated high quality continuum of early learning programs for children birth-to-five years of age. Components of early start include, but are not limited to, the following:

(a) Home visiting and parent education and support programs;

(b) The early achievers program described in RCW 43.215.100 (as recodified by this act);

(c) Integrated full-day and part-day high quality early learning programs; and

(d) High quality preschool for children whose family income is at or below one hundred ten percent of the federal poverty level.

(11) "Education data center" means the education data center established in RCW 43.41.400, commonly referred to as the education research and data center.

(12) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

(13) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) (as recodified by this act) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3) (as recodified by this act).

(14) "Extended day program" means an early childhood education and assistance program that offers early learning education for at least ten hours per day, a minimum of two thousand hours per year, at least four days per week, and operates year round.

(15) "Full day program" means an early childhood education and assistance program that offers early learning education for a minimum of one thousand hours per year.

(16) "Low-income child care provider" means a person who administers a child care program that consists of at least eighty percent of children receiving working connections child care subsidy.

(17) "Low-income neighborhood" means a district or community where more than twenty percent of households are below the federal poverty level.

(18) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

(19) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

(20) "Nonschool age child" means a child who is age six years or younger and who is not enrolled in a public or private school.

(21) "Part day program" means an early childhood education and assistance program that offers early learning education for at least two and one-half hours per class session, at least three hundred twenty hours per year, for a minimum of thirty weeks per year.

(22) "Private school" means a private school approved by the state under chapter 28A.195 RCW.

(23) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(24) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(25) "School age child" means a child who is five years of age through twelve years of age and is attending a public or private school or is receiving home-based instruction under chapter 28A.200 RCW.

(26) "Washington state preschool program" means an education program for children three-to-five years of age who have not yet entered kindergarten, such as the early childhood education and assistance program.

Sec. 202. RCW 43.215.020 and 2016 c 57 s 5 are each amended to read as follows:

(1) ~~The department ((of early learning is created as an executive branch agency. The department is vested with all powers and duties transferred to it under this chapter and such other powers and duties as may be authorized by law.~~

(2) ~~The primary duties of the department are to~~) shall implement state early learning policy and ((~~to~~)) coordinate, consolidate, and integrate child care and early learning programs in order to administer programs and funding as efficiently as possible. The department's duties include, but are not limited to, the following:

(a) To support both public and private sectors toward a comprehensive and collaborative system of early learning that serves parents, children, and providers and to encourage best practices in child care and early learning programs;

(b) To make early learning resources available to parents and caregivers;

(c) To carry out activities, including providing clear and easily accessible information about quality and improving the quality of early learning opportunities for young children, in cooperation with the nongovernmental private-public partnership;

(d) To administer child care and early learning programs;

(e) To safeguard and promote the health, safety, and well-being of children receiving child care and early learning assistance, which is paramount over the right of any person to provide such care;

(f) To apply data already collected comparing the following factors and make biennial recommendations to the legislature regarding working connections subsidy and state-funded preschool rates and compensation models that would attract and retain high quality early learning professionals:

(i) State-funded early learning subsidy rates and market rates of licensed early learning homes and centers;

(ii) Compensation of early learning educators in licensed centers and homes and early learning teachers at state higher education institutions;

(iii) State-funded preschool program compensation rates and Washington state head start program compensation rates; and

(iv) State-funded preschool program compensation to compensation in similar comprehensive programs in other states;

((~~f~~)) (g) To serve as the state lead agency for Part C of the federal individuals with disabilities education act (IDEA) and to develop and adopt rules that establish minimum requirements for the services offered through Part C programs, including allowable allocations and expenditures for transition into Part B of the federal individuals with disabilities education act (IDEA);

((~~g~~)) (h) To standardize internal financial audits, oversight visits, performance benchmarks, and licensing

criteria, so that programs can function in an integrated fashion;

~~((h))~~ (i) To support the implementation of the nongovernmental private-public partnership and cooperate with that partnership in pursuing its goals including providing data and support necessary for the successful work of the partnership;

~~((i))~~ (j) To work cooperatively and in coordination with the early learning council;

~~((j))~~ (k) To collaborate with the K-12 school system at the state and local levels to ensure appropriate connections and smooth transitions between early learning and K-12 programs;

~~((k))~~ (l) To develop and adopt rules for administration of the program of early learning established in RCW 43.215.455 (as recodified by this act);

~~((l))~~ (m) To develop a comprehensive birth-to-three plan to provide education and support through a continuum of options including, but not limited to, services such as: Home visiting; quality incentives for infant and toddler child care subsidies; quality improvements for family home and center-based child care programs serving infants and toddlers; professional development; early literacy programs; and informal supports for family, friend, and neighbor caregivers; and

~~((m))~~ (n) Upon the development of an early learning information system, to make available to parents timely inspection and licensing action information and provider comments through the internet and other means.

~~((3))~~ (2) When additional funds are appropriated for the specific purpose of home visiting and parent and caregiver support, the department must reserve at least eighty percent for home visiting services to be deposited into the home visiting services account and up to twenty percent of the new funds for other parent or caregiver support.

~~((4))~~ (3) Home visiting services must include programs that serve families involved in the child welfare system.

~~((5) Subject to the availability of amounts appropriated for this specific purpose, the legislature shall fund the expansion in the Washington state preschool program pursuant to RCW 43.215.456 in fiscal year 2014.~~

~~(6))~~ (4) The department's programs shall be designed in a way that respects and preserves the ability of parents and legal guardians to direct the education, development, and upbringing of their children, and that recognizes and honors cultural and linguistic diversity. The department shall include parents and legal guardians in the development of policies and program decisions affecting their children.

Sec. 203. RCW 43.215.065 and 2007 c 384 s 4 are each amended to read as follows:

(1) (a) The ~~((director of the department of early learning))~~ secretary shall review current department policies and assess the adequacy and availability of programs targeted at persons who receive assistance who are the children and families of a person who is incarcerated in a department of corrections facility. Great attention shall be focused on programs and policies affecting foster youth who have a parent who is incarcerated.

(b) The ~~((director))~~ secretary shall adopt policies that support the children of incarcerated parents and meet their needs with the goal of facilitating normal child development, while reducing intergenerational incarceration.

(2) The ~~((director))~~ secretary shall conduct the following activities to assist in implementing the requirements of subsection (1) of this section:

(a) Gather information and data on the recipients of assistance who are the children and families of inmates incarcerated in department of corrections facilities; and

(b) Participate in the children of incarcerated parents advisory committee and report information obtained under this section to the advisory committee.

Sec. 204. RCW 43.215.070 and 2006 c 265 s 108 are each amended to read as follows:

(1) In addition to other duties under this chapter, the ~~((director))~~ secretary shall actively participate in a nongovernmental private-public partnership focused on supporting government's investments in early learning and ensuring that every child in the state is prepared to succeed in school and in life. Except for licensing as required by Washington state law and to the extent permitted by federal law, the ~~((director~~

~~of the department of early learning))~~
secretary shall grant waivers from the rules of state agencies for the operation of early learning programs requested by the nongovernmental private-public partnership to allow for flexibility to pursue market-based approaches to achieving the best outcomes for children and families.

(2) In addition to other powers granted to the ~~((director))~~ secretary, the ~~((director))~~ secretary may:

(a) Enter into contracts on behalf of the department to carry out the purposes of this chapter;

(b) Accept gifts, grants, or other funds for the purposes of this chapter; and

(c) Adopt, in accordance with chapter 34.05 RCW, rules necessary to implement this chapter, including rules governing child day care and early learning programs under this chapter. This section does not expand the rule-making authority of the director beyond that necessary to implement and administer programs and services existing July 1, 2006, as transferred to the department of early learning under section 501, chapter 265, Laws of 2006. The rule-making authority does not include any authority to set mandatory curriculum or establish what must be taught in child day care centers or by family day care providers.

Sec. 205. RCW 43.215.200 and 2015 3rd sp.s. c 7 s 4 are each amended to read as follows:

It shall be the ~~((director's))~~ secretary's duty with regard to licensing under this chapter:

(1) In consultation and with the advice and assistance of persons representative of the various type agencies to be licensed, to designate categories of child care facilities for which separate or different requirements shall be developed as may be appropriate whether because of variations in the ages and other characteristics of the children served, variations in the purposes and services offered or size or structure of the agencies to be licensed, or because of any other factor relevant thereto;

(2)(a) In consultation with the state fire marshal's office, the ~~((director))~~ secretary shall use an interagency process to address health and safety requirements for child care programs that serve school-

age children and are operated in buildings that contain public or private schools that safely serve children during times in which school is in session;

(b) Any requirements in (a) of this subsection as they relate to the physical facility, including outdoor playgrounds, do not apply to before-school and after-school programs that serve only school-age children and operate in the same facilities used by public or private schools;

(3) In consultation and with the advice and assistance of parents or guardians, and persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed under this chapter;

(4) In consultation with law enforcement personnel, the ~~((director))~~ secretary shall investigate the conviction record or pending charges of each agency and its staff seeking licensure or relicensure, and other persons having unsupervised access to children in care;

(5) To satisfy the shared background check requirements provided for in RCW 43.215.215 (as recodified by this act) and 43.20A.710, the department of ~~((early learning))~~ children, youth, and families and the department of social and health services shall share federal fingerprint-based background check results as permitted under the law. The purpose of this provision is to allow both departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. Neither department may share the federal background check results with any other state agency or person;

(6) To issue, revoke, or deny licenses to agencies pursuant to this chapter. Licenses shall specify the category of care that an agency is authorized to render and the ages and number of children to be served;

(7) To prescribe the procedures and the form and contents of reports necessary for the administration of this chapter and to require regular reports from each licensee;

(8) To inspect agencies periodically to determine whether or not there is

compliance with this chapter and the requirements adopted under this chapter;

(9) To review requirements adopted under this chapter at least every two years and to adopt appropriate changes after consultation with affected groups for child day care requirements; and

(10) To consult with public and private agencies in order to help them improve their methods and facilities for the care and early learning of children.

Sec. 206. RCW 43.215.215 and 2011 c 295 s 2 and 2011 c 253 s 4 are each reenacted and amended to read as follows:

(1) In determining whether an individual is of appropriate character, suitability, and competence to provide child care and early learning services to children, the department may consider the history of past involvement of child protective services or law enforcement agencies with the individual for the purpose of establishing a pattern of conduct, behavior, or inaction with regard to the health, safety, or welfare of a child. No report of child abuse or neglect that has been destroyed or expunged under RCW 26.44.031 may be used for such purposes. No unfounded or inconclusive allegation of child abuse or neglect as defined in RCW 26.44.020 may be disclosed to a provider licensed under this chapter.

(2) In order to determine the suitability of individuals newly applying for an agency license, new licensees, their new employees, and other persons who newly have unsupervised access to children in care, shall be fingerprinted.

(a) The fingerprints shall be forwarded to the Washington state patrol and federal bureau of investigation for a criminal history record check.

(b) (i) ~~((Effective July 1, 2012,))~~ All individuals applying for first-time agency licenses, all new employees, and other persons who have not been previously qualified by the department to have unsupervised access to children in care must be fingerprinted and obtain a criminal history record check pursuant to this section.

(ii) Persons required to be fingerprinted and obtain a criminal ~~((history))~~ history record check pursuant to this section must pay for the cost of this check as follows: The fee established by the Washington state patrol for the criminal background history check,

including the cost of obtaining the fingerprints; and a fee paid to the department for the cost of administering the individual-based/portable background check clearance registry. The fee paid to the department must be deposited into the individual-based/portable background check clearance account established in RCW 43.215.218 (as recodified by this act). The licensee may, but need not, pay these costs on behalf of a prospective employee or reimburse the prospective employee for these costs. The licensee and the prospective employee may share these costs.

(c) The ~~((director))~~ secretary shall use the fingerprint criminal history record check information solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children.

(d) Criminal justice agencies shall provide the ~~((director))~~ secretary such information as they may have and that the ~~((director))~~ secretary may require for such purpose.

(e) No later than July 1, 2013, all agency licensees holding licenses prior to July 1, 2012, persons who were employees before July 1, 2012, and persons who have been qualified by the department before July 1, 2012, to have unsupervised access to children in care, must submit a new background application to the department. The department must require persons submitting a new background application pursuant to this subsection (2)(e) to pay a fee to the department for the cost of administering the individual-based/portable background check clearance registry. This fee must be paid into the individual-based/portable background check clearance account established in RCW 43.215.218 (as recodified by this act). The licensee may, but need not, pay these costs on behalf of a prospective employee or reimburse the prospective employee for these costs. The licensee and the prospective employee may share these costs.

(f) The department shall issue a background check clearance card or certificate to the applicant if after the completion of a background check the department concludes the applicant is qualified for unsupervised access to children in child care. The background check clearance card or certificate is

valid for three years from the date of issuance. A valid card or certificate must be accepted by a potential employer as proof that the applicant has successfully completed a background check as required under this chapter.

(g) The original applicant for an agency license, licensees, their employees, and other persons who have unsupervised access to children in care shall submit a new background check application to the department, on a form and by a date as determined by the department.

(h) The applicant and agency shall maintain on-site for inspection a copy of the background check clearance card or certificate.

(i) Individuals who have been issued a background check clearance card or certificate shall report nonconviction and conviction information to the department within twenty-four hours of the event constituting the nonconviction or conviction information.

(j) The department shall investigate and conduct a redetermination of an applicant's or licensee's background clearance if the department receives a complaint or information from individuals, a law enforcement agency, or other federal, state, or local government agency. Subject to the requirements contained in RCW 43.215.300 and 43.215.305 (as recodified by this act) and based on a determination that an individual lacks the appropriate character, suitability, or competence to provide child care or early learning services to children, the department may: (i) Invalidate the background card or certificate; or (ii) suspend, modify, or revoke any license authorized by this chapter.

(3) To satisfy the shared background check requirements of the department of ~~((early learning))~~ children, youth, and families and the department of social and health services, each department shall share federal fingerprint-based background check results as permitted under the law. The purpose of this provision is to allow both departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. Neither department may share the federal background check results with any other state agency or person.

Sec. 207. RCW 43.215.216 and 2011 c 295 s 1 are each amended to read as follows:

Subject to appropriation, the department ~~((of early learning))~~ ~~((establish and))~~ shall ~~((establish and))~~ maintain an individual-based or portable background check clearance registry ~~((by July 1, 2012))~~. Any individual seeking a child care license or employment in any child care facility licensed or regulated under current law shall submit a background application on a form prescribed by the department in rule.

Sec. 208. RCW 43.215.217 and 2011 c 295 s 4 are each amended to read as follows:

~~((Effective July 1, 2011,))~~ All agency licensees shall pay the department a one-time fee established by the department. When establishing the fee, the department must consider the cost of developing and administering the registry, and shall not set a fee which is estimated to generate revenue beyond estimated costs for the development and administration of the registry. Fee revenues must be deposited in the individual-based/portable background check clearance account created in RCW 43.215.218 (as recodified by this act) and may be expended only for the costs of developing and administering the individual-based/portable background check clearance registry created in RCW 43.215.216 (as recodified by this act).

Sec. 209. RCW 43.215.218 and 2011 c 295 s 5 are each amended to read as follows:

The individual-based/portable background check clearance account is created in the custody of the state treasurer. All fees collected pursuant to RCW 43.215.215 and 43.215.217 (as recodified by this act) must be deposited in the account. Expenditures from the account may be made only for development and administration, and implementation of the individual-based/portable background check registry established in RCW 43.215.216 (as recodified by this act). Only the ~~((director of the department of early learning))~~ secretary or the ~~((director's))~~ secretary's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 210. RCW 43.215.405 and 2014 c 160 s 4 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.215.400 through 43.215.457 and 43.215.900 through 43.215.903 (as recodified by this act).

(1) "Advisory committee" means the advisory committee under RCW 43.215.420 (as recodified by this act).

(2) "Approved programs" means those state-supported education and special assistance programs which are recognized by the department as meeting the minimum program rules adopted by the department to qualify under RCW 43.215.400 through 43.215.450 and 43.215.900 through 43.215.903 (as recodified by this act) and are designated as eligible for funding by the department under RCW 43.215.430 and 43.215.440 (as recodified by this act).

(3) "Comprehensive" means an assistance program that focuses on the needs of the child and includes education, health, and family support services.

(4) (~~"Department" means the department of early learning.~~

~~(5))~~) "Eligible child" means a child not eligible for kindergarten whose family income is at or below one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services, and includes a child whose family is eligible for public assistance, and who is not a participant in a federal or state program providing comprehensive services; a child eligible for special education due to disability under RCW 28A.155.020; and may include children who are eligible under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment in the early childhood program. Priority for enrollment shall be given to children from families with the lowest income, children in foster care, or to eligible children from families with multiple needs.

~~((6))~~) (5) "Family support services" means providing opportunities for parents to:

(a) Actively participate in their child's early childhood program;

(b) Increase their knowledge of child development and parenting skills;

(c) Further their education and training;

(d) Increase their ability to use needed services in the community;

(e) Increase their self-reliance.

Sec. 211. RCW 43.215.420 and 2006 c 263 s 413 are each amended to read as follows:

The department shall establish an advisory committee composed of interested parents and representatives from the office of the superintendent of public instruction, (~~(the division of children and family services within the department of social and health services,))~~ early childhood education and development staff preparation programs, the head start programs, school districts, and such other community and business organizations as deemed necessary by the department to assist with the establishment of the preschool program and advise the department on matters regarding the ongoing promotion and operation of the program.

Sec. 212. RCW 43.215.495 and 2006 c 265 s 202 are each amended to read as follows:

It shall be the policy of the state of Washington to:

(1) Recognize the family as the most important social and economic unit of society and support the central role parents play in child rearing. All parents are encouraged to care for and nurture their children through the traditional methods of parental care at home. The availability of quality, affordable child care is a concern for working parents, the costs of care are often beyond the resources of working parents, and child care facilities are not located conveniently to workplaces and neighborhoods. Parents are encouraged to participate fully in the effort to improve the quality of child care services.

(2) Promote a variety of culturally and developmentally appropriate child care settings and services of the highest possible quality in accordance with the basic principle of continuity of care. These settings shall include, but not be limited to, family day care homes, mini-centers, centers and schools.

(3) Promote the growth, development and safety of children by working with community groups including providers and parents to establish standards for quality

service, training of child care providers, fair and equitable monitoring, and salary levels commensurate with provider responsibilities and support services.

(4) Promote equal access to quality, affordable, socio-economically integrated child care for all children and families.

(5) Facilitate broad community and private sector involvement in the provision of quality child care services to foster economic development and assist industry through the department (~~(of early learning)~~).

Sec. 213. RCW 43.215.545 and 2013 c 323 s 8 are each amended to read as follows:

The department (~~(of early learning)~~) shall:

(1) Work in conjunction with the statewide child care resource and referral network as well as local governments, nonprofit organizations, businesses, and community child care advocates to create local child care resource and referral organizations. These organizations may carry out needs assessments, resource development, provider training, technical assistance, and parent information and training;

(2) Actively seek public and private money for distribution as grants to the statewide child care resource and referral network and to existing or potential local child care resource and referral organizations;

(3) Adopt rules regarding the application for and distribution of grants to local child care resource and referral organizations. The rules shall, at a minimum, require an applicant to submit a plan for achieving the following objectives:

(a) Provide parents with information about child care resources, including location of services and subsidies;

(b) Carry out child care provider recruitment and training programs, including training under RCW 74.25.040;

(c) Offer support services, such as parent and provider seminars, toy-lending libraries, and substitute banks;

(d) Provide information for businesses regarding child care supply and demand;

(e) Advocate for increased public and private sector resources devoted to child care;

(f) Provide technical assistance to employers regarding employee child care services; and

(g) Serve recipients of temporary assistance for needy families and working parents with incomes at or below household incomes of two hundred percent of the federal poverty line;

(4) Provide staff support and technical assistance to the statewide child care resource and referral network and local child care resource and referral organizations;

(5) Maintain a statewide child care licensing data bank and work with department licensors to provide information to local child care resource and referral organizations about licensed child care providers in the state;

(6) Through the statewide child care resource and referral network and local resource and referral organizations, compile data about local child care needs and availability for future planning and development;

(7) Coordinate with the statewide child care resource and referral network and local child care resource and referral organizations for the provision of training and technical assistance to child care providers;

(8) Collect and assemble information regarding the availability of insurance and of federal and other child care funding to assist state and local agencies, businesses, and other child care providers in offering child care services;

(9) Subject to the availability of amounts appropriated for this specific purpose, (~~(beginning September 1, 2013,)~~) increase the base rate for all child care providers by ten percent;

(10) Subject to the availability of amounts appropriated for this specific purpose, provide tiered subsidy rate enhancements to child care providers if the provider meets the following requirements:

(a) The provider enrolls in quality rating and improvement system levels 2, 3, 4, or 5;

(b) The provider is actively participating in the early achievers program;

(c) The provider continues to advance towards level 5 of the early achievers program; and

(d) The provider must complete level 2 within thirty months or the reimbursement rate returns the level 1 rate; and

(11) Require exempt providers to participate in continuing education, if adequate funding is available.

Sec. 214. RCW 43.215.550 and 2006 c 265 s 203 are each amended to read as follows:

An employer liaison position is established in the department (~~(of early learning)~~) to be colocated with the department of (~~(community, trade, and economic development)~~) commerce. The employer liaison shall, within appropriated funds:

(1) Staff and assist the child care partnership in the implementation of its duties;

(2) Provide technical assistance to employers regarding child care services, working with and through local resource and referral organizations whenever possible. Such technical assistance shall include at a minimum:

(a) Assessing the child care needs of employees and prospective employees;

(b) Reviewing options available to employers interested in increasing access to child care for their employees;

(c) Developing techniques to permit small businesses to increase access to child care for their employees;

(d) Reviewing methods of evaluating the impact of child care activities on employers; and

(e) Preparing, collecting, and distributing current information for employers on options for increasing involvement in child care; and

(3) Provide assistance to local child care resource and referral organizations to increase their capacity to provide quality technical assistance to employers in their community.

Sec. 215. RCW 28A.150.315 and 2012 c 51 s 1 are each amended to read as follows:

(1) Beginning with the 2007-08 school year, funding for voluntary all-day kindergarten programs shall be phased-in beginning with schools with the highest poverty levels, defined as those schools with the highest percentages of students qualifying for free and reduced-price lunch support in the prior school year.

During the 2011-2013 biennium, funding shall continue to be phased-in each year until full statewide implementation of all-day kindergarten is achieved in the 2017-18 school year. Once a school receives funding for the all-day kindergarten program, that school shall remain eligible for funding in subsequent school years regardless of changes in the school's percentage of students eligible for free and reduced-price lunches as long as other program requirements are fulfilled. Additionally, schools receiving all-day kindergarten program support shall agree to the following conditions:

(a) Provide at least a one thousand-hour instructional program;

(b) Provide a curriculum that offers a rich, varied set of experiences that assist students in:

(i) Developing initial skills in the academic areas of reading, mathematics, and writing;

(ii) Developing a variety of communication skills;

(iii) Providing experiences in science, social studies, arts, health and physical education, and a world language other than English;

(iv) Acquiring large and small motor skills;

(v) Acquiring social and emotional skills including successful participation in learning activities as an individual and as part of a group; and

(vi) Learning through hands-on experiences;

(c) Establish learning environments that are developmentally appropriate and promote creativity;

(d) Demonstrate strong connections and communication with early learning community providers; and

(e) Participate in kindergarten program readiness activities with early learning providers and parents.

(2)(a) It is the intent of the legislature that administration of the Washington kindergarten inventory of developing skills as required in this subsection (2) and RCW 28A.655.080 replace administration of other assessments being required by school districts or that other assessments only be administered if they seek to obtain information not covered by

the Washington kindergarten inventory of developing skills.

(b) In addition to the requirements in subsection (1) of this section and to the extent funds are available, beginning with the 2011-12 school year on a voluntary basis, schools must identify the skills, knowledge, and characteristics of kindergarten students at the beginning of the school year in order to support social-emotional, physical, and cognitive growth and development of individual children; support early learning provider and parent involvement; and inform instruction. Kindergarten teachers shall administer the Washington kindergarten inventory of developing skills, as directed by the superintendent of public instruction in consultation with the department of ~~((early learning))~~ children, youth, and families and in collaboration with the nongovernmental private-public partnership designated in RCW 43.215.070 (as recodified by this act), and report the results to the superintendent. The superintendent shall share the results with the ~~((director))~~ secretary of the department of ~~((early learning))~~ children, youth, and families.

(c) School districts shall provide an opportunity for parents and guardians to excuse their children from participation in the Washington kindergarten inventory of developing skills.

(3) Subject to funds appropriated for this purpose, the superintendent of public instruction shall designate one or more school districts to serve as resources and examples of best practices in designing and operating a high-quality all-day kindergarten program. Designated school districts shall serve as lighthouse programs and provide technical assistance to other school districts in the initial stages of implementing an all-day kindergarten program. Examples of topics addressed by the technical assistance include strategic planning, developing the instructional program and curriculum, working with early learning providers to identify students and communicate with parents, and developing kindergarten program readiness activities.

Sec. 216. RCW 28A.155.065 and 2016 c 57 s 3 are each amended to read as follows:

(1) Each school district shall provide or contract for early intervention services to all eligible children with disabilities from birth to three years of age. Eligibility shall be determined

according to Part C of the federal individuals with disabilities education act or other applicable federal and state laws, and as specified in the Washington Administrative Code adopted by the state lead agency, which is the department of ~~((early learning))~~ children, youth, and families. School districts shall provide or contract, or both, for early intervention services in partnership with local birth-to-three lead agencies and birth-to-three providers. Services provided under this section shall not supplant services or funding currently provided in the state for early intervention services to eligible children with disabilities from birth to three years of age. The state-designated birth-to-three lead agency shall be payor of last resort for birth-to-three early intervention services provided under this section.

(2)(a) By October 1, 2016, the office of the superintendent of public instruction shall provide the department of early learning, in its role as state lead agency, with a full accounting of the school district expenditures from the 2013-14 and 2014-15 school years, disaggregated by district, for birth-to-three early intervention services provided under this section.

(b) The reported expenditures must include, but are not limited to per student allocations, per student expenditures, the number of children served, detailed information on services provided by school districts and contracted for by school districts, coordination and transition services, and administrative costs.

(3) The services in this section are not part of the state's program of basic education pursuant to Article IX of the state Constitution.

Sec. 217. RCW 28A.210.070 and 2006 c 263 s 908 are each amended to read as follows:

As used in RCW 28A.210.060 through 28A.210.170:

(1) "Chief administrator" shall mean the person with the authority and responsibility for the immediate supervision of the operation of a school or day care center as defined in this section or, in the alternative, such other person as may hereafter be designated in writing for the purposes of RCW 28A.210.060 through 28A.210.170 by the statutory or corporate board of directors

of the school district, school, or day care center or, if none, such other persons or person with the authority and responsibility for the general supervision of the operation of the school district, school or day care center.

(2) "Full immunization" shall mean immunization against certain vaccine-preventable diseases in accordance with schedules and with immunizing agents approved by the state board of health.

(3) "Local health department" shall mean the city, town, county, district or combined city-county health department, board of health, or health officer which provides public health services.

(4) "School" shall mean and include each building, facility, and location at or within which any or all portions of a preschool, kindergarten and grades one through twelve program of education and related activities are conducted for two or more children by or in behalf of any public school district and by or in behalf of any private school or private institution subject to approval by the state board of education pursuant to RCW 28A.305.130, 28A.195.010 through 28A.195.050, and 28A.410.120.

(5) "Day care center" shall mean an agency which regularly provides care for a group of thirteen or more children for periods of less than twenty-four hours and is licensed pursuant to chapter ~~((74.15))~~ 43.215 RCW (as recodified by this act).

(6) "Child" shall mean any person, regardless of age, in attendance at a public or private school or a licensed day care center.

Sec. 218. RCW 28A.215.020 and 2006 c 263 s 411 are each amended to read as follows:

Expenditures under federal funds and/or state appropriations made to carry out the purposes of RCW 28A.215.010 through 28A.215.050 shall be made by warrants issued by the state treasurer upon order of the superintendent of public instruction. The superintendent of public instruction shall make necessary rules to carry out the purpose of RCW 28A.215.010. ~~((After being notified by the office of the governor that there is an agency or department responsible for early learning,))~~ The superintendent shall consult with ~~((that agency))~~ the department of children, youth, and families when establishing relevant rules.

Sec. 219. RCW 28A.320.191 and 2010 c 231 s 5 are each amended to read as follows:

For the program of early learning established in RCW ~~((43.215.141))~~ 43.215.455 (as recodified by this act), school districts:

(1) Shall work cooperatively with program providers to coordinate the transition from preschool to kindergarten so that children and their families are well-prepared and supported; and

(2) May contract with the department of ~~((early learning))~~ children, youth, and families to deliver services under the program.

Sec. 220. RCW 28A.400.303 and 2014 c 50 s 1 are each amended to read as follows:

(1) School districts, educational service districts, the Washington state center for childhood deafness and hearing loss, the state school for the blind, and their contractors hiring employees who will have regularly scheduled unsupervised access to children shall require a record check through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834, 10.97.030, and 10.97.050 and through the federal bureau of investigation before hiring an employee. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. The requesting entity shall provide a copy of the record report to the applicant. When necessary, applicants may be employed on a conditional basis pending completion of the investigation. If the applicant has had a record check within the previous two years, the district, the Washington state center for childhood deafness and hearing loss, the state school for the blind, or contractor may waive the requirement. Except as provided in subsection (2) of this section, the district, pursuant to chapter 41.59 or 41.56 RCW, the Washington state center for childhood deafness and hearing loss, the state school for the blind, or contractor hiring the employee shall determine who shall pay costs associated with the record check.

(2) Federal bureau of Indian affairs-funded schools may use the process in subsection (1) of this section to perform record checks for their employees and applicants for employment.

(3) Individuals who hold a valid portable background check clearance card

issued by the department of (~~early learning~~) children, youth, and families consistent with RCW 43.215.215 (as recodified by this act) can meet the requirements in subsection (1) of this section by providing a true and accurate copy of their Washington state patrol and federal bureau of investigation background report results to the office of the superintendent of public instruction.

Sec. 221. RCW 28A.410.010 and 2014 c 50 s 2 are each amended to read as follows:

(1)(a) The Washington professional educator standards board shall establish, publish, and enforce rules determining eligibility for and certification of personnel employed in the common schools of this state, including certification for emergency or temporary, substitute or provisional duty and under such certificates or permits as the board shall deem proper or as otherwise prescribed by law. The rules shall require that the initial application for certification shall require a record check of the applicant through the Washington state patrol criminal identification system and through the federal bureau of investigation at the applicant's expense. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. An individual who holds a valid portable background check clearance card issued by the department of (~~early learning~~) children, youth, and families consistent with RCW 43.215.215 (as recodified by this act) is exempt from the office of the superintendent of public instruction fingerprint background check if the individual provides a true and accurate copy of his or her Washington state patrol and federal bureau of investigation background report results to the office of the superintendent of public instruction. The superintendent of public instruction may waive the record check for any applicant who has had a record check within the two years before application. The rules shall permit a holder of a lapsed certificate but not a revoked or suspended certificate to be employed on a conditional basis by a school district with the requirement that the holder must complete any certificate renewal requirements established by the state board of education within two years of initial reemployment.

(b) In establishing rules pertaining to the qualifications of instructors of American sign language the board shall

consult with the national association of the deaf, "sign instructors guidance network" (s.i.g.n.), and the Washington state association of the deaf for evaluation and certification of sign language instructors.

(c) The board shall develop rules consistent with RCW 18.340.020 for the certification of spouses of military personnel.

(2) The superintendent of public instruction shall act as the administrator of any such rules and have the power to issue any certificates or permits and revoke the same in accordance with board rules.

Sec. 222. RCW 42.56.230 and 2015 c 224 s 2 and 2015 c 47 s 1 are each reenacted and amended to read as follows:

The following personal information is exempt from public inspection and copying under this chapter:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;

(2)(a) Personal information:

(i) For a child enrolled in licensed child care in any files maintained by the department of (~~early learning~~) children, youth, and families;

(ii) For a child enrolled in a public or nonprofit program serving or pertaining to children, adolescents, or students, including but not limited to early learning or child care services, parks and recreation programs, youth development programs, and after-school programs; or

(iii) For the family members or guardians of a child who is subject to the exemption under this subsection (2) if the family member or guardian has the same last name (~~(of -as-)~~) as the child or if the family member or guardian resides at the same address (~~(of -as-)~~) as the child and disclosure of the family member's or guardian's information would result in disclosure of the personal information exempted under (a)(i) and (ii) of this subsection.

(b) Emergency contact information under this subsection (2) may be provided to appropriate authorities and medical personnel for the purpose of treating the individual during an emergency situation;

(3) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy;

(4) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would: (a) Be prohibited to such persons by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance authorized under RCW 35.102.145; or (b) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer;

(5) Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information as defined in RCW 9.35.005 including social security numbers, except when disclosure is expressly required by or governed by other law;

(6) Personal and financial information related to a small loan or any system of authorizing a small loan in RCW 31.45.093;

(7)(a) Any record used to prove identity, age, residential address, social security number, or other personal information required to apply for a driver's license or identicard.

(b) Information provided under RCW 46.20.111 that indicates that an applicant declined to register with the selective service system.

(c) Any record pertaining to a vehicle license plate, driver's license, or identicard issued under RCW 46.08.066 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement, confidential public health work, public assistance fraud, or child support investigative activity. This exemption does not prevent the release of the total number of vehicle license plates, drivers' licenses, or identicards that, under RCW 46.08.066, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse.

(d) Any record pertaining to a vessel registration issued under RCW 88.02.330 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an

individual is or was, performing an undercover or covert law enforcement activity. This exemption does not prevent the release of the total number of vessel registrations that, under RCW 88.02.330, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse; ~~((and))~~

(8) All information related to individual claims resolution structured settlement agreements submitted to the board of industrial insurance appeals under RCW 51.04.063, other than final orders from the board of industrial insurance appeals.

Upon request by the legislature, the department of licensing shall provide a report to the legislature containing all of the information in subsection (7)(c) and (d) of this section that is subject to public disclosure ~~((+))~~; and

(9) Voluntarily submitted information contained in a database that is part of or associated with enhanced 911 emergency communications systems, or information contained or used in emergency notification systems as provided under RCW 38.52.575 and 38.52.577.

Sec. 223. RCW 43.41.400 and 2016 c 72 s 108 are each amended to read as follows:

(1) An education data center shall be established in the office of financial management. The education data center shall jointly, with the legislative evaluation and accountability program committee, conduct collaborative analyses of early learning, K-12, and higher education programs and education issues across the P-20 system, which includes the department of ~~((early learning))~~ children, youth, and families, the superintendent of public instruction, the professional educator standards board, the state board of education, the state board for community and technical colleges, the workforce training and education coordinating board, the student achievement council, public and private nonprofit four-year institutions of higher education, and the employment security department. The education data center shall conduct collaborative analyses under this section with the legislative evaluation and accountability program committee and provide data electronically to the legislative evaluation and accountability program committee, to the extent permitted by state and federal confidentiality requirements. The education data center shall be considered

an authorized representative of the state educational agencies in this section under applicable federal and state statutes for purposes of accessing and compiling student record data for research purposes.

(2) The education data center shall:

(a) In consultation with the legislative evaluation and accountability program committee and the agencies and organizations participating in the education data center, identify the critical research and policy questions that are intended to be addressed by the education data center and the data needed to address the questions;

(b) Coordinate with other state education agencies to compile and analyze education data, including data on student demographics that is disaggregated by distinct ethnic categories within racial subgroups, and complete P-20 research projects;

(c) Collaborate with the legislative evaluation and accountability program committee and the education and fiscal committees of the legislature in identifying the data to be compiled and analyzed to ensure that legislative interests are served;

(d) Annually provide to the K-12 data governance group a list of data elements and data quality improvements that are necessary to answer the research and policy questions identified by the education data center and have been identified by the legislative committees in (c) of this subsection. Within three months of receiving the list, the K-12 data governance group shall develop and transmit to the education data center a feasibility analysis of obtaining or improving the data, including the steps required, estimated time frame, and the financial and other resources that would be required. Based on the analysis, the education data center shall submit, if necessary, a recommendation to the legislature regarding any statutory changes or resources that would be needed to collect or improve the data;

(e) Monitor and evaluate the education data collection systems of the organizations and agencies represented in the education data center ensuring that data systems are flexible, able to adapt to evolving needs for information, and to the extent feasible and necessary, include data that are needed to conduct the analyses and provide answers to the

research and policy questions identified in (a) of this subsection;

(f) Track enrollment and outcomes through the public centralized higher education enrollment system;

(g) Assist other state educational agencies' collaborative efforts to develop a long-range enrollment plan for higher education including estimates to meet demographic and workforce needs;

(h) Provide research that focuses on student transitions within and among the early learning, K-12, and higher education sectors in the P-20 system;

(i) Prepare a regular report on the educational and workforce outcomes of youth in the juvenile justice system, using data disaggregated by age, and by ethnic categories and racial subgroups in accordance with RCW 28A.300.042; and

(j) Make recommendations to the legislature as necessary to help ensure the goals and objectives of this section and RCW 28A.655.210 and 28A.300.507 are met.

(3) The department of (~~early learning~~) children, youth, and families, superintendent of public instruction, professional educator standards board, state board of education, state board for community and technical colleges, workforce training and education coordinating board, student achievement council, public four-year institutions of higher education, department of social and health services, and employment security department shall work with the education data center to develop data-sharing and research agreements, consistent with applicable security and confidentiality requirements, to facilitate the work of the center. The education data center shall also develop data-sharing and research agreements with the administrative office of the courts to conduct research on educational and workforce outcomes using data maintained under RCW 13.50.010(12) related to juveniles. Private, nonprofit institutions of higher education that provide programs of education beyond the high school level leading at least to the baccalaureate degree and are accredited by the Northwest association of schools and colleges or their peer accreditation bodies may also develop data-sharing and research agreements with the education data center, consistent with applicable security and confidentiality requirements. The education data center

shall make data from collaborative analyses available to the education agencies and institutions that contribute data to the education data center to the extent allowed by federal and state security and confidentiality requirements applicable to the data of each contributing agency or institution.

Sec. 224. RCW 43.43.832 and 2012 c 44 s 2 and 2012 c 10 s 41 are each reenacted and amended to read as follows:

(1) The Washington state patrol identification and criminal history section shall disclose conviction records as follows:

(a) An applicant's conviction record, upon the request of a business or organization as defined in RCW 43.43.830, a developmentally disabled person, or a vulnerable adult as defined in RCW 43.43.830 or his or her guardian;

(b) The conviction record of an applicant for certification, upon the request of the Washington professional educator standards board;

(c) Any conviction record to aid in the investigation and prosecution of child, developmentally disabled person, and vulnerable adult abuse cases and to protect children and adults from further incidents of abuse, upon the request of a law enforcement agency, the office of the attorney general, prosecuting authority, or the department of social and health services; and

(d) A prospective client's or resident's conviction record, upon the request of a business or organization that qualifies for exemption under section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)) and that provides emergency shelter or transitional housing for children, persons with developmental disabilities, or vulnerable adults.

(2) The secretary of the department of social and health services and the secretary of children, youth, and families must establish rules and set standards to require specific action when considering the information received pursuant to subsection (1) of this section, and when considering additional information including but not limited to civil adjudication proceedings as defined in RCW 43.43.830 and any out-of-state equivalent, in the following circumstances:

(a) When considering persons for state employment in positions directly responsible for the supervision, care, or treatment of children, vulnerable adults, or individuals with mental illness or developmental disabilities;

(b) When considering persons for state positions involving unsupervised access to vulnerable adults to conduct comprehensive assessments, financial eligibility determinations, licensing and certification activities, investigations, surveys, or case management; or for state positions otherwise required by federal law to meet employment standards;

(c) When licensing agencies or facilities with individuals in positions directly responsible for the care, supervision, or treatment of children, developmentally disabled persons, or vulnerable adults, including but not limited to agencies or facilities licensed under chapter 74.15 or 18.51 RCW;

(d) When contracting with individuals or businesses or organizations for the care, supervision, case management, or treatment, including peer counseling, of children, developmentally disabled persons, or vulnerable adults, including but not limited to services contracted for under chapter 18.20, 70.127, 70.128, 72.36, or 74.39A RCW or Title 71A RCW;

(e) When individual providers are paid by the state or providers are paid by home care agencies to provide in-home services involving unsupervised access to persons with physical, mental, or developmental disabilities or mental illness, or to vulnerable adults as defined in chapter 74.34 RCW, including but not limited to services provided under chapter 74.39 or 74.39A RCW.

(3) The ~~((director))~~ secretary of the department of ~~((early learning))~~ children, youth, and families shall investigate the conviction records, pending charges, and other information including civil adjudication proceeding records of current employees and of any person actively being considered for any position with the department who will or may have unsupervised access to children, or for state positions otherwise required by federal law to meet employment standards. "Considered for any position" includes decisions about (a) initial hiring, layoffs, reallocations, transfers, promotions, or demotions, or (b) other decisions that result in an individual being in a position that will or may have

unsupervised access to children as an employee, an intern, or a volunteer.

(4) The (~~director~~) secretary of the department of (~~early learning~~) children, youth, and families shall adopt rules and investigate conviction records, pending charges, and other information including civil adjudication proceeding records, in the following circumstances:

(a) When licensing or certifying agencies with individuals in positions that will or may have unsupervised access to children who are in child day care, in early learning programs, or receiving early childhood education services, including but not limited to licensees, agency staff, interns, volunteers, contracted providers, and persons living on the premises who are sixteen years of age or older;

(b) When authorizing individuals who will or may have unsupervised access to children who are in child day care, in early learning programs, or receiving early childhood learning education services in licensed or certified agencies, including but not limited to licensees, agency staff, interns, volunteers, contracted providers, and persons living on the premises who are sixteen years of age or older;

(c) When contracting with any business or organization for activities that will or may have unsupervised access to children who are in child day care, in early learning programs, or receiving early childhood learning education services;

(d) When establishing the eligibility criteria for individual providers to receive state paid subsidies to provide child day care or early learning services that will or may involve unsupervised access to children.

(5) Whenever a state conviction record check is required by state law, persons may be employed or engaged as volunteers or independent contractors on a conditional basis pending completion of the state background investigation. Whenever a national criminal record check through the federal bureau of investigation is required by state law, a person may be employed or engaged as a volunteer or independent contractor on a conditional basis pending completion of the national check. The Washington personnel resources board shall adopt rules to accomplish the purposes of this

subsection as it applies to state employees.

(6)(a) For purposes of facilitating timely access to criminal background information and to reasonably minimize the number of requests made under this section, recognizing that certain health care providers change employment frequently, health care facilities may, upon request from another health care facility, share copies of completed criminal background inquiry information.

(b) Completed criminal background inquiry information may be shared by a willing health care facility only if the following conditions are satisfied: The licensed health care facility sharing the criminal background inquiry information is reasonably known to be the person's most recent employer, no more than twelve months has elapsed from the date the person was last employed at a licensed health care facility to the date of their current employment application, and the criminal background information is no more than two years old.

(c) If criminal background inquiry information is shared, the health care facility employing the subject of the inquiry must require the applicant to sign a disclosure statement indicating that there has been no conviction or finding as described in RCW 43.43.842 since the completion date of the most recent criminal background inquiry.

(d) Any health care facility that knows or has reason to believe that an applicant has or may have a disqualifying conviction or finding as described in RCW 43.43.842, subsequent to the completion date of their most recent criminal background inquiry, shall be prohibited from relying on the applicant's previous employer's criminal background inquiry information. A new criminal background inquiry shall be requested pursuant to RCW 43.43.830 through 43.43.842.

(e) Health care facilities that share criminal background inquiry information shall be immune from any claim of defamation, invasion of privacy, negligence, or any other claim in connection with any dissemination of this information in accordance with this subsection.

(f) Health care facilities shall transmit and receive the criminal background inquiry information in a manner that reasonably protects the subject's rights to privacy and confidentiality.

Sec. 225. RCW 43.43.837 and 2012 c 164 s 506 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, in order to determine the character, competence, and suitability of any applicant or service provider to have unsupervised access, the secretary of the department of social and health services and the secretary of the department of children, youth, and families may require a fingerprint-based background check through both the Washington state patrol and the federal bureau of investigation at any time, but shall require a fingerprint-based background check when the applicant or service provider has resided in the state less than three consecutive years before application, and:

(a) Is an applicant or service provider providing services to children or people with developmental disabilities under RCW 74.15.030;

(b) Is an individual residing in an applicant or service provider's home, facility, entity, agency, or business or who is authorized by the department of social and health services or the department of children, youth, and families to provide services to children or people with developmental disabilities under RCW 74.15.030; or

(c) Is an applicant or service provider providing in-home services funded by:

(i) Medicaid personal care under RCW 74.09.520;

(ii) Community options program entry system waiver services under RCW 74.39A.030;

(iii) Chore services under RCW 74.39A.110; or

(iv) Other home and community long-term care programs, established pursuant to chapters 74.39 and 74.39A RCW, administered by the department of social and health services.

(2) Long-term care workers, as defined in RCW 74.39A.009, who are hired after January 7, 2012, are subject to background checks under RCW 74.39A.056.

(3) To satisfy the shared background check requirements provided for in RCW 43.215.215 (as recodified by this act) and 43.20A.710, the department of (early learning) children, youth, and families and the department of social and health services shall share federal fingerprint-

based background check results as permitted under the law. The purpose of this provision is to allow both departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. Neither department may share the federal background check results with any other state agency or person.

(4) The secretary of the department of children, youth, and families shall require a fingerprint-based background check through the Washington state patrol identification and criminal history section and the federal bureau of investigation when the department seeks to approve an applicant or service provider for a foster or adoptive placement of children in accordance with federal and state law. Fees charged by the Washington state patrol and the federal bureau of investigation for fingerprint-based background checks shall be paid by the department of children, youth, and families for applicant and service providers providing foster care as required in RCW 74.15.030.

(5) Any secure facility operated by the department of social and health services or the department of children, youth, and families under chapter 71.09 RCW shall require applicants and service providers to undergo a fingerprint-based background check through the Washington state patrol identification and criminal history section and the federal bureau of investigation.

(6) Service providers and service provider applicants who are required to complete a fingerprint-based background check may be hired for a one hundred twenty-day provisional period as allowed under law or program rules when:

(a) A fingerprint-based background check is pending; and

(b) The applicant or service provider is not disqualified based on the immediate result of the background check.

(7) Fees charged by the Washington state patrol and the federal bureau of investigation for fingerprint-based background checks shall be paid by the applicable department for applicants or service providers providing:

(a) Services to people with a developmental disability under RCW 74.15.030;

(b) In-home services funded by medicaid personal care under RCW 74.09.520;

(c) Community options program entry system waiver services under RCW 74.39A.030;

(d) Chore services under RCW 74.39A.110;

(e) Services under other home and community long-term care programs, established pursuant to chapters 74.39 and 74.39A RCW, administered by the department of social and health services or the department of children, youth, and families; and

(f) Services in, or to residents of, a secure facility under RCW 71.09.115 (~~and~~

~~(g) Foster care as required under RCW 74.15.030~~)).

(8) Service providers licensed under RCW 74.15.030 must pay fees charged by the Washington state patrol and the federal bureau of investigation for conducting fingerprint-based background checks.

(9) (~~(Children's administration)~~) Department of children, youth, and families service providers licensed under RCW 74.15.030 may not pass on the cost of the background check fees to their applicants unless the individual is determined to be disqualified due to the background information.

(10) The department of social and health services and the department of children, youth, and families shall develop rules identifying the financial responsibility of service providers, applicants, and the department for paying the fees charged by law enforcement to roll, print, or scan fingerprints-based for the purpose of a Washington state patrol or federal bureau of investigation fingerprint-based background check.

(11) For purposes of this section, unless the context plainly indicates otherwise:

(a) "Applicant" means a current or prospective department of social and health services, department of children, youth, and families, or service provider employee, volunteer, student, intern, researcher, contractor, or any other individual who will or may have unsupervised access because of the nature of the work or services he or she provides. "Applicant" includes but is not limited to any individual who will or may have unsupervised access and is:

(i) Applying for a license or certification from the department of social and health services or the department of children, youth, and families;

(ii) Seeking a contract with the department of social and health services, the department of children, youth, and families, or a service provider;

(iii) Applying for employment, promotion, reallocation, or transfer;

(iv) An individual that a department of social and health services or the department of children, youth, and families client or guardian of a department of social and health services or department of children, youth, and families client chooses to hire or engage to provide services to himself or herself or another vulnerable adult, juvenile, or child and who might be eligible to receive payment from the department of social and health services or the department of children, youth, and families for services rendered; or

(v) A department of social and health services or department of children, youth, and families applicant who will or may work in a department-covered position.

(b) "Authorized" means the department of social and health services or the department of children, youth, and families grants an applicant, home, or facility permission to:

(i) Conduct licensing, certification, or contracting activities;

(ii) Have unsupervised access to vulnerable adults, juveniles, and children;

(iii) Receive payments from a department of social and health services or department of children, youth, and families program; or

(iv) Work or serve in a department of social and health services or department of children, youth, and families-covered position.

(c) (~~"Department" means the department of social and health services.~~

~~(d)~~) "Secretary" means the secretary of the department of social and health services.

~~((e))~~ (d) "Secure facility" has the meaning provided in RCW 71.09.020.

~~((f))~~ (e) "Service provider" means entities, facilities, agencies, businesses, or individuals who are licensed, certified, authorized, or regulated by, receive payment from, or have contracts or agreements with the department of social and health services or the department of children, youth, and families to provide services to vulnerable adults, juveniles, or children. "Service provider" includes individuals whom a department of social and health services or department of children, youth, and families client or guardian of a department of social and health services or department of children, youth, and families client may choose to hire or engage to provide services to himself or herself or another vulnerable adult, juvenile, or child and who might be eligible to receive payment from the department of social and health services or the department of children, youth, and families for services rendered. "Service provider" does not include those certified under chapter 70.96A RCW.

Sec. 226. RCW 43.43.838 and 2009 c 170 s 1 are each amended to read as follows:

(1) After January 1, 1988, and notwithstanding any provision of RCW 43.43.700 through 43.43.810 to the contrary, the state patrol shall furnish a transcript of the conviction record pertaining to any person for whom the state patrol or the federal bureau of investigation has a record upon the written request of:

(a) The subject of the inquiry;

(b) Any business or organization for the purpose of conducting evaluations under RCW 43.43.832;

(c) The department of social and health services;

(d) Any law enforcement agency, prosecuting authority, or the office of the attorney general;

(e) The department of social and health services for the purpose of meeting responsibilities set forth in chapter ~~((74.15,))~~ 18.51, 18.20, or 72.23 RCW, or any later-enacted statute which purpose is to regulate or license a facility which handles vulnerable adults ~~((. However, access to conviction records pursuant to this subsection (1)(c) does not limit or restrict the ability of the department to obtain additional information regarding conviction records and pending charges as set forth in RCW 74.15.030(2)(b)));~~ or

(f) The department of ~~((early learning))~~ children, youth, and families for the purpose of meeting responsibilities in chapters 43.215 ~~((as recodified by this act))~~ and 74.15 RCW. However, access to conviction records pursuant to this subsection (1)(f) does not limit or restrict the ability of department of children, youth, and families to obtain additional information regarding conviction records and pending charges as provided in RCW 74.15.030(2)(b).

(2) The state patrol shall by rule establish fees for disseminating records under this section to recipients identified in subsection (1)(a) and (b) of this section. The state patrol shall also by rule establish fees for disseminating records in the custody of the national crime information center. The revenue from the fees shall cover, as nearly as practicable, the direct and indirect costs to the state patrol of disseminating the records. No fee shall be charged to a nonprofit organization for the records check. Record checks requested by school districts and educational service districts using only name and date of birth will be provided free of charge.

(3) No employee of the state, employee of a business or organization, or the business or organization is liable for defamation, invasion of privacy, negligence, or any other claim in connection with any lawful dissemination of information under RCW 43.43.830 through 43.43.840 or 43.43.760.

(4) Before July 26, 1987, the state patrol shall adopt rules and forms to implement this section and to provide for security and privacy of information disseminated under this section, giving first priority to the criminal justice requirements of this chapter. The rules may include requirements for users, audits of users, and other procedures to prevent use of civil adjudication record information or criminal history record information inconsistent with this chapter.

(5) Nothing in RCW 43.43.830 through 43.43.840 shall authorize an employer to make an inquiry not specifically authorized by this chapter, or be construed to affect the policy of the state declared in chapter 9.96A RCW.

Sec. 227. RCW 43.88.096 and 2013 2nd sp.s. c 32 s 1 are each amended to read as follows:

(1) As used in this section:

(a) "Designated state agency" means the department of social and health services, the department of health, the health care authority, the department of commerce, the department of ecology, the department of fish and wildlife, the office of the superintendent of public instruction, and the department of ~~((early learning))~~ children, youth, and families.

(b) "Federal receipts" means the federal financial assistance, as defined in 31 U.S.C. Sec. 7501 on September 28, 2013, that is reported as part of a single audit.

(c) "Single audit" is as defined in 31 U.S.C. Sec. 7501 on September 28, 2013.

(2) Subject to subsection (3) of this section, a designated state agency shall prepare as part of the agency's biennial budget submittal under this chapter a report that:

(a) Reports the aggregate value of federal receipts the designated state agency estimated for the ensuing biennium;

(b) Calculates the percentage of the designated state agency's total budget for the ensuing biennium that constitutes federal receipts that the designated state agency received; and

(c) Develops plans for operating the designated state agency if there is a reduction of:

(i) Five percent or more in the federal receipts that the designated state agency receives; and

(ii) Twenty-five percent or more in the federal receipts that the designated state agency receives.

(3) The report required by subsection (2) of this section prepared by the superintendent of public instruction shall include the information required by subsection (2)(a) through (c) of this section for each school district within the state.

PART III

TRANSFER OF CHILD WELFARE POLICIES AND PROGRAMS

Sec. 301. RCW 4.24.595 and 2012 c 259 s 13 are each amended to read as follows:

(1) Governmental entities, and their officers, agents, employees, and volunteers, are not liable in tort for any of their acts or omissions in emergent

placement investigations of child abuse or neglect under chapter 26.44 RCW including, but not limited to, any determination to leave a child with a parent, custodian, or guardian, or to return a child to a parent, custodian, or guardian, unless the act or omission constitutes gross negligence. Emergent placement investigations are those conducted prior to a shelter care hearing under RCW 13.34.065.

(2) The department of ~~((social and health services))~~ children, youth, and families and its employees shall comply with the orders of the court, including shelter care and other dependency orders, and are not liable for acts performed to comply with such court orders. In providing reports and recommendations to the court, employees of the department of ~~((social and health services))~~ children, youth, and families are entitled to the same witness immunity as would be provided to any other witness.

Sec. 302. RCW 13.34.030 and 2017 c 276 s 2 are each amended to read as follows:

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

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" mean ~~((s))~~:

(a) Any individual under the age of eighteen years; or

(b) Any individual age eighteen to twenty-one years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of ~~((social and health services))~~ children, youth, and families.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;

(b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary of the department of social and health services to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Educational liaison" means a person who has been appointed by the court to fulfill responsibilities outlined in RCW 13.34.046.

(9) "Extended foster care services" means residential and other support services the department is authorized to

provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(10) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(11) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(12) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(13) "Housing assistance" means appropriate referrals by the department or other supervising agencies to federal, state, local, or private agencies or organizations, assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or time-limited family reunification service as described in RCW 13.34.025(2).

(14) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits,

medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of one hundred twenty-five percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

(15) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

(16) "Out-of-home care" means placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

(17) "Parent" means the biological or adoptive parents of a child, or an individual who has established a parent-child relationship under RCW 26.26.101, unless the legal rights of that person have been terminated by a judicial proceeding pursuant to this chapter, chapter 26.33 RCW, or the equivalent laws of another state or a federally recognized Indian tribe.

(18) "Preventive services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child.

(19) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

(20) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

(21) "Social study" means a written evaluation of matters relevant to the disposition of the case and shall contain the following information:

(a) A statement of the specific harm or harms to the child that intervention is designed to alleviate;

(b) A description of the specific services and activities, for both the parents and child, that are needed in order to prevent serious harm to the child; the reasons why such services and activities are likely to be useful; the availability of any proposed services; and the agency's overall plan for ensuring that the services will be delivered. The description shall identify the services chosen and approved by the parent;

(c) If removal is recommended, a full description of the reasons why the child cannot be protected adequately in the home, including a description of any previous efforts to work with the parents and the child in the home; the in-home treatment programs that have been considered and rejected; the preventive services, including housing assistance, that have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home; and the parents' attitude toward placement of the child;

(d) A statement of the likely harms the child will suffer as a result of removal;

(e) A description of the steps that will be taken to minimize the harm to the child that may result if separation occurs including an assessment of the child's relationship and emotional bond with any siblings, and the agency's plan to provide ongoing contact between the child and the child's siblings if appropriate; and

(f) Behavior that will be expected before determination that supervision of the family or placement is no longer necessary.

(22) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the children's administration or the court.

(23) "Supervising agency" means an agency licensed by the state under RCW

74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.

(24) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

Sec. 303. RCW 13.34.090 and 2000 c 122 s 10 are each amended to read as follows:

(1) Any party has a right to be represented by an attorney in all proceedings under this chapter, to introduce evidence, to be heard in his or her own behalf, to examine witnesses, to receive a decision based solely on the evidence adduced at the hearing, and to an unbiased fact finder.

(2) At all stages of a proceeding in which a child is alleged to be dependent, the child's parent, guardian, or legal custodian has the right to be represented by counsel, and if indigent, to have counsel appointed for him or her by the court. Unless waived in court, counsel shall be provided to the child's parent, guardian, or legal custodian, if such person (a) has appeared in the proceeding or requested the court to appoint counsel and (b) is financially unable to obtain counsel because of indigency.

(3) If a party to an action under this chapter is represented by counsel, no order shall be provided to that party for his or her signature without prior notice and provision of the order to counsel.

(4) Copies of department (~~of social and health services~~) or supervising agency records to which parents have legal access pursuant to chapter 13.50 RCW shall be given to the child's parent, guardian, legal custodian, or his or her legal counsel, prior to any shelter care hearing and within fifteen days after the department or supervising agency receives a written request for such records from the parent, guardian, legal custodian, or his or her legal counsel. These records shall be provided to the child's parents, guardian, legal custodian, or legal counsel a reasonable period of time prior to the shelter care hearing in order to

allow an opportunity to review the records prior to the hearing. These records shall be legible and shall be provided at no expense to the parents, guardian, legal custodian, or his or her counsel. When the records are served on legal counsel, legal counsel shall have the opportunity to review the records with the parents and shall review the records with the parents prior to the shelter care hearing.

Sec. 304. RCW 13.34.096 and 2016 c 180 s 1 are each amended to read as follows:

(1) The department or supervising agency shall provide the child's foster parents, preadoptive parents, or other caregivers with timely and adequate notice of their right to be heard prior to each proceeding held with respect to the child in juvenile court under this chapter. For purposes of this section, "timely and adequate notice" means notice at the time the department would be required to give notice to parties to the case and by any means reasonably certain of notifying the foster parents, preadoptive parents, or other caregivers, including but not limited to written, telephone, or in person oral notification. For emergency hearings, the department shall give notice to foster parents, preadoptive parents, or other caregivers as soon as is practicable. For six-month review and annual permanency hearings, the department shall give notice to foster parents upon placement or as soon as practicable.

(2) The court shall establish and include in the court record after every hearing for which the department or supervising agency is required to provide notice to the child's foster parents, preadoptive parents, and caregivers whether the department provided adequate and timely notice, whether a caregiver's report was received by the court, and whether the court provided the child's foster parents, preadoptive parents, or caregivers with an opportunity to be heard in court. For purposes of this section, "caregiver's report" means a form provided by the department (~~of social and health services~~) to a child's foster parents, preadoptive parents, or caregivers that provides an opportunity for those individuals to share information about the child with the court before a court hearing. A caregiver's report shall not include information related to a child's biological parent that is not directly related to the child's well-being.

(3) Absent exigent circumstances, the department shall provide the child's

foster family home notice of expected placement changes as required by RCW 74.13.300.

(4) The rights to notice and to be heard apply only to persons with whom a child has been placed by the department or supervising agency and who are providing care to the child at the time of the proceeding. This section shall not be construed to grant party status to any person solely on the basis of such notice and right to be heard.

Sec. 305. RCW 13.34.110 and 2007 c 220 s 9 are each amended to read as follows:

(1) The court shall hold a fact-finding hearing on the petition and, unless the court dismisses the petition, shall make written findings of fact, stating the reasons therefor. The rules of evidence shall apply at the fact-finding hearing and the parent, guardian, or legal custodian of the child shall have all of the rights provided in RCW 13.34.090(1). The petitioner shall have the burden of establishing by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030.

(2) The court in a fact-finding hearing may consider the history of past involvement of child protective services or law enforcement agencies with the family for the purpose of establishing a pattern of conduct, behavior, or inaction with regard to the health, safety, or welfare of the child on the part of the child's parent, guardian, or legal custodian, or for the purpose of establishing that reasonable efforts have been made by the department to prevent or eliminate the need for removal of the child from the child's home. No report of child abuse or neglect that has been destroyed or expunged under RCW 26.44.031 may be used for such purposes.

(3)(a) The parent, guardian, or legal custodian of the child may waive his or her right to a fact-finding hearing by stipulating or agreeing to the entry of an order of dependency establishing that the child is dependent within the meaning of RCW 13.34.030. The parent, guardian, or legal custodian may also stipulate or agree to an order of disposition pursuant to RCW 13.34.130 at the same time. Any stipulated or agreed order of dependency or disposition must be signed by the parent, guardian, or legal custodian and his or her attorney, unless the parent, guardian, or legal custodian has waived his or her right to an attorney in open

court, and by the petitioner and the attorney, guardian ad litem, or court-appointed special advocate for the child, if any. If the department (~~of social and health services~~) is not the petitioner and is required by the order to supervise the placement of the child or provide services to any party, the department must also agree to and sign the order.

(b) Entry of any stipulated or agreed order of dependency or disposition is subject to approval by the court. The court shall receive and review a social study before entering a stipulated or agreed order and shall consider whether the order is consistent with the allegations of the dependency petition and the problems that necessitated the child's placement in out-of-home care. No social file or social study may be considered by the court in connection with the fact-finding hearing or prior to factual determination, except as otherwise admissible under the rules of evidence.

(c) Prior to the entry of any stipulated or agreed order of dependency, the parent, guardian, or legal custodian of the child and his or her attorney must appear before the court and the court within available resources must inquire and establish on the record that:

(i) The parent, guardian, or legal custodian understands the terms of the order or orders he or she has signed, including his or her responsibility to participate in remedial services as provided in any disposition order;

(ii) The parent, guardian, or legal custodian understands that entry of the order starts a process that could result in the filing of a petition to terminate his or her relationship with the child within the time frames required by state and federal law if he or she fails to comply with the terms of the dependency or disposition orders or fails to substantially remedy the problems that necessitated the child's placement in out-of-home care;

(iii) The parent, guardian, or legal custodian understands that the entry of the stipulated or agreed order of dependency is an admission that the child is dependent within the meaning of RCW 13.34.030 and shall have the same legal effect as a finding by the court that the child is dependent by at least a preponderance of the evidence, and that the parent, guardian, or legal custodian shall not have the right in any subsequent

proceeding for termination of parental rights or dependency guardianship pursuant to this chapter or nonparental custody pursuant to chapter 26.10 RCW to challenge or dispute the fact that the child was found to be dependent; and

(iv) The parent, guardian, or legal custodian knowingly and willingly stipulated and agreed to and signed the order or orders, without duress, and without misrepresentation or fraud by any other party.

If a parent, guardian, or legal custodian fails to appear before the court after stipulating or agreeing to entry of an order of dependency, the court may enter the order upon a finding that the parent, guardian, or legal custodian had actual notice of the right to appear before the court and chose not to do so. The court may require other parties to the order, including the attorney for the parent, guardian, or legal custodian, to appear and advise the court of the parent's, guardian's, or legal custodian's notice of the right to appear and understanding of the factors specified in this subsection. A parent, guardian, or legal custodian may choose to waive his or her presence at the in-court hearing for entry of the stipulated or agreed order of dependency by submitting to the court through counsel a completed stipulated or agreed dependency fact-finding/disposition statement in a form determined by the Washington state supreme court pursuant to General Rule GR 9.

(4) Immediately after the entry of the findings of fact, the court shall hold a disposition hearing, unless there is good cause for continuing the matter for up to fourteen days. If good cause is shown, the case may be continued for longer than fourteen days. Notice of the time and place of the continued hearing may be given in open court. If notice in open court is not given to a party, that party shall be notified by certified mail of the time and place of any continued hearing. Unless there is reasonable cause to believe the health, safety, or welfare of the child would be jeopardized or efforts to reunite the parent and child would be hindered, the court shall direct the department to notify those adult persons who: (a) Are related by blood or marriage to the child in the following degrees: Parent, grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, or aunt; (b) are known to the department as having been in contact with

the family or child within the past twelve months; and (c) would be an appropriate placement for the child. Reasonable cause to dispense with notification to a parent under this section must be proved by clear, cogent, and convincing evidence.

The parties need not appear at the fact-finding or dispositional hearing if the parties, their attorneys, the guardian ad litem, and court-appointed special advocates, if any, are all in agreement.

Sec. 306. RCW 13.34.136 and 2015 c 270 s 1 are each amended to read as follows:

(1) Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency supervising the dependency shall submit a written permanency plan to all parties and the court not less than fourteen days prior to the scheduled hearing. Responsive reports of parties not in agreement with the department's or supervising agency's proposed permanency plan must be provided to the department or supervising agency, all other parties, and the court at least seven days prior to the hearing.

The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption, including a tribal customary adoption as defined in RCW 13.38.040; guardianship; permanent legal custody; long-term relative or foster care, if the child is between ages sixteen and eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. Although a permanency plan of care may only identify long-term relative or foster care for children between ages sixteen and eighteen, children under sixteen may remain placed with relatives or in foster

care. The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW;

(b) Unless the court has ordered, pursuant to RCW 13.34.130(8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the supervising agency or the department will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the department or supervising agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The department's or supervising agency's plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(A) If the parent is incarcerated, the plan must address how the parent will participate in the case conference and permanency planning meetings and, where possible, must include treatment that reflects the resources available at the facility where the parent is confined. The plan must provide for visitation opportunities, unless visitation is not in the best interests of the child.

(B) If a parent has a developmental disability according to the definition provided in RCW 71A.10.020, and that individual is eligible for services provided by the department of social and health services developmental disabilities administration, the department shall make reasonable efforts to consult with the department of social and health services developmental disabilities administration to create an appropriate plan for services. For individuals who meet the definition of developmental disability provided in RCW 71A.10.020 and who are eligible for services through the developmental disabilities administration, the plan for services must be tailored to correct the parental deficiency taking into consideration the parent's disability and the department shall also determine an

appropriate method to offer those services based on the parent's disability.

(ii) (A) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The supervising agency or department shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement.

(B) Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation.

(C) Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. When a parent or sibling has been identified as a suspect in an active criminal investigation for a violent crime that, if the allegations are true, would impact the safety of the child, the department shall make a concerted effort to consult with the assigned law enforcement officer in the criminal case before recommending any changes in parent/child or child/sibling contact. In the event that the law enforcement officer has information pertaining to the criminal case that may have serious implications for child safety or well-being, the law enforcement officer shall provide this information to the department during the consultation. The department may only use the information provided by law enforcement during the consultation to inform family visitation plans and may not share or otherwise distribute the information to any person or entity. Any information provided to the department by law enforcement during the consultation is considered investigative information and is exempt from public inspection pursuant to RCW 42.56.240. The results of the consultation shall be communicated to the court.

(D) The court and the department or supervising agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for

visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii)(A) The department, court, or caregiver in the out-of-home placement may not limit visitation or contact between a child and sibling as a sanction for a child's behavior or as an incentive to the child to change his or her behavior.

(B) Any exceptions, limitation, or denial of contacts or visitation must be approved by the supervisor of the department caseworker and documented. The child, parent, department, guardian ad litem, or court-appointed special advocate may challenge the denial of visits in court.

(iv) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(v) The plan shall state whether both in-state and, where appropriate, out-of-state placement options have been considered by the department or supervising agency.

(vi) Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.

(vii) The supervising agency or department shall provide all reasonable services that are available within the department or supervising agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130(8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The department or supervising agency shall not be required to develop a plan of services for

the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(3) Permanency planning goals should be achieved at the earliest possible date. If the child has been in out-of-home care for fifteen of the most recent twenty-two months, and the court has not made a good cause exception, the court shall require the department or supervising agency to file a petition seeking termination of parental rights in accordance with RCW 13.34.145(4)(b)(vi). In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(6). Whenever the permanency plan for a child is adoption, the court shall encourage the prospective adoptive parents, birth parents, foster parents, kinship caregivers, and the department or other supervising agency to seriously consider the long-term benefits to the child adoptee and his or her siblings of providing for and facilitating continuing postadoption contact between the siblings. To the extent that it is feasible, and when it is in the best interests of the child adoptee and his or her siblings, contact between the siblings should be frequent and of a similar nature as that which existed prior to the adoption. If the child adoptee or his or her siblings are represented by an attorney or guardian

ad litem in a proceeding under this chapter or in any other child custody proceeding, the court shall inquire of each attorney and guardian ad litem regarding the potential benefits of continuing contact between the siblings and the potential detriments of severing contact. This section does not require the department (~~(of social and health services)~~) or other supervising agency to agree to any specific provisions in an open adoption agreement and does not create a new obligation for the department to provide supervision or transportation for visits between siblings separated by adoption from foster care.

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe.

Sec. 307. RCW 13.34.141 and 2009 c 484 s 1 are each amended to read as follows:

(1) After entry of a dispositional order pursuant to RCW 13.34.130 ordering placement of a child in out-of-home care, the department shall continue to encourage the parent, guardian, or custodian of the child to engage in services and maintain contact with the child, which shall be accomplished by attaching a standard notice to the services and safety plan to be provided in advance of hearings conducted pursuant to RCW 13.34.138.

(2) The notice shall be photocopied on contrasting paper to distinguish it from the services and safety plan to which it is attached, and shall be in substantially the following form:

"NOTICE

If you have not been maintaining consistent contact with your child in out-of-home care, your ability to reunify with your child may be jeopardized. If this is your situation, you need to be aware that you have important legal rights and must take steps to protect your interests.

1. The department of (~~social and health services~~) children, youth, and families (or other supervising agency) and the court have created a permanency plan for your child, including a primary placement plan and a secondary placement plan, and recommending services needed before your child can be placed in the primary or secondary placement. If you want the court to order that your child be reunified with you, you should notify your lawyer and the department, and you should carefully comply with court orders for services and participate regularly in visitation with your child. Failure to promptly engage in services or to maintain contact with your child may lead to the filing of a petition to terminate your rights as a parent.

2. Primary and secondary permanency plans are intended to run at the same time so that your child will have a permanent home as quickly as possible. Even if you want another parent or person to be the primary placement choice for your child, you should tell your lawyer, the department, and the court if you want to be the secondary placement option, and you should comply with any court orders for services and participate in visitation with your child. Early and consistent involvement in your child's case plan is important for the well-being of your child.

3. Dependency review hearings, and all other dependency case hearings, are legal proceedings with potentially serious consequences. Failure to participate, respond, or comply with court orders may lead to the loss of your parental rights."

Sec. 308. RCW 13.34.180 and 2013 c 173 s 4 are each amended to read as follows:

(1) A petition seeking termination of a parent and child relationship may be filed in juvenile court by any party, including the supervising agency, to the dependency proceedings concerning that child. Such petition shall conform to the requirements of RCW 13.34.040, shall be served upon the parties as provided in RCW 13.34.070(8), and shall allege all of the following unless subsection (3) or (4) of this section applies:

(a) That the child has been found to be a dependent child;

(b) That the court has entered a dispositional order pursuant to RCW 13.34.130;

(c) That the child has been removed or will, at the time of the hearing, have been removed from the custody of the parent for a period of at least six months pursuant to a finding of dependency;

(d) That the services ordered under RCW 13.34.136 have been expressly and understandably offered or provided and all necessary services, reasonably available, capable of correcting the parental deficiencies within the foreseeable future have been expressly and understandably offered or provided;

(e) That there is little likelihood that conditions will be remedied so that the child can be returned to the parent in the near future. A parent's failure to substantially improve parental deficiencies within twelve months following entry of the dispositional order shall give rise to a rebuttable presumption that there is little likelihood that conditions will be remedied so that the child can be returned to the parent in the near future. The presumption shall not arise unless the petitioner makes a showing that all necessary services reasonably capable of correcting the parental deficiencies within the foreseeable future have been clearly offered or provided. In determining whether the conditions will be remedied the court may consider, but is not limited to, the following factors:

(i) Use of intoxicating or controlled substances so as to render the parent incapable of providing proper care for the child for extended periods of time or for periods of time that present a risk of imminent harm to the child, and documented unwillingness of the parent to receive and complete treatment or documented multiple failed treatment attempts;

(ii) Psychological incapacity or mental deficiency of the parent that is so severe and chronic as to render the parent incapable of providing proper care for the child for extended periods of time or for periods of time that present a risk of imminent harm to the child, and documented unwillingness of the parent to receive and complete treatment or documentation that there is no treatment that can render the parent capable of providing proper care for the child in the near future; or

(iii) Failure of the parent to have contact with the child for an extended period of time after the filing of the dependency petition if the parent was provided an opportunity to have a

relationship with the child by the department or the court and received documented notice of the potential consequences of this failure, except that the actual inability of a parent to have visitation with the child including, but not limited to, mitigating circumstances such as a parent's current or prior incarceration or service in the military does not in and of itself constitute failure to have contact with the child; and

(f) That continuation of the parent and child relationship clearly diminishes the child's prospects for early integration into a stable and permanent home. If the parent is incarcerated, the court shall consider whether a parent maintains a meaningful role in his or her child's life based on factors identified in RCW 13.34.145(5)(b); whether the department or supervising agency made reasonable efforts as defined in this chapter; and whether particular barriers existed as described in RCW 13.34.145(5)(b) including, but not limited to, delays or barriers experienced in keeping the agency apprised of his or her location and in accessing visitation or other meaningful contact with the child.

(2) As evidence of rebuttal to any presumption established pursuant to subsection (1)(e) of this section, the court may consider the particular constraints of a parent's current or prior incarceration. Such evidence may include, but is not limited to, delays or barriers a parent may experience in keeping the agency apprised of his or her location and in accessing visitation or other meaningful contact with the child.

(3) In lieu of the allegations in subsection (1) of this section, the petition may allege that the child was found under such circumstances that the whereabouts of the child's parent are unknown and no person has acknowledged paternity or maternity and requested custody of the child within two months after the child was found.

(4) In lieu of the allegations in subsection (1)(b) through (f) of this section, the petition may allege that the parent has been convicted of:

(a) Murder in the first degree, murder in the second degree, or homicide by abuse as defined in chapter 9A.32 RCW against another child of the parent;

(b) Manslaughter in the first degree or manslaughter in the second degree, as

defined in chapter 9A.32 RCW against another child of the parent;

(c) Attempting, conspiring, or soliciting another to commit one or more of the crimes listed in (a) or (b) of this subsection; or

(d) Assault in the first or second degree, as defined in chapter 9A.36 RCW, against the surviving child or another child of the parent.

(5) When a parent has been sentenced to a long-term incarceration and has maintained a meaningful role in the child's life considering the factors provided in RCW 13.34.145(5)(b), and it is in the best interest of the child, the department should consider a permanent placement that allows the parent to maintain a relationship with his or her child, such as, but not limited to, a guardianship pursuant to chapter 13.36 RCW.

(6) Notice of rights shall be served upon the parent, guardian, or legal custodian with the petition and shall be in substantially the following form:

"NOTICE

A petition for termination of parental rights has been filed against you. You have important legal rights and you must take steps to protect your interests. This petition could result in permanent loss of your parental rights.

1. You have the right to a fact-finding hearing before a judge.

2. You have the right to have a lawyer represent you at the hearing. A lawyer can look at the files in your case, talk to the department of (~~social and health services~~) children, youth, and families or the supervising agency and other agencies, tell you about the law, help you understand your rights, and help you at hearings. If you cannot afford a lawyer, the court will appoint one to represent you. To get a court-appointed lawyer you must contact: (explain local procedure).

3. At the hearing, you have the right to speak on your own behalf, to introduce evidence, to examine witnesses, and to receive a decision based solely on the evidence presented to the judge.

You should be present at this hearing.

You may call (insert agency) for more information about your child. The agency's name and telephone number

are (insert name and telephone number)."

Sec. 309. RCW 13.34.820 and 2016 c 180 s 2 are each amended to read as follows:

(1) The administrative office of the courts, in consultation with the attorney general's office and the department (~~of social and health services~~), shall compile an annual report, providing information about cases that fail to meet statutory guidelines to achieve permanency for dependent children.

(2) The administrative office of the courts shall submit the annual report required by this section to appropriate committees of the legislature by December 1st of each year, beginning on December 1, 2007. The administrative office of the courts shall also submit the annual report to a representative of the foster parent association of Washington state.

(3) The annual report shall include information regarding whether foster parents received timely notification of dependency hearings as required by RCW 13.34.096 and 13.34.145 and whether caregivers submitted reports to the court.

Sec. 310. RCW 13.36.020 and 2010 c 272 s 2 are each reenacted and amended to read as follows:

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

(1) "Child" means any individual under the age of eighteen years.

(2) "Department" means the department of (~~social and health services~~) children, youth, and families.

(3) "Dependent child" means a child who has been found by a court to be dependent in a proceeding under chapter 13.34 RCW.

(4) "Guardian" means a person who: (a) Has been appointed by the court as the guardian of a child in a legal proceeding under this chapter; and (b) has the legal right to custody of the child pursuant to court order. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under chapter 13.34 RCW for the purpose of assisting the court in supervising the dependency.

(5) "Relative" means a person related to the child in the following ways: (a) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as

denoted by prefixes of grand, great, or great-great; (b) stepfather, stepmother, stepbrother, and stepsister; (c) a person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; (d) spouses of any persons named in (a), (b), or (c) of this subsection, even after the marriage is terminated; (e) relatives, as named in (a), (b), (c), or (d) of this subsection, of any half sibling of the child; or (f) extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

(6) "Suitable person" means a nonrelative with whom the child or the child's family has a preexisting relationship; who has completed all required criminal history background checks and otherwise appears to be suitable and competent to provide care for the child; and with whom the child has been placed pursuant to RCW 13.34.130.

(7) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.

Sec. 311. RCW 13.38.040 and 2011 c 309 s 4 are each amended to read as follows:

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

(1) "Active efforts" means the following:

(a) In any foster care placement or termination of parental rights proceeding of an Indian child under chapter 13.34 RCW and this chapter where the department or a supervising agency as defined in RCW 74.13.020 has a statutory or contractual duty to provide services to, or procure services for, the parent or parents or Indian custodian, or is providing services

to a parent or parents or Indian custodian pursuant to a disposition order entered pursuant to RCW 13.34.130, the department or supervising agency shall make timely and diligent efforts to provide or procure such services, including engaging the parent or parents or Indian custodian in reasonably available and culturally appropriate preventive, remedial, or rehabilitative services. This shall include those services offered by tribes and Indian organizations whenever possible. At a minimum "active efforts" shall include:

(i) In any dependency proceeding under chapter 13.34 RCW seeking out-of-home placement of an Indian child in which the department or supervising agency provided voluntary services to the parent, parents, or Indian custodian prior to filing the dependency petition, a showing to the court that the department or supervising agency social workers actively worked with the parent, parents, or Indian custodian to engage them in remedial services and rehabilitation programs to prevent the breakup of the family beyond simply providing referrals to such services.

(ii) In any dependency proceeding under chapter 13.34 RCW, in which the petitioner is seeking the continued out-of-home placement of an Indian child, the department or supervising agency must show to the court that it has actively worked with the parent, parents, or Indian custodian in accordance with existing court orders and the individual service plan to engage them in remedial services and rehabilitative programs to prevent the breakup of the family beyond simply providing referrals to such services.

(iii) In any termination of parental rights proceeding regarding an Indian child under chapter 13.34 RCW in which the department or supervising agency provided services to the parent, parents, or Indian custodian, a showing to the court that the department or supervising agency social workers actively worked with the parent, parents, or Indian custodian to engage them in remedial services and rehabilitation programs ordered by the court or identified in the department or supervising agency's individual service and safety plan beyond simply providing referrals to such services.

(b) In any foster care placement or termination of parental rights proceeding in which the petitioner does not otherwise have a statutory or contractual duty to directly provide services to, or procure

services for, the parent or Indian custodian, "active efforts" means a documented, concerted, and good faith effort to facilitate the parent's or Indian custodian's receipt of and engagement in services capable of meeting the criteria set out in (a) of this subsection.

(2) "Best interests of the Indian child" means the use of practices in accordance with the federal Indian child welfare act, this chapter, and other applicable law, that are designed to accomplish the following: (a) Protect the safety, well-being, development, and stability of the Indian child; (b) prevent the unnecessary out-of-home placement of the Indian child; (c) acknowledge the right of Indian tribes to maintain their existence and integrity which will promote the stability and security of their children and families; (d) recognize the value to the Indian child of establishing, developing, or maintaining a political, cultural, social, and spiritual relationship with the Indian child's tribe and tribal community; and (e) in a proceeding under this chapter where out-of-home placement is necessary, to prioritize placement of the Indian child in accordance with the placement preferences of this chapter.

(3) "Child custody proceeding" includes:

(a) "Foster care placement" which means any action removing an Indian child from his or her parent or Indian custodian for temporary placement in a foster home, institution, or with a relative, guardian, conservator, or suitable other person where the parent or Indian custodian cannot have the child returned upon demand, but where parental rights have not been terminated;

(b) "Termination of parental rights" which means any action resulting in the termination of the parent-child relationship;

(c) "Preadoptive placement" which means the temporary placement of an Indian child in a foster home or institution after the termination of parental rights but before or in lieu of adoptive placement; and

(d) "Adoptive placement" which means the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption.

These terms shall not include a placement based upon an act which, if

committed by an adult, would be deemed a crime or upon an award, in a dissolution proceeding of custody to one of the parents.

(4) "Court of competent jurisdiction" means a federal court, or a state court that entered an order in a child custody proceeding involving an Indian child, as long as the state court had proper subject matter jurisdiction in accordance with this chapter and the laws of that state, or a tribal court that had or has exclusive or concurrent jurisdiction pursuant to 25 U.S.C. Sec. 1911.

(5) "Department" means the department of ~~((social and health services))~~ children, youth, and families and any of its divisions. "Department" also includes supervising agencies as defined in RCW 74.13.020(~~((12))~~) with which the department entered into a contract to provide services, care, placement, case management, contract monitoring, or supervision to children subject to a petition filed under chapter 13.34 or 26.33 RCW.

(6) "Indian" means a person who is a member of an Indian tribe, or who is an Alaska native and a member of a regional corporation as defined in 43 U.S.C. Sec. 1606.

(7) "Indian child" means an unmarried and unemancipated Indian person who is under eighteen years of age and is either: (a) A member of an Indian tribe; or (b) eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe.

(8) "Indian child's family" or "extended family member" means an individual, defined by the law or custom of the child's tribe, as a relative of the child. If the child's tribe does not identify such individuals by law or custom, the term means an adult who is the Indian child's grandparent, aunt, uncle, brother, sister, brother-in-law, sister-in-law, niece, nephew, first or second cousin, or stepparent, even following termination of the marriage.

(9) "Indian child's tribe" means a tribe in which an Indian child is a member or eligible for membership.

(10) "Indian custodian" means an Indian person who under tribal law, tribal custom, or state law(~~((7))~~) has legal or temporary physical custody of an Indian child, or to whom the parent has

transferred temporary care, physical custody, and control of an Indian child.

(11) "Indian tribe" or "tribe" means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the secretary of the interior because of their status as Indians, including any Alaska native village as defined in 43 U.S.C. Sec. 1602(c).

(12) "Member" and "membership" means a determination by an Indian tribe that a person is a member or eligible for membership in that Indian tribe.

(13) "Parent" means a biological parent or parents of an Indian child or a person who has lawfully adopted an Indian child, including adoptions made under tribal law or custom. "Parent" does not include an unwed father whose paternity has not been acknowledged or established under chapter 26.26 RCW or the applicable laws of other states.

(14) "Secretary of the interior" means the secretary of the United States department of the interior.

(15) "Tribal court" means a court or body vested by an Indian tribe with jurisdiction over child custody proceedings, including but not limited to a federal court of Indian offenses, a court established and operated under the code or custom of an Indian tribe, or an administrative body of an Indian tribe vested with authority over child custody proceedings.

(16) "Tribal customary adoption" means adoption or other process through the tribal custom, traditions, or laws of an Indian child's tribe by which the Indian child is permanently placed with a nonparent and through which the nonparent is vested with the rights, privileges, and obligations of a legal parent. Termination of the parent-child relationship between the Indian child and the biological parent is not required to effect or recognize a tribal customary adoption.

Sec. 312. RCW 13.50.010 and 2017 c 277 s 1 are each amended to read as follows:

(1) For purposes of this chapter:

(a) "Good faith effort to pay" means a juvenile offender has either (i) paid the principal amount in full; (ii) made at least eighty percent of the value of full monthly payments within the period from disposition or deferred disposition until

the time the amount of restitution owed is under review; or (iii) can show good cause why he or she paid an amount less than eighty percent of the value of full monthly payments;

(b) "Juvenile justice or care agency" means any of the following: Police, diversion units, court, prosecuting attorney, defense attorney, detention center, attorney general, the ~~((legislative children's oversight committee))~~ oversight board for children, youth, and families, the office of the family and children's ombuds, the department of social and health services and its contracting agencies, the department of children, youth, and families and its contracting agencies, schools; persons or public or private agencies having children committed to their custody; and any placement oversight committee created under RCW 72.05.415;

(c) "Official juvenile court file" means the legal file of the juvenile court containing the petition or information, motions, memorandums, briefs, notices of hearing or appearance, service documents, witness and exhibit lists, findings of the court and court orders, agreements, judgments, decrees, notices of appeal, as well as documents prepared by the clerk, including court minutes, letters, warrants, waivers, affidavits, declarations, invoices, and the index to clerk papers;

(d) "Records" means the official juvenile court file, the social file, and records of any other juvenile justice or care agency in the case;

(e) "Social file" means the juvenile court file containing the records and reports of the probation counselor.

(2) Each petition or information filed with the court may include only one juvenile and each petition or information shall be filed under a separate docket number. The social file shall be filed separately from the official juvenile court file.

(3) It is the duty of any juvenile justice or care agency to maintain accurate records. To this end:

(a) The agency may never knowingly record inaccurate information. Any information in records maintained by the department of social and health services relating to a petition filed pursuant to chapter 13.34 RCW that is found by the court to be false or inaccurate shall be

corrected or expunged from such records by the agency;

(b) An agency shall take reasonable steps to assure the security of its records and prevent tampering with them; and

(c) An agency shall make reasonable efforts to insure the completeness of its records, including action taken by other agencies with respect to matters in its files.

(4) Each juvenile justice or care agency shall implement procedures consistent with the provisions of this chapter to facilitate inquiries concerning records.

(5) Any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency and who has been denied access to those records by the agency may make a motion to the court for an order authorizing that person to inspect the juvenile justice or care agency record concerning that person. The court shall grant the motion to examine records unless it finds that in the interests of justice or in the best interests of the juvenile the records or parts of them should remain confidential.

(6) A juvenile, or his or her parents, or any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency may make a motion to the court challenging the accuracy of any information concerning the moving party in the record or challenging the continued possession of the record by the agency. If the court grants the motion, it shall order the record or information to be corrected or destroyed.

(7) The person making a motion under subsection (5) or (6) of this section shall give reasonable notice of the motion to all parties to the original action and to any agency whose records will be affected by the motion.

(8) The court may permit inspection of records by, or release of information to, any clinic, hospital, or agency which has the subject person under care or treatment. The court may also permit inspection by or release to individuals or agencies, including juvenile justice advisory committees of county law and justice councils, engaged in legitimate research for educational, scientific, or public purposes. Each person granted

permission to inspect juvenile justice or care agency records for research purposes shall present a notarized statement to the court stating that the names of juveniles and parents will remain confidential.

(9) The court shall release to the caseload forecast council the records needed for its research and data-gathering functions. Access to caseload forecast data may be permitted by the council for research purposes only if the anonymity of all persons mentioned in the records or information will be preserved.

(10) Juvenile detention facilities shall release records to the caseload forecast council upon request. The commission shall not disclose the names of any juveniles or parents mentioned in the records without the named individual's written permission.

(11) Requirements in this chapter relating to the court's authority to compel disclosure shall not apply to the (~~legislative children's oversight committee~~) oversight board for children, youth, and families or the office of the family and children's ombuds.

(12) For the purpose of research only, the administrative office of the courts shall maintain an electronic research copy of all records in the judicial information system related to juveniles. Access to the research copy is restricted to the administrative office of the courts for research purposes as authorized by the supreme court or by state statute. The administrative office of the courts shall maintain the confidentiality of all confidential records and shall preserve the anonymity of all persons identified in the research copy. Data contained in the research copy may be shared with other governmental agencies as authorized by state statute, pursuant to data-sharing and research agreements, and consistent with applicable security and confidentiality requirements. The research copy may not be subject to any records retention schedule and must include records destroyed or removed from the judicial information system pursuant to RCW 13.50.270 and 13.50.100(3).

(13) The court shall release to the Washington state office of public defense records needed to implement the agency's oversight, technical assistance, and other functions as required by RCW 2.70.020. Access to the records used as a basis for oversight, technical assistance, or other agency functions is restricted to the

Washington state office of public defense. The Washington state office of public defense shall maintain the confidentiality of all confidential information included in the records.

(14) The court shall release to the Washington state office of civil legal aid records needed to implement the agency's oversight, technical assistance, and other functions as required by RCW 2.53.045. Access to the records used as a basis for oversight, technical assistance, or other agency functions is restricted to the Washington state office of civil legal aid. The Washington state office of civil legal aid shall maintain the confidentiality of all confidential information included in the records, and shall, as soon as possible, destroy any retained notes or records obtained under this section that are not necessary for its functions related to RCW 2.53.045.

(15) For purposes of providing for the educational success of youth in foster care, the department of ~~((social and health services))~~ children, youth, and families may disclose only those confidential child welfare records that pertain to or may assist with meeting the educational needs of foster youth to another state agency or state agency's contracted provider responsible under state law or contract for assisting foster youth to attain educational success. The records retain their confidentiality pursuant to this chapter and federal law and cannot be further disclosed except as allowed under this chapter and federal law.

(16) For the purpose of ensuring the safety and welfare of the youth who are in foster care, the department of ~~((social and health services))~~ children, youth, and families may disclose to the department of commerce and its contracted providers responsible under state law or contract for providing services to youth, only those confidential child welfare records that pertain to ensuring the safety and welfare of the youth who are in foster care who are admitted to crisis residential centers or HOPE centers under contract with the office of homeless youth prevention and protection. Records disclosed under this subsection retain their confidentiality pursuant to this chapter and federal law and may not be further disclosed except as permitted by this chapter and federal law.

(17) For purposes of investigating and preventing child abuse and neglect, and

providing for the health care coordination and the well-being of children in foster care, the department of children, youth, and families may disclose only those confidential child welfare records that pertain to or may assist with investigation and prevention of child abuse and neglect, or may assist with providing for the health and well-being of children in foster care to the department of social and health services, the health care authority, or their contracting agencies. For purposes of investigating and preventing child abuse and neglect, and to provide for the coordination of health care and the well-being of children in foster care, the department of social and health services and the health care authority may disclose only those confidential child welfare records that pertain to or may assist with investigation and prevention of child abuse and neglect, or may assist with providing for the health care coordination and the well-being of children in foster care to the department of children, youth, and families, or its contracting agencies. The records retain their confidentiality pursuant to this chapter and federal law and cannot be further disclosed except as allowed under this chapter and federal law.

Sec. 313. RCW 13.50.100 and 2014 c 175 s 8 are each amended to read as follows:

(1) This section governs records not covered by RCW 13.50.050, 13.50.260, and 13.50.270.

(2) Records covered by this section shall be confidential and shall be released only pursuant to this section and RCW 13.50.010.

(3) Records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by the other participant or when that other participant is assigned the responsibility of supervising the juvenile. Records covered under this section and maintained by the juvenile courts which relate to the official actions of the agency may be entered in the statewide judicial information system. However, truancy records associated with a juvenile who has no other case history, and records of a juvenile's parents who have no other case history, shall be removed from the judicial information system when the juvenile is no longer subject to the

compulsory attendance laws in chapter 28A.225 RCW. A county clerk is not liable for unauthorized release of this data by persons or agencies not in his or her employ or otherwise subject to his or her control, nor is the county clerk liable for inaccurate or incomplete information collected from litigants or other persons required to provide identifying data pursuant to this section.

(4) Subject to (a) of this subsection, the department of (~~social and health services~~) children, youth, and families may release information retained in the course of conducting child protective services investigations to a family or juvenile court hearing a petition for custody under chapter 26.10 RCW.

(a) Information that may be released shall be limited to information regarding investigations in which: (i) The juvenile was an alleged victim of abandonment or abuse or neglect; or (ii) the petitioner for custody of the juvenile, or any individual aged sixteen or older residing in the petitioner's household, is the subject of a founded or currently pending child protective services investigation made by the department of social and health services or the department of children, youth, and families subsequent to October 1, 1998.

(b) Additional information may only be released with the written consent of the subject of the investigation and the juvenile alleged to be the victim of abandonment or abuse and neglect, or the parent, custodian, guardian, or personal representative of the juvenile, or by court order obtained with notice to all interested parties.

(5) Any disclosure of records or information by the department of social and health services or the department of children, youth, and families, pursuant to this section shall not be deemed a waiver of any confidentiality or privilege attached to the records or information by operation of any state or federal statute or regulation, and any recipient of such records or information shall maintain it in such a manner as to comply with such state and federal statutes and regulations and to protect against unauthorized disclosure.

(6) A contracting agency or service provider of the department of social and health services or the department of children, youth, and families, that provides counseling, psychological,

psychiatric, or medical services may release to the office of the family and children's ombuds information or records relating to services provided to a juvenile who is dependent under chapter 13.34 RCW without the consent of the parent or guardian of the juvenile, or of the juvenile if the juvenile is under the age of thirteen years, unless such release is otherwise specifically prohibited by law.

(7) A juvenile, his or her parents, the juvenile's attorney, and the juvenile's parent's attorney, shall, upon request, be given access to all records and information collected or retained by a juvenile justice or care agency which pertain to the juvenile except:

(a) If it is determined by the agency that release of this information is likely to cause severe psychological or physical harm to the juvenile or his or her parents the agency may withhold the information subject to other order of the court: PROVIDED, That if the court determines that limited release of the information is appropriate, the court may specify terms and conditions for the release of the information; or

(b) If the information or record has been obtained by a juvenile justice or care agency in connection with the provision of counseling, psychological, psychiatric, or medical services to the juvenile, when the services have been sought voluntarily by the juvenile, and the juvenile has a legal right to receive those services without the consent of any person or agency, then the information or record may not be disclosed to the juvenile's parents without the informed consent of the juvenile unless otherwise authorized by law; or

(c) That the department of (~~social and health services~~) children, youth, and families may delete the name and identifying information regarding persons or organizations who have reported alleged child abuse or neglect.

(8) A juvenile or his or her parent denied access to any records following an agency determination under subsection (7) of this section may file a motion in juvenile court requesting access to the records. The court shall grant the motion unless it finds access may not be permitted according to the standards found in subsection (7)(a) and (b) of this section.

(9) The person making a motion under subsection (8) of this section shall give reasonable notice of the motion to all parties to the original action and to any agency whose records will be affected by the motion.

(10) Subject to the rules of discovery in civil cases, any party to a proceeding seeking a declaration of dependency or a termination of the parent-child relationship and any party's counsel and the guardian ad litem of any party, shall have access to the records of any natural or adoptive child of the parent, subject to the limitations in subsection (7) of this section. A party denied access to records may request judicial review of the denial. If the party prevails, he or she shall be awarded attorneys' fees, costs, and an amount not less than five dollars and not more than one hundred dollars for each day the records were wrongfully denied.

(11) No unfounded allegation of child abuse or neglect as defined in RCW 26.44.020(1) may be disclosed to a child-placing agency, private adoption agency, or any other licensed provider.

Sec. 314. RCW 13.50.140 and 2013 c 23 s 8 are each amended to read as follows:

Any communication or advice privileged under RCW 5.60.060 that is disclosed by the office of the attorney general, the department of children, youth, and families, or the department of social and health services to the office of the family and children's ombuds may not be deemed to be a waiver of the privilege as to others.

Sec. 315. RCW 13.60.010 and 2015 1st sp.s. c 2 s 2 are each amended to read as follows:

(1) The Washington state patrol shall establish a missing children and endangered person clearinghouse which shall include the maintenance and operation of a toll-free telephone hotline. The clearinghouse shall distribute information to local law enforcement agencies, school districts, the department of ~~((social and health services))~~ children, youth, and families, and the general public regarding missing children and endangered persons. The information shall include pictures, bulletins, training sessions, reports, and biographical materials that will assist in local law enforcement efforts to locate missing children and endangered persons. The state patrol shall also maintain a

regularly updated computerized link with national and other statewide missing person systems or clearinghouses, and within existing resources, shall develop and implement a plan, commonly known as an "amber alert plan" or an "endangered missing person advisory plan" which includes a "silver alert" designation for voluntary cooperation between local, state, tribal, and other law enforcement agencies, state government agencies, radio and television stations, cable and satellite systems, and social media pages and sites to enhance the public's ability to assist in recovering abducted children and missing endangered persons consistent with the state endangered missing person advisory plan.

(2) For the purposes of this chapter:

(a) "Child" or "children" means an individual under eighteen years of age.

(b) "Missing endangered person" means a person who is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance and who is:

(i) A person with a developmental disability as defined in RCW 71A.10.020(5);

(ii) A vulnerable adult as defined in RCW 74.34.020(~~((17))~~); or

(iii) A person who has been diagnosed as having Alzheimer's disease or other age-related dementia.

(c) "Silver alert" means the designated title of a missing endangered person advisory that will be used on a variable message sign and text of the highway advisory radio message when used as part of an activated advisory to assist in the recovery of a missing endangered person age sixty or older.

Sec. 316. RCW 13.60.040 and 1999 c 267 s 18 are each amended to read as follows:

The department of ~~((social and health services))~~ children, youth, and families shall develop a procedure for reporting missing children information to the missing children clearinghouse on children who are receiving departmental services in each of its administrative regions. The purpose of this procedure is to link parents to missing children. When the department has obtained information that a minor child has been located at a facility funded by the department, the

department shall notify the clearinghouse and the child's legal custodian, advising the custodian of the child's whereabouts or that the child is subject to a dependency action. The department shall inform the clearinghouse when reunification occurs.

Sec. 317. RCW 13.64.030 and 1993 c 294 s 3 are each amended to read as follows:

The petitioner shall serve a copy of the filed petition and notice of hearing on the petitioner's parent or parents, guardian, or custodian at least fifteen days before the emancipation hearing. No summons shall be required. Service shall be waived if proof is made to the court that the address of the parent or parents, guardian, or custodian is unavailable or unascertainable. The petitioner shall also serve notice of the hearing on the department of children, youth, and families if the petitioner is subject to dependency disposition order under RCW 13.34.130. The hearing shall be held no later than sixty days after the date on which the petition is filed.

Sec. 318. RCW 13.64.050 and 1993 c 294 s 5 are each amended to read as follows:

(1) The court shall grant the petition for emancipation, except as provided in subsection (2) of this section, if the petitioner proves the following facts by clear and convincing evidence: (a) That the petitioner is sixteen years of age or older; (b) that the petitioner is a resident of the state; (c) that the petitioner has the ability to manage his or her financial affairs; and (d) that the petitioner has the ability to manage his or her personal, social, educational, and nonfinancial affairs.

(2) A parent, guardian, custodian, or in the case of a dependent minor, the department of children, youth, and families, may oppose the petition for emancipation. The court shall deny the petition unless it finds, by clear and convincing evidence, that denial of the grant of emancipation would be detrimental to the interests of the minor.

(3) Upon entry of a decree of emancipation by the court the petitioner shall be given a certified copy of the decree. The decree shall instruct the petitioner to obtain a Washington driver's license or a Washington identification card and direct the department of licensing make a notation of the emancipated status on the license or identification card.

Sec. 319. RCW 26.33.020 and 1993 c 81 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Alleged father" means a person whose parent-child relationship has not been terminated, who is not a presumed father under chapter 26.26 RCW, and who alleges himself or whom a party alleges to be the father of the child. It includes a person whose marriage to the mother was terminated more than three hundred days before the birth of the child or who was separated from the mother more than three hundred days before the birth of the child.

(2) "Child" means a person under eighteen years of age.

(3) "Adoptee" means a person who is to be adopted or who has been adopted.

(4) "Adoptive parent" means the person or persons who seek to adopt or have adopted an adoptee.

(5) "Court" means the superior court.

(6) "Department" means the department of ~~((social and health services))~~ children, youth, and families.

(7) "Agency" means any public or private association, corporation, or individual licensed or certified by the department as a child-placing agency under chapter 74.15 RCW or as an adoption agency.

(8) "Parent" means the natural or adoptive mother or father of a child, including a presumed father under chapter 26.26 RCW. It does not include any person whose parent-child relationship has been terminated by a court of competent jurisdiction.

(9) "Legal guardian" means the department, an agency, or a person, other than a parent or stepparent, appointed by the court to promote the child's general welfare, with the authority and duty to make decisions affecting the child's development.

(10) "Guardian ad litem" means a person, not related to a party to the action, appointed by the court to represent the best interests of a party who is under a legal disability.

(11) "Relinquish or relinquishment" means the voluntary surrender of custody

of a child to the department, an agency, or prospective adoptive parents.

(12) "Individual approved by the court" or "qualified salaried court employee" means a person who has a master's degree in social work or a related field and one year of experience in social work, or a bachelor's degree and two years of experience in social work, and includes a person not having such qualifications only if the court makes specific findings of fact that are entered of record establishing that the person has reasonably equivalent experience.

(13) "Birth parent" means the biological mother or biological or alleged father of a child, including a presumed father under chapter 26.26 RCW, whether or not any such person's parent-child relationship has been terminated by a court of competent jurisdiction. "Birth parent" does not include a biological mother or biological or alleged father, including a presumed father under chapter 26.26 RCW, if the parent-child relationship was terminated because of an act for which the person was found guilty under chapter 9A.42 or 9A.44 RCW.

(14) "Nonidentifying information" includes, but is not limited to, the following information about the birth parents, adoptive parents, and adoptee:

(a) Age in years at the time of adoption;

(b) Heritage, including nationality, ethnic background, and race;

(c) Education, including number of years of school completed at the time of adoption, but not name or location of school;

(d) General physical appearance, including height, weight, color of hair, eyes, and skin, or other information of a similar nature;

(e) Religion;

(f) Occupation, but not specific titles or places of employment;

(g) Talents, hobbies, and special interests;

(h) Circumstances leading to the adoption;

(i) Medical and genetic history of birth parents;

(j) First names;

(k) Other children of birth parents by age, sex, and medical history;

(l) Extended family of birth parents by age, sex, and medical history;

(m) The fact of the death, and age and cause, if known;

(n) Photographs;

(o) Name of agency or individual that facilitated the adoption.

Sec. 320. RCW 26.33.345 and 2013 c 321 s 1 are each amended to read as follows:

(1) The department (~~of social and health services~~), adoption agencies, and independent adoption facilitators shall release the name and location of the court where a relinquishment of parental rights or finalization of an adoption took place to an adult adoptee, a birth parent of an adult adoptee, an adoptive parent, a birth or adoptive grandparent of an adult adoptee, or an adult sibling of an adult adoptee, or the legal guardian of any of these.

(2) The department of health shall make available a noncertified copy of the original birth certificate of a child to the child's birth parents upon request.

(3)(a) For adoptions finalized after October 1, 1993, the department of health shall provide a noncertified copy of the original birth certificate to an adoptee eighteen years of age or older upon request, unless the birth parent has filed an affidavit of nondisclosure before July 28, 2013, or a contact preference form that indicates he or she does not want the original birth certificate released: PROVIDED, That the affidavit of nondisclosure, the contact preference form, or both have not expired.

(b) For adoptions finalized on or before October 1, 1993, the department of health may not provide a noncertified copy of the original birth certificate to the adoptee until after June 30, 2014. After June 30, 2014, the department of health shall provide a noncertified copy of the original birth certificate to an adoptee eighteen years of age or older upon request, unless the birth parent has filed a contact preference form that indicates he or she does not want the original birth certificate released: PROVIDED, That the contact preference form has not expired.

(c) An affidavit of nondisclosure expires upon the death of the birth parent.

(4)(a) Regardless of whether a birth parent has filed an affidavit of nondisclosure or when the adoption was finalized, a birth parent may at any time complete a contact preference form stating his or her preference about personal contact with the adoptee, which, if available, must accompany an original birth certificate provided to an adoptee under subsection (3) of this section.

(b) The contact preference form must include the following options:

(i) I would like to be contacted. I give the department of health consent to provide the adoptee with a noncertified copy of his or her original birth certificate;

(ii) I would like to be contacted only through a confidential intermediary as described in RCW 26.33.343. I give the department of health consent to provide the adoptee with a noncertified copy of his or her original birth certificate;

(iii) I prefer not to be contacted and have completed the birth parent updated medical history form. I give the department of health consent to provide the adoptee with a noncertified copy of his or her original birth certificate; and

(iv) I prefer not to be contacted and have completed the birth parent updated medical history form. I do not want a noncertified copy of the original birth certificate released to the adoptee.

(c) If the birth parent indicates he or she prefers not to be contacted, personally identifying information on the contact preference form must be kept confidential and may not be released.

(d) Nothing in this section precludes a birth parent from subsequently filing another contact preference form to rescind the previous contact preference form and state a different preference.

(e) A contact preference form expires upon the death of the birth parent.

(5) If a birth parent files a contact preference form, the birth parent must also file an updated medical history form with the department of health. Upon request of the adoptee, the department of health must provide the adoptee with the updated medical history form filed by the adoptee's birth parent.

(6) Both a completed contact preference form and birth parent updated medical

history form are confidential and must be placed in the adoptee's sealed file.

(7) If a birth parent files a contact preference form within six months after the first time an adoptee requests a copy of his or her original birth certificate as provided in subsection (3) of this section, the department of health must forward the contact preference form and the birth parent updated medical history form to the address of the adoptee.

(8) The department of health may charge a fee not to exceed twenty dollars for providing a noncertified copy of a birth certificate to an adoptee.

(9) The department of health must create the contact preference form and an updated medical history form. The contact preference form must provide a method to ensure personally identifying information can be kept confidential. The updated medical history form may not require the birth parent to disclose any identifying information about the birth parent.

(10) If the department of health does not provide an adoptee with a noncertified copy of the original birth certificate because a valid affidavit of nondisclosure or contact preference form has been filed, the adoptee may request, no more than once per year, that the department of health attempt to determine if the birth parent is deceased. Upon request of the adoptee, the department of health must make a reasonable effort to search public records that are accessible and already available to the department of health to determine if the birth parent is deceased. The department of health may charge the adoptee a reasonable fee to cover the cost of conducting a search.

Sec. 321. RCW 26.44.020 and 2012 c 259 s 1 are each amended to read as follows:

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

(1) "Abuse or neglect" means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

(2) "Child" or "children" means any person under the age of eighteen years of age.

(3) "Child protective services" means those services provided by the department designed to protect children from child abuse and neglect and safeguard such children from future abuse and neglect, and conduct investigations of child abuse and neglect reports. Investigations may be conducted regardless of the location of the alleged abuse or neglect. Child protective services includes referral to services to ameliorate conditions that endanger the welfare of children, the coordination of necessary programs and services relevant to the prevention, intervention, and treatment of child abuse and neglect, and services to children to ensure that each child has a permanent home. In determining whether protective services should be provided, the department shall not decline to provide such services solely because of the child's unwillingness or developmental inability to describe the nature and severity of the abuse or neglect.

(4) "Child protective services section" means the child protective services section of the department.

(5) "Children's advocacy center" means a child-focused facility in good standing with the state chapter for children's advocacy centers and that coordinates a multidisciplinary process for the investigation, prosecution, and treatment of sexual and other types of child abuse. Children's advocacy centers provide a location for forensic interviews and coordinate access to services such as, but not limited to, medical evaluations, advocacy, therapy, and case review by multidisciplinary teams within the context of county protocols as defined in RCW 26.44.180 and 26.44.185.

(6) "Clergy" means any regularly licensed or ordained minister, priest, or rabbi of any church or religious denomination, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(7) "Court" means the superior court of the state of Washington, juvenile department.

(8) "Department" means the ((state)) department of ((social and health services)) children, youth, and families.

(9) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(10) "Family assessment response" means a way of responding to certain reports of child abuse or neglect made under this chapter using a differential response approach to child protective services. The family assessment response shall focus on the safety of the child, the integrity and preservation of the family, and shall assess the status of the child and the family in terms of risk of abuse and neglect including the parent's or guardian's or other caretaker's capacity and willingness to protect the child and, if necessary, plan and arrange the provision of services to reduce the risk and otherwise support the family. No one is named as a perpetrator, and no investigative finding is entered in the record as a result of a family assessment.

(11) "Founded" means the determination following an investigation by the department that, based on available information, it is more likely than not that child abuse or neglect did occur.

(12) "Inconclusive" means the determination following an investigation by the department of social and health services, prior to October 1, 2008, that based on available information a decision cannot be made that more likely than not, child abuse or neglect did or did not occur.

(13) "Institution" means a private or public hospital or any other facility providing medical diagnosis, treatment, or care.

(14) "Law enforcement agency" means the police department, the prosecuting attorney, the state patrol, the director of public safety, or the office of the sheriff.

(15) "Malice" or "maliciously" means an intent, wish, or design to intimidate, annoy, or injure another person. Such malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission

of duty betraying a willful disregard of social duty.

(16) "Negligent treatment or maltreatment" means an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction, that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to a child's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100. When considering whether a clear and present danger exists, evidence of a parent's substance abuse as a contributing factor to negligent treatment or maltreatment shall be given great weight. The fact that siblings share a bedroom is not, in and of itself, negligent treatment or maltreatment. Poverty, homelessness, or exposure to domestic violence as defined in RCW 26.50.010 that is perpetrated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself.

(17) "Pharmacist" means any registered pharmacist under chapter 18.64 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(18) "Practitioner of the healing arts" or "practitioner" means a person licensed by this state to practice podiatric medicine and surgery, optometry, chiropractic, nursing, dentistry, osteopathic medicine and surgery, or medicine and surgery or to provide other health services. The term "practitioner" includes a duly accredited Christian Science practitioner. A person who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner will not be considered, for that reason alone, a neglected person for the purposes of this chapter.

(19) "Professional school personnel" include, but are not limited to, teachers, counselors, administrators, child care facility personnel, and school nurses.

(20) "Psychologist" means any person licensed to practice psychology under chapter 18.83 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(21) "Screened-out report" means a report of alleged child abuse or neglect that the department has determined does not rise to the level of a credible report

of abuse or neglect and is not referred for investigation.

(22) "Sexual exploitation" includes: (a) Allowing, permitting, or encouraging a child to engage in prostitution by any person; or (b) allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child by any person.

(23) "Sexually aggressive youth" means a child who is defined in RCW 74.13.075(1)(b) as being a sexually aggressive youth.

(24) "Social service counselor" means anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support, or education of children, or providing social services to adults or families, including mental health, drug and alcohol treatment, and domestic violence programs, whether in an individual capacity, or as an employee or agent of any public or private organization or institution.

(25) "Supervising agency" means an agency licensed by the state under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that has entered into a performance-based contract with the department to provide child welfare services.

(26) "Unfounded" means the determination following an investigation by the department that available information indicates that, more likely than not, child abuse or neglect did not occur, or that there is insufficient evidence for the department to determine whether the alleged child abuse did or did not occur.

Sec. 322. RCW 26.44.030 and 2017 c 118 s 1 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of ~~((early learning))~~ children, youth, and families, licensed or certified child care providers or their employees, employee of the department of social and health services, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, state family and children's ombuds or any volunteer in the ombuds's office, or host home program has

reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Organization" includes a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity, other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

(iii) "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

(iv) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11 and 13 RCW and this title, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees, including student employees, of institutions of higher education, as defined in RCW 28B.10.016, and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child

has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department (~~(of social and health services)~~) as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency, including military law enforcement, if appropriate. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is

endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as

authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving a report of alleged abuse or neglect, the department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which:

(a) The department believes there is a serious threat of substantial harm to the child;

(b) The report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or

(c) The department has a prior founded report of abuse or neglect with regard to a member of the household that is within three years of receipt of the referral.

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

(i) Investigation; or

(ii) Family assessment.

(b) In making the response in (a) of this subsection the department shall:

(i) Use a method by which to assign cases to investigation or family assessment which are based on an array of factors that may include the presence of: Imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim. Age of the alleged victim shall not be used as the sole criterion for determining case assignment;

(ii) Allow for a change in response assignment based on new information that alters risk or safety level;

(iii) Allow families assigned to family assessment to choose to receive an investigation rather than a family assessment;

(iv) Provide a full investigation if a family refuses the initial family assessment;

(v) Provide voluntary services to families based on the results of the initial family assessment. If a family refuses voluntary services, and the department cannot identify specific facts related to risk or safety that warrant assignment to investigation under this chapter, and there is not a history of reports of child abuse or neglect related to the family, then the department must close the family assessment response case. However, if at any time the department identifies risk or safety factors that warrant an investigation under this chapter, then the family assessment response case must be reassigned to investigation;

(vi) Conduct an investigation, and not a family assessment, in response to an allegation that, the department determines based on the intake assessment:

(A) Poses a risk of "imminent harm" consistent with the definition provided in RCW 13.34.050, which includes, but is not limited to, sexual abuse and sexual exploitation as defined in this chapter;

(B) Poses a serious threat of substantial harm to a child;

(C) Constitutes conduct involving a criminal offense that has, or is about to occur, in which the child is the victim;

(D) The child is an abandoned child as defined in RCW 13.34.030;

(E) The child is an adjudicated dependent child as defined in RCW 13.34.030, or the child is in a facility that is licensed, operated, or certified for care of children by the department under chapter 74.15 RCW (~~or by the department of early learning~~).

(c) The department may not be held civilly liable for the decision to respond to an allegation of child abuse or neglect by using the family assessment response under this section unless the state or its officers, agents, or employees acted with reckless disregard.

(12)(a) For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within time frames established by the department in rule. In no case shall the investigation extend longer than ninety days from the date the report is received,

unless the investigation is being conducted under a written protocol pursuant to RCW 26.44.180 and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary. At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded.

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

(13) For reports of alleged abuse or neglect that are responded to through family assessment response, the department shall:

(a) Provide the family with a written explanation of the procedure for assessment of the child and the family and its purposes;

(b) Collaborate with the family to identify family strengths, resources, and service needs, and develop a service plan with the goal of reducing risk of harm to the child and improving or restoring family well-being;

(c) Complete the family assessment response within forty-five days of receiving the report; however, upon parental agreement, the family assessment response period may be extended up to ninety days;

(d) Offer services to the family in a manner that makes it clear that acceptance of the services is voluntary;

(e) Implement the family assessment response in a consistent and cooperative manner;

(f) Have the parent or guardian sign an agreement to participate in services before services are initiated that informs the parents of their rights under family assessment response, all of their options, and the options the department has if the parents do not sign the consent form.

(14) (a) In conducting an investigation or family assessment of alleged abuse or neglect, the department or law enforcement agency:

(i) May interview children. If the department determines that the response to the allegation will be family assessment response, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the child interview unless doing so would compromise the safety of the child or the integrity of the assessment. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. If the allegation is investigated, parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

(ii) Shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(b) The Washington state school directors' association shall adopt a model policy addressing protocols when an interview, as authorized by this subsection, is conducted on school premises. In formulating its policy, the association shall consult with the department and the Washington association of sheriffs and police chiefs.

(15) If a report of alleged abuse or neglect is founded and constitutes the third founded report received by the department within the last twelve months involving the same child or family, the department shall promptly notify the office of the family and children's ombuds of the contents of the report. The department shall also notify the ombuds of the disposition of the report.

(16) In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

(17) (a) The department shall maintain investigation records and conduct timely and periodic reviews of all founded cases of abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(b) In the family assessment response, the department shall not make a finding as to whether child abuse or neglect occurred. No one shall be named as a perpetrator and no investigative finding shall be entered in the department's child abuse or neglect database.

(18) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor.

(19) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(20) Upon receiving a report of alleged abuse or neglect involving a child under the court's jurisdiction under chapter 13.34 RCW, the department shall promptly notify the child's guardian ad litem of the report's contents. The department shall also notify the guardian ad litem of the disposition of the report. For purposes of this subsection, "guardian ad litem" has the meaning provided in RCW 13.34.030.

(21) The department shall make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the department determines that a parent or guardian is in the military, the department shall notify a department of defense family advocacy program that there is an allegation of abuse and neglect that is screened in and open for investigation that relates to that military parent or guardian.

(22) The department shall make available on its public web site a downloadable and printable poster that includes the reporting requirements included in this section. The poster must be no smaller than eight and one-half by eleven inches with all information on one side. The poster must be made available in both the English and Spanish languages. Organizations that include employees or

volunteers subject to the reporting requirements of this section must clearly display this poster in a common area. At a minimum, this poster must include the following:

(a) Who is required to report child abuse and neglect;

(b) The standard of knowledge to justify a report;

(c) The definition of reportable crimes;

(d) Where to report suspected child abuse and neglect; and

(e) What should be included in a report and the appropriate timing.

Sec. 323. RCW 26.44.040 and 1999 c 176 s 32 are each amended to read as follows:

An immediate oral report must be made by telephone or otherwise to the proper law enforcement agency or the department (~~of social and health services~~) and, upon request, must be followed by a report in writing. Such reports must contain the following information, if known:

(1) The name, address, and age of the child;

(2) The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child;

(3) The nature and extent of the alleged injury or injuries;

(4) The nature and extent of the alleged neglect;

(5) The nature and extent of the alleged sexual abuse;

(6) Any evidence of previous injuries, including their nature and extent; and

(7) Any other information that may be helpful in establishing the cause of the child's death, injury, or injuries and the identity of the alleged perpetrator or perpetrators.

Sec. 324. RCW 26.44.050 and 2012 c 259 s 5 are each amended to read as follows:

Except as provided in RCW 26.44.030(11), upon the receipt of a report concerning the possible occurrence of abuse or neglect, the law enforcement agency or the department (~~of social and health services~~) must investigate and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department (~~of social and health services~~) investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

Sec. 325. RCW 26.44.063 and 2008 c 267 s 4 are each amended to read as follows:

(1) It is the intent of the legislature to minimize trauma to a child involved in an allegation of sexual or physical abuse. The legislature declares that removing the child from the home or the care of a parent, guardian, or legal custodian often has the effect of further traumatizing the child. It is, therefore, the legislature's intent that the alleged abuser, rather than the child, shall be removed or restrained from the child's residence and that this should be done at the earliest possible point of intervention in accordance with RCW 10.31.100, chapter 13.34 RCW, this section, and RCW 26.44.130.

(2) In any judicial proceeding in which it is alleged that a child has been subjected to sexual or physical abuse, if the court finds reasonable grounds to believe that an incident of sexual or physical abuse has occurred, the court may, on its own motion, or the motion of the guardian ad litem or other parties, issue a temporary restraining order or preliminary injunction restraining or enjoining the person accused of committing the abuse from:

(a) Molesting or disturbing the peace of the alleged victim;

(b) Entering the family home of the alleged victim except as specifically authorized by the court;

(c) Having any contact with the alleged victim, except as specifically authorized by the court;

(d) Knowingly coming within, or knowingly remaining within, a specified distance of a specified location.

(3) If the caretaker is willing, and does comply with the duties prescribed in

subsection (8) of this section, uncertainty by the caretaker that the alleged abuser has in fact abused the alleged victim shall not, alone, be a basis to remove the alleged victim from the caretaker, nor shall it be considered neglect.

(4) In issuing a temporary restraining order or preliminary injunction, the court may impose any additional restrictions that the court in its discretion determines are necessary to protect the child from further abuse or emotional trauma pending final resolution of the abuse allegations.

(5) The court shall issue a temporary restraining order prohibiting a person from entering the family home if the court finds that the order would eliminate the need for an out-of-home placement to protect the child's right to nurturance, health, and safety and is sufficient to protect the child from further sexual or physical abuse or coercion.

(6) The court may issue a temporary restraining order without requiring notice to the party to be restrained or other parties only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(7) A temporary restraining order or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding; and

(b) May be revoked or modified.

(8) The person having physical custody of the child shall have an affirmative duty to assist in the enforcement of the restraining order including but not limited to a duty to notify the court as soon as practicable of any violation of the order, a duty to request the assistance of law enforcement officers to enforce the order, and a duty to notify the department (~~of social and health services~~) of any violation of the order as soon as practicable if the department is a party to the action. Failure by the custodial party to discharge these affirmative duties shall be subject to contempt proceedings.

(9) Willful violation of a court order entered under this section is a misdemeanor. A written order shall contain

the court's directive and shall bear the legend: "Violation of this order with actual notice of its terms is a criminal offense under chapter 26.44 RCW, is also subject to contempt proceedings, and will subject a violator to arrest."

(10) If a restraining order issued under this section is modified or terminated, the clerk of the court shall notify the law enforcement agency specified in the order on or before the next judicial day. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from any computer-based criminal intelligence system.

Sec. 326. RCW 26.44.105 and 1985 c 183 s 2 are each amended to read as follows:

Whenever a dependency petition is filed by the department (~~(of social and health services)~~), it shall advise the parents, and any child over the age of twelve who is subject to the dependency action, of their respective rights under RCW 13.34.090. The parents and the child shall be provided a copy of the dependency petition and a copy of any court orders which have been issued. This advice of rights under RCW 13.34.090 shall be in writing. The department caseworker shall also make reasonable efforts to advise the parent and child of these same rights orally.

Sec. 327. RCW 26.44.140 and 1997 c 344 s 1 are each amended to read as follows:

The court shall require that an individual who, while acting in a parental role, has physically or sexually abused a child and has been removed from the home pursuant to a court order issued in a proceeding under chapter 13.34 RCW, prior to being permitted to reside in the home where the child resides, complete the treatment and education requirements necessary to protect the child from future abuse. The court may require the individual to continue treatment as a condition for remaining in the home where the child resides. Unless a parent, custodian, or guardian has been convicted of the crime for the acts of abuse determined in a fact-finding hearing under chapter 13.34 RCW, such person shall not be required to admit guilt in order to begin to fulfill any necessary treatment and education requirements under this section.

The department (~~(of social and health services)~~) or supervising agency shall be responsible for advising the court as to

appropriate treatment and education requirements, providing referrals to the individual, monitoring and assessing the individual's progress, informing the court of such progress, and providing recommendations to the court.

The person removed from the home shall pay for these services unless the person is otherwise eligible to receive financial assistance in paying for such services. Nothing in this section shall be construed to create in any person an entitlement to services or financial assistance in paying for services.

Sec. 328. RCW 43.20A.360 and 2001 c 291 s 101 are each amended to read as follows:

(1) The secretary is hereby authorized to appoint such advisory committees or councils as may be required by any federal legislation as a condition to the receipt of federal funds by the department. The secretary may appoint statewide committees or councils in the following subject areas: (a) Health facilities; (b) ~~(children and youth services; (c))~~ blind services; ~~((d))~~ (c) medical and health care; ~~((e))~~ (d) drug abuse and alcoholism; ~~((f))~~ (e) social services; ~~((g))~~ (f) economic services; ~~((h))~~ (g) vocational services; ~~((i))~~ (h) rehabilitative services; and (i) on such other subject matters as are or come within the department's responsibilities. The statewide councils shall have representation from both major political parties and shall have substantial consumer representation. Such committees or councils shall be constituted as required by federal law or as the secretary in his or her discretion may determine. The members of the committees or councils shall hold office for three years except in the case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term for which the vacancy occurs. No member shall serve more than two consecutive terms.

(2) Members of such state advisory committees or councils may be paid their travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 329. RCW 74.04.800 and 2007 c 384 s 3 are each amended to read as follows:

(1)(a) The secretary of social and health services and the secretary of the department of children, youth, and families shall review current department policies and assess the adequacy and

availability of programs targeted at persons who receive services through the department who are the children and families of a person who is incarcerated in a department of corrections facility. Great attention shall be focused on programs and policies affecting foster youth who have a parent who is incarcerated.

(b) The secretary of social and health services and the secretary of the department of children, youth, and families shall adopt policies that encourage familial contact and engagement between inmates of the department of corrections facilities and their children with the goal of facilitating normal child development, while reducing recidivism and intergenerational incarceration. Programs and policies should take into consideration the children's need to maintain contact with his or her parent, the inmate's ability to develop plans to financially support their children, assist in reunification when appropriate, and encourage the improvement of parenting skills where needed. The programs and policies should also meet the needs of the child while the parent is incarcerated.

(2) The secretary of social and health services and the secretary of the department of children, youth, and families shall conduct the following activities to assist in implementing the requirements of subsection (1) of this section:

(a) Gather information and data on the recipients of public assistance, or children in the care of the state under chapter 13.34 RCW, who are the children and families of inmates incarcerated in department of corrections facilities; and

(b) Participate in the children of incarcerated parents advisory committee and report information obtained under this section to the advisory committee.

Sec. 330. RCW 26.34.030 and 1971 ex.s. c 168 s 3 are each amended to read as follows:

The "appropriate public authorities" as used in Article III of the Interstate Compact on the Placement of Children shall, with reference to this state, mean the department of (~~social and health services~~) children, youth, and families, and said agency shall receive and act with reference to notices required by said Article III.

Sec. 331. RCW 26.34.040 and 1971 ex.s. c 168 s 4 are each amended to read as follows:

As used in paragraph (a) of Article V of the Interstate Compact on the Placement of Children, the phrase "appropriate authority in the receiving state" with reference to this state shall mean the department of (~~social and health services~~) children, youth, and families.

Sec. 332. RCW 70.02.220 and 2017 c 298 s 4 are each amended to read as follows:

(1) No person may disclose or be compelled to disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease, except as authorized by this section, RCW 70.02.210, or chapter 70.24 RCW.

(2) No person may disclose or be compelled to disclose information and records related to sexually transmitted diseases, except as authorized by this section, RCW 70.02.210, 70.02.--- (section 1, chapter 298, Laws of 2017), or chapter 70.24 RCW. A person may disclose information related to sexually transmitted diseases about a patient without the patient's authorization, to the extent a recipient needs to know the information, if the disclosure is to:

(a) The subject of the test or the subject's legal representative for health care decisions in accordance with RCW 7.70.065, with the exception of such a representative of a minor fourteen years of age or over and otherwise competent;

(b) The state public health officer as defined in RCW 70.24.017, a local public health officer, or the centers for disease control of the United States public health service in accordance with reporting requirements for a diagnosed case of a sexually transmitted disease;

(c) A health facility or health care provider that procures, processes, distributes, or uses: (i) A human body part, tissue, or blood from a deceased person with respect to medical information regarding that person; (ii) semen, including that was provided prior to March 23, 1988, for the purpose of artificial insemination; or (iii) blood specimens;

(d) Any state or local public health officer conducting an investigation pursuant to RCW 70.24.024, so long as the record was obtained by means of court-

ordered HIV testing pursuant to RCW 70.24.340 or 70.24.024;

(e) A person allowed access to the record by a court order granted after application showing good cause therefor. In assessing good cause, the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of the order, the court, in determining the extent to which any disclosure of all or any part of the record of any such test is necessary, shall impose appropriate safeguards against unauthorized disclosure. An order authorizing disclosure must: (i) Limit disclosure to those parts of the patient's record deemed essential to fulfill the objective for which the order was granted; (ii) limit disclosure to those persons whose need for information is the basis for the order; and (iii) include any other appropriate measures to keep disclosure to a minimum for the protection of the patient, the physician-patient relationship, and the treatment services;

(f) Persons who, because of their behavioral interaction with the infected individual, have been placed at risk for acquisition of a sexually transmitted disease, as provided in RCW 70.24.022, if the health officer or authorized representative believes that the exposed person was unaware that a risk of disease exposure existed and that the disclosure of the identity of the infected person is necessary;

(g) A law enforcement officer, firefighter, health care provider, health care facility staff person, department of correction's staff person, jail staff person, or other persons as defined by the board of health in rule pursuant to RCW 70.24.340(4), who has requested a test of a person whose bodily fluids he or she has been substantially exposed to, pursuant to RCW 70.24.340(4), if a state or local public health officer performs the test;

(h) Claims management personnel employed by or associated with an insurer, health care service contractor, health maintenance organization, self-funded health plan, state administered health care claims payer, or any other payer of health care claims where such disclosure is to be used solely for the prompt and accurate evaluation and payment of medical or related claims. Information released under this subsection must be confidential and may not be released or available to

persons who are not involved in handling or determining medical claims payment; and

(i) A department of (~~social and health services~~) children, youth, and families worker, a child placing agency worker, or a guardian ad litem who is responsible for making or reviewing placement or case-planning decisions or recommendations to the court regarding a child, who is less than fourteen years of age, has a sexually transmitted disease, and is in the custody of the department of (~~social and health services~~) children, youth, and families or a licensed child placing agency. This information may also be received by a person responsible for providing residential care for such a child when the department of social and health services, the department of children, youth, and families, or a licensed child placing agency determines that it is necessary for the provision of child care services.

(3) No person to whom the results of a test for a sexually transmitted disease have been disclosed pursuant to subsection (2) of this section may disclose the test results to another person except as authorized by that subsection.

(4) The release of sexually transmitted disease information regarding an offender or detained person, except as provided in subsection (2)(d) of this section, is governed as follows:

(a) The sexually transmitted disease status of a department of corrections offender who has had a mandatory test conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370 must be made available by department of corrections health care providers and local public health officers to the department of corrections health care administrator or infection control coordinator of the facility in which the offender is housed. The information made available to the health care administrator or the infection control coordinator under this subsection (4)(a) may be used only for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. The information may be submitted to transporting officers and receiving facilities, including facilities that are not under the department of corrections' jurisdiction according to the provisions of (d) and (e) of this subsection.

(b) The sexually transmitted disease status of a person detained in a jail who has had a mandatory test conducted

pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370 must be made available by the local public health officer to a jail health care administrator or infection control coordinator. The information made available to a health care administrator under this subsection (4)(b) may be used only for disease prevention or control and for protection of the safety and security of the staff, offenders, detainees, and the public. The information may be submitted to transporting officers and receiving facilities according to the provisions of (d) and (e) of this subsection.

(c) Information regarding the sexually transmitted disease status of an offender or detained person is confidential and may be disclosed by a correctional health care administrator or infection control coordinator or local jail health care administrator or infection control coordinator only as necessary for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. Unauthorized disclosure of this information to any person may result in disciplinary action, in addition to the penalties prescribed in RCW 70.24.080 or any other penalties as may be prescribed by law.

(d) Notwithstanding the limitations on disclosure contained in (a), (b), and (c) of this subsection, whenever any member of a jail staff or department of corrections staff has been substantially exposed to the bodily fluids of an offender or detained person, then the results of any tests conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370, must be immediately disclosed to the staff person in accordance with the Washington Administrative Code rules governing employees' occupational exposure to blood-borne pathogens. Disclosure must be accompanied by appropriate counseling for the staff member, including information regarding follow-up testing and treatment. Disclosure must also include notice that subsequent disclosure of the information in violation of this chapter or use of the information to harass or discriminate against the offender or detainee may result in disciplinary action, in addition to the penalties prescribed in RCW 70.24.080, and imposition of other penalties prescribed by law.

(e) The staff member must also be informed whether the offender or detained person had any other communicable disease, as defined in RCW 72.09.251(3), when the

staff person was substantially exposed to the offender's or detainee's bodily fluids.

(f) The test results of voluntary and anonymous HIV testing or HIV-related condition, as defined in RCW 70.24.017, may not be disclosed to a staff person except as provided in this section and RCW 70.02.050(1)(d) and 70.24.340(4). A health care administrator or infection control coordinator may provide the staff member with information about how to obtain the offender's or detainee's test results under this section and RCW 70.02.050(1)(d) and 70.24.340(4).

(5) The requirements of this section do not apply to the customary methods utilized for the exchange of medical information among health care providers in order to provide health care services to the patient, nor do they apply within health care facilities where there is a need for access to confidential medical information to fulfill professional duties.

(6) Upon request of the victim, disclosure of test results under this section to victims of sexual offenses under chapter 9A.44 RCW must be made if the result is negative or positive. The county prosecuting attorney shall notify the victim of the right to such disclosure. The disclosure must be accompanied by appropriate counseling, including information regarding follow-up testing.

(7) A person, including a health care facility or health care provider, shall disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease and information and records related to sexually transmitted diseases to federal, state, or local public health authorities, to the extent the health care provider is required by law to report health care information; when needed to determine compliance with state or federal certification or registration rules or laws; or when needed to protect the public health. Any health care information obtained under this subsection is exempt from public inspection and copying pursuant to chapter 42.56 RCW.

Sec. 333. RCW 26.10.135 and 2003 c 105 s 1 are each amended to read as follows:

(1) Before granting any order regarding the custody of a child under this chapter, the court shall consult the judicial

information system, if available, to determine the existence of any information and proceedings that are relevant to the placement of the child.

(2) Before entering a final order, the court shall:

(a) Direct the department of (~~social and health services~~) children, youth, and families to release information as provided under RCW 13.50.100; and

(b) Require the petitioner to provide the results of an examination of state and national criminal identification data provided by the Washington state patrol criminal identification system as described in chapter 43.43 RCW for the petitioner and adult members of the petitioner's household.

Sec. 334. RCW 26.50.150 and 2010 c 274 s 501 are each amended to read as follows:

Any program that provides domestic violence treatment to perpetrators of domestic violence must be certified by the department of (~~social and health services~~) children, youth, and families and meet minimum standards for domestic violence treatment purposes. The department of (~~social and health services~~) children, youth, and families shall adopt rules for standards of approval of domestic violence perpetrator programs. The treatment must meet the following minimum qualifications:

(1) All treatment must be based upon a full, complete clinical intake including but not limited to: Current and past violence history; a lethality risk assessment; history of treatment from past domestic violence perpetrator treatment programs; a complete diagnostic evaluation; a substance abuse assessment; criminal history; assessment of cultural issues, learning disabilities, literacy, and special language needs; and a treatment plan that adequately and appropriately addresses the treatment needs of the individual.

(2) To facilitate communication necessary for periodic safety checks and case monitoring, the program must require the perpetrator to sign the following releases:

(a) A release for the program to inform the victim and victim's community and legal advocates that the perpetrator is in treatment with the program, and to provide information, for safety purposes, to the

victim and victim's community and legal advocates;

(b) A release to prior and current treatment agencies to provide information on the perpetrator to the program; and

(c) A release for the program to provide information on the perpetrator to relevant legal entities including: Lawyers, courts, parole, probation, child protective services, and child welfare services.

(3) Treatment must be for a minimum treatment period defined by the secretary of the department of children, youth, and families by rule. The weekly treatment sessions must be in a group unless there is a documented, clinical reason for another modality. Any other therapies, such as individual, marital, or family therapy, substance abuse evaluations or therapy, medication reviews, or psychiatric interviews, may be concomitant with the weekly group treatment sessions described in this section but not a substitute for it.

(4) The treatment must focus primarily on ending the violence, holding the perpetrator accountable for his or her violence, and changing his or her behavior. The treatment must be based on nonvictim-blaming strategies and philosophies and shall include education about the individual, family, and cultural dynamics of domestic violence. If the perpetrator or the victim has a minor child, treatment must specifically include education regarding the effects of domestic violence on children, such as the emotional impacts of domestic violence on children and the long-term consequences that exposure to incidents of domestic violence may have on children.

(5) Satisfactory completion of treatment must be contingent upon the perpetrator meeting specific criteria, defined by rule by the secretary of the department of children, youth, and families, and not just upon the end of a certain period of time or a certain number of sessions.

(6) The program must have policies and procedures for dealing with reoffenses and noncompliance.

(7) All evaluation and treatment services must be provided by, or under the supervision of, qualified personnel.

(8) The secretary of the department of children, youth, and families may adopt

rules and establish fees as necessary to implement this section.

(9) The department of children, youth, and families may conduct on-site monitoring visits as part of its plan for certifying domestic violence perpetrator programs and monitoring implementation of the rules adopted by the secretary of the department of children, youth, and families to determine compliance with the minimum qualifications for domestic violence perpetrator programs. The applicant or certified domestic violence perpetrator program shall cooperate fully with the department of children, youth, and families in the monitoring visit and provide all program and management records requested by the department of children, youth, and families to determine the program's compliance with the minimum certification qualifications and rules adopted by the department of children, youth, and families.

Sec. 335. RCW 26.50.160 and 2006 c 138 s 26 are each amended to read as follows:

To prevent the issuance of competing protection orders in different courts and to give courts needed information for issuance of orders, the judicial information system shall be available in each district, municipal, and superior court by July 1, 1997, and shall include a database containing the following information:

(1) The names of the parties and the cause number for every order of protection issued under this title, every sexual assault protection order issued under chapter 7.90 RCW, every criminal no-contact order issued under chapters 9A.46 and 10.99 RCW, every antiharassment order issued under chapter 10.14 RCW, every dissolution action under chapter 26.09 RCW, every third-party custody action under chapter 26.10 RCW, every parentage action under chapter 26.26 RCW, every restraining order issued on behalf of an abused child or adult dependent person under chapter 26.44 RCW, every foreign protection order filed under chapter 26.52 RCW, and every order for protection of a vulnerable adult under chapter 74.34 RCW. When a guardian or the department of social and health services or department of children, youth, and families has petitioned for relief on behalf of an abused child, adult dependent person, or vulnerable adult, the name of the person on whose behalf relief was sought shall be included in the database as a party rather

than the guardian or appropriate department;

(2) A criminal history of the parties; and

(3) Other relevant information necessary to assist courts in issuing orders under this chapter as determined by the judicial information system committee.

Sec. 336. RCW 28A.150.510 and 2012 c 163 s 9 are each amended to read as follows:

(1) In order to effectively serve students who are dependent pursuant to chapter 13.34 RCW, education records shall be transmitted to the department of (~~social and health services~~) children, youth, and families within two school days after receiving the request from the department provided that the department certifies that it will not disclose to any other party the education records without prior written consent of the parent or student unless authorized to disclose the records under state law. The department of (~~social and health services~~) children, youth, and families is authorized to disclose education records it obtains pursuant to this section to a foster parent, guardian, or other entity authorized by the department to provide residential care to the student. The department is also authorized to disclose educational records it obtains pursuant to this section to those entities with which it has contracted, or with which it is formally collaborating, having responsibility for educational support services and educational outcomes of students who are dependent pursuant to chapter 13.34 RCW. The department is encouraged to put in place data-sharing agreements to assure accountability.

(2)(a) The K-12 data governance group established under RCW 28A.300.507 shall create a comprehensive needs requirement document detailing the specific information, technical capacity, and any federal and state statutory and regulatory changes needed by school districts, the office of the superintendent of public instruction, the department of (~~social and health services~~) children, youth, and families, or the higher education coordinating board or its successor, to enable the provision, on at least a quarterly basis, of:

(i) Current education records of students who are dependent pursuant to chapter 13.34 RCW to the department of (~~social and health services~~) children,

youth, and families and, from the department, to those entities with which the department has contracted, or with which it is formally collaborating, having responsibility for educational support services and educational outcomes; and

(ii) The names and contact information of students who are dependent pursuant to chapter 13.34 RCW and are thirteen years or older to the higher education coordinating board or its successor and the private agency with which it has contracted to perform outreach for the passport to college promise program under chapter 28B.117 RCW or the college bound scholarship program under chapter 28B.118 RCW.

(b) In complying with (a) of this subsection, the K-12 data governance group shall consult with: Educational support service organizations, with which the department of ~~((social and health services))~~ children, youth, and families contracts or collaborates, having responsibility for educational support services and educational outcomes of dependent students; the passport to college advisory committee; the education support service organizations under contract to perform outreach for the passport to college promise program under chapter 28B.117 RCW; the department of ~~((social and health services))~~ children, youth, and families; the office of the attorney general; the higher education coordinating board or its successor; and the office of the administrator for the courts.

~~((c) By December 1, 2012, the superintendent of public instruction shall submit a report to the governor and the appropriate committees of the legislature regarding: The analysis of needs by the K-12 data governance group; a timeline for addressing those needs for which no statutory changes are necessary and that can be implemented within existing resources; and recommended options for addressing identified needs for which statutory changes, additional funding, or both, are necessary.))~~

Sec. 337. RCW 74.09.510 and 2013 2nd sp.s. c 10 s 6 are each amended to read as follows:

Medical assistance may be provided in accordance with eligibility requirements established by the authority, as defined in the social security Title XIX state plan for mandatory categorically needy persons and:

(1) Individuals who would be eligible for cash assistance except for their institutional status;

(2) Individuals who are under twenty-one years of age, who would be eligible for medicaid, but do not qualify as dependent children and who are in (a) foster care, (b) subsidized adoption, (c) a nursing facility or an intermediate care facility for persons with intellectual disabilities, or (d) inpatient psychiatric facilities;

(3) Individuals who:

(a) Are under twenty-one years of age;

(b) On or after July 22, 2007, were in foster care under the legal responsibility of the department of social and health services, the department of children, youth, and families, or a federally recognized tribe located within the state; and

(c) On their eighteenth birthday, were in foster care under the legal responsibility of the department of children, youth, and families or a federally recognized tribe located within the state;

(4) Persons who are aged, blind, or disabled who: (a) Receive only a state supplement, or (b) would not be eligible for cash assistance if they were not institutionalized;

(5) Categorically eligible individuals who meet the income and resource requirements of the cash assistance programs;

(6) Individuals who are enrolled in managed health care systems, who have otherwise lost eligibility for medical assistance, but who have not completed a current six-month enrollment in a managed health care system, and who are eligible for federal financial participation under Title XIX of the social security act;

(7) Children and pregnant women allowed by federal statute for whom funding is appropriated;

(8) Working individuals with disabilities authorized under section 1902(a)(10)(A)(ii) of the social security act for whom funding is appropriated;

(9) Other individuals eligible for medical services under RCW 74.09.700 for whom federal financial participation is available under Title XIX of the social security act;

(10) Persons allowed by section 1931 of the social security act for whom funding is appropriated; and

(11) Women who: (a) Are under sixty-five years of age; (b) have been screened for breast and cervical cancer under the national breast and cervical cancer early detection program administered by the department of health or tribal entity and have been identified as needing treatment for breast or cervical cancer; and (c) are not otherwise covered by health insurance. Medical assistance provided under this subsection is limited to the period during which the woman requires treatment for breast or cervical cancer, and is subject to any conditions or limitations specified in the omnibus appropriations act.

PART IV

TRANSFER OF CHILD WELFARE SERVICES

Sec. 401. RCW 74.13.020 and 2015 c 240 s 2 are each amended to read as follows:

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

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of ~~((social and health services))~~ children, youth, and families.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services include, but are not limited to, placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(9) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(10) "Medical condition" means, for the purposes of qualifying for extended foster

care services, a physical or mental health condition as documented by any licensed health care provider regulated by a disciplining authority under RCW 18.130.040.

(11) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

(12) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(13) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(14) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(15) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(16) "Secretary" means the secretary of the department.

(17) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the children's administration or the court.

~~((17))~~ (18) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

~~((18))~~ (19) "Unsupervised" has the same meaning as in RCW 43.43.830.

~~((19))~~ (20) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

Sec. 402. RCW 74.13.025 and 1998 c 296 s 1 are each amended to read as follows:

Any county or group of counties may make application to the department (~~(of social and health services)~~) in the manner and form prescribed by the department to administer and provide the services established under RCW 13.32A.197. Any such application must include a plan or plans for providing such services to at-risk youth.

Sec. 403. RCW 74.13.039 and 1994 sp.s. c 7 s 501 are each amended to read as follows:

The department (~~(of social and health services)~~) shall maintain a toll-free hot line to assist parents of runaway children. The hot line shall provide parents with a complete description of their rights when dealing with their runaway child.

Sec. 404. RCW 74.13.062 and 2010 c 272 s 12 are each amended to read as follows:

(1) The department shall adopt rules consistent with federal regulations for the receipt and expenditure of federal funds and implement a subsidy program for eligible relatives appointed by the court as a guardian under RCW 13.36.050.

(2) For the purpose of licensing a relative seeking to be appointed as a guardian and eligible for a guardianship subsidy under this section, the department shall, on a case-by-case basis, and when determined to be in the best interests of the child:

(a) Waive nonsafety licensing standards; and

(b) Apply the list of disqualifying crimes in the adoption and safe families act, (~~(rather than the secretary's list of disqualifying crimes,)~~) unless doing so would compromise the child's safety, or would adversely affect the state's ability to continue to obtain federal funding for child welfare related functions.

(3) Relative guardianship subsidy agreements shall be designed to promote long-term permanency for the child, and may include provisions for periodic review of the subsidy amount and the needs of the child.

Sec. 405. RCW 74.13.1051 and 2016 c 71 s 6 are each amended to read as follows:

(1) In order to proactively support foster youth to complete high school, enroll and complete postsecondary education, and successfully implement their own plans for their futures, the department, the student achievement council, and the office of the superintendent of public instruction shall enter into, or revise existing, memoranda of understanding that:

(a) Facilitate student referral, data and information exchange, agency roles and responsibilities, and cooperation and collaboration among state agencies and nongovernmental entities; and

(b) Effectuate the transfer of responsibilities from the department (~~(of social and health services)~~) to the office of the superintendent of public instruction with respect to the programs in RCW 28A.300.592, and from the department (~~(of social and health services)~~) to the student achievement council with respect to the program in RCW 28B.77.250 in a smooth, expedient, and coordinated fashion.

(2) The student achievement council and the office of the superintendent of public instruction shall establish a set of indicators relating to the outcomes provided in RCW 28A.300.590 and 28A.300.592 to provide consistent services for youth, facilitate transitions among contractors, and support outcome-driven contracts. The student achievement council and the superintendent of public instruction shall collaborate with nongovernmental contractors and the department to develop a list of the most critical indicators, establishing a common set of indicators to be used in the

outcome-driven contracts in RCW 28A.300.590 and 28A.300.592. A list of these indicators must be included in the report provided in subsection (3) of this section.

(3) By November 1, 2017, and biannually thereafter, the department, the student achievement council, and the office of the superintendent of public instruction, in consultation with the nongovernmental entities engaged in public-private partnerships shall submit a joint report to the governor and the appropriate education and human services committees of the legislature regarding each of these programs, individually, as well as the collective progress the state has made toward the following goals:

(a) To make Washington number one in the nation for foster care graduation rates;

(b) To make Washington number one in the nation for foster care enrollment in postsecondary education; and

(c) To make Washington number one in the nation for foster care postsecondary completion.

(4) The department, the student achievement council, and the office of the superintendent of public instruction, in consultation with the nongovernmental entities engaged in public-private partnerships, shall also submit one report by November 1, 2018, to the governor and the appropriate education and human service committees of the legislature regarding the transfer of responsibilities from the department (~~(of social and health services)~~) to the office of the superintendent of public instruction with respect to the programs in RCW 28A.300.592, and from the department (~~(of social and health services)~~) to the student achievement council with respect to the program in RCW 28B.77.250 and whether these transfers have resulted in better coordinated services for youth.

Sec. 406. RCW 74.13.107 and 2013 c 332 s 12 are each amended to read as follows:

(1) The child and family reinvestment account is created in the state treasury. Moneys in the account may be spent only after appropriation. Moneys in the account may be expended solely for improving outcomes related to: (a) Safely reducing entry into the foster care system and preventing reentry; (b) safely increasing reunifications; (c) achieving permanency for children unable to be reunified; and

(d) improving outcomes for youth who will age out of the foster care system. Moneys may be expended for shared savings under performance-based contracts.

(2) Revenues to the child and family reinvestment account consist of: (a) Savings to the state general fund resulting from reductions in foster care caseloads and per capita costs, as calculated and transferred into the account under this section; and (b) any other public or private funds appropriated to or deposited in the account.

(3)(a) The department of ~~((social and health services))~~ children, youth, and families, in collaboration with the office of financial management and the caseload forecast council, shall develop a methodology for calculating the savings under this section. The methodology must be used for the 2013-2015 fiscal biennium, and for each biennium thereafter. The methodology must establish a baseline for calculating savings. ~~((In developing the methodology, the department of social and health services shall incorporate the relevant requirements of any demonstration waiver granted to the state under P.L. 112-34.))~~ The savings must be based on actual caseload and per capita expenditures.

(b) The caseload and the per capita expenditures for youth in extended foster care pursuant to RCW 74.13.031 and as determined under RCW 43.88C.010(9) shall not be included in the following:

(i) The calculation of savings transferred to the account; or

(ii) The capped allocation of the demonstration waiver granted to the state under P.L. 112-34.

~~(c) ((By December 1, 2012, the department of social and health services shall submit the proposed methodology to the governor and the appropriate committees of the legislature. The methodology is deemed approved unless the legislature enacts legislation to modify or reject the methodology.~~

~~(d))~~ The department ~~((of social and health services))~~ shall use the methodology established in (a) of this subsection to calculate savings to the state general fund for transfer into the child and family reinvestment account in fiscal year 2014 and each fiscal year thereafter. Savings calculated by the department under this section are not subject to RCW 43.79.460. The department

shall report the amount of the state general fund savings achieved to the office of financial management and the fiscal committees of the legislature at the end of each fiscal year. The office of financial management shall provide notice to the state treasurer of the amount of state general fund savings, as calculated by the department ~~((of social and health services))~~, for transfer into the child and family reinvestment account.

~~((te))~~ (d) Nothing in this section prohibits (i) the caseload forecast council from forecasting the foster care caseload under RCW 43.88C.010 or (ii) the department from including maintenance funding in its budget submittal for caseload costs that exceed the baseline established in (a) of this subsection.

Sec. 407. RCW 74.13.335 and 1999 c 338 s 2 are each amended to read as follows:

Within available funds and subject to such conditions and limitations as may be established by the department or by the legislature in the omnibus appropriations act, the department ~~((of social and health services))~~ shall reimburse foster parents for property damaged or destroyed by foster children placed in their care. The department shall establish by rule a maximum amount that may be reimbursed for each occurrence. The department shall reimburse the foster parent for the replacement value of any property covered by this section. If the damaged or destroyed property is covered and reimbursed under an insurance policy, the department shall reimburse foster parents for the amount of the deductible associated with the insurance claim, up to the limit per occurrence as established by the department.

Sec. 408. RCW 74.15.020 and 2017 c 39 s 11 are each amended to read as follows:

The definitions in this section apply throughout this chapter and RCW 74.13.031 unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster care or placement of children for adoption, and shall include the following

irrespective of whether there is compensation to the agency or to the children, expectant mothers, or persons with developmental disabilities for services rendered:

(a) "Child-placing agency" means an agency which places a child or children for temporary care, continued care, or for adoption;

(b) "Community facility" means a group care facility operated for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility;

(c) "Crisis residential center" means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 43.185C.295 through 43.185C.310;

(d) "Emergency respite center" is an agency that may be commonly known as a crisis nursery, that provides emergency and crisis care for up to seventy-two hours to children who have been admitted by their parents or guardians to prevent abuse or neglect. Emergency respite centers may operate for up to twenty-four hours a day, and for up to seven days a week. Emergency respite centers may provide care for children ages birth through seventeen, and for persons eighteen through twenty with developmental disabilities who are admitted with a sibling or siblings through age seventeen. Emergency respite centers may not substitute for crisis residential centers or HOPE centers, or any other services defined under this section, and may not substitute for services which are required under chapter 13.32A or 13.34 RCW;

(e) "Foster-family home" means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) "Group-care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;

(g) "HOPE center" means an agency licensed by the secretary to provide temporary residential placement and other services to street youth. A street youth may remain in a HOPE center for thirty days while services are arranged and permanent placement is coordinated. No street youth may stay longer than thirty days unless approved by the department and any additional days approved by the department must be based on the unavailability of a long-term placement option. A street youth whose parent wants him or her returned to home may remain in a HOPE center until his or her parent arranges return of the youth, not longer. All other street youth must have court approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center up to thirty days;

(h) "Maternity service" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(i) "Resource and assessment center" means an agency that provides short-term emergency and crisis care for a period up to seventy-two hours, excluding Saturdays, Sundays, and holidays to children who have been removed from their parent's or guardian's care by child protective services or law enforcement;

(j) "Responsible living skills program" means an agency licensed by the secretary that provides residential and transitional living services to persons ages sixteen to eighteen who are dependent under chapter 13.34 RCW and who have been unable to live in his or her legally authorized residence and, as a result, the minor lived outdoors or in another unsafe location not intended for occupancy by the minor. Dependent minors ages fourteen and fifteen may be eligible if no other placement alternative is available and the department approves the placement;

(k) "Service provider" means the entity that operates a community facility.

(2) "Agency" shall not include the following:

(a) Persons related to the child, expectant mother, or person with developmental disability in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or

nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (2), even after the marriage is terminated;

(v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this subsection (2), of any half sibling of the child; or

(vi) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four-hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the parent and person providing care on a twenty-four-hour basis have agreed to the placement in writing and the state is not providing any payment for the care;

(d) A person, partnership, corporation, or other entity that provides placement or similar services to exchange students or international student exchange visitors or persons who have the care of an exchange student in their home;

(e) A person, partnership, corporation, or other entity that provides placement or similar services to international children who have entered the country by obtaining visas that meet the criteria for medical care as established by the United States citizenship and immigration services, or persons who have the care of such an international child in their home;

(f) Schools, including boarding schools, which are engaged primarily in

education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

(g) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and assisted living facilities licensed under chapter 18.20 RCW;

(h) Licensed physicians or lawyers;

(i) Facilities approved and certified under chapter 71A.22 RCW;

(j) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

(k) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a replacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

(l) An agency operated by any unit of local, state, or federal government or an agency licensed by an Indian tribe pursuant to RCW 74.15.190;

(m) A maximum or medium security program for juvenile offenders operated by or under contract with the department;

(n) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(o) A host home program, and host home, operated by a tax exempt organization for youth not in the care of or receiving services from the department, if that program: (i) Recruits and screens potential homes in the program, including performing background checks on individuals over the age of eighteen residing in the home through the Washington state patrol or equivalent law enforcement agency and performing physical inspections of the home; (ii) screens and provides case management services to youth in the program; (iii) obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program and the

authorization is updated every six months when a youth remains in a host home longer than six months; (iv) obtains insurance for the program through an insurance provider authorized under Title 48 RCW; (v) provides mandatory reporter and confidentiality training; and (vi) registers with the secretary of state as provided in RCW 24.03.550. A host home is a private home that volunteers to host youth in need of temporary placement that is associated with a host home program. Any host home program that receives local, state, or government funding shall report the following information to the office of homeless youth prevention and protection programs annually by December 1st of each year: The number of children the program served, why the child was placed with a host home, and where the child went after leaving the host home, including but not limited to returning to the parents, running away, reaching the age of majority, or becoming a dependent of the state. A host home program shall not receive more than one hundred thousand dollars per year of public funding, including local, state, and federal funding. A host home shall not receive any local, state, or government funding.

(3) "Department" means the (~~state~~) department of (~~social and health services~~) children, youth, and families.

(4) "Juvenile" means a person under the age of twenty-one who has been sentenced to a term of confinement under the supervision of the department under RCW 13.40.185.

(5) "Performance-based contracts" or "contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts may also include provisions that link the performance of the contractor to the level and timing of the reimbursement.

(6) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(7) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(8) "Secretary" means the secretary of (~~social and health services~~) the department.

(9) "Street youth" means a person under the age of eighteen who lives outdoors or in another unsafe location not intended for occupancy by the minor and who is not residing with his or her parent or at his or her legally authorized residence.

(10) "Supervising agency" means an agency licensed by the state under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that has entered into a performance-based contract with the department to provide child welfare services.

(11) "Transitional living services" means at a minimum, to the extent funds are available, the following:

(a) Educational services, including basic literacy and computational skills training, either in local alternative or public high schools or in a high school equivalency program that leads to obtaining a high school equivalency degree;

(b) Assistance and counseling related to obtaining vocational training or higher education, job readiness, job search assistance, and placement programs;

(c) Counseling and instruction in life skills such as money management, home management, consumer skills, parenting, health care, access to community resources, and transportation and housing options;

(d) Individual and group counseling; and

(e) Establishing networks with federal agencies and state and local organizations such as the United States department of labor, employment and training administration programs including the workforce innovation and opportunity act which administers private industry councils and the job corps; vocational rehabilitation; and volunteer programs.

Sec. 409. RCW 74.15.030 and 2014 c 104 s 2 are each amended to read as follows:

The secretary shall have the power and it shall be the secretary's duty:

(1) In consultation with the children's services advisory committee, and with the advice and assistance of persons representative of the various type agencies to be licensed, to designate categories of facilities for which separate or different requirements shall be developed as may be appropriate whether because of variations in the ages, sex and

other characteristics of persons served, variations in the purposes and services offered or size or structure of the agencies to be licensed hereunder, or because of any other factor relevant thereto;

(2) In consultation with the children's services advisory committee, and with the advice and assistance of persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed.

The minimum requirements shall be limited to:

(a) The size and suitability of a facility and the plan of operation for carrying out the purpose for which an applicant seeks a license;

(b) Obtaining background information and any out-of-state equivalent, to determine whether the applicant or service provider is disqualified and to determine the character, competence, and suitability of an agency, the agency's employees, volunteers, and other persons associated with an agency;

(c) Conducting background checks for those who will or may have unsupervised access to children((~~7~~)) or expectant mothers((~~7~~ or individuals with a developmental disability)); however, a background check is not required if a caregiver approves an activity pursuant to the prudent parent standard contained in RCW 74.13.710;

(d) Obtaining child protective services information or records maintained in the department case management information system. No unfounded allegation of child abuse or neglect as defined in RCW 26.44.020 may be disclosed to a child-placing agency, private adoption agency, or any other provider licensed under this chapter;

(e) Submitting a fingerprint-based background check through the Washington state patrol under chapter 10.97 RCW and through the federal bureau of investigation for:

(i) Agencies and their staff, volunteers, students, and interns when the agency is seeking license or relicense;

(ii) Foster care and adoption placements; and

(iii) Any adult living in a home where a child may be placed;

(f) If any adult living in the home has not resided in the state of Washington for the preceding five years, the department shall review any child abuse and neglect registries maintained by any state where the adult has resided over the preceding five years;

(g) The cost of fingerprint background check fees will be paid as required in RCW 43.43.837;

(h) National and state background information must be used solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children or expectant mothers;

(i) The number of qualified persons required to render the type of care and treatment for which an agency seeks a license;

(j) The safety, cleanliness, and general adequacy of the premises to provide for the comfort, care and well-being of children((~~7~~)) or expectant mothers ((~~or developmentally disabled persons~~));

(k) The provision of necessary care, including food, clothing, supervision and discipline; physical, mental and social well-being; and educational, recreational and spiritual opportunities for those served;

(l) The financial ability of an agency to comply with minimum requirements established pursuant to this chapter ((~~74.15 RCW~~)) and RCW 74.13.031; and

(m) The maintenance of records pertaining to the admission, progress, health and discharge of persons served;

(3) To investigate any person, including relatives by blood or marriage except for parents, for character, suitability, and competence in the care and treatment of children((~~7~~)) or expectant mothers((~~7~~ and developmentally disabled persons)) prior to authorizing that person to care for children((~~7~~)) or expectant mothers((~~7~~ and developmentally disabled persons)). However, if a child is placed with a relative under RCW 13.34.065 or 13.34.130, and if such relative appears otherwise suitable and competent to provide care and treatment the criminal

history background check required by this section need not be completed before placement, but shall be completed as soon as possible after placement;

(4) On reports of alleged child abuse and neglect, to investigate agencies in accordance with chapter 26.44 RCW, including child day-care centers and family day-care homes, to determine whether the alleged abuse or neglect has occurred, and whether child protective services or referral to a law enforcement agency is appropriate;

(5) To issue, revoke, or deny licenses to agencies pursuant to this chapter (~~(74.15 RCW)~~) and RCW 74.13.031. Licenses shall specify the category of care which an agency is authorized to render and the ages, sex and number of persons to be served;

(6) To prescribe the procedures and the form and contents of reports necessary for the administration of this chapter (~~(74.15 RCW)~~) and RCW 74.13.031 and to require regular reports from each licensee;

(7) To inspect agencies periodically to determine whether or not there is compliance with this chapter (~~(74.15 RCW)~~) and RCW 74.13.031 and the requirements adopted hereunder;

(8) To review requirements adopted hereunder at least every two years and to adopt appropriate changes after consultation with affected groups for child day-care requirements and with the children's services advisory committee for requirements for other agencies; and

(9) To consult with public and private agencies in order to help them improve their methods and facilities for the care of children(~~(7)~~) or expectant mothers (~~(and developmentally disabled persons)~~).

Sec. 410. RCW 74.15.060 and 1991 c 3 s 376 are each amended to read as follows:

The secretary of health shall have the power and it shall be his or her duty:

In consultation with the children's services advisory committee and with the advice and assistance of persons representative of the various type agencies to be licensed, to develop minimum requirements pertaining to each category of agency established pursuant to chapter 74.15 RCW and RCW 74.13.031, necessary to promote the health of all persons residing therein.

The secretary of health or the city, county, or district health department designated by the secretary shall have the power and the duty:

(1) To make or cause to be made such inspections and investigations of agencies as may be deemed necessary; and

(2) To issue to applicants for licenses hereunder who comply with the requirements adopted hereunder, a certificate of compliance, a copy of which shall be presented to the department (~~(of social and health services)~~) before a license shall be issued, except that (~~(a provisional)~~) an initial license may be issued as provided in RCW 74.15.120.

Sec. 411. RCW 74.15.070 and 1979 c 141 s 358 are each amended to read as follows:

A copy of the articles of incorporation of any agency or amendments to the articles of existing corporation agencies shall be sent by the secretary of state to the department (~~(of social and health services)~~) at the time such articles or amendments are filed.

Sec. 412. RCW 74.15.080 and 1995 c 369 s 63 are each amended to read as follows:

All agencies subject to chapter 74.15 RCW and RCW 74.13.031 shall accord the department (~~(of social and health services)~~), the secretary of health, the chief of the Washington state patrol, and the director of fire protection, or their designees, the right of entrance and the privilege of access to and inspection of records for the purpose of determining whether or not there is compliance with the provisions of chapter 74.15 RCW and RCW 74.13.031 and the requirements adopted thereunder.

Sec. 413. RCW 74.15.120 and 1995 c 311 s 22 are each amended to read as follows:

The secretary (~~(of social and health services)~~) may, at his or her discretion, issue an initial license instead of a full license, to an agency or facility for a period not to exceed six months, renewable for a period not to exceed two years, to allow such agency or facility reasonable time to become eligible for full license. An initial license shall not be granted to any foster-family home except as specified in this section. An initial license may be granted to a foster-family home only if the following three conditions are met:

(1) The license is limited so that the licensee is authorized to provide care only to a specific child or specific

children; (2) the department has determined that the licensee has a relationship with the child, and the child is comfortable with the licensee, or that it would otherwise be in the child's best interest to remain or be placed in the licensee's home; and (3) the initial license is issued for a period not to exceed ninety days.

Sec. 414. RCW 74.15.134 and 1997 c 58 s 858 are each amended to read as follows:

The secretary shall immediately suspend the license or certificate of a person who has been certified pursuant to RCW 74.20A.320 by the department (~~of social and health services~~) as a person who is not in compliance with a support order (~~or a residential or visitation order~~). If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license or certificate shall be automatic upon the secretary's receipt of a release issued by the department (~~of social and health services~~) stating that the licensee is in compliance with the order.

Sec. 415. RCW 74.15.200 and 1987 c 489 s 5 are each amended to read as follows:

The department (~~of social and health services~~) shall have primary responsibility for providing child abuse and neglect prevention training to parents and licensed child day care providers of preschool age children participating in day care programs meeting the requirements of chapter 74.15 RCW. The department may limit training under this section to trainers' workshops and curriculum development using existing resources.

Sec. 416. RCW 74.15.901 and 1999 c 267 s 23 are each amended to read as follows:

(1) The department of social and health services shall seek any necessary federal waivers for federal funding of the programs created under sections 10 through 26, chapter 267, Laws of 1999. The department shall pursue federal funding sources for the programs created under sections 10 through 26, chapter 267, Laws of 1999, and report to the legislature any statutory barriers to federal funding.

(2) The department of children, youth, and families shall seek any necessary federal waivers for federal funding of the programs created under sections 10 through 26, chapter 267, Laws of 1999. The department shall pursue federal funding sources for the programs created under sections 10 through 26, chapter 267, Laws

of 1999, and report to the legislature any statutory barriers to federal funding.

Sec. 417. RCW 13.32A.030 and 2013 c 4 s 1 are each amended to read as follows:

As used in this chapter the following terms have the meanings indicated unless the context clearly requires otherwise:

(1) "Abuse or neglect" means the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child by any person under circumstances that indicate the child's health, welfare, and safety is harmed, excluding conduct permitted under RCW 9A.16.100. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

(2) "Administrator" means the individual who has the daily administrative responsibility of a crisis residential center, or his or her designee.

(3) "At-risk youth" means a juvenile:

(a) Who is absent from home for at least seventy-two consecutive hours without consent of his or her parent;

(b) Who is beyond the control of his or her parent such that the child's behavior endangers the health, safety, or welfare of the child or any other person; or

(c) Who has a substance abuse problem for which there are no pending criminal charges related to the substance abuse.

(4) "Child," "juvenile," "youth," and "minor" mean any unemancipated individual who is under the chronological age of eighteen years.

(5) "Child in need of services" means a juvenile:

(a) Who is beyond the control of his or her parent such that the child's behavior endangers the health, safety, or welfare of the child or any other person;

(b) Who has been reported to law enforcement as absent without consent for at least twenty-four consecutive hours on two or more separate occasions from the home of either parent, a crisis residential center, an out-of-home placement, or a court-ordered placement; and

(i) Has exhibited a serious substance abuse problem; or

(ii) Has exhibited behaviors that create a serious risk of harm to the

health, safety, or welfare of the child or any other person;

(c) (i) Who is in need of: (A) Necessary services, including food, shelter, health care, clothing, or education; or (B) services designed to maintain or reunite the family;

(ii) Who lacks access to, or has declined to use, these services; and

(iii) Whose parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure; or

(d) Who is a "sexually exploited child."

(6) "Child in need of services petition" means a petition filed in juvenile court by a parent, child, or the department seeking adjudication of placement of the child.

(7) "Crisis residential center" means a secure or semi-secure facility established pursuant to chapter 74.13 RCW.

(8) "Custodian" means the person or entity that has the legal right to custody of the child.

(9) "Department" means the department of ~~((social and health services))~~ children, youth, and families.

(10) "Extended family member" means an adult who is a grandparent, brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin with whom the child has a relationship and is comfortable, and who is willing and available to care for the child.

(11) "Guardian" means the person or agency that (a) has been appointed as the guardian of a child in a legal proceeding other than a proceeding under chapter 13.34 RCW, and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under chapter 13.34 RCW.

(12) "Multidisciplinary team" means a group formed to provide assistance and support to a child who is an at-risk youth or a child in need of services and his or her parent. The team must include the parent, a department caseworker, a local government representative when authorized by the local government, and when appropriate, members from the mental health and substance abuse disciplines.

The team may also include, but is not limited to, the following persons: Educators, law enforcement personnel, probation officers, employers, church persons, tribal members, therapists, medical personnel, social service providers, placement providers, and extended family members. The team members must be volunteers who do not receive compensation while acting in a capacity as a team member, unless the member's employer chooses to provide compensation or the member is a state employee.

(13) "Out-of-home placement" means a placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

(14) "Parent" means the parent or parents who have the legal right to custody of the child. "Parent" includes custodian or guardian.

(15) "Secure facility" means a crisis residential center, or portion thereof, that has locking doors, locking windows, or a secured perimeter, designed and operated to prevent a child from leaving without permission of the facility staff.

(16) "Semi-secure facility" means any facility, including but not limited to crisis residential centers or specialized foster family homes, operated in a manner to reasonably assure that youth placed there will not run away. Pursuant to rules established by the department, the facility administrator shall establish reasonable hours for residents to come and go from the facility such that no residents are free to come and go at all hours of the day and night. To prevent residents from taking unreasonable actions, the facility administrator, where appropriate, may condition a resident's leaving the facility upon the resident being accompanied by the administrator or the administrator's designee and the resident may be required to notify the administrator or the administrator's designee of any intent to leave, his or her intended destination, and the probable time of his or her return to the center.

(17) "Sexually exploited child" means any person under the age of eighteen who is a victim of the crime of commercial sex abuse of a minor under RCW 9.68A.100, promoting commercial sexual abuse of a minor under RCW 9.68A.101, or promoting

travel for commercial sexual abuse of a minor under RCW 9.68A.102.

(18) "Staff secure facility" means a structured group care facility licensed under rules adopted by the department with a ratio of at least one adult staff member to every two children.

(19) "Temporary out-of-home placement" means an out-of-home placement of not more than fourteen days ordered by the court at a fact-finding hearing on a child in need of services petition.

Sec. 418. RCW 13.32A.178 and 2001 c 332 s 8 are each amended to read as follows:

The department (~~(of social and health services)~~) shall promulgate rules that create good cause exceptions to the establishment and enforcement of child support from parents of children in out-of-home placement under chapter 13.34 or 13.32A RCW that do not violate federal funding requirements. (~~(The department shall present the rules and the department's plan for implementation of the rules to the appropriate committees of the legislature prior to the 2002 legislative session.)~~)

Sec. 419. RCW 13.36.020 and 2010 c 272 s 2 are each reenacted and amended to read as follows:

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

(1) "Child" means any individual under the age of eighteen years.

(2) "Department" means the department of (~~(social and health services)~~) children, youth, and families.

(3) "Dependent child" means a child who has been found by a court to be dependent in a proceeding under chapter 13.34 RCW.

(4) "Guardian" means a person who: (a) Has been appointed by the court as the guardian of a child in a legal proceeding under this chapter; and (b) has the legal right to custody of the child pursuant to court order. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under chapter 13.34 RCW for the purpose of assisting the court in supervising the dependency.

(5) "Relative" means a person related to the child in the following ways: (a) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and

persons of preceding generations as denoted by prefixes of grand, great, or great-great; (b) stepfather, stepmother, stepbrother, and stepsister; (c) a person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; (d) spouses of any persons named in (a), (b), or (c) of this subsection, even after the marriage is terminated; (e) relatives, as named in (a), (b), (c), or (d) of this subsection, of any half sibling of the child; or (f) extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

(6) "Suitable person" means a nonrelative with whom the child or the child's family has a preexisting relationship; who has completed all required criminal history background checks and otherwise appears to be suitable and competent to provide care for the child; and with whom the child has been placed pursuant to RCW 13.34.130.

(7) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.

PART V

TRANSFER OF CHILDREN AND FAMILY SERVICES

Sec. 501. RCW 74.13A.075 and 2013 c 23 s 212 are each amended to read as follows:

As used in RCW 26.33.320 and 74.13A.005 through 74.13A.080 the following definitions shall apply:

(1) (~~("Secretary")~~) "Department" means the (~~(secretary of the)~~) department of (~~(social and health services or his or her designee)~~) children, youth, and families.

(2) (~~"Department"~~) "Secretary" means the secretary of the department (~~(of social and health services)~~).

Sec. 502. RCW 74.13A.060 and 1990 c 285 s 8 are each amended to read as follows:

The secretary may authorize the payment, from the appropriations available from the general fund, of all or part of the nonrecurring adoption expenses incurred by a prospective parent. "Nonrecurring adoption expenses" means those expenses incurred by a prospective parent in connection with the adoption of a difficult to place child including, but not limited to, attorneys' fees, court costs, and agency fees. Payment shall be made in accordance with rules adopted by the department.

~~((This section shall have retroactive application to January 1, 1987. For purposes of retroactive application, the secretary may provide reimbursement to any parent who adopted a difficult to place child between January 1, 1987, and one year following June 7, 1990, regardless of whether the parent had previously entered into an adoption support agreement with the department.))~~

Sec. 503. RCW 74.13A.085 and 1997 c 131 s 1 are each amended to read as follows:

(1) The department (~~(of social and health services)~~) shall establish, within funds appropriated for the purpose, a reconsideration program to provide medical and counseling services through the adoption support program for children of families who apply for services after the adoption is final. Families requesting services through the program shall provide any information requested by the department for the purpose of processing the family's application for services.

(2) A child meeting the eligibility criteria for registration with the program is one who:

(a) Was residing in a preadoptive placement funded by the department or in foster care funded by the department immediately prior to the adoptive placement;

(b) Had a physical or mental handicap or emotional disturbance that existed and was documented prior to the adoption or was at high risk of future physical or mental handicap or emotional disturbance

as a result of conditions exposed to prior to the adoption; and

(c) Resides in the state of Washington with an adoptive parent who lacks the necessary financial means to care for the child's special need.

(3) If a family is accepted for registration and meets the criteria in subsection (2) of this section, the department may enter into an agreement for services. Prior to entering into an agreement for services through the program, the medical needs of the child must be reviewed and approved by the department.

(4) Any services provided pursuant to an agreement between a family and the department shall be met from the department's medical program. Such services shall be limited to:

(a) Services provided after finalization of an agreement between a family and the department pursuant to this section;

(b) Services not covered by the family's insurance or other available assistance; and

(c) Services related to the eligible child's identified physical or mental handicap or emotional disturbance that existed prior to the adoption.

(5) Any payment by the department for services provided pursuant to an agreement shall be made directly to the physician or provider of services according to the department's established procedures.

(6) The total costs payable by the department for services provided pursuant to an agreement shall not exceed twenty thousand dollars per child.

Sec. 504. RCW 74.13B.005 and 2012 c 205 s 1 are each amended to read as follows:

(1) The legislature finds that:

(a) The state of Washington and several Indian tribes in the state of Washington assume legal responsibility for abused or neglected children when their parents or caregivers are unable or unwilling to adequately provide for their safety, health, and welfare;

(b) Washington state has a strong history of partnership between the department (~~(of social and health services)~~) and contracted service providers who currently serve children and

families in the child welfare system. The department and its contracted service providers have responsibility for providing services to address parenting deficiencies resulting in child maltreatment, and the needs of children impacted by maltreatment;

(c) Department caseworkers and contracted service providers each play a critical and complementary role in the child welfare system;

(d) The current system of contracting for services needed by children and families in the child welfare system is fragmented, inflexible, and lacks incentives for improving outcomes for children and families.

(2) The legislature intends:

(a) To reform the delivery of certain services to children and families in the child welfare system by creating a flexible, accountable community-based system of care that utilizes performance-based contracting, maximizes the use of evidence-based, research-based, and promising practices, and expands the capacity of community-based agencies to leverage local funding and other resources to benefit children and families served by the department;

(b) To achieve improved child safety, child permanency, including reunification, and child well-being outcomes through the collaborative efforts of the department and contracted service providers and the prioritization of these goals in performance-based contracting; and

(c) To implement performance-based contracting under chapter 205, Laws of 2012 in a manner that supports and complies with the federal and Washington state Indian child welfare act.

Sec. 505. RCW 74.13B.010 and 2012 c 205 s 2 are each amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency

hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child-placing agency" has the same meaning as in RCW 74.15.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

(5) "Department" means the department of ~~((social and health services))~~ children, youth, and families.

(6) "Evidence-based" means a program or practice that is cost-effective and includes at least two randomized or statistically controlled evaluations that have demonstrated improved outcomes for its intended population.

(7) "Network administrator" means an entity that contracts with the department to provide defined services to children and families in the child welfare system through its provider network, as provided in RCW 74.13B.020.

(8) "Performance-based contracting" means structuring all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes and linking payment for services to contractor performance.

(9) "Promising practice" means a practice that presents, based upon preliminary information, potential for becoming a research-based or consensus-based practice.

(10) "Provider network" means those service providers who contract with a network administrator to provide services to children and families in the geographic area served by the network administrator.

(11) "Research-based" means a program or practice that has some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.

Sec. 506. RCW 74.14B.010 and 2013 c 254 s 5 are each amended to read as follows:

(1) Caseworkers employed in children services shall meet minimum standards established by the department (~~(of social and health services)~~). Comprehensive training for caseworkers shall be completed before such caseworkers are assigned to case-carrying responsibilities without direct supervision. Intermittent, part-time, and standby workers shall be subject to the same minimum standards and training.

(2) Ongoing specialized training shall be provided for persons responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.

(3) The department, the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys shall design and implement statewide training that contains consistent elements for persons engaged in the interviewing of children, including law enforcement, prosecution, and child protective services.

(4) The training shall: (a) Be based on research-based practices and standards; (b) minimize the trauma of all persons who

are interviewed during abuse investigations; (c) provide methods of reducing the number of investigative interviews necessary whenever possible; (d) assure, to the extent possible, that investigative interviews are thorough, objective, and complete; (e) recognize needs of special populations, such as persons with developmental disabilities; (f) recognize the nature and consequences of victimization; (g) require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; (h) address record retention and retrieval; and (i) documentation of investigative interviews.

(5) The identification of domestic violence is critical in ensuring the safety of children in the child welfare system. As a result, ongoing domestic violence training and consultation shall be provided to caseworkers, including how to use the children's administration's practice guide to domestic violence.

Sec. 507. RCW 74.14B.050 and 1987 c 503 s 14 are each amended to read as follows:

The department (~~(of social and health services)~~) shall inform victims of child abuse and neglect and their families of the availability of state-supported counseling through the crime victims' compensation program, community mental health centers, domestic violence and sexual assault programs, and other related programs. The department shall assist victims with referrals to these services.

Sec. 508. RCW 74.14B.070 and 1990 c 3 s 1403 are each amended to read as follows:

The department (~~(of social and health services through its division of children and family services)~~) shall, subject to available funds, establish a system of early identification and referral to treatment of child victims of sexual assault or sexual abuse. The system shall include schools, physicians, sexual assault centers, domestic violence centers, child protective services, and foster parents. A mechanism shall be developed to identify communities that have experienced success in this area and share their expertise and methodology with other communities statewide.

Sec. 509. RCW 74.14B.080 and 1991 c 283 s 2 are each amended to read as follows:

(1) Subject to subsection (2) of this section, the secretary (~~(of social and health services)~~) shall provide liability insurance to foster parents licensed under chapter 74.15 RCW. The coverage shall be for personal injury and property damage caused by foster parents or foster children that occurred while the children were in foster care. Such insurance shall cover acts of ordinary negligence but shall not cover illegal conduct or bad faith acts taken by foster parents in providing foster care. Moneys paid from liability insurance for any claim are limited to the amount by which the claim exceeds the amount available to the claimant from any valid and collectible liability insurance.

(2) The secretary (~~(of social and health services)~~) may purchase the insurance required in subsection (1) of this section or may choose a self-insurance method. The total moneys expended pursuant to this authorization shall not exceed five hundred thousand dollars per biennium. If the secretary elects a method of self-insurance, the expenditure shall include all administrative and staff costs. If the secretary elects a method of self-insurance, he or she may, by rule, place a limit on the maximum amount to be paid on each claim.

(3) Nothing in this section or RCW 4.24.590 is intended to modify the foster parent reimbursement plan in place on July 1, 1991.

(4) The liability insurance program shall be available by July 1, 1991.

Sec. 510. RCW 74.14C.005 and 1995 c 311 s 1 are each amended to read as follows:

(1) The legislature believes that protecting the health and safety of children is paramount. The legislature recognizes that the number of children entering out-of-home care is increasing and that a number of children receive long-term foster care protection. Reasonable efforts by the department to shorten out-of-home placement or avoid it altogether should be a major focus of the child welfare system. It is intended that providing up-front services decrease the number of children entering out-of-home care and have the effect of eventually lowering foster care expenditures and strengthening the family unit.

Within available funds, the legislature directs the department to focus child

welfare services on protecting the child, strengthening families and, to the extent possible, providing necessary services in the family setting, while drawing upon the strengths of the family. The legislature intends services be locally based and offered as early as possible to avoid disruption to the family, out-of-home placement of the child, and entry into the dependency system. The legislature also intends that these services be used for those families whose children are returning to the home from out-of-home care. These services are known as family preservation services and intensive family preservation services and are characterized by the following values, beliefs, and goals:

(a) Safety of the child is always the first concern;

(b) Children need their families and should be raised by their own families whenever possible;

(c) Interventions should focus on family strengths and be responsive to the individual family's cultural values and needs;

(d) Participation should be voluntary; and

(e) Improvement of family functioning is essential in order to promote the child's health, safety, and welfare and thereby allow the family to remain intact and allow children to remain at home.

(2) Subject to the availability of funds for such purposes, the legislature intends for these services to be made available to all eligible families on a statewide basis through a phased-in process. Except as otherwise specified by statute, the department (~~(of social and health services)~~) shall have the authority and discretion to implement and expand these services as provided in (~~this chapter~~) RCW 74.14C.010 through 74.14C.100. The department shall consult with the community public health and safety networks when assessing a community's resources and need for services.

(3) It is the legislature's intent that, within available funds, the department develop services in accordance with (~~this chapter~~) RCW 74.14C.010 through 74.14C.100.

(4) Nothing in (~~this chapter~~) RCW 74.14C.010 through 74.14C.100 shall be construed to create an entitlement to

services nor to create judicial authority to order the provision of preservation services to any person or family if the services are unavailable or unsuitable or that the child or family are not eligible for such services.

Sec. 511. RCW 74.14C.010 and 1996 c 240 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of ~~((social and health services))~~ children, youth, and families.

(2) "Community support systems" means the support that may be organized through extended family members, friends, neighbors, religious organizations, community programs, cultural and ethnic organizations, or other support groups or organizations.

(3) "Family preservation services" means in-home or community-based services drawing on the strengths of the family and its individual members while addressing family needs to strengthen and keep the family together where possible and may include:

(a) Respite care of children to provide temporary relief for parents and other caregivers;

(b) Services designed to improve parenting skills with respect to such matters as child development, family budgeting, coping with stress, health, safety, and nutrition; and

(c) Services designed to promote the well-being of children and families, increase the strength and stability of families, increase parents' confidence and competence in their parenting abilities, promote a safe, stable, and supportive family environment for children, and otherwise enhance children's development.

Family preservation services shall have the characteristics delineated in RCW 74.14C.020 (2) and (3).

(4) "Imminent" means a decision has been made by the department that, without intensive family preservation services, a petition requesting the removal of a child from the family home will be immediately filed under chapter 13.32A or 13.34 RCW, or that a voluntary placement agreement will be immediately initiated.

(5) "Intensive family preservation services" means community-based services that are delivered primarily in the home, that follow intensive service models with demonstrated effectiveness in reducing or avoiding the need for unnecessary imminent out-of-home placement, and that have all of the characteristics delineated in RCW 74.14C.020 (1) and (3).

(6) "Out-of-home placement" means a placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

(7) "Paraprofessional worker" means any individual who is trained and qualified to provide assistance and community support systems development to families and who acts under the supervision of a preservation services therapist. The paraprofessional worker is not intended to replace the role and responsibilities of the preservation services therapist.

(8) "Preservation services" means family preservation services and intensive family preservation services that consider the individual family's cultural values and needs.

(9) "Secretary" means the secretary of the department.

Sec. 512. RCW 74.14C.070 and 2003 c 207 s 3 are each amended to read as follows:

The secretary ~~((of social and health services,))~~ or the secretary's ~~((regional))~~ designee ~~((r))~~ may transfer funds appropriated for foster care services to purchase preservation services and other preventive services for children at imminent risk of out-of-home placement or who face a substantial likelihood of out-of-home placement. This transfer may be made in those regions that lower foster care expenditures through efficient use of preservation services and permanency planning efforts. The transfer shall be equivalent to the amount of reduced foster care expenditures and shall be made in accordance with the provisions of this chapter and with the approval of the office of financial management. The department shall present an annual report to the legislature regarding any transfers under this section only if transfers occur. The department shall include caseload, expenditure, cost avoidance, identified improvements to the out-of-home care system, and outcome data related to

the transfer in the report. The department shall also include in the report information regarding:

(1) The percent of cases where a child is placed in out-of-home care after the provision of intensive family preservation services or family preservation services;

(2) The average length of time before the child is placed out-of-home;

(3) The average length of time the child is placed out-of-home; and

(4) The number of families that refused the offer of either family preservation services or intensive family preservation services.

Sec. 513. RCW 74.14C.090 and 1995 c 311 s 8 are each amended to read as follows:

Each department caseworker who refers a client for preservation services shall file a report with his or her direct supervisor stating the reasons for which the client was referred. The caseworker's supervisor shall verify in writing his or her belief that the family who is the subject of a referral for preservation services meets the eligibility criteria for services as provided in this chapter. The direct supervisor shall report monthly to the regional administrator on the provision of these services. The regional administrator shall report to the ~~((assistant))~~ secretary quarterly on the provision of these services for the entire region. The ~~((assistant))~~ secretary shall ~~((make))~~ post on the department's web site a semiannual report ~~((to the secretary))~~ on the provision of these services on a statewide basis.

PART VI

TRANSFER OF JUVENILE JUSTICE

Sec. 601. RCW 13.04.011 and 2017 c 276 s 1 are each amended to read as follows:

For purposes of this title:

(1) "Adjudication" has the same meaning as "conviction" in RCW 9.94A.030, but only for the purposes of sentencing under chapter 9.94A RCW;

(2) Except as specifically provided in RCW 13.40.020 and chapters 13.24 and 13.34 RCW, "juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years;

(3) "Juvenile offender" and "juvenile offense" have the meaning ascribed in RCW 13.40.020;

(4) "Court" when used without further qualification means the juvenile court judge(s) or commissioner(s);

(5) "Parent" or "parents," except as used in chapter 13.34 RCW, means that parent or parents who have the right of legal custody of the child;

(6) "Custodian" means that person who has the legal right to custody of the child;

(7) "Department" means the department of children, youth, and families.

Sec. 602. RCW 13.04.030 and 2009 c 526 s 1 and 2009 c 454 s 1 are each reenacted and amended to read as follows:

(1) Except as provided in this section, the juvenile courts in this state shall have exclusive original jurisdiction over all proceedings:

(a) Under the interstate compact on placement of children as provided in chapter 26.34 RCW;

(b) Relating to children alleged or found to be dependent as provided in chapter 26.44 RCW and in RCW 13.34.030 through 13.34.161;

(c) Relating to the termination of a parent and child relationship as provided in RCW 13.34.180 through 13.34.210;

(d) To approve or disapprove out-of-home placement as provided in RCW 13.32A.170;

(e) Relating to juveniles alleged or found to have committed offenses, traffic or civil infractions, or violations as provided in RCW 13.40.020 through 13.40.230, unless:

(i) The juvenile court transfers jurisdiction of a particular juvenile to adult criminal court pursuant to RCW 13.40.110;

(ii) The statute of limitations applicable to adult prosecution for the offense, traffic or civil infraction, or violation has expired;

(iii) The alleged offense or infraction is a traffic, fish, boating, or game offense, or traffic or civil infraction committed by a juvenile sixteen years of age or older and would, if committed by an adult, be tried or heard in a court of limited jurisdiction, in which instance

the appropriate court of limited jurisdiction shall have jurisdiction over the alleged offense or infraction, and no guardian ad litem is required in any such proceeding due to the juvenile's age. If such an alleged offense or infraction and an alleged offense or infraction subject to juvenile court jurisdiction arise out of the same event or incident, the juvenile court may have jurisdiction of both matters. The jurisdiction under this subsection does not constitute "transfer" or a "decline" for purposes of RCW 13.40.110 (1) or (2) or (e)(i) of this subsection. Courts of limited jurisdiction which confine juveniles for an alleged offense or infraction may place juveniles in juvenile detention facilities under an agreement with the officials responsible for the administration of the juvenile detention facility in RCW 13.04.035 and 13.20.060;

(iv) The alleged offense is a traffic or civil infraction, a violation of compulsory school attendance provisions under chapter 28A.225 RCW, or a misdemeanor, and a court of limited jurisdiction has assumed concurrent jurisdiction over those offenses as provided in RCW 13.04.0301; or

(v) The juvenile is sixteen or seventeen years old on the date the alleged offense is committed and the alleged offense is:

(A) A serious violent offense as defined in RCW 9.94A.030;

(B) A violent offense as defined in RCW 9.94A.030 and the juvenile has a criminal history consisting of: (I) One or more prior serious violent offenses; (II) two or more prior violent offenses; or (III) three or more of any combination of the following offenses: Any class A felony, any class B felony, vehicular assault, or manslaughter in the second degree, all of which must have been committed after the juvenile's thirteenth birthday and prosecuted separately;

(C) Robbery in the first degree, rape of a child in the first degree, or drive-by shooting, committed on or after July 1, 1997;

(D) Burglary in the first degree committed on or after July 1, 1997, and the juvenile has a criminal history consisting of one or more prior felony or misdemeanor offenses; or

(E) Any violent offense as defined in RCW 9.94A.030 committed on or after July

1, 1997, and the juvenile is alleged to have been armed with a firearm.

(I) In such a case the adult criminal court shall have exclusive original jurisdiction, except as provided in (e)(v)(E)(II) and (III) of this subsection.

(II) The juvenile court shall have exclusive jurisdiction over the disposition of any remaining charges in any case in which the juvenile is found not guilty in the adult criminal court of the charge or charges for which he or she was transferred, or is convicted in the adult criminal court of a lesser included offense that is not also an offense listed in (e)(v) of this subsection. The juvenile court shall enter an order extending juvenile court jurisdiction if the juvenile has turned eighteen years of age during the adult criminal court proceedings pursuant to RCW 13.40.300. However, once the case is returned to juvenile court, the court may hold a decline hearing pursuant to RCW 13.40.110 to determine whether to retain the case in juvenile court for the purpose of disposition or return the case to adult criminal court for sentencing.

(III) The prosecutor and respondent may agree to juvenile court jurisdiction and waive application of exclusive adult criminal jurisdiction in (e)(v)(A) through (E) of this subsection and remove the proceeding back to juvenile court with the court's approval.

If the juvenile challenges the state's determination of the juvenile's criminal history under (e)(v) of this subsection, the state may establish the offender's criminal history by a preponderance of the evidence. If the criminal history consists of adjudications entered upon a plea of guilty, the state shall not bear a burden of establishing the knowing and voluntariness of the plea;

(f) Under the interstate compact on juveniles as provided in chapter 13.24 RCW;

(g) Relating to termination of a diversion agreement under RCW 13.40.080, including a proceeding in which the divertee has attained eighteen years of age;

(h) Relating to court validation of a voluntary consent to an out-of-home placement under chapter 13.34 RCW, by the parent or Indian custodian of an Indian child, except if the parent or Indian

custodian and child are residents of or domiciled within the boundaries of a federally recognized Indian reservation over which the tribe exercises exclusive jurisdiction;

(i) Relating to petitions to compel disclosure of information filed by the department of social and health services pursuant to RCW 74.13.042; and

(j) Relating to judicial determinations and permanency planning hearings involving developmentally disabled children who have been placed in out-of-home care pursuant to a voluntary placement agreement between the child's parent, guardian, or legal custodian and the department of social and health services and the department of children, youth, and families.

(2) The family court shall have concurrent original jurisdiction with the juvenile court over all proceedings under this section if the superior court judges of a county authorize concurrent jurisdiction as provided in RCW 26.12.010.

(3) The juvenile court shall have concurrent original jurisdiction with the family court over child custody proceedings under chapter 26.10 RCW and parenting plans or residential schedules under chapters 26.09 and 26.26 RCW as provided for in RCW 13.34.155.

(4) A juvenile subject to adult superior court jurisdiction under subsection (1)(e)(i) through (v) of this section, who is detained pending trial, may be detained in a detention facility as defined in RCW 13.40.020 pending sentencing or a dismissal.

Sec. 603. RCW 13.04.116 and 1987 c 462 s 1 are each amended to read as follows:

(1) A juvenile shall not be confined in a jail or holding facility for adults, except:

(a) For a period not exceeding twenty-four hours excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is available, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates; or

(b) For not more than six hours and pursuant to a lawful detention in the course of an investigation, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates.

(2) For purposes of this section a juvenile is an individual under the chronological age of eighteen years who has not been transferred previously to adult courts.

(3) The department (~~of social and health services~~) shall monitor and enforce compliance with this section.

(4) This section shall not be construed to expand or limit the authority to lawfully detain juveniles.

Sec. 604. RCW 13.04.145 and 2014 c 157 s 5 are each amended to read as follows:

A program of education shall be provided for by the several counties and school districts of the state for common school-age persons confined in each of the detention facilities staffed and maintained by the several counties of the state under this chapter and chapters 13.16 and 13.20 RCW. The division of duties, authority, and liabilities of the several counties and school districts of the state respecting the educational programs is the same in all respects as set forth in chapter 28A.190 RCW respecting programs of education for state residential school residents. For the purposes of this section, the terms "department of (~~social and health services~~) children, youth, and families," "residential school" or "schools," and "superintendent or chief administrator of a residential school" as used in chapter 28A.190 RCW shall be respectively construed to mean "the several counties of the state," "detention facilities," and "the administrator of juvenile court detention services." Nothing in this section shall prohibit a school district from utilizing the services of an educational service district subject to RCW 28A.310.180.

Sec. 605. RCW 13.40.020 and 2016 c 136 s 2 and 2016 c 106 s 1 are each reenacted and amended to read as follows:

For the purposes of this chapter:

(1) "Assessment" means an individualized examination of a child to determine the child's psychosocial needs and problems, including the type and extent of any mental health, substance abuse, or co-occurring mental health and substance abuse disorders, and recommendations for treatment. "Assessment" includes, but is not limited to, drug and alcohol evaluations, psychological and psychiatric evaluations, records review, clinical

interview, and administration of a formal test or instrument;

(2) "Community-based rehabilitation" means one or more of the following: Employment; attendance of information classes; literacy classes; counseling, outpatient substance abuse treatment programs, outpatient mental health programs, anger management classes, education or outpatient treatment programs to prevent animal cruelty, or other services including, when appropriate, restorative justice programs; or attendance at school or other educational programs appropriate for the juvenile as determined by the school district. Placement in community-based rehabilitation programs is subject to available funds;

(3) "Community-based sanctions" may include one or more of the following:

(a) A fine, not to exceed five hundred dollars;

(b) Community restitution not to exceed one hundred fifty hours of community restitution;

(4) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense. Community restitution may be performed through public or private organizations or through work crews;

(5) "Community supervision" means an order of disposition by the court of an adjudicated youth not committed to the department or an order granting a deferred disposition. A community supervision order for a single offense may be for a period of up to two years for a sex offense as defined by RCW 9.94A.030 and up to one year for other offenses. As a mandatory condition of any term of community supervision, the court shall order the juvenile to refrain from committing new offenses. As a mandatory condition of community supervision, the court shall order the juvenile to comply with the mandatory school attendance provisions of chapter 28A.225 RCW and to inform the school of the existence of this requirement. Community supervision is an individualized program comprised of one or more of the following:

(a) Community-based sanctions;

(b) Community-based rehabilitation;

(c) Monitoring and reporting requirements;

(d) Posting of a probation bond;

(e) Residential treatment, where substance abuse, mental health, and/or co-occurring disorders have been identified in an assessment by a qualified mental health professional, psychologist, psychiatrist, or chemical dependency professional and a funded bed is available. If a child agrees to voluntary placement in a state-funded long-term evaluation and treatment facility, the case must follow the existing placement procedure including consideration of less restrictive treatment options and medical necessity.

(i) A court may order residential treatment after consideration and findings regarding whether:

(A) The referral is necessary to rehabilitate the child;

(B) The referral is necessary to protect the public or the child;

(C) The referral is in the child's best interest;

(D) The child has been given the opportunity to engage in less restrictive treatment and has been unable or unwilling to comply; and

(E) Inpatient treatment is the least restrictive action consistent with the child's needs and circumstances.

(ii) In any case where a court orders a child to inpatient treatment under this section, the court must hold a review hearing no later than sixty days after the youth begins inpatient treatment, and every thirty days thereafter, as long as the youth is in inpatient treatment;

(6) "Confinement" means physical custody by the department of (~~social and health services~~) children, youth, and families in a facility operated by or pursuant to a contract with the state, or physical custody in a detention facility operated by or pursuant to a contract with any county. The county may operate or contract with vendors to operate county detention facilities. The department may operate or contract to operate detention facilities for juveniles committed to the department. Pretrial confinement or confinement of less than thirty-one days imposed as part of a disposition or modification order may be served

consecutively or intermittently, in the discretion of the court;

(7) "Court," when used without further qualification, means the juvenile court judge(s) or commissioner(s);

(8) "Criminal history" includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history. A successfully completed deferred adjudication that was entered before July 1, 1998, or a deferred disposition shall not be considered part of the respondent's criminal history;

(9) "Department" means the department of ~~((social and health services))~~ children, youth, and families;

(10) "Detention facility" means a county facility, paid for by the county, for the physical confinement of a juvenile alleged to have committed an offense or an adjudicated offender subject to a disposition or modification order. "Detention facility" includes county group homes, inpatient substance abuse programs, juvenile basic training camps, and electronic monitoring;

(11) "Diversion unit" means any probation counselor who enters into a diversion agreement with an alleged youthful offender, or any other person, community accountability board, youth court under the supervision of the juvenile court, or other entity except a law enforcement official or entity, with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW 13.40.080, or any person, community accountability board, or other entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter. For purposes of this subsection, "community accountability board" means a board

comprised of members of the local community in which the juvenile offender resides. The superior court shall appoint the members. The boards shall consist of at least three and not more than seven members. If possible, the board should include a variety of representatives from the community, such as a law enforcement officer, teacher or school administrator, high school student, parent, and business owner, and should represent the cultural diversity of the local community;

(12) "Foster care" means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

(13) "Institution" means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(14) "Intensive supervision program" means a parole program that requires intensive supervision and monitoring, offers an array of individualized treatment and transitional services, and emphasizes community involvement and support in order to reduce the likelihood a juvenile offender will commit further offenses;

(15) "Juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court pursuant to RCW 13.40.110, unless the individual was convicted of a lesser charge or acquitted of the charge for which he or she was previously transferred pursuant to RCW 13.40.110 or who is not otherwise under adult court jurisdiction;

(16) "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

(17) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix;

(18) "Local sanctions" means one or more of the following: (a) 0-30 days of confinement; (b) 0-12 months of community supervision; (c) 0-150 hours of community restitution; or (d) \$0-\$500 fine;

(19) "Manifest injustice" means a disposition that would either impose an

excessive penalty on the juvenile or would impose a serious, and clear danger to society in light of the purposes of this chapter;

(20) "Monitoring and reporting requirements" means one or more of the following: Curfews; requirements to remain at home, school, work, or court-ordered treatment programs during specified hours; restrictions from leaving or entering specified geographical areas; requirements to report to the probation officer as directed and to remain under the probation officer's supervision; and other conditions or limitations as the court may require which may not include confinement;

(21) "Offense" means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

(22) "Physical restraint" means the use of any bodily force or physical intervention to control a juvenile offender or limit a juvenile offender's freedom of movement in a way that does not involve a mechanical restraint. Physical restraint does not include momentary periods of minimal physical restriction by direct person-to-person contact, without the aid of mechanical restraint, accomplished with limited force and designed to:

(a) Prevent a juvenile offender from completing an act that would result in potential bodily harm to self or others or damage property;

(b) Remove a disruptive juvenile offender who is unwilling to leave the area voluntarily; or

(c) Guide a juvenile offender from one location to another;

(23) "Postpartum recovery" means (a) the entire period a woman or youth is in the hospital, birthing center, or clinic after giving birth and (b) an additional time period, if any, a treating physician determines is necessary for healing after the youth leaves the hospital, birthing center, or clinic;

(24) "Probation bond" means a bond, posted with sufficient security by a surety justified and approved by the court, to secure the offender's appearance at required court proceedings and

compliance with court-ordered community supervision or conditions of release ordered pursuant to RCW 13.40.040 or 13.40.050. It also means a deposit of cash or posting of other collateral in lieu of a bond if approved by the court;

(25) "Respondent" means a juvenile who is alleged or proven to have committed an offense;

(26) "Restitution" means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, lost wages resulting from physical injury, and costs of the victim's counseling reasonably related to the offense. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(27) "Restorative justice" means practices, policies, and programs informed by and sensitive to the needs of crime victims that are designed to encourage offenders to accept responsibility for repairing the harm caused by their offense by providing safe and supportive opportunities for voluntary participation and communication between the victim, the offender, their families, and relevant community members;

(28) "Restraints" means anything used to control the movement of a person's body or limbs and includes:

(a) Physical restraint; or

(b) Mechanical device including but not limited to: Metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, tasers, or batons;

(29) "Screening" means a process that is designed to identify a child who is at risk of having mental health, substance abuse, or co-occurring mental health and substance abuse disorders that warrant immediate attention, intervention, or more comprehensive assessment. A screening may be undertaken with or without the administration of a formal instrument;

(30) "Secretary" means the secretary of the department (~~of social and health services. "Assistant secretary" means the~~

~~assistant secretary for juvenile rehabilitation for the department);~~

(31) "Services" means services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

(32) "Sex offense" means an offense defined as a sex offense in RCW 9.94A.030;

(33) "Sexual motivation" means that one of the purposes for which the respondent committed the offense was for the purpose of his or her sexual gratification;

(34) "Surety" means an entity licensed under state insurance laws or by the state department of licensing, to write corporate, property, or probation bonds within the state, and justified and approved by the superior court of the county having jurisdiction of the case;

(35) "Transportation" means the conveying, by any means, of an incarcerated pregnant youth from the institution or detention facility to another location from the moment she leaves the institution or detention facility to the time of arrival at the other location, and includes the escorting of the pregnant incarcerated youth from the institution or detention facility to a transport vehicle and from the vehicle to the other location;

(36) "Violation" means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration;

(37) "Violent offense" means a violent offense as defined in RCW 9.94A.030;

(38) "Youth court" means a diversion unit under the supervision of the juvenile court.

Sec. 606. RCW 13.40.040 and 2002 c 171 s 2 are each amended to read as follows:

(1) A juvenile may be taken into custody:

(a) Pursuant to a court order if a complaint is filed with the court alleging, and the court finds probable cause to believe, that the juvenile has committed an offense or has violated terms of a disposition order or release order; or

(b) Without a court order, by a law enforcement officer if grounds exist for

the arrest of an adult in identical circumstances. Admission to, and continued custody in, a court detention facility shall be governed by subsection (2) of this section; or

(c) Pursuant to a court order that the juvenile be held as a material witness; or

(d) Where the secretary or the secretary's designee has suspended the parole of a juvenile offender.

(2) A juvenile may not be held in detention unless there is probable cause to believe that:

(a) The juvenile has committed an offense or has violated the terms of a disposition order; and

(i) The juvenile will likely fail to appear for further proceedings; or

(ii) Detention is required to protect the juvenile from himself or herself; or

(iii) The juvenile is a threat to community safety; or

(iv) The juvenile will intimidate witnesses or otherwise unlawfully interfere with the administration of justice; or

(v) The juvenile has committed a crime while another case was pending; or

(b) The juvenile is a fugitive from justice; or

(c) The juvenile's parole has been suspended or modified; or

(d) The juvenile is a material witness.

(3) Notwithstanding subsection (2) of this section, and within available funds, a juvenile who has been found guilty of one of the following offenses shall be detained pending disposition: Rape in the first or second degree (RCW 9A.44.040 and 9A.44.050); or rape of a child in the first degree (RCW 9A.44.073).

(4) Upon a finding that members of the community have threatened the health of a juvenile taken into custody, at the juvenile's request the court may order continued detention pending further order of the court.

(5) Except as provided in RCW 9.41.280, a juvenile detained under this section may be released upon posting a probation bond set by the court. The juvenile's parent or guardian may sign for the probation bond. A court authorizing such a release shall issue an order containing a statement of

conditions imposed upon the juvenile and shall set the date of his or her next court appearance. The court shall advise the juvenile of any conditions specified in the order and may at any time amend such an order in order to impose additional or different conditions of release upon the juvenile or to return the juvenile to custody for failing to conform to the conditions imposed. In addition to requiring the juvenile to appear at the next court date, the court may condition the probation bond on the juvenile's compliance with conditions of release. The juvenile's parent or guardian may notify the court that the juvenile has failed to conform to the conditions of release or the provisions in the probation bond. If the parent notifies the court of the juvenile's failure to comply with the probation bond, the court shall notify the surety. As provided in the terms of the bond, the surety shall provide notice to the court of the offender's noncompliance. A juvenile may be released only to a responsible adult or the department of ~~((social and health services))~~ children, youth, and families. Failure to appear on the date scheduled by the court pursuant to this section shall constitute the crime of bail jumping.

Sec. 607. RCW 13.40.045 and 1997 c 338 s 14 are each amended to read as follows:

The secretary (~~((assistant secretary))~~) or the secretary's designee shall issue arrest warrants for juveniles who escape from department residential custody. The secretary (~~((assistant secretary))~~) or the secretary's designee may issue arrest warrants for juveniles who abscond from parole supervision or fail to meet conditions of parole. These arrest warrants shall authorize any law enforcement, probation and parole, or peace officer of this state, or any other state where the juvenile is located, to arrest the juvenile and to place the juvenile in physical custody pending the juvenile's return to confinement in a state juvenile rehabilitation facility.

Sec. 608. RCW 13.40.185 and 1994 sp.s. c 7 s 524 are each amended to read as follows:

(1) Any term of confinement imposed for an offense which exceeds thirty days shall be served under the supervision of the department. If the period of confinement imposed for more than one offense exceeds thirty days but the term imposed for each offense is less than thirty days, the confinement may, in the discretion of the

court, be served in a juvenile facility operated by or pursuant to a contract with the state or a county.

(2) Whenever a juvenile is confined in a detention facility or is committed to the department, the court may not directly order a juvenile into a particular county or state facility. The juvenile court administrator and the secretary (~~((assistant secretary))~~) or the secretary's designee, as appropriate, has the sole discretion to determine in which facility a juvenile should be confined or committed. The counties may operate a variety of detention facilities as determined by the county legislative authority subject to available funds.

Sec. 609. RCW 13.40.210 and 2014 c 117 s 3 are each amended to read as follows:

(1) The secretary shall set a release date for each juvenile committed to its custody. The release date shall be within the prescribed range to which a juvenile has been committed under RCW 13.40.0357 or 13.40.030 except as provided in RCW 13.40.320 concerning offenders the department determines are eligible for the juvenile offender basic training camp program. Such dates shall be determined prior to the expiration of sixty percent of a juvenile's minimum term of confinement included within the prescribed range to which the juvenile has been committed. The secretary shall release any juvenile committed to the custody of the department within four calendar days prior to the juvenile's release date or on the release date set under this chapter. Days spent in the custody of the department shall be tolled by any period of time during which a juvenile has absented himself or herself from the department's supervision without the prior approval of the secretary or the secretary's designee.

(2) The secretary shall monitor the average daily population of the state's juvenile residential facilities. When the secretary concludes that in-residence population of residential facilities exceeds one hundred five percent of the rated bed capacity specified in statute, or in absence of such specification, as specified by the department in rule, the secretary may recommend reductions to the governor. On certification by the governor that the recommended reductions are necessary, the secretary has authority to administratively release a sufficient number of offenders to reduce in-residence population to one hundred percent of rated bed capacity. The secretary shall release

those offenders who have served the greatest proportion of their sentence. However, the secretary may deny release in a particular case at the request of an offender, or if the secretary finds that there is no responsible custodian, as determined by the department, to whom to release the offender, or if the release of the offender would pose a clear danger to society. The department shall notify the committing court of the release at the time of release if any such early releases have occurred as a result of excessive in-residence population. In no event shall an offender adjudicated of a violent offense be granted release under the provisions of this subsection.

(3)(a) Following the release of any juvenile under subsection (1) of this section, the secretary may require the juvenile to comply with a program of parole to be administered by the department in his or her community which shall last no longer than eighteen months, except that in the case of a juvenile sentenced for rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, or indecent liberties with forcible compulsion, the period of parole shall be twenty-four months and, in the discretion of the secretary, may be up to thirty-six months when the secretary finds that an additional period of parole is necessary and appropriate in the interests of public safety or to meet the ongoing needs of the juvenile. A parole program is mandatory for offenders released under subsection (2) of this section and for offenders who receive a juvenile residential commitment sentence for theft of a motor vehicle, possession of a stolen motor vehicle, or taking a motor vehicle without permission 1. A juvenile adjudicated for unlawful possession of a firearm, possession of a stolen firearm, theft of a firearm, or drive-by shooting may participate in aggression replacement training, functional family therapy, or functional family parole aftercare if the juvenile meets eligibility requirements for these services. The decision to place an offender in an evidence-based parole program shall be based on an assessment by the department of the offender's risk for reoffending upon release and an assessment of the ongoing treatment needs of the juvenile. The department shall prioritize available parole resources to provide supervision and services to offenders at moderate to high risk for reoffending.

(b) The secretary shall, for the period of parole, facilitate the juvenile's reintegration into his or her community and to further this goal shall require the juvenile to refrain from possessing a firearm or using a deadly weapon and refrain from committing new offenses and may require the juvenile to: (i) Undergo available medical, psychiatric, drug and alcohol, sex offender, mental health, and other offense-related treatment services; (ii) report as directed to a parole officer and/or designee; (iii) pursue a course of study, vocational training, or employment; (iv) notify the parole officer of the current address where he or she resides; (v) be present at a particular address during specified hours; (vi) remain within prescribed geographical boundaries; (vii) submit to electronic monitoring; (viii) refrain from using illegal drugs and alcohol, and submit to random urinalysis when requested by the assigned parole officer; (ix) refrain from contact with specific individuals or a specified class of individuals; (x) meet other conditions determined by the parole officer to further enhance the juvenile's reintegration into the community; (xi) pay any court-ordered fines or restitution; and (xii) perform community restitution. Community restitution for the purpose of this section means compulsory service, without compensation, performed for the benefit of the community by the offender. Community restitution may be performed through public or private organizations or through work crews.

(c) The secretary may further require up to twenty-five percent of the highest risk juvenile offenders who are placed on parole to participate in an intensive supervision program. Offenders participating in an intensive supervision program shall be required to comply with all terms and conditions listed in (b) of this subsection and shall also be required to comply with the following additional terms and conditions: (i) Obey all laws and refrain from any conduct that threatens public safety; (ii) report at least once a week to an assigned community case manager; and (iii) meet all other requirements imposed by the community case manager related to participating in the intensive supervision program. As a part of the intensive supervision program, the secretary may require day reporting.

(d) After termination of the parole period, the juvenile shall be discharged from the department's supervision.

(4) (a) The department may also modify parole for violation thereof. If, after affording a juvenile all of the due process rights to which he or she would be entitled if the juvenile were an adult, the secretary finds that a juvenile has violated a condition of his or her parole, the secretary shall order one of the following which is reasonably likely to effectuate the purpose of the parole and to protect the public: (i) Continued supervision under the same conditions previously imposed; (ii) intensified supervision with increased reporting requirements; (iii) additional conditions of supervision authorized by this chapter; (iv) except as provided in (a) (v) and (vi) of this subsection, imposition of a period of confinement not to exceed thirty days in a facility operated by or pursuant to a contract with the state of Washington or any city or county for a portion of each day or for a certain number of days each week with the balance of the days or weeks spent under supervision; (v) the secretary may order any of the conditions or may return the offender to confinement for the remainder of the sentence range if the offense for which the offender was sentenced is rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, indecent liberties with forcible compulsion, or a sex offense that is also a serious violent offense as defined by RCW 9.94A.030; and (vi) the secretary may order any of the conditions or may return the offender to confinement for the remainder of the sentence range if the youth has completed the basic training camp program as described in RCW 13.40.320.

(b) The secretary may modify parole and order any of the conditions or may return the offender to confinement for up to twenty-four weeks if the offender was sentenced for a sex offense as defined under RCW ~~((9A.44.130))~~ 9A.44.128 and is known to have violated the terms of parole. Confinement beyond thirty days is intended to only be used for a small and limited number of sex offenders. It shall only be used when other graduated sanctions or interventions have not been effective or the behavior is so egregious it warrants the use of the higher level intervention and the violation: (i) Is a known pattern of behavior consistent with a previous sex offense that puts the youth at high risk for reoffending sexually; (ii) consists of sexual behavior that is determined to be predatory as defined in

RCW 71.09.020; or (iii) requires a review under chapter 71.09 RCW, due to a recent overt act. The total number of days of confinement for violations of parole conditions during the parole period shall not exceed the number of days provided by the maximum sentence imposed by the disposition for the underlying offense pursuant to RCW 13.40.0357. The department shall not aggregate multiple parole violations that occur prior to the parole revocation hearing and impose consecutive twenty-four week periods of confinement for each parole violation. The department is authorized to engage in rule making pursuant to chapter 34.05 RCW, to implement this subsection, including narrowly defining the behaviors that could lead to this higher level intervention.

(c) If the department finds that any juvenile in a program of parole has possessed a firearm or used a deadly weapon during the program of parole, the department shall modify the parole under (a) of this subsection and confine the juvenile for at least thirty days. Confinement shall be in a facility operated by or pursuant to a contract with the state or any county.

(5) A parole officer of the department of ~~((social and health services))~~ children, youth, and families shall have the power to arrest a juvenile under his or her supervision on the same grounds as a law enforcement officer would be authorized to arrest the person.

(6) If so requested and approved under chapter 13.06 RCW, the secretary shall permit a county or group of counties to perform functions under subsections (3) through (5) of this section.

Sec. 610. RCW 13.40.220 and 1995 c 300 s 1 are each amended to read as follows:

(1) Whenever legal custody of a child is vested in someone other than his or her parents, under this chapter, and not vested in the department ~~((of social and health services))~~, after due notice to the parents or other persons legally obligated to care for and support the child, and after a hearing, the court may order and decree that the parent or other legally obligated person shall pay in such a manner as the court may direct a reasonable sum representing in whole or in part the costs of support, treatment, and confinement of the child after the decree is entered.

(2) If the parent or other legally obligated person willfully fails or

refuses to pay such sum, the court may proceed against such person for contempt.

(3) Whenever legal custody of a child is vested in the department under this chapter, the parents or other persons legally obligated to care for and support the child shall be liable for the costs of support, treatment, and confinement of the child, in accordance with the department's reimbursement of cost schedule. The department shall adopt a reimbursement of cost schedule based on the costs of providing such services, and shall determine an obligation based on the responsible parents' or other legally obligated person's ability to pay. The department is authorized to adopt additional rules as appropriate to enforce this section.

(4) To enforce subsection (3) of this section, the department shall serve on the parents or other person legally obligated to care for and support the child a notice and finding of financial responsibility requiring the parents or other legally obligated person to appear and show cause in an adjudicative proceeding why the finding of responsibility and/or the amount thereof is incorrect and should not be ordered. This notice and finding shall relate to the costs of support, treatment, and confinement of the child in accordance with the department's reimbursement of cost schedule adopted under this section, including periodic payments to be made in the future. The hearing shall be held pursuant to chapter 34.05 RCW, the administrative procedure act, and the rules of the department.

(5) The notice and finding of financial responsibility shall be served in the same manner prescribed for the service of a summons in a civil action or may be served on the parent or legally obligated person by certified mail, return receipt requested. The receipt shall be prima facie evidence of service.

(6) If the parents or other legally obligated person objects to the notice and finding of financial responsibility, then an application for an adjudicative hearing may be filed within twenty days of the date of service of the notice. If an application for an adjudicative proceeding is filed, the presiding or reviewing officer shall determine the past liability and responsibility, if any, of the parents or other legally obligated person and shall also determine the amount of periodic payments to be made in the future. If the parents or other legally

responsible person fails to file an application within twenty days, the notice and finding of financial responsibility shall become a final administrative order.

(7) Debts determined pursuant to this section are subject to collection action without further necessity of action by a presiding or reviewing officer. The department may collect the debt in accordance with RCW 43.20B.635, 43.20B.640, 74.20A.060, and 74.20A.070. The department shall exempt from payment parents receiving adoption support under RCW (~~74.13.100 through 74.13.145~~) 74.13A.005 through 74.13A.080, parents eligible to receive adoption support under RCW (~~74.13.150~~) 74.13A.085, and a parent or other legally obligated person when the parent or other legally obligated person, or such person's child, spouse, or spouse's child, was the victim of the offense for which the child was committed.

(8) An administrative order entered pursuant to this section shall supersede any court order entered prior to June 13, 1994.

(9) The department shall be subrogated to the right of the child and his or her parents or other legally responsible person to receive support payments for the benefit of the child from any parent or legally obligated person pursuant to a support order established by a superior court or pursuant to RCW 74.20A.055. The department's right of subrogation under this section is limited to the liability established in accordance with its cost schedule for support, treatment, and confinement, except as addressed in subsection (10) of this section.

(10) Nothing in this section precludes the department from recouping such additional support payments from the child's parents or other legally obligated person as required to qualify for receipt of federal funds. The department may adopt such rules dealing with liability for recoupment of support, treatment, or confinement costs as may become necessary to entitle the state to participate in federal funds unless such rules would be expressly prohibited by law. If any law dealing with liability for recoupment of support, treatment, or confinement costs is ruled to be in conflict with federal requirements which are a prescribed condition of the allocation of federal funds, such conflicting law is declared to be inoperative solely to the extent of the conflict.

Sec. 611. RCW 13.40.280 and 1989 c 410 s 2 and 1989 c 407 s 8 are each reenacted and amended to read as follows:

(1) The secretary of the department of children, youth, and families, with the consent of the secretary of the department of corrections, has the authority to transfer a juvenile presently or hereafter committed to the department of ~~((social and health services))~~ children, youth, and families to the department of corrections for appropriate institutional placement in accordance with this section.

(2) The secretary of the department of ~~((social and health services))~~ children, youth, and families may, with the consent of the secretary of the department of corrections, transfer a juvenile offender to the department of corrections if it is established at a hearing before a review board that continued placement of the juvenile offender in an institution for juvenile offenders presents a continuing and serious threat to the safety of others in the institution. The department of ~~((social and health services))~~ children, youth, and families shall establish rules for the conduct of the hearing, including provision of counsel for the juvenile offender.

(3) Assaults made against any staff member at a juvenile corrections institution that are reported to a local law enforcement agency shall require a hearing held by the department of ~~((social and health services))~~ children, youth, and families review board within ten judicial working days. The board shall determine whether the accused juvenile offender represents a continuing and serious threat to the safety of others in the institution.

(4) Upon conviction in a court of law for custodial assault as defined in RCW 9A.36.100, the department of ~~((social and health services))~~ children, youth, and families review board shall conduct a second hearing, within five judicial working days, to recommend to the secretary of the department of ~~((social and health services))~~ children, youth, and families that the convicted juvenile be transferred to an adult correctional facility if the review board has determined the juvenile offender represents a continuing and serious threat to the safety of others in the institution.

The juvenile has the burden to show cause why the transfer to an adult correctional facility should not occur.

(5) A juvenile offender transferred to an institution operated by the department of corrections shall not remain in such an institution beyond the maximum term of confinement imposed by the juvenile court.

(6) A juvenile offender who has been transferred to the department of corrections under this section may, in the discretion of the secretary of the department of ~~((social and health services))~~ children, youth, and families and with the consent of the secretary of the department of corrections, be transferred from an institution operated by the department of corrections to a facility for juvenile offenders deemed appropriate by the secretary.

Sec. 612. RCW 13.40.285 and 1983 c 191 s 23 are each amended to read as follows:

A juvenile offender ordered to serve a term of confinement with the department of ~~((social and health services))~~ children, youth, and families who is subsequently sentenced to the department of corrections may, with the consent of the department of corrections, be transferred by the secretary of ~~((social and health services))~~ children, youth, and families to the department of corrections to serve the balance of the term of confinement ordered by the juvenile court. The juvenile and adult sentences shall be served consecutively. In no case shall the secretary credit time served as a result of an adult conviction against the term of confinement ordered by the juvenile court.

Sec. 613. RCW 13.40.300 and 2005 c 238 s 2 are each amended to read as follows:

(1) In no case may a juvenile offender be committed by the juvenile court to the department of ~~((social and health services))~~ children, youth, and families for placement in a juvenile correctional institution beyond the juvenile offender's twenty-first birthday. A juvenile may be under the jurisdiction of the juvenile court or the authority of the department of ~~((social and health services))~~ children, youth, and families beyond the juvenile's eighteenth birthday only if prior to the juvenile's eighteenth birthday:

(a) Proceedings are pending seeking the adjudication of a juvenile offense and the court by written order setting forth its reasons extends jurisdiction of juvenile

court over the juvenile beyond his or her eighteenth birthday;

(b) The juvenile has been found guilty after a fact finding or after a plea of guilty and an automatic extension is necessary to allow for the imposition of disposition;

(c) Disposition has been held and an automatic extension is necessary to allow for the execution and enforcement of the court's order of disposition. If an order of disposition imposes commitment to the department, then jurisdiction is automatically extended to include a period of up to twelve months of parole, in no case extending beyond the offender's twenty-first birthday; or

(d) While proceedings are pending in a case in which jurisdiction has been transferred to the adult criminal court pursuant to RCW 13.04.030, the juvenile turns eighteen years of age and is subsequently found not guilty of the charge for which he or she was transferred, or is convicted in the adult criminal court of a lesser included offense, and an automatic extension is necessary to impose the disposition as required by RCW 13.04.030(1)(e)(v)(E).

(2) If the juvenile court previously has extended jurisdiction beyond the juvenile offender's eighteenth birthday and that period of extension has not expired, the court may further extend jurisdiction by written order setting forth its reasons.

(3) In no event may the juvenile court have authority to extend jurisdiction over any juvenile offender beyond the juvenile offender's twenty-first birthday except for the purpose of enforcing an order of restitution or penalty assessment.

(4) Notwithstanding any extension of jurisdiction over a person pursuant to this section, the juvenile court has no jurisdiction over any offenses alleged to have been committed by a person eighteen years of age or older.

Sec. 614. RCW 13.40.310 and 1991 c 326 s 4 are each amended to read as follows:

(1) The department (~~(of social and health services)~~) may contract with a community-based nonprofit organization to establish a three-step transitional treatment program for gang and drug-involved juvenile offenders committed to the custody of the department under this chapter (~~(13.40 RCW)~~). Any such program

shall provide six to twenty-four months of treatment. The program shall emphasize the principles of self-determination, unity, collective work and responsibility, cooperative economics, and creativity. The program shall be culturally relevant and appropriate and shall include:

(a) A culturally relevant and appropriate institution-based program that provides comprehensive drug and alcohol services, individual and family counseling, and a wilderness experience of constructive group living, rigorous physical exercise, and academic studies;

(b) A culturally relevant and appropriate community-based structured group living program that focuses on individual goals, positive community involvement, coordinated drug and alcohol treatment, coordinated individual and family counseling, academic and vocational training, and employment in apprenticeship, internship, and entrepreneurial programs; and

(c) A culturally relevant and appropriate transitional group living program that provides support services, academic services, and coordinated individual and family counseling.

(2) Participation in any such program shall be on a voluntary basis.

(3) The department shall adopt rules as necessary to implement any such program.

Sec. 615. RCW 13.40.320 and 2015 3rd sp.s. c 23 s 1 are each amended to read as follows:

(1) The department (~~(of social and health services)~~) may establish a medium security juvenile offender basic training camp program. This program for juvenile offenders serving a term of confinement under the supervision of the department is exempt from the licensing requirements of chapter 74.15 RCW.

(2) The department may contract under this chapter with private companies, the national guard, or other federal, state, or local agencies to operate the juvenile offender basic training camp.

(3) The juvenile offender basic training camp shall be a structured and regimented model emphasizing the building up of an offender's self-esteem, confidence, and discipline. The juvenile offender basic training camp program shall provide participants with basic education, prevocational training, work-based learning, work experience, work ethic

skills, conflict resolution counseling, substance abuse intervention, anger management counseling, and structured intensive physical training. The juvenile offender basic training camp program shall have a curriculum training and work schedule that incorporates a balanced assignment of these or other rehabilitation and training components for no less than sixteen hours per day, six days a week.

The department shall develop standards for the safe and effective operation of the juvenile offender basic training camp program, for an offender's successful program completion, and for the continued after-care supervision of offenders who have successfully completed the program.

(4) Offenders eligible for the juvenile offender basic training camp option shall be those with a disposition of not more than sixty-five weeks. Violent and sex offenders shall not be eligible for the juvenile offender basic training camp program.

(5) If the court determines that the offender is eligible for the juvenile offender basic training camp option, the court may recommend that the department place the offender in the program. The department shall evaluate the offender and may place the offender in the program. The evaluation shall include, at a minimum, a risk assessment developed by the department and designed to determine the offender's suitability for the program. No juvenile who is assessed as a high risk offender or suffers from any mental or physical problems that could endanger his or her health or drastically affect his or her performance in the program shall be admitted to or retained in the juvenile offender basic training camp program.

(6) All juvenile offenders eligible for the juvenile offender basic training camp sentencing option shall spend one hundred twenty days of their disposition in a juvenile offender basic training camp. This period may be extended for up to forty days by the secretary if a juvenile offender requires additional time to successfully complete the basic training camp program. If the juvenile offender's activities while in the juvenile offender basic training camp are so disruptive to the juvenile offender basic training camp program, as determined by the secretary according to standards developed by the department, as to result in the removal of the juvenile offender from the juvenile offender basic training camp program, or

if the offender cannot complete the juvenile offender basic training camp program due to medical problems, the secretary shall require that the offender be committed to a juvenile institution to serve the entire remainder of his or her disposition, less the amount of time already served in the juvenile offender basic training camp program.

(7) All offenders who successfully graduate from the juvenile offender basic training camp program shall spend the remainder of their disposition on parole in a department juvenile rehabilitation (~~administration~~) intensive aftercare program in the local community. Violation of the conditions of parole is subject to sanctions specified in RCW 13.40.210(4). The program shall provide for the needs of the offender based on his or her progress in the aftercare program as indicated by ongoing assessment of those needs and progress. The intensive aftercare program shall monitor postprogram juvenile offenders and assist them to successfully reintegrate into the community. In addition, the program shall develop a process for closely monitoring and assessing public safety risks. The intensive aftercare program shall be designed and funded by the department (~~of social and health services~~).

(8) The department shall also develop and maintain a database to measure recidivism rates specific to this incarceration program. The database shall maintain data on all juvenile offenders who complete the juvenile offender basic training camp program for a period of two years after they have completed the program. The database shall also maintain data on the criminal activity, educational progress, and employment activities of all juvenile offenders who participated in the program.

Sec. 616. RCW 13.40.460 and 2003 c 229 s 1 are each amended to read as follows:

The secretary (~~(, assistant secretary,)~~) or the secretary's designee shall manage and administer the department's juvenile rehabilitation responsibilities, including but not limited to the operation of all state institutions or facilities used for juvenile rehabilitation.

The secretary or (~~(assistant secretary)~~) the secretary's designee shall:

(1) Prepare a biennial budget request sufficient to meet the confinement and rehabilitative needs of the juvenile

rehabilitation program, as forecast by the office of financial management;

(2) Create by rule a formal system for inmate classification. This classification system shall consider:

- (a) Public safety;
- (b) Internal security and staff safety;
- (c) Rehabilitative resources both within and outside the department;
- (d) An assessment of each offender's risk of sexually aggressive behavior as provided in RCW 13.40.470; and

(e) An assessment of each offender's vulnerability to sexually aggressive behavior as provided in RCW 13.40.470;

(3) Develop agreements with local jurisdictions to develop regional facilities with a variety of custody levels;

(4) Adopt rules establishing effective disciplinary policies to maintain order within institutions;

(5) Develop a comprehensive diagnostic evaluation process to be used at intake, including but not limited to evaluation for substance addiction or abuse, literacy, learning disabilities, fetal alcohol syndrome or effect, attention deficit disorder, and mental health;

(6) Develop placement criteria:

(a) To avoid assigning youth who present a moderate or high risk of sexually aggressive behavior to the same sleeping quarters as youth assessed as vulnerable to sexual victimization under RCW 13.40.470(1)(c); and

(b) To avoid placing a juvenile offender on parole status who has been assessed as a moderate to high risk for sexually aggressive behavior in a department community residential program with another child who is: (i) Dependent under chapter 13.34 RCW, or an at-risk youth or child in need of services under chapter 13.32A RCW; and (ii) not also a juvenile offender on parole status;

(7) Develop a plan to implement, by July 1, 1995:

(a) Substance abuse treatment programs for all state juvenile rehabilitation facilities and institutions;

(b) Vocational education and instruction programs at all state juvenile

rehabilitation facilities and institutions; and

(c) An educational program to establish self-worth and responsibility in juvenile offenders. This educational program shall emphasize instruction in character-building principles such as: Respect for self, others, and authority; victim awareness; accountability; work ethics; good citizenship; and life skills; and

(8)(a) The (~~juvenile rehabilitation administration~~) department shall develop uniform policies related to custodial assaults consistent with RCW 72.01.045 and 9A.36.100 that are to be followed in all juvenile rehabilitation (~~administration~~) facilities; and

(b) The (~~juvenile rehabilitation administration~~) department will report assaults in accordance with the policies developed in (a) of this subsection.

Sec. 617. RCW 13.40.462 and 2011 1st sp.s. c 32 s 4 are each amended to read as follows:

(1) The department (~~of social and health services juvenile rehabilitation administration~~) shall establish a reinvesting in youth program that awards grants to counties for implementing research-based early intervention services that target juvenile justice-involved youth and reduce crime, subject to the availability of amounts appropriated for this specific purpose.

(2) Effective July 1, 2007, any county or group of counties may apply for participation in the reinvesting in youth program.

(3) Counties that participate in the reinvesting in youth program shall have a portion of their costs of serving youth through the research-based intervention service models paid for with moneys from the reinvesting in youth account established pursuant to RCW 13.40.466.

(4) The department (~~of social and health services juvenile rehabilitation administration~~) shall review county applications for funding through the reinvesting in youth program and shall select the counties that will be awarded grants with funds appropriated to implement this program. The department, in consultation with the Washington state institute for public policy, shall develop guidelines to determine which counties will be awarded funding in accordance with the reinvesting in youth program. At a

minimum, counties must meet the following criteria in order to participate in the reinvesting in youth program:

(a) Counties must match state moneys awarded for research-based early intervention services with nonstate resources that are at least proportional to the expected local government share of state and local government cost avoidance that would result from the implementation of such services;

(b) Counties must demonstrate that state funds allocated pursuant to this section are used only for the intervention service models authorized pursuant to RCW 13.40.464;

(c) Counties must participate fully in the state quality assurance program established in RCW 13.40.468 to ensure fidelity of program implementation. If no state quality assurance program is in effect for a particular selected research-based service, the county must submit a quality assurance plan for state approval with its grant application. Failure to demonstrate continuing compliance with quality assurance plans shall be grounds for termination of state funding; and

(d) Counties that submit joint applications must submit for approval by the department (~~of social and health services juvenile rehabilitation administration~~) multicounty plans for efficient program delivery.

Sec. 618. RCW 13.40.464 and 2006 c 304 s 3 are each amended to read as follows:

(1)(a) In order to receive funding through the reinvesting in youth program established pursuant to RCW 13.40.462, intervention service models must meet the following minimum criteria:

(i) There must be scientific evidence from at least one rigorous evaluation study of the specific service model that measures recidivism reduction;

(ii) There must be evidence that the specific service model's results can be replicated outside of an academic research environment;

(iii) The evaluation or evaluations of the service model must permit dollar cost estimates of both benefits and costs so that the benefit-cost ratio of the model can be calculated; and

(iv) The public taxpayer benefits to all levels of state and local government must exceed the service model costs.

(b) In calendar year 2006, for use beginning in fiscal year 2008, the Washington state institute for public policy shall publish a list of service models that are eligible for reimbursement through the investing in youth program. As authorized by the board of the institute and to the extent necessary to respond to new research and information, the institute shall periodically update the list of service models. The institute shall use the technical advisory committee established in RCW 13.40.462(5) to review and provide comments on the list of service models that are eligible for reimbursement.

(2) In calendar year 2006, for use beginning in fiscal year 2008, the Washington state institute for public policy shall review and update the methodology for calculating cost savings resulting from implementation of this program. As authorized by the board of the institute and to the extent necessary to respond to new research and information, the institute shall periodically further review and update the methodology. As authorized by the board of the institute, when the institute reviews and updates the methodology for calculating cost savings, the institute shall provide an estimate of savings and avoided costs resulting from this program, along with a projection of future savings and avoided costs, to the appropriate committees of the legislature. The institute shall use the technical advisory committee established in RCW 13.40.462(5) to review and provide comments on its methodology and cost calculations.

(3) In calendar year 2006, for use beginning in fiscal year 2008, the department (~~of social and health services' juvenile rehabilitation administration~~) shall establish a distribution formula to provide funding to local governments that implement research-based intervention services pursuant to this program. The department shall periodically update the distribution formula. The distribution formula shall require that the state allocation to local governments be proportional to the expected state government share of state and local government cost avoidance that would result from the implementation of such services based on the methodology maintained by the Washington state institute for public policy pursuant to subsection (2) of this section. The department shall use the technical advisory committee established in RCW

13.40.462(5) to review and provide comments on its proposed distribution formula.

~~((4) The department of social and health services juvenile rehabilitation administration shall provide a report to the legislature on the initial cost savings calculation methodology and distribution formula by October 1, 2006.)~~

Sec. 619. RCW 13.40.466 and 2013 2nd sp.s. c 4 s 953 are each amended to read as follows:

(1) The reinvesting in youth account is created in the state treasury. Moneys in the account shall be spent only after appropriation. Expenditures from the account may be used to reimburse local governments for the implementation of the reinvesting in youth program established in RCW 13.40.462 and 13.40.464. During the 2013-2015 fiscal biennium, the legislature may appropriate moneys from the reinvesting in youth account for juvenile rehabilitation purposes.

(2) Revenues to the reinvesting in youth account consist of revenues appropriated to or deposited in the account.

(3) The department ~~((of social and health services juvenile rehabilitation administration))~~ shall review and monitor the expenditures made by any county or group of counties that is funded, in whole or in part, with funds provided through the reinvesting in youth account. Counties shall repay any funds that are not spent in accordance with RCW 13.40.462 and 13.40.464.

Sec. 620. RCW 13.40.468 and 2006 c 304 s 6 are each amended to read as follows:

The department ~~((of social and health services juvenile rehabilitation administration))~~ shall establish a state quality assurance program. The ~~((juvenile rehabilitation administration))~~ department shall monitor the implementation of intervention services funded pursuant to RCW 13.40.466 and shall evaluate adherence to service model design and service completion rate.

Sec. 621. RCW 13.40.510 and 2010 1st sp.s. c 7 s 62 are each amended to read as follows:

(1) In order to receive funds under RCW 13.40.500 through 13.40.540, local governments may, through their respective agencies that administer funding for consolidated juvenile services, submit

proposals that establish community juvenile accountability programs within their communities. These proposals must be submitted to the ~~((juvenile rehabilitation administration of the))~~ department ~~((of social and health services))~~ for certification.

(2) The proposals must:

(a) Demonstrate that the proposals were developed with the input of the local law and justice councils established under RCW 72.09.300;

(b) Describe how local community groups or members are involved in the implementation of the programs funded under RCW 13.40.500 through 13.40.540;

(c) Include a description of how the grant funds will contribute to the expected outcomes of the program and the reduction of youth violence and juvenile crime in their community. Data approaches are not required to be replicated if the networks have information that addresses risks in the community for juvenile offenders.

(3) A local government receiving a grant under this section shall agree that any funds received must be used efficiently to encourage the use of community-based programs that reduce the reliance on secure confinement as the sole means of holding juvenile offenders accountable for their crimes. The local government shall also agree to account for the expenditure of all funds received under the grant and to submit to audits for compliance with the grant criteria developed under RCW 13.40.520.

(4) The ~~((juvenile rehabilitation administration))~~ department, in consultation with the Washington association of juvenile court administrators and the state law and justice advisory council, shall establish guidelines for programs that may be funded under RCW 13.40.500 through 13.40.540. The guidelines must:

(a) Target diverted and adjudicated juvenile offenders;

(b) Include assessment methods to determine services, programs, and intervention strategies most likely to change behaviors and norms of juvenile offenders;

(c) Provide maximum structured supervision in the community. Programs should use natural surveillance and community guardians such as employers,

relatives, teachers, clergy, and community mentors to the greatest extent possible;

(d) Promote good work ethic values and educational skills and competencies necessary for the juvenile offender to function effectively and positively in the community;

(e) Maximize the efficient delivery of treatment services aimed at reducing risk factors associated with the commission of juvenile offenses;

(f) Maximize the reintegration of the juvenile offender into the community upon release from confinement;

(g) Maximize the juvenile offender's opportunities to make full restitution to the victims and amends to the community;

(h) Support and encourage increased court discretion in imposing community-based intervention strategies;

(i) Be compatible with research that shows which prevention and early intervention strategies work with juvenile offenders;

(j) Be outcome-based in that it describes what outcomes will be achieved or what outcomes have already been achieved;

(k) Include an evaluation component; and

(l) Recognize the diversity of local needs.

(5) The state law and justice advisory council may provide support and technical assistance to local governments for training and education regarding community-based prevention and intervention strategies.

Sec. 622. RCW 13.40.520 and 1997 c 338 s 62 are each amended to read as follows:

(1) The state may make grants to local governments for the provision of community-based programs for juvenile offenders. The grants must be made under a grant formula developed by the (~~juvenile rehabilitation administration~~) department, in consultation with the Washington association of juvenile court administrators.

(2) Upon certification by the (~~juvenile rehabilitation administration~~) department that a proposal satisfies the application and selection criteria, grant funds will be

distributed to the local government agency that administers funding for consolidated juvenile services.

Sec. 623. RCW 13.40.540 and 1997 c 338 s 64 are each amended to read as follows:

(1) Each community juvenile accountability program approved and funded under RCW 13.40.500 through 13.40.540 shall comply with the information collection requirements in subsection (2) of this section and the reporting requirements in subsection (3) of this section.

(2) The information collected by each community juvenile accountability program must include, at a minimum for each juvenile participant: (a) The name, date of birth, gender, social security number, and, when available, the juvenile information system (JUVIS) control number; (b) an initial intake assessment of each juvenile participating in the program; (c) a list of all juveniles who completed the program; and (d) an assessment upon completion or termination of each juvenile, including outcomes and, where applicable, reasons for termination.

(3) The (~~juvenile rehabilitation administration~~) department shall annually compile the data and report to the legislature on: (a) The programs funded under RCW 13.40.500 through 13.40.540; (b) the total cost for each funded program and cost per juvenile; and (c) the essential elements of the program.

Sec. 624. RCW 13.40.560 and 1999 c 182 s 1 are each amended to read as follows:

The juvenile accountability incentive account is created in the custody of the state treasurer. Federal awards for juvenile accountability incentives received by the secretary of the department (~~of social and health services~~) shall be deposited into the account. Interest earned from the inception of the trust account shall be deposited in the account. Expenditures from the account may be used only for the purposes specified in the federal award or awards. Moneys in the account may be spent only after appropriation.

Sec. 625. RCW 74.14A.030 and 1983 c 192 s 3 are each amended to read as follows:

The department of children, youth, and families shall address the needs of juvenile offenders whose standard range sentences do not include commitment by

developing nonresidential community-based programs designed to reduce the incidence of manifest injustice commitments when consistent with public safety.

Sec. 626. RCW 74.14A.040 and 1983 c 192 s 4 are each amended to read as follows:

The department of children, youth, and families shall involve a juvenile offender's family as a unit in the treatment process. The department need not involve the family as a unit in cases when family ties have by necessity been irrevocably broken. When the natural parents have been or will be replaced by a foster family or guardian, the new family will be involved in the treatment process.

Sec. 627. RCW 72.01.045 and 2002 c 77 s 1 are each amended to read as follows:

(1) For purposes of this section only, "assault" means an unauthorized touching of an employee by a resident, patient, or juvenile offender resulting in physical injury to the employee.

(2) In recognition of the hazardous nature of employment in state institutions, the legislature hereby provides a supplementary program to reimburse employees of the department of social and health services, the department of natural resources, the department of children, youth, and families, and the department of veterans affairs for some of their costs attributable to their being the victims of assault by residents, patients, or juvenile offenders. This program shall be limited to the reimbursement provided in this section.

(3) An employee is only entitled to receive the reimbursement provided in this section if the secretary of social and health services, the commissioner of public lands, the secretary of the department of children, youth, and families, or the director of the department of veterans affairs, or the secretary's, commissioner's, or director's designee, finds that each of the following has occurred:

(a) A resident or patient has assaulted the employee and as a result thereof the employee has sustained demonstrated physical injuries which have required the employee to miss days of work;

(b) The assault cannot be attributable to any extent to the employee's negligence, misconduct, or failure to

comply with any rules or conditions of employment; and

(c) The department of labor and industries has approved the employee's workers' compensation application pursuant to chapter 51.32 RCW.

(4) The reimbursement authorized under this section shall be as follows:

(a) The employee's accumulated sick leave days shall not be reduced for the workdays missed;

(b) For each workday missed for which the employee is not eligible to receive compensation under chapter 51.32 RCW, the employee shall receive full pay; and

(c) In respect to workdays missed for which the employee will receive or has received compensation under chapter 51.32 RCW, the employee shall be reimbursed in an amount which, when added to that compensation, will result in the employee receiving full pay for the workdays missed.

(5) Reimbursement under this section may not last longer than three hundred sixty-five consecutive days after the date of the injury.

(6) The employee shall not be entitled to the reimbursement provided in subsection (4) of this section for any workday for which the secretary, commissioner, director, or applicable designee, finds that the employee has not diligently pursued his or her compensation remedies under chapter 51.32 RCW.

(7) The reimbursement shall only be made for absences which the secretary, commissioner, director, or applicable designee believes are justified.

(8) While the employee is receiving reimbursement under this section, he or she shall continue to be classified as a state employee and the reimbursement amount shall be considered as salary or wages.

(9) All reimbursement payments required to be made to employees under this section shall be made by the employing department. The payments shall be considered as a salary or wage expense and shall be paid by the department in the same manner and from the same appropriations as other salary and wage expenses of the department.

(10) Should the legislature revoke the reimbursement authorized under this section or repeal this section, no

affected employee is entitled thereafter to receive the reimbursement as a matter of contractual right.

Sec. 628. RCW 72.01.050 and 1992 c 7 s 51 are each amended to read as follows:

(1) The secretary of social and health services shall have full power to manage and govern the following public institutions: The western state hospital, the eastern state hospital, the northern state hospital, ~~((the state training school, the state school for girls,))~~ Lakeland Village, the Rainier school, and such other institutions as authorized by law, subject only to the limitations contained in laws relating to the management of such institutions.

(2) The secretary of corrections shall have full power to manage, govern, and name all state correctional facilities, subject only to the limitations contained in laws relating to the management of such institutions.

(3) If any state correctional facility is fully or partially destroyed by natural causes or otherwise, the secretary of corrections may, with the approval of the governor, provide for the establishment and operation of additional residential correctional facilities to place those inmates displaced by such destruction. However, such additional facilities may not be established if there are existing residential correctional facilities to which all of the displaced inmates can be appropriately placed. The establishment and operation of any additional facility shall be on a temporary basis, and the facility may not be operated beyond July 1 of the year following the year in which it was partially or fully destroyed.

(4) The secretary of the department of children, youth, and families shall have full power to manage and govern Echo Glen, the Green Hill school, and such other institutions as authorized by law, subject only to the limitations contained in laws relating to the management of such institutions.

Sec. 629. RCW 13.16.100 and 1994 sp.s. c 7 s 807 are each amended to read as follows:

Motion pictures unrated after November 1968 or rated R, X, or NC-17 by the motion picture association of America shall not be shown in juvenile detention facilities or facilities operated by the ~~((division of juvenile rehabilitation in the))~~

department of ~~((social and health services))~~ children, youth, and families.

Sec. 630. RCW 28A.225.010 and 2014 c 168 s 3 are each amended to read as follows:

(1) All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;

(c) The child is attending an education center as provided in chapter 28A.205 RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services or the department of children, youth, and families, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent: PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect school district compliance with the provisions of RCW 28A.150.220;

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time

equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and may not affect school district compliance with the provisions of RCW 28A.150.220; or

(f) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter 13.64 RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.305.190.

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private school for the purposes of this chapter and chapter 28A.200 RCW shall be one approved under regulations established by the state board of education pursuant to RCW 28A.305.130.

(4) For the purposes of this chapter and chapter 28A.200 RCW, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities, including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to the total annual program hours per grade level established for approved private schools under RCW 28A.195.010 and 28A.195.040 and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter and chapter 28A.200 RCW shall be a person certified under chapter 28A.410 RCW. For purposes of this section, "supervised by a certificated person" means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact

hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed.

Sec. 631. RCW 72.09.337 and 2001 2nd sp.s. c 12 s 502 are each amended to read as follows:

The secretary of corrections, the secretary of social and health services, the secretary of children, youth, and families, and the indeterminate sentence review board may adopt rules to implement chapter 12, Laws of 2001 2nd sp. sess.

PART VII

TRANSFER OF CHILDREN AND YOUTH RESIDENTIAL AND CUSTODIAL SERVICES

Sec. 701. RCW 72.05.010 and 1985 c 378 s 9 are each amended to read as follows:

(1) The purposes of RCW 72.05.010 through 72.05.210 are: To provide for every child with behavior problems, mentally and physically handicapped persons, and hearing and visually impaired children, within the purview of RCW 72.05.010 through 72.05.210, as now or hereafter amended, such care, guidance and instruction, control and treatment as will best serve the welfare of the child or person and society; to insure nonpolitical and qualified operation, supervision, management, and control of the Green Hill school, (~~the Maple Lane school~~) the Naselle Youth Camp, (~~the Mission Creek~~

~~Youth Camp,)) Echo Glen, ((the Caseadia Diagnostic Center,)) Lakeland Village, Rainier school, the Yakima Valley school, ((Interlake school,)) Fircrest school, ((the Francis Haddon Morgan Center,)) the Child Study and Treatment Center and Secondary School of western state hospital, and like residential state schools, camps, and centers hereafter established ((, and to place them under the department of social and health services except where specified otherwise)); and to provide for the persons committed or admitted to those schools that type of care, instruction, and treatment most likely to accomplish their rehabilitation and restoration to normal citizenship.~~

(2) To further such purposes, Green Hill School, Echo Glen, Naselle Youth Camp, and such other juvenile rehabilitation facilities, as may hereafter be established, are placed under the department of children, youth, and families; Lakeland Village, Rainier school, the Yakima Valley school, Fircrest school, the Child Study and Treatment Center and Secondary School of western state hospital, and like residential state schools, camps, and centers, hereafter established, are placed under the department of social and health services.

Sec. 702. RCW 72.05.020 and 2010 c 181 s 7 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise:

(1) "Community facility" means a group care facility operated for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility.

(2) "Department" means the department of ~~((social and health services))~~ children, youth, and families.

(3) "Juvenile" means a person under the age of twenty-one who has been sentenced to a term of confinement under the supervision of the department under RCW 13.40.185.

(4) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(5) "Physical restraint" means the use of any bodily force or physical

intervention to control an offender or limit a juvenile offender's freedom of movement in a way that does not involve a mechanical restraint. Physical restraint does not include momentary periods of minimal physical restriction by direct person-to-person contact, without the aid of mechanical restraint, accomplished with limited force and designed to:

(a) Prevent a juvenile offender from completing an act that would result in potential bodily harm to self or others or damage property;

(b) Remove a disruptive juvenile offender who is unwilling to leave the area voluntarily; or

(c) Guide a juvenile offender from one location to another.

(6) "Postpartum recovery" means (a) the entire period a youth is in the hospital, birthing center, or clinic after giving birth and (b) an additional time period, if any, a treating physician determines is necessary for healing after the youth leaves the hospital, birthing center, or clinic.

(7) "Restraints" means anything used to control the movement of a person's body or limbs and includes:

(a) Physical restraint; or

(b) Mechanical device including but not limited to: Metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, tasers, or batons.

(8) "Secretary" means the secretary of the department.

(9) "Service provider" means the entity that operates a community facility.

~~((9))~~ (10) "Transportation" means the conveying, by any means, of an incarcerated pregnant woman or youth from the institution or community facility to another location from the moment she leaves the institution or community facility to the time of arrival at the other location, and includes the escorting of the pregnant incarcerated woman or youth from the institution or community facility to a transport vehicle and from the vehicle to the other location.

Sec. 703. RCW 72.05.130 and 1990 c 33 s 592 are each amended to read as follows:

The department of social and health services and the department of children, youth, and families shall establish,

maintain, operate and administer a comprehensive program for the custody, care, education, treatment, instruction, guidance, control, and rehabilitation of all persons who may be committed or admitted to institutions, schools, or other facilities (~~(controlled and operated by the department)~~), placed under the control of each, except for the programs of education provided pursuant to RCW 28A.190.030 through 28A.190.050 which shall be established, operated, and administered by the school district conducting the program, and in order to accomplish these purposes, the powers and duties of the secretary of the department of social and health services and the secretary of the department of children, youth, and families for the institutions placed under the respective department shall include the following:

(1) The assembling, analyzing, tabulating, and reproduction in report form, of statistics and other data with respect to children with behavior problems in the state of Washington, including, but not limited to, the extent, kind, and causes of such behavior problems in the different areas and population centers of the state. Such reports shall not be open to public inspection, but shall be open to the inspection of the governor and to the superior court judges of the state of Washington.

(2) The establishment and supervision of diagnostic facilities and services in connection with the custody, care, and treatment of mentally and physically handicapped, and behavior problem children who may be committed or admitted to any of the institutions, schools, or facilities controlled and operated by the department, or who may be referred for such diagnosis and treatment by any superior court of this state. Such diagnostic services may be established in connection with, or apart from, any other state institution under the supervision and direction of the secretary of the department of social and health services or the secretary of the department of children, youth, and families. Such diagnostic services shall be available to the superior courts of the state for persons referred for such services by them prior to commitment, or admission to, any school, institution, or other facility. Such diagnostic services shall also be available to other departments of the state. When the secretary of the department of social and health services or the secretary of the department of children, youth, and

families determines it necessary, the secretary of the department of social and health services or the secretary of the department of children, youth, and families may create waiting lists and set priorities for use of diagnostic services for juvenile offenders on the basis of those most severely in need.

(3) The supervision of all persons committed or admitted to any institution, school, or other facility operated by the department of social and health services or the department of children, youth, and families, and the transfer of such persons from any such institution, school, or facility to any other such school, institution, or facility: PROVIDED, That where a person has been committed to a minimum security institution, school, or facility by any of the superior courts of this state, a transfer to a close security institution shall be made only with the consent and approval of such court.

(4) The supervision of parole, discharge, or other release, and the post-institutional placement of all persons committed to Green Hill school (~~(and Maple Lane school)~~), or such as may be assigned, paroled, or transferred therefrom to other facilities operated by the department. Green Hill school (~~(and Maple Lane school are)~~) is hereby designated as a "close security" institution(~~(s)~~) to which shall be given the custody of children with the most serious behavior problems.

Sec. 704. RCW 72.05.154 and 2012 c 117 s 460 are each amended to read as follows:

From and after July 1, 1973, any inmate working in a juvenile forest camp established and operated pursuant to RCW 72.05.150, pursuant to an agreement between the department of (~~(social and health services)~~) children, youth, and families and the department of natural resources shall be eligible for the benefits provided by Title 51 RCW, as now or hereafter amended, relating to industrial insurance, with the exceptions provided by this section.

No inmate as described in RCW 72.05.152, until released upon an order of parole by the department of (~~(social and health services)~~) children, youth, and families, or discharged from custody upon expiration of sentence, or discharged from custody by order of a court of appropriate jurisdiction, or his or her dependents or beneficiaries, shall be entitled to any payment for temporary disability or permanent total disability as provided for

in RCW 51.32.090 or 51.32.060 respectively, as now or hereafter amended, or to the benefits of chapter 51.36 RCW relating to medical aid: PROVIDED, That RCW 72.05.152 and ~~((72.05.154))~~ this section shall not affect the eligibility, payment or distribution of benefits for any industrial injury to the inmate which occurred prior to his or her existing commitment to the department of ~~((social and health services))~~ children, youth, and families.

Any and all premiums or assessments as may arise under this section pursuant to the provisions of Title 51 RCW shall be the obligation of and be paid by the state department of natural resources.

Sec. 705. RCW 72.05.415 and 1998 c 269 s 9 are each amended to read as follows:

(1) ~~((Promptly following the report due under section 17, chapter 269, Laws of 1998,))~~ The secretary shall develop a process with local governments that allows each community to establish a community placement oversight committee. The department may conduct community awareness activities. The community placement oversight committees developed pursuant to this section shall be implemented no later than September 1, 1999.

(2) The community placement oversight committees may review and make recommendations regarding the placement of any juvenile who the secretary proposes to place in the community facility.

(3) The community placement oversight committees, their members, and any agency represented by a member shall not be liable in any cause of action as a result of its decision in regard to a proposed placement of a juvenile unless the committee acts with gross negligence or bad faith in making a placement decision.

(4) Members of the committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(5) Except as provided in RCW 13.40.215, at least seventy-two hours prior to placing a juvenile in a community facility the secretary shall provide to the chief law enforcement officer of the jurisdiction in which the community facility is sited: (a) The name of the juvenile; (b) the juvenile's criminal history; and (c) such other relevant and disclosable information as the law enforcement officer may require.

Sec. 706. RCW 72.05.435 and 1998 c 269 s 15 are each amended to read as follows:

(1) The department shall establish by rule a policy for the common use of residential group homes for juvenile offenders under the jurisdiction of the ~~((juvenile rehabilitation administration and the children's administration))~~ department.

(2) A juvenile confined under the jurisdiction of the ~~((juvenile rehabilitation administration))~~ department who is convicted of a class A felony is not eligible for placement in a community facility operated by ~~((children's administration))~~ the department that houses juveniles ~~((who are not under the jurisdiction of juvenile rehabilitation administration))~~ under the department's care pursuant to a dependency proceeding under chapter 13.34 RCW unless:

(a) The juvenile is housed in a separate living unit solely for juvenile offenders;

(b) The community facility is a specialized treatment program and the youth is not assessed as sexually aggressive under RCW 13.40.470; or

(c) The community facility is a specialized treatment program that houses one or more sexually aggressive youth and the juvenile is not assessed as sexually vulnerable under RCW 13.40.470.

Sec. 707. RCW 72.05.440 and 1998 c 269 s 16 are each amended to read as follows:

(1) A person shall not be eligible for an employed or volunteer position within the ~~((juvenile rehabilitation administration))~~ department of children, youth, and families or any agency with which it contracts in which the person may have regular access to juveniles under the jurisdiction of the department of ~~((social and health services))~~ children, youth, and families or the department of corrections if the person has been convicted of one or more of the following:

(a) Any felony sex offense;

(b) Any violent offense, as defined in RCW 9.94A.030.

(2) Subsection (1) of this section applies only to persons hired by the department or any of its contracting agencies after September 1, 1998.

(3) Any person employed by the ~~((juvenile rehabilitation administration))~~ department of children, youth, and families, or by any contracting

agency, who may have regular access to juveniles under the jurisdiction of the department of children, youth, and families or the department of corrections and who is convicted of an offense set forth in this section after September 1, 1998, shall report the conviction to his or her supervisor. The report must be made within seven days of conviction. Failure to report within seven days of conviction constitutes misconduct under Title 50 RCW.

(4) For purposes of this section "may have regular access to juveniles" means access for more than a nominal amount of time.

(5) The department shall adopt rules to implement this section.

Sec. 708. RCW 72.19.010 and 1979 c 141 s 222 are each amended to read as follows:

There is hereby established under the supervision and control of the secretary of (~~social and health services~~) children, youth, and families a correctional institution for the confinement and rehabilitation of juveniles committed by the juvenile courts to the department of (~~social and health services~~) children, youth, and families. Such institution shall be situated upon publicly owned lands within King county, under the supervision of the department of natural resources, which land is located in the vicinity of Echo Lake and more particularly situated in Section 34, Township 24 North, Range 7 East W.M. and that portion of Section 3, Township 23 North, Range 7 East W.M. lying north of U.S. Highway 10, together with necessary access routes thereto, all of which tract is leased by the department of natural resources to the department of (~~social and health services~~) children, youth, and families for the establishment and construction of the correctional institution authorized and provided for in this chapter.

Sec. 709. RCW 72.19.020 and 1979 c 141 s 223 are each amended to read as follows:

The secretary of children, youth, and families may make, amend, and repeal rules (~~and regulations~~) for the administration of the juvenile correctional institution established by this chapter in furtherance of the provisions of this chapter and not inconsistent with law.

Sec. 710. RCW 72.19.030 and 1983 1st ex.s. c 41 s 27 are each amended to read as follows:

The superintendent of the correctional institution established by this chapter shall be appointed by the secretary of children, youth, and families.

Sec. 711. RCW 72.19.040 and 2012 c 117 s 461 are each amended to read as follows:

The superintendent, subject to the approval of the secretary of children, youth, and families, shall appoint such associate superintendents as shall be deemed necessary. In the event the superintendent shall be absent from the institution, or during periods of illness or other situations incapacitating the superintendent from properly performing his or her duties, one of the associate superintendents of such institution shall act as superintendent during such period of absence, illness, or incapacity as may be designated by the secretary of children, youth, and families.

Sec. 712. RCW 72.19.050 and 1993 c 281 s 65 are each amended to read as follows:

The superintendent shall have the following powers, duties and responsibilities:

(1) Subject to the rules of the department of children, youth, and families, the superintendent shall have the supervision and management of the institution, of the grounds and buildings, the subordinate officers and employees, and of the juveniles received at such institution and the custody of such persons until released or transferred as provided by law.

(2) Subject to the rules of the department of children, youth, and families and the (~~Washington personnel resources board~~) office of financial management, appoint all subordinate officers and employees.

(3) The superintendent shall be the custodian of the personal property of all juveniles in the institution and shall make rules governing the accounting and disposition of all moneys received by such juveniles, not inconsistent with the law, and subject to the approval of the secretary of the department of children, youth, and families.

Sec. 713. RCW 72.19.060 and 1979 c 141 s 227 are each amended to read as follows:

The plans and construction of the juvenile correctional institution established by this chapter shall provide for adequate separation of the residential housing of the male juvenile from the

female juvenile. In all other respects, the juvenile correctional programs for both boys and girls may be combined or separated as the secretary of children, youth, and families deems most reasonable and effective to accomplish the reformation, training and rehabilitation of the juvenile offender, realizing all possible economies from the lack of necessity for duplication of facilities.

Sec. 714. RCW 72.72.030 and 1991 sp.s. c 13 s 10 are each amended to read as follows:

(1) There is hereby created, in the state treasury, an institutional impact account. The secretary of (~~social and health services~~) children, youth, and families may reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by offenders residing in an institution as defined herein under the jurisdiction of the secretary of (~~social and health services~~) children, youth, and families. Such reimbursement shall be made to the extent funds are available from the institutional impact account. Reimbursements shall be limited to law enforcement, prosecutorial, judicial, and jail facilities costs which are documented to be strictly related to the criminal activities of the offender.

(2) The secretary of corrections may reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by offenders residing in an institution as defined herein under the jurisdiction of the secretary of corrections. Such reimbursement shall be made to the extent funds are available from the institutional impact account. Reimbursements shall be limited to law enforcement, prosecutorial, judicial, and jail facilities costs which are documented to be strictly related to the criminal activities of the offender.

Sec. 715. RCW 72.72.040 and 1983 c 279 s 3 are each amended to read as follows:

(1) The secretary of (~~social and health services~~) children, youth, and families and the secretary of corrections shall each promulgate rules pursuant to chapter 34.05 RCW regarding the reimbursement process for their respective agencies.

(2) Reimbursement shall not be made if otherwise provided pursuant to other provisions of state law.

Sec. 716. RCW 13.06.020 and 1983 c 191 s 2 are each amended to read as follows:

From any state moneys made available for such purpose, the state of Washington, through the department of (~~social and health services~~) children, youth, and families, shall, in accordance with this chapter and applicable departmental rules, share in the cost of providing services to juveniles.

Sec. 717. RCW 13.06.030 and 1983 c 191 s 3 are each amended to read as follows:

The department of (~~social and health services~~) children, youth, and families shall adopt rules prescribing minimum standards for the operation of consolidated juvenile services programs for juvenile offenders and such other rules as may be necessary for the administration of the provisions of this chapter. Consolidated juvenile services is a mechanism through which the department of (~~social and health services~~) children, youth, and families supports local county comprehensive program plans in providing services to offender groups. Standards shall be sufficiently flexible to support current programs which have demonstrated effectiveness and efficiency, to foster development of innovative and improved services for juvenile offenders, to permit direct contracting with private vendors, and to encourage community support for and assistance to local programs. The secretary of (~~social and health services~~) children, youth, and families shall seek advice from appropriate juvenile justice system participants in developing standards and procedures for the operation of consolidated juvenile services programs and the distribution of funds under this chapter.

Sec. 718. RCW 13.06.040 and 1983 c 191 s 4 are each amended to read as follows:

Any county or group of counties may make application to the department of (~~social and health services~~) children, youth, and families in the manner and form prescribed by the department for financial aid for the cost of consolidated juvenile services programs. Any such application must include a plan or plans for providing consolidated services to juvenile offenders in accordance with standards of the department.

Sec. 719. RCW 13.06.050 and 1993 c 415 s 7 are each amended to read as follows:

No county shall be entitled to receive any state funds provided by this chapter until its application and plan are approved, and unless and until the minimum standards prescribed by the department of ~~((social and health services))~~ children, youth, and families are complied with and then only on such terms as are set forth in this section. In addition, any county making application for state funds under this chapter that also operates a juvenile detention facility must have standards of operations in place that include: Intake and admissions, medical and health care, communication, correspondence, visiting and telephone use, security and control, sanitation and hygiene, juvenile rights, rules and discipline, property, juvenile records, safety and emergency procedures, programming, release and transfer, training and staff development, and food service.

(1) The distribution of funds to a county or a group of counties shall be based on criteria including but not limited to the county's per capita income, regional or county at-risk populations, juvenile crime or arrest rates, rates of poverty, size of racial minority populations, existing programs, and the effectiveness and efficiency of consolidating local programs towards reducing commitments to state correctional facilities for offenders whose standard range disposition does not include commitment of the offender to the department and reducing reliance on other traditional departmental services.

(2) The secretary of children, youth, and families will reimburse a county upon presentation and approval of a valid claim pursuant to the provisions of this chapter based on actual performance in meeting the terms and conditions of the approved plan and contract. Funds received by participating counties under this chapter shall not be used to replace local funds for existing programs.

(3) The secretary of children, youth, and families, in conjunction with the human rights commission, shall evaluate the effectiveness of programs funded under this chapter in reducing racial disproportionality. The secretary shall investigate whether implementation of such programs has reduced disproportionality in counties with initially high levels of disproportionality. The analysis shall indicate which programs are cost-effective in reducing disproportionality in such areas as alternatives to detention, intake

and risk assessment standards pursuant to RCW 13.40.038, alternatives to incarceration, and in the prosecution and adjudication of juveniles. The secretary shall report his or her findings to the legislature by ~~((December 1, 1994, and))~~ December 1st of each year ~~((thereafter))~~.

Sec. 720. RCW 28A.190.010 and 2014 c 157 s 2 are each amended to read as follows:

A program of education shall be provided for by the department of social and health services or the department of children, youth, and families and the several school districts of the state for common school-age persons who have been admitted to facilities staffed and maintained or contracted pursuant to RCW 13.40.320 by the department of social and health services or the department of children, youth, and families for the education and treatment of juveniles who have been diverted or who have been found to have committed a juvenile offense. The division of duties, authority, and liabilities of the department of social and health services or the department of children, youth, and families and the several school districts of the state respecting the educational programs shall be the same in all respects as set forth in this chapter respecting programs of education for state residential school residents. For the purposes of this section, the term "residential school" or "schools" as used in this chapter shall be construed to mean a facility staffed and maintained by the department of social and health services or the department of children, youth, and families or a program established under RCW 13.40.320, for the education and treatment of juvenile offenders on probation or parole. Nothing in this section shall prohibit a school district from utilizing the services of an educational service district subject to RCW 28A.310.180.

Sec. 721. RCW 28A.190.020 and 2014 c 157 s 3 are each amended to read as follows:

The term "residential school" as used in this chapter and RCW 72.01.200, 72.05.010, and 72.05.130 means Green Hill school, ~~((Maple Lane school,))~~ Naselle Youth Camp, ~~((Cedar Creek Youth Camp, Mission Creek Youth Camp,))~~ Echo Glen, Lakeland Village, Rainier school, Yakima Valley school, ~~((Interlake school,))~~ Fircrest school, ~~((Francis Haddon Morgan Center,))~~ the Child Study and Treatment Center and Secondary School of western

state hospital, and such other schools, camps, and centers as are now or hereafter established by the department of social and health services or the department of children, youth, and families for the diagnosis, confinement and rehabilitation of juveniles committed by the courts or for the care and treatment of persons who are exceptional in their needs by reason of mental and/or physical deficiency: PROVIDED, That the term shall not include the state schools for the deaf and blind or adult correctional institutions.

Sec. 722. RCW 28A.190.040 and 1990 c 33 s 173 are each amended to read as follows:

The duties and authority of the department of social and health services or the department of children, youth, and families and of each superintendent or chief administrator of a residential school to support each program of education conducted by a school district pursuant to RCW 28A.190.030, shall include the following:

(1) The provision of transportation for residential school students to and from the sites of the program of education through the purchase, lease or rental of school buses and other vehicles as necessary;

(2) The provision of safe and healthy building and playground space for the conduct of the program of education through the construction, purchase, lease or rental of such space as necessary;

(3) The provision of furniture, vocational instruction machines and tools, building and playground fixtures, and other equipment and fixtures for the conduct of the program of education through construction, purchase, lease or rental as necessary;

(4) The provision of heat, lights, telephones, janitorial services, repair services, and other support services for the vehicles, building and playground spaces, equipment and fixtures provided for in this section;

(5) The employment, supervision and control of persons to transport students and to maintain the vehicles, building and playground spaces, equipment and fixtures, provided for in this section;

(6) Clinical and medical evaluation services necessary to a determination by the school district of the educational needs of residential school students; and

(7) Such other support services and facilities as are reasonably necessary for the conduct of the program of education.

Sec. 723. RCW 28A.190.050 and 1990 c 33 s 174 are each amended to read as follows:

Each school district required to conduct a program of education pursuant to RCW 28A.190.030, and the department of social and health services and the department of children, youth, and families shall hereafter negotiate and execute a written contract for each school year or such longer period as may be agreed to which delineates the manner in which their respective duties and authority will be cooperatively performed and exercised, and any disputes and grievances resolved. Any such contract may provide for the performance of duties by a school district in addition to those set forth in RCW 28A.190.030 (1) through (5), including duties imposed upon the department of social and health services and the department of children, youth, and families and ~~(its)~~ their agents pursuant to RCW 28A.190.040: PROVIDED, That funds identified in RCW 28A.190.030(6) and/or funds provided by the department of social and health services and the department of children, youth, and families are available to fully pay the direct and indirect costs of such additional duties and the district is otherwise authorized by law to perform such duties in connection with the maintenance and operation of a school district.

Sec. 724. RCW 28A.190.060 and 2014 c 157 s 4 are each amended to read as follows:

The department of social and health services and the department of children, youth, and families shall provide written notice on or before April 15th of each school year to the superintendent of each school district conducting a program of education pursuant to this chapter of any foreseeable residential school closure, reduction in the number of residents, or any other cause for a reduction in the school district's staff for the next school year. In the event the department of social and health services and the department of children, youth, and families fail(~~to~~) to provide notice as prescribed by this section, the departments shall be liable and responsible for the payment of the salary and employment related costs for the next school year of each school district employee whose contract the school

district would have nonrenewed but for the failure of the departments to provide notice.

Sec. 725. RCW 71.34.795 and 1985 c 354 s 19 are each amended to read as follows:

When in the judgment of the department of children, youth, and families the welfare of any person committed to or confined in any state juvenile correctional institution or facility necessitates that the person be transferred or moved for observation, diagnosis, or treatment to an evaluation and treatment facility, the secretary of children, youth, and families or the secretary's designee is authorized to order and effect such move or transfer for a period of up to fourteen days, provided that the secretary notifies the original committing court of the transfer and the evaluation and treatment facility is in agreement with the transfer. No person committed to or confined in any state juvenile correctional institution or facility may be transferred to an evaluation and treatment facility for more than fourteen days unless that person has been admitted as a voluntary patient or committed for one hundred eighty-day treatment under this chapter or ninety-day treatment under chapter 71.05 RCW if eighteen years of age or older. Underlying jurisdiction of minors transferred or committed under this section remains with the state correctional institution. A voluntary admitted minor or minors committed under this section and no longer meeting the criteria for one hundred eighty-day commitment shall be returned to the state correctional institution to serve the remaining time of the underlying dispositional order or sentence. The time spent by the minor at the evaluation and treatment facility shall be credited towards the minor's juvenile court sentence.

Sec. 726. RCW 72.01.010 and 1981 c 136 s 66 are each amended to read as follows:

As used in this chapter:

"Department" means the departments of social and health services, children, youth, and families, and corrections; and

"Secretary" means the secretaries of social and health services, children, youth, and families, and corrections.

The powers and duties granted and imposed in this chapter, when applicable, apply to ~~((both))~~ the departments of social and health services, children,

youth, and families, and corrections and the secretaries of social and health services, children, youth, and families and corrections, for institutions under their control. A power or duty may be exercised or fulfilled jointly if joint action is more efficient, as determined by the secretaries.

Sec. 727. RCW 72.01.210 and 2008 c 104 s 3 are each amended to read as follows:

(1) The secretary of corrections shall appoint institutional chaplains for the state correctional institutions for convicted felons. Institutional chaplains shall be appointed as employees of the department of corrections. The secretary of corrections may further contract with chaplains to be employed as is necessary to meet the religious needs of those inmates whose religious denominations are not represented by institutional chaplains and where volunteer chaplains are not available.

(2) Institutional chaplains appointed by the department of corrections under this section shall have qualifications necessary to function as religious program coordinators for all faith groups represented within the department. Every chaplain so appointed or contracted with shall have qualifications consistent with community standards of the given faith group to which the chaplain belongs and shall not be required to violate the tenets of his or her faith when acting in an ecclesiastical role.

(3) The secretary of ~~((social and health services))~~ children, youth, and families shall appoint chaplains for the correctional institutions for juveniles found delinquent by the juvenile courts; and the secretary of corrections and the secretary of social and health services shall appoint one or more chaplains for other custodial, correctional, and mental institutions under their control.

(4) Except as provided in this section, the chaplains so appointed under this section shall have the qualifications and shall be compensated in an amount as recommended by the appointing department and approved by the Washington personnel resources board.

Sec. 728. RCW 72.01.410 and 2015 c 156 s 2 are each amended to read as follows:

(1) Whenever any child under the age of eighteen is convicted as an adult in the courts of this state of a crime amounting to a felony, and is committed for a term

of confinement, that child shall be initially placed in a facility operated by the department of corrections to determine the child's earned release date.

(a) If the earned release date is prior to the child's twenty-first birthday, the department of corrections shall transfer the child to the custody of the department of ~~((social and health services))~~ children, youth, and families, or to such other institution as is now, or may hereafter be authorized by law to receive such child, until such time as the child completes the ordered term of confinement or arrives at the age of twenty-one years.

(i) While in the custody of the department of ~~((social and health services))~~ children, youth, and families, the child must have the same treatment, housing options, transfer, and access to program resources as any other child committed directly to that juvenile correctional facility or institution pursuant to chapter 13.40 RCW. Treatment, placement, and program decisions shall be at the sole discretion of the department of ~~((social and health services))~~ children, youth, and families. The youth shall only be transferred back to the custody of the department of corrections with the approval of the department of ~~((social and health services))~~ children, youth, and families or when the child reaches the age of twenty-one.

(ii) If the child's sentence includes a term of community custody, the department of ~~((social and health services))~~ children, youth, and families shall not release the child to community custody until the department of corrections has approved the child's release plan pursuant to RCW 9.94A.729(5)(b). If a child is held past his or her earned release date pending release plan approval, the department of ~~((social and health services))~~ children, youth, and families shall retain custody until a plan is approved or the child completes the ordered term of confinement prior to age twenty-one.

(iii) If the department of ~~((social and health services))~~ children, youth, and families determines that retaining custody of the child presents a safety risk, the child may be returned to the custody of the department of corrections.

(b) If the child's earned release date is on or after the child's twenty-first birthday, the department of corrections shall, with the consent of the secretary

of ~~((social and health services))~~ children, youth, and families, transfer the child to a facility or institution operated by the department of ~~((social and health services))~~ children, youth, and families. Despite the transfer, the department of corrections retains authority over custody decisions and must approve any leave from the facility. When the child turns age twenty-one, he or she must be transferred back to the department of corrections. The department of ~~((social and health services))~~ children, youth, and families has all routine and day-to-day operations authority for the child while in its custody.

(2)(a) Except as provided in (b) and (c) of this subsection, an offender under the age of eighteen who is convicted in adult criminal court and who is committed to a term of confinement at the department of corrections must be placed in a housing unit, or a portion of a housing unit, that is separated from offenders eighteen years of age or older, until the offender reaches the age of eighteen.

(b) An offender who reaches eighteen years of age may remain in a housing unit for offenders under the age of eighteen if the secretary of corrections determines that: (i) The offender's needs and the correctional goals for the offender could continue to be better met by the programs and housing environment that is separate from offenders eighteen years of age and older; and (ii) the programs or housing environment for offenders under the age of eighteen will not be substantially affected by the continued placement of the offender in that environment. The offender may remain placed in a housing unit for offenders under the age of eighteen until such time as the secretary of corrections determines that the offender's needs and correctional goals are no longer better met in that environment but in no case past the offender's twenty-first birthday.

(c) An offender under the age of eighteen may be housed in an intensive management unit or administrative segregation unit containing offenders eighteen years of age or older if it is necessary for the safety or security of the offender or staff. In these cases, the offender must be kept physically separate from other offenders at all times.

PART VIII

ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 801.** (1) The secretary shall investigate the conviction records, pending charges, and disciplinary board final decisions of any current employee or applicant seeking or being considered for any position with the department who will or may have unsupervised access to children. This includes, but is not limited to, positions conducting comprehensive assessments, financial eligibility determinations, licensing and certification activities, investigations, surveys, or case management; or for state positions otherwise required by federal law to meet employment standards.

(2) The secretary shall require a fingerprint-based background check through both the Washington state patrol and the federal bureau of investigation as provided in RCW 43.43.837. Unless otherwise authorized by law, the secretary shall use the information solely for the purpose of determining the character, suitability, and competence of the applicant.

(3) Criminal justice agencies shall provide the secretary such information as they may have and that the secretary may require for such purpose.

(4) Any person whose criminal history would otherwise disqualify the person under this section from a position that will or may have unsupervised access to children shall not be disqualified if the department of social and health services reviewed the person's otherwise disqualifying criminal history through the department of social and health services' background assessment review team process conducted in 2002 and determined that such person could remain in a position covered by this section, or if the otherwise disqualifying conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure.

NEW SECTION. **Sec. 802.** (1) The department of early learning is hereby abolished and its powers, duties, and functions are hereby transferred to the department of children, youth, and families. All references to the secretary or the department of early learning in the Revised Code of Washington shall be construed to mean the secretary or the department of children, youth, and families.

(2) (a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the

department of early learning shall be delivered to the custody of the department of children, youth, and families. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of early learning shall be made available to the department of children, youth, and families. All funds, credits, or other assets held by the department of early learning shall be assigned to the department of children, youth, and families.

(b) Any appropriations made to the department of early learning shall, on the effective date of this section, be transferred and credited to the department of children, youth, and families.

(c) If any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All employees of the department of early learning are transferred to the jurisdiction of the department of children, youth, and families. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department of children, youth, and families to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(4) All rules and all pending business before the department of early learning shall be continued and acted upon by the department of children, youth, and families. All existing contracts and obligations shall remain in full force and shall be performed by the department of children, youth, and families.

(5) The transfer of the powers, duties, functions, and personnel of the department of early learning shall not affect the validity of any act performed before the effective date of this section.

(6) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected,

the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(7)(a) The bargaining units of employees at the department of early learning existing on the effective date of this section that are transferred to the department of children, youth, and families shall be considered separate appropriate units within the department of children, youth, and families unless and until modified by the public employment relations commission pursuant to Title 391 WAC. The exclusive bargaining representatives recognized as representing the bargaining units of employees at the department of early learning existing on the effective date of this section shall continue as the exclusive bargaining representatives of the transferred bargaining units without the necessity of an election.

(b) The public employment relations commission may review the appropriateness of the collective bargaining units that are a result of the transfer from the department of early learning to the department of children, youth, and families under chapter . . . , Laws of 2017 3rd sp. sess. (this act). The employer or the exclusive bargaining representative may petition the public employment relations commission to review the bargaining units in accordance with this section.

NEW SECTION. Sec. 803. (1) All powers, duties, and functions of the department of social and health services pertaining to child welfare services under chapters 13.34, 13.36, 13.38, 13.50, 13.60, 13.64, 26.33, 26.44, 74.13, 74.13A, 74.14B, 74.14C, and 74.15 RCW are transferred to the department of children, youth, and families. All references to the secretary or the department of social and health services in the Revised Code of Washington shall be construed to mean the secretary or the department of children, youth, and families when referring to the functions transferred in this section.

(2)(a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of social and health services pertaining to the powers, duties, and functions transferred shall be delivered to the custody of the department of children, youth, and families. All

cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of social and health services in carrying out the powers, duties, and functions transferred shall be made available to the department of children, youth, and families. All funds, credits, or other assets held in connection with the powers, duties, and functions transferred shall be assigned to the department of children, youth, and families.

(b) Any appropriations made to the department of social and health services for carrying out the powers, duties, and functions transferred shall, on the effective date of this section, be transferred and credited to the department of children, youth, and families.

(c) Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All employees of the department of social and health services engaged in performing the powers, duties, and functions transferred are transferred to the jurisdiction of the department of children, youth, and families. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department of children, youth, and families to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(4) All rules and all pending business before the department of social and health services pertaining to the powers, duties, and functions transferred shall be continued and acted upon by the department of children, youth, and families. All existing contracts and obligations shall remain in full force and shall be performed by the department of children, youth, and families.

(5) The transfer of the powers, duties, functions, and personnel of the department of social and health services shall not affect the validity of any act performed before the effective date of this section.

(6) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(7)(a) The portions of any bargaining units of employees at the department of social and health services existing on the effective date of this section that are transferred to the department of children, youth, and families shall be considered separate appropriate units within the department of children, youth, and families unless and until modified by the public employment relations commission pursuant to Title 391 WAC. The exclusive bargaining representatives recognized as representing the portions of the bargaining units of employees at the department of social and health services existing on the effective date of this section shall continue as the exclusive bargaining representatives of the transferred bargaining units without the necessity of an election.

(b) The public employment relations commission may review the appropriateness of the collective bargaining units that are a result of the transfer from the department of social and health services to the department of children, youth, and families under chapter . . . , Laws of 2017 3rd sp. sess. (this act). The employer or the exclusive bargaining representative may petition the public employment relations commission to review the bargaining units in accordance with this section.

NEW SECTION. **Sec. 804.** (1) All powers, duties, and functions of the department of social and health services pertaining to juvenile justice services under chapters 13.04, 13.06, 13.16, 13.40, 28A.190, 28A.225, 74.14A, 72.01, 72.05, 72.09, 72.19, 71.34, and 72.72 RCW are transferred to the department of children, youth, and families. All references to the secretary or the department of social and health services in the Revised Code of Washington shall be construed to mean the secretary or the department of children, youth, and families when referring to the functions transferred in this section.

(2)(a) All reports, documents, surveys, books, records, files, papers, or written

material in the possession of the department of social and health services pertaining to the powers, duties, and functions transferred shall be delivered to the custody of the department of children, youth, and families. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of social and health services in carrying out the powers, duties, and functions transferred shall be made available to the department of children, youth, and families. All funds, credits, or other assets held in connection with the powers, duties, and functions transferred shall be assigned to the department of children, youth, and families.

(b) Any appropriations made to the department of social and health services for carrying out the powers, duties, and functions transferred shall, on the effective date of this section, be transferred and credited to the department of children, youth, and families.

(c) Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All employees of the department of social and health services engaged in performing the powers, duties, and functions transferred are transferred to the jurisdiction of the department of children, youth, and families. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department of children, youth, and families to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(4) All rules and all pending business before the department of social and health services pertaining to the powers, duties, and functions transferred shall be continued and acted upon by the department of children, youth, and families. All existing contracts and obligations shall remain in full force and shall be performed by the department of children, youth, and families.

(5) The transfer of the powers, duties, functions, and personnel of the department of social and health services shall not affect the validity of any act performed before the effective date of this section.

(6) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(7)(a) The portions of any bargaining units of employees at the department of social and health services existing on the effective date of this section that are transferred to the department of children, youth, and families shall be considered separate appropriate units within the department of children, youth, and families unless and until modified by the public employment relations commission pursuant to Title 391 WAC. The exclusive bargaining representatives recognized as representing the portions of the bargaining units of employees at the department of social and health services existing on the effective date of this section shall continue as the exclusive bargaining representatives of the transferred bargaining units without the necessity of an election.

(b) The public employment relations commission may review the appropriateness of the collective bargaining units that are a result of the transfer from the department of social and health services to the department of children, youth, and families under chapter . . . , Laws of 2017 3rd sp. sess. (this act). The employer or the exclusive bargaining representative may petition the public employment relations commission to review the bargaining units in accordance with this section.

Sec. 805. RCW 9.96A.060 and 2001 c 296 s 2 are each amended to read as follows:

This chapter is not applicable to the department of social and health services or the department of children, youth, and families when employing a person, who in the course of his or her employment, has or may have unsupervised access to any person who is under the age of eighteen, who is under the age of twenty-one and has been sentenced to a term of confinement

under the supervision of the department of (~~social and health services~~) children, youth, and families under chapter 13.40 RCW, who is a vulnerable adult under chapter 74.34 RCW, or who is a vulnerable person. For purposes of this section "vulnerable person" means an adult of any age who lacks the functional, mental, or physical ability to care for himself or herself.

Sec. 806. RCW 9.97.020 and 2017 c 281 s 35 are each amended to read as follows:

(1) Except as provided in this section, no state, county, or municipal department, board, officer, or agency authorized to assess the qualifications of any applicant for a license, certificate of authority, qualification to engage in the practice of a profession or business, or for admission to an examination to qualify for such a license or certificate may disqualify a qualified applicant, solely based on the applicant's criminal history, if the qualified applicant has obtained a certificate of restoration of opportunity and the applicant meets all other statutory and regulatory requirements, except as required by federal law or exempted under this subsection. Nothing in this section is interpreted as restoring or creating a means to restore any firearms rights or eligibility to obtain a firearm dealer license pursuant to RCW 9.41.110 or requiring the removal of a protection order.

(a)(i) Criminal justice agencies, as defined in RCW 10.97.030, and the Washington state bar association are exempt from this section.

(ii) This section does not apply to the licensing, certification, or qualification of the following professionals: Accountants, RCW 18.04.295; assisted living facilities employees, RCW 18.20.125; bail bond agents, RCW 18.185.020; escrow agents, RCW 18.44.241; long-term care workers, RCW 18.88B.080; nursing home administrators, RCW 18.52.071; nursing, chapter 18.79 RCW; physicians and physician assistants, chapters 18.71 and 18.71A RCW; private investigators, RCW 18.165.030; receivers, RCW 7.60.035; teachers, chapters 28A.405 and 28A.410 RCW; notaries public, chapter 42.--- RCW (the new chapter created in section 33, chapter 281, Laws of 2017); private investigators, chapter 18.165 RCW; real estate brokers and salespersons, chapters 18.85 and 18.86 RCW; security guards, chapter 18.170 RCW; and vulnerable adult care providers, RCW 43.43.842.

(iii) To the extent this section conflicts with the requirements for receipt of federal funding under the adoption and safe families act, 42 U.S.C. Sec. 671, this section does not apply.

(b) Unless otherwise addressed in statute, in cases where an applicant would be disqualified under RCW 43.20A.710, and the applicant has obtained a certificate of restoration of opportunity, the department of social and health services and the department of children, youth, and families may, after review of relevant factors, including the nature and seriousness of the offense, time that has passed since conviction, changed circumstances since the offense occurred, and the nature of the employment or license sought, at ~~((its))~~ their discretion:

(i) Allow the applicant to have unsupervised access to children, vulnerable adults, or individuals with mental illness or developmental disabilities if the applicant is otherwise qualified and suitable; or

(ii) Disqualify the applicant solely based on the applicant's criminal history.

(c) If the practice of a profession or business involves unsupervised contact with vulnerable adults, children, or individuals with mental illness or developmental disabilities, or populations otherwise defined by statute as vulnerable, the department of health may, after review of relevant factors, including the nature and seriousness of the offense, time that has passed since conviction, changed circumstances since the offense occurred, and the nature of the employment or license sought, at its discretion:

(i) Disqualify an applicant who has obtained a certificate of restoration of opportunity, for a license, certification, or registration to engage in the practice of a health care profession or business solely based on the applicant's criminal history; or

(ii) If such applicant is otherwise qualified and suitable, credential or credential with conditions an applicant who has obtained a certificate of restoration of opportunity for a license, certification, or registration to engage in the practice of a health care profession or business.

(d) The state of Washington, any of its counties, cities, towns, municipal

corporations, or quasi-municipal corporations, the department of health, and its officers, employees, contractors, and agents are immune from suit in law, equity, or any action under the administrative procedure act based upon its exercise of discretion under this section. This section does not create a protected class; private right of action; any right, privilege, or duty; or change to any right, privilege, or duty existing under law. This section does not modify a licensing or certification applicant's right to a review of an agency's decision under the administrative procedure act or other applicable statute or agency rule. A certificate of restoration of opportunity does not remove or alter citizenship or legal residency requirements already in place for state agencies and employers.

(2) A qualified court has jurisdiction to issue a certificate of restoration of opportunity to a qualified applicant.

(a) A court must determine, in its discretion whether the certificate:

(i) Applies to all past criminal history; or

(ii) Applies only to the convictions or adjudications in the jurisdiction of the court.

(b) The certificate does not apply to any future criminal justice involvement that occurs after the certificate is issued.

(c) A court must determine whether to issue a certificate by determining whether the applicant is a qualified applicant as defined in RCW 9.97.010.

(3) An employer or housing provider may, in its sole discretion, determine whether to consider a certificate of restoration of opportunity issued under this chapter in making employment or rental decisions. An employer or housing provider is immune from suit in law, equity, or under the administrative procedure act for damages based upon its exercise of discretion under this section or the refusal to exercise such discretion. In any action at law against an employer or housing provider arising out of the employment of or provision of housing to the recipient of a certificate of restoration of opportunity, evidence of the crime for which a certificate of restoration of opportunity has been issued may not be introduced as evidence of negligence or intentionally tortious

conduct on the part of the employer or housing provider. This subsection does not create a protected class, private right of action, any right, privilege, or duty, or to change any right, privilege, or duty existing under law related to employment or housing except as provided in RCW 7.60.035.

(4)(a) Department of social and health services: A certificate of restoration of opportunity does not apply to the state abuse and neglect registry. No finding of abuse, neglect, or misappropriation of property may be removed from the registry based solely on a certificate. The department must include such certificates as part of its criminal history record reports, qualifying letters, or other assessments pursuant to RCW 43.43.830 through 43.43.838. The department shall adopt rules to implement this subsection.

(b) Washington state patrol: The Washington state patrol is not required to remove any records based solely on a certificate of restoration of opportunity. The state patrol must include a certificate as part of its criminal history record report.

(c) Court records:

(i) A certificate of restoration of opportunity has no effect on any other court records, including records in the judicial information system. The court records related to a certificate of restoration of opportunity must be processed and recorded in the same manner as any other record.

(ii) The qualified court where the applicant seeks the certificate of restoration of opportunity must administer the court records regarding the certificate in the same manner as it does regarding all other proceedings.

(d) Effect in other judicial proceedings: A certificate of restoration of opportunity may only be submitted to a court to demonstrate that the individual met the specific requirements of this section and not for any other procedure, including evidence of character, reputation, or conduct. A certificate is not an equivalent procedure under Rule of Evidence 609(c).

(e) Department of health: The department of health must include a certificate of restoration of opportunity on its public web site if:

(i) Its web site includes an order, stipulation to informal disposition, or notice of decision related to the conviction identified in the certificate of restoration of opportunity; and

(ii) The credential holder has provided a certified copy of the certificate of restoration of opportunity to the department of health.

(f) Department of children, youth, and families: A certificate of restoration of opportunity does not apply to founded findings of child abuse or neglect. No finding of child abuse or neglect may be destroyed based solely on a certificate. The department of children, youth, and families must include such certificates as part of its criminal history record reports, qualifying letters, or other assessments pursuant to RCW 43.43.830 through 43.43.838. The department of children, youth, and families shall adopt rules to implement this subsection (4)(f).

(5) In all cases, an applicant must provide notice to the prosecutor in the county where he or she seeks a certificate of restoration of opportunity of the pendency of such application. If the applicant has been sentenced by any other jurisdiction in the five years preceding the application for a certificate, the applicant must also notify the prosecuting attorney in those jurisdictions. The prosecutor in the county where an applicant applies for a certificate shall provide the court with a report of the applicant's criminal history.

(6) Application for a certificate of restoration of opportunity must be filed as a civil action.

(7) A superior court in the county in which the applicant resides may decline to consider the application for certificate of restoration of opportunity. If the superior court in which the applicant resides declines to consider the application, the court must dismiss the application without prejudice and the applicant may refile the application in another qualified court. The court must state the reason for the dismissal on the order. If the court determines that the applicant does not meet the required qualifications, then the court must dismiss the application without prejudice and state the reason(s) on the order. The superior court in the county of the applicant's conviction or adjudication may not decline to consider the application.

(8) Unless the qualified court determines that a hearing on an application for certificate of restoration is necessary, the court must decide without a hearing whether to grant the certificate of restoration of opportunity based on a review of the application filed by the applicant and pleadings filed by the prosecuting attorney.

(9) The clerk of the court in which the certificate of restoration of opportunity is granted shall transmit the certificate of restoration of opportunity to the Washington state patrol identification section, which holds criminal history information for the person who is the subject of the conviction. The Washington state patrol shall update its records to reflect the certificate of restoration of opportunity.

(10)(a) The administrative office of the courts shall develop and prepare instructions, forms, and an informational brochure designed to assist applicants applying for a certificate of restoration of opportunity.

(b) The instructions must include, at least, a sample of a standard application and a form order for a certificate of restoration of opportunity.

(c) The administrative office of the courts shall distribute a master copy of the instructions, informational brochure, and sample application and form order to all county clerks and a master copy of the application and order to all superior courts by January 1, 2017.

(d) The administrative office of the courts shall determine the significant non-English-speaking or limited English-speaking populations in the state. The administrator shall then arrange for translation of the instructions, which shall contain a sample of the standard application and order, and the informational brochure into languages spoken by those significant non-English-speaking populations and shall distribute a master copy of the translated instructions and informational brochures to the county clerks by January 1, 2017.

(e) The administrative office of the courts shall update the instructions, brochures, standard application and order, and translations when changes in the law make an update necessary.

Sec. 807. RCW 41.06.475 and 2007 c 387 s 8 are each amended to read as follows:

The director shall adopt rules, in cooperation with the ~~((director))~~ secretary of the department of ~~((early learning))~~ children, youth, and families, for the background investigation of current employees and of persons being actively considered for positions with the department who will or may have unsupervised access to children. The director shall also adopt rules, in cooperation with the ~~((director))~~ secretary of the department of ~~((early learning))~~ children, youth, and families, for background investigation of positions otherwise required by federal law to meet employment standards. "Considered for positions" includes decisions about (1) initial hiring, layoffs, reallocations, transfers, promotions, or demotions, or (2) other decisions that result in an individual being in a position that will or may have unsupervised access to children as an employee, an intern, or a volunteer.

Sec. 808. RCW 41.56.030 and 2015 2nd sp.s. c 6 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Adult family home provider" means a provider as defined in RCW 70.128.010 who receives payments from the medicaid and state-funded long-term care programs.

(2) "Bargaining representative" means any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers.

(3) "Child care subsidy" means a payment from the state through a child care subsidy program established pursuant to RCW 74.12.340 or 74.08A.340, 45 C.F.R. Sec. 98.1 through 98.17, or any successor program.

(4) "Collective bargaining" means the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.

(5) "Commission" means the public employment relations commission.

(6) "Executive director" means the executive director of the commission.

(7) "Family child care provider" means a person who: (a) Provides regularly scheduled care for a child or children in the home of the provider or in the home of the child or children for periods of less than twenty-four hours or, if necessary due to the nature of the parent's work, for periods equal to or greater than twenty-four hours; (b) receives child care subsidies; and (c) under chapter 43.215 RCW (as recodified by this act), is either licensed by the state ((under RCW 74.15.030)) or is exempt from licensing ((under chapter 74.15 RCW)).

(8) "Individual provider" means an individual provider as defined in RCW 74.39A.240(4) who, solely for the purposes of collective bargaining, is a public employee as provided in RCW 74.39A.270.

(9) "Institution of higher education" means the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges.

(10)(a) "Language access provider" means any independent contractor who provides spoken language interpreter services for department of social and health services appointments or medicaid enrollee appointments, or department of children, youth, and families appointments, or provided these services on or after January 1, 2009, and before June 10, 2010, whether paid by a broker, language access agency, or the department.

(b) "Language access provider" does not mean an owner, manager, or employee of a broker or a language access agency.

(11) "Public employee" means any employee of a public employer except any person (a) elected by popular vote, or (b) appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (c) whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to (i) the executive head or body of the applicable bargaining unit, or (ii) any person elected by popular vote, or (iii) any person appointed to office

pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (d) who is a court commissioner or a court magistrate of superior court, district court, or a department of a district court organized under chapter 3.46 RCW, or (e) who is a personal assistant to a district court judge, superior court judge, or court commissioner. For the purpose of (e) of this subsection, no more than one assistant for each judge or commissioner may be excluded from a bargaining unit.

(12) "Public employer" means any officer, board, commission, council, or other person or body acting on behalf of any public body governed by this chapter, or any subdivision of such public body. For the purposes of this section, the public employer of district court or superior court employees for wage-related matters is the respective county legislative authority, or person or body acting on behalf of the legislative authority, and the public employer for nonwage-related matters is the judge or judge's designee of the respective district court or superior court.

(13) "Uniformed personnel" means: (a) Law enforcement officers as defined in RCW 41.26.030 employed by the governing body of any city or town with a population of two thousand five hundred or more and law enforcement officers employed by the governing body of any county with a population of ten thousand or more; (b) correctional employees who are uniformed and nonuniformed, commissioned and noncommissioned security personnel employed in a jail as defined in RCW 70.48.020(9), by a county with a population of seventy thousand or more, and who are trained for and charged with the responsibility of controlling and maintaining custody of inmates in the jail and safeguarding inmates from other inmates; (c) general authority Washington peace officers as defined in RCW 10.93.020 employed by a port district in a county with a population of one million or more; (d) security forces established under RCW 43.52.520; (e) firefighters as that term is defined in RCW 41.26.030; (f) employees of a port district in a county with a population of one million or more whose duties include crash fire rescue or other firefighting duties; (g) employees of fire departments of public employers who dispatch exclusively either fire or

emergency medical services, or both; (h) employees in the several classes of advanced life support technicians, as defined in RCW 18.71.200, who are employed by a public employer; or (i) court marshals of any county who are employed by, trained for, and commissioned by the county sheriff and charged with the responsibility of enforcing laws, protecting and maintaining security in all county-owned or contracted property, and performing any other duties assigned to them by the county sheriff or mandated by judicial order.

Sec. 809. RCW 41.56.510 and 2010 c 296 s 2 are each amended to read as follows:

(1) In addition to the entities listed in RCW 41.56.020, this chapter applies to the governor with respect to language access providers. Solely for the purposes of collective bargaining and as expressly limited under subsections (2) and (3) of this section, the governor is the public employer of language access providers who, solely for the purposes of collective bargaining, are public employees. The governor or the governor's designee shall represent the public employer for bargaining purposes.

(2) There shall be collective bargaining, as defined in RCW 41.56.030, between the governor and language access providers, except as follows:

(a) A statewide unit of all language access providers is the only unit appropriate for purposes of collective bargaining under RCW 41.56.060;

(b) The exclusive bargaining representative of language access providers in the unit specified in (a) of this subsection shall be the representative chosen in an election conducted pursuant to RCW 41.56.070.

Bargaining authorization cards furnished as the showing of interest in support of any representation petition or motion for intervention filed under this section are exempt from disclosure under chapter 42.56 RCW;

(c) Notwithstanding the definition of "collective bargaining" in RCW 41.56.030(4), the scope of collective bargaining for language access providers under this section is limited solely to: (i) Economic compensation, such as the manner and rate of payments; (ii) professional development and training; (iii) labor-management committees; and (iv) grievance procedures. Retirement

benefits are not subject to collective bargaining. By such obligation neither party may be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter;

(d) In addition to the entities listed in the mediation and interest arbitration provisions of RCW 41.56.430 through 41.56.470 and 41.56.480, the provisions apply to the governor or the governor's designee and the exclusive bargaining representative of language access providers, except that:

(i) In addition to the factors to be taken into consideration by an interest arbitration panel under RCW 41.56.465, the panel shall consider the financial ability of the state to pay for the compensation and benefit provisions of a collective bargaining agreement;

(ii) The decision of the arbitration panel is not binding on the legislature and, if the legislature does not approve the request for funds necessary to implement the compensation and benefit provisions of the arbitrated collective bargaining agreement, the decision is not binding on the state;

(e) Language access providers do not have the right to strike.

(3) Language access providers who are public employees solely for the purposes of collective bargaining under subsection (1) of this section are not, for that reason, employees of the state for any other purpose. This section applies only to the governance of the collective bargaining relationship between the employer and language access providers as provided in subsections (1) and (2) of this section.

(4) Each party with whom the department of social and health services or the department of children, youth, and families contracts for language access services and each of their subcontractors shall provide to the department an accurate list of language access providers, as defined in RCW 41.56.030, including their names, addresses, and other contact information, annually by January 30th, except that initially the lists must be provided within thirty days of June 10, 2010. The department shall, upon request, provide a list of all language access providers, including their names, addresses, and other contact information, to a labor union seeking to represent language access providers.

(5) This section does not create or modify:

(a) The department's obligation to comply with the federal statute and regulations; and

(b) The legislature's right to make programmatic modifications to the delivery of state services under chapter 74.04 RCW. The governor may not enter into, extend, or renew any agreement under this chapter that does not expressly reserve the legislative rights described in this subsection.

(6) Upon meeting the requirements of subsection (7) of this section, the governor must submit, as a part of the proposed biennial or supplemental operating budget submitted to the legislature under RCW 43.88.030, a request for funds necessary to implement the compensation and benefit provisions of a collective bargaining agreement entered into under this section or for legislation necessary to implement the agreement.

(7) A request for funds necessary to implement the compensation and benefit provisions of a collective bargaining agreement entered into under this section may not be submitted by the governor to the legislature unless the request has been:

(a) Submitted to the director of financial management by October 1st prior to the legislative session at which the requests are to be considered, except that, for initial negotiations under this section, the request may not be submitted before July 1, 2011; and

(b) Certified by the director of financial management as financially feasible for the state or reflective of a binding decision of an arbitration panel reached under subsection (2)(d) of this section.

(8) The legislature must approve or reject the submission of the request for funds as a whole. If the legislature rejects or fails to act on the submission, any collective bargaining agreement must be reopened for the sole purpose of renegotiating the funds necessary to implement the agreement.

(9) If, after the compensation and benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by

resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(10) After the expiration date of any collective bargaining agreement entered into under this section, all of the terms and conditions specified in the agreement remain in effect until the effective date of a subsequent agreement, not to exceed one year from the expiration date stated in the agreement.

(11) In enacting this section, the legislature intends to provide state action immunity under federal and state antitrust laws for the joint activities of language access providers and their exclusive bargaining representative to the extent the activities are authorized by this chapter.

Sec. 810. RCW 43.06A.100 and 2015 c 199 s 2 are each amended to read as follows:

(1) The department of (~~social and health services and the department of early learning~~) children, youth, and families shall:

(a) Allow the ombuds or the ombuds's designee to communicate privately with any child in the custody of the department of (~~social and health services~~) children, youth, and families, or any child who is part of a near fatality investigation by the department of (~~early learning~~) children, youth, and families, for the purposes of carrying out its duties under this chapter;

(b) Permit the ombuds or the ombuds designee physical access to state institutions serving children, and state licensed facilities or residences for the purpose of carrying out its duties under this chapter;

(c) Upon the ombuds's request, grant the ombuds or the ombuds's designee the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department of (~~social and health services or the department of early learning~~) children, youth, and families that the ombuds considers necessary in an investigation; and

(d) Grant the office of the family and children's ombuds unrestricted online access to the child welfare case management information system and the department of (~~early learning~~) children,

youth, and families data information system for the purpose of carrying out its duties under this chapter.

(2) For the purposes of this section, "near fatality" means an act that, as certified by a physician, places the child in serious or critical condition.

(3) Nothing in this section creates a duty for the office of the family and children's ombuds under RCW 43.06A.030 as related to children in the care of an early learning program described in RCW 43.215.400 through 43.215.450 (as recodified by this act), a licensed child care center, or a licensed child care home.

Sec. 811. RCW 43.20A.090 and 1994 sp.s. c 7 s 515 are each amended to read as follows:

The secretary shall appoint a deputy secretary, a department personnel director and such assistant secretaries as shall be needed to administer the department. The deputy secretary shall have charge and general supervision of the department in the absence or disability of the secretary, and in case of a vacancy in the office of secretary, shall continue in charge of the department until a successor is appointed and qualified, or until the governor shall appoint an acting secretary. ~~((The secretary shall appoint an assistant secretary to administer the juvenile rehabilitation responsibilities required of the department by chapters 13.04, 13.40, and 13.50 RCW.))~~ The officers appointed under this section, and exempt from the provisions of the state civil service law by the terms of RCW 41.06.076, shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law.

Sec. 812. RCW 43.06A.060 and 2013 c 23 s 75 are each amended to read as follows:

Neither the ombuds nor the ombuds's staff may be compelled, in any judicial or administrative proceeding, to testify or to produce evidence regarding the exercise of the official duties of the ombuds or of the ombuds's staff. All related memoranda, work product, notes, and case files of the ombuds's office are confidential, are not subject to discovery, judicial or administrative subpoena, or other method of legal compulsion, and are not admissible in evidence in a judicial or administrative proceeding. This section

shall not apply to the ~~((legislative children's oversight committee))~~ oversight board for children, youth, and families.

Sec. 813. RCW 43.06A.070 and 2013 c 23 s 76 are each amended to read as follows:

Identifying information about complainants or witnesses shall not be subject to any method of legal compulsion, nor shall such information be revealed to the ~~((legislative children's oversight committee))~~ oversight board for children, youth, and families or the governor except under the following circumstances: (1) The complainant or witness waives confidentiality; (2) under a legislative subpoena when there is a legislative investigation for neglect of duty or misconduct by the ombuds or ombuds's office when the identifying information is necessary to the investigation of the ombuds's acts; or (3) under an investigation or inquiry by the governor as to neglect of duty or misconduct by the ombuds or ombuds's office when the identifying information is necessary to the investigation of the ombuds's acts.

For the purposes of this section, "identifying information" includes the complainant's or witness's name, location, telephone number, likeness, social security number or other identification number, or identification of immediate family members.

Sec. 814. RCW 43.15.020 and 2015 c 225 s 61 are each amended to read as follows:

The lieutenant governor serves as president of the senate and is responsible for making appointments to, and serving on, the committees and boards as set forth in this section.

(1) The lieutenant governor serves on the following boards and committees:

(a) Capitol furnishings preservation committee, RCW 27.48.040;

(b) Washington higher education facilities authority, RCW 28B.07.030;

(c) Productivity board, also known as the employee involvement and recognition board, RCW 41.60.015;

(d) State finance committee, RCW 43.33.010;

(e) State capitol committee, RCW 43.34.010;

(f) Washington health care facilities authority, RCW 70.37.030;

(g) State medal of merit nominating committee, RCW 1.40.020;

(h) Medal of valor committee, RCW 1.60.020; and

(i) Association of Washington generals, RCW 43.15.030.

(2) The lieutenant governor, and when serving as president of the senate, appoints members to the following boards and committees:

(a) Civil legal aid oversight committee, RCW 2.53.010;

(b) Office of public defense advisory committee, RCW 2.70.030;

(c) Washington state gambling commission, RCW 9.46.040;

(d) Sentencing guidelines commission, RCW 9.94A.860;

(e) State building code council, RCW 19.27.070;

(f) Financial education public-private partnership, RCW 28A.300.450;

(g) Joint administrative rules review committee, RCW 34.05.610;

(h) Capital projects advisory review board, RCW 39.10.220;

(i) Select committee on pension policy, RCW 41.04.276;

(j) Legislative ethics board, RCW 42.52.310;

(k) Washington citizens' commission on salaries, RCW 43.03.305;

(l) Legislative oral history committee, RCW 44.04.325;

(m) State council on aging, RCW 43.20A.685;

(n) State investment board, RCW 43.33A.020;

(o) Capitol campus design advisory committee, RCW 43.34.080;

(p) Washington state arts commission, RCW 43.46.015;

(q) PNWER-Net working subgroup under chapter 43.147 RCW;

(r) Community economic revitalization board, RCW 43.160.030;

(s) Washington economic development finance authority, RCW 43.163.020;

(t) Life sciences discovery fund authority, RCW 43.350.020;

(u) (~~Legislative children's oversight committee, RCW 44.04.220;~~

~~(v))~~ Joint legislative audit and review committee, RCW 44.28.010;

~~((w))~~ (v) Joint committee on energy supply and energy conservation, RCW 44.39.015;

~~((x))~~ (w) Legislative evaluation and accountability program committee, RCW 44.48.010;

~~((y))~~ (x) Agency council on coordinated transportation, RCW 47.06B.020;

~~((z))~~ (y) Washington horse racing commission, RCW 67.16.014;

~~((aa))~~ (z) Correctional industries board of directors, RCW 72.09.080;

~~((ab))~~ (aa) Joint committee on veterans' and military affairs, RCW 73.04.150;

~~((ac))~~ (bb) Joint legislative committee on water supply during drought, RCW 90.86.020;

~~((ad))~~ (cc) Statute law committee, RCW 1.08.001; and

~~((ae))~~ (dd) Joint legislative oversight committee on trade policy, RCW 44.55.020.

Sec. 815. RCW 70.02.200 and 2017 c 298 s 3 are each amended to read as follows:

(1) In addition to the disclosures authorized by RCW 70.02.050 and 70.02.210, a health care provider or health care facility may disclose health care information, except for information and records related to sexually transmitted diseases and information related to mental health services which are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization, to:

(a) Any other health care provider or health care facility reasonably believed to have previously provided health care to the patient, to the extent necessary to provide health care to the patient, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;

(b) Persons under RCW 70.02.--- (section 1, chapter 298, Laws of 2017) if the conditions in RCW 70.02.--- (section 1, chapter 298, Laws of 2017) are met;

(c) A health care provider or health care facility who is the successor in interest to the health care provider or health care facility maintaining the health care information;

(d) A person who obtains information for purposes of an audit, if that person agrees in writing to:

(i) Remove or destroy, at the earliest opportunity consistent with the purpose of the audit, information that would enable the patient to be identified; and

(ii) Not to disclose the information further, except to accomplish the audit or report unlawful or improper conduct involving fraud in payment for health care by a health care provider or patient, or other unlawful conduct by the health care provider;

(e) Provide directory information, unless the patient has instructed the health care provider or health care facility not to make the disclosure;

(f) Fire, police, sheriff, or other public authority, that brought, or caused to be brought, the patient to the health care facility or health care provider if the disclosure is limited to the patient's name, residence, sex, age, occupation, condition, diagnosis, estimated or actual discharge date, or extent and location of injuries as determined by a physician, and whether the patient was conscious when admitted;

(g) Federal, state, or local law enforcement authorities and the health care provider, health care facility, or third-party payor believes in good faith that the health care information disclosed constitutes evidence of criminal conduct that occurred on the premises of the health care provider, health care facility, or third-party payor;

(h) Another health care provider, health care facility, or third-party payor for the health care operations of the health care provider, health care facility, or third-party payor that receives the information, if each entity has or had a relationship with the patient who is the subject of the health care information being requested, the health care information pertains to such relationship, and the disclosure is for the purposes described in RCW 70.02.010(17) (a) and (b);

(i) An official of a penal or other custodial institution in which the patient is detained; and

(j) Any law enforcement officer, corrections officer, or guard supplied by a law enforcement or corrections agency who is accompanying a patient pursuant to RCW 10.110.020, only to the extent the disclosure is incidental to the fulfillment of the role of the law enforcement officer, corrections officer, or guard under RCW 10.110.020.

(2) In addition to the disclosures required by RCW 70.02.050 and 70.02.210, a health care provider shall disclose health care information, except for information related to sexually transmitted diseases and information related to mental health services which are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization if the disclosure is:

(a) To federal, state, or local law enforcement authorities to the extent the health care provider is required by law;

(b) To federal, state, or local law enforcement authorities, upon receipt of a written or oral request made to a nursing supervisor, administrator, or designated privacy official, in a case in which the patient is being treated or has been treated for a bullet wound, gunshot wound, powder burn, or other injury arising from or caused by the discharge of a firearm, or an injury caused by a knife, an ice pick, or any other sharp or pointed instrument which federal, state, or local law enforcement authorities reasonably believe to have been intentionally inflicted upon a person, or a blunt force injury that federal, state, or local law enforcement authorities reasonably believe resulted from a criminal act, the following information, if known:

(i) The name of the patient;

(ii) The patient's residence;

(iii) The patient's sex;

(iv) The patient's age;

(v) The patient's condition;

(vi) The patient's diagnosis, or extent and location of injuries as determined by a health care provider;

(vii) Whether the patient was conscious when admitted;

(viii) The name of the health care provider making the determination in (b) (v), (vi), and (vii) of this subsection;

(ix) Whether the patient has been transferred to another facility; and

(x) The patient's discharge time and date;

(c) Pursuant to compulsory process in accordance with RCW 70.02.060.

(3) To the extent they retain health care information subject to this chapter, the department of social and health services and the health care authority shall disclose to the department of children, youth, and families health care information, except for information and records related to sexually transmitted diseases and information related to mental health services that are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization, for the purpose of investigating and preventing child abuse and neglect and providing for the health care coordination and the well-being of children in foster care. Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act.

Sec. 816. RCW 70.02.230 and 2017 c 325 s 2 and 2017 c 298 s 6 are each reenacted and amended to read as follows:

(1) Except as provided in this section, RCW 70.02.050, 71.05.445, 74.09.295, 70.02.210, 70.02.240, 70.02.250, and 70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

(i) Employed by the facility;

(ii) Who has medical responsibility for the patient's care;

(iii) Who is a designated crisis responder;

(iv) Who is providing services under chapter 71.24 RCW;

(v) Who is employed by a state or local correctional facility where the person is confined or supervised; or

(vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c) (i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d) (i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a

defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional or designated crisis responder is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health professional or designated crisis responder shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of

commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2) (a) (iii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, to the director of behavioral health organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the mental health service agency where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department as necessary to coordinate treatment for mental

illness, developmental disabilities, alcoholism, or drug abuse of persons who are under the supervision of the department;

(s) Between the department of social and health services, the department of children, youth, and families, and the health care authority as necessary to coordinate treatment for mental illness, developmental disabilities, alcoholism, or drug abuse of persons who are under the supervision of the department of social and health services or the department of children, youth, and families;

(t) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

~~((t))~~ (u)(i) Consistent with the requirements of the federal health insurance portability and accountability act, to:

(A) A health care provider who is providing care to a patient, or to whom a patient has been referred for evaluation or treatment; or

(B) Any other person who is working in a care coordinator role for a health care facility or health care provider or is under an agreement pursuant to the federal health insurance portability and accountability act with a health care facility or a health care provider and requires the information and records to assure coordinated care and treatment of that patient.

(ii) A person authorized to use or disclose information and records related to mental health services under this subsection (2) ~~((t))~~ (u) must take appropriate steps to protect the information and records relating to mental health services.

(iii) Psychotherapy notes may not be released without authorization of the patient who is the subject of the request for release of information;

~~((t))~~ (v) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in ~~((t))~~ (u) of this subsection;

~~((w))~~ (w) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

~~((x))~~ (x) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

~~((y))~~ (y) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

~~((z))~~ (z) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department may release

without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. The department may not release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

~~((aa))~~ (aa)(i) To the secretary of social and health services for either program evaluation or research, or both so long as the secretary adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary;

~~((aaa))~~ (bb) To any person if the conditions in RCW 70.02.--- (section 1, chapter 298, Laws of 2017) are met.

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives treatment for chemical dependency, the department may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services under RCW 71.05.280(3) and 71.05.320(4) (c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(4) (c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

(i) One thousand dollars; or

(ii) Three times the amount of actual damages sustained, if any.

(b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170.

Sec. 817. RCW 74.04.060 and 2011 1st sp.s. c 15 s 66 are each amended to read as follows:

(1)(a) For the protection of applicants and recipients, the department, the authority, and the county offices and their respective officers and employees are prohibited, except as hereinafter provided, from disclosing the contents of any records, files, papers and communications, except for purposes directly connected with the administration of the programs of this title. In any judicial proceeding, except such proceeding as is directly concerned with the administration of these programs, such records, files, papers and communications, and their contents, shall be deemed privileged communications and except for the right of any individual to inquire of the office whether a named individual is a recipient of welfare assistance and such person shall be entitled to an affirmative or negative answer.

(b) Unless prohibited by federal law, for the purpose of investigating and preventing child abuse and neglect and providing for the health care coordination and well-being of children in foster care, the department and the authority shall disclose to the department of children, youth, and families the following information: Developmental disabilities administration client records; home and community services client records; long-term care facility or certified community residential supports records; health care information; child support information; food assistance information; and public assistance information. Disclosure under this subsection (1)(b) is mandatory for the purposes of the federal health insurance portability and accountability act.

(c) Upon written request of a parent who has been awarded visitation rights in an action for divorce or separation or any parent with legal custody of the child, the department shall disclose to him or her the last known address and location of his or her natural or adopted children. The secretary shall adopt rules which

establish procedures for disclosing the address of the children and providing, when appropriate, for prior notice to the custodian of the children. The notice shall state that a request for disclosure has been received and will be complied with by the department unless the department receives a copy of a court order which enjoins the disclosure of the information or restricts or limits the requesting party's right to contact or visit the other party or the child. Information supplied to a parent by the department shall be used only for purposes directly related to the enforcement of the visitation and custody provisions of the court order of separation or decree of divorce. No parent shall disclose such information to any other person except for the purpose of enforcing visitation provisions of the said order or decree.

~~((e))~~ (d) The department shall review methods to improve the protection and confidentiality of information for recipients of welfare assistance who have disclosed to the department that they are past or current victims of domestic violence or stalking.

(2) The county offices shall maintain monthly at their offices a report showing the names and addresses of all recipients in the county receiving public assistance under this title, together with the amount paid to each during the preceding month.

(3) The provisions of this section shall not apply to duly designated representatives of approved private welfare agencies, public officials, members of legislative interim committees and advisory committees when performing duties directly connected with the administration of this title, such as regulation and investigation directly connected therewith: PROVIDED, HOWEVER, That any information so obtained by such persons or groups shall be treated with such degree of confidentiality as is required by the federal social security law.

(4) It shall be unlawful, except as provided in this section, for any person, body, association, firm, corporation or other agency to solicit, publish, disclose, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of any lists or names for commercial or political purposes of any nature. The violation of this section shall be a gross misdemeanor.

Sec. 818. RCW 74.34.063 and 2005 c 274 s 354 are each amended to read as follows:

(1) The department shall initiate a response to a report, no later than twenty-four hours after knowledge of the report, of suspected abandonment, abuse, financial exploitation, neglect, or self-neglect of a vulnerable adult.

(2) When the initial report or investigation by the department indicates that the alleged abandonment, abuse, financial exploitation, or neglect may be criminal, the department shall make an immediate report to the appropriate law enforcement agency. The department and law enforcement will coordinate in investigating reports made under this chapter. The department may provide protective services and other remedies as specified in this chapter.

(3) The law enforcement agency or the department shall report the incident in writing to the proper county prosecutor or city attorney for appropriate action whenever the investigation reveals that a crime may have been committed.

(4) The department and law enforcement may share information contained in reports and findings of abandonment, abuse, financial exploitation, and neglect of vulnerable adults, consistent with RCW 74.04.060, chapter 42.56 RCW, and other applicable confidentiality laws.

(5) Unless prohibited by federal law, the department of social and health services may share with the department of children, youth, and families information contained in reports and findings of abandonment, abuse, financial exploitation, and neglect of vulnerable adults.

(6) The department shall notify the proper licensing authority concerning any report received under this chapter that alleges that a person who is professionally licensed, certified, or registered under Title 18 RCW has abandoned, abused, financially exploited, or neglected a vulnerable adult.

NEW SECTION. Sec. 819. The following acts or parts of acts are each repealed:

(1) RCW 43.20A.780 (Administration of family services and programs) and 1992 c 198 s 9;

(2) RCW 43.20A.850 (Group homes—Availability of evaluations and data) and 1994 sp.s. c 7 s 322; and

(3)RCW 43.215.040 (Director—Power and duties) and 2006 c 265 s 105.

RCW 43.215.136

NEW SECTION. Sec. 820. The following sections are decodified:

RCW 43.215.137

(1) RCW 13.40.800 (Juvenile offenses with firearms—Data—Reports);

RCW 43.215.140

(2) RCW 43.215.005 (Finding—Purpose);

RCW 43.215.145

(3) RCW 43.215.125 (Washington head start program proposal—Report);

RCW 43.215.146

(4) RCW 43.215.907 (Evaluation of department by joint legislative audit and review committee);

RCW 43.215.147

RCW 43.215.195

RCW 43.215.--- (section 3, chapter 178, Laws of 2017)

(5) RCW 72.05.300 (Parental schools—Leases, purchases—Powers of school district); and

LICENSING

RCW 43.215.200

(6) RCW 74.14B.900 (Captions).

RCW 43.215.201

NEW SECTION. Sec. 821. The following sections are recodified in the new chapter created in section 822 of this act in the following order with the following subchapter headings:

RCW 43.215.205

RCW 43.215.210

RCW 43.215.215

RCW 43.215.216

RCW 43.215.217

GENERAL PROVISIONS

RCW 43.215.218

RCW 43.215.010

RCW 43.215.220

RCW 43.215.020

RCW 43.215.230

RCW 43.215.030

RCW 43.215.240

RCW 43.215.050

RCW 43.215.250

RCW 43.215.060

RCW 43.215.255

RCW 43.215.065

RCW 43.215.260

RCW 43.215.070

RCW 43.215.270

RCW 43.215.080

RCW 43.215.280

RCW 43.215.090

RCW 43.215.290

RCW 43.215.099

RCW 43.215.300

RCW 43.215.100

RCW 43.215.305

RCW 43.215.1001

RCW 43.215.307

RCW 43.215.101

RCW 43.215.308

RCW 43.215.102

RCW 43.215.310

RCW 43.215.103

RCW 43.215.320

RCW 43.215.105

RCW 43.215.330

RCW 43.215.110

RCW 43.215.335

RCW 43.215.120

RCW 43.215.340

RCW 43.215.130

RCW 43.215.350

RCW 43.215.135

RCW 43.215.355

RCW 43.215.1351

RCW 43.215.360

RCW 43.215.1352

RCW 43.215.370

RCW 43.215.371
 RCW 43.215.--- (section 2, chapter 162,
 Laws of 2017)

EARLY CHILDHOOD EDUCATION AND
 ASSISTANCE

RCW 43.215.400
 RCW 43.215.405
 RCW 43.215.410
 RCW 43.215.415
 RCW 43.215.420
 RCW 43.215.425
 RCW 43.215.430
 RCW 43.215.435
 RCW 43.215.440
 RCW 43.215.445
 RCW 43.215.450
 RCW 43.215.455
 RCW 43.215.456
 RCW 43.215.457
 RCW 43.215.460
 RCW 43.215.470
 RCW 43.215.472
 RCW 43.215.474
 RCW 43.215.476
 CHILD CARE
 RCW 43.215.490
 RCW 43.215.492
 RCW 43.215.495
 RCW 43.215.500
 RCW 43.215.502
 RCW 43.215.505
 RCW 43.215.510
 RCW 43.215.520
 RCW 43.215.525
 RCW 43.215.530
 RCW 43.215.532
 RCW 43.215.535
 RCW 43.215.540
 RCW 43.215.545
 RCW 43.215.550
 RCW 43.215.555

RCW 43.215.560
 RCW 43.215.562
 RCW 43.215.564
 RCW 43.215.--- (section 5, chapter 202,
 Laws of 2017)

TECHNICAL PROVISIONS

RCW 43.215.900
 RCW 43.215.901
 RCW 43.215.903
 RCW 43.215.905
 RCW 43.215.908
 RCW 43.215.909

NEW SECTION. **Sec. 822.** Sections 101, 104, 106 through 108, 114, and 801 through 803 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. **Sec. 823.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. **Sec. 824.** Sections 101 and 103 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

NEW SECTION. **Sec. 825.** Sections 102, 104 through 115, 201 through 227, 301 through 337, 401 through 419, 501 through 513, and 801 through 803 and 805 through 822 of this act take effect July 1, 2018.

NEW SECTION. **Sec. 826.** Sections 601 through 631, 701 through 728, and 804 of this act take effect July 1, 2019."

Correct the title.

Representative Dent moved the adoption of amendment (625) to the striking amendment (624):

On page 15, beginning on line 20 of the amendment, after "November 1," strike all material through "process" on line 24, and insert "2018, that includes:

(i) A review of the current process for addressing foster parent complaints and concerns through the department and through the office of the family and children's ombuds established in chapter 43.06A RCW that includes an examination of any deficiencies of the current system; and

(ii) Recommendations for expanding, modifying, and enhancing the current system for addressing individual foster parent complaints to improve child welfare, the experience of foster parents, and the overall functioning of the child welfare system"

Representatives Dent and Kagi spoke in favor of the adoption of the amendment (625) to the striking amendment (624).

Amendment (625) to the striking amendment (624) was adopted.

Amendment (624), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Griffey, Representatives Hargrove, Hayes, and Holy were excused.

On motion of Representative Riccelli, Representative Morris was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 1661.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1661, and the bill passed the House by the following vote: Yeas, 77; Nays, 17; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen,

Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, Dye, Harmsworth, Jenkin, Koster, Kretz, Maycumber, McCaslin, Schmick, Shea, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1661, having received the necessary constitutional majority, was declared passed.

THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 1777, by House Committee on Capital Budget (originally sponsored by Representatives Kagi, Johnson, Doglio, Dent, Ryu, MacEwen, Senn, Farrell, Nealey, Ortiz-Self, McBride, Macri, Fey, Slatter and Jinkins)

Concerning the financing of early learning facilities.

There being no objection, the rules were suspended, and SECOND SUBSTITUTE HOUSE BILL NO. 1777 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Kagi moved the adoption of the striking amendment (613):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is a significant and critical need for additional early learning facilities to meet the state's commitment to providing high quality early learning opportunities to low-income children, including the legal mandate to provide preschool opportunities through the early childhood education and assistance program to all eligible children by 2023.

The legislature further finds that private and public partnerships and investments are critical to meeting the need for increased classrooms necessary to deliver high quality early learning opportunities to low-income children across Washington.

The legislature intends to provide state financial assistance to leverage local and private resources to enable early childhood education and assistance

program contractors and child care providers to expand, remodel, purchase, or construct early learning facilities and classrooms necessary to support state-funded early learning opportunities for low-income children.

NEW SECTION. **Sec. 2.** The department of early learning, in consultation with stakeholders, shall review existing licensing standards including, but not limited to, plumbing, fixtures, and playground equipment, related to facility requirements to eliminate potential barriers to licensing while ensuring the health and safety of children in early learning programs. The department must create a process by which projects for eligible organizations and school districts receiving grants or loans from the early learning facilities revolving account or the early learning facilities development account created in section 4 of this act can be preapproved under existing licensing standards related to facility requirements. The licensing standards accepted in the preapproval are the licensing standards that must be met upon project completion.

NEW SECTION. **Sec. 3.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this act:

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

(2) "Director" means the director of commerce.

(3) "Early learning facility" means a facility providing regularly scheduled care for a group of children one month of age through twelve years of age for periods of less than twenty-four hours.

NEW SECTION. **Sec. 4.** (1) The early learning facilities revolving account and the early learning facilities development account are created in the state treasury.

(2) Revenues to the early learning facilities revolving account shall consist of appropriations by the legislature, early learning facilities grant and loan repayments, taxable bond proceeds, and all other sources deposited in the account.

(3) Revenues to the early learning facilities development account shall consist of tax-exempt bond proceeds.

(4) Expenditures from the accounts shall be used, in combination with other private and public funding, for state matching funds for the planning,

renovation, purchase, and construction of early learning facilities as established in sections 6 through 12 of this act.

(5) Expenditures from the accounts are subject to appropriation and the allotment provisions of chapter 43.88 RCW.

NEW SECTION. **Sec. 5.** (1) The department, in consultation with the department of early learning, shall oversee the early learning facilities revolving account and the early learning facilities development account, and is the lead state agency for the early learning facilities grant and loan program.

(2) It is the intent of the legislature that state funds invested in the accounts be matched by private or local government funding. Every effort shall be made to maximize funding available for early learning facilities from public schools, community colleges, education service districts, local governments, and private funders.

(3) Amounts used for program administration by the department may not exceed an average of four percent of the appropriated funds.

(4) Commitment of state funds for construction, purchase, or renovation of early learning facilities may be given only after private or public match funds are committed. Private or public match funds may consist of cash, equipment, land, buildings, or like-kind. In determining the level of match required, the department shall take into consideration the financial need of the applicant and the economic conditions of the location of the proposed facility.

NEW SECTION. **Sec. 6.** (1) The department must expend moneys from the early learning facilities revolving account to provide state matching funds for early learning facilities grants or loans to provide classrooms necessary for children to participate in the early childhood education and assistance program and working connections child care.

(2) The department must expend moneys from the early learning facilities development account to provide state matching funds for early learning facilities grants to provide classrooms necessary for children to participate in the early childhood education and assistance program and working connections child care.

(3) Funds expended from the accounts as specified in subsections (1) and (2) of this section may fund projects only for:

(a) Eligible organizations identified in section 7 of this act; and

(b) School districts.

(4)(a) Beginning August 1, 2017, the department shall:

(i) In consultation with the office of the superintendent of public instruction, implement and administer the early learning facilities grant and loan program for school districts as described in sections 9(3) and 10(1) of this act; and

(ii) Contract with one or more nongovernmental private-public partnerships that are certified by the community development financial institutions fund to implement and administer grants and loans funded through the early learning facilities revolving account or for a grant funded through the early learning facilities development account, for eligible organizations. Any nongovernmental private-public partnership that is certified by the community development financial institutions fund that is seeking early learning fund resources must demonstrate an ability to raise funding from private and other public entities for early learning facilities construction projects.

(b) The department may allow the application of an eligible organization for a grant or loan from the early learning facilities revolving account or for a grant from the early learning facilities development account created in section 4 of this act to be considered without the involvement of the nongovernmental private-public partnership that is certified by the community development financial institutions fund if a nongovernmental private-public partnership certified by the community development financial institutions fund is not reasonably available to the location of the proposed facility or if the eligible organization has sufficient ability and capacity to proceed with a project absent the involvement of a nongovernmental private-public partnership that is certified by the community development financial institutions fund.

(5) The department shall monitor performance of the early learning facilities grant and loan program. Any

nongovernmental private-public partnership that is certified by the community development financial institutions fund receiving state funds for purposes of this act shall provide annual reports, beginning July 1, 2018, to the department. The reports must include, but are not limited to, the following:

(a) A list of projects funded through the early learning facilities grant and loan program for eligible organizations to include:

(i) Name;

(ii) Location;

(iii) Grant or loan amount;

(iv) Private match amount;

(v) Public match amount;

(vi) Number of early learners served; and

(vii) Other elements as required by the department;

(b) A demonstration of sufficient investment of private match funds; and

(c) A description of how the projects met the criteria described in section 10 of this act.

NEW SECTION. Sec. 7. (1) Organizations eligible to receive funding from the early learning facilities grant and loan program include:

(a) Early childhood education and assistance program providers;

(b) Working connections child care providers who are eligible to receive state subsidies;

(c) Licensed early learning centers not currently participating in the early childhood education and assistance program, but intending to do so;

(d) Developers of housing and community facilities;

(e) Community and technical colleges;

(f) Educational service districts;

(g) Local governments;

(h) Federally recognized tribes in the state; and

(i) Religiously affiliated entities.

(2) To be eligible to receive funding from the early learning facilities grant and loan program for activities described in section 8(1) (b) and (c) and (2) of

this act, eligible organizations and school districts must:

(a) Commit to being an active participant in good standing with the early achievers program as defined by chapter 43.215 RCW;

(b) Demonstrate that projects receiving construction, purchase, or renovation grants or loans less than two hundred thousand dollars must also:

(i) Demonstrate that the project site is under the applicant's control for a minimum of ten years, either through ownership or a long-term lease; and

(ii) Commit to using the facility funded by the grant or loan for the purposes of providing preschool or child care for a minimum of ten years;

(c) Demonstrate that projects receiving construction, purchase, or renovation grants or loans of two hundred thousand dollars or more must also:

(i) Demonstrate that the project site is under the applicant's control for a minimum of twenty years, either through ownership or a long-term lease; and

(ii) Commit to using the facility funded by the grant or loan for the purposes of providing preschool or child care for a minimum of twenty years.

(3) To be eligible to receive funding from the early learning facilities grant and loan program for activities described in section 8(1) (b) and (c) and (2) of this act, religiously affiliated entities must use the facility to provide child care and education services consistent with subsection (4) (a) of this section.

(4) (a) Upon receiving a grant or loan, the recipient must continue to be an active participant and in good standing with the early achievers program.

(b) If the recipient does not meet the conditions specified in (a) of this subsection, the grants shall be repaid to the early learning facilities revolving account or the early learning facilities development account, as directed by the department. So long as an eligible organization continues to provide an early learning program in the facility, the facility is used as authorized, and the eligible organization continues to be an active participant and in good standing with the early achievers program, the grant repayment is waived.

(c) The department, in consultation with the department of early learning, must adopt rules to implement this section.

NEW SECTION. **Sec. 8.** (1) Activities eligible for funding through the early learning facilities grant and loan program for eligible organizations include:

(a) Facility predesign grants or loans of no more than ten thousand dollars to allow eligible organizations to secure professional services or consult with organizations certified by the community development financial institutions fund to plan for and assess the feasibility of early learning facilities projects or receive other technical assistance to design and develop projects for construction funding;

(b) Grants or loans of no more than one hundred thousand dollars for minor renovations or repairs of existing early learning facilities; and

(c) Major construction and renovation grants or loans and grants or loans for facility purchases of no more than eight hundred thousand dollars to create or expand early learning facilities.

(2) Activities eligible for funding through the early learning facilities grant and loan program for school districts include major construction, purchase, and renovation grants or loans of no more than eight hundred thousand dollars to create or expand early learning facilities that received priority and ranking as described in section 10 of this act.

(3) Beginning July 1, 2018, amounts in this section must be increased annually by the United States implicit price deflator for state and local government construction provided by the office of financial management.

NEW SECTION. **Sec. 9.** (1) It is the intent of the legislature that state funds invested in the early learning facilities grant and loan program be matched by private or local government funding. Every effort shall be made to maximize funding available for early learning facilities from public schools, community colleges, education service districts, local governments, and private funders.

(2) In the administration of the early learning facilities grant and loan program for eligible organizations, any nongovernmental private-public

partnership that is certified by the community development financial institutions fund contracted with the department shall award grants or loans as described in section 8 of this act, that meet the criteria described in section 10 of this act, through an application process or in compliance with state and federal requirements of the funding source.

(3) In the administration of the early learning facilities grant and loan program for school districts, the department, in coordination with the office of the superintendent of public instruction, shall submit a ranked and prioritized list of proposed purchases and major construction or renovation of early learning facilities projects for school districts subject to the prioritization methodology described in section 10 of this act to the office of financial management and the relevant legislative committees by December 15, 2017, and by September 15th of even-numbered years thereafter.

NEW SECTION. **Sec. 10.** (1) The department shall convene a committee of early learning facilities experts to advise the department regarding the prioritization methodology of applications for projects described in section 8 of this act including no less than one representative each from the department of early learning, the Washington state housing finance commission, an organization certified by the community development financial institutions fund, and the office of the superintendent of public instruction.

(2) When developing a prioritization methodology under this section, the committee shall consider, but is not limited to:

(a) Projects that add part-day, full-day, or extended day early childhood education and assistance program slots in areas with the highest unmet need;

(b) Projects benefiting low-income children;

(c) Projects located in low-income neighborhoods;

(d) Projects that provide more access to the early childhood education and assistance program as a ratio of the children eligible to participate in the program;

(e) Projects that are geographically disbursed relative to statewide need;

(f) Projects that include new or renovated kitchen facilities equipped to support the use of from scratch, modified scratch, or other cooking methods that enhance overall student nutrition;

(g) Projects that balance mixed-use development and rural locations; and

(h) Projects that maximize resources available from the state with funding from other public and private organizations, including the use of state lands or facilities.

(3) Committee members shall serve without compensation, but may request reimbursement for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(4) Committee members are not liable to the state, the early learning facilities revolving account, the early learning facilities development account, or to any other person, as a result of their activities, whether ministerial or discretionary, as members except for willful dishonesty or intentional violation of the law.

(5) The department may purchase liability insurance for members and may indemnify these persons against the claims of others.

NEW SECTION. **Sec. 11.** When funding is provided in the previous biennium, the department, in collaboration with the department of early learning, shall submit a report no later than December 1st of even-numbered years, to the governor and the appropriate committees of the legislature that provides an update on the status of the early learning facilities grant and loan program that includes, but is not limited to:

(1) The total amount of funds, by grant and loan, spent or contracted to be spent; and

(2) A list of projects awarded funding including, but not limited to, information about whether the project is a renovation or new construction or some other category, where the project is located, and the number of slots the project supports.

Sec. 12. RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and 2016 c 112 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel

replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the

marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the

transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 13. RCW 43.185.050 and 2013 c 145 s 2 are each amended to read as follows:

(1) The department must use moneys from the housing trust fund and other legislative appropriations to finance in whole or in part any loans or grant projects that will provide housing for persons and families with special housing needs and with incomes at or below fifty percent of the median family income for the county or standard metropolitan statistical area where the project is located. At least thirty percent of these moneys used in any given funding cycle shall be for the benefit of projects located in rural areas of the state as defined by the department. If the department determines that it has not received an adequate number of suitable applications for rural projects during any given funding cycle, the department may allocate unused moneys for projects in nonrural areas of the state.

(2) Activities eligible for assistance from the housing trust fund and other legislative appropriations include, but are not limited to:

(a) New construction, rehabilitation, or acquisition of low and very low-income housing units;

(b) Rent subsidies;

(c) Matching funds for social services directly related to providing housing for special-need tenants in assisted projects;

(d) Technical assistance, design and finance services and consultation, and administrative costs for eligible nonprofit community or neighborhood-based organizations;

(e) Administrative costs for housing assistance groups or organizations when such grant or loan will substantially increase the recipient's access to housing funds other than those available under this chapter;

(f) Shelters and related services for the homeless, including emergency shelters and overnight youth shelters;

(g) Mortgage subsidies, including temporary rental and mortgage payment subsidies to prevent homelessness;

(h) Mortgage insurance guarantee or payments for eligible projects;

(i) Down payment or closing cost assistance for eligible first-time home buyers;

(j) Acquisition of housing units for the purpose of preservation as low-income or very low-income housing; and

(k) Projects making housing more accessible to families with members who have disabilities.

(3) Preference shall be given for projects that include an early learning facility.

(4) Legislative appropriations from capital bond proceeds may be used only for the costs of projects authorized under subsection (2)(a), (i), and (j) of this section, and not for the administrative costs of the department.

~~((4))~~ (5) Moneys from repayment of loans from appropriations from capital bond proceeds may be used for all activities necessary for the proper functioning of the housing assistance program except for activities authorized under subsection (2)(b) and (c) of this section.

~~((5))~~ (6) Administrative costs associated with application, distribution, and project development activities of the department may not exceed three percent of the annual funds available for the housing assistance program. Reappropriations must not be included in the calculation of the annual funds available for determining the administrative costs.

~~((6))~~ (7) Administrative costs associated with compliance and monitoring activities of the department may not exceed one-quarter of one percent annually of the contracted amount of state investment in the housing assistance program.

NEW SECTION. Sec. 14. Sections 2 through 11 of this act are each added to chapter 43.31 RCW.

NEW SECTION. Sec. 15. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Kagi and Smith spoke in favor of the adoption of the striking amendment (613).

Amendment (613) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1777.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1777, and the bill passed the House by the following vote: Yeas, 79; Nays, 15; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Jenkin, Kretz, Maycumber, McCaslin, Pike, Schmick, Shea, Taylor, Van Werven, Vick, Volz and Young.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1777, having received the necessary constitutional majority, was declared passed.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1624, by House Committee on Appropriations (originally sponsored by Representatives Senn, Dent, Kagi, Lytton, Farrell, Pettigrew, Hudgins, Goodman, Frame and Slatter)

Concerning working connections child care eligibility for vulnerable children.

The bill was read the third time.

Representatives Senn and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1624.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1624, and the bill passed the House by the following vote: Yeas, 80; Nays, 14; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dye, Harris, Jenkin, Kretz, Manweller, McCaslin, Pike, Schmick, Shea, Taylor, Vick and Young.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

SUBSTITUTE HOUSE BILL NO. 1624, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1716, by Representatives Hudgins and Manweller

Creating the construction registration inspection account as a dedicated account to fund contractor registration and compliance, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, elevators, lifting devices, and moving walks.

The bill was read the third time.

Representatives Hudgins and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1716.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1716, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van

Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

HOUSE BILL NO. 1716, having received the necessary constitutional majority, was declared passed.

With the consent of the House, the bills previously acted upon were immediately transmitted to the Senate.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1140, by Representatives Jinkins, Rodne and Ormsby

Extending surcharges on court filing fees for deposit in the judicial stabilization trust account to July 1, 2021.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1140.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1140, and the bill passed the House by the following vote: Yeas, 79; Nays, 15; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Vick, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Harris, Jenkin, Kraft, Kretz, Maycumber, McCaslin, Pike, Shea, Taylor, Van Werven, Volz and J. Walsh.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

HOUSE BILL NO. 1140, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1406, by Representatives Barkis, Blake, Chandler, Fitzgibbon and Wilcox

Adjusting the surface mining funding structure.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Barkis and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1406.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1406, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

HOUSE BILL NO. 1406, having received the necessary constitutional majority, was declared passed.

THIRD ENGROSSED SENATE BILL NO. 5517, by Senators Wilson, Rivers, Cleveland, Hobbs, King, Sheldon, Miloscia, Brown, Angel, Warnick, Keiser and Schoesler

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

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Pike spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Third Engrossed Senate Bill No. 5517.

ROLL CALL

The Clerk called the roll on the final passage of Third Engrossed Senate Bill No. 5517, and the bill passed the House by the following vote: Yeas, 82; Nays, 12; Absent, 0; Excused, 4.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Goodman, Kagi, Kloba, Macri, Ormsby, Pollet, Ryu, Stanford, Stonier and Taylor.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

THIRD ENGROSSED SENATE BILL NO. 5517, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5646, by Senators Honeyford, King, Chase, Keiser and Conway

Concerning services provided by residential habilitation centers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi, Smith, Dent, Appleton and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5646.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5646, and the bill passed the

House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Sawyer.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

ENGROSSED SENATE BILL NO. 5646, having received the necessary constitutional majority, was declared passed.

With the consent of the House, the bills previously acted upon were immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

June 29, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5252,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5254,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5303,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5838,
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
5890,
SENATE BILL NO. 5969,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2240 by Representative Tharinger

AN ACT Relating to providing continuity for state-funded capital budget activities by making 2015-2017 appropriations for supplemental capital projects, 2017-2019 appropriations for previously authorized capital

projects, and 2017-2019 appropriations for oversight and review of projects and facilities; amending RCW 70.340.130 and 28B.10.027; amending 2015 3rd sp.s. c 3 ss 1002, 1026, 1028, 6005, 3118, 3101, 3198, 3200, 3202, 3204, 3197, 3188, 3187, and 5034 (uncodified); amending 2016 sp.s. c 35 ss 1008, 1015, 1016, 2011, 3018, and 5004 (uncodified); reenacting and amending RCW 43.19.501; adding new sections to 2015 3rd sp.s. c 3 (uncodified); creating new sections; making appropriations; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 2241 by Representative DeBolt

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 70.340.130, 28B.10.027, and 28B.50.360; amending 2015 3rd sp.s. c 3 ss 1002, 1026, 1028, 6005, 3118, 3101, 3198, 3200, 3202, 3204, 3197, 3188, 3187, and 5034 (uncodified); amending 2016 sp.s. c 35 ss 1008, 1015, 1016, 2011, 3018, 3026, and 5004 (uncodified); reenacting and amending RCW 43.19.501; adding new sections to 2015 3rd sp.s. c 3 (uncodified); creating new sections; making appropriations; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 2242 by Representatives Sullivan, Harris, Lytton and Taylor

AN ACT Relating to funding fully the state's program of basic education by providing equitable education opportunities through reform of state and local education contributions; amending RCW 28A.150.410, 28A.400.205, 28A.400.200, 84.52.053, 84.52.0531, 84.52.0531, 28A.500.010, 28A.500.050, 84.52.065, 84.55.010, 84.52.043, 84.52.043, 84.48.080, 84.52.070, 84.55.070, 84.69.020, 84.36.381, 84.36.630, 84.52.067, 84.52.825, 79.64.110, 28A.150.200, 28A.150.260, 28A.165.005, 28A.165.015, 28A.165.055, 28A.150.390, 28A.150.392, 28A.185.020, 28A.150.1981, 28A.150.220, 28A.320.330, 28A.505.140, 28A.505.100, 28A.505.040, 28A.505.050, 28A.505.060, 41.59.935, 41.05.021, 41.05.022, 41.05.026, 41.05.050, 41.05.055, 41.05.075, 41.05.130, 41.05.143, 41.05.670, 28A.400.270, 28A.400.275, 28A.400.280, 28A.400.350, 41.56.500, 41.59.105, 48.02.210, 28A.545.030, 28A.545.070, and 28A.510.250; reenacting and amending RCW 84.48.110, 84.55.092, 41.05.011, and 41.05.120; adding new sections to chapter 28A.150 RCW; adding new sections to chapter 28A.415 RCW; adding a new section to chapter 28A.505 RCW; adding a new section to chapter 28A.500 RCW; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 43.09 RCW; adding a new section to chapter 28A.320 RCW; adding new sections to chapter 28A.400 RCW; adding new sections to chapter 41.56 RCW; adding

new sections to chapter 41.59 RCW; adding a new section to chapter 41.05 RCW; creating new sections; recodifying RCW 28A.300.600, 28A.300.602, 28A.300.604, and 28A.500.050; repealing RCW 28A.500.020, 28A.500.030, 28A.150.261, 28A.400.201, 28A.415.020, 28A.415.023, 28A.415.024, and 28A.415.025; repealing 2015 c 2 s 2; repealing 2015 3rd sp.s. c 38 ss 1, 3, and 4, and 2015 c 2 ss 1, 4, and 5 (uncodified); providing effective dates; providing expiration dates; and declaring an emergency.

HB 2243 by Representatives McCaslin and Barkis

AN ACT Relating to the siting of schools and school facilities; and adding a new section to chapter 36.70A RCW.

SB 5252 by Senators Angel and Wilson

AN ACT Relating to measuring the effectiveness of document recording fee surcharge funds that support homeless programs; amending RCW 43.185C.040; and creating a new section.

Referred to Committee on Appropriations.

E2SSB 5254 by Senate Committee on Ways & Means (originally sponsored by Senators Fain, Palumbo, Zeiger, Angel, Hobbs and Mullet)

AN ACT Relating to ensuring adequacy of buildable lands and zoning in urban growth areas and providing funding for low-income housing and homelessness programs; amending RCW 36.70A.115, 36.70A.215, 36.70A.070, 47.80.023, 36.70A.210, 43.62.035, 36.22.179, 82.46.037, 43.185C.030, 43.185C.040, 43.185C.160, 36.22.178, 36.22.1791, 43.185C.240, 43.21C.440, 43.21C.229, and 82.14.530; adding a new section to chapter 36.70A RCW; adding a new section to chapter 43.185C RCW; adding a new chapter to Title 84 RCW; and creating new sections.

ESSB 5303 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Rolfes, Chase, Hawkins, Warnick, Bailey and Ranker)

AN ACT Relating to aquatic invasive species management; amending RCW 43.43.400, 77.120.110, 82.16.020, 77.120.070, 77.135.160, 77.120.010, 77.135.110, and 77.135.120; reenacting and amending RCW 88.02.640, 88.02.640, 77.15.160, and 77.135.010; adding new sections to chapter 77.135 RCW; adding new sections to chapter 77.120 RCW; creating a new section; repealing RCW 77.12.879; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

June 29, 2017

ESSB 5838 by Senate Committee on Ways & Means (originally sponsored by Senators Rossi, Kuderer, Palumbo, Braun, Hunt, Fain, O'Ban, Hawkins, Brown, Sheldon, Rivers, Zeiger, Angel, Bailey, Honeyford, Miloscia, Walsh, Wilson, Becker, Warnick, Mullet and Hobbs)

AN ACT Relating to the capital construction of and bonding for addressing the facilities maintenance backlog for the state parks and recreation commission; and adding a new chapter to Title 79A RCW.

Referred to Committee on Capital Budget.

2ESSB 5890 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Braun and Rolfes)

AN ACT Relating to foster care and adoption support; amending RCW 74.13.270, 74.15.125, 74.15.110, 13.34.136, 74.13A.025, 74.13A.030, 74.13A.047, and 28B.118.010; reenacting and amending RCW 13.34.138 and 13.34.145; adding a new section to chapter 41.04 RCW; adding a new section to chapter 43.06 RCW; adding a new section to chapter 74.13 RCW; creating new sections; repealing RCW 74.13.107, 74.12.037, 43.131.415, and 43.131.416; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of the following bills:

ENGROSSED HOUSE BILL NO. 2242,
HOUSE BILL NO. 2243,
SENATE BILL NO. 5252,
ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5254,
ENGROSSED SUBSTITUTE SENATE BILL NO.
5303,
ENGROSSED SUBSTITUTE SENATE BILL NO.
5838,
SECOND ENGROSSED SUBSTITUTE SENATE
BILL NO. 5890,

which were read the first time, and under suspension of the rules, were placed on the second reading calendar.

The Speaker (Representative Lovick presiding) called upon Representative Stanford to preside.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5239,
ENGROSSED SENATE BILL NO. 5375,
SUBSTITUTE SENATE BILL NO. 5901,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

SUPPLEMENTAL INTRODUCTION & FIRST READING

SSB 5901 by Senate Committee on Ways & Means (originally sponsored by Senator Braun)

AN ACT Relating to eligibility for the early childhood education and assistance program; and amending RCW 43.215.456.

Referred to Committee on Appropriations.

SB 5969 by Senators Keiser, Braun, Hobbs, Mullet and Conway

AN ACT Relating to increasing transparency in public employee collective bargaining through the posting of the content of bargaining agreements and meetings of the joint committee of employment relations; amending RCW 41.80.010; adding a new section to chapter 43.88 RCW; and adding a new section to chapter 41.80 RCW.

There being no objection, the bills listed on the day's supplemental introduction sheet under the fourth order of business were read the first time, and under suspension of the rules, were placed on the second reading calendar.

The Speaker (Representative Stanford presiding) called upon Representative Lovick to preside.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

June 29, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1624,
HOUSE BILL NO. 1716,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2017

MR. SPEAKER:

The President has signed:

THIRD ENGROSSED SENATE BILL NO. 5517,
ENGROSSED SENATE BILL NO. 5646,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1597, by Representatives Blake, Kretz and Doglio

Increasing revenue to the state wildlife account by increasing commercial fishing license fees and streamlining wholesale fish dealing, buying, and selling requirements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1597 was substituted for House Bill No. 1597 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1597 was read the second time.

Representative Buys moved the adoption of the striking amendment (630):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the commercial fishing industry is a benefit to the state as a whole, but particularly to coastal communities where it creates and sustains opportunities for employment. Maintaining a stable and economically viable commercial fishing industry requires:

(a) Preserving fishing opportunities by providing a fee structure for all commercial fishing permits that is not overly burdensome on the fishing industry; and

(b) Avoiding a strain on fish resources beyond sustainable spawning needs.

(2) The legislature intends to balance those needs by making certain adjustments to commercial fishing fees.

Sec. 2. RCW 77.08.010 and 2016 c 2 s 2 (Initiative Measure No. 1401) are each reenacted and amended to read as follows:

The definitions in this section apply throughout this title or rules adopted under this title unless the context clearly requires otherwise.

(1) (~~"Anadromous game fish buyer"~~) means a person who purchases or sells steelhead trout and other anadromous game fish harvested by Indian fishers lawfully exercising fishing rights reserved by federal statute, treaty, or executive order, under conditions prescribed by rule of the director.

~~(2)~~) "Angling gear" means a line attached to a rod and reel capable of being held in hand while landing the fish or a handheld line operated without rod or reel.

~~((3))~~ (2) "Bag limit" means the maximum number of game animals, game birds, or game fish which may be taken, caught, killed, or possessed by a person, as specified by rule of the commission for a particular period of time, or as to size, sex, or species.

~~((4))~~ (3) "Building" means a private domicile, garage, barn, or public or commercial building.

~~((5))~~ (4) "Closed area" means a place where the hunting of some or all species of wild animals or wild birds is prohibited.

~~((6))~~ (5) "Closed season" means all times, manners of taking, and places or waters other than those established by rule of the commission as an open season. "Closed season" also means all hunting, fishing, taking, or possession of game animals, game birds, game fish, food fish, or shellfish that do not conform to the special restrictions or physical descriptions established by rule of the commission as an open season or that have not otherwise been deemed legal to hunt, fish, take, harvest, or possess by rule of the commission as an open season.

~~((7))~~ (6) "Closed waters" means all or part of a lake, river, stream, or other body of water, where fishing or harvesting is prohibited.

~~((8))~~ (7) "Commercial" means related to or connected with buying, selling, or bartering.

~~((9))~~ (8) "Commission" means the state fish and wildlife commission.

~~((10))~~ (9) "Concurrent waters of the Columbia river" means those waters of the Columbia river that coincide with the Washington-Oregon state boundary.

~~((11))~~ (10) "Contraband" means any property that is unlawful to produce or possess.

~~((12))~~ (11) "Covered animal species" means any species of elephant, rhinoceros, tiger, lion, leopard, cheetah, pangolin, marine turtle, shark, or ray either: (a) Listed in appendix I or appendix II of the convention on international trade in endangered species of wild flora and fauna; or (b) listed as critically endangered, endangered, or vulnerable on the international union for conservation of nature and natural resources red list of threatened species.

~~((13))~~ (12) "Covered animal species part or product" means any item that contains, or is wholly or partially made from, any covered animal species.

~~((14))~~ (13) "Deleterious exotic wildlife" means species of the animal kingdom not native to Washington and designated as dangerous to the environment or wildlife of the state.

~~((15))~~ (14) "Department" means the department of fish and wildlife.

~~((16))~~ (15) "Director" means the director of fish and wildlife.

~~((17))~~ (16) "Distribute" or "distribution" means either a change in possession for consideration or a change in legal ownership.

~~((18))~~ (17) "Endangered species" means wildlife designated by the commission as seriously threatened with extinction.

~~((19))~~ (18) "Ex officio fish and wildlife officer" means:

(a) A commissioned officer of a municipal, county, or state agency having as its primary function the enforcement of criminal laws in general, while the officer is acting in the respective jurisdiction of that agency;

(b) An officer or special agent commissioned by one of the following: The

national marine fisheries service; the Washington state parks and recreation commission; the United States fish and wildlife service; the Washington state department of natural resources; the United States forest service; or the United States parks service, if the agent or officer is in the respective jurisdiction of the primary commissioning agency and is acting under a mutual law enforcement assistance agreement between the department and the primary commissioning agency;

(c) A commissioned fish and wildlife peace officer from another state who meets the training standards set by the Washington state criminal justice training commission pursuant to RCW 10.93.090, 43.101.080, and 43.101.200, and who is acting under a mutual law enforcement assistance agreement between the department and the primary commissioning agency; or

(d) A Washington state tribal police officer who successfully completes the requirements set forth under RCW 43.101.157, is employed by a tribal nation that has complied with RCW 10.92.020(2) (a) and (b), and is acting under a mutual law enforcement assistance agreement between the department and the tribal government.

~~((20))~~ (19) "Fish" includes all species classified as game fish or food fish by statute or rule, as well as all fin fish not currently classified as food fish or game fish if such species exist in state waters. The term "fish" includes all stages of development and the bodily parts of fish species.

~~((21))~~ (20) "Fish and wildlife officer" means a person appointed and commissioned by the director, with authority to enforce this title and rules adopted pursuant to this title, and other statutes as prescribed by the legislature. Fish and wildlife officer includes a person commissioned before June 11, 1998, as a wildlife agent or a fisheries patrol officer.

~~((22))~~ (21) "Fish broker" means a person ~~((whose business it is to bring a seller of fish and shellfish and a purchaser of those fish and shellfish together.~~

~~(23) "Fish buyer" means:~~

~~(a) A wholesale fish dealer or a retail seller who directly receives fish or shellfish from a commercial fisher or~~

~~receives fish or shellfish in interstate or foreign commerce, or~~

~~(b) A person engaged by a wholesale fish dealer who receives fish or shellfish from a commercial fisher)) who facilitates the sale or purchase of raw or frozen fish or shellfish on a fee or commission basis, without assuming title to the fish or shellfish.~~

~~((24))~~ (22) "Fish dealer" means a person who engages in any activity that triggers the need to obtain a fish dealer license under RCW 77.65.280.

(23) "Fishery" means the taking of one or more particular species of fish or shellfish with particular gear in a particular geographical area.

~~((25))~~ (24) "Food, food waste, or other substance" includes human and pet food or other waste or garbage that could attract large wild carnivores.

~~((26))~~ (25) "Freshwater" means all waters not defined as saltwater including, but not limited to, rivers upstream of the river mouth, lakes, ponds, and reservoirs.

~~((27))~~ (26) "Fur-bearing animals" means game animals that shall not be trapped except as authorized by the commission.

~~((28))~~ (27) "Fur dealer" means a person who purchases, receives, or resells raw furs for commercial purposes.

~~((29))~~ (28) "Game animals" means wild animals that shall not be hunted except as authorized by the commission.

~~((30))~~ (29) "Game birds" means wild birds that shall not be hunted except as authorized by the commission.

~~((31))~~ (30) "Game farm" means property on which wildlife is held, confined, propagated, hatched, fed, or otherwise raised for commercial purposes, trade, or gift. The term "game farm" does not include publicly owned facilities.

~~((32))~~ (31) "Game reserve" means a closed area where hunting for all wild animals and wild birds is prohibited.

~~((33))~~ (32) "Illegal items" means those items unlawful to be possessed.

~~((34))~~ (33)(a) "Intentionally feed, attempt to feed, or attract" means to purposefully or knowingly provide, leave, or place in, on, or about any land or building any food, food waste, or other substance that attracts or could attract

large wild carnivores to that land or building.

(b) "Intentionally feed, attempt to feed, or attract" does not include keeping food, food waste, or other substance in an enclosed garbage receptacle or other enclosed container unless specifically directed by a fish and wildlife officer or animal control authority to secure the receptacle or container in another manner.

~~((35))~~ (34) "Large wild carnivore" includes wild bear, cougar, and wolf.

~~((36))~~ (35) "License year" means the period of time for which a recreational license is valid. The license year begins April 1st, and ends March 31st.

~~((37))~~ (36) "Limited-entry license" means a license subject to a license limitation program established in chapter 77.70 RCW.

(37) "Limited fish seller" means a licensed commercial fisher who sells his or her fish or shellfish to anyone other than a wholesale fish buyer thereby triggering the need to obtain a limited fish seller endorsement under RCW 77.65.510.

(38) "Money" means all currency, script, personal checks, money orders, or other negotiable instruments.

(39) "Natural person" means a human being.

(40)(a) "Negligently feed, attempt to feed, or attract" means to provide, leave, or place in, on, or about any land or building any food, food waste, or other substance that attracts or could attract large wild carnivores to that land or building, without the awareness that a reasonable person in the same situation would have with regard to the likelihood that the food, food waste, or other substance could attract large wild carnivores to the land or building.

(b) "Negligently feed, attempt to feed, or attract" does not include keeping food, food waste, or other substance in an enclosed garbage receptacle or other enclosed container unless specifically directed by a fish and wildlife officer or animal control authority to secure the receptacle or container in another manner.

(41) "Nonresident" means a person who has not fulfilled the qualifications of a resident.

(42) "Offshore waters" means marine waters of the Pacific Ocean outside the

territorial boundaries of the state, including the marine waters of other states and countries.

(43) "Open season" means those times, manners of taking, and places or waters established by rule of the commission for the lawful hunting, fishing, taking, or possession of game animals, game birds, game fish, food fish, or shellfish that conform to the special restrictions or physical descriptions established by rule of the commission or that have otherwise been deemed legal to hunt, fish, take, or possess by rule of the commission. "Open season" includes the first and last days of the established time.

(44) "Owner" means the person in whom is vested the ownership dominion, or title of the property.

(45) "Person" means and includes an individual; a corporation; a public or private entity or organization; a local, state, or federal agency; all business organizations, including corporations and partnerships; or a group of two or more individuals acting with a common purpose whether acting in an individual, representative, or official capacity.

(46) "Personal property" or "property" includes both corporeal and incorporeal personal property and includes, among other property, contraband and money.

(47) "Personal use" means for the private use of the individual taking the fish or shellfish and not for sale or barter.

(48) "Predatory birds" means wild birds that may be hunted throughout the year as authorized by the commission.

(49) "Protected wildlife" means wildlife designated by the commission that shall not be hunted or fished.

(50) "Raffle" means an activity in which tickets bearing an individual number are sold for not more than twenty-five dollars each and in which a permit or permits are awarded to hunt or for access to hunt big game animals or wild turkeys on the basis of a drawing from the tickets by the person or persons conducting the raffle.

(51) "Resident" has the same meaning as defined in RCW 77.08.075.

(52) (~~"Retail-eligible species" means commercially harvested salmon, crab, and sturgeon.~~)

~~(53))~~ "Saltwater" means those marine waters seaward of river mouths.

~~((54))~~ (53) "Seaweed" means marine aquatic plant species that are dependent upon the marine aquatic or tidal environment, and exist in either an attached or free floating form, and includes but is not limited to marine aquatic plants in the classes Chlorophyta, Phaeophyta, and Rhodophyta.

~~((55))~~ (54) "Senior" means a person seventy years old or older.

~~((56))~~ (55) "Shark fin" means a raw, dried, or otherwise processed detached fin or tail of a shark.

~~((57))~~ (56) (a) "Shark fin derivative product" means any product intended for use by humans or animals that is derived in whole or in part from shark fins or shark fin cartilage.

(b) "Shark fin derivative product" does not include a drug approved by the United States food and drug administration and available by prescription only or medical device or vaccine approved by the United States food and drug administration.

~~((58))~~ (57) "Shellfish" means those species of marine and freshwater invertebrates that have been classified and that shall not be taken or possessed except as authorized by rule of the commission. The term "shellfish" includes all stages of development and the bodily parts of shellfish species.

~~((59))~~ (58) "State waters" means all marine waters and fresh waters within ordinary high water lines and within the territorial boundaries of the state.

~~((60))~~ (59) "Taxidermist" means a person who, for commercial purposes, creates lifelike representations of fish and wildlife using fish and wildlife parts and various supporting structures.

~~((61))~~ (60) "To fish" and its derivatives means an effort to kill, injure, harass, harvest, or capture a fish or shellfish.

~~((62))~~ (61) "To hunt" and its derivatives means an effort to kill, injure, harass, harvest, or capture a wild animal or wild bird.

~~((63))~~ (62) "To process" and its derivatives mean preparing or preserving fish, wildlife, or shellfish.

~~((64))~~ (63) "To take" and its derivatives means to kill, injure,

harvest, or capture a fish, shellfish, wild animal, bird, or seaweed.

((~~65~~)) (64) "To trap" and its derivatives means a method of hunting using devices to capture wild animals or wild birds.

((~~66~~)) (65) "To waste" or "to be wasted" means to allow any edible portion of any game bird, food fish, game fish, shellfish, or big game animal other than cougar to be rendered unfit for human consumption, or to fail to retrieve edible portions of such a game bird, food fish, game fish, shellfish, or big game animal other than cougar from the field. For purposes of this chapter, edible portions of game birds must include, at a minimum, the breast meat of those birds. Entrails, including the heart and liver, of any wildlife species are not considered edible.

((~~67~~)) (66) "Trafficking" means offering, attempting to engage, or engaging in sale, barter, or purchase of fish, shellfish, wildlife, or deleterious exotic wildlife.

((~~68~~)) (67) "Unclaimed" means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

((~~69~~)) (68) "Unclassified wildlife" means wildlife existing in Washington in a wild state that have not been classified as big game, game animals, game birds, predatory birds, protected wildlife, endangered wildlife, or deleterious exotic wildlife.

((~~70~~)) (69) "Wholesale fish (~~dealer~~) buyer" means a person who (~~acting for commercial purposes, takes possession or ownership of fish or shellfish and sells, barter, or exchanges or attempts to sell, barter, or exchange fish or shellfish that have been landed into the state of Washington or entered the state of Washington in interstate or foreign commerce~~) engages in any fish buying or selling activity that triggers the need to obtain a wholesale fish buyer endorsement under RCW 77.65.340.

((~~71~~)) (70) "Wild animals" means those species of the class Mammalia whose members exist in Washington in a wild state. The term "wild animal" does not include feral domestic mammals or old

world rats and mice of the family Muridae of the order Rodentia.

((~~72~~)) (71) "Wild birds" means those species of the class Aves whose members exist in Washington in a wild state.

((~~73~~)) (72) "Wildlife" means all species of the animal kingdom whose members exist in Washington in a wild state. This includes but is not limited to mammals, birds, reptiles, amphibians, fish, and invertebrates. The term "wildlife" does not include feral domestic mammals, old world rats and mice of the family Muridae of the order Rodentia, or those fish, shellfish, and marine invertebrates classified as food fish or shellfish by the director. The term "wildlife" includes all stages of development and the bodily parts of wildlife members.

((~~74~~)) (73) "Wildlife meat cutter" means a person who packs, cuts, processes, or stores wildlife for consumption for another for commercial purposes.

((~~75~~)) (74) "Youth" means a person fifteen years old for fishing and under sixteen years old for hunting.

Sec. 3. RCW 77.12.170 and 2016 c 30 s 5 are each amended to read as follows:

(1) There is established in the state treasury the state wildlife account which consists of moneys received from:

(a) Rentals or concessions of the department;

(b) The sale of real or personal property held for department purposes, unless the property is seized or recovered through a fish, shellfish, or wildlife enforcement action;

(c) The assessment of administrative penalties;

(d) The sale of licenses, permits, tags, and stamps required by chapters 77.32, 77.65, and 77.70 RCW(~~(77.65.490)~~) and application fees;

(e) Fees for informational materials published by the department;

(f) Fees for personalized vehicle, Wild on Washington, and Endangered Wildlife license plates, Washington's Wildlife license plate collection, and Washington's fish license plate collection as provided in chapter 46.17 RCW;

(g) Articles or wildlife sold by the director under this title;

(h) Compensation for damage to department property or wildlife losses or contributions, gifts, or grants received under RCW 77.12.320. However, this excludes fish and shellfish overages, and court-ordered restitution or donations associated with any fish, shellfish, or wildlife enforcement action, as such moneys must be deposited pursuant to RCW 77.15.425;

(i) Excise tax on anadromous game fish collected under chapter 82.27 RCW;

(j) The department's share of revenues from auctions and raffles authorized by the commission;

(k) The sale of watchable wildlife decals under RCW 77.32.560;

(l) Moneys received from the recreation access pass account created in RCW 79A.80.090 must be dedicated to stewardship, operations, and maintenance of department lands used for public recreation purposes; and

(m) Donations received by the director under RCW 77.12.039.

(2) State and county officers receiving any moneys listed in subsection (1) of this section shall deposit them in the state treasury to be credited to the state wildlife account.

Sec. 4. RCW 77.12.177 and 2015 c 225 s 114 are each amended to read as follows:

(1) Except as provided in this title, state and county officers receiving the following moneys shall deposit them in the state ~~((general fund))~~ wildlife account:

(a) The sale of commercial licenses required under this title ~~((, except for licenses issued under RCW 77.65.490))~~; and

(b) Moneys received for damages to ~~((food))~~ fish, ~~((or))~~, shellfish, or wildlife.

(2) ~~((The director shall make weekly remittances to the state treasurer of moneys collected by the department.))~~ Beginning with fiscal year 2018, and each fiscal year thereafter, the director must determine both the total amount of fees deposited in the state wildlife account for the sale of commercial licenses required under this title, and the portion of those fees that is attributable to the fee increases enacted in this act. The director must certify these amounts to the state treasurer, who must transfer the difference between these two amounts to the state general fund within one month of

the close of the fiscal year. The portion of those fees that is attributable to the fee increases enacted in this act is retained in the state wildlife account.

(3) All fines and forfeitures collected or assessed by a district court for a violation of this title or rule of the department shall be remitted as provided in chapter 3.62 RCW.

(4) Proceeds from the sale of ~~((feed))~~ fish or shellfish taken in test fishing conducted by the department, to the extent that these proceeds exceed the estimates in the budget approved by the legislature, may be allocated as unanticipated receipts under RCW 43.79.270 to reimburse the department for unanticipated costs for test fishing operations in excess of the allowance in the budget approved by the legislature.

(5) Proceeds from the sale of salmon carcasses and salmon eggs from state general funded hatcheries by the department shall be deposited in the regional fisheries enhancement group account established in RCW 77.95.090.

(6) Proceeds from the sale of herring spawn on kelp fishery licenses by the department, to the extent those proceeds exceed estimates in the budget approved by the legislature, may be allocated as unanticipated receipts under RCW 43.79.270. Allocations under this subsection shall be made only for herring management, enhancement, and enforcement.

Sec. 5. RCW 77.15.096 and 2002 c 128 s 5 are each amended to read as follows:

(1) Fish and wildlife officers may inspect without warrant at reasonable times and in a reasonable manner:

(a) The premises, containers, fishing equipment, fish, seaweed, shellfish, and wildlife ~~((, and records required by the department))~~ of any commercial fisher or wholesale dealer or fish ~~((buyer))~~ dealer; and

(b) Records required by the department of any commercial fisher or wholesale fish buyer or fish dealer.

(2) Fish and wildlife officers and ex officio fish and wildlife officers may ~~((similarly))~~ inspect without warrant at reasonable times and in a reasonable manner:

(a) The premises, containers, fishing equipment, fish, shellfish, ~~((and))~~ wildlife, ~~((and records required by the~~

department)) or covered animal species of any ((shipping agent or other person placing or attempting to place fish, shellfish, or wildlife into interstate commerce,)) person trafficking or otherwise distributing or receiving fish, shellfish, wildlife, or covered animal species;

(b) Records required by the department of any person trafficking or otherwise distributing or receiving fish, shellfish, wildlife, or covered animal species;

(c) Any cold storage plant that ((the department)) a fish and wildlife officer has probable cause to believe contains fish, shellfish, or wildlife((~~or~~));

(d) The premises, containers, fish, shellfish, wildlife, or covered animal species of any taxidermist or fur buyer; or

(e) The records required by the department of any taxidermist or fur buyer.

(3) Fish and wildlife officers may inspect without warrant, at reasonable times and in a reasonable manner, the records required by the department of any retail outlet selling fish, shellfish, or wildlife, and, if the officers have probable cause to believe a violation of this title or rules of the commission has occurred, they may inspect without warrant the premises, containers, and fish, shellfish, and wildlife of any retail outlet selling fish, shellfish, or wildlife.

(4) Authority granted under this section does not extend to quarters in a boat, building, or other property used exclusively as a private domicile, does not extend to transitory residences in which a person has a reasonable expectation of privacy, and does not allow search and seizure without a warrant if the thing or place is protected from search without warrant within the meaning of Article I, section 7 of the state Constitution.

Sec. 6. RCW 69.04.933 and 2013 c 290 s 4 are each amended to read as follows:

(1) It is unlawful to knowingly sell or offer for sale at wholesale or retail any fresh, frozen, or processed ((~~food~~)) fish or shellfish without identifying for the buyer at the point of sale the species of ((~~food~~)) fish or shellfish by its common name, such that the buyer can make an

informed purchasing decision for his or her protection, health, and safety.

(2) It is unlawful to knowingly label or offer for sale any ((~~food~~)) fish designated as halibut, with or without additional descriptive words, unless the ((~~food~~)) fish product is *Hippoglossus hippoglossus* or *Hippoglossus stenolepis*.

(3) This section does not apply to salmon that is minced, pulverized, coated with batter, or breaded.

(4) This section does not apply to a commercial fisher properly licensed under chapter 77.65 or 77.70 RCW and engaged in sales of fish to a wholesale fish buyer.

(5) A violation of this section constitutes misbranding under RCW 69.04.938 and is punishable as a misdemeanor, gross misdemeanor, or felony depending on the fair market value of the fish or shellfish involved in the violation.

(6)(a) The common names for salmon species are as listed in RCW 69.04.932.

(b) The common names for all other ((~~food~~)) fish and shellfish are the common names for ((~~food~~)) fish and shellfish species as defined by rule of the ((~~director~~)) department of fish and wildlife. If the common name for a species is not defined by rule of the ((~~director~~)) department of fish and wildlife, then the common name is the acceptable market name or common name as provided in the United States food and drug administration's publication "Seafood list - FDA's guide to acceptable market names for seafood sold in interstate commerce," as the publication existed on July 28, 2013.

(7) For the purposes of this section, "processed" means ((~~food~~)) fish or shellfish processed by heat for human consumption, such as ((~~food~~)) fish or shellfish that is kippered, smoked, boiled, canned, cleaned, portioned, or prepared for sale or attempted sale for human consumption.

(8) Nothing in this section precludes using additional descriptive language or trade names to describe ((~~food~~)) fish or shellfish as long as the labeling requirements in this section are met.

Sec. 7. RCW 69.04.934 and 2013 c 290 s 5 are each amended to read as follows:

(1) It is unlawful to knowingly sell or offer for sale at wholesale or retail any fresh, frozen, or processed salmon without

identifying private sector cultured aquatic salmon or salmon products as farm-raised salmon, or identifying commercially caught salmon or salmon products as commercially caught salmon.

(2) Identification of the products under subsection (1) of this section must be made to the buyer at the point of sale such that the buyer can make an informed purchasing decision for his or her protection, health, and safety.

(3) A violation of this section constitutes misbranding under RCW 69.04.938 and is punishable as a misdemeanor, gross misdemeanor, or felony depending on the fair market value of the fish or shellfish involved in the violation.

(4) This section does not apply to salmon that is minced, pulverized, coated with batter, or breaded.

(5) This section does not apply to a commercial fisher properly licensed under chapter 77.65 or 77.70 RCW and lawfully engaged in the sale of fish to a wholesale fish buyer.

(6) Nothing in this section precludes using additional descriptive language or trade names to describe (~~food~~) fish or shellfish as long as the labeling requirements of this section are met.

Sec. 8. RCW 77.15.110 and 2012 c 176 s 13 are each amended to read as follows:

(1) For purposes of this chapter, a person acts for commercial purposes if the person engages in conduct that relates to commerce in fish, seaweed, shellfish, or wildlife or any parts thereof. Commercial conduct may include taking, delivering, selling, buying, brokering, or trading fish, seaweed, shellfish, or wildlife where there is present or future exchange of money, goods, or any valuable consideration. Evidence that a person acts for commercial purposes includes, but is not limited to, the following conduct:

(a) Using gear typical of that used in commercial fisheries;

(b) Exceeding the bag or possession limits for personal use by taking or possessing more than three times the amount of fish, seaweed, shellfish, or wildlife allowed;

(c) Delivering or attempting to deliver fish, seaweed, shellfish, or wildlife to a person who sells or resells (~~fish, seaweed, shellfish, or wildlife including~~

~~any licensed or unlicensed wholesaler~~) it;

(d) Taking fish or shellfish using a vessel designated on a commercial fishery license or using gear not authorized in a personal use fishery;

(e) Using a commercial fishery license;

(f) Selling or dealing in raw furs for a fee or in exchange for goods or services;

(g) Performing taxidermy service on fish, shellfish, or wildlife belonging to another person for a fee or receipt of goods or services; or

(h) Packs, cuts, processes, or stores the meat of wildlife for consumption, for a fee or in exchange for goods or services.

(2) For purposes of this chapter, the value of any fish, seaweed, shellfish, or wildlife may be proved based on evidence of legal or illegal sales involving the person charged or any other person, of offers to sell or solicitation of offers to sell by the person charged or by any other person, or of any market price for the fish, seaweed, shellfish, or wildlife including market price for farm-raised game animals. The value assigned to specific fish, seaweed, shellfish, or wildlife by RCW 77.15.420 may be presumed to be the value of such fish, seaweed, shellfish, or wildlife. It is not relevant to proof of value that the person charged misrepresented that the fish, seaweed, shellfish, or wildlife was taken in compliance with law if the fish, seaweed, shellfish, or wildlife was unlawfully taken and had no lawful market value.

Sec. 9. RCW 77.15.170 and 2014 c 48 s 8 are each amended to read as follows:

(1) A person is guilty of waste of fish and wildlife if the person:

(a) Takes or possesses wildlife classified as food fish, game fish, shellfish, or game birds having a value of two hundred fifty dollars or more, or wildlife classified as big game; and

(b) Recklessly allows such fish, shellfish, or wildlife to be wasted.

(2) Waste of fish and wildlife is a gross misdemeanor. Upon conviction, the department shall revoke any license or tag used in the crime and shall order suspension of the person's privileges to engage in the activity in which the person committed waste of fish and wildlife for a period of one year.

(3) It is prima facie evidence of waste if:

(a) A ~~((processor))~~ fish dealer purchases or engages a quantity of food fish, shellfish, or game fish that cannot be processed within sixty hours after the food fish, game fish, or shellfish are taken from the water, unless the food fish, game fish, or shellfish are preserved in good marketable condition; or

(b) A person brings a big game animal to a wildlife meat cutter and then abandons the animal. For purposes of this subsection (3)(b), a big game animal is deemed to be abandoned when its carcass is placed in the custody of a wildlife meat cutter for butchering and processing and:

(i) Having been placed in such custody for an unspecified period of time, the meat is not removed within thirty days after the wildlife meat cutter gives notice to the person who brought in the carcass or, having been so notified, the person who brought in the carcass refuses or fails to pay the agreed upon or reasonable charges for the butchering or processing of the carcass; or

(ii) Having been placed in such custody for a specified period of time, the meat is not removed at the end of the specified period or the person who brought in the carcass refuses to pay the agreed upon or reasonable charges for the butchering or processing of the carcass.

Sec. 10. RCW 77.15.500 and 2000 c 107 s 248 are each amended to read as follows:

(1) A person is guilty of commercial fishing without a license in the second degree if the person fishes for, takes, or delivers ~~((food))~~ fish ~~((r))~~ or shellfish ~~((r or game fish))~~ while acting for commercial purposes and:

(a) The person does not hold a fishery license or delivery license under chapter 77.65 RCW for the ~~((food))~~ fish or shellfish; ~~((or))~~

(b) The person is not a licensed operator designated as an alternate operator on a fishery or delivery license under chapter 77.65 RCW for the ~~((food))~~ fish or shellfish; or

(c) The person does not hold a crewmember license when required under section 15 of this act.

(2) A person is guilty of commercial fishing without a license in the first degree if the person commits the act

described by subsection (1) of this section and:

(a) The violation involves taking, delivery, or possession of ~~((food))~~ fish or shellfish with a value of two hundred fifty dollars or more; or

(b) The violation involves taking, delivery, or possession of ~~((food))~~ fish or shellfish from an area that was closed to the taking of ~~((such food))~~ the fish or shellfish by any statute or rule.

(3)(a) Commercial fishing without a license in the second degree is a gross misdemeanor.

(b) Commercial fishing without a license in the first degree is a class C felony.

Sec. 11. RCW 77.15.565 and 2002 c 301 s 6 are each amended to read as follows:

Since violation of the rules of the department relating to the accounting of the commercial harvest of ~~((food))~~ fish and shellfish results in damage to the resources of the state, liability for damage to ~~((food))~~ fish and shellfish resources is imposed on a wholesale fish ~~((dealer or the holder of a direct retail endorsement))~~ buyer or a limited fish seller for violation of a provision in chapters 77.65 and 77.70 RCW or a rule of the department related to the accounting of the commercial harvest of ~~((food))~~ fish and shellfish and shall be for the actual damages or for damages imposed as follows:

(1) For violation of rules requiring the timely presentation to the department of documents relating to the accounting of commercial harvest, fifty dollars for each of the first fifteen documents in a series and ten dollars for each subsequent document in the same series. If documents relating to the accounting of commercial harvest of ~~((food))~~ fish and shellfish are lost or destroyed and the wholesale ~~((dealer or holder of a direct retail endorsement))~~ fish buyer or limited fish seller notifies the department in writing within seven days of the loss or destruction, the director shall waive the requirement for timely presentation of the documents.

(2) For violation of rules requiring accurate and legible information relating to species, value, harvest area, or amount of harvest, twenty-five dollars for each of the first five violations of this subsection ~~((following July 28, 1985))~~ per

calendar year, and fifty dollars for each violation after the first five violations.

(3) For violations of rules requiring certain signatures, fifty dollars for each of the first two violations and one hundred dollars for each subsequent violation. For the purposes of this subsection, each signature is a separate requirement.

(4) For other violations of rules relating to the accounting of the commercial harvest, fifty dollars for each separate violation.

Sec. 12. RCW 77.15.620 and 2012 c 176 s 30 are each amended to read as follows:

(1) A person is guilty of engaging in fish dealing activity without a license in the second degree if the activity involves fish or shellfish worth less than two hundred fifty dollars and the person:

(a) ~~Engages in ((the commercial processing of fish or shellfish, including custom canning or processing of personal use fish or shellfish and does not hold a wholesale dealer's license required by RCW 77.65.280(1) or 77.65.480 for anadromous game fish, or a direct retail endorsement under RCW 77.65.510))~~ any fish dealing activity requiring a fish dealer license under RCW 77.65.280 without first obtaining the license;

(b) ~~Engages in ((the wholesale selling, buying, or brokering of food fish or shellfish and does not hold a wholesale dealer's or buying license required by RCW 77.65.280(2) or 77.65.480 for anadromous game fish))~~ any fish buying or selling activity requiring a wholesale fish buyer endorsement under RCW 77.65.340 without first obtaining the endorsement; or

(c) ~~((Is a fisher who lands and sells his or her catch or harvest in the state to anyone other than a licensed wholesale dealer within or outside the state and does not hold a direct retail endorsement required by RCW 77.65.510; or~~

~~(d) Engages in the commercial manufacture or preparation of fertilizer, oil, meal, caviar, fish bait, or other by-products from food fish or shellfish and does not hold a wholesale dealer's license required by RCW 77.65.280(4) or 77.65.480 for anadromous game fish.)~~ Engages in any fish selling activity as a fisher that requires a limited fish seller endorsement under RCW 77.65.510 without first obtaining the endorsement.

(2) A person is guilty of engaging in fish dealing activity without a license in the first degree if the person commits the act described by subsection (1) of this section and the violation involves fish or shellfish worth two hundred fifty dollars or more.

(3)(a) Engaging in fish dealing activity without a license in the second degree is a gross misdemeanor.

(b) Engaging in fish dealing activity without a license in the first degree is a class C felony.

Sec. 13. RCW 77.15.630 and 2014 c 48 s 21 are each amended to read as follows:

(1) A person licensed as a commercial fisher, wholesale fish ~~((dealer, direct retail seller, anadromous game fish buyer, or a fish))~~ buyer, or limited fish seller, or a person not so licensed but acting in such a capacity, is guilty of unlawful fish and shellfish catch accounting in the second degree if he or she receives or delivers for commercial purposes fish or shellfish worth less than two hundred fifty dollars; and

(a) Fails to document such fish or shellfish with a fish-receiving ticket or other documentation required by statute or department rule;

(b) Fails to sign the fish-receiving ticket or other required documentation, fails to provide all of the information required by statute or department rule on the fish-receiving ticket or other documentation, or both; or

(c) Fails to submit the fish-receiving ticket to the department as required by statute or department rule.

(2) A person is guilty of unlawful fish and shellfish catch accounting in the first degree if the person commits an act described by subsection (1) of this section and:

(a) The violation involves fish or shellfish worth two hundred fifty dollars or more;

(b) The person acted with knowledge that the fish or shellfish were taken from a closed area, at a closed time, or by a person not licensed to take such fish or shellfish for commercial purposes; or

(c) The person acted with knowledge that the fish or shellfish were taken in violation of any tribal law.

(3)(a) Unlawful fish and shellfish catch accounting in the second degree is a gross misdemeanor.

(b) Unlawful fish and shellfish catch accounting in the first degree is a class C felony. Upon conviction, the department shall suspend all privileges to engage in wholesale fish buying or dealing for two years.

(4) For the purposes of this section:

(a) A person "receives" fish or shellfish when title or control of the fish or shellfish is transferred or conveyed to the person.

(b) A person "delivers" fish or shellfish when title or control of the fish or shellfish is transferred or conveyed from the person.

Sec. 14. RCW 77.15.640 and 2012 c 176 s 32 are each amended to read as follows:

(1) A person who holds a (~~wholesale~~) fish (~~dealer's~~) dealer license required by RCW 77.65.280, (~~an anadromous game fish buyer's license required by RCW 77.65.480,~~) a wholesale fish (~~buyer's license~~) buyer endorsement required by RCW 77.65.340, or a (~~direct retail~~) limited fish seller endorsement under RCW 77.65.510 is guilty of unlawful wholesale fish buying and dealing if the person:

(a) Fails to possess or display his or her license when engaged in any act requiring the license; or

(b) Fails to display or uses the license in violation of any department rule.

(2) Unlawful wholesale fish buying and dealing is a gross misdemeanor.

NEW SECTION. Sec. 15. A new section is added to chapter 77.65 RCW to read as follows:

(1)(a) An individual age sixteen and older who works on board any vessel while operating in a commercial fishery regulated by the state must obtain a crewmember license from the department. However, an individual on the vessel designated as the primary or alternate operator on the commercial fishing license and an individual on the vessel licensed and working as a geoduck diver or geoduck tender do not also need a crewmember license. Crewmembers working for licensed charters or guides are not required to have a crewmember license.

(b) A crewmember license is required for each individual who participates in

the operation of the vessel or the harvest. For the purposes of this section, the term "harvest" includes participation in tending, deploying, retrieving, or baiting fishing gear, harvesting, or placing fish or shellfish in holds.

(c) An albacore tuna crewmember license satisfies the requirements specified in (a) and (b) of this subsection on vessels fishing for albacore tuna or baitfish lampara.

(2) A crewmember license must be purchased in the name of the individual working as the crewmember. The license holder may use the license aboard any commercial fishing vessel, except an albacore tuna crewmember license is only valid for participating in the albacore tuna fishery or baitfish lampara fishery. A crewmember license purchased by a crewmember may not be transferred to another individual.

(3) Up to two crewmember licenses may be purchased and held by a commercial fishing license holder for use by any individual working on the vessel named in the commercial fishing license. Each crewmember license held by a commercial fishing license holder covers one crewmember per trip, but the same crewmember license may be used to authorize a different individual to act as a crewmember on a subsequent trip.

(4) The fee for an annual crewmember license is thirty-five dollars for residents and one hundred ten dollars for nonresidents. The fee for an annual albacore tuna crewmember license is thirty-five dollars for residents and nonresidents. Additional application fees and surcharges do not apply except that if the license is purchased through the automated licensing system the fees authorized in RCW 77.32.050 apply.

(5) The licenses must be available through the automated licensing system and transaction fees and dealer fees apply, except as provided in subsection (4) of this section. The annual crewmember license is valid for a calendar year.

(6) Family members of the commercial license holder or alternate operators are exempt from the requirements of this section. For purposes of this section, family members include children, grandchildren, spouse, parents, or siblings of the commercial license holder.

Sec. 16. RCW 77.65.010 and 2015 c 97 s 3 are each amended to read as follows:

(1) Except as otherwise provided by this title, a person must have a license (~~(or permit)~~) issued by the director in order to engage in any of the following activities:

(a) Commercially fish for or take food fish or shellfish;

(b) Deliver from a commercial fishing vessel food fish or shellfish taken for commercial purposes in offshore waters. As used in this subsection, "deliver" means arrival at a place or port, and includes arrivals from offshore waters to waters within the state and arrivals from state or offshore waters;

(c) Operate a charter boat or commercial fishing vessel engaged in a fishery;

(d) Engage in (~~(processing or wholesaling food)~~) wholesale buying, selling, dealing, processing, or brokering of raw or frozen fish or shellfish; (~~(or)~~)

(e) Sell his or her commercially harvested catch of fish or shellfish to anyone other than a licensed wholesale fish buyer within or outside the state; or

(f) Act as a food fish guide or game fish guide for personal use, except that a charter boat license is required to operate a vessel from which a person may for a fee fish for food fish in state waters listed in RCW 77.65.150(4)(b).

(2) No person may engage in the activities described in subsection (1) of this section unless the licenses (~~(or permits)~~) required by this title are in the person's possession, and the person is the named license holder or an alternate operator designated on the license and the person's license is not suspended.

(3) A valid Oregon license that is equivalent to a license under this title is valid in the concurrent waters of the Columbia river if the state of Oregon recognizes as valid the equivalent Washington license. The director may identify by rule what Oregon licenses are equivalent.

(4) No license (~~(or permit)~~) is required for the production or harvesting of private sector cultured aquatic products as defined in RCW 15.85.020 or for the delivery, processing, or wholesaling of such aquatic products. However, if a means of identifying such products is required by rules adopted under RCW 15.85.060, the exemption from licensing (~~(or permit)~~) requirements

established by this subsection applies only if the aquatic products are identified in conformance with those rules.

Sec. 17. RCW 77.65.020 and 2011 c 339 s 15 are each amended to read as follows:

(1) Unless otherwise provided in this title, a license issued under this chapter is not transferable from the license holder to any other person.

(2) The following restrictions apply to transfers of commercial fishery licenses, salmon delivery licenses, and salmon charter licenses that are transferable between license holders:

(a) The license holder shall surrender the previously issued license to the department.

(b) The department shall complete no more than one transfer of the license in any seven-day period.

(c) The fee to transfer a license from one license holder to another is:

(i) The same as the (~~(resident)~~) license renewal fee if the license is not limited under chapter 77.70 RCW;

(ii) Three and one-half times the (~~(resident)~~) renewal fee if the license is not a commercial salmon license and the license is limited under chapter 77.70 RCW;

(iii) Fifty dollars if the license is a commercial salmon license and is limited under chapter 77.70 RCW; or

(iv) Five hundred dollars if the license is a Dungeness crab-coastal fishery license (~~(or)~~)

~~(v) If a license is transferred from a resident to a nonresident, an additional fee is assessed that is equal to the difference between the resident and nonresident license fees at the time of transfer, to be paid by the transferee).~~

(d) In addition to the fees under (c) of this subsection, an application fee of one hundred five dollars applies to all commercial license transfers.

(3) A commercial license that is transferable under this title survives the death of the holder. Though such licenses are not personal property, they shall be treated as analogous to personal property for purposes of inheritance and intestacy. Such licenses are subject to state laws governing wills, trusts, estates,

intestate succession, and community property, except that such licenses are exempt from claims of creditors of the estate and tax liens. The surviving spouse, estate, or beneficiary of the estate may apply for a renewal of the license. There is no fee for transfer of a license from a license holder to the license holder's surviving spouse or estate, or to a beneficiary of the estate.

Sec. 18. RCW 77.65.090 and 2011 c 339 s 16 are each amended to read as follows:

This section applies to all commercial fishery licenses, delivery licenses, and charter licenses, except for emergency salmon delivery licenses.

(1) The holder of a license subject to this section may substitute the vessel designated on the license or designate a vessel if none has previously been designated if the license holder:

(a) Surrenders the previously issued license to the department;

(b) Submits to the department an application that identifies the currently designated vessel, the vessel proposed to be designated, and any other information required by the department; and

(c) Pays to the department a fee of thirty-five dollars and an application fee of one hundred five dollars.

(2) Unless the license holder owns all vessels identified on the application described in subsection (1)(b) of this section or unless the vessel is designated on a Dungeness crab-coastal (~~(or a Dungeness crab-coastal class B)~~) fishery license, the following restrictions apply to changes in vessel designation:

(a) The department shall change the vessel designation on the license no more than four times per calendar year.

(b) The department shall change the vessel designation on the license no more than once in any seven-day period.

Sec. 19. RCW 77.65.110 and 2011 c 339 s 17 are each amended to read as follows:

This section applies to all commercial fishery licenses (~~(7 charter boat licenses,)~~) and delivery licenses.

(1) A person designated as an alternate operator must possess an alternate operator license issued under RCW 77.65.130, and be designated on the fishery license prior to engaging in the activities authorized by the license. The

holder of the commercial fishery license (~~(7 charter boat license,)~~) or delivery license may designate up to two alternate operators for the license, except:

(a) Whiting-Puget Sound fishery licensees may not designate alternate operators;

(b) Emergency salmon delivery licensees may not designate alternate operators;

(c) Shrimp pot-Puget Sound fishery licensees may designate no more than one alternate operator at a time; and

(d) Shrimp trawl-Puget Sound fishery licensees may designate no more than one alternate operator at a time.

(2) The fee to change the alternate operator designation is twenty-two dollars in addition to the application fee of one hundred five dollars.

(3) An alternate operator license is not required for an individual to operate a vessel designated as a charter boat under a charter boat license.

Sec. 20. RCW 77.65.120 and 2000 c 107 s 33 are each amended to read as follows:

(1) Only the fishery license holder and any alternate operators designated on the license may sell or deliver (~~(food)~~) fish or shellfish under a commercial fishery license or delivery license. A commercial fishery license or delivery license authorizes no taking or delivery of (~~(food)~~) fish or shellfish unless the license holder or an alternate operator designated on the license is present or aboard the vessel.

(2) (Notwithstanding RCW 77.65.010(1)(c), an alternate operator license is not required for an individual to operate a vessel as a charter boat.) Only the fishery license holder and any alternate operator designated on a license with a limited fish seller endorsement under RCW 77.65.510 may sell the licensee's commercially harvested catch directly to consumers at retail.

Sec. 21. RCW 77.65.150 and 2011 c 339 s 18 are each amended to read as follows:

(1) (The director shall issue the charter licenses and angler permits listed in this section according to the requirements of this title.) The licenses and permits and their annual license fees, application fees, and surcharges are:

	Harbor				
	-				
	Columb				
	ia				
	river				
b)	(Sal mon	\$380	((\$685 plus \$100)	\$105
	Gill				
	Net-		\$455		
	Puget				
	Sound				
c)	(Sal mon	\$380	((\$685 plus \$100)	\$105
	Gill				
	Net-		\$455		
	Willap				
	a Bay-				
	Columb				
	ia				
	river				
d)	(Sal mon	\$5	((\$985 plus \$100)	\$105
	purse				
	seine	\$545	\$620		
e)	(Sal mon	\$380	((\$685 plus \$100)	\$105
	reef				
	net		\$455		
f)	(Sal mon	\$380	((\$685 plus \$100)	\$105
	troll		\$455		

(2) A license issued under this section authorizes no taking or delivery of salmon or other food fish unless a vessel is designated under RCW 77.65.100.

(3) Holders of commercial salmon fishery licenses may retain incidentally caught food fish other than salmon, subject to rules of the department.

(4) A salmon troll license includes a salmon delivery license.

(5) A salmon gill net license authorizes the taking of salmon only in the geographical area for which the license is issued. The geographical designations in subsection (1) of this section have the following meanings:

(a) "Puget Sound" includes waters of the Strait of Juan de Fuca, Georgia Strait, Puget Sound and all bays, inlets, canals, coves, sounds, and estuaries lying easterly and southerly of the international boundary line and a line at the entrance to the Strait of Juan de Fuca projected northerly from Cape Flattery to the lighthouse on Tatoosh Island and then to Bonilla Point on Vancouver Island.

(b) "Grays Harbor-Columbia river" includes waters of Grays Harbor and

tributary estuaries lying easterly of a line projected northerly from Point Chehalis Light to Point Brown and those waters of the Columbia river and tributary sloughs and estuaries easterly of a line at the entrance to the Columbia river projected southerly from the most westerly point of the North jetty to the most westerly point of the South jetty.

(c) "Willapa Bay-Columbia river" includes waters of Willapa Bay and tributary estuaries and easterly of a line projected northerly from Leadbetter Point to the Cape Shoalwater tower and those waters of the Columbia river and tributary sloughs described in (b) of this subsection.

(6) A commercial salmon troll fishery license may be renewed under this section if the license holder notifies the department by May 1st of that year that he or she will not participate in the fishery during that calendar year. A commercial salmon gill net, reef net, or seine fishery license may be renewed under this section if the license holder notifies the department before the third Monday in September of that year that he or she will not participate in the fishery during that calendar year. The license holder must pay the one hundred dollar enhancement surcharge, plus a one hundred five dollar application fee before the third Monday in September, in order to be considered a valid renewal and eligible to renew the license the following year.

(7) Notwithstanding the annual license fees and surcharges established in subsection (1) of this section, a person who holds a resident commercial salmon fishery license shall pay an annual license fee of one hundred dollars plus the surcharge and application fee if all of the following conditions are met:

(a) The license holder is at least seventy-five years of age;

(b) The license holder owns a fishing vessel and has fished with a resident commercial salmon fishery license for at least thirty years; and

(c) The commercial salmon fishery license is for a geographical area other than the Puget Sound.

An alternate operator may not be designated for a license renewed at the one hundred dollar annual fee under this subsection (7).

Sec. 23. RCW 77.65.170 and 2011 c 339 s 20 are each amended to read as follows:

(1) A salmon delivery license is required for a commercial fishing vessel to deliver salmon taken for commercial purposes in offshore waters to a place or port in the state. As used in this section, "deliver" and "delivery" mean arrival at a place or port, and include arrivals from offshore waters to waters within the state and arrivals ashore from offshore waters. The annual fee for a salmon delivery license is ~~((three))~~ four hundred ~~((eighty))~~ thirty dollars for residents and ~~((six))~~ five hundred ~~((eighty-five))~~ five dollars for nonresidents. The application fee for a salmon delivery license is one hundred five dollars. The annual surcharge under RCW 77.95.090 is one hundred dollars for each license. Holders of nonlimited entry delivery licenses issued under RCW 77.65.210 may apply the nonlimited entry delivery license fee against the salmon delivery license fee.

(2) Only a person who meets the qualifications established in RCW 77.70.090 may hold a salmon delivery license issued under this section.

(3) A salmon delivery license authorizes no taking of salmon or other ~~((food))~~ fish or shellfish from the waters of the state.

(4) If the director determines that the operation of a vessel under a salmon delivery license results in the depletion or destruction of the state's salmon resource or the delivery into this state of salmon products prohibited by law, the director may revoke the license under the procedures of chapter 34.05 RCW.

Sec. 24. RCW 77.65.190 and 2011 c 339 s 21 are each amended to read as follows:

A person who does not qualify for a license under RCW 77.70.090 shall obtain a nontransferable emergency salmon delivery license to make one delivery from a commercial fishing vessel of salmon taken for commercial purposes in offshore waters. As used in this section, "delivery" means arrival at a place or port, and include arrivals from offshore waters to waters within the state and arrivals ashore from offshore waters. The director shall not issue an emergency salmon delivery license unless, as determined by the director, a bona fide emergency exists. The license fee is two hundred ~~((twenty-five))~~ seventy-five dollars for residents and ~~((four))~~ three

hundred ~~((seventy-five))~~ fifty dollars for nonresidents. The application fee is one hundred five dollars. An applicant for an emergency salmon delivery license shall designate no more than one vessel that will be used with the license. Alternate operator licenses are not required of persons delivering salmon under an emergency salmon delivery license. Emergency salmon delivery licenses are not renewable.

Sec. 25. RCW 77.65.200 and 2011 c 339 s 22 are each amended to read as follows:

(1) This section establishes commercial fishery licenses required for food fish fisheries and the annual fees for those licenses. As used in this section, "food fish" does not include salmon. The director may issue a limited-entry commercial fishery license only to a person who meets the qualifications established in applicable governing sections of this title.

Fishery (Gov. erning section (s))	Annual Fee	Appli cation Fee	Vess el	Lim ited	Requ ired?	Entr y?
	Res ident	Nonre sident				
(a) Baitfish Lampara	((185)) <u>\$335</u>	((95)) <u>\$410</u>	\$ 70	Yes	No	
(b) Baitfish purse seine	((530)) <u>\$380</u>	((85)) <u>\$655</u>	\$ 70	Yes	No	
(c) Bottom fish jig	((130)) <u>\$180</u>	((85)) <u>\$255</u>	\$ 70	Yes	No	
(d) Bottom fish pot	((130)) <u>\$180</u>	((85)) <u>\$255</u>	\$ 70	Yes	No	
(e) Bottom fish troll	((130)) <u>\$180</u>	((85)) <u>\$255</u>	\$ 70	Yes	No	
(f) Carp	((130)) <u>\$180</u>	((85)) <u>\$255</u>	\$ 70	No	No	
(g) Columbi a river smelt	((380)) <u>\$430</u>	((85)) <u>\$505</u>	\$ 70	No	No	

77.70.1
30)

(2) The director may by rule determine the species of food fish that may be taken with the commercial fishery licenses established in this section, the gear that may be used with the licenses, and the areas or waters in which the licenses may be used. Where a fishery license has been established for a particular species, gear, geographical area, or combination thereof, a more general fishery license may not be used to take food fish in that fishery.

Sec. 26. RCW 77.65.210 and 2011 c 339 s 23 and 2011 c 147 s 3 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (2) of this section, a person may not use a commercial fishing vessel to deliver food fish or shellfish taken for commercial purposes in offshore waters to a port in the state without a nonlimited entry delivery license. As used in this section, "deliver" and "delivery" mean arrival at a place or port, and include arrivals from offshore waters to waters within the state and arrivals ashore from offshore waters. As used in this section, "food fish" does not include salmon. As used in this section, "shellfish" does not include ocean pink shrimp, coastal crab, coastal spot shrimp, or fish or shellfish taken under an emerging commercial fisheries license if taken from off-shore waters. The annual license fee for a nonlimited entry delivery license is ~~((one))~~ two hundred ~~((ten))~~ sixty dollars for residents and ~~((two))~~ three hundred thirty-five dollars for nonresidents, and an additional thirty-five dollar surcharge for both residents and nonresidents to be deposited in the rockfish research account created in RCW 77.12.702. The application fee for a nonlimited entry delivery license is one hundred five dollars.

(2) Holders of the following licenses may deliver food fish or shellfish taken in offshore waters without a nonlimited entry delivery license: Salmon troll fishery licenses issued under RCW 77.65.160; salmon delivery licenses issued under RCW 77.65.170; crab pot fishery licenses issued under RCW 77.65.220; food fish trawl-Non-Puget Sound fishery licenses, and emerging commercial fishery licenses issued under RCW 77.65.200; Dungeness crab-coastal fishery licenses; ocean pink shrimp delivery licenses; ~~((shrimp trawl Non Puget Sound fishery licenses,))~~ Washington coastal spot shrimp

pot fishery licenses issued under chapter 77.70 RCW; and emerging commercial fishery licenses issued under RCW 77.65.220.

(3) A nonlimited entry delivery license authorizes no taking of ~~((food))~~ fish or shellfish from state waters.

Sec. 27. RCW 77.65.220 and 2011 c 339 s 24 and 2011 c 147 s 4 are each reenacted and amended to read as follows:

(1) This section establishes commercial fishery licenses required for shellfish fisheries and the annual fees for those licenses. The director may issue a limited-entry commercial fishery license only to a person who meets the qualifications established in applicable governing sections of this title.

Fishery	Annual Fee	Appli- cation Fee	Vess- el Re- quired?	Lim- ited Entr y?
(s) (Gov- erning section)	Res- ident	Non- resident		
(a) Burrowing shrimp	((<u>\$195</u>)) <u>\$235</u>	((<u>\$295</u>)) <u>\$310</u>	\$105	Yes
(b) ((Crab + ring net-	(\$13	(\$185	\$70	Yes
Non- Puget Sound				
(c) ((Crab ring net-	((<u>\$130</u>)) <u>\$180</u>	((<u>\$295</u>)) <u>\$255</u>	\$70	Yes
Puget Sound				
(d) ((Crab ring net-	((<u>\$295</u>)) <u>\$345</u>	((<u>\$520</u>)) <u>\$420</u>	\$105	Yes
Dungeness crab-coastal (RCW 77.70.280)				
(e) ((Crab ring net-	((<u>\$29</u>)) <u>\$29</u>	((<u>\$520</u>)) <u>\$520</u>	\$105	Yes
Dungeness crab-				

Bill Number	Amount	Amount	Amount	Yes	Yes	Amount	Yes	Yes
RCW 77.70.2 80)								
(f) (d)130) 85)	\$180	\$255	\$105	Yes	Yes			
Dungeness crab-								
Puget Sound								
(RCW 77.70.1 10)								
(g) (e)130) 85)	\$335	\$410	\$105	Determined by rule	Determined by rule			
Emergin commercial fishery								
(RCW 77.70.1 60 and 77.65.4 00)								
((f) \$ 0 \$ 0 \$ 70)			\$ 70	Yes	Yes			
(f) Geoduck (RCW 77.7 0.220)								
((g) (g)530) 85)	\$580	\$655	\$ 70	Yes	No			
Hardshe ll clam								
mechanical harvester								
(RCW 77.65.2 50)								
((h) (h)130) 85)	\$180	\$255	\$ 70	No	No			
Oyster reserve								
(RCW 77.65.2 60)								
((i) (i)130) 85)	\$180	\$255	\$105	No	No			
Razor clam								
((j) (j)130) 85)	\$280	\$355	\$105	Yes	Yes			
Sea								
cucumber dive								
(RCW 77.70.1 90)								
((k) (k)130) 85)	\$280	\$355	\$105	Yes	Yes			
Sea urchin dive								
(RCW 77.70.1 50)								
((l) (l)130) 85)	\$ 70		\$ 70	Yes	No			
Shellfish dive								
((m) (m)130) 85)	\$ 70		\$ 70	Yes	No			
Shellfish pot								
((n) (n)130) 85)	\$180	\$255	\$105	Yes	Yes			
Shrimp pot-								
Puget Sound								
(RCW 77.70.4 10)								
((o) (o)24 \$405 \$105)	\$24	\$405	\$105	Yes	No			
Shrimp trawl-								
Non-Puget Sound								
((p) (p)130) 85)	\$335	\$410	\$105	Yes	Yes			
Shrimp trawl-								
Puget Sound								
(RCW 77.70.4 20)								
((q) (q)130) 85)	\$ 70		\$ 70	Yes	Yes			
Spot shrimp-coastal								
((r) (r)130) 85)	\$ 70		\$ 70	Yes	No			
Squid								

(2) The director may by rule determine the species of shellfish that may be taken with the commercial fishery licenses established in this section, the gear that

may be used with the licenses, and the areas or waters in which the licenses may be used. Where a fishery license has been established for a particular species, gear, geographical area, or combination thereof, a more general fishery license may not be used to take shellfish in that fishery.

Sec. 28. RCW 77.65.240 and 2000 c 107 s 45 are each amended to read as follows:

A surcharge of one hundred twenty dollars shall be collected with each Dungeness crab-coastal fishery license ~~((and with each Dungeness crab coastal class B fishery license))~~ issued under RCW 77.65.220. Moneys collected under this section shall be placed in the coastal crab account created under RCW 77.70.320.

Sec. 29. RCW 77.65.280 and 2014 c 48 s 27 are each amended to read as follows:

(1) A ~~((wholesale))~~ fish ~~((dealer's))~~ dealer license is required for ~~((+~~

~~(a) A business in the state to engage in the commercial processing of food fish or shellfish, including custom canning or processing of personal use food fish or shellfish.~~

~~(b) A business in the state to engage in the wholesale selling, buying, or brokering of food fish or shellfish. A wholesale fish dealer's license is not required of those businesses which buy exclusively from Washington licensed wholesale dealers and sell solely at retail.~~

~~(c) Fishers who land and sell their catch or harvest in the state to anyone other than a licensed wholesale dealer within or outside the state, unless the fisher has a direct retail endorsement.~~

~~(d) A business to engage in the commercial manufacture or preparation of fertilizer, oil, meal, caviar, fish bait, or other by products from food fish or shellfish.~~

~~(e) A business engaging a fish buyer as defined under RCW 77.65.340.~~

~~(2))~~ a person in the state who:

(a) Takes possession of raw or frozen fish or shellfish, in whole or in parts, to prepare, repackage, process, or preserve. This includes, but is not limited to:

(i) Canning or processing of fish or shellfish for payment, whether the fish or

shellfish is commercially harvested or taken for personal use; and

(ii) The commercial manufacture or preparation of fertilizer, oil, meal, caviar, fish bait, or any other by-products from fish or shellfish;

(b) Engages in the wholesale selling, buying, or brokering of raw or frozen fish or shellfish. Certain buyers may be additionally required to obtain a wholesale fish buyer endorsement as specified in RCW 77.65.340.

(2) A fish dealer license is not required for:

(a) Licensed commercial fish or shellfish harvesters who either sell only to licensed wholesale fish buyers or who possess a limited fish seller endorsement;

(b) Retail businesses that purchase exclusively from Washington licensed wholesale fish buyers or from limited fish sellers for sale to end consumers.

(3) A business engaged in any activity requiring a fish dealer license only needs to purchase one fish dealer license to cover the actions of all employees.

(4) The annual license fee for a ((wholesale)) resident fish dealer is ((two)) four hundred ((fifty)) dollars. The fee for a nonresident fish dealer license is four hundred seventy-five dollars. The application fee for both resident and nonresident licenses is one hundred five dollars. ((A wholesale fish dealer's license is not required for persons engaged in the processing, wholesale selling, buying, or brokering of private sector cultured aquatic products as defined in RCW 15.85.020. However, if a means of identifying such products is required by rules adopted under RCW 15.85.060, the exemption from licensing requirements established by this subsection applies only if the aquatic products are identified in conformance with those rules.))

Sec. 30. RCW 77.65.310 and 1996 c 267 s 29 are each amended to read as follows:

Wholesale fish ((dealers)) buyers and limited fish sellers are ((responsible for documenting)) required to document the commercial harvest of ((food)) fish and shellfish according to the rules of the department. ((The director may allow only wholesale fish dealers or their designees to receive the forms necessary for the accounting of the commercial harvest of food fish and shellfish.))

Sec. 31. RCW 77.65.320 and 2000 c 107 s 49 are each amended to read as follows:

(1) ~~A wholesale fish ((dealer shall not take possession of food fish or shellfish until the dealer has deposited))~~ buyer or limited fish seller must deposit with the department an acceptable performance bond on forms prescribed and furnished by the department before engaging in fish selling or buying activities. This performance bond shall be a corporate surety bond executed in favor of the department by a corporation authorized to do business in the state of Washington under chapter 48.28 RCW and approved by the department.

(a) For wholesale fish buyers, the bond shall be filed and maintained in an amount equal to ((one)) two thousand dollars. For each additional buyer engaged by the wholesale ((dealer. In no case shall the bond be less than two thousand dollars nor more than fifty thousand dollars)) business, the bond must be increased an additional one thousand dollars.

(b) For limited fish sellers, the bond shall be filed and maintained in an amount equal to one thousand dollars.

(c) The department may increase the bond amount for persons who have violated rules relating to the accounting of commercial harvest.

~~(2) ((A wholesale dealer shall, within seven days of engaging additional fish buyers, notify the department and increase the amount of the bonding required in subsection (1) of this section.~~

~~(3))~~ The director may suspend and refuse to reissue a wholesale fish ((dealer's license)) buyer endorsement of a ((dealer)) person who has taken possession of ((food)) fish or shellfish without an acceptable performance bond on deposit with the department.

(3) The director may suspend and refuse to reissue a limited fish seller endorsement to a commercial fisher who has sold fish or shellfish without an acceptable performance bond on deposit with the department.

(4) The bond shall be conditioned upon the compliance with the requirements of this chapter and rules of the department relating to the payment of fines for violations of rules for the accounting of the commercial harvest of ((food)) fish or shellfish. In lieu of the surety bond required by this section, the wholesale fish ((dealer)) buyer or limited fish

seller may file with the department a cash deposit, negotiable securities acceptable to the department, or an assignment of a savings account or of a savings certificate in a Washington bank on an assignment form prescribed by the department.

~~(5) ((Liability under the bond shall be maintained as long as the wholesale fish dealer engages in activities under RCW 77.65.280 unless released.))~~ Liability under the bond may be released only upon written notification from the department. Notification shall be given upon acceptance by the department of a substitute bond or forty-five days after the expiration of the wholesale fish ((dealer's annual license)) buyer or limited fish seller annual endorsement. In no event shall the liability of the surety exceed the amount of the surety bond required under this chapter.

Sec. 32. RCW 77.65.330 and 1985 c 248 s 7 are each amended to read as follows:

The director shall promptly notify by order a wholesale ~~((dealer))~~ fish buyer or limited fish seller and the appropriate surety when a violation of rules relating to the accounting of commercial harvest has occurred. The notification shall specify the type of violation, the liability to be imposed for damages caused by the violation, and a notice that the amount of liability is due and payable to the department by the wholesale fish ~~((dealer))~~ buyer or limited fish seller and the surety.

If the amount specified in the order is not paid within thirty days after receipt of the notice, the prosecuting attorney for any county in which the persons to whom the order is directed do business, or the attorney general upon request of the department, may bring an action on behalf of the state in the superior court for Thurston county or any county in which the persons to whom the order is directed do business to recover the amount specified in the final order of the department. The surety shall be liable to the state to the extent of the bond.

Sec. 33. RCW 77.65.340 and 2014 c 48 s 28 are each amended to read as follows:

(1) ~~A ((fish buyer's license is required of and shall be carried by each individual engaged by a wholesale fish dealer to purchase food fish or shellfish from a commercial fisher. A fish buyer may represent only one wholesale fish dealer.~~

~~(2))~~ wholesale fish buyer endorsement is required for a licensed fish dealer:

(a) To take first possession or ownership of fish or shellfish directly from a commercial fisher that is landed into the state of Washington;

(b) To take first possession or ownership of raw or frozen fish or shellfish in the state of Washington from interstate or foreign commerce; or

(c) To engage in the wholesale buying or selling of fish or shellfish harvested by Indian fishers lawfully exercising fishing rights reserved by federal statute, treaty, or executive order, and the dealer is also responsible for documenting the commercial harvest and sales according to the rules of the department.

(2) A business licensed as a fish dealer must purchase at least one wholesale fish buyer endorsement to engage in the activities in subsection (1) of this section, which allows the business to buy or sell on its premises and which allows one named employee to buy and sell off premises. A business must obtain an additional wholesale fish buyer endorsement for each additional employee who buys and sells fish or shellfish off premises.

(3) The annual fee for a resident wholesale fish buyer's ~~((license is ninety five))~~ endorsement is two hundred forty-five dollars. The annual fee for a nonresident wholesale fish buyer's endorsement is three hundred twenty dollars. The application fee for both resident and nonresident endorsements is one hundred five dollars.

Sec. 34. RCW 77.65.350 and 1996 c 267 s 31 are each amended to read as follows:

(1) ~~((A salmon roe license is required for a))~~ Crew members on a boat designated on a salmon charter license ~~((to))~~ may sell salmon roe ~~((as provided in subsection (2) of this section. An individual under sixteen years of age may hold a salmon roe license.~~

~~(2) A crew member on a boat designated on a salmon charter license may sell salmon roe taken from fish caught for personal use, subject to rules of the department and the following conditions))~~ subject to rules of the department as long as:

(a) The salmon is taken by an angler fishing on the charter boat and recorded on the angler's catch record card;

(b) The roe is the property of the angler until the roe is given to the crew member. The crew member shall notify the charter boat's passengers of this fact;

(c) The crew member sells the roe to a licensed wholesale ~~((dealer))~~ fish buyer; and

(d) The crew member is ~~((licensed as provided in subsection (1) of this section and has the license in possession whenever the crew member sells salmon roe))~~ employed on a salmon charter boat designated on a valid license at the time of the sale.

Sec. 35. RCW 77.65.370 and 2015 c 103 s 2 and 2015 c 97 s 4 are each reenacted and amended to read as follows:

(1) A person shall not offer or perform the services of a food fish guide without a food fish guide license in the taking of food fish for personal use, except that a charter boat license is required to operate a vessel from which a person may for a fee fish for food fish in state waters listed in RCW 77.65.150(4)(b).

(2) A person shall not offer or perform the services of a game fish guide without a game fish guide license in the taking of game fish for personal use.

(3) Only an individual at least sixteen years of age may hold a food fish guide or game fish guide license. No individual may hold more than one food fish guide or game fish guide license.

(4) An application for a food fish guide or game fish guide license must include the information required in RCW 77.65.560.

(5) A food fish guide license purchased by a person, firm, or business on behalf of an employee is subject to RCW 77.65.600.

(6) A food fish guide, a game fish guide, or a combination guide may sell recreational one-day temporary combination fishing licenses as described in RCW 77.32.470.

Sec. 36. RCW 77.65.390 and 2011 c 339 s 27 are each amended to read as follows:

An ocean pink shrimp delivery license is required for a commercial fishing vessel to deliver ocean pink shrimp taken for commercial purposes in offshore waters and delivered to a port in the state. As

used in this section, "deliver" and "delivery" mean arrival at a place or port, and include arrivals from offshore waters to waters within the state and arrivals from state or offshore waters. The annual license fee is ~~((one))~~ three hundred ~~((fifty))~~ dollars for residents and three hundred seventy-five dollars for nonresidents. The application fee is one hundred five dollars. Ocean pink shrimp delivery licenses are transferable.

Sec. 37. RCW 77.65.440 and 2011 c 339 s 28 are each amended to read as follows:

The director shall issue the personal licenses listed in this section according to the requirements of this title. The licenses and their annual fees are:

Personal License	Annual Fee (RCW)	Resident	Nonresident	Application Fee	Governing Section
Alternative	77.65.090	((35)) <u>\$185</u>	((35)) <u>\$260</u>	\$ 70	77.65.130
Operator					
Geoduck Diver		((185)) <u>\$355</u>	((295)) <u>\$410</u>	\$ 70	77.65.410
Food Fish Guide		((130)) <u>\$280</u>	((630)) <u>\$355</u>	\$ 70	77.65.370
		(plus \$20)	(plus \$100)		

Sec. 38. RCW 77.65.480 and 2015 c 103 s 3 are each amended to read as follows:

(1) A taxidermy license allows the holder to practice taxidermy for commercial purposes, as that term is defined in RCW 77.15.110. The fee for this license is one hundred eighty dollars. The application fee is seventy dollars.

(2) A fur dealer's license allows the holder to purchase, receive, or resell raw furs for commercial purposes, as that term is defined in RCW 77.15.110. The fee for this license is one hundred eighty dollars. The application fee is seventy dollars.

(3)(a) A game fish guide license allows the holder to offer or perform the services of a game fish guide in the taking of game fish. The fee for this license is

~~((one))~~ four hundred ~~((eighty))~~ ten dollars for a resident and ~~((six))~~ four hundred eighty-five dollars for a nonresident. The application fee is seventy dollars. An application for a game fish guide license must include the information required in RCW 77.65.560.

(b) A game fish guide license purchased by a person, firm, or business on behalf of an employee is subject to RCW 77.65.600.

(4) A game farm license allows the holder to operate a game farm to acquire, breed, grow, keep, and sell wildlife under conditions prescribed by the rules adopted pursuant to this title. The fee for this license is seventy-two dollars for the first year and forty-eight dollars for each following year. The application fee is seventy dollars.

(5) A game fish stocking permit allows the holder to release game fish into the waters of the state as prescribed by rule of the commission. The fee for this permit is twenty-four dollars. The application fee is seventy dollars.

(6) A fishing or field trial permit allows the holder to promote, conduct, hold, or sponsor a fishing or field trial contest in accordance with rules of the commission. The fee for a fishing contest permit is twenty-four dollars. The fee for a field trial contest permit is twenty-four dollars. The application fee is seventy dollars.

~~((7)(a) An anadromous game fish buyer's license allows the holder to purchase or sell steelhead trout and other anadromous game fish harvested by Indian fishers lawfully exercising fishing rights reserved by federal statute, treaty, or executive order, under conditions prescribed by rule of the director. The fee for this license is one hundred eighty dollars. The application fee is one hundred five dollars.~~

~~(b) An anadromous game fish buyer's license is not required for those businesses that buy steelhead trout and other anadromous game fish from Washington licensed game fish dealers and sell solely at retail.)~~

Sec. 39. RCW 77.65.490 and 2001 c 253 s 56 are each amended to read as follows:

(1) A license issued by the director is required to:

(a) Practice taxidermy for commercial purposes;

(b) Deal in raw furs for commercial purposes;

(c) Act as a fishing guide; or

(d) Operate a game farm(~~(~~or~~)~~

~~(e) Purchase or sell anadromous game fish)).~~

(2) A permit issued by the director is required to:

(a) Conduct, hold, or sponsor hunting or fishing contests or competitive field trials using live wildlife;

(b) Collect wild animals, wild birds, game fish, food fish, shellfish, or protected wildlife for research or display;

(c) Stock game fish; or

(d) Conduct commercial activities on department-owned or controlled lands.

(3) Aquaculture as defined in RCW 15.85.020 is exempt from the requirements of this section, except when being stocked in public waters under contract with the department.

Sec. 40. RCW 77.65.500 and 2015 c 97 s 9 are each amended to read as follows:

Licensed taxidermists, fur dealers, ~~((anadromous game fish buyers))~~ fishing guides, game farmers, and persons stocking game fish or conducting a hunting, fishing, or field trial contest shall make reports as required by rules of the director.

Sec. 41. RCW 77.65.510 and 2011 c 339 s 31 are each amended to read as follows:

(1) The ~~((department must establish and administer a direct retail endorsement to serve as a single license that))~~ limited fish seller endorsement permits a ~~((Washington))~~ license holder or alternate operator to ~~((commercially harvest retail-eligible species and to))~~ clean, dress, and sell his or her commercially harvested catch directly to consumers at retail~~((including over the internet))~~. The ~~((direct retail endorsement must be issued as an optional addition to all holders of: (a) A commercial fishing license for retail-eligible species that the department offers under this chapter, and (b) an alternate operator license who are designated as an alternate operator on a commercial fishing license for retail-eligible species))~~ limited seller endorsement may be issued as an optional addition to all holders of a commercial

fishing license issued by the department and may be purchased at the time of the underlying license sale or any time thereafter.

(2) ~~((The direct retail endorsement must be offered at the time of application for the qualifying commercial fishing license. Individuals in possession of a qualifying commercial fishing license issued under this chapter, and alternate operators designated on such a license, may add a direct retail endorsement to their current license at any time. Individuals who do not have a commercial fishing license for retail-eligible species issued under this chapter, and who are not designated as alternate operators on such a license, may not receive a direct retail endorsement. The costs, conditions, responsibilities, and privileges associated with the endorsed commercial fishing license is not affected or altered in any way by the addition of a direct retail endorsement. These costs include the base cost of the license and any revenue and excise taxes.))~~ The holder of a limited fish seller endorsement selling their own catch directly to consumers is exempt from the permitting requirements of chapter 246-215 WAC. To ensure food safety for consumers, the holder of a limited fish seller endorsement must follow these requirements: (a) Only sell fresh, whole fish or fresh fish that has been cleaned and dressed; (b) use ice from a commercial source to hold the fish; and (c) provide the buyer with a receipt stating the date of purchase, Washington fish-receiving ticket number documenting the original delivery, name, address, and phone number of the holder of the limited fish seller endorsement from whom the fish or shellfish was purchased, and the species and weight or number of fish or shellfish sold. Failure to satisfy these food safety requirements is punishable as an infraction under RCW 77.15.160. A licensed commercial fisher holding a limited fish seller endorsement may allow a designated alternate to sell under the authority of that endorsement.

(3) An individual need only add one ~~((direct retail))~~ limited fish seller endorsement to his or her license portfolio. If a ~~((direct retail))~~ limited fish seller endorsement is selected by an individual holding more than one commercial fishing license issued ~~((under this chapter, a single direct retail))~~ by the department, an endorsement is considered to be added to all ((qualifying)) commercial fishing

licenses held by that individual, and is the only ((license)) endorsement required for the individual to sell at retail any ((retail-eligible)) species permitted by ((all)) any of the underlying endorsed licenses. ((If a direct retail endorsement is selected by an individual designated as an alternate operator on more than one commercial license issued under this chapter, a single direct retail endorsement is the only license required for the individual to sell at retail any retail-eligible species permitted by all of the underlying endorsed licenses on which the individual is designated as an alternate operator. The direct retail endorsement applies only to the Washington license holder or alternate operator obtaining the endorsement.))

(4) ((In addition to any fees charged for the endorsed licenses and harvest documentation as required by this chapter or the rules of the department, the department may set a reasonable annual fee not to exceed the administrative costs to the department for a direct retail endorsement.)) The fee for a resident limited fish seller endorsement is seventy dollars. The fee for a nonresident limited fish seller endorsement is one hundred forty-five dollars. The application fee for both a resident and nonresident endorsement is one hundred five dollars.

(5) The holder of a ((direct retail)) limited fish seller endorsement is responsible for documenting the commercial harvest ((of salmon and crab)) and sales according to ((the provisions of this chapter,)) the rules of the department ((for a wholesale fish dealer, and the reporting requirements of the endorsed license. Any retail-eligible species caught by the holder of a direct retail endorsement must be documented on fish tickets)).

(6) ((The direct retail endorsement must be displayed in a readily visible manner by the seller wherever and whenever a sale to someone other than a licensed wholesale dealer occurs. The commission may require that the holder of a direct retail endorsement notify the department up to eighteen hours before conducting an in-person sale of retail-eligible species, except for in person sales that have a cumulative retail sales value of less than one hundred fifty dollars in a twenty-four hour period that are sold directly from the vessel. For sales occurring in a venue other than in person, such as over the internet, through a catalog, or on the

~~phone, the direct retail endorsement number of the seller must be provided to the buyer both at the time of sale and the time of delivery. All internet sales must be conducted in accordance with federal laws and regulations.~~

~~(7))~~ The ((direct retail)) limited fish seller endorsement is to be held by a natural person and is not transferable or assignable. If the endorsed license is transferred, the ((direct retail)) limited fish seller endorsement immediately becomes void, and the transferor is not eligible for a full or prorated reimbursement of the annual fee paid for the ((direct retail)) limited fish seller endorsement. Upon becoming void, the holder of a ((direct retail)) limited fish seller endorsement must surrender the physical endorsement to the department.

~~((8) The holder of a direct retail endorsement must abide by the provisions of Title 69 RCW as they apply to the processing and retail sale of seafood. The department must distribute a pamphlet, provided by the department of agriculture, with the direct retail endorsement generally describing the labeling requirements set forth in chapter 69.04 RCW as they apply to seafood.~~

~~(9))~~ (7) The holder of a qualifying commercial fishing license ((issued under this chapter,)) or an alternate operator designated on such a license, must either possess a ((direct retail)) limited fish seller endorsement or a wholesale ((dealer license)) fish buyer endorsement provided for in RCW ((77.65.280)) 77.65.340 in order to lawfully sell their catch or harvest in the state to anyone other than a licensed wholesale ((dealer)) fish buyer.

~~((10) The direct retail endorsement entitles the holder to sell a retail-eligible species only at a temporary food service establishment as that term is defined in RCW 69.06.045, or directly to a restaurant or other similar food service business.))~~

Sec. 42. RCW 77.15.160 and 2014 c 202 s 204 and 2014 c 48 s 7 are each reenacted and amended to read as follows:

The following acts are infractions and must be cited and punished as provided under chapter 7.84 RCW:

(1) Fishing and shellfishing infractions:

(a) Barbed hooks: Fishing for personal use with barbed hooks in violation of any department rule.

(b) Catch recording: Failing to immediately record a catch of fish or shellfish on a catch record card as required by RCW 77.32.430 or department rule.

(c) Catch reporting: Failing to return a catch record card to the department for other than Puget Sound Dungeness crab, as required by department rule.

(d) Recreational fishing: Fishing for fish or shellfish and, without yet possessing fish or shellfish, the person:

(i) Owns, but fails to have in the person's possession the license or the catch record card required by chapter 77.32 RCW for such an activity; or

(ii) Violates any department rule regarding seasons, closed areas, closed times, or any other rule addressing the manner or method of fishing for fish or shellfish. This subsection does not apply to use of a net to take fish under RCW 77.15.580 or the unlawful use of shellfish gear for personal use under RCW 77.15.382.

(e) Seaweed: Taking, possessing, or harvesting less than two times the daily possession limit of seaweed:

(i) While owning, but not having in the person's possession, the license required by chapter 77.32 RCW; or

(ii) In violation of any rule of the department or the department of natural resources regarding seasons, closed areas, closed times, or any other rule addressing the manner or method of taking, possessing, or harvesting of seaweed.

(f) Unclassified fish or shellfish: Taking unclassified fish or shellfish in violation of any department rule by killing, fishing, taking, holding, possessing, or maliciously injuring or harming fish or shellfish that is not classified as game fish, food fish, shellfish, protected fish, or endangered fish.

(g) Wasting fish or shellfish: Killing, taking, or possessing fish or shellfish having a value of less than two hundred fifty dollars and allowing the fish or shellfish to be wasted.

(2) Hunting infractions:

(a) Eggs or nests: Maliciously, and without permit authorization, destroying,

taking, or harming the eggs or active nests of a wild bird not classified as endangered or protected. For purposes of this subsection, "active nests" means nests that contain eggs or fledglings.

(b) Unclassified wildlife: Taking unclassified wildlife in violation of any department rule by killing, hunting, taking, holding, possessing, or maliciously injuring or harming wildlife that is not classified as big game, game animals, game birds, protected wildlife, or endangered wildlife.

(c) Wasting wildlife: Killing, taking, or possessing wildlife that is not classified as big game and has a value of less than two hundred fifty dollars, and allowing the wildlife to be wasted.

(d) Wild animals: Hunting for wild animals not classified as big game and, without yet possessing the wild animals, the person owns, but fails to have in the person's possession, all licenses, tags, or permits required by this title.

(e) Wild birds: Hunting for and, without yet possessing a wild bird or birds, the person:

(i) Owns, but fails to have in the person's possession, all licenses, tags, stamps, and permits required under this title; or

(ii) Violates any department rule regarding seasons, closed areas, closed times, or any other rule addressing the manner or method of hunting wild birds.

(3) Trapping, taxidermy, fur dealing, and wildlife meat cutting infractions:

(a) Recordkeeping and reporting: If a person is a taxidermist, fur dealer, or wildlife meat cutter who is processing, holding, or storing wildlife for commercial purposes, failing to:

(i) Maintain records as required by department rule; or

(ii) Report information from these records as required by department rule.

(b) Trapper's report: Failing to report trapping activity as required by department rule.

(4) Limited fish seller infraction: Failure of a holder of a limited fish seller endorsement to satisfy the food safety requirements to consumers under RCW 77.65.510(2).

(5)(a) Invasive species management infractions:

(i) Out-of-state certification: Entering Washington in possession of an aquatic conveyance that does not meet certificate of inspection requirements as provided under RCW 77.135.100;

(ii) Clean and drain requirements: Possessing an aquatic conveyance that does not meet clean and drain requirements under RCW 77.135.110;

(iii) Clean and drain orders: Possessing an aquatic conveyance and failing to obey a clean and drain order under RCW 77.135.110 or 77.135.120; and

(iv) Transporting aquatic plants: Transporting aquatic plants on any state or public road, including forest roads. However, this subsection does not apply to plants that are:

(A) Being transported to the department or to another destination designated by the director, in a manner designated by the department, for purposes of identifying a species or reporting the presence of a species;

(B) Legally obtained for aquarium use, wetland or lakeshore restoration, or ornamental purposes;

(C) Located within or on a commercial aquatic plant harvester that is being transported to a suitable location to remove aquatic plants;

(D) Being transported in a manner that prevents their unintentional dispersal, to a suitable location for disposal, research, or educational purposes; or

(E) Being transported in such a way as the commission may otherwise prescribe.

(b) Unless the context clearly requires otherwise, the definitions in both RCW 77.08.010 and 77.135.010 apply throughout this subsection (~~((4))~~) (5).

~~((5))~~ (6) Other infractions:

(a) Contests: Conducting, holding, or sponsoring a hunting contest, a fishing contest involving game fish, or a competitive field trial using live wildlife.

(b) Other rules: Violating any other department rule that is designated by rule as an infraction.

(c) Posting signs: Posting signs preventing hunting or fishing on any land not owned or leased by the person doing

the posting, or without the permission of the person who owns, leases, or controls the land posted.

(d) Scientific permits: Using a scientific permit issued by the director for fish, shellfish, or wildlife, but not including big game or big game parts, and the person:

(i) Violates any terms or conditions of the scientific permit; or

(ii) Violates any department rule applicable to the issuance or use of scientific permits.

Sec. 43. RCW 77.65.580 and 2015 c 97 s 5 are each amended to read as follows:

(1) The department must issue a department vessel registration number decal and an identifying decal to all food fish guides, game fish guides, and charter boat operators licensed under RCW 77.65.010. (~~(The identifying decal must display the license number prominently.)~~)

(2) Any person who acts or offers to act as a food fish guide, game fish guide, or charter boat operator must display (~~(the identifying)~~) both decals on vessels in a location easily visible to customers and adjacent vessels.

Sec. 44. RCW 77.65.590 and 2015 c 97 s 7 are each amended to read as follows:

(1) A fish guide combination license allows the holder to offer or perform the services of a food fish guide(~~(7)~~) and game fish guide(~~(, salmon charter boat operator, and nonsalmon charter boat operator)~~).

(2) The commission must adopt rules to create and sell a fish guide combination license. (~~(The commission may adopt rules to create and sell separate combination licenses, one for food fish and game fish guide activities only and another combination license for all food fish guide, game fish guide, salmon charter boat operator, and nonsalmon charter boat operator activities.)~~) The cost of the fish guide combination license or licenses must be below a fee equal to the total cost of the individual licenses contained within the combination.

Sec. 45. RCW 77.70.150 and 2010 c 193 s 14 are each amended to read as follows:

(1) A sea urchin dive fishery license is required to take sea urchins for commercial purposes. A sea urchin dive fishery license authorizes the use of only one diver in the water at any time during

sea urchin harvest operations. If the same vessel has been designated on two sea urchin dive fishery licenses, two divers may be in the water. A natural person may not hold more than two sea urchin dive fishery licenses.

(2) Except as provided in subsection ~~((6))~~ (5) of this section, the director shall issue no new sea urchin dive fishery licenses. For licenses issued for the year 2000 and thereafter, the director shall renew existing licenses only to a natural person who held the license at the end of the previous year. If a sea urchin dive fishery license is not held by a natural person as of December 31, 1999, it is not renewable. However, if the license is not held because of revocation or suspension of licensing privileges, the director shall renew the license in the name of a natural person at the end of the revocation or suspension if the license holder applies for renewal of the license before the end of the year in which the revocation or suspension ends.

(3) Where a licensee failed to obtain the license during the previous year because of a license suspension or revocation by the director or the court, the licensee may qualify for a license by establishing that the person held such a license during the last year in which the person was eligible.

(4) ~~((Surcharges as provided for in this section shall be collected and deposited into the sea urchin dive fishery account hereby created in the custody of the state treasurer. The collections and deposits must continue, as set forth in (a) and (b) of this subsection, through license year 2013, or until the number of licenses is reduced to twenty, whichever occurs first. Only the director or the director's designee may authorize expenditures from the account. The sea urchin dive fishery account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures. Expenditures from the account shall only be used to retire sea urchin licenses until the number of licenses is reduced to twenty, and thereafter shall only be used for sea urchin management and enforcement. The director or the director's designee shall notify the department of revenue within thirty days when the number of licenses is reduced to twenty.~~

~~(a) A surcharge of one hundred dollars shall be charged with each sea urchin dive fishery license renewal for licenses~~

~~issued for license years 2000 through 2013, or until the number of licenses is reduced to twenty, whichever occurs first.~~

~~(b) For licenses issued for license years 2000 through 2013, or until the number of licenses is reduced to twenty, whichever occurs first, a surcharge shall be charged on the sea urchin dive fishery license for designating an alternate operator. The surcharge shall be as follows: Five hundred dollars for the first year or each of the first two consecutive years after 1999 that any alternate operator is designated and two thousand five hundred dollars each year thereafter that any alternate operator is designated.~~

~~(5)) Sea urchin dive fishery licenses are transferable subject to the fees and restrictions in RCW 77.65.020(2). (For licenses issued for license years 2000 through 2013, or whenever the number of licenses is reduced to twenty, whichever occurs first, there is a surcharge to transfer a sea urchin dive fishery license. The surcharge is five hundred dollars for the first transfer of a license valid for license year 2000, and two thousand five hundred dollars for any subsequent transfer, occurring in the license years 2000 through 2013, or whenever the number of licenses is reduced to twenty, whichever occurs first. Notwithstanding this subsection, a one-time transfer exempt from surcharge applies for a transfer from the natural person licensed on January 1, 2000, to that person's spouse or child.~~

~~(6)) (5) If fewer than twenty natural persons are eligible for sea urchin dive fishery licenses, the director may accept applications for new licenses. The additional licenses may not cause more than twenty natural persons to be eligible for a sea urchin dive fishery license. New licenses issued under this section shall be distributed according to rules of the department that recover the value of such licensed privilege.~~

Sec. 46. RCW 77.70.190 and 2011 c 339 s 33 are each amended to read as follows:

(1) A sea cucumber dive fishery license is required to take sea cucumbers for commercial purposes. A sea cucumber dive fishery license authorizes the use of only one diver in the water at any time during sea cucumber harvest operations. If the same vessel has been designated on two sea cucumber dive fishery licenses, two divers may be in the water. A natural person may

not hold more than two sea cucumber dive fishery licenses.

(2) Except as provided in subsection ~~((6))~~ (5) of this section, the director shall issue no new sea cucumber dive fishery licenses. For licenses issued for the year 2000 and thereafter, the director shall renew existing licenses only to a natural person who held the license at the end of the previous year. If a sea cucumber dive fishery license is not held by a natural person as of December 31, 1999, it is not renewable. However, if the license is not held because of revocation or suspension of licensing privileges, the director shall renew the license in the name of a natural person at the end of the revocation or suspension if the license holder applies for renewal of the license before the end of the year in which the revocation or suspension ends.

(3) Where a licensee failed to obtain the license during either of the previous two years because of a license suspension by the director or the court, the licensee may qualify for a license by establishing that the person held such a license during the last year in which the person was eligible.

(4) ~~((Surcharges as provided for in this section shall be collected and deposited into the sea cucumber dive fishery account hereby created in the custody of the state treasurer. The collections and deposits must continue, as set forth in (a) and (b) of this subsection, through license year 2013, or until the number of licenses is reduced to twenty, whichever occurs first. Only the director or the director's designee may authorize expenditures from the account. The sea cucumber dive fishery account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures. Expenditures from the account shall only be used to retire sea cucumber licenses until the number of licenses is reduced to twenty, and thereafter shall only be used for sea cucumber management and enforcement. The director or the director's designee shall notify the department of revenue within thirty days when the number of licenses is reduced to twenty.~~

~~(a) A surcharge of one hundred dollars shall be charged with each sea cucumber dive fishery license renewal for licenses issued in 2000 through 2013, or until the number of licenses is reduced to twenty, whichever occurs first.~~

~~(b) For licenses issued for license years 2000 through 2013, or until the number of licenses is reduced to twenty, whichever occurs first, a surcharge shall be charged on the sea cucumber dive fishery license for designating an alternate operator. The surcharge shall be as follows: Five hundred dollars for the first year or each of the first two consecutive years after 1999 that any alternate operator is designated and two thousand five hundred dollars each year thereafter that any alternate operator is designated.~~

~~(5)) Sea cucumber dive fishery licenses are transferable subject to the fees and restrictions in RCW 77.65.020(2). ((For licenses issued for license years 2000 through 2013, or whenever the number of licenses is reduced to twenty, whichever occurs first, there is a surcharge to transfer a sea cucumber dive fishery license. The surcharge is five hundred dollars for the first transfer of a license valid for license year 2000 and two thousand five hundred dollars for any subsequent transfer, occurring in the license years 2000 through 2013, or whenever the number of licenses is reduced to twenty, whichever occurs first. The application fee to transfer a sea cucumber dive fishery license is one hundred five dollars. Notwithstanding this subsection, a one-time transfer exempt from surcharge applies for a transfer from the natural person licensed on January 1, 2000, to that person's spouse or child.~~

~~(6)) (5) If fewer than twenty persons are eligible for sea cucumber dive fishery licenses, the director may accept applications for new licenses. The additional licenses may not cause more than twenty natural persons to be eligible for a sea cucumber dive fishery license. New licenses issued under this section shall be distributed according to rules of the department that recover the value of such licensed privilege.~~

Sec. 47. RCW 77.70.220 and 2011 c 339 s 34 are each amended to read as follows:

(1) A person shall not harvest geoduck clams commercially without a geoduck fishery license. This section does not apply to the harvest of private sector cultured aquatic products as defined in RCW 15.85.020. The geoduck fishery license fee and the application fee ~~((is seventy dollars))~~ are specified in RCW 77.65.220.

(2) Only a person who has entered into a geoduck harvesting agreement with the

department of natural resources under RCW 79.135.210 may hold a geoduck fishery license.

(3) A geoduck fishery license authorizes no taking of geoducks outside the boundaries of the public lands designated in the underlying harvesting agreement, or beyond the harvest ceiling set in the underlying harvesting agreement.

(4) A geoduck fishery license expires when the underlying geoduck harvesting agreement terminates.

(5) The director shall determine the number of geoduck fishery licenses that may be issued for each geoduck harvesting agreement, the number of units of gear whose use the license authorizes, and the type of gear that may be used, subject to RCW 77.60.070. In making those determinations, the director shall seek to conserve the geoduck resource and prevent damage to its habitat.

(6) The holder of a geoduck fishery license and the holder's agents and representatives shall comply with all applicable commercial diving safety regulations adopted by the federal occupational safety and health administration established under the federal occupational safety and health act of 1970 as such law exists on May 8, 1979, 84 Stat. 1590 et seq.; 29 U.S.C. Sec. 651 et seq. A violation of those regulations is a violation of this subsection. For the purposes of this section, persons who dive for geoducks are "employees" as defined by the federal occupational safety and health act. A violation of this subsection is grounds for suspension or revocation of a geoduck fishery license following a hearing under the procedures of chapter 34.05 RCW. The director shall not suspend or revoke a geoduck fishery license if the violation has been corrected within ten days of the date the license holder receives written notice of the violation. If there is a substantial probability that a violation of the commercial diving standards could result in death or serious physical harm to a person engaged in harvesting geoduck clams, the director shall suspend the license immediately until the violation has been corrected. If the license holder is not the operator of the harvest vessel and has contracted with another person for the harvesting of geoducks, the director shall not suspend or revoke the license if the license holder terminates its business relationship with that person until

compliance with this subsection is secured.

(7) A person using a vessel in the geoduck fishery is required to apply for and obtain a vessel identification number from the department. The application fee for the vessel identification number is one hundred five dollars.

Sec. 48. RCW 77.70.280 and 2003 c 174 s 5 are each amended to read as follows:

(1) A person shall not commercially fish for coastal crab in Washington state waters without a Dungeness crab-coastal ~~((or a Dungeness crab-coastal class B))~~ fishery license. Gear used must consist of one buoy attached to each crab pot. Each crab pot must be fished individually.

(2) A Dungeness crab-coastal fishery license is transferable. Except as provided in subsections (3) and ~~((4))~~ (7) of this section, such a license shall only be issued to a person who proved active historical participation in the coastal crab fishery by having designated, after December 31, 1993, a vessel or a replacement vessel on the qualifying license that singly or in combination meets the following criteria:

(a) Made a minimum of eight coastal crab landings totaling a minimum of five thousand pounds per season in at least two of the four qualifying seasons identified in subsection ~~((4))~~ (4) of this section, as documented by valid Washington state shellfish receiving tickets; and showed historical and continuous participation in the coastal crab fishery by having held one of the following licenses or their equivalents each calendar year beginning 1990 through 1993, and was designated on the qualifying license of the person who held one of the following licenses in 1994:

(i) Crab pot-Non-Puget Sound license, issued under RCW 77.65.220(1)(b);

(ii) Nonsalmon delivery license, issued under RCW 77.65.210;

(iii) Salmon troll license, issued under RCW 77.65.160;

(iv) Salmon delivery license, issued under RCW 77.65.170;

(v) Food fish trawl license, issued under RCW 77.65.200; or

(vi) Shrimp trawl license, issued under RCW 77.65.220; or

(b) Made a minimum of four Washington landings of coastal crab totaling two thousand pounds during the period from December 1, 1991, to March 20, 1992, and made a minimum of eight crab landings totaling a minimum of five thousand pounds of coastal crab during each of the following periods: December 1, 1991, to September 15, 1992; December 1, 1992, to September 15, 1993; and December 1, 1993, to September 15, 1994. For landings made after December 31, 1993, the vessel shall have been designated on the qualifying license of the person making the landings; or

(c) Made any number of coastal crab landings totaling a minimum of twenty thousand pounds per season in at least two of the four qualifying seasons identified in subsection ~~((5))~~ (4) of this section, as documented by valid Washington state shellfish receiving tickets, showed historical and continuous participation in the coastal crab fishery by having held one of the qualifying licenses each calendar year beginning 1990 through 1993, and the vessel was designated on the qualifying license of the person who held that license in 1994.

(3) A Dungeness crab-coastal fishery license shall be issued to a person who had a new vessel under construction between December 1, 1988, and September 15, 1992, if the vessel made coastal crab landings totaling a minimum of five thousand pounds by September 15, 1993, and the new vessel was designated on the qualifying license of the person who held that license in 1994. All landings shall be documented by valid Washington state shellfish receiving tickets. License applications under this subsection may be subject to review by the advisory review board in accordance with RCW 77.70.030. For purposes of this subsection, "under construction" means either:

(a)(i) A contract for any part of the work was signed before September 15, 1992; and

(ii) The contract for the vessel under construction was not transferred or otherwise alienated from the contract holder between the date of the contract and the issuance of the Dungeness crab-coastal fishery license; and

(iii) Construction had not been completed before December 1, 1988; or

(b)(i) The keel was laid before September 15, 1992; and

(ii) Vessel ownership was not transferred or otherwise alienated from the owner between the time the keel was laid and the issuance of the Dungeness crab-coastal fishery license; and

(iii) Construction had not been completed before December 1, 1988.

~~(4) ((A Dungeness crab coastal class B fishery license is not transferable. Such a license shall be issued to persons who do not meet the qualification criteria for a Dungeness crab coastal fishery license, if the person has designated on a qualifying license after December 31, 1993, a vessel or replacement vessel that, singly or in combination, made a minimum of four landings totaling a minimum of two thousand pounds of coastal crab, documented by valid Washington state shellfish receiving tickets, during at least one of the four qualifying seasons, and if the person has participated continuously in the coastal crab fishery by having held or by having owned a vessel that held one or more of the licenses listed in subsection (2) of this section in each calendar year subsequent to the qualifying season in which qualifying landings were made through 1994. Dungeness crab coastal class B fishery licenses cease to exist after December 31, 1999, and the continuing license provisions of RCW 34.05.422(3) are not applicable.~~

~~(5))~~ The four qualifying seasons for purposes of this section are:

(a) December 1, 1988, through September 15, 1989;

(b) December 1, 1989, through September 15, 1990;

(c) December 1, 1990, through September 15, 1991; and

(d) December 1, 1991, through September 15, 1992.

~~((6))~~ (5) For purposes of this section and RCW 77.70.340, "coastal crab" means Dungeness crab (cancer magister) taken in all Washington territorial and offshore waters south of the United States-Canada boundary and west of the Bonilla-Tatoosh line (a line from the western end of Cape Flattery to Tatoosh Island lighthouse, then to the buoy adjacent to Duntz Rock, then in a straight line to Bonilla Point of Vancouver island), Grays Harbor, Willapa Bay, and the Columbia river.

~~((7))~~ (6) For purposes of this section, "replacement vessel" means a

vessel used in the coastal crab fishery in 1994, and that replaces a vessel used in the coastal crab fishery during any period from 1988 through 1993, and which vessel's licensing and catch history, together with the licensing and catch history of the vessel it replaces, qualifies a single applicant for a Dungeness crab-coastal ~~((or Dungeness crab coastal class B fishery))~~ license. A Dungeness crab-coastal ~~((or Dungeness crab coastal class B fishery))~~ license may only be issued to a person who designated a vessel in the 1994 coastal crab fishery and who designated the same vessel in 1995.

~~((4))~~ (7) A Dungeness crab-coastal fishery license may not be issued to a person who participates in the federal fleet reduction program created in RCW 77.70.460 within ten years of that person's participation in the federal program, if reciprocal restrictions are imposed by the states of Oregon and California on persons participating in the federal fleet reduction program.

Sec. 49. RCW 77.70.290 and 1997 c 418 s 2 are each amended to read as follows:

(1) The director shall allow the landing into Washington state of crab taken in offshore waters only if:

(a) The crab are legally caught and landed by fishers with a valid Washington state Dungeness crab-coastal fishery license ~~((or a valid Dungeness crab-coastal class B fishery license))~~; or

(b) (i) The director determines that the landing of offshore Dungeness crab by fishers without a Washington state Dungeness crab-coastal fishery license ~~((or a valid Dungeness crab-coastal class B fishery license))~~ is in the best interest of the coastal crab processing industry; (ii) the director has been requested to allow such landings by at least three Dungeness crab processors; (iii) the landings are permitted only between the dates of December 1st to February 15th inclusively; (iv) only crab fishers commercially licensed to fish by Oregon or California are permitted to land, if the crab was taken with gear that consisted of one buoy attached to each crab pot, and each crab pot was fished individually; (v) the fisher landing the crab has obtained a valid delivery license; and (vi) the decision is made on a case-by-case basis for the sole reason of improving the economic stability of the commercial crab fishery.

(2) Nothing in this section allows the commercial fishing of Dungeness crab in waters within three miles of Washington state by fishers who do not possess a valid Dungeness crab-coastal fishery license ~~((or a valid Dungeness crab-coastal class B fishery license))~~. Landings of offshore Dungeness crab by fishers without a valid Dungeness crab-coastal fishery license ~~((or a valid Dungeness crab-coastal class B fishery license))~~ do not qualify the fisher for such licenses.

Sec. 50. RCW 77.70.300 and 2000 c 107 s 77 are each amended to read as follows:

A person commercially fishing for Dungeness crab in offshore waters outside of Washington state jurisdiction shall obtain a Dungeness crab offshore delivery license from the director if the person does not possess a valid Dungeness crab-coastal fishery license ~~((or a valid Dungeness crab-coastal class B fishery license))~~ and the person wishes to land Dungeness crab into a place or a port in the state. The annual fee for a Dungeness crab offshore delivery license is two hundred fifty dollars. The director may specify restrictions on landings of offshore Dungeness crab in Washington state as authorized in RCW 77.70.290.

Fees from the offshore Dungeness crab delivery license shall be placed in the coastal crab account created in RCW 77.70.320.

Sec. 51. RCW 77.70.430 and 2006 c 143 s 1 are each amended to read as follows:

(1) In order to administer a Puget Sound crab pot buoy tag program, the department may charge a fee to holders of a Dungeness crab-Puget Sound fishery license to reimburse the department for the production of Puget Sound crab pot buoy tags and the administration of a Puget Sound crab pot buoy tag program.

(2) In order to administer a Washington coastal Dungeness crab pot buoy tag program, the department may charge a fee to holders of a Dungeness crab-coastal ~~((or a Dungeness crab-coastal class B))~~ fishery license and to holders of out-of-state licenses who are issued a pot certificate by the department to reimburse the department for the production of Washington coastal crab pot buoy tags and the administration of a Washington coastal crab pot buoy tag program.

(3) The department shall annually review the costs of crab pot buoy tag production under this section with the

goal of minimizing the per tag production costs. Any savings in production costs shall be passed on to the fishers required to purchase crab pot buoy tags under this section in the form of a lower tag fee.

Sec. 52. RCW 77.70.490 and 2011 c 339 s 36 are each amended to read as follows:

(1) A Washington Pacific sardine purse seine fishery license:

(a) May only be issued to a person that held a coastal pilchard experimental fishery permit in 2008, except as otherwise provided in this section;

(b) Must be renewed annually to remain active; and

(c) Subject to the restrictions of subsections (6) and (7) of this section and RCW 77.65.040, is transferable.

(2) A Washington Pacific sardine purse seine fishery license may be issued to any person that held a coastal pilchard experimental fishery permit in 2005, 2006, or 2007 and is precluded from qualifying under subsection (1) of this section because the vessel designated on the permit sank prior to 2008.

(3) Beginning in 2010, after taking into consideration the status of the Pacific sardine population, the impact of removal of sardines and other forage fish to the marine ecosystem, including the effect on endangered marine species, and the market for Pacific sardines in the state, the director may issue:

(a) A Washington Pacific sardine purse seine fishery license to any person provided that the issuance would not raise the number of licenses beyond the number initially issued in 2009;

(b) A Washington Pacific sardine purse seine temporary annual fishery permit to any person if the combined number of active Washington Pacific sardine purse seine fishery licenses and annual temporary permits already issued during the year is less than twenty-five.

(4) The annual fee for a Washington Pacific sardine purse seine fishery license ~~((is one hundred eighty five dollars for residents and two hundred ninety five dollars for nonresidents.))~~ and the application fee ~~((is one hundred five dollars))~~ are specified in RCW 77.65.200.

(5) The fee for a Washington Pacific sardine purse seine temporary annual fishery permit ~~((is one hundred eighty~~

~~five dollars for residents and two hundred ninety five dollars for nonresidents.))~~ and the application fee ~~((is one hundred five dollars))~~ are specified in RCW 77.65.200. A temporary annual fishery permit expires at the end of the calendar year in which the permit is issued.

(6) Only a person who owns or operates the vessel designated on the license or permit may hold a Washington Pacific sardine purse seine fishery license or temporary annual fishery permit.

(7) A person may not own or hold an ownership interest in more than two Washington Pacific sardine purse seine fishery licenses.

(8) The director shall adopt rules that require a person fishing under a Washington Pacific sardine purse seine fishery license or a temporary annual permit to minimize bycatch, and to the extent bycatch cannot be avoided, to minimize the mortality of such bycatch.

Sec. 53. RCW 82.27.020 and 2010 c 193 s 16 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the commercial possession of enhanced food fish as provided in this chapter. The tax is levied upon and shall be collected from the owner of the enhanced food fish whose possession constitutes the taxable event. The taxable event is the first possession in Washington by an owner after the enhanced food fish has been landed. Processing and handling of enhanced food fish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of enhanced food fish and liable to this tax may deduct from the price paid to the person from which the enhanced food fish (except oysters) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the value of the enhanced food fish at the point of landing.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for enhanced food fish as follows:

(a) Puget Sound Chinook, coho, and chum salmon and anadromous game fish: Five and twenty-five one-hundredths percent;

(b) Ocean waters, Columbia river, Willapa Bay, and Grays Harbor Chinook, coho, and chum salmon and anadromous game fish: Six and twenty-five one-hundredths percent;

(c) Pink and sockeye salmon: Three and fifteen one-hundredths percent;

~~((e))~~ (d) Other food fish and shellfish, except oysters, sea urchins, and sea cucumbers: Two and one-tenth percent;

~~((d))~~ (e) Oysters: Eight one-hundredths of one percent;

~~((e))~~ (f) Sea urchins: ~~((Four and six-tenths percent through December 31, 2013, or until the department of fish and wildlife notifies the department that the number of sea urchin licenses has been reduced to twenty licenses, whichever occurs first, and))~~ Two and one-tenth percent ((thereafter)); and

~~((f))~~ (g) Sea cucumbers: ~~((Four and six tenths percent through December 31, 2013, or until the department of fish and wildlife notifies the department that the number of sea cucumber licenses has been reduced to twenty licenses, whichever occurs first, and))~~ Two and one-tenth percent ((thereafter)).

(5) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (4) of this section.

Sec. 54. RCW 82.27.070 and 2010 c 193 s 17 are each amended to read as follows:

All taxes collected by the department of revenue under this chapter shall be deposited in the state general fund except for the ~~((excise tax on anadromous game fish, which shall be deposited in the state wildlife account. From January 1, 2000, to December 31, 2013, or until the department of fish and wildlife notifies the department that the license reduction goals of the sea urchin or sea cucumber fishery have been met, whichever occurs first, twenty-five forty-sixths of the revenues derived from the excise tax on sea urchins collected under RCW 82.27.020 shall be deposited into the sea urchin dive fishery account created in RCW 77.70.150, and twenty-five forty-sixths of the revenues derived from the excise tax on sea cucumbers collected under RCW 82.27.020 shall be deposited into the sea cucumber dive fishery account created in RCW 77.70.190))~~ following:

(1) The excise tax on anadromous game fish is deposited in the state wildlife account.

(2) The excise tax on ocean waters, Columbia river, Willapa Bay, and Grays Harbor chinook, coho, and chum salmon is deposited as follows:

(a) The equivalent of five and twenty-five one-hundredths percent shall be deposited in the state general fund.

(b) The equivalent of one percent shall be deposited in the state wildlife account.

Sec. 55. RCW 69.07.100 and 2011 c 281 s 13 are each amended to read as follows:

(1) The provisions of this chapter shall not apply to establishments issued a permit or licensed under the provisions of:

(a) Chapter 69.25 RCW, the Washington wholesome eggs and egg products act;

(b) Chapter 69.28 RCW, the Washington state honey act;

(c) Chapter 16.49 RCW, the meat inspection act;

(d) Chapter 77.65 RCW, relating to the ~~((direct retail))~~ limited fish seller endorsement for wild-caught seafood;

(e) Chapter 69.22 RCW, relating to cottage food operations;

(f) Title 66 RCW, relating to alcoholic beverage control; and

(g) Chapter 69.30 RCW, the sanitary control of shellfish act.

(2) If any such establishments process foods not specifically provided for in the above entitled acts, the establishments are subject to the provisions of this chapter.

(3) The provisions of this chapter do not apply to restaurants or food service establishments.

Sec. 56. RCW 36.71.090 and 2003 c 387 s 5 are each amended to read as follows:

~~((1))~~ It shall be lawful for any farmer, gardener, or other person, without license, to sell, deliver, or peddle any fruits, vegetables, berries, eggs, or any farm produce or edibles raised, gathered, produced, or manufactured by such person and no city or town shall pass or enforce any ordinance prohibiting the sale by or requiring license from the producers and manufacturers of farm produce and edibles

as defined in this section. However, nothing in this section authorizes any person to sell, deliver, or peddle, without license, in any city or town, any dairy product, meat, poultry, eel, fish, mollusk, or shellfish where a license is required to engage legally in such activity in such city or town.

~~((2) It is lawful for an individual in possession of a valid direct retail endorsement, as established in RCW 77.65.510, to sell, deliver, or peddle any legally harvested retail eligible species, as that term is defined in RCW 77.08.010, that is caught, harvested, or collected under rule of the department of fish and wildlife by such a person at a temporary food service establishment, as that term is defined in RCW 69.06.045, and no city, town, or county may pass or enforce an ordinance prohibiting the sale by or requiring additional licenses or permits from the holder of the valid direct retail endorsement. However, this subsection does not prohibit a city, town, or county from inspecting an individual displaying a direct retail endorsement to verify that the person is in compliance with state board of health and local rules for food service operations-))~~

NEW SECTION. **Sec. 57.** The code reviser's office is directed to move the definitions of "to fish," "to hunt," "to process," "to take," "to trap," and "to waste" or "to be wasted," by reordering them within RCW 77.08.010 in alphabetical order by the spelling of the main verb word.

NEW SECTION. **Sec. 58.** The following acts or parts of acts are each repealed:

(1) RCW 77.65.290 (Wholesale fish dealer licenses-Display) and 1993 c 340 s 52, 1983 1st ex.s. c 46 s 110, & 1955 c 12 s 75.28.070;

(2) RCW 77.65.300 (Wholesale fish dealer may be a fish buyer) and 1985 c 248 s 3;

(3) RCW 77.65.360 (License fee increases-Disposition) and 1989 c 316 s 20;

(4) RCW 77.65.515 (Direct retail endorsement-Requirements) and 2003 c 387 s 3 & 2002 c 301 s 3;

(5) RCW 77.65.520 (Direct retail endorsement-Compliance-Violations-Suspension) and 2003 c 387 s 4 & 2002 c 301 s 4; and

(6) RCW 77.65.900 (Effective date-1989 c 316) and 1989 c 316 s 22.

NEW SECTION. **Sec. 59.** This act takes effect January 1, 2018."

Correct the title.

Representatives Buys and Blake spoke in favor of the adoption of the amendment (630).

Amendment (630) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1597.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1597, and the bill passed the House by the following vote: Yeas, 92; Nays, 2; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Shea and Taylor

Excused: Representatives Hargrove, Hayes, Holy and Morris.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1597, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1677, by Representatives Peterson, Pike, Senn, McBride, DeBolt, Macri, Stonier, Riccelli and Fey)

Concerning local government infrastructure funding.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1677 was substituted for House Bill No. 1677 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1677 was read the second time.

Representative Tharinger moved the adoption of the striking amendment (633):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.155.010 and 1996 c 168 s 1 are each amended to read as follows:

The legislature finds that there exists in the state of Washington over four billion dollars worth of critical projects for the planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, and storm and sanitary sewage systems. The December, 1983 Washington state public works report prepared by the planning and community affairs agency documented that local governments expect to be capable of financing over two billion dollars worth of the costs of those critical projects but will not be able to fund nearly half of the documented needs.

The legislature further finds that Washington's local governments have unmet financial needs for solid waste disposal, including recycling, and encourages the board to make an equitable geographic distribution of the funds.

It is the policy of the state of Washington to encourage self-reliance by local governments in meeting their public works needs and to assist in the financing of critical public works projects by making loans, grants, financing guarantees, and technical assistance available to local governments for these projects.

Sec. 2. RCW 43.155.020 and 2009 c 565 s 33 are each amended to read as follows:

~~((Unless the context clearly requires otherwise,))~~ The definitions in this section ~~((shall))~~ apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the public works board created in RCW 43.155.030.

(2) "Capital facility plan" means a capital facility plan required by the growth management act under chapter 36.70A RCW or, for local governments not fully planning under the growth management act, a plan required by the public works board.

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

(4) "Financing guarantees" means the pledge of money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects.

(5) "Local governments" means cities, towns, counties, special purpose districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts and port districts.

(6) "Public works project" means a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, or storm and sanitary sewage systems, lead remediation of drinking water systems, and solid waste facilities, including recycling facilities. A planning project may include the compilation of biological, hydrological, or other data on a county, drainage basin, or region necessary to develop a base of information for a capital facility plan.

(7) "Solid waste or recycling project" means remedial actions necessary to bring abandoned or closed landfills into compliance with regulatory requirements and the repair, restoration, and replacement of existing solid waste transfer, recycling facilities, and landfill projects limited to the opening of landfill cells that are in existing and permitted landfills.

(8) "Technical assistance" means training and other services provided to local governments to: (a) Help such local governments plan, apply, and qualify for loans, grants, and financing guarantees from the board, and (b) help local governments improve their ability to plan for, finance, acquire, construct, repair, replace, rehabilitate, and maintain public facilities.

(9) "Value planning" means a uniform approach to assist in decision making through systematic evaluation of potential alternatives to solving an identified problem.

Sec. 3. RCW 43.155.030 and 1999 c 153 s 58 are each amended to read as follows:

(1) The public works board is hereby created.

(2) The board shall be composed of seventeen members as provided in this subsection:

(a) Thirteen members appointed by the governor for terms of four years, except that five members initially shall be appointed for terms of two years. ~~((The board))~~ These members shall include: ~~((a) Three))~~ (i) Two members, ~~((two))~~ one of whom shall be an elected official~~((s))~~ and one shall be a public works manager or a finance director, appointed from a list of at least six persons nominated by ~~((the))~~ a state association of ~~((Washington))~~ cities or its successor; ~~((b) three)~~ (ii) two members, ~~((two))~~ one of whom shall be an elected official~~((s))~~ and one shall be a public works manager or a finance director, appointed from a list of at least six persons nominated by ~~((the Washington))~~ a state association of counties or its successor; ~~((c) three)~~ (iii) one member~~((s))~~ appointed from a list of at least ~~((six))~~ three persons nominated ~~((jointly))~~ by ~~((the Washington))~~ a state association of public utility districts ~~((association and))~~ or its successor; (iv) one member appointed from a list of at least three persons nominated by a state association of water-sewer districts~~((r))~~ or ~~((their))~~ its successor~~((s))~~; and ~~((d) four)~~ (v) seven members appointed from the general public with expertise in relevant fields. In appointing the ~~((four))~~ seven general public members, the governor shall ~~((endeavor to))~~ balance the geographical composition of the board and ~~((to))~~ include members with special expertise in relevant fields such as public finance, architecture and civil engineering, and public works construction. The governor shall appoint one of the general public members of the board as chair. The term of the chair shall coincide with the term of the governor.

(b) Four members from the legislature appointed for terms of four years. The speaker of the house of representatives shall appoint one member from each of the two major caucuses of the house of representatives and the president of the senate shall appoint one member from each of the two major caucuses of the senate. Additionally, the speaker of the house of representatives may designate one member from each of the two major caucuses of the house of representatives and the president of the senate may appoint one member from

each of the two major caucuses of the senate as alternate members to take the place of the appointed member on the board for meetings at which the member will be absent. The alternate member shall have all powers to vote and participate in board deliberations as the other board members.

(3) Staff support to the board shall be provided by the department.

(4) Nonlegislative members of the board shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060. Legislative members of the board shall be reimbursed for travel in accordance with RCW 44.04.120.

(5) If a vacancy on the board occurs by death, resignation, or otherwise, the governor shall fill the vacant position for the unexpired term. Each vacancy in a position appointed from lists provided by the associations under subsection (2) of this section shall be filled from a list of at least three persons nominated by the relevant association or associations. Any members of the board, appointive or otherwise, may be removed by the governor for cause in accordance with RCW 43.06.070 and 43.06.080.

Sec. 4. RCW 43.155.040 and 1985 c 446 s 10 are each amended to read as follows:

The board may:

(1) Accept from any state or federal agency, loans or grants for the planning or financing of any public works project and enter into agreements with any such agency concerning the loans or grants;

(2) Provide technical assistance to local governments;

(3) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(4) Develop a program that provides grants and additional assistance to leverage federal programs, and other opportunities to target deeper financial assistance to communities with economic distress or projects that would result in rate increases to residential utility rates that exceed a determined percentage of median household income;

(5) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter;

~~((5))~~ (6) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

Sec. 5. RCW 43.155.050 and 2015 3rd sp.s. c 4 s 959 and 2015 3rd sp.s. c 3 s 7032 are each reenacted and amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and grants and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated or transferred to the water pollution control revolving account and the drinking water assistance account to provide for state match requirements under federal law ~~((for projects and activities conducted and financed by the board under the drinking water assistance account))~~. Not more than ~~((fifteen))~~ twenty percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans and grants, emergency loans and grants, or loans and grants for capital facility planning under this chapter~~((, of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans))~~. Not more than ten percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated as grants for preconstruction, emergency, capital facility planning, and construction projects. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such amounts as reflect the excess fund balance of the account. ~~((During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature.))~~ During the 2015-2017 fiscal biennium, the legislature may appropriate moneys from the account for activities related to the growth management act and

the voluntary stewardship program. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the state general fund such amounts as specified by the legislature. ~~((In the 2017-2019 fiscal biennium the legislature intends to allocate seventy three million dollars of future loan repayments paid into the public works assistance account to support basic education.))~~

Sec. 6. RCW 43.155.060 and 1988 c 93 s 2 are each amended to read as follows:

(1) In order to aid the financing of public works projects, the board may:

~~((1))~~ (a) Make ~~((low interest or interest free))~~ loans or grants to local governments from the public works assistance account or other funds and accounts for the purpose of assisting local governments in financing public works projects. ~~((The board may require such terms and conditions and may charge such rates of interest on its loans as it deems necessary or convenient to carry out the purposes of this chapter.))~~ Money received from local governments in repayment of loans made under this section shall be paid into the public works assistance account for uses consistent with this chapter.

~~((2))~~ (b) Pledge money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects. The board shall not pledge any amount greater than the sum of money in the public works assistance account plus money to be received from the payment of the debt service on loans made from that account, nor shall the board pledge the faith and credit or the taxing power of the state or any agency or subdivision thereof to the repayment of obligations issued by any local government.

~~((3))~~ (c) Create such subaccounts in the public works assistance account as the board deems necessary to carry out the purposes of this chapter.

~~((4))~~ (d) Provide a method for the allocation of loans, grants, and financing guarantees and the provision of technical assistance under this chapter.

(2) When establishing interest rates for loan programs authorized in this chapter for projects which are supported

by a rate base of at least fifty thousand equivalent residential units, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle.

(a) For projects with a repayment period between five and twenty years, the rate must be fifty percent of the market rate.

(b) For projects with a repayment period under five years, the rate must be twenty-five percent of the market rate.

(c) For any year in which the average daily market interest rate for tax-exempt municipal bonds for the period from sixty to thirty days before the start of an application cycle is nine percent or greater, the board may cap interest rates at four percent for projects with a repayment period between five and twenty years and at two percent for projects with a repayment period under five years.

(d) The board may also provide reduced interest rates, extended repayment periods, or grants for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship. The board may provide reduced interest rates, extended repayment periods, or grants for projects that are supported by a rate base of less than fifty thousand equivalent residential units.

(3) All local public works projects aided in whole or in part under the provisions of this chapter shall be put out for competitive bids, except for emergency public works under RCW 43.155.065 for which the recipient jurisdiction shall comply with this requirement to the extent feasible and practicable. The competitive bids called for shall be administered in the same manner as all other public works projects put out for competitive bidding by the local governmental entity aided under this chapter.

Sec. 7. RCW 43.155.065 and 2001 c 131 s 3 are each amended to read as follows:

The board may make low-interest or interest-free loans or grants to local governments for emergency public works projects. Emergency public works projects shall include the construction, repair, reconstruction, replacement, rehabilitation, or improvement of a public

water system that is in violation of health and safety standards and is being operated by a local government on a temporary basis. The loans or grants may be used to help fund all or part of an emergency public works project less any reimbursement from any of the following sources: (1) Federal disaster or emergency funds, including funds from the federal emergency management agency; (2) state disaster or emergency funds; (3) insurance settlements; or (4) litigation.

Sec. 8. RCW 43.155.068 and 2001 c 131 s 4 are each amended to read as follows:

(1) The board may make (~~low-interest or interest-free~~) loans or grants to local governments for preconstruction activities on public works projects before the legislature approves the construction phase of the project. Preconstruction activities include design, engineering, bid-document preparation, environmental studies, right-of-way acquisition, value planning, and other preliminary phases of public works projects as determined by the board. The purpose of the loans and grants authorized in this section is to accelerate the completion of public works projects by allowing preconstruction activities to be performed before the (~~approval of~~) appropriation for the construction phase of the project by the legislature.

(2) Projects receiving loans or grants for preconstruction activities under this section must be evaluated using the priority process and factors in RCW 43.155.070 (~~(+2)~~). The receipt of a loan or grant for preconstruction activities does not ensure the receipt of a construction loan or grant for the project under this chapter. Construction loans or grants for projects receiving a loan or grant for preconstruction activities under this section are subject to legislative (~~approval~~) appropriation under RCW 43.155.070 (~~((4) and (5))~~) (7). The board shall adopt a single application process for local governments seeking both a loan or grant for preconstruction activities under this section and a construction loan for the project.

Sec. 9. RCW 43.155.070 and 2015 3rd sp.s. c 3 s 7033 are each amended to read as follows:

(1) To qualify for financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before executing a contractual agreement for financial assistance with the board.

(3) In considering awarding financial assistance for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4) ~~((The board must develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board must attempt to assure a geographical balance in assigning priorities to projects. The board must~~

~~consider at least the following factors in assigning a priority to a project:~~

~~(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;~~

~~(b) Except as otherwise conditioned by RCW 43.155.110, whether the entity receiving assistance is a Puget Sound partner, as defined in RCW 90.71.010;~~

~~(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310;~~

~~(d) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;~~

~~(e) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance;~~

~~(f) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007;~~

~~(g) The cost of the project compared to the size of the local government and amount of loan money available;~~

~~(h) The number of communities served by or funding the project;~~

~~(i) Whether the project is located in an area of high unemployment, compared to the average state unemployment;~~

~~(j) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public water system that is in violation of health and safety standards, including the cost of extending existing service to such a system;~~

~~(k) Except as otherwise conditioned by RCW 43.155.120, and effective one calendar year following the development of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030;~~

~~(l) The relative benefit of the project to the community, considering the present level of economic activity in the community and the existing local capacity to increase local economic activity in~~

~~communities that have low economic growth; and~~

~~(m) Other criteria that the board considers advisable.~~

~~(5) For the 2015-2017 fiscal biennium, in place of the criteria, ranking, and submission processes for construction loan lists provided in subsections (4) and (7) of this section:)~~

(a) The board must develop a process ~~((for numerically ranking))~~ to prioritize applications ((for construction)) and funding of loans and grants for public works projects submitted by local governments. The board must consider, at a minimum and in any order, the following factors in ~~((assigning a numerical ranking to a))~~ a) prioritizing projects:

(i) Whether the project is critical in nature and would affect the health and safety of many people;

(ii) The extent to which the project leverages ~~((nonstate))~~ other funds;

(iii) The extent to which the project is ready to proceed to construction;

(iv) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(v) Whether the project promotes the sustainable use of resources and environmental quality, as applicable;

(vi) Whether the project consolidates or regionalizes systems;

(vii) Whether the project encourages economic development through mixed-use and mixed income development consistent with chapter 36.70A RCW;

(viii) Whether the system is being well-managed in the present and for long-term sustainability;

(ix) Achieving equitable distribution of funds by geography and population;

(x) The extent to which the project meets the following state policy objectives:

(A) Efficient use of state resources;

(B) Preservation and enhancement of health and safety;

(C) Abatement of pollution and protection of the environment;

(D) Creation of new, family-wage jobs, and avoidance of shifting existing jobs

from one Washington state community to another;

(E) Fostering economic development consistent with chapter 36.70A RCW;

(F) Efficiency in delivery of goods and services ~~((, public transit,))~~ and transportation; and

(G) ~~((Avoidance of additional costs to state and local governments that adversely impact local residents and small businesses; and~~

~~((H))~~ Reduction of the overall cost of public infrastructure; ~~((and))~~

(xi) Whether the applicant sought or is seeking funding for the project from other sources; and

(xii) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before ~~((November))~~ September 1, ((2016)) 2018, and each year thereafter, the board must develop and submit a report regarding the construction loans and grants to the office of financial management and appropriate fiscal committees of the senate and house of representatives ((a ranked list of qualified public works projects which have been evaluated by the board and are recommended for funding by the legislature)). The report must include:

(i) The total number of applications and amount of funding requested for public works projects;

(ii) A list and description of projects approved in the preceding fiscal year with project scores against the board's prioritization criteria;

(iii) The total amount of loan and grants disbursements made from the public works assistance account in the preceding fiscal year;

(iv) The total amount of loan repayments in the preceding fiscal year for outstanding loans from the public works assistance account;

(v) The total amount of loan repayments due for outstanding loans for each fiscal year over the following ten-year period; and

(vi) The total amount of funds obligated and timing of when the funds were obligated in the preceding fiscal year.

~~(c)~~ The maximum amount of funding that the board may ~~((recommend))~~ provide for any jurisdiction is ten million dollars per biennium. ~~((For each project on the ranked list, as well as for eligible projects not recommended for funding, the board must document the numerical ranking that was assigned.~~

~~(6))~~ (5) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

~~((7))~~ (6) Before ~~((November))~~ September 1st of each ~~((even numbered))~~ year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans and grants made under RCW 43.155.065 ~~((7))~~ and 43.155.068 ~~((7 and subsection (10) of this section during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list must include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list must also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes, real estate excise taxes, property taxes, and charges for or taxes on sewerage, water, garbage, and other utilities)).~~

~~((8))~~ (7) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds to the board for ~~((a specific list of))~~ the purpose of funding public works projects under this chapter. ~~((The legislature may remove projects from the list recommended by the board. The legislature may not change the order of the priorities recommended for funding by the board.~~

~~(9) Subsection (8) of this section does not apply to loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section.~~

~~(10) Loans made for the purpose of capital facilities plans are exempted from subsection (8) of this section.~~

~~(11))~~ (8) To qualify for loans, grants, or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.

~~((12))~~ (9) After January 1, 2010, any project designed to address the effects of storm water or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

~~((13) During the 2015-2017 fiscal biennium,))~~ (10) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan or grant.

~~((14) (a) For public works assistance account application rounds conducted during the 2015-2017 fiscal biennium,))~~ (11) The board must implement policies and procedures designed to maximize local government ~~((use))~~ consideration of ~~((federal))~~ other funds to finance local infrastructure ~~((including, but not limited to, drinking water and clean water state revolving funds operated by the state departments of health and ecology. Projects that are eligible for the drinking water and clean water state revolving funds may receive public works board preconstruction loans. Projects that are eligible for the drinking water and clean water state revolving funds are not eligible for public works board construction loans. For purposes of this subsection "eligible for drinking water and clean water state revolving funds" means:~~

~~(i) Projects that have applied to the state revolving funds and are awaiting a funding decision;~~

~~(ii) Projects that have been rejected for funding solely due to not meeting readiness requirements; and~~

~~(iii) Projects that have not applied, but would likely be eligible if the project applied and met the project readiness requirements.~~

~~(b) For all construction loan projects proposed to the legislature for funding during the 2015-2017 fiscal biennium, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle. For projects with a repayment period between five and twenty years, the rate must be sixty percent of the market rate. For projects with a repayment period under five years, the rate must be thirty percent of the market rate. The board must also provide reduced interest rates, extended repayment periods, or forgivable principal loans for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship).~~

Sec. 10. RCW 43.155.075 and 2001 c 227 s 10 are each amended to read as follows:

In providing loans and grants for public works projects, the board shall require recipients to incorporate the environmental benefits of the project into their applications, and the board shall utilize the statement of environmental benefits in its prioritization and selection process, when applicable. For projects funded under this chapter, the board may require a local government to have sustainable asset management best practices in place; provide a long-term financial plan to demonstrate a sound maintenance program; have a long-term financial plan for loan repayments in place; and undergo value planning at the predesign project stage, where the greatest productivity gains and cost savings can be found. The board shall also develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the loan and grant program. To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270. The board shall

consult with affected interest groups in implementing this section.

NEW SECTION. Sec. 11. (1) An interagency, multijurisdictional system improvement team must identify, implement, and report on system improvements that achieve the designated outcomes, including:

(a) Projects that maximize value, minimize overall costs and disturbance to the community, and ensure long-term durability and resilience;

(b) Projects that are designed to meet the unique needs of each community, rather than the needs of particular funding programs;

(c) Project designs that maximize long-term value by fully considering and responding to anticipated long-term environmental, technological, economic and population changes;

(d) The flexibility to innovate, including utilizing natural systems, addressing multiple regulatory drivers, and forming regional partnerships;

(e) The ability to plan and collaborate across programs and jurisdictions so that different investments are packaged to be complementary, timely, and responsive to economic and community opportunities;

(f) The needed capacity for communities, appropriate to their unique financial, planning, and management capacities, so they can design, finance, and build projects that best meet their long-term needs and minimize costs;

(g) Optimal use and leveraging of federal and private infrastructure dollars; and

(h) Mechanisms to ensure periodic, system-wide review and ongoing achievement of the designated outcomes.

(2) The system improvement team must consist of representatives of state infrastructure programs that provide funding for drinking water, wastewater, and storm water programs, including but not limited to representatives from the public works board, department of ecology, department of health, and the department of commerce. The system improvement team may invite representatives of other infrastructure programs, such as transportation and energy, as needed in order to achieve efficiency, minimize costs, and maximize value across infrastructure programs. The system

improvement team shall also consist of representatives of users of those programs, representatives of infrastructure project builders, and other parties the system improvement team determines would contribute to achieving the desired outcomes, including but not limited to representatives from a state association of cities, a state association of counties, a state association of public utility districts, a state association of water and sewer districts, a state association of general contractors, and a state organization representing building trades. The public works board, a representative from the department of ecology, department of health, and department of commerce shall facilitate the work of the system improvement team.

(3) The system improvement team must focus on achieving the designated outcomes within existing program structures and authorities. The system improvement team shall use lean practices to achieve the designated outcomes.

(4) The system improvement team shall provide briefings as requested to the public works board on the current state of infrastructure programs to build an understanding of the infrastructure investment program landscape and the interplay of its component parts.

(5) If the system improvement team encounters statutory or regulatory barriers to system improvements, the system improvement team must inform the public works board and consult on possible solutions. When achieving the designated outcomes would be best served through changes in program structures or authorities, the system improvement team must report those findings to the public works board.

(6) This section expires June 30, 2021.

NEW SECTION. **Sec. 12.** The public works board, in consultation with stakeholders, including the system improvement team and financing experts, must evaluate and report on other financing approaches that could be established to provide access to financing for local governments who have trouble accessing the existing private credit market at reasonable rates for infrastructure. The public works board must submit the report to the appropriate fiscal committees of the senate and house of representatives and the office of financial management by December 1, 2018.

Sec. 13. RCW 82.45.060 and 2013 2nd sp.s. c 9 s 6 are each amended to read as follows:

There is imposed an excise tax upon each sale of real property at the rate of one and twenty-eight one-hundredths percent of the selling price. Beginning July 1, 2013, and ending June 30, (~~2019~~) 2023, an amount equal to two percent of the proceeds of this tax must be deposited in the public works assistance account created in RCW 43.155.050, and an amount equal to four and one-tenth percent must be deposited in the education legacy trust account created in RCW 83.100.230. Thereafter, an amount equal to six and one-tenth percent of the proceeds of this tax to the state treasurer must be deposited in the public works assistance account created in RCW 43.155.050. Except as otherwise provided in this section, an amount equal to one and six-tenths percent of the proceeds of this tax to the state treasurer must be deposited in the city-county assistance account created in RCW 43.08.290.

Sec. 14. RCW 82.16.020 and 2015 3rd sp.s. c 6 s 703 are each amended to read as follows:

(1) There is levied and collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax is equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

(a) Express, sewerage collection, and telegraph businesses: Three and six-tenths percent;

(b) Light and power business: Three and sixty-two one-hundredths percent;

(c) Gas distribution business: Three and six-tenths percent;

(d) Urban transportation business: Six-tenths of one percent;

(e) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

(f) Motor transportation, railroad, railroad car, and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent;

(g) Water distribution business: Four and seven-tenths percent;

(h) Log transportation business: One and twenty-eight one-hundredths percent. The reduced rate established in this subsection (1)(h) is not subject to the ten-year expiration provision in RCW 82.32.805(1)(a).

(2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.

(3) Twenty percent of the moneys collected under subsection (1) of this section on water distribution businesses and sixty percent of the moneys collected under subsection (1) of this section on sewerage collection businesses must be deposited in the education legacy trust account created in RCW 83.100.230 from July 1, 2013, through June 30, ~~((2019))~~ 2023, and thereafter in the public works assistance account created in RCW 43.155.050.

Sec. 15. RCW 82.18.040 and 2013 2nd sp.s. c 9 s 8 are each amended to read as follows:

(1) Taxes collected under this chapter must be held in trust until paid to the state. Except as otherwise provided in this subsection (1), taxes received by the state must be deposited in the public works assistance account created in RCW 43.155.050. For the period beginning July 1, 2011, and ending June 30, 2015, taxes received by the state under this chapter must be deposited in the general fund for general purpose expenditures. For fiscal years 2016, 2017, and 2018, one-half of the taxes received by the state under this chapter must be deposited in the general fund for general purpose expenditures and the remainder deposited in the education legacy trust account created in RCW 83.100.230. For fiscal years 2019 through 2023, taxes received by the state under this chapter must be deposited in the education legacy trust account created in RCW 83.100.230. Any person collecting the tax who appropriates or converts the tax collected is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. If a taxpayer fails to pay the tax imposed by this chapter to the person charged with collection of the tax and the person charged with collection fails to pay the tax to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the tax.

(2) The tax is due from the taxpayer within twenty-five days from the date the taxpayer is billed by the person collecting the tax.

(3) The tax is due from the person collecting the tax at the end of the tax period in which the tax is received from the taxpayer. If the taxpayer remits only a portion of the total amount billed for taxes, consideration, and related charges, the amount remitted must be applied first to payment of the solid waste collection tax and this tax has priority over all other claims to the amount remitted."

Correct the title.

Representatives Tharinger and DeBolt spoke in favor of the adoption of the amendment (633).

Amendment (633) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Peterson and Kraft spoke in favor of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1677.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1677, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1677, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5303, by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Rolfes, Chase, Hawkins, Warnick, Bailey and Ranker)

Concerning aquatic invasive species management.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5303.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5303, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5303, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5901, by Senate Committee on Ways & Means (originally sponsored by Senator Braun)

Concerning eligibility for the working connections child care and early childhood education and assistance programs. Revised for 1st Substitute: Concerning eligibility for the early childhood education and assistance program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5901.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5901, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Ryu.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

SUBSTITUTE SENATE BILL NO. 5901, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5969, by Senators Keiser, Braun, Hobbs, Mullet and Conway

Concerning public employee collective bargaining.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells, Manweller and Graves spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5969.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5969, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Kloba.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

SENATE BILL NO. 5969, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 1341, by House Committee on Appropriations (originally sponsored by Representatives Bergquist, McCaslin, Stonier, Muri and Pollet)

Concerning professional certification for teachers and school administrators.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1341 was returned to second reading for the purpose of amendment.

SECOND READING

With the consent of the House, amendment (626) was withdrawn.

Representative Bergquist moved the adoption of the striking amendment (632):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.410 RCW to read as follows:

By September 1, 2017, the Washington professional educator standards board shall adopt rules allowing teachers and principals with at least two years of

experience, who hold or have held a residency certificate and have not achieved the professional certificate, to renew their residency certificate in five-year intervals based on completion of ten credits or one hundred clock hours as defined in RCW 28A.415.020 and 28A.415.023.

Sec. 2. RCW 28A.410.210 and 2009 c 531 s 4 are each amended to read as follows:

The purpose of the Washington professional educator standards board is to establish policies and requirements for the preparation and certification of educators that provide standards for competency in professional knowledge and practice in the areas of certification; a foundation of skills, knowledge, and attitudes necessary to help students with diverse needs, abilities, cultural experiences, and learning styles meet or exceed the learning goals outlined in RCW 28A.150.210; knowledge of research-based practice; and professional development throughout a career. The Washington professional educator standards board shall:

(1) Establish policies and practices for the approval of programs of courses, requirements, and other activities leading to educator certification including teacher, school administrator, and educational staff associate certification;

(2) Establish policies and practices for the approval of the character of work required to be performed as a condition of entrance to and graduation from any educator preparation program including teacher, school administrator, and educational staff associate preparation program as provided in subsection (1) of this section;

(3) Establish a list of accredited institutions of higher education of this and other states whose graduates may be awarded educator certificates as teacher, school administrator, and educational staff associate and establish criteria and enter into agreements with other states to acquire reciprocal approval of educator preparation programs and certification, including teacher certification from the national board for professional teaching standards;

(4) Establish policies for approval of nontraditional educator preparation programs;

(5) Conduct a review of educator program approval standards at least every five years, beginning in 2006, to reflect research findings and assure continued improvement of preparation programs for teachers, administrators, and school specialized personnel;

(6) Specify the types and kinds of educator certificates to be issued and conditions for certification in accordance with subsection (1) of this section, section 1 of this act, and RCW 28A.410.010;

(7) Apply for and receive federal or other funds on behalf of the state for purposes related to the duties of the board;

(8) Adopt rules under chapter 34.05 RCW that are necessary for the effective and efficient implementation of this chapter;

(9) Maintain data concerning educator preparation programs and their quality, educator certification, educator employment trends and needs, and other data deemed relevant by the board;

(10) Serve as an advisory body to the superintendent of public instruction on issues related to educator recruitment, hiring, mentoring and support, professional growth, retention, educator evaluation including but not limited to peer evaluation, and revocation and suspension of licensure;

(11) Submit, by October 15th of each even-numbered year and in accordance with RCW 43.01.036, a joint report with the state board of education to the legislative education committees, the governor, and the superintendent of public instruction. The report shall address the progress the boards have made and the obstacles they have encountered, individually and collectively, in the work of achieving the goals set out in RCW 28A.150.210;

(12) Establish the prospective teacher assessment system for basic skills and subject knowledge that shall be required to obtain residency certification pursuant to RCW 28A.410.220 through 28A.410.240; and

(13) ~~((By January 2010, set performance standards and develop, pilot, and implement a uniform and externally administered professional level certification assessment based on demonstrated teaching skill. In the development of this assessment,~~

~~consideration shall be given to changes in professional certification program components such as the culminating seminar; and~~

~~(14))~~ Conduct meetings under the provisions of chapter 42.30 RCW.

Sec. 3. RCW 28A.410.250 and 2016 c 233 s 4 are each amended to read as follows:

The agency responsible for educator certification shall adopt rules for professional certification that:

~~(1) ((Provide maximum program choice for applicants, promote portability among programs, and promote maximum efficiency for applicants in attaining professional certification;~~

~~(2) Require professional certification no earlier than the fifth year following the year that the teacher first completes provisional status, with an automatic two-year extension upon enrollment;~~

~~(3))~~ Grant professional certification to any teacher who attains certification from the national board for professional teaching standards;

~~((4) Permit any teacher currently enrolled in or participating in a program leading to professional certification to continue the program under administrative rules in place when the teacher began the program;~~

~~(5) Provide criteria for the approval of educational service districts, beginning no later than August 31, 2007, to offer programs leading to professional certification. The rules shall be written to encourage institutions of higher education and educational service districts to partner with local school districts or consortia of school districts, as appropriate, to provide instruction for teachers seeking professional certification;~~

~~(6) Encourage institutions of higher education to offer professional certificate coursework as continuing education credit hours. This shall not prevent an institution of higher education from providing the option of including the professional certification requirements as part of a master's degree program;~~

~~(7) Provide criteria for a liaison relationship between approved programs and school districts in which applicants are employed;~~

~~(8))~~ (2) Identify an expedited professional certification process for

out-of-state teachers who have five years or more of successful teaching experience, including a method to determine the comparability of rigor between the Washington professional certification process and the advanced level teacher certification process of other states. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds: (a) A valid teaching certificate issued by the national board for professional teaching standards; or (b) an advanced level teacher certificate from another state that has been determined to be comparable to the Washington professional certificate; and

~~((9) Identify an evaluation process of approved programs that includes a review of the program coursework and applicant coursework load requirements, linkages of programs to individual teacher professional growth plans, linkages to school district and school improvement plans, and, to the extent possible, linkages to school district professional enrichment and growth programs for teachers, where such programs are in place in school districts. The agency shall provide a preliminary report on the evaluation process to the senate and house of representatives committees on education policy by November 1, 2005. The board shall identify:~~

~~(a) A process for awarding conditional approval of a program that shall include annual evaluations of the program until the program is awarded full approval;~~

~~(b) A less intensive evaluation cycle every three years once a program receives full approval unless the responsible agency has reason to intensify the evaluation;~~

~~(c) A method for investigating programs that have received numerous complaints from students enrolled in the program and from those recently completing the program;~~

~~(d) A method for investigating programs at the reasonable discretion of the agency; and~~

~~(e) A method for using, in the evaluation, both program completion satisfaction responses and data on the impact of educators who have obtained professional certification on student work and achievement.)~~

Sec. 4. RCW 28A.410.270 and 2009 c 548 s 402 are each amended to read as follows:

(1) (a) ~~((By January 1, 2010,))~~ The Washington professional educator standards board shall adopt a set of articulated teacher knowledge, skill, and performance standards for effective teaching that are evidence-based, measurable, meaningful, and documented in high quality research as being associated with improved student learning. The standards shall be calibrated for each level ~~((of certification and))~~ along the entire career continuum. In developing the standards, the board shall, to the extent possible, incorporate standards for cultural competency along the entire continuum. For the purposes of this subsection, "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.

(b) ~~((By January 1, 2010,))~~ The Washington professional educator standards board shall adopt a definition of master teacher, with a comparable level of increased competency between professional certification level and master level as between professional certification level and national board certification. Within the definition established by the Washington professional educator standards board, teachers certified through the national board for professional teaching standards shall be considered master teachers.

(2) ~~((By January 1, 2010, the professional educator standards board shall submit to the governor and the education and fiscal committees of the legislature:~~

~~(a) An update on the status of implementation of the professional certificate external and uniform assessment authorized in RCW 28A.410.210;~~

~~(b) A proposal for))~~ The Washington professional educator standards board shall maintain a uniform, statewide, valid, and reliable classroom-based means of evaluating teacher effectiveness as a culminating measure at the preservice level that is to be used during the student-teaching field experience. This assessment shall include multiple measures of teacher performance in classrooms, evidence of positive impact on student learning, and shall include review of

artifacts, such as use of a variety of assessment and instructional strategies, and student work. ~~((The proposal shall establish a timeline for when the assessment will be required for successful completion of a Washington state approved teacher preparation program. The timeline shall take into account the capacity of the K-12 education and higher education systems to accommodate the new assessment. The proposal and timeline shall also address how the assessment will be included in state reported data on preparation program quality; and~~

~~(c) A recommendation on the length of time that a residency certificate issued to a teacher is valid and within what time period a teacher must meet the minimum level of performance for and receive a professional certificate in order to continue being certified as a teacher. In developing this recommendation, the professional educator standards board shall consult with interested stakeholders including the Washington education association, the Washington association of school administrators, association of Washington school principals, and the Washington state school directors' association and shall include with its recommendation a description of each stakeholder's comments on the recommendation.~~

~~(3) The update and proposal in subsection (2)(a) and (b) of this section shall include, at a minimum, descriptions of:~~

~~(a) Estimated costs and statutory authority needed for further development and implementation of these assessments;~~

~~(b) A common and standardized rubric for determining whether a teacher meets the minimum level of performance of the assessments; and~~

~~(c) Administration and management of the assessments.~~

~~(4) To the extent that funds are appropriated for this purpose and in accordance with the timeline established in subsection (2) of this section, recognizing the capacity limitations of the education systems, the professional educator standards board shall develop the system and process as established in subsections (1), (2), and (3) of this section throughout the remainder of the 2010-11 and 2011-12 school years.~~

~~(5) Beginning no earlier than September 1, 2011,)) (3) Award of a professional~~

certificate shall be based on a minimum of two years of successful teaching experience as defined by the board ~~((and on the results of the evaluation authorized under RCW 28A.410.210(14) and under this section)), and may not require candidates to enroll in a professional certification program.~~

~~((6) Beginning July 1, 2011,)) (4) Educator preparation programs approved to offer the residency teaching certificate shall be required to demonstrate how the program produces effective teachers as evidenced by the measures established under this section and other criteria established by the Washington professional educator standards board.~~

NEW SECTION. Sec. 5. A new section is added to chapter 28A.410 RCW to read as follows:

THE COLLABORATIVE.

(1) For the purpose of this section, "educator" means a paraeducator, teacher, principal, administrator, superintendent, school counselor, school psychologist, school social worker, school nurse, school physical therapist, school occupational therapist, or school speech-language pathologist or audiologist. "Educator" includes persons who hold, or have held, certificates as authorized by rule of the Washington professional educator standards board.

(2)(a) The professional educator collaborative is established to make recommendations on how to improve and strengthen state policies, programs, and pathways that lead to highly effective educators at each level of the public school system.

(b) The collaborative shall examine issues related to educator recruitment, certification, retention, professional learning and development, leadership, and evaluation for effectiveness. The examination must consider what barriers and deterrents hinder the recruitment and retention of professional educators, including those from underrepresented populations. The collaborative shall also consider what incentives and supports could be provided at each stage of an educator's career to produce a more effective educational system. Specifically, the collaborative must review the following issues:

(i) Educator recruitment, including the role of school districts, community and technical colleges, preparation programs,

and communities, and the effectiveness of financial incentives and other types of support;

(ii) Educator preparation, including traditional and alternative route program design and content, the role of community and technical colleges, field experience duration and quality, financial assistance and incentives, school district and community connections, and academic and social support for students;

(iii) Educator certificate types and tiers, including requirements for an initial or first-tier certificate, requirements to advance to the next tier, and requirements that are transferable between certificate types;

(iv) Educator certificate renewal requirements, including comparing professional growth plan requirements with the teacher and principal residency certificate renewal requirements established in section 1 of this act;

(v) Educator evaluation, including comparison to educator certificate renewal requirements to determine inconsistent or duplicative requirements or efforts, relationship with educator compensation;

(vi) Educator certificate reciprocity;

(vii) Professional learning and development opportunities, particularly for mid-career teachers;

(viii) Leadership in the education system, including best practices of high quality leaders, training for principals and administrators, and identifying and developing teachers as leaders; and

(ix) Systems monitoring, including collection of outcomes data on educator production, employment, and retention, and the value in a cost-benefit analysis of state recruitment and retention activities.

(3) (a) The members of the collaborative must include representatives of the following organizations:

(i) The two largest caucuses of the senate and the house of representatives, appointed by the majority and minority leaders of the senate and the speaker of the house of representatives, respectively;

(ii) The Washington professional educator standards board;

(iii) The office of the superintendent of public instruction;

(iv) Washington professional educator standards board-approved educator preparation programs;

(v) The Washington state school directors' association;

(vi) The Washington education association;

(vii) The Washington association of school administrators;

(viii) The association of Washington school principals; and

(ix) The association of Washington school counselors.

(b) Each organization listed in (a) of this subsection must designate one voting member, except that each legislator is a voting member.

(c) The collaborative shall choose its chair or cochairs from among its members.

(d) The voting members of the collaborative, where appropriate, may consult with stakeholders, including representatives of other educator associations, or ask stakeholders to establish an advisory committee. Members of such an advisory committee are not entitled to expense reimbursement.

(4) (a) Staff support for the collaborative must be provided by the Washington professional educator standards board, and from other state agencies, including the office of the superintendent of public instruction, if requested by the collaborative.

(b) The Washington professional educator standards board must convene the initial meeting of the collaborative within sixty days of the effective date of this section.

(5) The collaborative must contract with a nonprofit, nonpartisan institute that conducts independent, high quality research to improve education policy and practice and that works with policymakers, researchers, educators, and others to advance evidence-based policies that support equitable learning for each child for the purpose of consultation and guidance on meeting agendas and materials development, meeting facilitation, documenting collaborative discussions and recommendations, locating and summarizing useful policy and research documents, and drafting required reports.

(6) Legislative members of the collaborative are reimbursed for travel

expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7)(a) By November 1, 2018, and in compliance with RCW 43.01.036, the collaborative shall submit a preliminary report to the education committees of the legislature that makes recommendations on the educator certificate types, tiers, and renewal issues described in subsection (3) of this section. The report must also describe the activities of the collaborative to date, and include any preliminary recommendations agreed to by the collaborative on other issues described in subsection (3) of this section.

(b) By November 1, 2019, and in compliance with RCW 43.01.036, the collaborative shall submit a final report to the education committees of the legislature that describes the activities of the collaborative since the preliminary report and makes recommendations on each issue described in subsection (2) of this section.

(8) This section expires August 31, 2020.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Bergquist spoke in favor of the adoption of the striking amendment (632).

Amendment (632) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1341.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1341, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1341, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4400, by Representatives Cody, Kagi, Johnson, Appleton, Frame, Ormsby, Jinkins, Short, Young, DeBolt, Hudgins and Tarleton

Naming the building at 1063 Capitol Way "The Helen Sommers Building."

The concurrent resolution was read the third time.

Representatives Cody and Chandler spoke in favor of the passage of the concurrent resolution.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Concurrent Resolution No. 4400.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 4400, and the concurrent resolution passed the House by the following vote: Yeas, 90; Nays, 4; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne,

Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea, Taylor and J. Walsh.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

HOUSE CONCURRENT RESOLUTION NO. 4400, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5252, by Senators Angel and Wilson

Addressing the effectiveness of document recording fee surcharge funds that support homeless programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri, McCabe and Wylie spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5252.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5252, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

SENATE BILL NO. 5252, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5254, by Senate Committee on Ways & Means (originally sponsored by Senators Fain, Palumbo, Zeiger, Angel, Hobbs and Mullet)

Ensuring adequacy of buildable lands and zoning in urban growth areas and providing funding for low-income housing and homelessness programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu, Barkis, McBride, Fitzgibbon, Macri and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5254.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5254, and the bill passed the House by the following vote: Yeas, 85; Nays, 9; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Koster, McCaslin, Orcutt, Shea, Stonier, Taylor and Volz.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5254, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:00 a.m., June 30, 2017, the 10th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

TENTH DAY

House Chamber, Olympia, Friday, June 30, 2017

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Matt Brickey and Terry Swanson. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Paul Graves, 5th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2017-4650, by Representative Johnson

WHEREAS, A state fair is a time-honored tradition that is enjoyed by all Americans; and

WHEREAS, 125 years ago, in February 1892, the Washington State Legislature declared Yakima would be the location of Washington's first, and for many years only, State Fair; and

WHEREAS, In 1893, the Legislature appropriated 10,000 dollars to purchase 120 acres of land where the present State Fair is located; and

WHEREAS, By September 1894, the first State Fair of Washington was held in Yakima; and

WHEREAS, The gala milestone in state history boasted a 2,000 seat grandstand, a racetrack, an exhibit hall, 100 horse stalls, and a judging stand three stories high; and featured horse races, an auto show, and fireworks displays; and

WHEREAS, During the Great Depression, it was difficult for the state of Washington to fund the Fair and so it was discontinued in 1937; and

WHEREAS, In 1939, a group of people representing agricultural, livestock, and business interests incorporated as the "Central Washington Fair Association" with the purpose of once again holding a fair in Yakima; and

WHEREAS, The 1939, 1940, and 1941 Fairs were all successful, and though the event was suspended from 1942 through 1945 because of World War II, it was revived in 1946 and continues to this day; and

WHEREAS, Men and women from the livestock and agricultural industries, Grange organizations, Future Farmers of America, 4-H groups, and others display their skills of raising and showing animals, their culinary abilities, and provide displays in many arts and foods categories; and

WHEREAS, Later this year, September 22nd through October 1st, thousands of proud exhibitors from all over the state, the Pacific Northwest, and Canada will again fill the

halls and stalls of the Central Washington State Fairgrounds; and

WHEREAS, It is proper and fitting to recognize the designation of the City of Yakima as the location for the original State Fair of Washington; and

WHEREAS, The original State Fair of Washington is celebrating its 125th year of becoming a fair and has stayed faithful to its agricultural roots and mission;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the Central Washington State Fair Association as the esteemed and steadfast keeper of our 125 year State Fair tradition, and recognize its cultural and economic impacts on the state of Washington; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to members of the Central Washington State Fair Association's Board of Directors and to the management and staff of the Central Washington State Fair Association.

There being no objection, HOUSE RESOLUTION NO. 4650 was adopted.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Appropriations was relieved of ENGROSSED HOUSE BILL NO. 2163 and the bill was placed on the second reading calendar:

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2190, by Representative Ormsby**Addressing budget stabilization account transfers to the general fund.**

The bill was read the second time.

Representative Ormsby moved the adoption of the striking amendment (635):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. FOR THE PENSION FUNDING STABILIZATION ACCOUNT. During the 2017-19 fiscal biennium, the treasurer shall transfer the sum of \$925,166,000 from the budget stabilization account into the pension funding stabilization account. For purposes of RCW 43.88.055(4), the transfer in this section does not alter the requirement to balance in ensuing biennia.

NEW SECTION. Sec. 2. FOR THE DISASTER RESPONSE ACCOUNT. During the 2017-19 fiscal biennium, the treasurer must transfer the sum of \$19,000,000 from the budget stabilization account to the disaster response account. This amount is provided solely for disaster response and recovery efforts. For purposes of RCW 43.88.055(4), the transfer in this section does not alter the requirement to balance in ensuing biennia.

NEW SECTION. Sec. 3. FOR THE WASHINGTON STATE PATROL-FIRES. The sum of \$14,500,000, or as much thereof as may be necessary, is appropriated from the budget stabilization account for the fiscal year ending June 30, 2017, and is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964 for wildfires. For purposes of RCW 43.88.055(4), the appropriation in this section does not alter the requirement to balance in ensuing biennia.

NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF NATURAL RESOURCES-FIRES. The sum of \$23,622,000 is appropriated from the budget stabilization account for the fiscal year ending June 30, 2017, and is provided solely for fire suppression costs incurred by the department of natural resources during the 2016 fire season. For purposes of RCW 43.88.055(4), the appropriation in this section does not alter the requirement to balance in ensuing biennia.

Sec. 5. RCW 43.79.496 and 2015 3rd sp.s. c 2 s 1 are each amended to read as follows:

(1) By June 30, 2015, the treasurer shall transfer into the state general fund the entire budget stabilization account deposit for the 2013-2015 fiscal biennium that is attributable to extraordinary revenue growth, not to exceed fifty million dollars.

(2) ~~((During the 2015-2017 fiscal biennium, the treasurer shall transfer into the state general fund the entire~~

~~budget stabilization account deposit for the 2015-2017 fiscal biennium that is attributable to extraordinary revenue growth, not to exceed seventy-five million dollars.~~

~~(3))~~ During the 2017-2019 fiscal biennium, the treasurer shall transfer into the state general fund the entire budget stabilization account deposit for the 2017-2019 fiscal biennium that is attributable to extraordinary revenue growth, not to exceed ~~((five hundred fifty million))~~ one billion seventy-eight million dollars.

~~((4))~~ (3) For purposes of RCW 43.88.055(4), the transfers in this section do not alter the requirement to balance in ensuing biennia.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Ormsby and Chandler spoke in favor of the adoption of the striking amendment (635).

Amendment (635) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby and Chandler spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Griffey, Representatives Hargrove, Hayes and Holy were excused.

On motion of Representative Riccelli, Representative Morris was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2190.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2190, and the bill passed the House by the following vote: Yeas, 90; Nays, 4; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Fey,

Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, Orcutt, Pike and Rodne.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

ENGROSSED HOUSE BILL NO. 2190, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 1042, by Representatives Springer, Harris, Jinkins, Fitzgibbon, Tharinger and Sawyer

Eliminating the office of the insurance commissioner's school district or educational service district annual report.

The bill was read the third time.

Representatives Springer and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1042.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1042, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van

Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy and Morris.

HOUSE BILL NO. 1042, having received the necessary constitutional majority, was declared passed.

There being no objection, HOUSE BILL NO. 1042 was immediately transmitted to the Senate.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1624
HOUSE BILL NO. 1716
SENATE BILL NO. 5252
ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5254
ENGROSSED SUBSTITUTE SENATE BILL NO.
5303
THIRD ENGROSSED SENATE BILL NO. 5517
ENGROSSED SENATE BILL NO. 5646
SUBSTITUTE SENATE BILL NO. 5901
SENATE BILL NO. 5969

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Judiciary was relieved of ENGROSSED SENATE BILL NO. 5316 and the bill was placed on the second reading calendar:

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5976,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection, SENATE BILL NO. 5976 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5898,
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5898 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1597,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1677,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1777,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2017

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5252,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5254,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5303,
SUBSTITUTE SENATE BILL NO. 5901,
SENATE BILL NO. 5969,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5890, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Braun and Rolfes)

Concerning foster care and adoption support. (REVISED FOR ENGROSSED: Concerning child welfare, foster care, and adoption support.) Revised for 1st Substitute: Concerning foster care and adoption support.

The bill was read the second time.

Representative Kagi moved the adoption of the striking amendment (637):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.13.270 and 1990 c 284 s 8 are each amended to read as follows:

(1) The legislature recognizes the need for temporary short-term relief for foster parents who care for children with emotional, mental, or physical handicaps. For purposes of this section, respite care means appropriate, temporary, short-term care for these foster children placed with licensed foster parents. The purpose of this care is to give the foster parents temporary relief from the stresses associated with the care of these foster children. The department shall design a program of respite care that will minimize disruptions to the child and will serve foster parents within these priorities, based on input from foster parents, foster parent associations, and reliable research if available.

(2) (a) For the purposes of this section, and subject to funding appropriated specifically for this purpose, short-term support shall include case aides who provide temporary assistance to foster parents as needed with the overall goal of supporting the parental efforts of the foster parents except that this assistance shall not include overnight assistance. The department shall contract with nonprofit community-based organizations in each region to establish a statewide pool of individuals to provide the support described in this subsection. These individuals shall be hired by the nonprofit community-based organization

and shall have the appropriate training, background checks, and qualifications as determined by the department. Short-term support as described in this subsection shall be available to all licensed foster parents in the state as funding is available and shall be phased in by geographic region. To obtain the assistance of a case aide for this purpose, the foster parent may request the services from the nonprofit community-based organization and the nonprofit community-based organization may offer assistance to licensed foster families. If the requests for the short-term support provided in this subsection exceed the funding available, the nonprofit community-based organization shall have discretion to determine the assignment of case aides. The nonprofit community-based organization shall report all short-term support provided under this subsection to the department.

(b) Subject to funding appropriated specifically for this purpose, the Washington state institute for public policy shall prepare an outcome evaluation of the short-term support described in this subsection. The evaluation will, to the maximum extent possible, assess the impact of the short-term support services described in this subsection on the retention of foster homes and the number of placements a foster child receives while in out-of-home care as well as the return on investment to the state. The institute shall submit a preliminary report to the appropriate committees of the legislature and the governor by December 1, 2018, that describes the initial implementation of these services and descriptive statistics of the families utilizing these services. A final report shall be submitted to the appropriate committees of the legislature by June 30, 2020. At no cost to the institute, the department shall provide all data necessary to discharge this duty.

(c) Costs associated with case aides as described in this subsection shall not be included in the forecast.

(d) Pursuant to RCW 41.06.142(3), performance-based contracting under (a) of this subsection is expressly mandated by the legislature and is not subject to the processes set forth in RCW 41.06.142 (1), (4), and (5).

NEW SECTION. Sec. 2. (1) No later than December 31, 2017, the department of social and health services, in consultation with stakeholders, including

child placing agencies, foster parents, foster care advocates, and biological parents shall identify a system of support services to be provided to foster parents to assist foster parents in their parental efforts with foster children and a plan to implement these support services statewide, which may include contracts with community-based organizations.

(2) For the purpose of this section, "support services" shall include, but shall not be limited to, counseling, educational assistance, respite care, and hands-on assistance for children with high-risk behaviors.

(3) The department of social and health services shall submit the final plan, which shall include estimated costs to implement these support services and recommendations for implementing these support services in a phased-in manner to the appropriate committees and the legislature no later than January 15, 2018.

(4) This section expires February 1, 2018.

NEW SECTION. Sec. 3. (1) No later than December 31, 2017, the office of innovation, alignment, and accountability, in consultation with stakeholders, including child placing agencies, foster parents, foster care advocates, and biological parents shall identify a system of support services to be provided to foster parents to assist foster parents in their parental efforts with foster children and a plan to implement these support services statewide, which may include contracts with community-based organizations.

(2) For the purpose of this section, "support services" shall include, but shall not be limited to, counseling, educational assistance, respite care, and hands-on assistance for children with high-risk behaviors.

(3) The office of innovation, alignment, and accountability shall submit the final plan, which shall include estimated costs to implement these support services and recommendations for implementing these support services in a phased-in manner to the appropriate committees of the legislature no later than January 15, 2018.

(4) This section expires February 1, 2018.

NEW SECTION. Sec. 4. A new section is added to chapter 74.15 RCW to read as follows:

(1) The department shall design and implement an expedited foster licensing process.

(2) The expedited foster licensing process described in this section shall be available to individuals who:

(a) Were licensed within the last five years;

(b) Were not the subject of an adverse licensing action or a voluntary relinquishment;

(c) Seek licensure for the same residence for which he or she was previously licensed provided that any changes to family constellation since the previous license is limited to individuals leaving the family constellation; and

(d) Apply to the same agency for which he or she was previously licensed, with the understanding that the agency must be agreeable to supervise the home.

(3) The department shall make every effort to ensure that individuals qualifying for and seeking an expedited license are able to become licensed within forty days of the department receiving his or her application.

(4) The department shall only issue a foster license pursuant to this section after receiving a completed fingerprint-based background check, and may delay issuance of an expedited license solely based on awaiting the results of a background check.

(5) The department may issue a provisional expedited license pursuant to this section before completing a home study, but shall complete the home study as soon as possible after issuing a provisional expedited license.

(6) The department and its officers, agents, employees, and volunteers are not liable for injuries caused by the expedited foster licensing process.

Sec. 5. RCW 43.43.832 and 2012 c 44 s 2 and 2012 c 10 s 41 are each reenacted and amended to read as follows:

(1) The Washington state patrol identification and criminal history section shall disclose conviction records as follows:

(a) An applicant's conviction record, upon the request of a business or organization as defined in RCW 43.43.830, a developmentally disabled person, or a vulnerable adult as defined in RCW 43.43.830 or his or her guardian;

(b) The conviction record of an applicant for certification, upon the request of the Washington professional educator standards board;

(c) Any conviction record to aid in the investigation and prosecution of child, developmentally disabled person, and vulnerable adult abuse cases and to protect children and adults from further incidents of abuse, upon the request of a law enforcement agency, the office of the attorney general, prosecuting authority, or the department of social and health services; and

(d) A prospective client's or resident's conviction record, upon the request of a business or organization that qualifies for exemption under section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)) and that provides emergency shelter or transitional housing for children, persons with developmental disabilities, or vulnerable adults.

(2) The secretary of the department of social and health services must establish rules and set standards to require specific action when considering the information received pursuant to subsection (1) of this section, and when considering additional information including but not limited to civil adjudication proceedings as defined in RCW 43.43.830 and any out-of-state equivalent, in the following circumstances:

(a) When considering persons for state employment in positions directly responsible for the supervision, care, or treatment of children, vulnerable adults, or individuals with mental illness or developmental disabilities provided that: For persons residing in a home that will be utilized to provide foster care for dependent youth, a criminal background check will be required for all persons aged sixteen and older and the department of social and health services may require a criminal background check for persons who are younger than sixteen in situations where it may be warranted to ensure the safety of youth in foster care;

(b) When considering persons for state positions involving unsupervised access to vulnerable adults to conduct comprehensive

assessments, financial eligibility determinations, licensing and certification activities, investigations, surveys, or case management; or for state positions otherwise required by federal law to meet employment standards;

(c) When licensing agencies or facilities with individuals in positions directly responsible for the care, supervision, or treatment of children, developmentally disabled persons, or vulnerable adults, including but not limited to agencies or facilities licensed under chapter 74.15 or 18.51 RCW;

(d) When contracting with individuals or businesses or organizations for the care, supervision, case management, or treatment, including peer counseling, of children, developmentally disabled persons, or vulnerable adults, including but not limited to services contracted for under chapter 18.20, 70.127, 70.128, 72.36, or 74.39A RCW or Title 71A RCW;

(e) When individual providers are paid by the state or providers are paid by home care agencies to provide in-home services involving unsupervised access to persons with physical, mental, or developmental disabilities or mental illness, or to vulnerable adults as defined in chapter 74.34 RCW, including but not limited to services provided under chapter 74.39 or 74.39A RCW.

(3) The director of the department of early learning shall investigate the conviction records, pending charges, and other information including civil adjudication proceeding records of current employees and of any person actively being considered for any position with the department who will or may have unsupervised access to children, or for state positions otherwise required by federal law to meet employment standards. "Considered for any position" includes decisions about (a) initial hiring, layoffs, reallocations, transfers, promotions, or demotions, or (b) other decisions that result in an individual being in a position that will or may have unsupervised access to children as an employee, an intern, or a volunteer.

(4) The director of the department of early learning shall adopt rules and investigate conviction records, pending charges, and other information including civil adjudication proceeding records, in the following circumstances:

(a) When licensing or certifying agencies with individuals in positions

that will or may have unsupervised access to children who are in child day care, in early learning programs, or receiving early childhood education services, including but not limited to licensees, agency staff, interns, volunteers, contracted providers, and persons living on the premises who are sixteen years of age or older;

(b) When authorizing individuals who will or may have unsupervised access to children who are in child day care, in early learning programs, or receiving early childhood learning education services in licensed or certified agencies, including but not limited to licensees, agency staff, interns, volunteers, contracted providers, and persons living on the premises who are sixteen years of age or older;

(c) When contracting with any business or organization for activities that will or may have unsupervised access to children who are in child day care, in early learning programs, or receiving early childhood learning education services;

(d) When establishing the eligibility criteria for individual providers to receive state paid subsidies to provide child day care or early learning services that will or may involve unsupervised access to children.

(5) Whenever a state conviction record check is required by state law, persons may be employed or engaged as volunteers or independent contractors on a conditional basis pending completion of the state background investigation. Whenever a national criminal record check through the federal bureau of investigation is required by state law, a person may be employed or engaged as a volunteer or independent contractor on a conditional basis pending completion of the national check. The Washington personnel resources board shall adopt rules to accomplish the purposes of this subsection as it applies to state employees.

(6)(a) For purposes of facilitating timely access to criminal background information and to reasonably minimize the number of requests made under this section, recognizing that certain health care providers change employment frequently, health care facilities may, upon request from another health care facility, share copies of completed criminal background inquiry information.

(b) Completed criminal background inquiry information may be shared by a willing health care facility only if the following conditions are satisfied: The licensed health care facility sharing the criminal background inquiry information is reasonably known to be the person's most recent employer, no more than twelve months has elapsed from the date the person was last employed at a licensed health care facility to the date of their current employment application, and the criminal background information is no more than two years old.

(c) If criminal background inquiry information is shared, the health care facility employing the subject of the inquiry must require the applicant to sign a disclosure statement indicating that there has been no conviction or finding as described in RCW 43.43.842 since the completion date of the most recent criminal background inquiry.

(d) Any health care facility that knows or has reason to believe that an applicant has or may have a disqualifying conviction or finding as described in RCW 43.43.842, subsequent to the completion date of their most recent criminal background inquiry, shall be prohibited from relying on the applicant's previous employer's criminal background inquiry information. A new criminal background inquiry shall be requested pursuant to RCW 43.43.830 through 43.43.842.

(e) Health care facilities that share criminal background inquiry information shall be immune from any claim of defamation, invasion of privacy, negligence, or any other claim in connection with any dissemination of this information in accordance with this subsection.

(f) Health care facilities shall transmit and receive the criminal background inquiry information in a manner that reasonably protects the subject's rights to privacy and confidentiality.

NEW SECTION. Sec. 6. A new section is added to chapter 13.34 RCW to read as follows:

(1) Within the department's appropriations, the department shall ensure that a case review panel reviews cases involving dependent children where permanency is not achieved for children within eighteen months after being placed in out-of-home care.

(2) The case review panel shall be comprised of, at a minimum, a lead social services specialist and either the office of the family and children's ombuds or another external organization with child welfare experience.

(3) Beginning September 1, 2018, the panel shall review all cases where, after the effective date of this section, a dependent child reaches eighteen months in out-of-home placement and has not achieved permanency. This review must occur by the child's nineteenth month in out-of-home placement. At each case review, the panel must develop a plan of action, including recommended next steps for the department to take, to achieve permanency.

(4) The department is encouraged to convene the case review panel regularly to review other cases involving dependent children as needed to ensure stability and permanency is achieved and length of stay for children in out-of-home placement is reduced.

Sec. 7. RCW 74.13.031 and 2015 c 240 s 3 are each amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or

exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) As provided in RCW 26.44.030(11), the department may respond to a report of child abuse or neglect by using the family assessment response.

(5) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(6) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with

children and caregivers to whom it is providing child welfare services.

(7) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(8) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(9) The department and supervising agency shall have authority to purchase care for children.

(10) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(11) (a) The department and supervising agencies shall provide continued extended foster care services to nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program;

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program;

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment;

(iv) Engaged in employment for eighty hours or more per month; or

(v) Not able to engage in any of the activities described in (a)(i) through (iv) of this subsection due to a documented medical condition.

(b) To be eligible for extended foster care services, the nonminor dependent must have been dependent and in foster care at the time that he or she reached age eighteen years. If the dependency case of the nonminor dependent was dismissed pursuant to RCW 13.34.267, he or she may receive extended foster care services pursuant to a voluntary placement agreement under RCW 74.13.336 or pursuant to an order of dependency issued by the court under RCW 13.34.268. A nonminor dependent whose dependency case was dismissed by the court must have requested extended foster care services before reaching age nineteen years.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(d) The department shall make efforts to ensure that extended foster care services maximize medicaid reimbursements. This must include the department ensuring that health and mental health extended foster care providers participate in medicaid, unless the condition of the extended foster care youth requires specialty care that is not available among participating medicaid providers or there are no participating medicaid providers in the area. The department shall coordinate other services to maximize federal resources and the most cost-efficient delivery of services to extended foster care youth.

(12) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (11) of this section.

(13) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be

referred to the division of child support unless required by federal law.

(14) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order. The purchase of such care is exempt from the requirements of chapter 74.13B RCW and may be purchased from the federally recognized Indian tribe or tribally licensed child-placing agency, and shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 (~~and 74.13.032 through~~), 43.185C.295, 74.13.035, and 74.13.036, or of this section all services to be provided by the department under subsections (4), (7), and (8) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(15) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(16) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-one years of age who are or have been in foster care.

(17) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens

services for the protection of children. Consultation shall occur at the regional and statewide levels.

(18)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

(19) The department shall have the authority to purchase legal representation for parents of children who are at risk of being dependent, or who are dependent, to establish or modify a parenting plan under chapter 26.09 or 26.26 RCW, when it is necessary for the child's safety, permanence, or well-being. This subsection does not create an entitlement to legal representation purchased by the department and does not create judicial authority to order the department to purchase legal representation for a parent. Such determinations are solely within the department's discretion.

Sec. 8. RCW 74.13A.025 and 2013 c 23 s 210 are each amended to read as follows:

The factors to be considered by the secretary in setting the amount of any payment or payments to be made pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080 and in adjusting standards hereunder shall include: The size of the family including the adoptive child, the usual living expenses of the family, the special needs of any family member including education needs, the family income, the family resources and plan for

savings, the medical and hospitalization needs of the family, the family's means of purchasing or otherwise receiving such care, and any other expenses likely to be needed by the child to be adopted. In setting the amount of any initial payment made pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080, the secretary is authorized to establish maximum payment amounts that are reasonable and allow permanency planning goals related to adoption of children under RCW 13.34.145 to be achieved at the earliest possible date. To encourage adoption of children between the ages of fourteen and eighteen, and in particular those children between the ages of fourteen and eighteen who are hard to place for adoption, the secretary is authorized to include as part of any new negotiated adoption agreement executed after the effective date of this section continued eligibility for the Washington college bound scholarship pursuant to RCW 28B.118.010.

The amounts paid for the support of a child pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080 may vary from family to family and from year to year. Due to changes in economic circumstances or the needs of the child such payments may be discontinued and later resumed.

Payments under RCW 26.33.320 and 74.13A.005 through 74.13A.080 may be continued by the secretary subject to review as provided for herein, if such parent or parents having such child in their custody establish their residence in another state or a foreign jurisdiction.

In fixing the standards to govern the amount and character of payments to be made for the support of adopted children pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080 and before issuing rules and regulations to carry out the provisions of RCW 26.33.320 and 74.13A.005 through 74.13A.080, the secretary shall consider the comments and recommendations of the committee designated by the secretary to advise him or her with respect to child welfare.

Sec. 9. RCW 74.13A.030 and 1996 c 130 s 2 are each amended to read as follows:

To carry out the program authorized by RCW 26.33.320 and ((74.13.100 through 74.13.145)) 74.13A.005 through 74.13A.080, the secretary may make continuing payments or lump sum payments of adoption support. In lieu of continuing

payments, or in addition to them, the secretary may make one or more specific lump sum payments for or on behalf of a hard to place child either to the adoptive parents or directly to other persons to assist in correcting any condition causing such child to be hard to place for adoption.

Consistent with a particular child's needs, continuing adoption support payments shall include, if necessary to facilitate or support the adoption of a special needs child, an amount sufficient to remove any reasonable financial barrier to adoption as determined by the secretary under RCW (~~74.13.112~~) 74.13A.025.

After determination by the secretary of the amount of a payment or the initial amount of continuing payments, the prospective parent or parents who desire such support shall sign an agreement with the secretary providing for the payment, in the manner and at the time or times prescribed in regulations to be issued by the secretary subject to the provisions of RCW 26.33.320 and (~~74.13.100 through 74.13.145~~) 74.13A.005 through 74.13A.080, of the amount or amounts of support so determined.

Payments shall be subject to review as provided in RCW 26.33.320 and (~~74.13.100 through 74.13.145~~) 74.13A.005 through 74.13A.080.

Sec. 10. RCW 74.13A.047 and 2012 c 147 s 2 are each amended to read as follows:

(1) To ensure expenditures continue to remain within available funds as required by RCW 74.13A.005 and 74.13A.020, the secretary shall not set the amount of any adoption assistance payment or payments, made pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080, to more than eighty percent of the foster care maintenance payment for that child had he or she remained in a foster family home during the same period. This subsection applies prospectively to adoption assistance agreements established on or after July 1, 2013, through June 30, 2017.

(2)(a) To ensure expenditures continue to remain within available funds as required by RCW 74.13A.005 and 74.13A.020, the secretary shall not set the amount of any adoption assistance payment or payments, made pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080, to more than the following:

(i) For a child under the age of five, no more than eighty percent of the foster

care maintenance payment for that child had he or she remained in a foster family home during the same period.

(ii) For a child aged five through nine, no more than ninety percent of the foster care maintenance payment for that child had he or she remained in a foster family home during the same period.

(iii) For a child aged ten through eighteen, no more than ninety-five percent of the foster care maintenance payment for that child had he or she remained in a foster family home during the same period.

(b) This subsection applies prospectively to adoption assistance agreements established on or after the effective date of this section.

(3) The department must establish a central unit of adoption support negotiators to help ensure consistent negotiation of adoption support agreements that will balance the needs of adoptive families with the state's need to remain fiscally responsible.

~~((3))~~ (4) The department must request, in writing, that adoptive families with existing adoption support contracts renegotiate their contracts to establish lower adoption assistance payments if it is fiscally feasible for the family to do so. The department shall explain that adoption support contracts may be renegotiated as needs arise.

Sec. 11. RCW 28B.118.010 and 2015 3rd sp.s. c 36 s 8 are each amended to read as follows:

The office of student financial assistance shall design the Washington college bound scholarship program in accordance with this section and in alignment with the state need grant program in chapter 28B.92 RCW unless otherwise provided in this section.

(1) "Eligible students" are those students who:

(a) Qualify for free or reduced-price lunches. If a student qualifies in the seventh grade, the student remains eligible even if the student does not receive free or reduced-price lunches thereafter; ~~((e))~~

(b) Are dependent pursuant to chapter 13.34 RCW and:

(i) In grade seven through twelve; or

(ii) Are between the ages of eighteen and twenty-one and have not graduated from high school; or

(c) Were dependent pursuant to chapter 13.34 RCW and were adopted between the ages of fourteen and eighteen with a negotiated adoption agreement that includes continued eligibility for the Washington state college bound scholarship program pursuant to RCW 74.13A.025.

(2) Eligible students shall be notified of their eligibility for the Washington college bound scholarship program beginning in their seventh grade year. Students shall also be notified of the requirements for award of the scholarship.

(3) (a) To be eligible for a Washington college bound scholarship, a student eligible under subsection (1) (a) of this section must sign a pledge during seventh or eighth grade that includes a commitment to graduate from high school with at least a C average and with no felony convictions. The pledge must be witnessed by a parent or guardian and forwarded to the office of student financial assistance by mail or electronically, as indicated on the pledge form.

(b) A student eligible under subsection (1) (b) of this section shall be automatically enrolled, with no action necessary by the student or the student's family, and the enrollment form must be forwarded by the department of social and health services to the higher education coordinating board or its successor by mail or electronically, as indicated on the form.

(4) (a) Scholarships shall be awarded to eligible students graduating from public high schools, approved private high schools under chapter 28A.195 RCW, or who received home-based instruction under chapter 28A.200 RCW.

(b) (i) To receive the Washington college bound scholarship, a student must graduate with at least a "C" average from a public high school or an approved private high school under chapter 28A.195 RCW in Washington or have received home-based instruction under chapter 28A.200 RCW, must have no felony convictions, and must be a resident student as defined in RCW 28B.15.012(2) (a) through (d).

(ii) For eligible children as defined in subsection (1) (b) and (c) of this section, to receive the Washington college bound scholarship, a student must have received a high school equivalency

certificate as provided in RCW 28B.50.536 or have graduated with at least a "C" average from a public high school or an approved private high school under chapter 28A.195 RCW in Washington or have received home-based instruction under chapter 28A.200 RCW, must have no felony convictions, and must be a resident student as defined in RCW 28B.15.012(2) (a) through (d).

For a student who does not meet the "C" average requirement, and who completes fewer than two quarters in the running start program, under chapter 28A.600 RCW, the student's first quarter of running start course grades must be excluded from the student's overall grade point average for purposes of determining their eligibility to receive the scholarship.

(5) A student's family income will be assessed upon graduation before awarding the scholarship.

(6) If at graduation from high school the student's family income does not exceed sixty-five percent of the state median family income, scholarship award amounts shall be as provided in this section.

(a) For students attending two or four-year institutions of higher education as defined in RCW 28B.10.016, the value of the award shall be (i) the difference between the student's tuition and required fees, less the value of any state-funded grant, scholarship, or waiver assistance the student receives; (ii) plus five hundred dollars for books and materials.

(b) For students attending private four-year institutions of higher education in Washington, the award amount shall be the representative average of awards granted to students in public research universities in Washington or the representative average of awards granted to students in public research universities in Washington in the 2014-15 academic year, whichever is greater.

(c) For students attending private vocational schools in Washington, the award amount shall be the representative average of awards granted to students in public community and technical colleges in Washington or the representative average of awards granted to students in public community and technical colleges in Washington in the 2014-15 academic year, whichever is greater.

(7) Recipients may receive no more than four full-time years' worth of scholarship awards.

(8) Institutions of higher education shall award the student all need-based and merit-based financial aid for which the student would otherwise qualify. The Washington college bound scholarship is intended to replace unmet need, loans, and, at the student's option, work-study award before any other grants or scholarships are reduced.

(9) The first scholarships shall be awarded to students graduating in 2012.

(10) The state of Washington retains legal ownership of tuition units awarded as scholarships under this chapter until the tuition units are redeemed. These tuition units shall remain separately held from any tuition units owned under chapter 28B.95 RCW by a Washington college bound scholarship recipient.

(11) The scholarship award must be used within five years of receipt. Any unused scholarship tuition units revert to the Washington college bound scholarship account.

(12) Should the recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the scholarship tuition units shall revert to the Washington college bound scholarship account.

NEW SECTION. Sec. 12. A new section is added to chapter 41.04 RCW to read as follows:

(1) The foster parent shared leave pool is created to allow employees to donate leave to be used as shared leave for any employee who is a foster parent needing to care for or preparing to accept a foster child in their home. Participation in the pool shall, at all times, be voluntary on the part of the employee. The department of social and health services, in consultation with the office of financial management, shall administer the foster parent shared leave pool.

(2) Employees, as defined in RCW 41.04.655, may donate leave to the foster parent shared leave pool.

(3) An employee, as defined in RCW 41.04.655, who is also a foster parent licensed pursuant to RCW 74.15.040 may request shared leave from the foster parent shared leave pool.

(4) Shared leave under this section may not be granted unless the pool has a sufficient balance to fund the requested shared leave.

(5) Shared leave paid under this section must not exceed the level of the employee's state monthly salary.

(6) Any leave donated must be removed from the personally accumulated leave balance of the employee donating the leave.

(7) An employee who receives shared leave from the pool is not required to recontribute such leave to the pool, except as otherwise provided in this section.

(8) Leave that may be donated or received by any one employee shall be calculated as in RCW 41.04.665.

(9) As used in this section, "monthly salary" includes monthly salary and special pay and shift differential, or the monthly equivalent for hourly employees. "Monthly salary" does not include:

- (a) Overtime pay;
- (b) Call back pay;
- (c) Standby pay; or
- (d) Performance bonuses.

(10) The office of financial management, in consultation with the department of social and health services, shall adopt rules and policies governing the donation and use of shared leave from the foster parent shared leave pool, including definitions of pay and allowances and guidelines for agencies to use in recordkeeping concerning shared leave.

(11) Agencies must investigate any alleged abuse of the foster parent shared leave pool and on a finding of wrongdoing, the employee may be required to repay all of the shared leave received from the foster parent shared leave pool.

(12) Higher education institutions shall adopt policies consistent with the needs of the employees under their respective jurisdictions.

NEW SECTION. Sec. 13. A new section is added to chapter 43.06 RCW to read as follows:

Within the office of the governor's appropriations, the governor shall regularly acknowledge the contributions of foster parents to the state of Washington

with, at a minimum, a letter signed by the governor. The department of social and health services shall provide to the office of the governor all data necessary to discharge this duty.

NEW SECTION. Sec. 14. A new section is added to chapter 74.13 RCW to read as follows:

(1) The child welfare system improvement account is created in the state treasury. Moneys in the account may be spent only after appropriation. Moneys in the account may be expended solely for the following: (a) Foster home licensing; (b) achieving permanency for children; (c) support and assistance provided to foster parents in order to improve foster home retention and stability of placements; (d) improving and increasing placement options for youth in out-of-home care; and (e) preventing out-of-home placement.

(2) Revenues to the child welfare system improvement account consist of: (a) Legislative appropriations; and (b) any other public or private funds appropriated to or deposited in the account.

NEW SECTION. Sec. 15. RCW 74.13.107 (Child and family reinvestment account—Methodology for calculating savings resulting from reductions in foster care caseloads and per capita costs) and 2013 c 332 s 12 & 2012 c 204 s 2 are each repealed.

NEW SECTION. Sec. 16. RCW 74.12.037 (Income eligibility—Unearned income exemption) and 2014 c 75 s 1 & 2011 1st sp.s. c 42 s 4 are each repealed, effective July 1, 2018.

NEW SECTION. Sec. 17. The following acts or parts of acts are repealed:

(1) RCW 43.131.415 (Child and family reinvestment account and methodology for calculating savings—Termination) and 2012 c 204 s 4; and

(2) RCW 43.131.416 (Child and family reinvestment account and methodology for calculating savings—Repeal) and 2013 c 332 s 13 & 2012 c 204 s 5.

NEW SECTION. Sec. 18. Any residual balance of funds remaining in the child and family reinvestment account repealed by section 17 of this act must be transferred to the general fund.

NEW SECTION. Sec. 19. Pursuant to RCW 41.06.142(3), the competitive procurement process and contract provisions in this act are expressly mandated by the

legislature and are not subject to the processes of RCW 41.06.142 (1), (4), and (5).

NEW SECTION. Sec. 20. Section 17 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2017.

NEW SECTION. Sec. 21. Section 18 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2017.

NEW SECTION. Sec. 22. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 23. If any part of this act is found to be in conflict with P.L. 95-608 Indian Child Welfare Act of 1978 or federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements of P.L. 95-608 Indian Child Welfare Act of 1978 and federal requirements that are a necessary condition to the receipt of federal funds by the state.

Sec. 24. RCW 26.44.030 and 2017 c 118 s 1 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of early learning, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, state family and children's ombuds or any volunteer in the ombuds's office, or host home program has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such

incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1) (b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Organization" includes a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity, other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

(iii) "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

(iv) "Regularly exercises supervisory authority" means to act in his or her

official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11 and 13 RCW and this title, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees, including student employees, of institutions of higher education, as defined in RCW 28B.10.016, and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report

must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency, including military law enforcement, if appropriate. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency

shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute.

Violation of this subsection is a misdemeanor.

(10) Upon receiving a report of alleged abuse or neglect, the department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which:

(a) The department believes there is a serious threat of substantial harm to the child;

(b) The report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or

(c) The department has a prior founded report of abuse or neglect with regard to a member of the household that is within three years of receipt of the referral.

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

(i) Investigation; or

(ii) Family assessment.

(b) In making the response in (a) of this subsection the department shall:

(i) Use a method by which to assign cases to investigation or family assessment which are based on an array of factors that may include the presence of: Imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim. Age of the alleged victim shall not be used as the sole criterion for determining case assignment;

(ii) Allow for a change in response assignment based on new information that alters risk or safety level;

(iii) Allow families assigned to family assessment to choose to receive an investigation rather than a family assessment;

(iv) Provide a full investigation if a family refuses the initial family assessment;

(v) Provide voluntary services to families based on the results of the initial family assessment. If a family refuses voluntary services, and the department cannot identify specific facts related to risk or safety that warrant assignment to investigation under this chapter, and there is not a history of reports of child abuse or neglect related to the family, then the department must close the family assessment response case. However, if at any time the department identifies risk or safety factors that warrant an investigation under this chapter, then the family assessment response case must be reassigned to investigation;

(vi) Conduct an investigation, and not a family assessment, in response to an allegation that, the department determines based on the intake assessment:

(A) Poses a risk of "imminent harm" consistent with the definition provided in RCW 13.34.050, which includes, but is not limited to, sexual abuse and sexual exploitation as defined in this chapter;

(B) Poses a serious threat of substantial harm to a child;

(C) Constitutes conduct involving a criminal offense that has, or is about to occur, in which the child is the victim;

(D) The child is an abandoned child as defined in RCW 13.34.030;

(E) The child is an adjudicated dependent child as defined in RCW 13.34.030, or the child is in a facility that is licensed, operated, or certified for care of children by the department under chapter 74.15 RCW, or by the department of early learning.

(c) The department may not be held civilly liable for the decision to respond to an allegation of child abuse or neglect by using the family assessment response under this section unless the state or its officers, agents, or employees acted with reckless disregard.

(12)(a) For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within time frames established by the department in rule. In no case shall the investigation extend longer than ninety days from the date the report is received,

unless the investigation is being conducted under a written protocol pursuant to RCW 26.44.180 and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary. At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded.

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

(13) For reports of alleged abuse or neglect that are responded to through family assessment response, the department shall:

(a) Provide the family with a written explanation of the procedure for assessment of the child and the family and its purposes;

(b) Collaborate with the family to identify family strengths, resources, and service needs, and develop a service plan with the goal of reducing risk of harm to the child and improving or restoring family well-being;

(c) Complete the family assessment response within forty-five days of receiving the report; however, upon parental agreement, the family assessment response period may be extended up to ninety days;

(d) Offer services to the family in a manner that makes it clear that acceptance of the services is voluntary;

(e) Implement the family assessment response in a consistent and cooperative manner;

(f) Have the parent or guardian (~~sign an agreement~~) agree to participate in services before services are initiated (~~that~~). The department shall inform(~~the~~) the parents of their rights under family assessment response, all of their options, and the options the department has if the parents do not (~~sign the consent form~~) agree to participate in services.

(14) (a) In conducting an investigation or family assessment of alleged abuse or neglect, the department or law enforcement agency:

(i) May interview children. If the department determines that the response to the allegation will be family assessment response, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the child interview unless doing so would compromise the safety of the child or the integrity of the assessment. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. If the allegation is investigated, parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

(ii) Shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(b) The Washington state school directors' association shall adopt a model policy addressing protocols when an interview, as authorized by this subsection, is conducted on school premises. In formulating its policy, the association shall consult with the department and the Washington association of sheriffs and police chiefs.

(15) If a report of alleged abuse or neglect is founded and constitutes the third founded report received by the department within the last twelve months involving the same child or family, the department shall promptly notify the office of the family and children's ombuds of the contents of the report. The department shall also notify the ombuds of the disposition of the report.

(16) In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

(17) (a) The department shall maintain investigation records and conduct timely and periodic reviews of all founded cases of abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(b) In the family assessment response, the department shall not make a finding as to whether child abuse or neglect occurred. No one shall be named as a perpetrator and no investigative finding shall be entered in the department's child abuse or neglect database.

(18) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor.

(19) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(20) Upon receiving a report of alleged abuse or neglect involving a child under the court's jurisdiction under chapter 13.34 RCW, the department shall promptly notify the child's guardian ad litem of the report's contents. The department shall also notify the guardian ad litem of the disposition of the report. For purposes of this subsection, "guardian ad litem" has the meaning provided in RCW 13.34.030.

(21) The department shall make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the department determines that a parent or guardian is in the military, the department shall notify a department of defense family advocacy program that there is an allegation of abuse and neglect that is screened in and open for investigation that relates to that military parent or guardian.

(22) The department shall make available on its public web site a downloadable and printable poster that includes the reporting requirements included in this section. The poster must be no smaller than eight and one-half by eleven inches with all information on one side. The poster must be made available in both the English and Spanish languages. Organizations that include employees or

volunteers subject to the reporting requirements of this section must clearly display this poster in a common area. At a minimum, this poster must include the following:

(a) Who is required to report child abuse and neglect;

(b) The standard of knowledge to justify a report;

(c) The definition of reportable crimes;

(d) Where to report suspected child abuse and neglect; and

(e) What should be included in a report and the appropriate timing.

NEW SECTION. **Sec. 25.** (1) The department of social and health services, with technical consultation from the caseload forecast council and associated technical work groups, shall review the forecasts of licensed foster care to ensure that all youth in licensed foster care are included in the caseload forecast and that maintenance level costs associated with these youth, not including costs associated with behavioral rehabilitation services, are accurately calculated.

(2) The department of social and health services shall submit a report detailing their findings and any recommendations associated with this review to the governor and the appropriate committees of the legislature no later than December 1, 2017.

(3) This section expires January 1, 2018.

NEW SECTION. **Sec. 26.** Section 2 of this act takes effect only if neither Second Engrossed Second Substitute House Bill No. 1661 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5498 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

NEW SECTION. **Sec. 27.** Section 3 of this act takes effect only if Second Engrossed Second Substitute House Bill No. 1661 (including any later amendments or substitutes) or Substitute Senate Bill No. 5498 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Representative Frame moved the adoption of amendment (640) to the striking amendment (637):

On page 31, after line 24, insert the following:

"**NEW SECTION. Sec. 28.** APPROPRIATIONS FOR THE OFFICE OF CIVIL LEGAL AID.

(1) The sums of \$648,000 from the state general fund for fiscal year 2018 and \$648,000 from the state general fund for fiscal year 2019, or so much thereof as may be necessary, are each appropriated to the office of civil legal aid and are provided solely for the office to provide legal representation for foster children in two counties at the initial shelter care hearing in dependency proceedings prior to termination of parental rights in conjunction with the research assessment authorized in subsection (2) of this section.

(2)(a) The sum of \$75,000, or so much thereof as may be necessary, is appropriated from the state general fund for fiscal year 2019 to the office of civil legal aid and is provided solely for the office to contract with the Washington state center for court research for a statistically reliable assessment of differential outcomes in dependency proceedings prior to termination of parental rights. The assessment must involve a randomized control test or other appropriate research methodology. The center may engage or otherwise associate with other researcher organizations, as appropriate, to help with data design, collection, and analysis. The assessment must compare impacts and outcomes for foster children who receive standards-based legal representation to those who are not represented by an attorney before termination of parental rights. The assessment must focus on dependent children in Grant, Lewis, Douglas, and Whatcom counties. The assessment must quantify differentials, if any, between the experience of children who are represented in the dependency proceeding and those who are not in relation to the following:

(i) The time to achieve permanency and permanency outcomes; and

(ii) Educational, social, or other relevant child welfare indicators as determined relevant by the center including, but not limited to, relevant child welfare indicators identified through consultation with foster children,

youth, and other stakeholders involved in the research assessment.

The assessment must also identify and project cost savings to the state, if any, as a result of providing legal representation for children at the shelter care hearing.

(b) The office of the superintendent of public instruction and the children's administration or a successor agency shall provide, in compliance with the federal family education rights and privacy act, the center with necessary data including necessary personal identifiers. The office of the superintendent of public instruction shall consult with the center to ensure the validity of data elements and the interpretation of results.

(c) The Washington state center for court research shall report its initial findings to the legislature by December 31, 2019. Subject to the availability of amounts appropriated during the 2019-2021 fiscal biennium or obtained from other sources, the center may continue the research assessment through December 31, 2021, and submit a supplemental report to the legislature. The report or reports may not include personal identifiers, or any personally identifiable information, as defined in the federal family educational rights and privacy act.

(d) The office of civil legal aid may apply for and receive grants, donations, or other contributions to help underwrite this research assessment effort."

Representatives Frame and Graves spoke in favor of the adoption of the amendment (640) to the striking amendment (637).

Amendment (640) to the striking amendment (637) was adopted.

Amendment (637), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage, as amended by the House.

Representatives Kagi, Dent and Caldier spoke in favor of the passage of the bill, as amended by the House.

MOTION

On motion of Representative Griffey, Representative Shea was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of

Second Engrossed Substitute Senate Bill No. 5890 as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5890, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5890, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5316, by Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger and Wilson

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

The bill was read the second time.

Representative Jinkins moved the adoption of amendment (623).

Beginning on page 13, line 4, strike all of section 20

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

On page 28, after line 36, insert the following:

"Sec. 45. RCW 47.68.250 and 2016 c 20 s 3 are each amended to read as follows:

SECTION 40 CONFORMING AMENDMENT.

(1) Every aircraft must be registered with the department for each calendar year in which the aircraft is operated or is

based within this state. A fee of fifteen dollars is charged for each such registration and each annual renewal thereof.

(2) Possession of the appropriate effective federal certificate, permit, rating, or license relating to ownership and airworthiness of the aircraft, and payment of the excise tax imposed by Title 82 RCW for the privilege of using the aircraft within this state during the year for which the registration is sought, and payment of the registration fee required by this section are the only requisites for registration of an aircraft under this section.

(3) The registration fee imposed by this section is payable to and collected by the secretary. The fee for any calendar year must be paid during the month of January, and must be collected by the secretary at the time of the collection by him or her of the excise tax. If the secretary is satisfied that the requirements for registration of the aircraft have been met, he or she must issue to the owner of the aircraft a certificate of registration therefor. The secretary must pay to the state treasurer the registration fees collected under this section, which registration fees must be credited to the aeronautics account (~~in the transportation fund~~).

(4) It is not necessary for the registrant to provide the secretary with originals or copies of federal certificates, permits, ratings, or licenses. The secretary must issue certificates of registration, or such other evidences of registration or payment of fees as he or she may deem proper; and in connection therewith may prescribe requirements for the possession and exhibition of such certificates or other evidences.

(5) The provisions of this section do not apply to:

(a) An aircraft owned by and used exclusively in the service of any government or any political subdivision thereof, including the government of the United States, any state, territory, or possession of the United States, or the District of Columbia, which is not engaged in carrying persons or property for commercial purposes;

(b) An aircraft registered under the laws of a foreign country;

(c) An aircraft that is owned by a nonresident if:

(i) The aircraft remains in this state or is based in this state, or both, for a period less than ninety days; or

(ii) The aircraft is a large private airplane as defined in RCW 82.08.215 and remains in this state for a period of ninety days or longer, but only when:

(A) The airplane is in this state exclusively for the purpose of repairs, alterations, or reconstruction, including any flight testing related to the repairs, alterations, or reconstruction, or for the purpose of continual storage of not less than one full calendar year;

(B) An employee of the facility providing these services is on board the airplane during any flight testing; and

(C) Within ninety days of the date the airplane first arrived in this state during the calendar year, the nonresident files a written statement with the department indicating that the airplane is exempt from registration under this subsection (5)(c)(ii). The written statement must be filed in a form and manner prescribed by the department and must include such information as the department requires. The department may require additional periodic verification that the airplane remains exempt from registration under this subsection (5)(c)(ii) and that written statements conform with the provisions of RCW 9A.72.085;

(d) An aircraft engaged principally in commercial flying constituting an act of interstate or foreign commerce;

(e) An aircraft owned by the commercial manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft;

(f) An aircraft being held for sale, exchange, delivery, test, or demonstration purposes solely as stock in trade of an aircraft dealer licensed under Title 14 RCW; and

(g) An aircraft based within the state that is in an unairworthy condition, is not operated within the registration period, and has obtained a written exemption issued by the secretary.

(6) The secretary must be notified within thirty days of any change in ownership of a registered aircraft. The

notification must contain the N, NC, NR, NL, or NX number of the aircraft, the full name and address of the former owner, and the full name and address of the new owner. For failure to so notify the secretary, the registration of that aircraft may be canceled by the secretary, subject to reinstatement upon application and payment of a reinstatement fee of ten dollars by the new owner.

(7) A municipality or port district that owns, operates, or leases an airport, as defined in RCW 47.68.020, with the intent to operate, must require from an aircraft owner proof of aircraft registration as a condition of leasing or selling tiedown or hangar space for an aircraft. It is the responsibility of the lessee or purchaser to register the aircraft. Proof of registration must be provided according to the following schedule:

(a) For the purchase of tiedown or hangar space, the municipality or port district must allow the purchaser thirty days from the date of the application for purchase to produce proof of aircraft registration.

(b) For the lease of tiedown or hangar space that extends thirty days or more, the municipality or port district must allow the lessee thirty days to produce proof of aircraft registration from the date of the application for lease of tiedown or hangar space.

(c) For the lease of tiedown or hangar space that extends less than thirty days, the municipality or port district must allow the lessee to produce proof of aircraft registration at any point prior to the final day of the lease.

(8) The airport must work with the aviation division to assist in its efforts to register aircraft by providing information about based aircraft on an annual basis as requested by the division.

NEW SECTION. **Sec. 46.** Section 45 of this act expires July 1, 2021.

Sec. 47. RCW 47.68.250 and 2016 c 20 s 4 are each amended to read as follows:

SECTION 40 CONFORMING AMENDMENT.

(1) Every aircraft must be registered with the department for each calendar year in which the aircraft is operated or is based within this state. A fee of fifteen dollars is charged for each such registration and each annual renewal thereof.

(2) Possession of the appropriate effective federal certificate, permit, rating, or license relating to ownership and airworthiness of the aircraft, and payment of the excise tax imposed by Title 82 RCW for the privilege of using the aircraft within this state during the year for which the registration is sought, and payment of the registration fee required by this section are the only requisites for registration of an aircraft under this section.

(3) The registration fee imposed by this section is payable to and collected by the secretary. The fee for any calendar year must be paid during the month of January, and collected by the secretary at the time of the collection by him or her of the said excise tax. If the secretary is satisfied that the requirements for registration of the aircraft have been met, he or she must issue to the owner of the aircraft a certificate of registration therefor. The secretary must pay to the state treasurer the registration fees collected under this section, which registration fees must be credited to the aeronautics account ~~((in the transportation fund))~~.

(4) It is not necessary for the registrant to provide the secretary with originals or copies of federal certificates, permits, ratings, or licenses. The secretary must issue certificates of registration, or such other evidences of registration or payment of fees as he or she may deem proper; and in connection therewith may prescribe requirements for the possession and exhibition of such certificates or other evidences.

(5) The provisions of this section do not apply to:

(a) An aircraft owned by and used exclusively in the service of any government or any political subdivision thereof, including the government of the United States, any state, territory, or possession of the United States, or the District of Columbia, which is not engaged in carrying persons or property for commercial purposes;

(b) An aircraft registered under the laws of a foreign country;

(c) An aircraft which is owned by a nonresident and registered in another state. However, if said aircraft remains in and/or ~~(be)~~ is based in this state for a period of ninety days or longer it is not exempt under this section;

(d) An aircraft engaged principally in commercial flying constituting an act of interstate or foreign commerce;

(e) An aircraft owned by the commercial manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft;

(f) An aircraft being held for sale, exchange, delivery, test, or demonstration purposes solely as stock in trade of an aircraft dealer licensed under Title 14 RCW;

(g) An aircraft based within the state that is in an unairworthy condition, is not operated within the registration period, and has obtained a written exemption issued by the secretary.

(6) The secretary must be notified within thirty days of any change in ownership of a registered aircraft. The notification must contain the N, NC, NR, NL, or NX number of the aircraft, the full name and address of the former owner, and the full name and address of the new owner. For failure to so notify the secretary, the registration of that aircraft may be canceled by the secretary, subject to reinstatement upon application and payment of a reinstatement fee of ten dollars by the new owner.

(7) A municipality or port district that owns, operates, or leases an airport, as defined in RCW 47.68.020, with the intent to operate, must require from an aircraft owner proof of aircraft registration as a condition of leasing or selling tiedown or hangar space for an aircraft. It is the responsibility of the lessee or purchaser to register the aircraft. Proof of registration must be provided according to the following schedule:

(a) For the purchase of tiedown or hangar space, the municipality or port district must allow the purchaser thirty days from the date of the application for purchase to produce proof of aircraft registration.

(b) For the lease of tiedown or hangar space that extends thirty days or more, the municipality or port district must allow the lessee thirty days to produce proof of aircraft registration from the date of the application for lease of tiedown or hangar space.

(c) For the lease of tiedown or hangar space that extends less than thirty days,

the municipality or port district must allow the lessee to produce proof of aircraft registration at any point prior to the final day of the lease.

(8) The airport must work with the aviation division to assist in its efforts to register aircraft by providing information about based aircraft on an annual basis as requested by the division.

NEW SECTION. Sec. 48. Section 47 of this act takes effect July 1, 2021.

Sec. 49. RCW 14.20.060 and 1998 c 187 s 2 are each amended to read as follows:

SECTION 40 CONFORMING AMENDMENT.

The fees set forth in RCW 14.20.050 shall be paid to the secretary. The fee for any calendar year may be paid on and after the first day of December of the preceding year. The secretary shall give appropriate receipts therefor. The fees collected under this chapter shall be credited to the aeronautics account (~~(of the transportation fund)~~). The secretary may prescribe requirements for the possession and exhibition of aircraft dealer's licenses and aircraft dealer's certificates.

Sec. 50. RCW 82.44.190 and 1996 c 262 s 2 are each amended to read as follows:

SECTION 40 CONFORMING AMENDMENT.

The transportation infrastructure account is hereby created in the (~~(transportation fund)~~) state treasury. Public and private entities may deposit moneys in the transportation infrastructure account from federal, state, local, or private sources. Proceeds from bonds or other financial instruments sold to finance surface transportation projects from the transportation infrastructure account shall be deposited into the account. Principal and interest payments made on loans from the transportation infrastructure account shall be deposited into the account. Moneys in the account shall be available for purposes specified in RCW 82.44.195. Expenditures from the transportation infrastructure account shall be subject to appropriation by the legislature. To the extent required by federal law or regulations promulgated by the United States secretary of transportation, the state treasurer is authorized to create separate subaccounts within the transportation infrastructure account.

Sec. 51. RCW 43.84.092 and 2017 c 290 s 8 are each amended to read as follows:

SECTION 40 CONFORMING AMENDMENT.

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment

trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, ((~~the drinking water assistance repayment account,~~)) the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the

marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, ((~~the transportation fund,~~)) the transportation future funding program account, the transportation improvement account, the transportation improvement

board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section."

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

Correct the title.

Representatives Jinkins and Rodne spoke in favor of the adoption of the amendment (623).

Amendment (623) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage, as amended by the House.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5316 as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5316, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

ENGROSSED SENATE BILL NO. 5316, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5898, by Senate Committee on Ways & Means (originally sponsored by Senator Braun)

Concerning eligibility for public assistance programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5898.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5898, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5898, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5976, by Senators Rivers and Liias

Addressing wages or hours of individual providers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5976.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5976, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman,

Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

SENATE BILL NO. 5976, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5898 and SENATE BILL NO. 5976 were immediately transmitted to the Senate.

HOUSE BILL NO. 2242, by Representatives Sullivan, Harris, Lytton and Taylor

Funding fully the state's program of basic education by providing equitable education opportunities through reform of state and local education contributions.

The bill was read the second time.

Representative Sullivan moved the adoption of amendment (642):

On page 46, line 19, after "September 1," strike "2017" and insert "2018"

Representatives Sullivan and Harris spoke in favor of the adoption of the amendment (642).

Amendment (642) was adopted.

Representative Irwin moved the adoption of amendment (636):

On page 120, after line 2, insert the following:

"NEW SECTION. Sec. 1008. The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

Correct the title.

Representative Irwin spoke in favor of the adoption of the amendment (636).

Amendment (636) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sullivan, Harris, Ortiz-Self, Manweller, Pollet, Johnson and Stonier spoke in favor of the passage of the bill.

Representatives Taylor and Stanford spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2242.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2242, and the bill passed the House by the following vote: Yeas, 67; Nays, 26; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Blake, Buys, Calder, Chandler, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kraft, Kristiansen, Lytton, MacEwen, Macri, Manweller, McCabe, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Smith, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Chapman, Clibborn, Condotta, Frame, Goodman, Hudgins, Irwin, Kloba, Koster, Kretz, Lovick, Maycumber, McBride, McCaslin, Pellicciotti, Pike, Reeves, Schmick, Sells, Senn, Slatter, Springer, Stanford, Taylor and Volz.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

ENGROSSED HOUSE BILL NO. 2242, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2163, by Representative Ormsby

Relating to revenue.

The bill was read the second time.

With the consent of the House, amendment (643) was withdrawn.

Representative Lytton moved the adoption of the striking amendment (638):

Strike everything after the enacting clause and insert the following:

"Part I

Eliminating or Narrowing Tax Preferences

Subpart A

Eliminating the Sales and Use Tax Exemption for Bottled Water

Sec. 101. RCW 82.08.0293 and 2014 c 140 s 22 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of food and food ingredients. "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include:

(a) "Alcoholic beverages," which means beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume;

(b) "Tobacco," which means cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco; and

(c) Marijuana, useable marijuana, or marijuana-infused products.

(2) The exemption of "food and food ingredients" provided for in subsection (1) of this section does not apply to prepared food, soft drinks, bottled water, or dietary supplements. ~~((For purposes of this subsection, the following definitions apply:))~~ The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain: (i) Antimicrobial agents; (ii) fluoride; (iii) carbonation; (iv) vitamins, minerals, and electrolytes; (v) oxygen; (vi) preservatives; and (vii) only those flavors, extracts, or essences derived from a spice or fruit. "Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(b) "Dietary supplement" means any product, other than tobacco, intended to supplement the diet that:

(i) Contains one or more of the following dietary ingredients:

- (A) A vitamin;
- (B) A mineral;
- (C) An herb or other botanical;
- (D) An amino acid;

(E) A dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or

(F) A concentrate, metabolite, constituent, extract, or combination of any ingredient described in this subsection;

(ii) Is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and

(iii) Is required to be labeled as a dietary supplement, identifiable by the "supplement facts" box found on the label as required pursuant to 21 C.F.R. Sec. 101.36, as amended or renumbered as of January 1, 2003.

~~((b))~~ (c)(i) "Prepared food" means:

(A) Food sold in a heated state or heated by the seller;

(B) Food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate does not include a container or packaging used to transport the food; or

(C) Two or more food ingredients mixed or combined by the seller for sale as a single item, except:

(I) Food that is only cut, repackaged, or pasteurized by the seller; or

(II) Raw eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal food and drug administration in chapter 3, part 401.11 of The Food Code, published by the food and drug administration, as amended or renumbered as of January 1, 2003, so as to prevent foodborne illness.

(ii) "Prepared food" does not include the following food or food ingredients, if

the food or food ingredients are sold without eating utensils provided by the seller:

(A) Food sold by a seller whose proper primary North American industry classification system (NAICS) classification is manufacturing in sector 311, except subsector 3118 (bakeries), as provided in the "North American industry classification system—United States, 2002";

(B) Food sold in an unheated state by weight or volume as a single item; or

(C) Bakery items. The term "bakery items" includes bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes, tortes, pies, tarts, muffins, bars, cookies, or tortillas.

~~((c))~~ (d) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. Soft drinks do not include beverages that contain: Milk or milk products; soy, rice, or similar milk substitutes; or greater than fifty percent of vegetable or fruit juice by volume.

(3) Notwithstanding anything in this section to the contrary, the exemption of "food and food ingredients" provided in this section applies to food and food ingredients that are furnished, prepared, or served as meals:

(a) Under a state administered nutrition program for the aged as provided for in the older Americans act (P.L. 95-478 Title III) and RCW 74.38.040(6);

(b) That are provided to senior citizens, individuals with disabilities, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW; or

(c) That are provided to residents, sixty-two years of age or older, of a qualified low-income senior housing facility by the lessor or operator of the facility. The sale of a meal that is billed to both spouses of a marital community or both domestic partners of a domestic partnership meets the age requirement in this subsection (3)(c) if at least one of the spouses or domestic partners is at least sixty-two years of age. For purposes of this subsection, "qualified low-income senior housing facility" means a facility:

(i) That meets the definition of a qualified low-income housing project under 26 U.S.C. Sec. 42 of the federal internal

revenue code, as existing on August 1, 2009;

(ii) That has been partially funded under 42 U.S.C. Sec. 1485; and

(iii) For which the lessor or operator has at any time been entitled to claim a federal income tax credit under 26 U.S.C. Sec. 42 of the federal internal revenue code.

(4)(a) Subsection (1) of this section notwithstanding, the retail sale of food and food ingredients is subject to sales tax under RCW 82.08.020 if the food and food ingredients are sold through a vending machine. Except as provided in (b) of this subsection, the selling price of food and food ingredients sold through a vending machine for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts.

(b) For soft drinks, bottled water, and hot prepared food and food ingredients, other than food and food ingredients which are heated after they have been dispensed from the vending machine, the selling price is the total gross receipts of such sales divided by the sum of one plus the sales tax rate expressed as a decimal.

(c) For tax collected under this subsection (4), the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

Sec. 102. RCW 82.12.0293 and 2011 c 2 s 303 are each amended to read as follows:

(1) The provisions of this chapter do not apply in respect to the use of food and food ingredients for human consumption. "Food and food ingredients" has the same meaning as in RCW 82.08.0293.

(2) The exemption of "food and food ingredients" provided for in subsection (1) of this section does not apply to prepared food, soft drinks, bottled water, or dietary supplements. "Prepared food," "soft drinks," "bottled water," and "dietary supplements" have the same meanings as in RCW 82.08.0293.

(3) Notwithstanding anything in this section to the contrary, the exemption of "food and food ingredients" provided in this section applies to food and food ingredients which are furnished, prepared, or served as meals:

(a) Under a state administered nutrition program for the aged as provided

for in the older Americans act (P.L. 95-478 Title III) and RCW 74.38.040(6);

(b) Which are provided to senior citizens, individuals with disabilities, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW; or

(c) That are provided to residents, sixty-two years of age or older, of a qualified low-income senior housing facility by the lessor or operator of the facility. The sale of a meal that is billed to both spouses of a marital community or both domestic partners of a domestic partnership meets the age requirement in this subsection (3)(c) if at least one of the spouses or domestic partners is at least sixty-two years of age. For purposes of this subsection, "qualified low-income senior housing facility" has the same meaning as in RCW 82.08.0293.

NEW SECTION. Sec. 103. A new section is added to chapter 82.08 RCW to read as follows:

(1) Subject to the conditions in this section, the tax levied by RCW 82.08.020 does not apply to sales of bottled water dispensed or to be dispensed to patients pursuant to a prescription for use in the cure, mitigation, treatment, or prevention of disease or medical condition.

(2) For purposes of this section, "prescription" means an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of this state to prescribe.

(3) Except for sales of bottled water delivered to the buyer in a reusable container that is not sold with the water, sellers must collect tax on sales subject to this exemption. Any buyer that has paid at least twenty-five dollars in state and local sales taxes on purchases of bottled water subject to this exemption may apply for a refund of the taxes directly from the department in a form and manner prescribed by the department. The department must deny any refund application if the amount of the refund requested is less than twenty-five dollars. No refund may be made for taxes paid more than four years after the end of the calendar year in which the tax was paid to the seller.

(4) With respect to sales of bottled water delivered to the buyer in a reusable container that is not sold with the water,

buyers claiming the exemption provided in this section must provide the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

NEW SECTION. Sec. 104. A new section is added to chapter 82.12 RCW to read as follows:

(1) The provisions of this chapter do not apply in respect to the use of bottled water dispensed or to be dispensed to patients pursuant to a prescription for use in the cure, mitigation, treatment, or prevention of disease or medical condition.

(2) For the purposes of this section, "prescription" has the same meaning as provided in section 103 of this act.

NEW SECTION. Sec. 105. A new section is added to chapter 82.08 RCW to read as follows:

(1)(a) Subject to the conditions in this section, the tax levied by RCW 82.08.020 does not apply to sales of bottled water to persons whose primary source of drinking water is unsafe.

(b) For purposes of this subsection and section 106 of this act, a person's primary source of drinking water is unsafe if:

(i) The public water system providing the drinking water has issued a public notification that the drinking water may pose a health risk, and the notification is still in effect on the date that the bottled water was purchased;

(ii) Test results on the person's drinking water, which are no more than twelve months old, from a laboratory certified to perform drinking water testing show that the person's drinking water does not meet safe drinking water standards applicable to public water systems; or

(iii) The person otherwise establishes, to the department's satisfaction, that the person's drinking water does not meet safe drinking water standards applicable to public water systems.

(2) Except for sales of bottled water delivered to the buyer in a reusable container that is not sold with the water, sellers must collect tax on sales subject to this exemption. Any buyer that has paid at least twenty-five dollars in state and local sales taxes on purchases of bottled

water subject to this exemption may apply for a refund of the taxes directly from the department in a form and manner prescribed by the department. The department must deny any refund application if the amount of the refund requested is less than twenty-five dollars. No refund may be made for taxes paid more than four years after the end of the calendar year in which the tax was paid to the seller.

(3) (a) With respect to sales of bottled water delivered to the buyer in a reusable container that is not sold with the water, buyers claiming the exemption provided in this section must provide the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(b) The department may waive the requirement for an exemption certificate in the event of disaster or similar circumstance.

NEW SECTION. Sec. 106. A new section is added to chapter 82.12 RCW to read as follows:

The provisions of this chapter do not apply in respect to the use of bottled water by persons whose primary source of drinking water is unsafe as provided in section 105 of this act.

Subpart B

Narrowing a Use Tax Exemption for Self-Produced Fuel

Sec. 107. RCW 82.12.0263 and 1980 c 37 s 62 are each amended to read as follows:

The provisions of this chapter (~~shall~~) do not apply in respect to the use of biomass fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same. For purposes of this section, "biomass fuel" means wood waste and other wood residuals, including forest derived biomass, but does not include firewood or wood pellets. "Biomass fuel" also includes partially organic by-products of pulp, paper, and wood manufacturing processes.

NEW SECTION. Sec. 108. A new section is added to chapter 82.12 RCW to read as follows:

(1) The value of the article used with respect to refinery fuel gas under this chapter is the most recent monthly United

States natural gas wellhead price, as published by the federal energy information administration.

(2) In lieu of the use tax rate provided in RCW 82.12.020, refinery fuel gas is subject to a rate of 3.852 percent.

(3) The use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant that produced or manufactured the same is not subject to local use tax.

NEW SECTION. Sec. 109. Sections 107 through 109 of this act apply with respect to fuel, other than biomass fuel, consumed within this state on or after the effective date of this section, regardless of whether such fuel was produced or manufactured before the effective date of this section. For purposes of this section, "consumed" means the use of fuel resulting in the release of usable energy.

Part II

Remote Sellers, Referrers, and Marketplace Facilitators

NEW SECTION. Sec. 201. (1) The legislature finds that states fail to collect more than twenty-three billion dollars annually in sales taxes from remote sales over the internet and through catalogs. The legislature further finds that Washington and its local governments will lose out on an estimated three hundred fifty-three million dollars in sales and use taxes in fiscal year 2018 from remote sales, reducing funds that would otherwise be available for the public education system, health care services, infrastructure, and other vital public services.

(2) The legislature finds that Colorado adopted a law requiring out-of-state retailers that do not collect Colorado's sales tax to report tax-related information to their Colorado customers and the Colorado department of revenue. The legislature further finds that in 2016 the United States court of appeals for the tenth circuit upheld that law.

(3) The legislature intends by this act to address the significant harm and unfairness brought about by the physical presence nexus rule. To achieve this objective, this act adopts a new program. Under the new program, remote sellers meeting a specified threshold of gross receipts from retail sales into this state

would have the option to either collect retail sales or use tax on taxable retail sales into this state or comply with certain sales and use tax notice and reporting provisions. This option is also available to other persons such as marketplace facilitators for facilitated sales on behalf of third-party remote sellers. The sales and use tax notice and reporting provisions in this act are similar to the multistate tax commission's draft model sales and use tax notice and reporting statute and Colorado's sales and use tax notice and reporting law.

NEW SECTION. Sec. 202. A new section is added to chapter 82.08 RCW to be codified between RCW 82.08.052 and 82.08.054 to read as follows:

(1) (a) (i) Except as provided in (a) (ii) of this subsection, beginning January 1, 2018, and for any calendar year thereafter, remote sellers, referrers, and marketplace facilitators meeting the criteria in subsection (2) of this section or that have a physical presence in this state, must elect to either collect and remit retail sales or use tax on all taxable retail sales into this state pursuant to this chapter and chapters 82.12 and 82.32 RCW or comply with section 205 of this act.

(ii) Until January 1, 2020, the requirement under (a) (i) of this subsection (1) to collect and remit tax or comply with section 205 of this act does not apply with respect to the retail sale of digital products and digital codes, other than (A) specified digital products and digital games and (B) digital codes used to redeem specified digital products and digital games, by a marketplace seller through a marketplace facilitator or directly resulting from a referral.

(b) For marketplace facilitators, the election provided in (a) of this subsection (1) applies only with respect to:

(i) Retail sales through the marketplace facilitator's marketplace by or on behalf of marketplace sellers who do not have a physical presence in this state; and

(ii) A marketplace facilitator's own retail sales, if the marketplace facilitator does not have a physical presence in this state.

(c) (i) For referrers, the election provided in (a) of this subsection (1) applies only with respect to:

(A) Retail sales directly resulting from a referral of the purchaser to a marketplace seller who does not have a physical presence in this state; and

(B) A referrer's own retail sales, if the referrer does not have a physical presence in this state.

(ii) A referrer may make different elections with respect to retail sales described in (c)(i)(A) and (B) of this subsection.

(d) An election under (a) of this subsection (1) to collect retail sales or use tax is binding on the remote seller, referrer, or marketplace facilitator until January 1st of the calendar year that is at least twelve consecutive months after the remote seller, referrer, or marketplace facilitator began collecting retail sales or use tax under such election. A remote seller, referrer, or marketplace facilitator who has made an election under this subsection to collect retail sales or use tax may change its election and comply with section 205 of this act by providing written notice to the department in a form and manner required by the department. Such an election change may take effect only on the first day of the calendar year that is at least thirty days following the date that the department received written notice from the remote seller, referrer, or marketplace facilitator of its change in election.

(e)(i) Remote sellers, referrers, and marketplace facilitators complying with section 205 of this act may change their election under this subsection (1) at any time by collecting and remitting retail sales or use taxes under this chapter or chapter 82.12 RCW on taxable retail sales sourced to this state. Such an election is binding as provided in (d) of this subsection (1).

(ii) Remote sellers, referrers, and marketplace facilitators electing for the first time to collect retail sales or use tax must begin collecting state and local retail sales or use taxes on taxable retail sales sourced to this state beginning on the first day of the calendar month that is at least thirty days from the date that the remote seller, referrer, or marketplace facilitator met either threshold described in subsection (2) of this section.

(f) If the department discovers that any remote seller, referrer, or marketplace facilitator required to make

an election under this subsection (1) is not registered with the department and collecting retail sales or use tax, the remote seller, referrer, or marketplace facilitator is conclusively presumed to have elected to comply with the notice and reporting requirements of section 205 of this act.

(2)(a) A remote seller is subject to subsection (1) of this section if, during the current or immediately preceding calendar year, its gross receipts from retail sales sourced to this state under RCW 82.32.730 are at least ten thousand dollars.

(b) A marketplace facilitator is subject to subsection (1) of this section if, during the current or immediately preceding calendar year, the gross receipts from retail sales sourced to this state under RCW 82.32.730 by the marketplace facilitator, whether in its own name or as an agent of a marketplace seller, total at least ten thousand dollars.

(c) A referrer is subject to subsection (1) of this section if, during the current or immediately preceding calendar year, the gross income of the business received from the referrer's referral services apportioned to Washington under RCW 82.04.462, whether or not subject to tax under chapter 82.04 RCW, and from retail sales sourced to this state under RCW 82.32.730, if any, is at least two hundred sixty-seven thousand dollars.

(3) This section is subject to the provisions of section 214 of this act.

(4) For the purposes of this section, "marketplace facilitator," "referral," "referrer," and "remote seller" have the same meaning as provided in section 204 of this act.

NEW SECTION. Sec. 203. A new section is added to chapter 82.08 RCW to be codified between section 202 of this act and RCW 82.08.054 to read as follows:

(1)(a) For purposes of this chapter and chapter 82.12 RCW, a marketplace facilitator or referrer is deemed to be an agent of any marketplace seller making retail sales through the marketplace facilitator's physical or electronic marketplace or directly resulting from a referral of the purchaser by the referrer.

(b) In addition to other applicable recordkeeping requirements, the department may require a marketplace

facilitator or referrer to provide or make available to the department any information the department determines is reasonably necessary to enforce the provisions of this chapter and chapter 82.--- RCW (the new chapter created in section 501 of this act). Such information may include documentation of sales made by marketplace sellers through the marketplace facilitator's physical or electronic marketplace or directly resulting from a referral by the referrer. The department may prescribe by rule the form and manner for providing this information.

(2) A marketplace facilitator or referrer is relieved of liability under this chapter and chapter 82.12 RCW for failure to collect the correct amount of tax to the extent that the marketplace facilitator or referrer can show to the department's satisfaction that the error was due to incorrect information given to the marketplace facilitator or referrer by the marketplace seller, unless the marketplace facilitator, or referrer, and marketplace seller are affiliated persons. Where the marketplace facilitator or referrer is relieved of liability under this subsection (2), the marketplace seller is solely liable for the amount of uncollected tax due.

(3)(a) Subject to the limits in (b) and (c) of this subsection (3), a marketplace facilitator or referrer is relieved of liability under this chapter and chapter 82.12 RCW for the failure to collect tax on taxable retail sales to the extent that the marketplace facilitator or referrer can show to the department's satisfaction that:

(i) The taxable retail sale was made through the marketplace facilitator's marketplace or directly resulting from a referral of the purchaser by the referrer;

(ii) The taxable retail sale was made solely as the agent of a marketplace seller, and the marketplace facilitator, or referrer, and marketplace seller are not affiliated persons; and

(iii) The failure to collect sales tax was not due to an error in sourcing the sale under RCW 82.32.730.

(b) Liability relief for a marketplace facilitator under (a) of this subsection (3) for a calendar year is limited as follows:

(i) For calendar year 2018, the liability relief may not exceed ten

percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales by the marketplace facilitator as agent of a marketplace seller and sourced to this state under RCW 82.32.730 during the same calendar year.

(ii) For calendar years 2019, 2020, 2021, 2022, and 2023, the liability relief may not exceed five percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales by the marketplace facilitator as agent of a marketplace seller and sourced to this state under RCW 82.32.730 during the same calendar year.

(iii) Beginning in calendar year 2024, the liability relief may not exceed three percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales by the marketplace facilitator as agent of a marketplace seller and sourced to this state under RCW 82.32.730 during the same calendar year.

(c) Liability relief for a referrer under (a) of this subsection (3) for a calendar year is limited as follows:

(i) For calendar year 2018, the liability relief may not exceed ten percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales directly resulting from a referral of the purchaser to the marketplace seller by the referrer and sourced to this state under RCW 82.32.730 during the same calendar year.

(ii) For calendar years 2019, 2020, 2021, 2022, and 2023, the liability relief may not exceed five percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales directly resulting from a referral of the purchaser to the marketplace seller by the referrer and sourced to this state under RCW 82.32.730 during the same calendar year.

(iii) Beginning in calendar year 2024, the liability relief may not exceed three percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales directly resulting from a referral of the purchaser to the marketplace seller by the referrer and sourced to this state under RCW 82.32.730 during the same calendar year.

(d) Where the marketplace facilitator or referrer is relieved of liability under this subsection (3), the marketplace seller is also relieved of liability for the amount of uncollected tax due, subject

to the limitations in subsection (4) of this section.

(e) The department may by rule determine the manner in which a taxpayer may claim the liability relief provided under this subsection.

(4) Except as otherwise provided in this section, a marketplace seller obligated or electing to collect the taxes imposed under this chapter and chapter 82.12 RCW is not required to collect such taxes on all taxable retail sales through a marketplace operated by a marketplace facilitator or directly resulting from a referral of the purchaser to the marketplace seller by the referrer if the marketplace seller has obtained documentation from the marketplace facilitator or referrer indicating that the marketplace facilitator or referrer is registered with the department and will collect all applicable taxes due under this chapter and chapter 82.12 RCW on all taxable retail sales made on behalf of the marketplace seller through the marketplace operated by the marketplace facilitator or taxable retail sales directly resulting from a referral of the purchaser to the marketplace seller by the referrer. The documentation required by this subsection (4) must be provided in a form and manner prescribed by or acceptable to the department. This subsection (4) does not relieve a marketplace seller from liability for uncollected taxes due under this chapter or chapter 82.12 RCW resulting from a marketplace facilitator's or referrer's failure to collect the proper amount of tax due when the error was due to incorrect information given to the marketplace facilitator or referrer by the marketplace seller.

(5) Except as otherwise provided in this section, a marketplace seller that is also a remote seller subject to section 202(1) of this act is relieved of its obligation to collect sales or use taxes imposed under section 202 of this act with respect to all taxable retail sales through a marketplace operated by a marketplace facilitator that provides the marketplace seller with written confirmation that the marketplace facilitator has elected to comply with the notice and reporting requirements of section 205 of this act in lieu of collecting sales and use taxes.

(6) Notwithstanding subsections (4) and (5) of this section, a marketplace seller is not relieved of the obligation to collect taxes imposed under this chapter

and chapter 82.12 RCW or comply with section 202 of this act with respect to retail sales of digital products and digital codes, other than (a) specified digital products and digital games and (b) digital codes used to redeem specified digital products and digital games, until January 1, 2020.

(7) No class action may be brought against a marketplace facilitator or referrer in any court of this state on behalf of purchasers arising from or in any way related to an overpayment of sales or use tax collected by the marketplace facilitator or referrer, regardless of whether that claim is characterized as a tax refund claim. Nothing in this subsection affects a purchaser's right to seek a refund from the department as provided under chapter 82.32 RCW.

(8) Nothing in this section affects the obligation of any purchaser to remit sales or use tax as to any applicable taxable transaction in which the seller or the seller's agent does not collect and remit sales tax.

(9) This section is subject to the provisions of section 214 of this act.

(10) The definitions in section 204 of this act apply to this section.

NEW SECTION. Sec. 204. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Affiliated person" means a person that, with respect to another person:

(a) Has an ownership interest of more than five percent, whether direct or indirect, in the other person; or

(b) Is related to the other person because a third person, or group of third persons who are affiliated persons with respect to each other, holds an ownership interest of more than five percent, whether direct or indirect, in the related persons.

(2) "Consumer" has the same meaning as provided in chapters 82.04, 82.08, and 82.12 RCW.

(3) "Marketplace facilitator" means a person that contracts with sellers to facilitate for consideration, regardless of whether deducted as fees from the transaction, the sale of the seller's products through a physical or electronic marketplace operated by the person, and engages:

(a) Directly or indirectly, through one or more affiliated persons in any of the following:

(i) Transmitting or otherwise communicating the offer or acceptance between the buyer and seller;

(ii) Owning or operating the infrastructure, electronic or physical, or technology that brings buyers and sellers together;

(iii) Providing a virtual currency that buyers are allowed or required to use to purchase products from the seller; or

(iv) Software development or research and development activities related to any of the activities described in (b) of this subsection (3), if such activities are directly related to a physical or electronic marketplace operated by the person or an affiliated person; and

(b) In any of the following activities with respect to the seller's products:

(i) Payment processing services;

(ii) Fulfillment or storage services;

(iii) Listing products for sale;

(iv) Setting prices;

(v) Branding sales as those of the marketplace facilitator;

(vi) Order taking;

(vii) Advertising or promotion; or

(viii) Providing customer service or accepting or assisting with returns or exchanges.

(4) "Marketplace seller" means a seller that makes retail sales through any physical or electronic marketplaces operated by a marketplace facilitator or directly resulting from a referral by a referrer, regardless of whether the seller is required to be registered with the department as provided in RCW 82.32.030.

(5) "Platform" means an electronic or physical medium, including a web site or catalog, operated by a referrer.

(6) "Product" has the same meaning as provided in RCW 82.32.023.

(7) "Purchaser" means any consumer who purchases or leases a product sourced to this state under RCW 82.32.730.

(8) "Referral" means the transfer by a referrer of a potential customer to a marketplace seller who advertises or lists

products for sale on the referrer's platform.

(9) (a) "Referrer" means a person, other than a person engaging in the business of printing a newspaper or publishing a newspaper as defined in RCW 82.04.214, who contracts or otherwise agrees with a seller to list or advertise for sale one or more items in any medium, including a web site or catalog; receives a commission, fee, or other consideration from the seller for the listing or advertisement; transfers, via telephone, internet link, or other means, a purchaser to a seller or an affiliated person to complete the sale; and does not collect receipts from the purchasers for the transaction.

(b) "Referrer" does not include a person that:

(i) Provides internet advertising services; and

(ii) Does not ever provide either the marketplace seller's shipping terms or advertise whether a marketplace seller charges sales tax.

(10) "Remote seller" means any seller, other than a marketplace facilitator or referrer, who does not have a physical presence in this state and makes retail sales to purchasers.

(11) "Retail sale" and "sale" have the same meaning as provided in chapter 82.04 RCW.

(12) "Seller" has the same meaning as in RCW 82.08.010 and includes marketplace facilitators, whether making sales in their own right or on behalf of marketplace sellers, and referrers.

NEW SECTION. Sec. 205. (1) Except as otherwise provided in subsection (5) of this section, a seller that does not collect the tax imposed under chapter 82.08 or 82.12 RCW on a taxable retail sale must comply with the applicable notice and reporting requirements of this section. For taxable retail sales made through a marketplace facilitator, or other agent, the marketplace facilitator, or other agent must comply with the notice and reporting requirements of this section, and the principal is not subject to the notice and reporting requirements of this section with respect to those sales. If the referrer makes an election to comply with the applicable notice and reporting requirements of this section, marketplace sellers to whom a referral is

made by the referrer remain subject to the applicable notice and reporting requirements under this section for their sales unless the marketplace sellers collect the tax imposed under chapter 82.08 or 82.12 RCW on taxable retail sales sourced to this state under RCW 82.32.730.

(2)(a) A seller, other than a referrer acting in its capacity as a referrer, subject to the notice and reporting requirements of this section must:

(i) Post a conspicuous notice on its marketplace, platform, web site, catalog, or any other similar medium that informs Washington purchasers that:

(A) Sales or use tax is due on certain purchases;

(B) Washington requires the purchaser to file a use tax return; and

(C) The notice is provided under the requirements of this section; and

(ii) Provide a notice to each consumer at the time of each retail sale. The notice under this subsection (2)(a)(ii) must include the following information:

(A) A statement that neither sales nor use tax is being collected or remitted upon the sale;

(B) A statement that the consumer may be required to remit sales or use tax directly to the department; and

(C) Instructions for obtaining additional information from the department regarding whether and how to remit the sales or use tax to the department.

(b) The notice under (a)(ii) of this subsection (2) must be prominently displayed on all invoices and order forms including, where applicable, electronic and catalog invoices and order forms, and upon each sales receipt or similar document provided to the purchaser, whether in paper or electronic form. No indication may be made that sales or use tax is not imposed upon the transaction, unless:

(i) Such indication is followed immediately with the notice required by (a)(ii) of this subsection (2); or

(ii) The transaction with respect to which the indication is given is exempt from sales and use tax pursuant to law.

(3) A referrer subject to the notice and reporting requirements of this section must:

(a) Post a conspicuous notice on its platform that informs Washington purchasers:

(i) That sales or use tax is due on certain purchases;

(ii) That the seller may or may not collect and remit retail sales tax on a purchase;

(iii) That Washington requires the purchaser to file a use tax return if retail sales tax is not assessed at the time of a taxable sale by the seller;

(iv) That the notice is provided under the requirements of this section;

(v) Of the instructions for obtaining additional information from the department regarding whether and how to remit the sales or use tax to the department; and

(vi) That if the seller to whom the purchaser is referred does not collect retail sales tax on a subsequent purchase by the purchaser, the seller may be required to provide information to the purchaser and the department about the purchaser's potential sales or use tax liability.

(b) The notice under (a) of this subsection (3) must be prominently displayed on the platform and may include pop-up boxes or notification by other means that appear when the referrer transfers a purchaser to a marketplace seller or an affiliated person to complete the sale.

(4)(a) A seller, other than a referrer acting in its capacity as a referrer, subject to the notice and reporting requirements of subsection (2) of this section must, no later than February 28th of each year, provide a report to each consumer for whom the seller was required to provide a notice under subsection (2)(a)(ii) of this section.

(b) The report under this subsection (4) must include:

(i) A statement that the seller did not collect sales or use tax on the consumer's transactions with the seller and that the consumer may be required to remit such tax directly to the department;

(ii) A list, by date, generally indicating the type of product purchased or leased during the immediately preceding calendar year by the consumer from the seller, sourced to this state under RCW 82.32.730, and the price of each product;

(iii) Instructions for obtaining additional information from the department regarding whether and how to remit the sales or use tax to the department;

(iv) A statement that the seller is required to submit a report to the department pursuant to subsection (6) of this section stating the total dollar amount of the consumer's purchases from the seller; and

(v) Any information as the department may reasonably require.

(c)(i) The report required under this subsection (4) must be sent to the consumer's billing address or, if unknown, the consumer's shipping address, by first-class mail, in an envelope marked prominently with words indicating important tax information is enclosed.

(ii) If no billing or shipping address is known, the report must be sent electronically to the consumer's last known email address with a subject heading indicating important tax information is enclosed.

(5)(a) A referrer subject to the notice requirements under subsection (3) of this section must, no later than February 28th of each year, provide notice to each marketplace seller to whom the referrer transferred a potential purchaser located in Washington during the previous calendar year.

(b) The notice under this subsection (5) must include:

(i) A statement that Washington imposes a sales or use tax on retail sales;

(ii) A statement that a seller, meeting the threshold in section 202(2) of this act, is required to either collect and remit retail sales or use tax on all taxable retail sales sourced to this state under RCW 82.32.730 or to comply with this section; and

(iii) Instructions for obtaining additional information from the department.

(c) By February 28th of each year, a referrer required to provide the notice under this subsection must provide the department with:

(i) A list of sellers who received the referrer's notice under this subsection. The information must be provided electronically in a form and manner required by the department.

(ii) An affidavit signed under penalty of perjury from an officer of the referrer affirming that the referrer made reasonable efforts to comply with the applicable sales and use tax notice and reporting requirements of this section.

(6)(a) A seller, other than a referrer acting in its capacity as a referrer, subject to the notice and reporting requirements of this section must, no later than February 28th of each year, file a report with the department.

(b) The report under this subsection (6) must include, with respect to each consumer to whom the seller is required to provide a report under subsection (4) of this section by February 28th of the current calendar year:

(i) The consumer's name;

(ii) The billing address and, if different, the last known mailing address;

(iii) The shipping address for each product sold or leased to such consumer for delivery to a location in this state during the immediately preceding calendar year; and

(iv) The total dollar amount of all such purchases by such consumer.

(c) The report under this subsection (6) must also include an affidavit signed under penalty of perjury from an officer of the seller affirming that the seller made reasonable efforts to comply with the applicable sales and use tax notice and reporting requirements in this section.

(d) Except for the affidavit, the report under this subsection (6) must be filed electronically in a form and manner required by the department.

(7) A seller who is registered with the department to collect and remit retail sales and use tax, and who makes a reasonable effort to comply with the requirements of RCW 82.08.050 and 82.12.040, is not required to provide notice or file reports under this section.

(8) Every seller subject to this chapter must keep and preserve, for a period of five years, suitable records as may be necessary for the department to verify the seller's compliance with this chapter. All of the seller's books, records, and invoices must be open for examination at any reasonable time by the department. The department may require the attendance of any officer of the seller or any employee of the seller having

knowledge pertinent to the department's investigation of the seller's compliance with this chapter, at a time and place fixed in a subpoena issued under RCW 82.32.117, and may take the person's testimony under oath.

(9) In exercising discretion in enforcing the provisions of this chapter, the department may take into consideration available resources, whether the anticipated benefits from any potential enforcement activities are likely to exceed the department's expected enforcement costs, and any other factors the department deems appropriate.

NEW SECTION. Sec. 206. (1) (a) The department must assess a penalty against any seller, other than a referrer acting in its capacity as a referrer, that fails to provide notice to consumers pursuant to section 205(2) (a) of this act, in addition to any other applicable penalties, in the amount of twenty thousand dollars. The department may assess the penalty under this subsection only once per calendar year, regardless of the number of notices a seller fails to provide pursuant to section 205(2) (a) of this act during the calendar year. The department may apply this penalty at any time during a calendar year and no more frequently than annually.

(b) The department must assess a penalty against any referrer that fails to provide notice to consumers pursuant to section 205(3) of this act, in addition to any other applicable penalties, in the amount of twenty thousand dollars. The department may apply this penalty at any time during a calendar year and no more frequently than annually.

(2) (a) The department must assess a penalty against a seller who fails to provide a report as required by section 205 (4) or (5) of this act, in addition to any other applicable penalties, as follows:

(i) Five thousand dollars if the gross receipts of the seller and through the seller's marketplace from retail sales sourced to this state under RCW 82.32.730 are less than fifty thousand dollars for the calendar year for which the report was required to be made;

(ii) Ten thousand dollars if the gross receipts of the seller and through the seller's marketplace from retail sales sourced to this state under RCW 82.32.730 are at least fifty thousand dollars but less than one hundred fifty thousand dollars;

(iii) Fifty thousand dollars if the gross receipts of the seller and through the seller's marketplace from retail sales sourced to this state under RCW 82.32.730 are at least one hundred fifty thousand dollars but less than three hundred thousand dollars; or

(iv) If the gross receipts of the seller and through the seller's marketplace from retail sales sourced to this state under RCW 82.32.730 are three hundred thousand dollars or greater, one hundred thousand dollars plus twenty thousand dollars for every fifty thousand dollars in gross receipts over three hundred thousand dollars.

(b) The department must assess a penalty against a referrer who fails to provide the notice and list required by section 205(5) of this act, in addition to any other applicable penalties. The department may assess the penalty under this subsection only once per calendar year, regardless of the number of failures to comply with section 205(5) of this act during the calendar year. The amount of the penalties assessed are as follows:

(i) Fifty thousand dollars if the gross income of the referrer is at least two hundred sixty-seven thousand dollars but less than three hundred thousand dollars of the gross income of the business received from the referrer's referral services apportioned to Washington under RCW 82.04.460, whether or not subject to tax under chapter 82.04 RCW, for the calendar year for which the notice and list was required to be made; or

(ii) If the gross income of the referrer is three hundred thousand dollars or greater, one hundred thousand dollars plus twenty thousand dollars for every fifty thousand dollars in gross income over three hundred thousand dollars of the gross income of the business received from the referrer's referral services apportioned to Washington under RCW 82.04.460, whether or not subject to tax under chapter 82.04 RCW, for the calendar year for which the notice and list was required to be made.

(3) The department must assess a penalty against any seller, other than a referrer acting in its capacity as a referrer, who fails to provide a report to the department as required by section 205(6) of this act, in addition to any other applicable penalties, in the amount of twenty-five dollars multiplied by the number of consumers that should have been

included on such report, but not less than twenty thousand dollars for any calendar year.

(4) The penalties imposed under subsections (1) through (3) of this section are cumulative.

(5) No penalty may be imposed by the department under subsections (1) through (4) of this section more than four years after the close of the calendar year in which the notice or report giving rise to the penalty was required to have been provided. This subsection (5) does not apply to penalties reassessed under subsection (9) of this section.

(6) When assessing a penalty under this section, the department may use any reasonable estimation technique where necessary or appropriate to determine the amount of any penalty.

(7) Interest accrues on the amount of the total penalty that has been assessed under this section until the total penalty amount is paid in full. Interest imposed under this section must be computed and assessed as provided in RCW 82.32.050 as if the penalty imposed under this subsection was a tax liability.

(8) The department must notify a seller by mail, or electronically as provided in RCW 82.32.135, of the amount of any penalty and interest due under this section. Amounts due under this section must be paid in full within thirty days from the date of the notice, or within such further time as the department may provide in its sole discretion.

(9)(a)(i) A seller is entitled to a conditional waiver of penalties and interest imposed under this section if the seller enters into a written agreement with the department electing to collect retail sales or use tax or fully comply with all applicable notice and reporting requirements of this chapter, beginning by a date acceptable to the department. An election to collect retail sales or use tax must be for a period of at least twelve consecutive months and is subject to the provisions of section 202(1)(d) of this act.

(ii) The department may grant a waiver of penalties and interest under this subsection (9)(a) for penalties and interest assessed for a seller's failure to comply with the notice and reporting requirements for one or more violations.

(iii) The department may not grant more than one request by a seller for a waiver of penalties and interest under this subsection (9)(a).

(iv) The department must reassess penalties and interest conditionally waived under this subsection (9)(a) if the department finds that, after the date that the seller agreed to fully comply with the applicable notice and reporting requirements of this chapter, the seller failed to:

(A) Provide notice under section 205(2)(a)(ii) of this act to at least ninety percent of the consumers entitled to such notice in any given calendar year or portion of the initial calendar year in which the agreement required under this subsection was in effect if the agreement was in effect for less than the entire calendar year;

(B) Timely provide the reports required under section 205(4) of this act to all consumers who received notice from the seller under section 205(2)(a)(ii) of this act during any calendar year, unless the department finds that any such failure was due to circumstances beyond the seller's control;

(C) Timely provide the reports required under section 205(6) of this act during any calendar year, unless the department finds that any such failure was due to circumstances beyond the seller's control; or

(D) With respect to referrers, timely provide the notice required under section 205(3) of this act and the notice and list required under section 205(5) of this act during any calendar year, unless the department finds that any such failure was due to circumstances beyond the referrer's control.

(v) The department must reassess penalties and interest conditionally waived under this subsection (9)(a) if the department finds that, after the date that the seller elected to collect retail sales or use tax, the seller failed to register with the department and make a reasonable effort to comply with the requirements of RCW 82.08.050 and 82.12.040.

(vi) The department may not reassess penalties and interest conditionally waived under this subsection (9)(a) more than four calendar years following the calendar year in which the department granted the conditional waiver under this subsection (9)(a).

(vii) The provisions of subsection (8) of this section apply to penalties and interest reassessed under this subsection (9) (a). The department may add additional interest on penalties reassessed under this subsection (9) (a) only if the total amount of penalties reassessed under this subsection (9) (a) is not paid in full by the date due.

(b) The department must waive penalties and interest imposed under this section if the department determines that the failure of the seller to fully comply with the notice or reporting requirements was due to circumstances beyond the seller's control.

(c) The department may waive penalties imposed under this section if the department determines that the failure of the seller to fully comply with the notice or reporting requirements was due to reasonable cause and not willful neglect. In determining whether reasonable cause exists, the department will consider, among other relevant factors, whether: (i) The failure was due to willful or reckless disregard of the seller's notice or reporting obligations; (ii) the seller made subsequent efforts to avoid future noncompliance; and (iii) the magnitude of the noncompliance was significant in terms of dollars and time when accounting for the seller's size and volume of transactions. On appeal, a court or the board of tax appeals must give great deference to the department's penalty waiver decision under this subsection (9) (c) and affirm the department's decision, unless the taxpayer can show by clear, cogent, and convincing evidence that the department's decision lacked any reasonable basis.

(d) A request for a waiver of penalties and interest under this subsection must be received by the department in writing and before the penalties and interest for which a waiver is requested are due pursuant to subsection (8) of this section. The department must deny any request for a waiver of penalties and interest that does not fully comply with the provisions of this subsection (9) (d).

NEW SECTION. Sec. 207. Chapter 82.32 RCW applies to the administration of this chapter.

NEW SECTION. Sec. 208. Nothing in this chapter relieves sellers or consumers who are subject to chapter 82.08 or 82.12 RCW from any responsibilities imposed under those chapters. Nor does anything in this

chapter prevent the department from administering and enforcing the taxes imposed under chapter 82.08 or 82.12 RCW with respect to any seller or consumer who is subject to such taxes.

NEW SECTION. Sec. 209. A new section is added to chapter 82.32 RCW to be codified between RCW 82.32.045 and 82.32.050 to read as follows:

(1) Except as otherwise provided in this section, taxes imposed under chapter 82.08 or 82.12 RCW and payable by a consumer directly to the department are due, on returns prescribed by the department, by the earlier of April 1st of the calendar year immediately following the calendar year in which the sale or use occurred or within thirty days of the date of a notice from the department that tax may be due.

(2) This section does not apply to the reporting and payment of taxes imposed under chapters 82.08 and 82.12 RCW:

(a) On the retail sale or use of motor vehicles, vessels, or aircraft; or

(b) By consumers who are engaged in business, unless the department has relieved the consumer of the requirement to file returns pursuant to RCW 82.32.045(4).

NEW SECTION. Sec. 210. A new section is added to chapter 82.32 RCW to read as follows:

(1) A remote seller, referrer, or marketplace facilitator that is subject to section 202 of this act and is complying with the requirements of chapters 82.08 and 82.12 RCW may only seek a recovery of retail sales and use taxes, penalties, or interest from the department by following the recovery procedures established under RCW 82.32.060. However, no claim may be granted on the basis that the taxpayer lacked a physical presence in this state and complied with the tax collection provisions of chapters 82.08 and 82.12 RCW voluntarily.

(2) Neither the state nor any seller who elects under section 202 of this act to collect and remit retail sales or use tax is liable to a purchaser who claims that the retail sales or use tax has been over-collected because a provision of chapter . . ., Laws of 2017 3rd sp. sess. (this act) is later deemed unlawful.

(3) Nothing in chapter . . ., Laws of 2017 3rd sp. sess. (this act) affects the obligation of any purchaser from this

state to remit retail sales or use tax as to any applicable taxable transaction in which the seller does not collect and remit retail sales or use tax.

Sec. 211. RCW 82.08.050 and 2010 c 112 s 8 are each amended to read as follows:

(1) The tax imposed in this chapter must be paid by the buyer to the seller. Each seller must collect from the buyer the full amount of the tax payable in respect to each taxable sale in accordance with the schedule of collections adopted by the department under the provisions of RCW 82.08.060.

(2) The tax required by this chapter, to be collected by the seller, is deemed to be held in trust by the seller until paid to the department. Any seller who appropriates or converts the tax collected to the seller's own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter is guilty of a gross misdemeanor.

(3) Except as otherwise provided in this section, if any seller fails to collect the tax imposed in this chapter or, having collected the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of the seller's own acts or the result of acts or conditions beyond the seller's control, the seller is, nevertheless, personally liable to the state for the amount of the tax.

(4) Sellers are not relieved from personal liability for the amount of the tax unless they maintain proper records of exempt or nontaxable transactions and provide them to the department when requested.

(5) Sellers are not relieved from personal liability for the amount of tax if they fraudulently fail to collect the tax or if they solicit purchasers to participate in an unlawful claim of exemption.

(6) Sellers are not relieved from personal liability for the amount of tax if they accept an exemption certificate from a purchaser claiming an entity-based exemption if:

(a) The subject of the transaction sought to be covered by the exemption certificate is actually received by the purchaser at a location operated by the seller in Washington; and

(b) Washington provides an exemption certificate that clearly and affirmatively indicates that the claimed exemption is not available in Washington. Graying out exemption reason types on a uniform form and posting it on the department's web site is a clear and affirmative indication that the grayed out exemptions are not available.

(7)(a) Sellers are relieved from personal liability for the amount of tax if they obtain a fully completed exemption certificate or capture the relevant data elements required under the streamlined sales and use tax agreement within ninety days, or a longer period as may be provided by rule by the department, subsequent to the date of sale.

(b) If the seller has not obtained an exemption certificate or all relevant data elements required under the streamlined sales and use tax agreement within the period allowed subsequent to the date of sale, the seller may, within one hundred twenty days, or a longer period as may be provided by rule by the department, subsequent to a request for substantiation by the department, either prove that the transaction was not subject to tax by other means or obtain a fully completed exemption certificate from the purchaser, taken in good faith.

(c) Sellers are relieved from personal liability for the amount of tax if they obtain a blanket exemption certificate for a purchaser with which the seller has a recurring business relationship. The department may not request from a seller renewal of blanket exemption certificates or updates of exemption certificate information or data elements if there is a recurring business relationship between the buyer and seller. For purposes of this subsection (7)(c), a "recurring business relationship" means at least one sale transaction within a period of twelve consecutive months.

(d) Sellers are relieved from personal liability for the amount of tax if they obtain a copy of a direct pay permit issued under RCW 82.32.087.

(8) The amount of tax, until paid by the buyer to the seller or to the department, constitutes a debt from the buyer to the seller. Any seller who fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due

under this chapter is guilty of a misdemeanor.

(9) Except as otherwise provided in this subsection, the tax required by this chapter to be collected by the seller must be stated separately from the selling price in any sales invoice or other instrument of sale. On all retail sales through vending machines, the tax need not be stated separately from the selling price or collected separately from the buyer. Except as otherwise provided in this subsection, for purposes of determining the tax due from the buyer to the seller and from the seller to the department it must be conclusively presumed that the selling price quoted in any price list, sales document, contract or other agreement between the parties does not include the tax imposed by this chapter. But if the seller advertises the price as including the tax or that the seller is paying the tax, the advertised price may not be considered the selling price.

(10) Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the buyer for collection of the tax. If the department proceeds directly against the buyer for collection of the tax as authorized in this subsection, the department may add a penalty of ten percent of the unpaid tax to the amount of the tax due for failure of the buyer to pay the tax to the seller, regardless of when the tax may be collected by the department. In addition to the penalty authorized in this subsection, all of the provisions of chapter 82.32 RCW, including those relative to interest and penalties, apply. For the sole purpose of applying the various provisions of chapter 82.32 RCW, the twenty-fifth day of the month following the tax period in which the purchase was made will be considered as the due date of the tax.

~~(11) ((Notwithstanding subsections (1) through (10) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if:~~

~~(a) The person's activities in this state, whether conducted directly or through another person, are limited to:~~

~~(i) The storage, dissemination, or display of advertising;~~

~~(ii) The taking of orders; or~~

~~(iii) The processing of payments; and~~

~~(b) The activities are conducted electronically via a web site on a server or other computer equipment located in Washington that is not owned or operated by the person making sales into this state nor owned or operated by an affiliated person. "Affiliated persons" has the same meaning as provided in RCW 82.04.424.~~

~~(12) Subsection (11) of this section expires when: (a) The United States congress grants individual states the authority to impose sales and use tax collection duties on remote sellers; or (b) it is determined by a court of competent jurisdiction, in a judgment not subject to review, that a state can impose sales and use tax collection duties on remote sellers.~~

~~(13) For purposes of this section:))~~
The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Exemption certificate" means documentation furnished by a buyer to a seller to claim an exemption from sales tax. An exemption certificate includes a reseller permit or other documentation authorized in RCW 82.04.470 furnished by a buyer to a seller to substantiate a wholesale sale ~~((; and))~~.

(b) "Seller" includes a certified service provider, as defined in RCW 82.32.020, acting as agent for the seller.

Sec. 212. RCW 82.12.040 and 2015 c 169 s 9 are each amended to read as follows:

(1) Every person who ~~((maintains in this state a place of business or a stock of goods, or engages in business activities within this state))~~ is subject to a collection obligation under chapter 82.08 RCW, except a person making a valid election to comply with the notice and reporting provisions of section 205 of this act, must obtain from the department a certificate of registration, and must, at the time of making sales of tangible personal property, digital goods, digital codes, digital automated services, extended warranties, or sales of any service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6) ~~((4b))~~ (c), or making transfers of either possession or title, or both, of tangible personal property for use in this state, collect from the purchasers or transferees the tax imposed under this chapter. The tax to be collected under this section must be in an amount equal to the purchase

price multiplied by the rate in effect for the retail sales tax under RCW 82.08.020. ~~((For the purposes of this chapter, the phrase "maintains in this state a place of business" includes the solicitation of sales and/or taking of orders by sales agents or traveling representatives. For the purposes of this chapter, "engages in business activity within this state" includes every activity which is sufficient under the Constitution of the United States for this state to require collection of tax under this chapter. The department must in rules specify activities which constitute engaging in business activity within this state, and must keep the rules current with future court interpretations of the Constitution of the United States.))~~

(2) Every person who engages in this state in the business of acting as an independent selling agent for persons who do not hold a valid certificate of registration, and who receives compensation by reason of sales of tangible personal property, digital goods, digital codes, digital automated services, extended warranties, or sales of any service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6) ~~((b))~~ (c), of his or her principals for use in this state, must, at the time such sales are made, collect from the purchasers the tax imposed on the purchase price under this chapter, and for that purpose is deemed a retailer as defined in this chapter.

(3) The tax required to be collected by this chapter is deemed to be held in trust by the retailer until paid to the department, and any retailer who appropriates or converts the tax collected to the retailer's own use or to any use other than the payment of the tax provided herein to the extent that the money required to be collected is not available for payment on the due date as prescribed is guilty of a misdemeanor. In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay the same to the department in the manner prescribed, whether such failure is the result of the seller's own acts or the result of acts or conditions beyond the seller's control, the seller is nevertheless personally liable to the state for the amount of such tax, unless the seller has taken from the buyer a copy of a direct pay permit issued under RCW 82.32.087.

(4) Any retailer who refunds, remits, or rebates to a purchaser, or transferee, either directly or indirectly, and by whatever means, all or any part of the tax levied by this chapter is guilty of a misdemeanor.

~~(5) ((Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if:~~

~~(a) The person's activities in this state, whether conducted directly or through another person, are limited to:~~

~~(i) The storage, dissemination, or display of advertising;~~

~~(ii) The taking of orders; or~~

~~(iii) The processing of payments; and~~

~~(b) The activities are conducted electronically via a web site on a server or other computer equipment located in Washington that is not owned or operated by the person making sales into this state nor owned or operated by an affiliated person. "Affiliated persons" has the same meaning as provided in RCW 82.04.424.~~

~~(6) Subsection (5) of this section expires when: (a) The United States congress grants individual states the authority to impose sales and use tax collection duties on remote sellers; or (b) it is determined by a court of competent jurisdiction, in a judgment not subject to review, that a state can impose sales and use tax collection duties on remote sellers.~~

~~(7))~~ Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if the person would have been obligated to collect retail sales tax on the sale absent a specific exemption provided in chapter 82.08 RCW, and there is no corresponding use tax exemption in this chapter. Nothing in this subsection ~~((7))~~ (5) may be construed as relieving purchasers from liability for reporting and remitting the tax due under this chapter directly to the department.

~~((8))~~ (6) Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if the state is prohibited under the Constitution or laws of the United States from requiring the person to collect the tax imposed by this chapter.

~~((+9))~~ (7) Notwithstanding subsections (1) through (4) of this section, any licensed dealer facilitating a firearm sale or transfer between two unlicensed persons by conducting background checks under chapter 9.41 RCW is not obligated to collect the tax imposed by this chapter.

Sec. 213. RCW 82.12.040 and 2017 c 323 s 525 are each amended to read as follows:

(1) Every person who ~~((maintains in this state a place of business or a stock of goods, or engages in business activities within this state))~~ is subject to a collection obligation under chapter 82.08 RCW, except a person making a valid election to comply with the notice and reporting provisions of section 205 of this act, must obtain from the department a certificate of registration, and must, at the time of making sales of tangible personal property, digital goods, digital codes, digital automated services, extended warranties, or sales of any service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6) (c), or making transfers of either possession or title, or both, of tangible personal property for use in this state, collect from the purchasers or transferees the tax imposed under this chapter. The tax to be collected under this section must be in an amount equal to the purchase price multiplied by the rate in effect for the retail sales tax under RCW 82.08.020. ((For the purposes of this chapter, the phrase "maintains in this state a place of business" includes the solicitation of sales and/or taking of orders by sales agents or traveling representatives. For the purposes of this chapter, "engages in business activity within this state" includes every activity which is sufficient under the Constitution of the United States for this state to require collection of tax under this chapter. The department must in rules specify activities which constitute engaging in business activity within this state, and must keep the rules current with future court interpretations of the Constitution of the United States.))

(2) Every person who engages in this state in the business of acting as an independent selling agent for persons who do not hold a valid certificate of registration, and who receives compensation by reason of sales of tangible personal property, digital goods, digital codes, digital automated services, extended warranties, or sales of any service defined as a retail sale in RCW

82.04.050 (2) (a) or (g) or (6) (c), of his or her principals for use in this state, must, at the time such sales are made, collect from the purchasers the tax imposed on the purchase price under this chapter, and for that purpose is deemed a retailer as defined in this chapter.

(3) The tax required to be collected by this chapter is deemed to be held in trust by the retailer until paid to the department, and any retailer who appropriates or converts the tax collected to the retailer's own use or to any use other than the payment of the tax provided herein to the extent that the money required to be collected is not available for payment on the due date as prescribed is guilty of a misdemeanor. In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay the same to the department in the manner prescribed, whether such failure is the result of the seller's own acts or the result of acts or conditions beyond the seller's control, the seller is nevertheless personally liable to the state for the amount of such tax, unless the seller has taken from the buyer a copy of a direct pay permit issued under RCW 82.32.087.

(4) Any retailer who refunds, remits, or rebates to a purchaser, or transferee, either directly or indirectly, and by whatever means, all or any part of the tax levied by this chapter is guilty of a misdemeanor.

~~(5) ((Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if:~~

~~(a) The person's activities in this state, whether conducted directly or through another person, are limited to:~~

~~(i) The storage, dissemination, or display of advertising;~~

~~(ii) The taking of orders; or~~

~~(iii) The processing of payments; and~~

~~(b) The activities are conducted electronically via a web site on a server or other computer equipment located in Washington that is not owned or operated by the person making sales into this state nor owned or operated by an affiliated person. "Affiliated persons" has the same meaning as provided in RCW 82.04.424.~~

~~(6) Subsection (5) of this section expires when: (a) The United States congress grants individual states the~~

~~authority to impose sales and use tax collection duties on remote sellers; or (b) it is determined by a court of competent jurisdiction, in a judgment not subject to review, that a state can impose sales and use tax collection duties on remote sellers.~~

~~(7))~~) Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if the person would have been obligated to collect retail sales tax on the sale absent a specific exemption provided in chapter 82.08 RCW, and there is no corresponding use tax exemption in this chapter. Nothing in this subsection ~~((7))~~ (5) may be construed as relieving purchasers from liability for reporting and remitting the tax due under this chapter directly to the department.

~~((8))~~ (6) Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if the state is prohibited under the Constitution or laws of the United States from requiring the person to collect the tax imposed by this chapter.

~~((9))~~ (7) Notwithstanding subsections (1) through (4) of this section, any licensed dealer facilitating a firearm sale or transfer between two unlicensed persons by conducting background checks under chapter 9.41 RCW is not obligated to collect the tax imposed by this chapter.

NEW SECTION. Sec. 214. A new section is added to chapter 82.32 RCW to read as follows:

(1) If the department determines that a change, taking effect after the effective date of this section, in the streamlined sales and use tax agreement or federal law creates a conflict with any provision of section 202 or 203 of this act, such conflicting provision or provisions of section 202 or 203 of this act, including any related provisions that would not function as originally intended, have no further force and effect as of the date the change in the streamlined sales and use tax agreement or federal law becomes effective.

(2) For purposes of this section:

(a) A change in federal law conflicts with section 202 or 203 of this act if the change clearly allows states to impose greater sales and use tax collection obligations on remote sellers, referrers,

or marketplace facilitators than provided for, or clearly prevents states from imposing sales and use tax collection obligations on remote sellers, referrers, or marketplace facilitators to the extent provided for, under section 202 or 203 of this act.

(b) A change in the streamlined sales and use tax agreement conflicts with section 202 or 203 of this act if one or more provisions of section 202 or 203 of this act causes this state to be found out of compliance with the streamlined sales and use tax agreement by its governing board.

(3) If the department makes a determination under this section that a change in federal law or the streamlined sales and use tax agreement conflicts with one or more provisions of section 202 or 203 of this act, the department:

(a) May adopt rules in accordance with chapter 34.05 RCW that are consistent with the streamlined sales and use tax agreement and that impose sales and use tax collection obligations on remote sellers, referrers, or marketplace facilitators to the fullest extent allowed under state and federal law; and

(b) Must include information on its web site informing taxpayers and the public (i) of the provision or provisions of section 202 or 203 of this act that will have no further force and effect, (ii) when such change will become effective, and (iii) about how to participate in any rule making conducted by the department in accordance with (a) of this subsection (3).

(4) For purposes of this section, "remote seller," "referrer," and "marketplace facilitator" have the same meaning as provided in section 204 of this act.

Part III

Nexus for Excise Tax Purposes

Sec. 301. RCW 82.04.066 and 2015 3rd sp.s. c 5 s 203 are each amended to read as follows:

"Engaging within this state" and "engaging within the state," when used in connection with any apportionable activity as defined in RCW 82.04.460 or ~~((wholesale sales))~~ selling activity taxable under RCW 82.04.250(1), 82.04.257(1), or 82.04.270, means that a person generates gross income of the business from sources within this state, such as customers or intangible

property located in this state, regardless of whether the person is physically present in this state.

Sec. 302. RCW 82.04.067 and 2016 c 137 s 2 are each amended to read as follows:

(1) A person engaging in business is deemed to have substantial nexus with this state if, in the current or immediately preceding calendar year, the person is:

(a) An individual and is a resident or domiciliary of this state;

(b) A business entity and is organized or commercially domiciled in this state; or

(c) A nonresident individual or a business entity that is organized or commercially domiciled outside this state, and ~~((in the immediately preceding tax year))~~ the person had:

(i) More than fifty-three thousand dollars of property in this state;

(ii) More than fifty-three thousand dollars of payroll in this state;

(iii) More than two hundred ~~((fifty))~~ sixty-seven thousand dollars of receipts from this state; or

(iv) At least twenty-five percent of the person's total property, total payroll, or total receipts in this state.

(2)(a) Property counting toward the thresholds in subsection (1)(c)(i) and (iv) of this section is the average value of the taxpayer's property, including intangible property, owned or rented and used in this state during the current or immediately preceding ~~((tax))~~ calendar year.

(b)(i) Property owned by the taxpayer, other than loans and credit card receivables owned by the taxpayer, is valued at its original cost basis. Loans and credit card receivables owned by the taxpayer are valued at their outstanding principal balance, without regard to any reserve for bad debts. However, if a loan or credit card receivable is charged off in whole or in part for federal income tax purposes, the portion of the loan or credit card receivable charged off is deducted from the outstanding principal balance.

(ii) Property rented by the taxpayer is valued at eight times the net annual rental rate. For purposes of this subsection, "net annual rental rate" means the annual rental rate paid by the

taxpayer less any annual rental rate received by the taxpayer from subrentals.

(c) The average value of property must be determined by averaging the values at the beginning and ending of the ~~((tax))~~ applicable calendar year; but the department may require the averaging of monthly values during the ~~((tax))~~ applicable calendar year if reasonably required to properly reflect the average value of the taxpayer's property.

(d)(i) For purposes of this subsection (2), loans and credit card receivables are deemed owned and used in this state as follows:

(A) Loans secured by real property, personal property, or both real and personal property are deemed owned and used in the state if the real property or personal property securing the loan is located within this state. If the property securing the loan is located both within this state and one or more other states, the loan is deemed owned and used in this state if more than fifty percent of the fair market value of the real or personal property is located within this state. If more than fifty percent of the fair market value of the real or personal property is not located within any one state, then the loan is deemed owned and used in this state if the borrower is located in this state. The determination of whether the real or personal property securing a loan is located within this state must be made, as of the time the original agreement was made, and any and all subsequent substitutions of collateral must be disregarded.

(B) Loans not secured by real or personal property are deemed owned and used in this state if the borrower is located in this state.

(C) Credit card receivables are deemed owned and used in this state if the billing address of the cardholder is in this state.

(ii)(A) Except as otherwise provided in (d)(ii)(B) of this subsection (2), the definitions in the multistate tax commission's recommended formula for the apportionment and allocation of net income of financial institutions as existing on June 1, 2010, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, apply to this section.

(B) "Credit card" means a card or device existing for the purpose of obtaining

money, property, labor, or services on credit.

(e) Notwithstanding anything else to the contrary in this subsection, property counting toward the thresholds in subsection (1)(c)(i) and (iv) of this section does not include a person's ownership of, or rights in, computer software as defined in RCW 82.04.215, including computer software used in providing a digital automated service; master copies of software; and digital goods and digital codes residing on servers located in this state.

(3)(a) Payroll counting toward the thresholds in subsection (1)(c)(ii) and (iv) of this section is the total amount paid by the taxpayer for compensation in this state during the current or immediately preceding ((tax)) calendar year plus nonemployee compensation paid to representative third parties in this state. Nonemployee compensation paid to representative third parties includes the gross amount paid to nonemployees who represent the taxpayer in interactions with the taxpayer's clients and includes sales commissions.

(b) Employee compensation is paid in this state if the compensation is properly reportable to this state for unemployment compensation tax purposes, regardless of whether the compensation was actually reported to this state.

(c) Nonemployee compensation is paid in this state if the service performed by the representative third party occurs entirely or primarily within this state.

(d) For purposes of this subsection, "compensation" means wages, salaries, commissions, and any other form of remuneration paid to employees or nonemployees and defined as gross income under 26 U.S.C. Sec. 61 of the federal internal revenue code of 1986, as existing on June 1, 2010.

(4) Receipts counting toward the thresholds in subsection (1)(c)(iii) and (iv) of this section are:

(a) Those amounts included in the numerator of the receipts factor under RCW 82.04.462;

(b) For financial institutions, those amounts included in the numerator of the receipts factor under the rule adopted by the department as authorized in RCW 82.04.460(2); and

(c) For persons taxable under RCW 82.04.250(1), 82.04.257(1), or 82.04.270 ~~((with respect to wholesale sales))~~, the gross proceeds of sales taxable under those statutory provisions and sourced to this state in accordance with RCW 82.32.730.

(5)(a) Each December, the department must review the cumulative percentage change in the consumer price index. The department must adjust the thresholds in subsection (1)(c)(i) through (iii) of this section if the consumer price index has changed by five percent or more since the later of June 1, 2010, or the date that the thresholds were last adjusted under this subsection. For purposes of determining the cumulative percentage change in the consumer price index, the department must compare the consumer price index available as of December 1st of the current year with the consumer price index as of the later of June 1, 2010, or the date that the thresholds were last adjusted under this subsection. The thresholds must be adjusted to reflect that cumulative percentage change in the consumer price index. The adjusted thresholds must be rounded to the nearest one thousand dollars. Any adjustment will apply to tax periods that begin after the adjustment is made.

(b) As used in this subsection, "consumer price index" means the consumer price index for all urban consumers (CPI-U) available from the bureau of labor statistics of the United States department of labor.

(6)(a)(i) Except as provided in (a)(iii) of this subsection (6), subsections (1) through (5) of this section only apply with respect to the taxes on persons engaged in apportionable activities as defined in RCW 82.04.460 or making wholesale sales taxable under RCW 82.04.257(1) or 82.04.270.

(ii) Subject to the limitation in RCW 82.32.531, for purposes of the taxes imposed under this chapter on ((any)) the business of making sales at retail or any other activity not included in the definition of apportionable activities in RCW 82.04.460, other than the business of making wholesale sales taxed under RCW 82.04.257(1) or 82.04.270, ((except as provided in RCW 82.32.531,)) a person is deemed to have a substantial nexus with this state if the person has a physical presence in this state during the ((tax)) current or immediately preceding calendar

year, which need only be demonstrably more than a slightest presence.

(iii) For purposes of the taxes imposed under this chapter on the business of making sales at retail taxable under RCW 82.04.250(1) or 82.04.257(1), a person is also deemed to have a substantial nexus with this state if the person's receipts from this state, pursuant to subsection (4)(c) of this section, meet either criterion in subsection (1)(c)(iii) or (iv) of this section, as adjusted under subsection (5) of this section.

(b) For purposes of this subsection, a person is physically present in this state if the person has property or employees in this state.

(c)(i) A person is also physically present in this state for the purposes of this subsection if the person, either directly or through an agent or other representative, engages in activities in this state that are significantly associated with the person's ability to establish or maintain a market for its products in this state.

(ii) A remote seller as defined in RCW 82.08.052 is presumed to be engaged in activities in this state that are significantly associated with the remote seller's ability to establish or maintain a market for its products in this state if the remote seller is presumed to have a substantial nexus with this state under RCW 82.08.052. The presumption in this subsection (6)(c)(ii) may be rebutted as provided in RCW 82.08.052. To the extent that the presumption in RCW 82.08.052 is no longer operative pursuant to RCW 82.32.762, the presumption in this subsection (6)(c)(ii) is no longer operative. ~~((Nothing in this section may be construed to affect in any way RCW 82.04.424, 82.08.050(11), or 82.12.040(5) or to narrow the scope of the terms "agent" or "other representative" in this subsection (6)(c).))~~

Sec. 303. RCW 82.04.220 and 2011 1st sp.s. c 20 s 101 are each amended to read as follows:

(1) There is levied and collected from every person that has a substantial nexus with this state, as provided in RCW 82.04.067, a tax for the act or privilege of engaging in business activities. The tax is measured by the application of rates against value of products, gross proceeds of sales, or gross income of the business, as the case may be.

(2)(a) A person who has a substantial nexus with this state in ((any tax year under the provisions of RCW 82.04.067 will be deemed to have a substantial nexus with this state for the following tax year)) the current calendar year under the provisions of RCW 82.04.067, based solely on the person's property, payroll, or receipts in this state during the current calendar year, is subject to the tax imposed under this chapter for the current calendar year only on business activity occurring on and after the date that the person established a substantial nexus with this state in the current calendar year.

(b) This subsection (2) does not apply to any person who also had a substantial nexus with this state during:

(i) The immediately preceding calendar year under RCW 82.04.067; or

(ii) The current calendar year under RCW 82.04.067 (1)(a) or (b) or (6)(a)(ii) or (c).

NEW SECTION. Sec. 304. RCW 82.04.424 (Exemptions—Certain in-state activities) and 2015 3rd sp.s. c 5 s 206 & 2003 c 76 s 2 are each repealed.

Part IV

Eliminate Streamlined Sales Tax Mitigation to Local Governments

Sec. 401. RCW 82.14.495 and 2010 1st sp.s. c 37 s 952 are each amended to read as follows:

(1) The streamlined sales and use tax mitigation account is created in the state treasury. Through July 1, 2019, the state treasurer ((shall)) must transfer into the account from the general fund amounts as directed in RCW 82.14.500. Expenditures from the account may be used only for the purpose of mitigating the negative fiscal impacts to local taxing jurisdictions as a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020. ((During the 2009-2011 fiscal biennium, the legislature may transfer from the streamlined sales and use tax mitigation account to the state general fund such amounts as reflect the excess fund balance of the account.))

(2) Beginning July 1, 2008, through September 30, 2019, the state treasurer, as directed by the department, ((shall)) must distribute the funds in the streamlined sales and use tax mitigation account to local taxing jurisdictions in accordance with RCW 82.14.500.

(3) The definitions in this subsection apply throughout this section and RCW 82.14.390 and 82.14.500 unless the context clearly requires otherwise.

(a) "Agreement" means the same as in RCW 82.32.020.

(b) "Local taxing jurisdiction" means through June 30, 2017, counties, cities, transportation authorities under RCW 82.14.045, public facilities districts under chapters 36.100 and 35.57 RCW, public transportation benefit areas under RCW 82.14.440, and regional transit authorities under chapter 81.112 RCW, that impose a sales and use tax. Beginning July 1, 2017, "local taxing jurisdiction" means cities, counties, and public facilities districts under chapters 36.100 and 35.57 RCW.

(c) "Loss" or "losses" means the local sales and use tax revenue reduction to a local taxing jurisdiction resulting from the sourcing provisions in RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020.

(d) "Marketplace facilitator/remote seller revenue" means the local sales and use tax revenue gain, including taxes voluntarily remitted and taxes collected from consumers, to each local taxing jurisdiction from part II of this act as estimated by the department in RCW 82.14.500(6).

(e) "Net loss" or "net losses" means a loss offset by any voluntary compliance revenue and marketplace facilitator/remote seller revenue.

~~((e))~~ (f) "Voluntary compliance revenue" means the local sales tax revenue gain to each local taxing jurisdiction reported to the department from persons registering through the central registration system authorized under the agreement.

~~((f))~~ (g) "Working day" has the same meaning as in RCW 82.45.180.

Sec. 402. RCW 82.14.500 and 2011 1st sp.s. c 50 s 974 are each amended to read as follows:

(1)~~((a))~~ In order to mitigate local sales tax revenue net losses as a result of the sourcing provisions of the streamlined sales and use tax agreement under this title, the state treasurer, on July 1, 2011, and each July 1st thereafter through July 1, 2019, must transfer into the streamlined sales and use tax mitigation account from the general fund

the sum required to mitigate actual net losses as determined under this section.

~~((b) During the 2011-2013 fiscal biennium, the amount that would otherwise be transferred under (a) of this subsection must be reduced by 3.4 percent.)~~

(2) Beginning July 1, 2008, and continuing until the department determines annual losses under subsection (3) of this section, the department must determine the amount of local sales tax net loss each local taxing jurisdiction experiences as a result of the sourcing provisions of the streamlined sales and use tax agreement under this title each calendar quarter. The department must determine losses by analyzing and comparing data from tax return information and tax collections for each local taxing jurisdiction before and after July 1, 2008, on a calendar quarter basis. The department's analysis may be revised and supplemented in consultation with the oversight committee as provided in subsection (4) of this section. To determine net losses, the department must reduce losses by the amount of voluntary compliance revenue for the calendar quarter analyzed. Beginning December 31, 2008, distributions must be made quarterly from the streamlined sales and use tax mitigation account by the state treasurer, as directed by the department, to each local taxing jurisdiction, other than public facilities districts for losses in respect to taxes imposed under the authority of RCW 82.14.390, in an amount representing its net losses for the previous calendar quarter. Distributions must be made on the last working day of each calendar quarter and must cease when distributions under subsection (3) of this section begin.

(3)(a) By December 31, 2009, or such later date the department in consultation with the oversight committee determines that sufficient data is available, the department must determine each local taxing jurisdiction's annual loss. The department must determine annual losses by comparing at least twelve months of data from tax return information and tax collections for each local taxing jurisdiction before and after July 1, 2008. The department is not required to determine annual losses on a recurring basis, but may make any adjustments to annual losses as it deems proper as a result of the annual reviews provided in (b) of this subsection. Beginning the calendar quarter in which the department

determines annual losses, and each calendar quarter thereafter through September 30, 2019, distributions must be made from the streamlined sales and use tax mitigation account by the state treasurer on the last working day of the calendar quarter, as directed by the department, to each local taxing jurisdiction, other than public facilities districts for losses in respect to taxes imposed under the authority of RCW 82.14.390, in an amount representing one-fourth of the jurisdiction's annual loss reduced by voluntary compliance revenue reported during the previous calendar quarter and marketplace facilitator/remote seller revenue reported during the previous calendar quarter.

(b) The department's analysis of annual losses must be reviewed by December 1st of each year and may be revised and supplemented in consultation with the oversight committee as provided in subsection (4) of this section.

(4) The department must convene an oversight committee to assist in the determination of losses. The committee includes one representative of one city whose revenues are increased, one representative of one city whose revenues are reduced, one representative of one county whose revenues are increased, one representative of one county whose revenues are decreased, one representative of one transportation authority under RCW 82.14.045 whose revenues are increased, and one representative of one transportation authority under RCW 82.14.045 whose revenues are reduced, as a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020. Beginning July 1, 2008, the oversight committee must meet quarterly with the department to review and provide additional input and direction on the department's analyses of losses. Local taxing jurisdictions may also present to the oversight committee additional information to improve the department's analyses of the jurisdiction's loss. Beginning January 1, 2010, the oversight committee must meet at least annually with the department by December 1st.

(5) The rule-making provisions of chapter 34.05 RCW do not apply to this section.

(6)(a) As a result of part II of this act, local sales and use tax revenue is anticipated to increase due to additional tax remittance by marketplace

facilitators, remote sellers, and consumers. This additional revenue will further mitigate the losses that resulted from the sourcing provisions of the streamlined sales and use tax agreement under this title and should be reflected in mitigation payments to negatively impacted local jurisdictions.

(b) Beginning January 1, 2018, and continuing through September 30, 2019, the department must determine the increased sales and use tax revenue each local taxing jurisdiction experiences from marketplace facilitator/remote seller revenue as a result of sections 201 through 213 of this act each calendar quarter. The department must convene the mitigation advisory committee before January 1, 2018, to receive input on the determination of marketplace facilitator/remote seller revenue. Beginning with distributions made after March 31, 2018, distributions from the streamlined sales and use tax mitigation account by the state treasurer, as directed by the department, to each local taxing jurisdiction, must be reduced by the amount of its marketplace facilitator/remote seller revenue reported during the previous calendar quarter. No later than December 1, 2019, the department will determine the total marketplace facilitator/remote seller revenue for each local taxing jurisdiction for reporting periods beginning January 1, 2018, through reporting periods ending June 30, 2019. If the total distribution made from the streamlined sales and use tax mitigation account to a local taxing jurisdiction was not fully reduced by its total amount of marketplace facilitator/remote seller revenue for reporting periods beginning January 1, 2018, through reporting periods ending June 30, 2019, the department must reduce the local taxing jurisdiction's distribution of local sales and use tax under RCW 82.14.060 by the excess amount received.

NEW SECTION. Sec. 403. (1) (a) Monthly, the state treasurer must distribute from the local sales and use tax account to the counties, cities, transportation authorities, public facilities districts, and transportation benefit districts the amount of tax collected on behalf of each taxing authority, less:

(i) The deduction provided for in RCW 82.14.050; and

(ii) The amount of any refunds of local sales and use taxes exempted under RCW

82.08.962, 82.12.962, 82.08.02565, 82.12.02565, 82.08.025661, or 82.12.025661, which must be made without appropriation; and

(iii) The deduction required under RCW 82.14.500.

(b) The state treasurer must make the distribution under this section without appropriation.

(2) In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution may not be considered void in toto, but only with respect to that portion of the rate that is in excess of the applicable limits contained herein.

NEW SECTION. Sec. 404. The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective October 1, 2019:

(1) RCW 82.14.495 (Streamlined sales and use tax mitigation account—Creation) and 2017 3rd sp.s. c . . . s 401 (section 401 of this act), 2010 1st sp.s. c 37 s 952, 2009 c 4 s 907, & 2007 c 6 s 902;

(2) RCW 82.14.500 (Streamlined sales and use tax mitigation account—Funding—Determination of losses) and 2017 3rd sp.s. c . . . s 402 (section 402 of this act), 2011 1st sp.s. c 50 s 974, & 2007 c 6 s 903; and

(3) 2017 3rd sp.s. c . . . s 403 (uncodified) (section 403 of this act).

Part V

Miscellaneous Provisions

NEW SECTION. Sec. 501. Sections 204 through 208 of this act constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 502. This act does not affect any existing right acquired or liability or obligation incurred under the sections amended or repealed or under any rule or order adopted under those sections, nor does it affect any proceeding instituted under those sections.

NEW SECTION. Sec. 503. (1) If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

(2) If the department of revenue is prevented from enforcing chapter 82.08 or

82.12 RCW against persons without a physical presence in this state because any provision of this act or its application to any person or circumstance is held invalid, the department of revenue must impose such provisions to the fullest extent allowed under the Constitution and laws of the United States.

NEW SECTION. Sec. 504. The tax collection, reporting, and payment obligations imposed by this act apply prospectively only.

NEW SECTION. Sec. 505. (1) Except as otherwise provided in this section, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(2) Part I of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect August 1, 2017.

(3) Section 213 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 23, 2017.

(4) Part III of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2017.

NEW SECTION. Sec. 506. Section 212 of this act expires July 23, 2017."

Correct the title.

Representative Lytton spoke in favor of the adoption of the striking amendment (638).

Amendment (638) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton, Nealey and Dolan spoke in favor of the passage of the bill.

Representatives Orcutt, Maycumber and Smith spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2163.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2163, and the bill passed the House by the following vote: Yeas, 53; Nays, 40; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hargrove, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Lovick, Lytton, Macri, McBride, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dye, Graves, Griffey, Haler, Harmsworth, Harris, Irwin, Jenkin, Johnson, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McCaslin, McDonald, Muri, Orcutt, Pike, Rodne, Schmick, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

ENGROSSED HOUSE BILL NO. 2163, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED HOUSE BILL NO. 2242 and ENGROSSED HOUSE BILL NO. 2163 were immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5883,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1624,
HOUSE BILL NO. 1716,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection, SUBSTITUTE SENATE BILL NO. 5883 was read the first time, and under suspension of the rules was placed on the second reading calendar.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5883, by Senate Committee on Ways & Means (originally sponsored by Senator Braun)

Relating to fiscal matters. Revised for 1st Substitute: Making operating appropriations for the 2015-2017 and 2017-2019 fiscal biennia.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby, Chandler, Robinson, Stokesbary, Hansen, Jinkins, Kagi, Reeves, Kilduff, MacEwen, Appleton and Sullivan spoke in favor of the passage of the bill.

Representatives Pike, Kraft, Irwin and Taylor spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5883.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5883, and the bill passed the House by the following vote: Yeas, 70; Nays, 23; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McDonald, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stokesbary,

Stonier, Sullivan, Tarleton, Tharinger, Valdez, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, Harmsworth, Irwin, Jenkin, Johnson, Koster, Kraft, Kretz, Maycumber, McCabe, McCaslin, Orcutt, Pike, Rodne, Schmick, Stanford, Steele, Taylor, Van Werven, Vick and Volz.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

SUBSTITUTE SENATE BILL NO. 5883, having received the necessary constitutional majority, was declared passed.

There being no objection, SUBSTITUTE SENATE BILL NO. 5883 was immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
5106,
SECOND ENGROSSED SENATE BILL NO. 5867,
SENATE BILL NO. 5924,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5947,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection the following bills were read the first time, and under suspension of the rules were placed on the second reading calendar:

SECOND ENGROSSED SUBSTITUTE SENATE
BILL NO. 5106
ENGROSSED SUBSTITUTE SENATE BILL NO.
5934
ENGROSSED SUBSTITUTE SENATE BILL NO.
5947

The Speaker (Representative Lovick presiding) called upon Representative Hudgins to preside.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5883,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1597
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1677
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1777
SUBSTITUTE SENATE BILL NO. 5883
ENGROSSED SUBSTITUTE SENATE BILL NO.
5898
SENATE BILL NO. 5976
HOUSE BILL NO. 1042
HOUSE BILL NO. 1140

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5106, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senator O'Ban)

Clarifying obligations under the involuntary treatment act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jenkins, Rodne and Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5106.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5106, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 1; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Orcutt and Taylor.

Voting Absent: Representative Young.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5106, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5106 passed the House.

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5106, on reconsideration, and the bill passed the House by the following vote: Yeas, 91; Nays, 2; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Orcutt and Taylor.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5106, on reconsideration, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5947, by Senate Committee on Ways & Means (originally sponsored by Senator Pearson)

Concerning the Columbia river salmon and steelhead endorsement program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5947.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5947, and the bill passed the House by the following vote: Yeas, 87; Nays, 6; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Vick, Volz, J. Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Johnson, McCaslin, Taylor, Van Werven and Young.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5947, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

June 30, 2017

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2222 with the following amendment:

On page 2, line 35 after "2019." Insert the following:

"(7) The study conducted under this section to examine individual market stability options must be conducted one time only, and the data requested for purposes of the study must be mutually agreed on between the commissioner and the carriers."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2222 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2222, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2222, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hargrove, Hayes, Holy, Morris and Shea.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2222, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED SUBSTITUTE HOUSE BILL NO. 2222 was immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2242,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED HOUSE BILL NO. 2242

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection, SECOND ENGROSSED SENATE BILL NO. 5867 was read the first time, and under suspension of the rules was placed on the second reading calendar.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, SUBSTITUTE SENATE BILL NO. 5605 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

**SECOND ENGROSSED SENATE BILL NO. 5867,
by Senator Braun**

Creating a flexible voluntary program to allow family members to provide personal care services to persons with developmental disabilities or long-term care needs under a consumer-directed medicaid service program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Valdez spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Engrossed Senate Bill No. 5867.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Senate Bill No. 5867, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hayes, Holy, Morris and Shea.

SECOND ENGROSSED SENATE BILL NO. 5867, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SUBSTITUTE SENATE BILL NO. 5975, by Senate Committee on Ways & Means (originally sponsored by Senators Fain, Liias, Keiser, Saldaña, Miloscia, Cleveland, McCoy, Nelson, Ranker, Conway, Mullet, Hobbs, Takko, Palumbo, Pedersen and Chase)

Relating to paid family and medical leave. Revised for 1st Substitute: Addressing paid family and medical leave.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson, Manweller, Senn, Sells, McCabe, Valdez, Stambaugh, Slatter and Springer spoke in favor of the passage of the bill.

Representatives Pike, Orcutt, Condotta, Klippert and Young spoke against the passage of the bill.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

The Speaker stated the question before the House to be the final passage of Substitute Senate Bill No. 5975.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5975, and the bill passed the House by the following vote: Yeas, 65; Nays, 29; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dye, Griffey, Hargrove, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, Maycumber, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Steele, Taylor, Vick, Volz, J. Walsh and Young.

Excused: Representatives Hayes, Holy, Morris and Shea.

SUBSTITUTE SENATE BILL NO. 5975, having received the necessary constitutional majority, was declared passed.

There being no objection, SUBSTITUTE SENATE BILL NO. 5975 was immediately transmitted to the Senate.

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5977,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection, SUBSTITUTE SENATE BILL NO. 5977 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5924, by Senators Fain and Keiser

Exchanging charitable, educational, penal, and reformatory institutions trust lands for community and technical college forest reserve lands.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives J. Walsh and Tharinger spoke in favor of the passage of the bill.

MOTION

On motion of Representative Griffey, Representative Manweller was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5924.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5924, and the bill passed the House by the following vote: Yeas, 91; Nays, 2; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

Excused: Representatives Hayes, Holy, Manweller, Morris and Shea.

SENATE BILL NO. 5924, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5977, by Senate Committee on Ways & Means (originally sponsored by Senator Rossi)

Relating to revenue. Revised for 1st Substitute: Concerning revenue.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Nealey spoke in favor of the passage of the bill.

There being no objection, the House deferred action on SENATE BILL NO. 5977, and the bill held its place on the third reading calendar.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SECOND ENGROSSED SUBSTITUTE SENATE
BILL NO. 5106
ENGROSSED SENATE BILL NO. 5316
SECOND ENGROSSED SUBSTITUTE SENATE
BILL NO. 5890
ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1341
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2222

The Speaker called upon Representative Orwall to preside.

There being no objection, the House resumed consideration of SUBSTITUTE SENATE BILL NO. 5977 on third reading.

Representative Frame spoke against the passage of the bill.

Representatives Vick and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5977.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5977, and the bill passed the House by the following vote: Yeas, 83; Nays, 10; Absent, 0; Excused, 5.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dolan, Dye, Fey, Fitzgibbon, Goodman, Graves, Gregerson, Griffey, Haler, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Chapman, Doglio, Frame, Hansen, Kagi, Pollet, Stanford and Valdez.

Excused: Representatives Hayes, Holy, Manweller, Morris and Shea.

SUBSTITUTE SENATE BILL NO. 5977, having received the necessary constitutional majority, was declared passed.

There being no objection, SUBSTITUTE SENATE BILL NO. 5977 was immediately transmitted to the Senate.

SUBSTITUTE SENATE BILL NO. 5605, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Walsh and Billig)

Aligning the office of the superintendent of public instruction's background check authority with that of the department of early learning.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5605.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5605, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen,

Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hayes, Holy, Manweller, Morris and Shea.

SUBSTITUTE SENATE BILL NO. 5605, having received the necessary constitutional majority, was declared passed.

There being no objection, SUBSTITUTE SENATE BILL NO. 5605 was immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1406,
ENGROSSED HOUSE BILL NO. 2190,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1341,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2017

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
5106,
SECOND ENGROSSED SENATE BILL NO. 5867,
SENATE BILL NO. 5924,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5947,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2017

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5605,
SENATE BILL NO. 5924,
SUBSTITUTE SENATE BILL NO. 5977,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2243, by Representatives McCaslin and Barkis

Concerning the siting of schools and school facilities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCaslin, Peterson, Barkis, Orcutt and Griffey spoke in favor of the passage of the bill.

Representatives Pollet and Appleton spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2243.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2243, and the bill passed the House by the following vote: Yeas, 78; Nays, 15; Absent, 0; Excused, 5.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Dolan, Dye, Fitzgibbon, Frame, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Johnson, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Santos, Sawyer, Schmick, Sells, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Doglio, Fey, Goodman, Jinkins, Kagi, Kloba, Macri, McBride, Pollet, Ryu, Senn, Stanford and Valdez.

Excused: Representatives Hayes, Holy, Manweller, Morris and Shea.

HOUSE BILL NO. 2243, having received the necessary constitutional majority, was declared passed.

There being no objection, HOUSE BILL NO. 2243 was immediately transmitted to the Senate.

There being no objection, the House advanced to the seventh order of business.

**THIRD READING
MESSAGE FROM THE SENATE**

June 30, 2017

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2163 with the following amendment:

On page 8, line 17, after "rate of" strike "3.852 percent" and insert ":

(a) 0.963 percent from January 1, 2018, through December 31, 2018;

(b) 1.926 percent from January 1, 2019, through December 31, 2019;

(c) 2.889 percent from January 1, 2020, through December 31, 2020; and

(d) 3.852 percent from January 1, 2021, and thereafter"

On page 46, after line 33, insert the following:

"Part V

**Public Utility Privilege Tax
Distributions**

Sec. 501. RCW 54.28.055 and 1986 c 189 s 1 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025(1), the department of revenue (~~shall~~) must instruct the state treasurer to distribute the amount collected on the first business day of July as follows:

(a) Fifty percent to the state general fund for the support of schools; and

(b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district (~~shall~~) must receive a percentage of the amount for distribution to counties, cities, fire protection districts and library districts, respectively, in the proportion

that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area. For the purposes of this chapter, the term "library district" includes only regional libraries ((as defined in RCW 27.12.010(4))), rural county library districts ((as defined in RCW 27.12.010(5))), intercounty rural library districts ((as defined in RCW 27.12.010(6))), and island library districts ((as defined in RCW 27.12.010(7))). The population of a library district, for purposes of such a distribution, ((shall)) does not include any population within the library district and the impact area that also is located within a city or town.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share ((shall)) must be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population ((shall)) must be calculated in accordance with data to be provided by the office of financial management.

Sec. 502. RCW 54.28.055 and 2017 c 323 s 105 are each amended to read as follows:

(1) Except as provided in subsection (3) of this section, the department of revenue must instruct the state treasurer to distribute the amount collected under RCW 54.28.025(1) on the first business day of July as follows:

(a) Fifty percent to the state general fund for the support of schools; and

(b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district, and library district must receive a percentage of the amount for distribution to counties, cities, fire protection districts, and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area. For the purposes of this chapter, the term "library district" includes only regional libraries, rural county library districts, intercounty rural library districts, and island library districts as those terms are defined in RCW 27.12.010. The

population of a library district, for purposes of such a distribution, does not include any population within the library district and the impact area that also is located within a city or town.

(3) Distributions under this section must be adjusted as follows:

(a) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share must be prorated among the state and remaining local districts.

(b) The department of revenue must instruct the state treasurer to adjust distributions under this section, in whole or in part, to account for each county's, city's, fire protection district's, and library district's proportionate share of amounts previously distributed under this section and subsequently refunded to a public utility district under RCW 82.32.060.

(4) All distributions directed by this section to be made on the basis of population must be calculated in accordance with population data as last determined by the office of financial management."

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

On page 47, after line 35, insert the following:

"(5) Section 502 of this act takes effect January 1, 2018."

On page 48, after line 2, insert the following:

"NEW SECTION. Sec. 507. Section 501 of this act expires January 1, 2018."

On page 1, line 3 of the title, after "82.14.495," strike "and 82.14.500" and insert "82.14.500, 54.28.055, and 54.28.055"

On page 1, line 8 of the title, after "dates; providing" strike "an expiration date" and insert "expiration dates"

17-19 FISCAL IMPACT: \$1,401,000 GF-S revenue increase.

and the same is herewith transmitted.

Pablo S. Campos, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2163 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representative Lytton spoke in favor of the passage of the bill, as amended by the Senate.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2163, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2163, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 51; Nays, 42; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dye, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McCaslin, McDonald, Muri, Orcutt, Pike, Rodne, Schmick, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representatives Hayes, Holy, Manweller, Morris and Shea.

ENGROSSED HOUSE BILL NO. 2163, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5939,
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5939 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO.
5939, by Senate Committee on Ways & Means (originally
sponsored by Senators Ericksen and Palumbo)**

**Promoting a sustainable, local renewable energy
industry through modifying renewable energy system
tax incentives and providing guidance for renewable
energy system component recycling.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tarleton, Fey and Smith spoke in favor of the passage of the bill.

Representative Nealey spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5939.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5939, and the bill passed the House by the following vote: Yeas, 74; Nays, 19; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Fey, Fitzgibbon, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Koster, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McDonald, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Dye, Frame, Hargrove, Harris, Jenkin, Johnson, Klippert, Kraft,

McCaslin, Nealey, Pike, Schmick, Taylor, Vick, Volz, J. Walsh and Young.

Excused: Representatives Hayes, Holy, Manweller, Morris and Shea.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5939, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5939 was immediately transmitted to the Senate.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2224
- SECOND ENGROSSED SENATE BILL NO. 5867
- SUBSTITUTE SENATE BILL NO. 5975
- SUBSTITUTE SENATE BILL NO. 5605
- SENATE BILL NO. 5924
- SUBSTITUTE SENATE BILL NO. 5977

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

June 30, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2224,
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5965,
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2243,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2017

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1661,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENT

The Speaker (Representative Orwall presiding) announced that Representative Barkis was removed from the Committee on Commerce and Gaming.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5965 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5965, by Senate Committee on Ways & Means (originally sponsored by Senator Honeyford)

Relating to the capital budget. Revised for 1st Substitute: Making supplemental capital appropriations for the 2015-2017 fiscal biennium, making capital reappropriations for the 2017-2019 fiscal biennium, and making new appropriations for the school construction assistance program for the 2017-2019 fiscal biennium.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5965.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5965, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives Hayes, Holy, Manweller, Morris and Shea.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5965, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5965 was immediately transmitted to the Senate.

HOUSE BILL NO. 1075, by Representative Tharinger

Concerning the capital budget.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1075 was substituted for House Bill No. 1075 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1075 was read the second time.

With the consent of the House, amendment (647) was withdrawn.

Representative Tharinger moved the adoption of amendment (650):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the

several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2019, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2018" or "FY 2018" means the period beginning July 1, 2017, and ending June 30, 2018.

(b) "Fiscal year 2019" or "FY 2019" means the period beginning July 1, 2018, and ending June 30, 2019.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2019-2021 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2017, from previous biennial appropriations for each project.

PART 1

GENERAL GOVERNMENT**NEW SECTION. Sec. 1001. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Washington Wildlife and Recreation Program and State Land Acquisition Study (92000003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 1001, chapter 35, Laws of 2016 sp. sess. and section 6005, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State \$350,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$350,000

NEW SECTION. Sec. 1002. FOR THE COURT OF APPEALS

Spokane Court Facility Upgrade (92000001)

Reappropriation:

State Building Construction Account—
State \$66,000

Prior Biennia (Expenditures)
\$37,000

Future Biennia (Projected Costs) \$0

TOTAL \$103,000

NEW SECTION. Sec. 1003. FOR THE DEPARTMENT OF COMMERCE

Local and Community Projects (20064008)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions in section 131, chapter 488, Laws of 2005.

(2) \$235,000 of the reappropriation is provided solely to the Spokane river forum. The department shall not execute a contract with the grant recipient unless the Spokane river forum is in receipt of all permits by March 1, 2018. If the terms and conditions of this subsection are not met by March 1, 2018, the funding provided in this subsection shall lapse.

Reappropriation:

State Building Construction Account—
State \$235,000

Prior Biennia (Expenditures)
\$45,657,000

Future Biennia (Projected Costs) \$0

TOTAL \$45,892,000

NEW SECTION. Sec. 1004. FOR THE DEPARTMENT OF COMMERCE

Rural Washington Loan Fund (20074008)

Reappropriation:

Rural Washington Loan Account—
State \$840,000

Prior Biennia (Expenditures)
\$1,187,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,027,000

NEW SECTION. Sec. 1005. FOR THE DEPARTMENT OF COMMERCE

Housing Assistance, Weatherization, and Affordable Housing (20074009)

Reappropriation:

State Taxable Building Construction Account—
State \$477,000

Prior Biennia (Expenditures)
\$199,435,000

Future Biennia (Projected Costs) \$0

TOTAL \$199,912,000

NEW SECTION. Sec. 1006. FOR THE DEPARTMENT OF COMMERCE

Community Development Fund (20084850)

Reappropriation:

State Building Construction Account—
State \$1,049,000

Prior Biennia (Expenditures)
\$19,867,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,916,000

NEW SECTION. Sec. 1007. FOR THE DEPARTMENT OF COMMERCE

Housing Assistance, Weatherization, and Affordable Housing (30000013)

Reappropriation:

Washington Housing Trust Account—
State \$104,000

Prior Biennia (Expenditures)
\$129,895,000

Future Biennia (Projected Costs) \$0

TOTAL \$129,999,000

NEW SECTION. Sec. 1008. FOR THE DEPARTMENT OF COMMERCE

2010 Local and Community Projects (30000082)

The reappropriation in this section is subject to the following conditions and limitations: The projects must comply with RCW 43.63A.125 and other requirements for community projects administered by the department of commerce.

Reappropriation:

State Building Construction Account—State \$1,975,000

Prior Biennia (Expenditures) \$11,447,000

Future Biennia (Projected Costs) \$0

TOTAL \$13,422,000

NEW SECTION. Sec. 1009. FOR THE DEPARTMENT OF COMMERCE

Housing Assistance, Weatherization, Affordable Housing Trust Fund (30000098)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1026, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Taxable Building Construction Account—State \$477,000

Prior Biennia (Expenditures) \$49,523,000

Future Biennia (Projected Costs) \$0

TOTAL \$50,000,000

NEW SECTION. Sec. 1010. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Program (30000103)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

Public Works Assistance Account—State \$17,128,000

Prior Biennia (Expenditures) \$132,896,000

Future Biennia (Projected Costs) \$0

TOTAL \$150,024,000

NEW SECTION. Sec. 1011. FOR THE DEPARTMENT OF COMMERCE

Local and Community Projects (30000166)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State \$292,000

Prior Biennia (Expenditures) \$16,525,000

Future Biennia (Projected Costs) \$0

TOTAL \$16,817,000

NEW SECTION. Sec. 1012. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Program 2013 Loan List (30000184)

Reappropriation:

Public Works Assistance Account—State \$16,511,000

Prior Biennia (Expenditures) \$21,630,000

Future Biennia (Projected Costs) \$0

TOTAL \$38,141,000

NEW SECTION. Sec. 1013. FOR THE DEPARTMENT OF COMMERCE

Youth Recreational Facilities Grants (30000185)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1041, chapter 3, Laws of 2015 3rd sp. sess., provided that the "New Life Community Development Agency" project may be combined with the "New Life CDA" project in project number 30000188. If the department of commerce and the grantee have not executed a contract by September 1, 2018, the amount provided in this section shall lapse.

Reappropriation:

State Building Construction Account—State \$800,000

Prior Biennia (Expenditures) \$1,691,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,491,000

NEW SECTION. Sec. 1014. FOR THE DEPARTMENT OF COMMERCE

Building Communities Fund Grants (30000188)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1072, chapter 3, Laws of 2015 3rd sp. sess., provided that the "New Life CDA" project may be combined with the "New Life Community Development Agency" project in project number 30000185. If the department of commerce and the grantee have not executed a contract by September 1, 2018, the amount provided in this section shall lapse.

Reappropriation:

State Building Construction Account—State \$800,000

Prior Biennia (Expenditures) \$3,252,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,052,000

NEW SECTION. Sec. 1015. FOR THE DEPARTMENT OF COMMERCE

Community Economic Revitalization Board (30000190)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1070, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Public Facility Construction Loan Revolving

Account—State \$8,750,000

Prior Biennia (Expenditures) \$250,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,000,000

NEW SECTION. Sec. 1016. FOR THE DEPARTMENT OF COMMERCE

2013-2015 Energy Efficiency Grants (30000193)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is

subject to the provisions of section 1075, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State \$3,404,000

Prior Biennia (Expenditures) \$21,596,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,000,000

NEW SECTION. Sec. 1017. FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (30000726)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6003 of this act.

Reappropriation:

State Building Construction Account—State \$21,061,000

State Taxable Building Construction Account—State \$10,415,000

Subtotal Reappropriation \$31,476,000

Prior Biennia (Expenditures) \$8,924,000

Future Biennia (Projected Costs) \$0

TOTAL \$40,400,000

NEW SECTION. Sec. 1018. FOR THE DEPARTMENT OF COMMERCE

Building for the Arts Program (30000731)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1029, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$1,090,000

Prior Biennia (Expenditures) \$4,707,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,797,000

NEW SECTION. Sec. 1019. FOR THE DEPARTMENT OF COMMERCE

Youth Recreational Facilities Program (30000792)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1030, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$4,250,000

Prior Biennia (Expenditures)
\$3,105,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,355,000

NEW SECTION. Sec. 1020. FOR THE DEPARTMENT OF COMMERCE

Building Communities Fund Program
(30000803)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1031, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$10,357,000

Prior Biennia (Expenditures)
\$10,502,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,859,000

NEW SECTION. Sec. 1021. FOR THE DEPARTMENT OF COMMERCE

Housing Trust Fund Appropriation
(30000833)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1005, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Taxable Building Construction
Account—State \$59,701,000

Washington Housing Trust Account—
State \$3,000,000

Subtotal Reappropriation \$62,701,000

Prior Biennia (Expenditures)
\$20,299,000

Future Biennia (Projected Costs) \$0

TOTAL \$83,000,000

NEW SECTION. Sec. 1022. FOR THE DEPARTMENT OF COMMERCE

2015-2017 Community Economic
Revitalization Board Program (30000834)

Reappropriation:

Public Facility Construction Loan
Revolving

Account—State \$10,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,600,000

NEW SECTION. Sec. 1023. FOR THE DEPARTMENT OF COMMERCE

Energy Efficiency and Solar Grants
(30000835)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1035, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$21,276,000

Prior Biennia (Expenditures)
\$3,724,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,000,000

NEW SECTION. Sec. 1024. FOR THE DEPARTMENT OF COMMERCE

Ultra-Efficient Affordable Housing
Demonstration (30000836)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1006, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Washington Housing Trust Account—
State \$2,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,500,000

NEW SECTION. Sec. 1025. FOR THE DEPARTMENT OF COMMERCE

Weatherization Matchmaker Program
(30000838)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is

subject to the provisions of section 1037, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$780,000

Prior	Biennia	(Expenditures)
\$14,220,000		

Future Biennia (Projected Costs) \$0

TOTAL \$15,000,000

NEW SECTION. Sec. 1026. FOR THE DEPARTMENT OF COMMERCE

Community Energy Efficiency Program (30000845)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1039, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$2,918,000

Prior	Biennia	(Expenditures)
\$2,082,000		

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 1027. FOR THE DEPARTMENT OF COMMERCE

2017 Local and Community Projects (30000846)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6004 of this act.

Reappropriation:

State Building Construction Account—
State \$8,528,000

Prior	Biennia	(Expenditures)
\$2,835,000		

Future Biennia (Projected Costs) \$0

TOTAL \$11,363,000

NEW SECTION. Sec. 1028. FOR THE DEPARTMENT OF COMMERCE

Rapid Housing Improvement Program (30000863)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is

subject to the provisions of section 1010, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Washington Housing Trust Account—
State \$194,000

Prior	Biennia	(Expenditures)
\$31,000		

Future Biennia (Projected Costs) \$0

TOTAL \$225,000

NEW SECTION. Sec. 1029. FOR THE DEPARTMENT OF COMMERCE

Housing for the Homeless (91000413)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1011, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
Account—State \$408,000

Prior	Biennia	(Expenditures)
\$28,536,000		

Future Biennia (Projected Costs) \$0

TOTAL \$28,944,000

NEW SECTION. Sec. 1030. FOR THE DEPARTMENT OF COMMERCE

2012 Local and Community Projects (91000417)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 302, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$181,000

Prior	Biennia	(Expenditures)
\$9,442,000		

Future Biennia (Projected Costs) \$0

TOTAL \$9,623,000

NEW SECTION. Sec. 1031. FOR THE DEPARTMENT OF COMMERCE

Sand Point Building 9 (91000446)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1068, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
Account—State \$9,703,000

Prior Biennia (Expenditures)
\$4,296,000

Future Biennia (Projected Costs) \$0

TOTAL \$13,999,000

**NEW SECTION. Sec. 1032. FOR THE
DEPARTMENT OF COMMERCE**

Mental Health Beds (91000447)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1071, chapter 19, Laws of 2013 2nd sp. sess

Reappropriation:

State Building Construction Account—
State \$1,329,000

Prior Biennia (Expenditures)
\$3,671,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

**NEW SECTION. Sec. 1033. FOR THE
DEPARTMENT OF COMMERCE**

Housing for Homeless Veterans
(91000455)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1064, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
Account—State \$1,404,000

Prior Biennia (Expenditures)
\$7,963,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,367,000

**NEW SECTION. Sec. 1034. FOR THE
DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000457)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1065, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
Account—State \$5,000,000

Prior Biennia (Expenditures)
\$22,050,000

Future Biennia (Projected Costs) \$0

TOTAL \$27,050,000

**NEW SECTION. Sec. 1035. FOR THE
DEPARTMENT OF COMMERCE**

Housing for People with Developmental
Disabilities (91000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
Account—State \$540,000

Prior Biennia (Expenditures)
\$8,479,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,019,000

**NEW SECTION. Sec. 1036. FOR THE
DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program
(91000582)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1074, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$4,998,000

Prior Biennia (Expenditures)
\$31,052,000

Future Biennia (Projected Costs) \$0

TOTAL \$36,050,000

**NEW SECTION. Sec. 1037. FOR THE
DEPARTMENT OF COMMERCE**

CERB Administered Econ Dev, Innovation
& Expo Grants (92000096)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 304, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$2,944,000

Prior Biennia (Expenditures)
\$17,136,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,080,000

**NEW SECTION. Sec. 1038. FOR THE
DEPARTMENT OF COMMERCE**

Brownfield Redevelopment Grants
(92000100)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1067, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Local Toxics Control Account—
State \$160,000

Prior Biennia (Expenditures)
\$1,340,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

**NEW SECTION. Sec. 1039. FOR THE
DEPARTMENT OF COMMERCE**

Port and Export Related Infrastructure
(92000102)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 306, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$7,376,000

Prior Biennia (Expenditures)
\$25,774,000

Future Biennia (Projected Costs) \$0

TOTAL \$33,150,000

**NEW SECTION. Sec. 1040. FOR THE
DEPARTMENT OF COMMERCE**

Projects for Jobs & Economic
Development (92000151)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6005 of this act.

Reappropriation:

Public Facility Construction Loan
Revolving

Account—State \$5,368,000

State Building Construction Account—
State \$3,000,000

Subtotal Reappropriation \$8,368,000

Prior Biennia (Expenditures)
\$28,741,000

Future Biennia (Projected Costs) \$0

TOTAL \$37,109,000

**NEW SECTION. Sec. 1041. FOR THE
DEPARTMENT OF COMMERCE**

Projects that Strengthen Youth &
Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,350,000

Prior Biennia (Expenditures)
\$18,327,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,677,000

**NEW SECTION. Sec. 1042. FOR THE
DEPARTMENT OF COMMERCE**

Projects that Strengthen Communities &
Quality of Life (92000230)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6006, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Environmental Legacy Stewardship
Account—State \$89,000

State Building Construction Account—
State \$5,904,000

Subtotal Reappropriation \$5,993,000

Prior Biennia (Expenditures)
\$26,135,000

Future Biennia (Projected Costs) \$0

TOTAL \$32,128,000

**NEW SECTION. Sec. 1043. FOR THE
DEPARTMENT OF COMMERCE**

Community Behavioral Health Beds -
Acute & Residential (92000344)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1007, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State \$38,857,000

Prior Biennia (Expenditures)
\$5,542,000

Future Biennia (Projected Costs) \$0

TOTAL \$44,399,000

NEW SECTION. Sec. 1044. FOR THE DEPARTMENT OF COMMERCE

Local & Community Projects 2016
(92000369)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State \$88,204,000

Prior Biennia (Expenditures)
\$41,965,000

Future Biennia (Projected Costs) \$0

TOTAL \$130,169,000

NEW SECTION. Sec. 1045. FOR THE DEPARTMENT OF COMMERCE

Disaster Emergency Response (92000377)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1009, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,807,000

Prior Biennia (Expenditures)
\$2,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,809,000

NEW SECTION. Sec. 1046. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Cowlitz River Dredging (20082856)

Reappropriation:

State Building Construction Account—
State \$800,000

Prior Biennia (Expenditures)
\$700,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 1047. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Catastrophic Flood Relief (20084850)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1074, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$20,000,000

Prior Biennia (Expenditures)
\$67,687,000

Future Biennia (Projected Costs) \$0

TOTAL \$87,687,000

NEW SECTION. Sec. 1048. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Cost Effective K-3 Classrooms
Assessment (30000053)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1019, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State \$55,000

Prior Biennia (Expenditures)
\$70,000

Future Biennia (Projected Costs) \$0

TOTAL \$125,000

NEW SECTION. Sec. 1049. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Contingency Pool
(90000300)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6006 of this act.

Reappropriation:

State Building Construction Account—
State \$1,853,000

Prior Biennia (Expenditures)
\$6,147,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,000,000

**NEW SECTION. Sec. 1050. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Minor Works Preservation (30000722)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1088, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$3,141,000

Thurston County Capital Facilities
Account—State \$1,550,000

Subtotal Reappropriation \$4,691,000

Prior Biennia (Expenditures)
\$2,727,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,418,000

**NEW SECTION. Sec. 1051. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Old Capitol - Exterior and Interior
Repairs (30000724)

Reappropriation:

State Building Construction Account—
State \$314,000

Thurston County Capital Facilities
Account—State \$360,000

Subtotal Reappropriation \$674,000

Prior Biennia (Expenditures)
\$2,326,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

**NEW SECTION. Sec. 1052. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

West Campus Historic Buildings Exterior
Preservation (30000727)

Reappropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures)
\$1,500,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

**NEW SECTION. Sec. 1053. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Critical Network
Standardization & Connectivity (30000732)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1093, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Thurston County Capital Facilities
Account—State \$50,000

Prior Biennia (Expenditures)
\$200,000

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

**NEW SECTION. Sec. 1054. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Exterior Lighting
Upgrades (30000736)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1098, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Thurston County Capital Facilities
Account—State \$950,000

Prior Biennia (Expenditures)
\$50,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

**NEW SECTION. Sec. 1055. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Capital Furnishings Preservation
Committee Projects (92000013)

Reappropriation:

State Building Construction Account—
State \$63,000

Prior Biennia (Expenditures)
\$5,000

Future Biennia (Projected Costs) \$0

TOTAL \$68,000

**NEW SECTION. Sec. 1056. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

K-3 Modular Classrooms (91000437)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 1022, chapter 35, Laws of 2016 sp. sess.

(2) The department of enterprise services shall work with the local school districts to use existing grant funds available from the office of the superintendent of public instruction and other sources to expand the current construction project using the current builder to complete as many additional classrooms in that district as the grant funds will allow.

Reappropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures)
\$5,000,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,500,000

**NEW SECTION. Sec. 1057. FOR THE
MILITARY DEPARTMENT**

Minor Works Preservation - 2015-2017
Biennium (30000702)

Reappropriation:

General Fund—Federal \$3,584,000

State Building Construction Account—
State \$1,473,000

Subtotal Reappropriation \$5,057,000

Prior Biennia (Expenditures)
\$7,541,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,598,000

**NEW SECTION. Sec. 1058. FOR THE
MILITARY DEPARTMENT**

Minor Works Program - 2015-2017
Biennium (30000744)

Reappropriation:

General Fund—Federal \$14,235,000

State Building Construction Account—
State \$4,332,000

Subtotal Reappropriation \$18,567,000

Prior Biennia (Expenditures)
\$3,049,000

Future Biennia (Projected Costs) \$0

TOTAL \$21,616,000

**NEW SECTION. Sec. 1059. FOR THE
MILITARY DEPARTMENT**

Thurston County Readiness Center
(30000594)

Reappropriation:

General Fund—Federal \$1,097,000

State Building Construction Account—
State \$865,000

Subtotal Reappropriation \$1,962,000

Appropriation:

General Fund—Federal \$33,315,000

State Building Construction Account—
State \$7,863,000

Military Department Capital Account—
State \$375,000

Subtotal Appropriation \$41,553,000

Prior Biennia (Expenditures)
\$3,273,000

Future Biennia (Projected Costs) \$0

TOTAL \$46,788,000

**NEW SECTION. Sec. 1060. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

Heritage Barn Preservation Program
(30000009)

Reappropriation:

State Building Construction Account—
State \$305,000

Prior Biennia (Expenditures)
\$145,000

Future Biennia (Projected Costs) \$0

TOTAL \$450,000

**NEW SECTION. Sec. 1061. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

Historic County Courthouse Grants
Program (30000010)

Reappropriation:

State Building Construction Account—
State \$1,031,000

Prior Biennia (Expenditures)
\$1,469,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,500,000

NEW SECTION. Sec. 1062. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Acquisition/Rehabilitation of Historic Matsuda and Mukai Sites (91000006)

Reappropriation:

State Building Construction Account—State \$382,000

Prior Biennia (Expenditures) \$118,000

Future Biennia (Projected Costs) \$0

TOTAL \$500,000

NEW SECTION. Sec. 1063. FOR THE COURT OF APPEALS

Division III Roof Replacement and Maintenance (30000003)

Appropriation:

State Building Construction Account—State \$262,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$262,000

NEW SECTION. Sec. 1064. FOR THE SECRETARY OF STATE

Library - Archives Building (30000033)

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

(1) The appropriation is provided solely for design. The design of the facility must consider the state printer remaining at the current location, or the design of the facility at a new location.

(2) All capital budget expenses, less current and previous appropriations, must be financed with a certificate of participation or other financing method fully supported using fees collected by the secretary of state. The secretary of state may consider the adjustment of fees, including the heritage center account, to support construction, future operating costs, and projected efficiencies of electronic document storage in determining necessary space, must be developed for construction funding.

Appropriation:

State Building Construction Account—State \$5,000,000

Prior Biennia (Expenditures) \$300,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,300,000

NEW SECTION. Sec. 1065. FOR THE SECRETARY OF STATE

Ballot Boxes (91000015)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants for distressed rural counties that have difficulty implementing chapter 327, Laws of 2017 (Substitute Senate Bill No. 5472). Grants must be administered to counties at no more than \$1,000 per location by the secretary of state.

Appropriation:

State Building Construction Account—State \$100,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$100,000

NEW SECTION. Sec. 1066. FOR THE DEPARTMENT OF COMMERCE

Community Economic Revitalization Board (30000097)

Appropriation:

Public Facility Construction Loan Revolving

Account—State \$8,020,000

Prior Biennia (Expenditures) \$5,000,000

Future Biennia (Projected Costs) \$0

TOTAL \$13,020,000

NEW SECTION. Sec. 1067. FOR THE DEPARTMENT OF COMMERCE

2017-19 Housing Trust Fund Program (30000872)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$58,000,000 of the state taxable building construction account—state appropriation, \$44,000,000 of the state building construction account—state appropriation, and \$4,370,000 of the Washington housing trust account—state appropriation are provided solely for affordable housing and preservation of affordable housing. Of the amounts in this subsection:

(a) \$24,370,000 is provided solely for housing projects that provide supportive housing and case-management services to persons with chronic mental illness. The department must prioritize low-income supportive housing unit proposals that provide services or include a partner community behavioral health treatment provider;

(b) \$10,000,000 is provided solely for housing preservation grants or loans to be awarded competitively. The grants may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require that a capital needs assessment is performed to estimate the cost of the preservation project at contract execution. Funds may not be used to add or expand the capacity of the property. To receive grants, housing projects must meet the following requirements:

(i) The property is more than fifteen years old;

(ii) At least 50 percent of the housing units are occupied by families and individuals at or below 30 percent area median income.

(iii) The improvements will result in reduction of operating or utilities costs, or both; and

(iv) Other criteria that the department considers necessary to achieve the purpose of this program.

(c) \$5,000,000 is provided solely for housing projects that benefit people at or below 80 percent of the area median income who have been displaced by a natural disaster declared by the governor, including people who have been displaced within the last two biennia.

(d) \$1,000,000 of the Washington housing trust account-state appropriation is provided solely for the department to work with the communities of concern commission to focus on creating capital assets that will help reduce poverty and build stronger and more sustainable communities using the communities' cultural understanding and vision. The funding must be used for predevelopment costs for capital projects identified by the commission and for other activities to assist communities in developing capacity to create community-owned capital assets.

(e) \$22,098,000 is provided solely for the following list of housing projects:

(i) Cross-Laminated Timber Spokane Housing Predesign \$500,000

(ii) El Centro de la Raza \$737,000

(iii) Highland Village Preservation \$1,500,000

(iv) King County Modular Housing Project \$3,000,000

(v) Nisqually Tribal Housing \$1,250,000

(vi) Othello Homesight Community Center \$3,000,000

(vii) \$6,000,000 is provided solely for grants for high quality low-income housing projects that will quickly move people from homelessness into secure housing, and are significantly less expensive to construct than traditional housing. It is the intent of the legislature that these grants serve projects with a total project development cost per housing unit of less than \$125,000, excluding the value of land, and with a commitment by the applicant to maintain the housing units for at least a twenty-five year period. Amounts provided that are subject to this subsection must be used to plan, predesign, design, provide technical assistance and financial services, purchase land for, and build innovative low-income housing units. \$3,000,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing in Shelton and \$3,000,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing for veterans in Orting. Mental health and substance abuse counseling services must be offered to residents of housing projects supported by appropriations in this subsection. The housing projects supported by appropriations in this subsection must meet or exceed the standards for temporary working housing in chapter 70.114A RCW.

(viii) \$6,000,000 is provided solely for grants to the following organizations using innovative methods to address homelessness: \$3,000,000 for THA Arlington drive youth campus in Tacoma and \$3,000,000 for a King county modular housing project.

(f) Of the amounts appropriated remaining after (a) through (e) of this subsection, the department must allocate the funds as follows:

(i) 10 percent is provided solely for housing projects that benefit veterans;

(ii) 10 percent is provided solely for housing projects that benefit homeownership;

(iii) 5 percent is provided solely for housing projects that benefit people with developmental disabilities;

(iv) The remaining amount is provided solely for projects that serve low-income and special needs populations in need of housing, including, but not limited to, homeless families with children, homeless youth, farmworkers, and seniors.

(2) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(3) The department must strive to allocate all of the amounts appropriated in this section within the 2017-2019 fiscal biennium in the manner prescribed in subsection (1) of this section. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Building Construction Account—
State \$44,000,000

State Taxable Building Construction
Account—State \$58,000,000

Washington Housing Trust Account—
State \$4,370,000

Subtotal Appropriation \$106,370,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$400,000,000

TOTAL \$506,370,000

NEW SECTION. Sec. 1068. FOR THE DEPARTMENT OF COMMERCE

Economic Opportunity Grants (30000873)

Appropriation:

Rural Washington Loan Account—
State \$6,750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$6,750,000

NEW SECTION. Sec. 1069. FOR THE DEPARTMENT OF COMMERCE

2017-19 Youth Recreational Facilities
Grant Program (30000875)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.135.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Cocoon House (Colby Avenue Youth
Center) \$438,000

Boys and Girls Club of Chehalis
(Growing Places Farm
and Energy Park) \$200,000

Boys & Girls Clubs of Snohomish County
(Lake Stevens

Boys & Girls Club Teen Center
Expansion) \$120,000

Boys & Girls Clubs of Southwest
Washington (Teen

Expansion at the Clinton & Gloria John
Club) \$328,000

Boys & Girls Clubs of Snohomish County
(Arlington

Boys & Girls Club Expansion)
\$99,000

Boys & Girls Clubs of the Olympic
Peninsula

(Port Angeles Boys & Girls Club)
\$1,000,000

Boys & Girls Clubs of South Puget Sound
(Eastside Branch) \$1,200,000

YMCA of Greater Seattle (Kent YMCA Youth

Recreational Facilities Grant)
\$1,170,000

YMCA of Greater Seattle (Auburn Valley YMCA Youth

Recreational Facilities Grant)
\$763,000

YMCA of Greater Seattle (University YMCA Youth

Recreational Facilities Grant)
\$1,114,000

Friends of Lopez Island Pool (Lopez Island Pool) \$175,000

Spokane Valley HUB (HUB Capital Campaign) \$300,000

Appropriation:

State Building Construction Account—State \$6,907,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$27,628,000

TOTAL \$34,535,000

NEW SECTION. Sec. 1070. FOR THE DEPARTMENT OF COMMERCE

2017-19 Building for the Arts Grant Program (30000877)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Town Hall Association (Campaign for Town Hall) \$1,520,000

Pacific Northwest Ballet Association (Replacement

PNB School at the Francia Russell Center) \$1,520,000

Seattle Art Museum (Asian Art Museum Renovation) \$1,520,000

Chewelah PACA (Chewelah Center for the Arts) \$97,000

Seattle Opera (Seattle Opera at the Center) \$1,520,000

Tacoma Art Museum (Benaroya Building Project) \$1,020,000

Fort Worden Foundation (Sage Arts and Education

Building) \$1,270,000

Seattle Repertory Theatre (Renovating the PONCHO

Forum) \$258,000

Richard Hugo House (Hugo House: Building an Enduring

Home for Words) \$1,032,000

Washington Center for the Performing Arts (Theater

and Interior Revitalization) \$689,000

Admiral Theatre Foundation (Admiral Theatre

Renovation Part II) \$150,000

Pratt Fine Arts Center (Pratt's Campus Expansion) \$520,000

Northwest Choirs (Northwest Choirs - Building

for Today and Tomorrow) \$75,000

Power House Theatre Walla Walla Inc. (Power House

Theatre Walla Walla Acquisition) \$335,000

Delridge Neighborhoods Development Association (DNDA)

(Youngstown Theater & Kitchen Renovation Project) \$140,000

iDiOM Theater/Sylvia Center for the Arts (Sylvia Center

for the Arts) \$334,000

Appropriation:

State Taxable Building Construction Account—State \$12,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$36,000,000

TOTAL \$48,000,000

NEW SECTION. Sec. 1071. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Construction Loans (30000878)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of public works projects:

180th St SE SR 527 Brook Blvd (Everett) \$3,000,000

35th Ave SE Phase II SR 524 to 180th St SE (Everett) \$3,000,000

61st/190th Culvert Replacement & Embankment Repair (Kenmore) \$1,500,000

Automated Meter Reading System (Birch Bay) \$1,500,000

Cedar Hills Regional Landfill North Flare Statn Repair (Seattle) \$1,583,000

Cedar Hills Regional Landfill Pump Station Repairs (Seattle) \$3,000,000

City Street Light Conversion to Light Emitting Diode (Vancouver) \$4,816,000

Fairview Ave N Bridge Replacement (Seattle) \$10,000,000

Georgetown Wet Weather Treatment Station (Seattle) \$3,500,000

Isaacs Avenue Improvements - Phase 2 (Walla Walla) \$3,962,000

Kennewick Automated Meter Reading Project (Kennewick) \$6,000,000

Landslide Repairs (Aberdeen) \$373,000

McKinnon Creek Wellfield Infrastructure Improvements (Lake Forest) \$200,000

Miller Street Re-Alignment and Storm Repairs

(Wenatchee) \$4,826,000

NE 10th Avenue (Vancouver) \$10,000,000

Ostrich Creek Culvert Improvements (Bremerton) \$4,688,000

Pine Basin Watershed Storm Sewer Improvements (Bremerton) \$3,881,000

Slater Road/Jordan Creek Fish Passage Project (Bellingham) \$5,000,000

South Fork McCorkle Creek Stormwater Detention Facility (Kelso) \$4,700,000

Sudbury Landfill Area 7 Cell 3 Construction (Walla Walla) \$2,978,000

Sunset Reservoir Rehabilitation (Spokane) \$1,412,000

Thurston Co. PUD No. 1 Replacement and Upgrades (Olympia) \$1,028,000

Tipping Floor Restoration & Safety Upgrades (Davenport) \$156,000

US 395/Ridgeline Interchange (Kennewick) \$6,000,000

Wastewater Reuse Project (Quincy) \$10,000,000

Appropriation:

State Taxable Building Construction Account—State \$97,103,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$97,103,000

NEW SECTION. Sec. 1072. FOR THE DEPARTMENT OF COMMERCE

Weatherization Plus Health Matchmaker Program (30000879)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,000,000 is provided solely for lead remediation projects, and this is the maximum amount the department may expend for this purpose.

(2) \$5,000,000 is provided solely for projects pursuant to chapter 285, Laws of

2017 (Engrossed Senate Bill No. 5647), and this is the maximum amount the department may expend for this purpose. The department may prioritize rehabilitation projects in coordination with weatherization projects.

(3) \$5,000,000 is provided solely for grants for the Washington State University energy extension community energy efficiency program (CEEP) to support homeowners, tenants, and small business owners to make sound energy efficiency investments by providing consumer education and marketing, workforce support via training and lead generation, and direct consumer incentives for upgrades to existing homes and small commercial buildings, and this is the maximum amount the department may expend for this purpose.

Appropriation:

State Building Construction Account—
State \$16,000,000

State Taxable Building Construction
Account—State \$5,000,000

Subtotal Appropriation \$21,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$80,000,000

TOTAL \$101,000,000

**NEW SECTION. Sec. 1073. FOR THE
DEPARTMENT OF COMMERCE**

Clean Energy Funds 3 (30000881)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.

(2) In soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive processes, rather than sole source contracting processes, are used to select all projects, except as otherwise noted in this section; and

(b) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project monitoring and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(3)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require a project applicant to identify in application materials any state of Washington employees or former state employees employed by the firm or on the firm's governing board during the past twenty-four months. Application materials must identify the individual by name, the agency previously or currently employing the individual, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of funding.

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a grantee who received funding under this section, either in procuring or performing under the grant, the department in its sole discretion may terminate the funding grant by written notice. If the grant is terminated, the department must reserve its right to pursue all available remedies under law to address the violation.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) \$11,000,000 of the state building construction account, is provided solely for grid modernization grants for projects that advance clean and renewable energy technologies, and transmission and distribution control systems; that support integration of renewable energy sources, deployment of distributed energy resources, and sustainable microgrids; and that increase utility customer options for energy sources, energy efficiency, energy equipment, and utility services.

(a) Projects must be implemented by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research

organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) Applications for grants must disclose all sources of public funds invested in a project.

(6) \$7,900,000 of the state building construction account and \$3,100,000 of the energy efficiency account are provided solely for grants to demonstrate new approaches to electrification of transportation systems.

(a) Projects must be implemented by local governments, or by public and private electrical utilities that serve retail customers in the state. Eligible parties may partner with other public and private sector research organizations and businesses in applying for funding. The department of commerce must coordinate with other electrification programs, including projects the department of transportation is developing and projects funded by the Volkswagen consent decree, to determine the most effective distribution of the systems.

(b) Priorities must be given to eligible technologies that reduce the top two hundred hours of demand and the demand side.

(c) Eligible technologies for these projects include, but are not limited to:

(i) Electric vehicle and transportation system charging and open source control infrastructure, including inductive charging systems;

(ii) Electric vehicle sharing in low-income, multi-unit housing communities in urban areas;

(iii) Grid-related vehicle electrification, connecting vehicle fleets to grid operations, including school and transit buses;

(iv) Electric vehicle fleet management tools with open source software;

(v) Maritime electrification, such as electric ferries, water taxis, and shore power infrastructure.

(7) (a) \$8,600,000 of the state building construction account is provided solely for strategic research and development for new and emerging clean energy technologies, as needed to match federal or other nonstate funds to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult and coordinate with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the grant program unless the organization prefers to compete for the grants. If the organization prefers to receive grants from the program they may not participate in the consultant process determining how the grant process is structured. The program shall offer matching funds for competitively selected clean energy projects, including but not limited to: Solar technologies, advanced bioenergy and biofuels, development of new earth abundant materials or lightweight materials, advanced energy storage, battery components recycling, and new renewable energy and energy efficiency technologies. Criteria for the grant program must include life cycle cost analysis for projects that are part of the competitive process.

(c) \$750,000 of this subsection (7) is provided solely for the state efficiency and environmental program.

(8) (a) \$8,000,000 of the state taxable construction account is provided solely for scientific instruments to help accelerate research in advanced materials at the proposed science laboratories infrastructure facility at the Pacific Northwest national laboratory. These state funds are contingent on securing federal funds for the new facility, and are provided as match to the federal funding. The instruments will support researchers at the bioproducts sciences and engineering laboratory, the joint center for deployment research in earth abundant materials, the center for advanced materials and clean energy technology, and other energy and materials collaborations with the University of Washington and Washington State University.

(b) If by December 30, 2018, federal funding is not secured, the funds in this subsection (8) shall lapse.

(9) \$1,600,000 of the state building construction account and \$2,400,000 of the energy efficiency account are provided solely for grants to be awarded in competitive rounds for the deployment of solar projects located in Washington state.

(a) Priority must be given to distribution side projects that reduce peak electricity demand.

(b) Projects must be capable of generating at least five hundred kilowatts of direct current generating capacity.

(c) Grants shall not exceed \$200,000 per megawatt of direct current generating capacity and total grant funds per project shall not exceed \$1,000,000 per applicant. Applicants may not use other state grants.

(d) At least 25 percent of the total allocation of a project shall be provided solely for projects that provide direct benefits to low-income residents or communities. The department must attempt to prioritize an equal geographic distribution.

(e) Priority must be given to major components made in Washington.

(10) \$2,400,000 of the state building construction account is provided solely for a project which, when fully deployed, will reduce emissions of greenhouse gases by a minimum of seven hundred fifty thousand tons per year, increase energy efficiency, and protect or create manufacturing jobs located in a county with a population of less than three hundred thousand.

Appropriation:

State Building Construction Account—
State \$31,500,000

State Taxable Building Construction
Account—State \$8,000,000

Energy Efficiency	Account—State
\$5,500,000	

Subtotal Appropriation	\$45,000,000
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Prior Biennia (Expenditures)	\$0
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Future Biennia (Projected Costs)	\$200,000,000
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TOTAL	\$245,000,000
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NEW SECTION. Sec. 1074. FOR THE DEPARTMENT OF COMMERCE

Energy Efficiency and Solar Grants
(30000882)

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$3,675,000 for fiscal year 2018 and \$3,675,000 for fiscal year 2019 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, school districts, and state agencies for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings.

(b) At least twenty percent of each competitive grant round must be awarded to small cities or towns with a population of five thousand or fewer residents.

(c) In each competitive round, the higher the leverage ratio of nonstate funding sources to state grant and the higher the energy savings, the higher the project ranking.

(d) For school district applicants, priority consideration must be given to school districts that demonstrate improved health and safety through: (i) Reduced exposure to polychlorinated biphenyl; or (ii) replacing outdated heating systems that use oil or propane as fuel sources as identified by the Washington State University extension energy program. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(2) \$1,750,000 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, school districts, and state agencies for projects that involve the purchase and installation of solar energy systems, including solar modules and inverters, with a preference for products manufactured in Washington.

(3) \$1,400,000 is provided solely for energy efficiency improvements to minor works and stand-alone projects at state-owned facilities that repair or replace existing building systems including, but not limited to HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life-cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the cost to improve the project's energy efficiency compared to the original project request will be added to the project appropriation after

construction bids are received. The department of commerce shall coordinate with the office of financial management to develop a process for project submittal, review, approval criteria, tracking project budget adjustments, and performance measures.

(4) \$500,000 is provided solely for resource conservation managers in the department of enterprise services to coordinate with state agencies and school districts to assess and adjust existing building systems and operations to optimize the efficiency in use of energy and other resources in state-owned facilities. The department of commerce will oversee an interagency agreement with the department of enterprise services to fund the resource conservation managers.

(5) The department shall develop metrics that indicate the performance of energy efficiency efforts and provide a report of the metrics, including at a minimum the current energy used by the building, the energy use after efficiencies are completed, and cost of energy saved. The report must include these metrics from other states.

Appropriation:

State Building Construction Account—	
State \$5,500,000	
Energy Efficiency Account—State	
\$5,500,000	
Subtotal Appropriation	\$11,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$60,000,000
TOTAL	\$71,000,000

NEW SECTION. Sec. 1075. FOR THE DEPARTMENT OF COMMERCE

2017-19 Building Communities Fund Grant (30000883)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.125.

(2) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose

intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Boys & Girls Clubs of Snohomish County (Inchelium Boys & Girls Club Expansion)	\$27,000
Cocoon House (Colby Avenue Youth Center)	\$635,000
Mercy Housing Northwest (Historic Building 9 Center Building)	\$1,000,000
Skagit Valley Family YMCA (New Skagit Valley Family YMCA)	\$3,500,000
Edmonds Senior Center (Edmonds Waterfront Center)	\$2,250,000
Opportunity Council (East Whatcom Regional Resource Center Phase 2)	\$500,000
Filipino Community of Seattle (Filipino Community Innovation Learning Center)	\$600,000
Amara (Amara Building Renovation/Addition)	\$1,550,000
YMCA of Yakima (Yakima YMCA/Aquatic Center)	\$3,500,000
Northwest Indian College (Health and Wellness Center)	\$1,750,000
Lydia Place (Bell Tower Service Center)	\$96,000
Tacoma Community House (Tacoma Community House)	\$2,500,000
Peace Community Center (Peace Community Center Renovation and Expansion)	\$330,000
North Kitsap Fishline Food Bank (Transforming Lives in North Kitsap)	\$530,000
Martha & Mary Health Services (Martha & Mary Health and Rehab Campus Renovation)	\$1,000,000
Share (Share Day Center)	\$180,000

Country Doctor Community Clinic (Campaign for Country Doctor)	\$1,575,000
CDM Caregiving Services (Aging with Dignity)	\$395,000
Friends of Youth (Friends of Youth Snoqualmie Office)	\$300,000
Helping Hands Food Bank (Helping Hands Food Bank Building)	\$350,000
Catholic Community Services of King County (New Hope House)	\$190,000
Bridgeview Housing (Bridgeview Education & Employment Resource Center)	\$700,000
Aging in PACE Washington (Aging in PACE)	\$3,000,000
YMCA of Greater Seattle (Kent YMCA Building Communities Grant)	\$3,000,000
Appropriation:	
State Building Construction Account—State	\$29,458,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$72,000,000
TOTAL	\$101,458,000

NEW SECTION. Sec. 1076. FOR THE DEPARTMENT OF COMMERCE

2018 Local and Community Projects (40000005)

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a

minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriation is provided solely for the following list of projects:

Aberdeen (Aberdeen)	Gateway Center	\$1,750,000
Adams County Industrial Wastewater and Treatment Center (Othello)		\$1,250,000
Adna (Chehalis)	Elementary Playshed	\$104,000
Airway Heights (Airway Heights)	Recreation Complex	\$515,000
Alder Creek (Bickelton)	Pioneer Museum Expansion	\$500,000
Anderson Island (Anderson Island)	Historical Society	\$26,000
Appleway Valley	Trail Amenities (Spokane Valley)	\$556,000
ARC (Bremerton)	Community Center Renovation	\$81,000

Arlington Pocket Park Downtown Business District (Arlington) \$46,000	Chimacum Ridge Forest Pilot (Port Townsend) \$3,400,000
Belfair Senior Center Meals on Wheels Kitchen Upgrade (Belfair) \$11,000	City of Brewster Manganese Abatement (Brewster) \$752,000
Belfair Sewer Extension to Puget Sound Industrial Ctr (Belfair) \$515,000	Clark County Historical Museum (Vancouver) \$300,000
Billy Frank Jr. Heritage Center (Olympia) \$206,000	Clymer Museum and Gallery Remodel (Ellensburg) \$258,000
Bothell Parks Projects (Bothell) \$309,000	Coastal Harvest Roof Replacement (Hoquiam) \$206,000
Bridgeview Education and Employment Resource Center (Vancouver) \$500,000	Cocoon House (Everett) \$1,000,000
Brier ADA Ramp Updates Phase (Brier) \$115,000	College Place Well Consolidation and Replacement (College Place) \$900,000
Camp Schechter New Infrastructure and Dining Hall (Tumwater) \$200,000	Columbia River Trail (Washougal) \$1,000,000
Capitol Campus E. WA Butte (Olympia) \$52,000	Confluence Park Improvements (P2&3) (Issaquah) \$206,000
Captain Joseph House (Port Angeles) \$225,000	Coordinated and Safe Service Center (Redmond) \$309,000
Carnation Central Business District Revitalization (Carnation) \$1,545,000	Covington Town Center Civic Plaza Development (Covington) \$820,000
Castle Rock Fair LED Lighting (Castle Rock) \$10,000	Cross Park (Puyallup) \$1,500,000
Centennial Trail - Southern Extension #1 (Snohomish) \$1,000,000	Daffodil Heritage Float Barn (Puyallup) \$103,000
Centerville Grange Renovation (Centerville) \$134,000	Darrington Rodeo Grounds (Darrington) \$250,000
Centralia Fox Theatre Restoration (Centralia) \$299,000	Des Moines Marina Bulkhead & Fishing Pier Renovation (Des Moines) \$2,000,000
Chamber Economic Development Project (Federal Way) \$250,000	Disaster Response Communications Project (Colville) \$1,000,000
Chelan County Emergency Operations Center (Wenatchee) \$1,000,000	District 5 Public Safety Center (Sultan) \$1,500,000
Chelatchie Prairie Railroad Maintenance Bldg. Phase 2 (Yacolt) \$250,000	Downtown Pocket Park at Rockwell (Port Orchard) \$309,000
Cherry St. Fellowship (Seattle) \$360,000	DuPont Historical Museum Renovation HVAC (DuPont) \$53,000
Children's Playgarden (Seattle) \$315,000	East Grays Harbor Fiber Project (Elma) \$463,000
	East Hill YMCA/Park Renovation (Kent) \$1,000,000
	Eastside Community Center (Tacoma) \$2,550,000
	Ebey Waterfront Trail and Shoreline Access (Marysville) \$1,000,000

Emmanuel Life Center Kitchen (Spokane) \$155,000	Harrington School District #204, Pool Renovation (Harrington) \$97,000
Ethiopian Community Affordable Senior Housing (Seattle) \$400,000	Heritage Park Eastern Washington Butte (Olympia) \$50,000
Evergreen Pool Resurfacing (White Center) \$247,000	Historic Mukai Farm and Garden Restoration (Vashon) \$250,000
Fall City Wastewater Infrastructure Planning & Design (Fall City) \$618,000	Holly Ridge Center Building (Bremerton) \$475,000
Family Medicine Remodel (Goldendale) \$195,000	Honor Point Military and Aerospace Museum (Spokane) \$100,000
Federal Way Camera Replacement (Federal Way) \$250,000	HopeWorks TOD Center (Everett) \$2,160,000
Federal Way Senior Center (Federal Way) \$175,000	Hoquiam Library (Hoquiam) \$250,000
Flood Protection Wall & Storage Building (Sultan) \$286,000	HUB Sports Center (Liberty Lake) \$516,000
Food Lifeline Food Bank \$1,250,000	Industrial Park No. 5 Road Improvements (George) \$412,000
Forestry Museum Building (Tenino) \$16,000	Industrial Park No. 5 Water System Improvements (George) \$700,000
Fox Island Catastrophic Emergency Preparation (Fox Island) \$17,000	Inland Northwest Rail Museum (Reardan) \$170,000
Francis Anderson Center Roofing Project (Edmonds) \$391,000	Innovative Health Care Learning Center (Yakima) \$1,000,000
Freeland Water and Sewer District Sewer Project (Freeland) \$1,500,000	Interbay PDAC (Seattle) \$900,000
FUSION Transitional Hse Pgm/FUSION Decor Boutique (Federal Way) \$500,000	Intrepid Spirit Center (Tacoma) \$1,000,000
Gig Harbor Sports Complex (Gig Harbor) \$206,000	Islandwood Comm Dining Hall and Kitchen (Bainbridge Island) \$200,000
Goodwill Job Training & Resource Center (Pasco) \$132,000	Japanese Gulch Creek Restoration Project (Mukilteo) \$721,000
Granger Historical Society Museum Acquisition (Granger) \$255,000	Kenmore Public Boathouse (Kenmore) \$250,000
Greater Maple Valley Veterans Memorial Foundation (Maple Valley) \$258,000	Key Peninsula Civic Center Generator (Vaughn) \$60,000
GreenBridge/4th Ave Streetscaping (White Center) \$1,195,000	Key Peninsula Elder Community (Lakebay) \$515,000
Harmony Sports Complex Infrastructure & Safety Imprve (Vancouver) \$1,177,000	Kitchen Upgrade Belfair Senior Center Meals on Wheels (Belfair) \$12,000
	Kitsap Reg. Library Foundation, Silverdale Library (Silverdale) \$250,000
	Kona Kai Coffee Training Center (Tukwila) \$407,000

La Conner New Regional Library (La Conner)	\$500,000	Mukilteo Tank Farm Remediation (Mukilteo)	\$257,000
Lacey Boys and Girls Club (Lacey)	\$30,000	Multicultural Community Center (Seattle)	\$1,300,000
Lake Chelan Community Hospital & Clinic Replacement (Chelan)	\$300,000	NE Snohomish County Community Services Campus (Granite Falls)	\$375,000
Lake Stevens Civic Center (Lake Stevens)	\$3,100,000	NeighborCare Health (Vashon)	\$3,000,000
Lake Stevens Food Bank (Lake Stevens)	\$300,000	New Fire Station at Lake Lawrence (Yelm)	\$252,000
Lake Sylvia State Park Legacy Pavilion (Montesano)	\$696,000	North Cove Erosion Control (South Bend)	\$650,000
Lake Tye All-Weather Fields (Monroe)	\$800,000	Northshore Athletic Fields (Woodinville)	\$400,000
Lakewood Playhouse Lighting System Upgrade (Lakewood)	\$60,000	Northwest Improvement Company Building (Roslyn)	\$1,000,000
Lambert House Purchase (Seattle)	\$500,000	Olmstead-Smith Historical Gardens Replacement Well (Ellensburg)	\$17,000
Larson Playfield Lighting Renovation (Moses Lake)	\$146,000	Orting's Pedestrian Evacuation Crossing SR162 (Orting)	\$500,000
Lewis Co Fire Dist #1 Emergency Svcs Bldg & Resrce Ctr (Onalaska)	\$80,000	Othello Regional Water Project (Othello)	\$1,000,000
LIGO STEM Exploration Center (Richland)	\$411,000	Paradise Point Water Supply System Phase IV (Ridgefield)	\$500,000
Longbranch Marina (Longbranch)	\$248,000	Pepin Creek Realignment (Lynden)	\$4,035,000
Longview Police Department Range and Training (Castle Rock)	\$271,000	Performing Arts & Events Center (Federal Way)	\$1,000,000
Lyon Creek, SR 104 Fish Barrier Removal (Lake Forest Park)	\$1,200,000	Pioneer Village ADA Accessible Pathways (Ferndale)	\$154,000
Magnuson Community Center Renovation (Seattle)	\$2,000,000	Ponders Wells Treatment Replacement (Lakewood)	\$500,000
Maury Island Open Space Remediation (Maury Island)	\$2,000,000	Port Ilwaco/Port Chinook Marina Mtce Drdg & Matl Disps (Chinook)	\$77,000
McChord Airfield North Clear Zone (Lakewood)	\$2,000,000	Port Orchard Marina Breakwater Refurbishment (Port Orchard)	\$1,019,000
Mill Creek Flood Control Project (Kent)	\$2,000,000	Poulsbo Outdoor Salmon Observation Area (Poulsbo)	\$475,000
Millionair Club Charity Kitchen (Seattle)	\$167,000	Puyallup Meeker Mansion Public Plaza (Puyallup)	\$500,000
Moorlands Park Improvements (Kenmore)	\$250,000	Quincy Square on 4th (Bremerton)	\$250,000
Morrow Manor (Poulsbo)	\$773,000	R.A. Long Park (Longview)	\$296,000
Mount Rainier Early Warning System (Pierce County)	\$1,751,000		

Redondo Beach Rocky Reef (Des Moines)	\$500,000	Sunset (Renton)	Neighborhood Park	\$3,050,000
Ridgefield Outdoor Recreation Complex (Ridgefield)	\$750,000	Tacoma's Historic Theater District (Tacoma)		\$1,000,000
Rochester Boys & Girls Club upgrades (Rochester)	\$26,000	Tam O'Shanter Athletic Arena (Kelso)		\$1,000,000
Safe Service Center (Redmond)	\$300,000	Toledo Beautification (Toledo)		\$52,000
Save the Old Tower (Pasco)	\$300,000	Tollgate Farmhouse Project (North Bend)		\$280,000
Schilling Road Fire Station (Lyle)	\$448,000	Trout Lake School/Community Soccer & Track Facility (Trout Lake)		\$77,000
Scott Hill Park (Woodland)	\$750,000	Tumwater Boys and Girls Club (Olympia)		\$36,000
Seattle Aquarium (Seattle)	\$400,000	Turning Pointe Domestic Violence Svc: Shelter Imprv/Rep (Shelton)		\$27,000
Seattle Indian Health Board (Seattle)	\$200,000	Twisp Civic Building (Twisp)		\$750,000
Seattle Opera (Seattle)	\$465,000	University YMCA (Seattle)		\$600,000
Skagit Co Public Safety Emgcy Commun Ctr Exp/Remodel (Mt. Vernon)	\$525,000	Veterans Memorial Museum (Chehalis)		\$354,000
Skagit County Veterans Community Park (Sedro-Woolley)	\$500,000	Washington Agricultural Education Center (Lynden)		\$1,250,000
Skagit Valley YMCA (Mt. Vernon)	\$400,000	Washington Care Services (Seattle)		\$400,000
Snohomish JROTC Program (Snohomish)	\$189,000	Washington State Horse Park Covered Arena (Cle Elum)		\$2,000,000
South Snohomish County Community Resource Center (Lynnwood)	\$2,210,000	Waste Treatment and Sewer Collection System (Toppenish)		\$1,405,000
Southwest WA Agricultural Business Park (Tenino)	\$618,000	Wastewater Collection & Water Distribution Replacemnt (Carbonado)		\$1,500,000
Southwest Washington Fair Grange Building Re-Roof (Chehalis)	\$54,000	Water Treatment for Kidney Dialysis		\$499,000
Spanaway Lake Management Plan (Spanaway)	\$26,000	Wayne Golf Course Region Park (Bothell)		\$1,000,000
Spokane Family Justice Center at the YWCA (Spokane)	\$100,000	Wesley Homes Bradley Park (Puyallup)		\$1,380,000
Squalicum Waterway Maintenance Dredging (Bellingham)	\$750,000	Westport Marina (Westport)		\$2,500,000
Steilacoom Historical Museum Storage Building (Steilacoom)	\$31,000	Weyerhaeuser Land Preservation (Federal Way)		\$250,000
Sultan Public Safety Center (Sultan)	\$721,000	Whidbey Island Youth Project (Oak Harbor)		\$300,000
Sunset Career Center (Renton)	\$412,000	White Pass Country Historical Museum (Packwood)		\$283,000

Whitehouse Additional Capital Campaign (Pasco)	\$1,500,000		
Willows Road Regional Trail Connection (Kirkland)	\$1,442,000		
Winlock HS Track (Winlock)	\$103,000		
Winlock Industrial Infrastructure Development (Winlock)	\$1,500,000		
Wishram School CTE Facility (Wishram)	\$150,000		
Yakima Valley SunDome Repairs (Yakima)	\$206,000		
Yelm City Park Playground Modernization (Yelm)	\$247,000		
Yelm Senior Center Meals on Wheels Kitchen Upgrade (Yelm)	\$30,000		
Youth Eastside Services (Bellevue)	\$26,000		
YWCA Family Justice Center (Spokane)	\$103,000		

(8) \$26,000 of the appropriation in this section is provided solely for implementation of the Spanaway lake management plan, contingent on commitment of local funding to support the on-going operational costs of the project, including but not limited to the creation of a lake management district.

(9) \$250,000 of the appropriation in this section is provided solely for the planning, development, acquisition, and other activities pursuing open space conservation strategies for the historic Federal Way Weyerhaeuser campus. The grant recipient must be a regional nonprofit nature conservancy that works to conserve keystone properties selected by the city of Federal Way.

(10) (a) \$900,000 of the appropriation in this section is provided solely for an Interbay public development advisory committee. It is the intent of the legislature to examine current and future needs of a state entity that performs an essential public function on state-owned property located in one of the state's designated manufacturing industrial centers. The legislature further intends to explore the potential future uses of this state-owned property in the event that the state entity determines that it must relocate in order to protect its ability to perform its essential public function.

(b) The Interbay public development advisory committee is created to make recommendations regarding the highest public benefit and future economic development uses for the Washington army national guard armory facility in the city of Seattle, pier 91 property, located at the descriptions referred to in the quit claim deeds for two parcels of land, 24.75 acres total, dated January 8, 1971, and December 22, 2009.

(c) The Interbay advisory committee consists of seven persons appointed as follows:

(i) One person appointed by the speaker of the house of representatives;

(ii) One person appointed by the president of the senate; and

(iii) Five persons appointed by the governor, who must collectively have experience in forming public-private partnerships to develop workforce housing or affordable housing; knowledge of project financing options for public-private partnerships related to housing; architectural design and development experience related to industrial lands and mixed-use zoning to include housing; and experience leading public processes to engage communities and other stakeholders in public discussions regarding economic development decisions.

(d) The Interbay public development advisory committee must:

(i) Work in collaboration with the military department to determine the needs of the military department if it is relocated from the land described in subsection (1) of this section, including identifying:

(A) Current uses;

(B) Future needs of the units currently at this location;

(C) Potential suitable publicly owned sites in Washington for relocation of current units; and

(D) The costs associated with acquisition, construction, and relocation to another site or sites for these units;

(ii) Explore the future economic development opportunities if the land described in subsection (1) of this section is vacated by the military department, and make recommendations, including identifying:

(A) Suitable and unsuitable future uses for the land;

(B) Environmental issues and associated costs;

(C) Current public infrastructure availability, future public infrastructure plans by local or regional entities, and potential public infrastructure needs;

(D) Transportation corridors in the immediate area and any potential right-of-way needs; and

(E) Existing zoning regulations for the land and potential future zoning needs to evaluate workforce housing, affordable housing, and other commercial and industrial development compatible with the Ballard-Interbay manufacturing industrial center designation;

(iii) Explore the potential funding sources and partners as well as any needed transactions, and make recommendations, including:

(A) Any potential private partners or investors;

(B) Necessary real estate transactions;

(C) Federal funding opportunities; and

(D) State and local funding sources, including any tax-related programs;

(iv) Conduct at least three public meetings at a location within the Ballard-Interbay manufacturing industrial center, where a quorum of the Interbay public development advisory committee members are present, at which members of the public are invited to present to the Interbay advisory committee regarding the future uses of the site and potential issues such as industrial land use, commercial development, residential zoning, and public infrastructure needs; and

(v) Provide a report to the legislature and office of the governor with recommendations for each area described in this subsection (10)(d) by June 29, 2019. The Interbay advisory committee's recommendations must include recommendations regarding the structure, composition, and scope of authority of any subsequent state public development authority that may be established to implement the recommendations of the Interbay advisory committee created in this section.

(e) The Interbay advisory committee created in this section terminates June 30, 2019.

(f) Nothing in this section authorizes the solicitation of interest or bids for work related to the purposes of this section.

(g) The department of commerce shall provide staff support to the Interbay advisory committee. The department may contract with outside consultants to provide any needed expertise.

(h) Legislative members of the Interbay advisory committee are reimbursed for travel in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(11) \$2,000,000 of the appropriation in this section is provided solely to the city of Lakewood for the purchase of property within the federally designated north clear zone at joint base Lewis-McChord. Once acquired, the property must be zoned for use compatible with the mission and activity of McChord airfield. The city may lease or resell the acquired property for fair market value, but any such lease or sale must include restrictions or covenants ensuring that the use of the property is safely compatible with the mission and activity of McChord airfield. If the city subsequently resells, rezones, develops, or leases the property for commercial or industrial uses contrary to the allowed uses in the north clear zone, the city must repay to the state the amount spent on the purchase of the property in its entirety within ten years.

(12) \$250,000 of the appropriation in this section is provided solely for a grant to the Federal Way chamber of commerce for two economic development projects focused in the south Puget Sound area. The amounts in this section must be used for a business retention and expansion program to conduct economic research in collaboration with stakeholders, develop data-driven economic strategies, and produce a written evaluation; and a tourism enhancement program to develop and inventory the Federal Way area tourism sector, analyze data regarding visitation, and produce a written evaluation.

(13) \$400,000 of the appropriation in this section is provided solely for the Northshore athletic field which shall be named "Andy Hill Sports Complex."

Appropriation:

State Building Construction Account—
State \$125,836,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$125,836,000

NEW SECTION. Sec. 1077. FOR THE DEPARTMENT OF COMMERCE

Early Learning Facility Grants
(40000006)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,504,000 of the early learning facilities revolving account—state appropriation is provided solely for the following list of early learning facility projects in the following amounts:

Pasco Early Learning Center
\$1,030,000

Discover! Children's Museum
\$1,030,000

West Hills Early Learning Center
\$464,000

Franklin Pierce Early Learning Center
\$980,000

(2) \$11,996,000 of the early learning facilities development account—state appropriation in this section is provided solely for early learning facility grants and loans specified in sections 3 through 11, chapter . . . (Engrossed Second Substitute House Bill No. 1777), Laws of 2017 to provide state assistance for designing, constructing, or modernizing public or private early learning education facilities for eligible organizations.

(3) If the bill referenced in subsection (2) of this section is not enacted by July 31, 2017, the amount provided in subsection (2) of this section shall lapse.

Appropriation:

Early Learning Facilities Development

Account—State \$3,504,000

Early Learning Facilities Revolving

Account—State \$11,996,000

Subtotal Appropriation \$15,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$52,000,000

TOTAL \$67,500,000

NEW SECTION. Sec. 1078. FOR THE DEPARTMENT OF COMMERCE

Dental Clinic Capacity Grants
(40000007)

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

(1) (a) Funding provided in this section may be used for the construction and equipment directly associated with dental facilities. The funding provided in this section is for projects that are maintained for at least a ten-year period and provide capacity to address unmet patient need and increase efficiency in dental access.

(b) \$10,988,000 of the amount provided in this section is provided solely for the following list of projects and is subject to the criteria in (a) of this subsection:

Community Health Association of Spokane
(Spokane Valley) \$581,000

Community Health Association of Spokane
(Clarkston) \$391,000

Community Health of Central Washington
(Ellensburg) \$1,800,000

Columbia Valley Community Health
(Chelan) \$753,000

East Central Community Center (Spokane)
\$750,000

HealthPoint (Federal Way) \$900,000

International Community Health Services
(Shoreline) \$605,000

Jefferson Healthcare Dental Clinic
(Port Townsend) \$1,000,000

Neighborcare (Seattle) \$1,388,000

North East Washington Health Programs
(Springdale) \$465,000

North Olympia Healthcare Network (Port Angeles)
\$610,000

Peninsula Community Health Services
(Poulsbo) \$395,000

Sea Mar (Burien) \$252,000

Sea Mar (Seattle)	\$183,000
Sea Mar (Oak Harbor)	\$149,000
Sea Mar (Tacoma)	\$149,000
Sea Mar (Vancouver)	\$167,000
Seattle (Seattle)	Indian Health Board \$250,000
Valley (Chehalis)	View Health Center \$1,000,000
Yakima (Kennewick)	Valley Farm Workers Clinic \$1,000,000

(c) \$2,800,000 is provided solely for the following list of projects to increase the capacity of dental residencies:

Spokane (Spokane)	Dental Residency	\$2,000,000
St. (Olympia)	Peter Dental Residency	\$800,000

Appropriation:

State Building Construction Account—State	\$15,588,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,588,000

NEW SECTION. Sec. 1079. FOR THE DEPARTMENT OF COMMERCE

PWAA Preconstruction and Emergency Loan Programs (40000009)

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

(1) \$5,000,000 is provided solely for the public works board's emergency loan program.

(2) \$14,000,000 is provided solely for the public works board's preconstruction loan program.

Appropriation:

State Taxable Building Construction Account—State	\$19,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$19,000,000

NEW SECTION. Sec. 1080. FOR THE DEPARTMENT OF COMMERCE

Behavioral Health Community Capacity (40000018)

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

(1) The appropriation in this section is provided solely for the department of commerce, in collaboration with the department of social and health services, to issue grants to community hospitals or other community entities to expand and establish new capacity for behavioral health services in communities. Amounts provided in this section may be used for construction and equipment costs associated with establishment of the facilities. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services. The department shall establish criteria for the issuance of the grants, which must include:

(a) Evidence that the application was developed in collaboration with one or more behavioral health organizations, as defined in RCW 71.24.025;

(b) Evidence that the applicant has assessed and would meet gaps in geographical behavioral health services needs in their region;

(c) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act under chapter 71.05 RCW;

(d) A commitment by the applicant to maintain the beds or facility for at least a ten-year period;

(e) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(f) A detailed estimate of the costs associated with opening the beds; and

(g) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(2) In awarding funding for projects in subsection (3), the department, in consultation with the department of social and health services and behavioral health organizations, must strive for geographic distribution and allocate funding based on population and service needs of an area. The department must consider current services available, anticipated services

available based on projects underway, and the service delivery needs of an area.

(3) \$36,600,000 is provided solely for a competitive process for each category listed and is subject to the criteria in subsections (1) and (2) of this section:

(a) \$4,600,000 is provided solely for at least two enhanced service facilities for long-term placement of geriatric or traumatic brain injury patients and that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(b) \$2,000,000 is provided solely for at least one facility with secure detox treatment beds that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(c) \$2,000,000 is provided solely for at least one facility with acute detox treatment beds that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(d) \$11,400,000 is provided solely for crisis diversion or stabilization facilities that are not subject to federal funding restrictions that apply to institutions of mental diseases. At least two of the facilities must be located in King county and one in Pierce county;

(e) \$10,000,000 is provided solely for the department to provide grants to community hospitals or freestanding evaluation and treatment providers to develop capacity for beds to serve individuals on ninety or one hundred eighty day civil commitments as an alternative to treatment in the state hospitals. In awarding this funding, the department must coordinate with the department of social and health services and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the department of social and health services;

(iv) The provider has demonstrated to the department of health and the department of social and health services

that it is able to meet applicable licensing and certification requirements in the facility that will be used to provide services; and

(v) The department of social and health services has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes; and

(f) \$6,600,000 is provided solely for the department to provide grants to community providers to develop psychiatric residential treatment beds to serve individuals being diverted or transitioned from the state hospitals. In awarding this funding, the department must coordinate with the department of social and health services, the department of health, and the local behavioral health organization jurisdiction for which a proposal has been submitted and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the behavioral health organization in the region;

(iv) The provider has demonstrated to the department of health and the department of social and health services that it is able to meet applicable licensing and certification requirements in the facility that will be used to provide services; and

(v) The behavioral health organization has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes.

(4) \$26,000,000 is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section:

North Sound Behavioral Health Organization Denny	Youth Center	\$5,000,000
North Sound Behavioral Health Organization Substance	Use Disorder Intensive Treatment	\$5,000,000

Bellingham Mental Health Triage
\$5,000,000

Bellingham Acute Detox \$2,000,000

SWWA Diversion Crisis and Involuntary
Treatment \$3,000,000

Daybreak Center for Adolescent Recovery
\$3,000,000

Nexus Youth and Families \$500,000

Valley City Recovery Place \$2,000,000

Geriatric Diversion \$500,000

(5) \$3,000,000 is provided solely for a grant to a joint venture between MultiCare-Franciscan to provide community based behavioral health services. Funding provided in this subsection is subject to the criteria in subsection (1) of this section. The department of commerce may not release funding for this project unless MultiCare-Franciscan enters into a memorandum of understanding with the department of social and health services by October 31, 2017, to collaborate on development and implementation of strategies to expand the behavioral health workforce in the region. At a minimum, the agreement must include strategies for increasing recruitment of health professionals required to staff psychiatric inpatient facilities, including psychiatrists, psychologists, nurses and other health care professionals. The agreement must also identify opportunities for coordination between the parties to expand access to clinical skill development and training opportunities in the region and strategies for collaborative service delivery between the parties when possible. To objectively evaluate the efficacy of the strategies implemented to achieve the desired outcomes of the agreement, performance measures and targets must be established to include:

(a) MultiCare-Franciscan and the department of social and health services must work collaboratively to decrease vacancy rates for hard-to-recruit health care professionals employed by each facility. The parties must develop strategies to attract more qualified health care professionals to the area and ensure comparable exposure to the benefits of working for each organization. The parties must measure the success of these strategies by the decrease in vacancy rate for health care professionals necessary to provide safe, quality inpatient psychiatric care in MultiCare-Franciscan

and department facilities following the first year as the baseline of the partnership/consortium and with updated goals for each subsequent year. MultiCare-Franciscan and the department of social and health services must work to increase the competency and skills of health care professionals across both facilities by establishing organized joint- and cross-training programs. The parties must measure the success of this strategy by the number of health care professionals in total and by discipline complete cross-training activities and by the number and hours of cross-training opportunities offered under the agreement.

(6) The department of commerce shall notify all applicants that they may be required to have a construction review performed by the department of health.

(7) To accommodate the emergent need for behavioral health services, the department of health and the department of commerce, in collaboration with the health care authority and the department of social and health services, shall establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, detox, or secure detox.

Appropriation:

State Building Construction Account—
State \$65,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$65,600,000

**NEW SECTION. Sec. 1081. FOR THE
DEPARTMENT OF COMMERCE**

CERB Administered Broadband
Infrastructure (91000943)

The appropriation in this section is subject to the following conditions and limitations: During the 2017-2019 fiscal biennium, the community economic revitalization board may make grants and loans to local governments and federally recognized tribes to build infrastructure to provide high-speed, open-access broadband service, with a minimum of 25 megabits per second download speed, to rural and underserved communities, for the purpose of economic development.

(1) "Local governments" means cities, towns, counties, municipal corporations, public port districts, quasi-municipal corporations, and special purpose districts.

(2) "Broadband" means networks of deployed telecommunications equipment and technologies necessary to provide high-speed Internet access and other advanced telecommunications services.

(3) The board is authorized to make rural broadband loans to local governments and to federally recognized Indian tribes for the purposes of financing the cost to build infrastructure to provide high-speed, open-access broadband service, to rural and underserved communities, for the purpose of economic development. Grants may also be authorized for purposes designated in this chapter, but only when, and to the extent that, a loan is not reasonably possible, given the limited resources of the local government or the federally recognized Indian tribe, and subject to a finding by the board that financial circumstances require grant assistance to enable the project to move forward. However, no more than 25 percent of all financial assistance approved by the board in any biennium may consist of grants to local governments and federally recognized Indian tribes.

(4) Application for funding must be made in the form and manner as the board may prescribe. In making grants or loans the board must conform to the following requirements:

(a) The board may not provide financial assistance:

(i) For a project the primary purpose of which is to facilitate or promote a retail shopping development or expansion.

(ii) For any project that evidence exists would result in a development or expansion that would displace existing jobs in any other community in the state.

(iii) For a project the primary purpose of which is to facilitate or promote gambling.

(iv) For a project located outside the jurisdiction of the applicant local government or federally recognized Indian tribe.

(v) For equipment or facilities which would enable a public entity to provide retail telecommunications services or services that the entity is not authorized by statute to provide.

(vi) For the deployment of publicly-owned telecommunication network infrastructure ("backbone") solely for the sake of creating competitive, publicly-owned telecommunication network infrastructure.

(b) The board may provide financial assistance only:

(i) For projects demonstrating convincing evidence that a specific private development or expansion is ready to occur and will occur only if the public facility improvement is made that:

(A) Results in the creation of significant private sector jobs or significant private sector capital investment as determined by the board;

(B) Will improve the opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities; and

(C) Is located in a rural community as defined by the board, or a rural county; or

(ii) For a project that does not meet the requirements of (b)(i) of this subsection but is a project that:

(A) Results in the creation of significant private sector jobs or significant private sector capital investment as determined by the board;

(B) Is part of a local economic development plan consistent with applicable state planning requirements;

(C) Can demonstrate project feasibility using standard economic principles; and

(D) Is located in a rural community as defined by the board, or a rural county;

(c) The board must develop guidelines for local participation and allowable match and activities.

(d) An application must demonstrate local match and local participation, in accordance with guidelines developed by the board.

(e) An application must be approved by the local government and supported by the local associate development organization or local workforce development council or approved by the governing body of the federally recognized Indian tribe.

(f) The board may allow de minimis general system improvements to be funded

if they are critically linked to the viability of the project.

(g) An application must demonstrate convincing evidence that the median hourly wage of the private sector jobs created after the project is completed will exceed the countywide median hourly wage.

(h) The board must prioritize each proposed project according to:

(i) The relative benefits provided to the community by the jobs the project would create, not just the total number of jobs it would create after the project is completed, but also giving consideration to the unemployment rate in the area in which the jobs would be located;

(ii) The rate of return of the state's investment, including, but not limited to, the leveraging of private sector investment, anticipated job creation and retention, and expected increases in state and local tax revenues associated with the project;

(iii) Whether the proposed project offers a health insurance plan for employees that includes an option for dependents of employees;

(iv) Whether the public facility investment will increase existing capacity necessary to accommodate projected population and employment growth in a manner that supports infill and redevelopment of existing urban or industrial areas that are served by adequate public facilities. Projects should maximize the use of existing infrastructure and provide for adequate funding of necessary transportation improvements;

(v) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance; and

(vi) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007.

(i) A responsible official of the local government or the federally recognized Indian tribe must be present during board deliberations and provide information that the board requests.

(5) Before any financial assistance application is approved, the local government or the federally recognized

Indian tribe seeking the assistance must demonstrate to the community economic revitalization board that no other timely source of funding is available to it at costs reasonably similar to financing available from the community economic revitalization board.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 1082. FOR THE DEPARTMENT OF COMMERCE

Seismic Inventory: Unreinforced Masonry Buildings (91000959)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for the department to contract for a seismic study regarding suspected unreinforced masonry buildings in Washington state. The study must include a list and map of suspected unreinforced masonry buildings, excluding single-family housing, and be produced by utilizing existing survey and data sources to the greatest extent possible. The study may incorporate random sampling, site visits, and other means to inform the study. The study must be provided to the office of financial management and fiscal committees of the legislature by September 1, 2018.

Appropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$200,000

NEW SECTION. Sec. 1083. FOR THE DEPARTMENT OF COMMERCE

2017-19 Stormwater Pilot Project (91001099)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department of commerce to establish a community-based public-private partnership stormwater pilot program using the United States environmental protection agency guidelines for local governments. The

department must establish goals and geographical areas and identify ongoing revenue structures, as well as develop a request for qualifications with the department of ecology using the environmental protection agency guidelines to support future stormwater public-private partnerships. The department must report to the office of financial management and fiscal committees of the legislature by September 1, 2018, regarding the establishment of the pilot project and any barriers in implementing projects using this model.

Appropriation:

State Building Construction Account—
State \$250,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 1084. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Oversight of State Facilities
(30000039)

Appropriation:

State Building Construction Account—
State \$1,229,000

Thurston County Capital Facilities
Account—State \$1,229,000

Subtotal Appropriation	\$2,458,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,458,000

NEW SECTION. Sec. 1085. FOR THE OFFICE OF FINANCIAL MANAGEMENT

OFM Capital Budget Staff (30000040)

Appropriation:

State Building Construction Account—
State \$611,000

Thurston County Capital Facilities
Account—State \$611,000

Subtotal Appropriation	\$1,222,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,222,000

NEW SECTION. Sec. 1086. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Emergency Repairs (30000041)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be eligible for funds from the emergency repair pool, an emergency declaration signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The emergency declaration must include a description of the health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project. For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as emergency projects are approved for funding.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,000,000

NEW SECTION. Sec. 1087. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Contingency Pool (91000436)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for state parks projects that are reduced. The state parks and recreation commission must provide sufficient evidence that a project cannot move forward without additional funding.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 1088. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Evaluation of Law Enforcement Training by Community Colleges (92000022)

The appropriation in this section is subject to the following conditions and limitations: \$300,000 of the appropriation in this section is provided solely for the office of financial management to contract with an external consultant to develop a plan that provides required basic law enforcement training through student paid programs with training provided by community and technical colleges. The consultant must review the costs, benefits, and risks to the state of Washington and review models from other states. The consultant must provide a report with an implementation plan and recommendations to the governor and the appropriate committees of the legislature by December 10, 2017.

Appropriation:

State Building Construction Account—State \$300,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 1089. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Behavioral Health Statewide Plan (91000434)

The appropriation in this section is subject to the following conditions and limitations: The office of financial management, in collaboration with the department of commerce, the health care authority, the department of social and health services, the department of health, and behavioral health organizations, shall establish a statewide plan to inform future grant allocations by assessing and prioritizing facility needs and gaps in the behavioral health continuum of care. The department must provide the plan to the fiscal committees of the legislature by September 1, 2018. The plan must include:

(1) An assessment of the continuum of care, including new community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced service facilities, triage facilities, crisis stabilization facilities for short-term detention services through the publicly funded mental health system, crisis walk-in

clinics, residential treatment facilities, and supportive housing units;

(2) A prioritization of facility type by geographic region covering the full continuum of care defined in subsection (1) of this section;

(3) A systematic method to distribute resources across geographical regions so that over time all regions are moving forward in strengthening the local continuum of behavioral health facilities; and

(4) An assessment of the feasibility of establishing state-operated, community-based mental health hospitals.

Appropriation:

State Building Construction Account—State \$200,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 1090. FOR THE OFFICE OF FINANCIAL MANAGEMENT

State Parks Capital Projects Study (91000437)

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

The office of financial management, in consultation with the state parks and recreation commission, shall develop a study of the commission's capital budget process. The study shall be contracted to an independent third-party consultant with expertise in the state capital budget development process, capital project cost estimating, value engineering, and related professional fields. The study must be provided to the fiscal committees of the legislature by September 1, 2018. The purpose of the study is to evaluate commission practices in comparison with best practices in public sector capital program design and execution.

The study must include an assessment of:

(1) The commission's capital budget development process for its 2019-2021 biennial budget and ten-year capital plan, including analysis of:

(a) Project identification and scoping processes;

(b) Project cost estimation methods and tools; and

(c) Project prioritization criteria and methods.

(2) State parks capital budget staffing compared to other public and private industry standards, including the percent of project funding that is used for staff FTEs and the number and function of:

(a) Design professionals (including engineers and landscape architects);

(b) Construction and Design project managers; and

(c) Other staff supported by capital funds.

(3) Historical capital project funding including, at a minimum:

(a) 2013-2015 and 2015-2017 capital budgets and expenditures;

(b) An analysis of actual project costs in comparison to budgeted costs including the percentage that projects were over and under the construction cost estimate and the total project cost estimate, both individually and in aggregate; and

(c) Percentage of reappropriations.

(4) The basis for cabin and comfort station project costs to include:

(a) Project objectives and customer requirements;

(b) Project elements (scale, materials, utilities, location, aesthetics, and other considerations significantly affecting project costs); and

(c) Operational fiscal analysis including projected operating costs and revenue from cabins; and

(d) Detailed cost estimates of previous and future cabin and comfort station projects.

(5) Costs compared to at least two other states with similar state parks and two other Washington state or local governments.

(6) An analysis of development costs associated with state park projects that differ from other public works projects and commercial private sector projects.

(7) Alternative procurement options for cabins, including premanufactured cabins, cabin kits, tiny homes, and modular construction.

Appropriation:

State Building Construction Account—
State \$100,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$100,000

NEW SECTION. Sec. 1091. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Higher Education and State Facility Financing Study (92000021)

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

(1) The office of financial management shall submit a higher education capital facility study to the governor and the appropriate legislative fiscal committees by October 1, 2018. In designing and conducting the study, the office of financial management shall consult with legislative and fiscal committee leadership, the department of revenue, the state investment board, the student achievement council, the state board for community and technical colleges, and the public four-year institutions of higher education. The study must include:

(a) A review of the methods that are used to fund higher education facility expansion and improvements in other states and the relative portions of such expenditures that are borne by students, state taxpayers, federal grants, and private contributions;

(b) An examination of alternatives for reducing facility construction and maintenance expenditures per student through strategies such as expansion of distance learning opportunities, increased scheduling of classes during evenings and weekends, the establishment of expected cost benchmarks by facility type, and other means;

(c) An assessment of the strengths and weaknesses of potential new revenue sources that might be applied to the funding of higher education facilities. These alternative sources must include, but not be limited to, adjusting student fees to support a larger share of the cost of such facilities, bonding against student fee revenues, utilizing local tax revenues to support local higher education capital needs, promoting business participation in the financing of programs strongly linked to area economic development, and other means;

(d) Learning space utilization standards for higher education facilities. The standards may include, but are not limited to:

(i) Percentage of hours utilized per scheduling window;

(ii) Percentage of seats utilized;

(iii) Square feet per seat; and

(iv) Type of technology utilized in learning spaces;

(e) Reasonableness of cost standards for higher education capital facilities. The standards may include, but are not limited to:

(i) Costs per square feet per type of facility; and

(ii) Expected life-cycle costs; and

(f) A criteria scoring and weighting tool for use by four-year higher education institutions and other decision makers that measures two components:

(i) A measure of achievement of higher education capital projects criteria; and

(ii) A measure to weigh the importance of those criteria.

(2) The office of financial management shall submit a state capital facility financing study to the governor and the appropriate legislative fiscal committees by December 1, 2018. In designing and conducting the study, the office of financial management shall consult with legislative and fiscal committee leadership. The study must include the establishment of expected cost benchmarks by facility type.

Appropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$300,000

NEW SECTION. Sec. 1092. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

East Plaza - Water Infiltration and Elevator Repairs (30000548)

Appropriation:

State Building Construction Account—
State \$5,168,000

Prior Biennia (Expenditures)
\$3,103,000

Future Biennia (Projected Costs)
\$11,120,000

TOTAL \$19,391,000

NEW SECTION. Sec. 1093. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Lake Long-Term Management Planning (30000740)

The appropriation in this section is subject to the following conditions and limitations: The department shall develop an environmental impact statement to consider alternatives for Capitol Lake. The alternatives considered must include, at a minimum, a lake option, an estuary option, and a hybrid option. The environmental impact statement will also consider sediment transport and locations within lower Budd Inlet. The department must work with affected stakeholders to develop mitigation plans. The environmental impact statement must also consider an expanded area around Capitol Lake and Budd Inlet including the Port of Olympia for the economic analysis. The environmental impact statement must consider the use of equal funding from nonstate entities including, but not limited to, local governments, special purpose districts, tribes, and not-for-profit organizations.

Appropriation:

State Building Construction Account—
State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$940,000

TOTAL \$3,940,000

NEW SECTION. Sec. 1094. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Transportation Building Preservation (30000777)

The appropriation in this section is subject to the following conditions and limitations: \$350,000 is provided solely for a predesign, to include an evaluation of temporary work space options for employees displaced by the proposed renovation.

Appropriation:

Capitol Building Construction Account—
State \$3,982,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$12,889,000

TOTAL \$16,871,000

NEW SECTION. Sec. 1095. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Elevator Modernization (30000786)

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$7,971,000

TOTAL \$9,971,000

NEW SECTION. Sec. 1096. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Systems
Rehabilitation (30000791)

Appropriation:

Capitol Building Construction Account—
State \$993,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$6,000,000

TOTAL \$6,993,000

NEW SECTION. Sec. 1097. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Campus Physical Security and Safety
Improvements (30000812)

The appropriation in this section is provided solely for a study to include: (1) An assessment of current capitol campus security, to include infrastructure, technology, and staffing; (2) an assessment of security systems at comparable state capitol campuses; (3) options for security to meet the needs of the capitol campus; and (4) a phased plan for improving campus physical security and safety, including estimated costs. The following must be included in the development of the study: house of representatives security personnel, senate security personnel, legislative building facility and security personnel, and temple of justice security personnel. The study must be submitted to the office of financial management and the appropriate committees of the legislature by August 31, 2018.

Appropriation:

Thurston County Capital Facilities
Account—State \$550,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$550,000

NEW SECTION. Sec. 1098. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Statewide Minor Works - Preservation
Projects (30000825)

Appropriation:

Enterprise Services Account—
State \$314,000

State Building Construction Account—
State \$2,664,000

State Vehicle Parking Account—
State \$80,000

Subtotal Appropriation \$3,058,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$9,970,000

TOTAL \$13,028,000

NEW SECTION. Sec. 1099. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Building Envelope Repairs (30000829)

Appropriation:

Capitol Building Construction Account—
State \$3,364,000

State Building Construction Account—
State \$4,936,000

Subtotal Appropriation \$8,300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$8,300,000

NEW SECTION. Sec. 1100. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Engineering and Architectural Services:
Staffing (30000889)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for architectural and engineering services to manage public works contracting for all state facilities pursuant to RCW 43.19.450.

(2) At the end of each fiscal year, the department must report to the office of financial management and the fiscal committees of the legislature on performance, including the following:

(a) The number of projects managed by each manager compared to previous biennia;

(b) Projects that were not completed on schedule and the reasons for the delays; and

(c) The number and cost of the change orders and the reason for each change order.

(3) At least twice per year, the department shall convene a group of private sector architects, contractors, and state agency facilities personnel to share, at a minimum, information on high performance methods, ideas, operating and maintenance issues, and cost. The facilities personnel must be from the community and technical colleges, the four-year institutions of higher education, and any other state agencies that have recently completed a new building or are currently in the construction phase.

(4) The department shall create a plan for scheduled renovations on the capitol campus, to include phasing and swing space for the predesigns for the department of transportation building, temple of justice, and employment security building.

Appropriation:

State Building Construction Account—State \$10,220,000

Thurston County Capital Facilities Account—State \$2,680,000

Subtotal Appropriation \$12,900,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$12,900,000

NEW SECTION. Sec. 1101. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Next Century Capitol Campus (40000028)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a predesign to analyze the current heat and power configuration and compare it to a minimum of two new configurations on the capitol campus. A life-cycle cost analysis shall identify the preferred option over thirty years.

Appropriation:

Thurston County Capital Facilities Account—State \$250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

NEW SECTION. Sec. 1102. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

1063 Building Furniture and Equipment (40000029)

The appropriation in this section is subject to the following conditions and limitations: \$2,414,000 is provided solely for the department for furniture, fixtures, and equipment for common areas in the building.

Appropriation:

Thurston County Capital Facilities Account—State \$2,414,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,414,000

NEW SECTION. Sec. 1103. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Childcare Center (40000030)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department to develop a predesign. The report must evaluate, at a minimum, the following criteria: (1) A minimum of two locations on the capitol campus or Heritage Park; (2) a survey of employees on the capitol campus to determine the need and capacity; (3) the necessary rate to support operations, maintenance, and debt service; (4) the existing child care capacity within a five mile radius of the capitol campus; and (5) a description of a public private partnership and the competitive process used to select the contractor to operate the facility.

Appropriation:

Thurston County Capital Facilities Account—State \$250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

NEW SECTION. Sec. 1104. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Conservatory Demolition (91000442)

Appropriation:

Thurston County Capital Facilities Account—State \$650,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$650,000

NEW SECTION. Sec. 1105. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capital Campus Utility Renewal Plan (92000012)

Appropriation:

State Building Construction Account—State \$1,686,000

Prior Biennia (Expenditures) \$650,000

Future Biennia (Projected Costs) \$1,220,000

TOTAL \$3,556,000

NEW SECTION. Sec. 1106. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Relocate Mural from GA to 1063 (92000018)

Appropriation:

State Building Construction Account—State \$275,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$275,000

NEW SECTION. Sec. 1107. FOR THE MILITARY DEPARTMENT

Minor Works Preservation 2017-19 Biennium (30000811)

Appropriation:

General Fund—Federal \$3,776,000

State Building Construction Account—State \$1,821,000

Subtotal Appropriation \$5,597,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,597,000

NEW SECTION. Sec. 1108. FOR THE MILITARY DEPARTMENT

Minor Works Program 2017-19 Biennium (30000812)

Appropriation:

General Fund—Federal \$10,171,000

State Building Construction Account—State \$2,661,000

Subtotal Appropriation \$12,832,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$12,832,000

NEW SECTION. Sec. 1109. FOR THE MILITARY DEPARTMENT

Tri-Cities Readiness Center - Land (30000808)

Appropriation:

General Fund—Federal \$500,000

State Building Construction Account—State \$300,000

Subtotal Appropriation \$800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$16,200,000

TOTAL \$17,000,000

NEW SECTION. Sec. 1110. FOR THE MILITARY DEPARTMENT

Centralia Readiness Center Major Renovation (30000818)

Appropriation:

General Fund—Federal \$2,000,000

State Building Construction Account—State \$2,000,000

Subtotal Appropriation \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 1111. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Historic Cemetery Grant Program (30000021)

Appropriation:

State Building Construction Account—State \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$2,060,000

TOTAL \$2,560,000

NEW SECTION. Sec. 1112. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Heritage Barn Preservation Program
2017-19 (92000010)

Appropriation:

State Building Construction Account-
State \$515,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$2,060,000

TOTAL \$2,575,000

NEW SECTION. Sec. 1113. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Historic County Courthouse Grants Program 2017-19 (92000011)

The appropriation in this section is provided solely for the following list of projects:

Pacific County \$364,041

Lewis County \$230,000

Grant County \$543,576

Appropriation:

State Building Construction Account-
State \$1,137,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$10,400,000

TOTAL \$11,537,000

PART 2

HUMAN SERVICES

NEW SECTION. Sec. 2001. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital New Kitchen and Commissary Building (20081319)

The reappropriation in this section is subject to the following conditions and limitations: This facility must house a kitchen, commissary, medical supply, and pharmacy operations to improve operational efficiency at western state hospital and at the special commitment center.

Reappropriation:

State Building Construction Account-
State \$28,000,000

Prior Biennia (Expenditures)
\$2,190,000

Future Biennia (Projected Costs) \$0

TOTAL \$30,190,000

NEW SECTION. Sec. 2002. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School - Back-Up Power & Electrical Feeders (30000415)

Reappropriation:

State Building Construction Account-
State \$4,850,000

Prior Biennia (Expenditures)
\$350,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,200,000

NEW SECTION. Sec. 2003. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Lakeland Village: Code Required Campus Infrastructure Upgrades (30002238)

Reappropriation:

State Building Construction Account-
State \$1,050,000

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account-State \$2,500,000

State Building Construction Account-
State \$2,500,000

Subtotal Appropriation \$5,000,000

Prior Biennia (Expenditures)
\$150,000

Future Biennia (Projected Costs)
\$15,200,000

TOTAL \$21,400,000

NEW SECTION. Sec. 2004. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study & Treatment Center - Orcas: Acute Treatment Addition (30002733)

Reappropriation:

State Building Construction Account-
State \$750,000

Prior Biennia (Expenditures)
\$350,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,100,000

NEW SECTION. Sec. 2005. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - South Hall: Building Systems Replacement (30002735)

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State \$3,905,000

Prior Biennia (Expenditures)
\$545,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,450,000

NEW SECTION. Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Echo Glen - Housing Unit: Acute Mental Health Unit (30002736)

Reappropriation:

State Building Construction Account—
State \$75,000

Appropriation:

State Building Construction Account—
State \$9,520,000

Prior Biennia (Expenditures)
\$375,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,970,000

NEW SECTION. Sec. 2007. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital - Westlake: Nurse Call System (30002739)

Reappropriation:

State Building Construction Account—
State \$760,000

Prior Biennia (Expenditures)
\$440,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,200,000

NEW SECTION. Sec. 2008. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Green Hill School: New Acute Mental Health Unit (30002745)

Reappropriation:

State Building Construction Account—
State \$3,350,000

Prior Biennia (Expenditures)
\$1,681,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,031,000

NEW SECTION. Sec. 2009. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Forensic Services: Two Wards Addition (30002765)

Reappropriation:

State Building Construction Account—
State \$590,000

Prior Biennia (Expenditures)
\$1,210,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,800,000

NEW SECTION. Sec. 2010. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital - Water System: Improvements (30003215)

Reappropriation:

State Building Construction Account—
State \$1,540,000

Prior Biennia (Expenditures)
\$575,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,115,000

NEW SECTION. Sec. 2011. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - South Hall: Wards Preservation & Renewal (30003240)

Reappropriation:

State Building Construction Account—
State \$1,150,000

Prior Biennia (Expenditures)
\$200,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,350,000

NEW SECTION. Sec. 2012. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - East Campus: Wards Preservation & Renewal (30003241)

Reappropriation:

State Building Construction Account—
State \$1,355,000

Prior Biennia (Expenditures)
\$245,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,600,000

NEW SECTION. Sec. 2013. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - East Campus: Building Systems Replacement (30003244)

Reappropriation:

State Building Construction Account—
State \$3,100,000

Prior Biennia (Expenditures)
\$300,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,400,000

**NEW SECTION. Sec. 2014. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Child Study and Treatment Center: CLIP
Capacity (30003324)

Reappropriation:

State Building Construction Account—
State \$100,000

Appropriation:

State Building Construction Account—
State \$12,130,000

Prior Biennia (Expenditures)
\$350,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,580,000

**NEW SECTION. Sec. 2015. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Eastern State Hospital - Eastlake:
Emergency Generator Replacement
(30003326)

Reappropriation:

State Building Construction Account—
State \$950,000

Prior Biennia (Expenditures)
\$350,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,300,000

**NEW SECTION. Sec. 2016. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Minor Works Program Projects: Western
State Hospital (30003388)

Reappropriation:

State Building Construction Account—
State \$600,000

Prior Biennia (Expenditures)
\$1,350,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,950,000

**NEW SECTION. Sec. 2017. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

ESH and WSH - All Wards: Patient Safety
Improvements (91000019)

Reappropriation:

Charitable, Educational, Penal, and
Reformatory

Institutions Account—State \$1,600,000

Appropriation:

Charitable, Educational, Penal, and
Reformatory

Institutions Account—State \$2,500,000

Prior Biennia (Expenditures)
\$5,769,000

Future Biennia (Projected Costs)
\$2,000,000

TOTAL \$11,869,000

**NEW SECTION. Sec. 2018. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Minor Works Preservation Project:
Statewide (91000037)

Reappropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures)
\$14,850,000

Future Biennia (Projected Costs) \$0

TOTAL \$16,850,000

**NEW SECTION. Sec. 2019. FOR THE
DEPARTMENT OF HEALTH**

Newborn Screening Wing Addition
(30000301)

Reappropriation:

State Building Construction Account—
State \$1,500,000

Appropriation:

State Building Construction Account—
State \$2,510,000

Prior Biennia (Expenditures)
\$1,549,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,559,000

**NEW SECTION. Sec. 2020. FOR THE
DEPARTMENT OF HEALTH**

Newborn Screening Lab Conversion
(30000302)

Reappropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$141,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,141,000

**NEW SECTION. Sec. 2021. FOR THE
DEPARTMENT OF HEALTH**

Drinking Water Preconstruction Loans
(30000334)

Reappropriation:

Drinking Water Assistance Account—State
\$5,800,000

Prior Biennia (Expenditures)
\$200,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,000,000

**NEW SECTION. Sec. 2022. FOR THE
DEPARTMENT OF HEALTH**

Drinking Water Assistance Program
(30000336)

Reappropriation:

Drinking Water Assistance Account—
Federal \$28,494,000

Prior Biennia (Expenditures)
\$3,506,000

Future Biennia (Projected Costs) \$0

TOTAL \$32,000,000

**NEW SECTION. Sec. 2023. FOR THE
DEPARTMENT OF VETERANS AFFAIRS**

Walla Walla Nursing Facility (20082008)

Reappropriation:

State Building Construction Account—
State \$1,050,000

Prior Biennia (Expenditures)
\$39,875,000

Future Biennia (Projected Costs) \$0

TOTAL \$40,925,000

**NEW SECTION. Sec. 2024. FOR THE
DEPARTMENT OF VETERANS AFFAIRS**

Eastern Washington Cemetery Upgrade
(30000152)

Reappropriation:

General Fund—Federal \$2,052,000

Prior Biennia (Expenditures)
\$640,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,692,000

**NEW SECTION. Sec. 2025. FOR THE
DEPARTMENT OF VETERANS AFFAIRS**

Minor Works Facilities Preservation
(30000174)

Reappropriation:

State Building Construction Account—
State \$975,000

Prior Biennia (Expenditures)
\$2,120,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,095,000

**NEW SECTION. Sec. 2026. FOR THE
DEPARTMENT OF CORRECTIONS**

Washington Corrections Center:
Transformers and Switches (30000143)

Reappropriation:

State Building Construction Account—
State \$11,000

Appropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures)
\$139,000

Future Biennia (Projected Costs)
\$11,833,000

TOTAL \$15,983,000

**NEW SECTION. Sec. 2027. FOR THE
DEPARTMENT OF CORRECTIONS**

Washington Corrections Center: Roof and
Equipment Replacement (30000195)

Reappropriation:

State Building Construction Account—
State \$1,910,000

Prior Biennia (Expenditures)
\$3,748,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,658,000

**NEW SECTION. Sec. 2028. FOR THE
DEPARTMENT OF CORRECTIONS**

WCC: Security Video System (30000791)

Reappropriation:

State Building Construction Account—
State \$3,228,000

Prior Biennia (Expenditures)
\$4,568,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,796,000

NEW SECTION. Sec. 2029. FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Security Video System (30000795)

Reappropriation:

State Building Construction Account—
State \$1,090,000

Prior Biennia (Expenditures)
\$4,143,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,233,000

NEW SECTION. Sec. 2030. FOR THE DEPARTMENT OF CORRECTIONS

CBCC: Security Video System (30000800)

Reappropriation:

State Building Construction Account—
State \$5,439,000

Prior Biennia (Expenditures)
\$599,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,038,000

NEW SECTION. Sec. 2031. FOR THE DEPARTMENT OF CORRECTIONS

MCC: TRU Security Video System (30000801)

Reappropriation:

State Building Construction Account—
State \$631,000

Prior Biennia (Expenditures)
\$3,650,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,281,000

NEW SECTION. Sec. 2032. FOR THE DEPARTMENT OF CORRECTIONS

MCC: SOU IMU Security Video (30000803)

Reappropriation:

State Building Construction Account—
State \$440,000

Prior Biennia (Expenditures)
\$2,265,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,705,000

NEW SECTION. Sec. 2033. FOR THE DEPARTMENT OF CORRECTIONS

MCC: MSU Bathroom Renovation (30000975)

Reappropriation:

State Building Construction Account—
State \$1,180,000

Prior Biennia (Expenditures)
\$540,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,720,000

NEW SECTION. Sec. 2034. FOR THE DEPARTMENT OF CORRECTIONS

SW: Minor Works - Preservation Projects (30001013)

Reappropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures)
\$10,896,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,396,000

NEW SECTION. Sec. 2035. FOR THE DEPARTMENT OF CORRECTIONS

CBCC: Access Road Culvert Replacement and Road Resurfacing (30001078)

Reappropriation:

State Building Construction Account—
State \$1,991,000

Appropriation:

State Building Construction Account—
State \$1,100,000

Prior Biennia (Expenditures)
\$509,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,600,000

NEW SECTION. Sec. 2036. FOR THE DEPARTMENT OF CORRECTIONS

WSP: Program and Support Building (30001101)

Reappropriation:

State Building Construction Account—
State \$856,000

Appropriation:

State Building Construction Account—
State \$8,685,000

Prior Biennia (Expenditures)
\$1,044,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,585,000

NEW SECTION. Sec. 2037. FOR THE DEPARTMENT OF CORRECTIONS

Prison Capacity Expansion (30001105)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2059, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$2,981,000

Prior Biennia (Expenditures)
\$1,819,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,800,000

NEW SECTION. Sec. 2038. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

Omnibus Minor Works (30000021)

Appropriation:

State Building Construction Account—
State \$740,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$740,000

NEW SECTION. Sec. 2039. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital: New Boiler Plant (30000468)

Appropriation:

State Building Construction Account—
State \$565,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$565,000

NEW SECTION. Sec. 2040. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects: Statewide (30001859)

Appropriation:

State Building Construction Account—
State \$700,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$21,145,000

TOTAL \$21,845,000

NEW SECTION. Sec. 2041. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects: Statewide (30002235)

Appropriation:

State Building Construction Account—
State \$12,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$171,510,000

TOTAL \$183,510,000

NEW SECTION. Sec. 2042. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Statewide - RA Community Facilities: Safety & Security Improvements (30002737)

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 2043. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center: Kitchen & Dining Room Upgrades (20081506)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 2044. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School - Multiple Buildings: Roofing Replacement & Repairs (30002752)

Appropriation:

State Building Construction Account—
State \$600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$600,000

NEW SECTION. Sec. 2045. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Green Hill School - Recreation Building: Replacement (30003237)

Appropriation:

State Building Construction Account—
State \$1,312,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$11,000,000

TOTAL \$12,312,000

NEW SECTION. Sec. 2046. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center - King County SCTF: Expansion (30003564)

The appropriation in this section is subject to the following conditions and limitations: No funds may be allotted until the department consults with the city of Seattle.

Appropriation:

State Building Construction Account—
State \$2,570,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,570,000

NEW SECTION. Sec. 2047. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

State Psychiatric Hospitals: Compliance with Federal Requirements (30003569)

The appropriation in this section is subject to the following conditions and limitations: The department shall submit a report on the use of this funding, to include the identification of the institution, project scope, associated federal requirements, and the remaining balance. The report shall be submitted to the office of financial management and the appropriate committees of the legislature at the end of each fiscal year.

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$5,000,000

TOTAL \$7,000,000

NEW SECTION. Sec. 2048. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: Master Plan Update (30003571)

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

(1) The appropriation in this section is provided solely for a master plan for western state hospital and the child study and treatment center. The master plan shall assume a reduced client population at western state hospital that is focused on forensic commitments.

(2) By June 30, 2019, the department of social and health services must transfer deed of the property known as the Fort Steilacoom park to the city of Lakewood. The city of Lakewood will receive the land covered by its current lease. Liabilities existing on the land at the time of transfer will transfer with the land. The transfer must be at no cost to the city. The department may reserve easements in the transferred property at no cost to the department. When the deed is transferred to the city, the lease expires. The department may include a restriction on the property requiring the city of Lakewood to maintain and operate the land as a park.

(3) By June 30, 2019, the department of social and health services must transfer deed of the property known as the Pierce College Fort Steilacoom campus to Pierce College. Pierce College will receive the land covered by its current lease. The transfer must be at no cost to the college. When the deed is transferred to the college, the lease expires.

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State \$400,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$400,000

NEW SECTION. Sec. 2049. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - East Campus: New Security Fence (30003578)

Appropriation:

State Building Construction Account—
State \$1,720,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,720,000

NEW SECTION. Sec. 2050. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Multiple Buildings: Fire Suppression (30003579)

Appropriation:

State Building Construction Account- State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$2,000,000

TOTAL \$3,000,000

NEW SECTION. Sec. 2051. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Green Hill School - Campus: Security & Surveillance Upgrades (30003580)

Appropriation:

State Building Construction Account- State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 2052. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Multiple Buildings: Windows Security (30003585)

Appropriation:

State Building Construction Account- State \$2,550,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$10,000,000

TOTAL \$12,550,000

NEW SECTION. Sec. 2053. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School: Campus Master Plan & Rezone (30003601)

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

(1) The appropriation is for the fircrest school campus master plan and rezone.

(2) At any time during the 2017-2019 biennium, the department of social and health services may transfer to the department of health approximately five acres east of the existing department of

health property for the purpose of future expansion of the public health laboratory by the department of health, in accordance with the master plans of both agencies. Funds appropriated in this section may be used for expenses incidental to the transfer of the property.

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account-State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$200,000

NEW SECTION. Sec. 2054. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Forensic Services: Roofing Replacement (30003603)

Appropriation:

State Building Construction Account- State \$1,955,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,955,000

NEW SECTION. Sec. 2055. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital: Emergency Electrical System Upgrades (30003616)

Appropriation:

State Building Construction Account- State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 2056. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Building 28: Treatment & Recovery Center (40000024)

Appropriation:

State Building Construction Account- State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$6,475,000

TOTAL \$7,475,000

NEW SECTION. Sec. 2057. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital Forensic Ward
(91000050)

Appropriation:

State Building Construction Account—
State \$2,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,800,000

**NEW SECTION. Sec. 2058. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital: Wards
Renovations for Forensic Services
(40000026)

Appropriation:

State Building Construction Account—
State \$1,560,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$9,600,000

TOTAL \$11,160,000

**NEW SECTION. Sec. 2059. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Special Commitment Center - Community
Facilities: New Capacity (30003577)

The appropriation in this section is
subject to the following conditions and
limitations: The department must consult
with the communities that are potential
sites for these facilities.

Appropriation:

Charitable, Educational, Penal, and
Reformatory

Institutions Account—State \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$12,760,000

TOTAL \$13,260,000

**NEW SECTION. Sec. 2060. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

DOC/DSHS McNeil Island -
Infrastructure: Water System Replacement
(30003213)

Appropriation:

State Building Construction Account—
State \$2,508,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,508,000

**NEW SECTION. Sec. 2061. FOR THE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital: 30 Forensic
Beds (91000049)

Appropriation:

State Building Construction Account—
State \$1,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

**NEW SECTION. Sec. 2062. FOR THE
DEPARTMENT OF HEALTH**

Minor Works - Preservation (30000382)

Appropriation:

State Building Construction Account—
State \$593,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$593,000

**NEW SECTION. Sec. 2063. FOR THE
DEPARTMENT OF HEALTH**

Minor Works - Program (30000383)

Appropriation:

State Building Construction Account—
State \$868,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$868,000

**NEW SECTION. Sec. 2064. FOR THE
DEPARTMENT OF HEALTH**

Drinking Water Construction Loans
(30000409)

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

(1) For projects involving repair,
replacement, or improvement of a clean
water infrastructure facility or other
public works facility for which an
investment grade efficiency audit is
reasonably obtainable, the department of
health must require as a contract
condition that the project sponsor
undertake an investment grade efficiency
audit. The project sponsor may finance the
costs of the audit as part of its drinking
water state revolving fund program loan.

(2) The agency must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Drinking Water Assistance Account—State	
\$118,000,000	
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$472,000,000
TOTAL	\$590,000,000

NEW SECTION. Sec. 2065. FOR THE DEPARTMENT OF HEALTH

Drinking Water System Repairs and Consolidation (40000006)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to well-managed, publicly-owned group A water utilities for the repair and consolidation of group A and B water systems under the following conditions:

(1) A grant can be provided when a water system has been voluntarily transferred to a publicly owned water utility within the last three years. The grant may be used for repair and consolidation costs.

(2) The grant applicant must provide the department of health with an accounting of rehabilitation costs and the value of the system. The grant must be used primarily to cover project design and construction costs, and only in limited cases to cover the cost of system acquisitions, as determined by the department of health in evaluating grant applications.

(3) Grants must primarily be used to cover project construction costs that customers benefiting from the project cannot afford to repay through loans, as determined by the department of health and the publicly owned utility receiving the grant to complete the project.

(4) Applicants must provide a plan demonstrating that project completion will occur within three years of the grant contract execution.

(5) Each grant must be less than twenty-five percent of the total appropriation.

(6) The primary purpose of this appropriation is to fund water system repair and consolidation construction

costs. However, the department may use a limited amount of funds under this section for grants for feasibility review of water system repair and consolidation projects that would meet the objectives of this section and RCW 70.119A.190.

Appropriation:

State Building Construction Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 2066. FOR THE DEPARTMENT OF HEALTH

Drinking Water Assistance Program - State Match (40000007)

Appropriation:

State Building Construction Account—State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. Sec. 2067. FOR THE DEPARTMENT OF HEALTH

Othello Water Supply and Storage (40000008)

Appropriation:

State Building Construction Account—State	\$1,550,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,550,000

NEW SECTION. Sec. 2068. FOR THE DEPARTMENT OF HEALTH

Drinking Water Assistance Program 2017-19 (92000025)

Appropriation:

Drinking Water Assistance Account—Federal	\$32,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$128,000,000
TOTAL	\$160,000,000

NEW SECTION. Sec. 2069. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Minor Works Facilities Preservation
(30000094)

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$11,085,000

TOTAL \$13,085,000

**NEW SECTION. Sec. 2070. FOR THE
DEPARTMENT OF VETERANS AFFAIRS**

Minor Works Program (30000131)

Appropriation:

State Building Construction Account—
State \$670,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$7,609,000

TOTAL \$8,279,000

**NEW SECTION. Sec. 2071. FOR THE
DEPARTMENT OF VETERANS AFFAIRS**

WSVC Additional Internment Vaults and
Roadway (30000215)

Appropriation:

General Fund—Federal \$2,700,000

State Building Construction Account—
State \$300,000

Subtotal Appropriation \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

**NEW SECTION. Sec. 2072. FOR THE
DEPARTMENT OF CORRECTIONS**

CBCC: Boiler Replacement (30000130)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department to develop a predesign. The department shall develop a predesign for replacing the current boilers. The alternatives must include replacing the current boiler configuration with three or less boilers with a life cycle cost analysis that identifies the most efficient solution over thirty years. At least one alternative must consider cogeneration. The office of financial management must approve the predesign before design funds are allotted.

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

**NEW SECTION. Sec. 2073. FOR THE
DEPARTMENT OF CORRECTIONS**

SCCC: Replace Heat Exchangers
(30000523)

Appropriation:

State Building Construction Account—
State \$2,032,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,032,000

**NEW SECTION. Sec. 2074. FOR THE
DEPARTMENT OF CORRECTIONS**

WCC Replace Roofs (30000654)

Appropriation:

State Building Construction Account—
State \$2,270,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,540,000

TOTAL \$6,810,000

**NEW SECTION. Sec. 2075. FOR THE
DEPARTMENT OF CORRECTIONS**

Minor Works - Preservation Projects
(30001114)

Appropriation:

State Building Construction Account—
State \$10,909,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$55,712,000

TOTAL \$66,621,000

**NEW SECTION. Sec. 2076. FOR THE
DEPARTMENT OF CORRECTIONS**

MCC ADA Compliance Retrofit (30001118)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 2077. FOR THE DEPARTMENT OF CORRECTIONS

SW IMU Recreation Yard Improvement (30001123)

Appropriation:

State Building Construction Account—State \$1,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 2078. FOR THE DEPARTMENT OF CORRECTIONS

CRCC Security Electronics Network Renovation (30001124)

Appropriation:

State Building Construction Account—State \$6,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$6,000,000

NEW SECTION. Sec. 2079. FOR THE DEPARTMENT OF CORRECTIONS

AVWR: WR Bed Capacity - 41 Beds at WR Facility (30001166)

Appropriation:

State Building Construction Account—State \$740,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$740,000

NEW SECTION. Sec. 2080. FOR THE DEPARTMENT OF CORRECTIONS

MLCC: 128 Bed Minimum Camp (30001168)

The appropriations in this section are subject to the following conditions and limitations: The department must establish a mental health program for women offenders. The program must at a minimum provide programs and treatment for female offenders diagnosed with a mental illness.

Appropriation:

State Building Construction Account—State \$2,551,000

Charitable, Educational, Penal, and Reformatory Institutions Account—State \$1,790,000

Subtotal Appropriation \$4,341,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$1,500,000

TOTAL \$5,841,000

NEW SECTION. Sec. 2081. FOR THE DEPARTMENT OF CORRECTIONS

Correctional Industries: Laundry Feasibility Study (40000002)

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

(1) The department shall conduct a feasibility study to assess whether correctional industries can efficiently provide laundry services to Lakeland Village, eastern state hospital, and/or the Spokane veteran's home.

The study shall include: (a) The identification of the resources required, including the estimated capital and operating investment costs and ongoing operating costs for the department at the airway heights corrections center to provide laundry services to the facilities referenced in this section; (b) an assessment of contraband management and the resources needed to do so; (c) an assessment of how the department will meet health regulations for laundry in a hospital setting; (d) the advantages and disadvantages of the department providing laundry services to the facilities referenced in this section; and (e) identification of logistics and operations to meet the demands.

The department shall provide the feasibility study to the office of financial management and appropriate committees of the legislature by October 15, 2018.

(2) The department of social and health services and the department of veterans affairs shall provide to the department of corrections detailed information on their current laundry operations at Lakeland Village, eastern state hospital and the Spokane veteran's home including but not limited to pounds of laundry per day, staffing, equipment inventory, materials purchased, and estimated utility costs.

Appropriation:

State Building Construction Account—State \$250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

**NEW SECTION. Sec. 2082. FOR THE
EMPLOYMENT SECURITY DEPARTMENT**

Building Systems Preservation
(30000004)

The appropriation in this section is provided solely for a predesign of the employment security department headquarters renovation. The predesign shall incorporate the findings of the recently completed investment grade audit and shall include an evaluation of temporary work space options for employees displaced by the proposed renovation.

Appropriation:

State Building Construction Account—
State \$241,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$34,000,000

TOTAL \$34,241,000

PART 3

NATURAL RESOURCES

**NEW SECTION. Sec. 3001. FOR THE
DEPARTMENT OF ECOLOGY**

Water Supply Facilities (19742006)

Reappropriation:

State and Local Improvements Revolving
Account (Water Supply Facilities)—
State \$295,000

Prior Biennia (Expenditures)
\$20,255,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,550,000

**NEW SECTION. Sec. 3002. FOR THE
DEPARTMENT OF ECOLOGY**

Low-Level Nuclear Waste Disposal Trench
Closure (19972012)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3002, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Site Closure Account—State \$8,550,000

Prior Biennia (Expenditures)
\$6,883,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,433,000

**NEW SECTION. Sec. 3003. FOR THE
DEPARTMENT OF ECOLOGY**

Twin Lake Aquifer Recharge Project
(20042951)

Reappropriation:

State Building Construction Account—
State \$157,000

Prior Biennia (Expenditures)
\$593,000

Future Biennia (Projected Costs) \$0

TOTAL \$750,000

**NEW SECTION. Sec. 3004. FOR THE
DEPARTMENT OF ECOLOGY**

Quad Cities Water Right Mitigation
(20052852)

Reappropriation:

State Building Construction Account—
State \$116,000

Prior Biennia (Expenditures)
\$1,484,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,600,000

**NEW SECTION. Sec. 3005. FOR THE
DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow
Achievement (20062003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 136, chapter 371, Laws of 2006.

Reappropriation:

State Building Construction Account—
State \$99,000

Prior Biennia (Expenditures)
\$12,697,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,796,000

**NEW SECTION. Sec. 3006. FOR THE
DEPARTMENT OF ECOLOGY**

Columbia River Basin Water Supply
Development Program (20062950)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is

subject to the provisions of section 3008, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

Columbia River Basin Water Supply Development

Account-State	\$3,219,000	
Prior Biennia (Expenditures)	\$88,281,000	
Future Biennia (Projected Costs)	\$0	
TOTAL	\$91,500,000	

NEW SECTION. Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY

Local Toxics Grants for Cleanup and Prevention (20064008)

Reappropriation:

State Building Construction Account-State \$624,000

Prior Biennia (Expenditures)	\$98,276,000	
Future Biennia (Projected Costs)	\$0	
TOTAL	\$98,900,000	

NEW SECTION. Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY

Transfer of Water Rights for Cabin Owners (20081951)

Reappropriation:

State Building Construction Account-State \$102,000

Prior Biennia (Expenditures)	\$348,000	
Future Biennia (Projected Costs)	\$0	
TOTAL	\$450,000	

NEW SECTION. Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (20084008)

Reappropriation:

State Building Construction Account-State \$508,000

Prior Biennia (Expenditures)	\$92,367,000	
Future Biennia (Projected Costs)	\$0	
TOTAL	\$92,875,000	

NEW SECTION. Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (20084029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3054, chapter 520, Laws of 2007.

Reappropriation:

State Building Construction Account-State \$1,013,000

Prior Biennia (Expenditures)	\$12,987,000	
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Future Biennia (Projected Costs) \$0

TOTAL \$14,000,000

NEW SECTION. Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (30000028)

Reappropriation:

State Building Construction Account-State \$373,000

Prior Biennia (Expenditures)	\$5,623,000	
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Future Biennia (Projected Costs) \$0

TOTAL \$5,996,000

NEW SECTION. Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000039)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

Local Toxics Control Account-State \$5,239,000

State Building Construction Account-State \$757,000

Subtotal Reappropriation \$5,996,000

Prior Biennia (Expenditures)	\$69,113,000	
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Future Biennia (Projected Costs) \$0

TOTAL \$75,109,000

NEW SECTION. Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (30000144)

The reappropriations in this section are subject to the following conditions

and limitations: The reappropriations are subject to the provisions of section 3021, chapter 48, Laws of 2011 1st sp. sess. and section 3002, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Cleanup	Settlement	Account—State	
\$1,014,000			
State	Toxics	Control	Account—
State \$549,000			
Subtotal Reappropriation		\$1,563,000	
Prior	Biennia	(Expenditures)	
\$37,471,000			
Future Biennia (Projected Costs)		\$0	
TOTAL		\$39,034,000	

NEW SECTION. Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (30000208)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3003, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State	Toxics	Control	Account—
State \$2,656,000			
Prior	Biennia	(Expenditures)	
\$30,614,000			
Future Biennia (Projected Costs)		\$0	
TOTAL		\$33,270,000	

NEW SECTION. Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3030, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State	Building	Construction	Account—
State \$834,000			
Prior	Biennia	(Expenditures)	
\$7,166,000			
Future Biennia (Projected Costs)		\$0	
TOTAL		\$8,000,000	

NEW SECTION. Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000216)

Reappropriation:

Local	Toxics	Control	Account—
State \$22,343,000			
Prior	Biennia	(Expenditures)	
\$40,521,000			
Future Biennia (Projected Costs)		\$0	
TOTAL		\$62,864,000	

NEW SECTION. Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites Initiative (30000217)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3004, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State	Toxics	Control	Account—
State \$146,000			
Prior	Biennia	(Expenditures)	
\$4,488,000			
Future Biennia (Projected Costs)		\$0	
TOTAL		\$4,634,000	

NEW SECTION. Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (30000265)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3005, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State	Toxics	Control	Account—
State \$258,000			
Prior	Biennia	(Expenditures)	
\$14,944,000			
Future Biennia (Projected Costs)		\$0	
TOTAL		\$15,202,000	

NEW SECTION. Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY

Yakima Basin Integrated Water Management Plan Implementation (30000278)

Reappropriation:

State	Building	Construction	Account—
State \$52,000			

Prior	Biennia	(Expenditures)	
\$1,827,000			
Future Biennia (Projected Costs) \$0			
TOTAL	\$1,879,000		

NEW SECTION. Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY

ASARCO - Tacoma Smelter Plume and Mines (30000280)

Reappropriation:

Cleanup	Settlement	Account-State	
\$3,011,000			

Prior	Biennia	(Expenditures)	
\$17,636,000			
Future Biennia (Projected Costs) \$0			
TOTAL	\$20,647,000		

NEW SECTION. Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY

Padilla Bay Federal Capital Projects (30000282)

Reappropriation:

General Fund-Federal	\$665,000		
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Prior	Biennia	(Expenditures)	
\$135,000			
Future Biennia (Projected Costs) \$0			
TOTAL	\$800,000		

NEW SECTION. Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY

Coastal Wetlands Federal Funds Administration (30000283)

Reappropriation:

General Fund-Federal	\$2,810,000		
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Prior	Biennia	(Expenditures)	
\$20,390,000			
Future Biennia (Projected Costs) \$0			
TOTAL	\$23,200,000		

NEW SECTION. Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY

Mercury Switch Removal (30000323)

Reappropriation:

State	Toxics	Control	Account-State
\$138,000			

Prior	Biennia	(Expenditures)	
\$362,000			
Future Biennia (Projected Costs) \$0			
TOTAL	\$500,000		

NEW SECTION. Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (30000326)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Environmental	Legacy	Stewardship	
Account-State	\$13,662,000		

Prior	Biennia	(Expenditures)	
\$36,338,000			
Future Biennia (Projected Costs) \$0			
TOTAL	\$50,000,000		

NEW SECTION. Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000327)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Water	Pollution	Control	Revolving
Account-Federal	\$4,032,000		

Water	Pollution	Control	Revolving
Account-State	\$154,280,000		

Subtotal Reappropriation \$158,312,000

Prior	Biennia	(Expenditures)	
\$91,688,000			
Future Biennia (Projected Costs) \$0			
TOTAL	\$250,000,000		

NEW SECTION. Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY

Coastal Wetlands Federal Funds (30000328)

Reappropriation:

General Fund-Federal	\$9,800,000		
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Prior	Biennia	(Expenditures)	\$0
Future Biennia (Projected Costs) \$0			
TOTAL	\$9,800,000		

NEW SECTION. Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (30000331)

Reappropriation:

State Building Construction Account—
State \$4,993,000

Prior Biennia (Expenditures)
\$5,007,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

**NEW SECTION. Sec. 3028. FOR THE
DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District
Water Conservation (30000332)

Reappropriation:

State Building Construction Account—
State \$221,000

Prior Biennia (Expenditures)
\$2,834,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,055,000

**NEW SECTION. Sec. 3029. FOR THE
DEPARTMENT OF ECOLOGY**

Dungeness Water Supply & Mitigation
(30000333)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions in section 3082,
chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,426,000

Prior Biennia (Expenditures)
\$624,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,050,000

**NEW SECTION. Sec. 3030. FOR THE
DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000334)

The reappropriations in this section
are subject to the following conditions
and limitations: \$400,000 of the
reappropriations in this section are
provided solely for the department to
contract with the city of Ruston for the
cleanup and remediation of the Ruston Way
tunnel. Funding for the remediation shall
not be released to the city of Ruston
unless the city of Ruston signs by January
1, 2018, an interlocal agreement with the
city of Tacoma that provides for
expediting the issuance of building and

other related permits for the Point Ruston
development.

Reappropriation:

Cleanup Settlement Account—State
\$9,238,000

State Building Construction Account—
State \$122,000

Subtotal Reappropriation \$9,360,000

Prior Biennia (Expenditures)
\$27,300,000

Future Biennia (Projected Costs) \$0

TOTAL \$36,660,000

**NEW SECTION. Sec. 3031. FOR THE
DEPARTMENT OF ECOLOGY**

Padilla Bay Federal Capital Projects -
Programmatic (30000335)

Reappropriation:

General Fund—Federal \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$500,000

**NEW SECTION. Sec. 3032. FOR THE
DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound
(30000337)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 3007,
chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Environmental Legacy Stewardship
Account—State \$2,578,000

Prior Biennia (Expenditures)
\$22,477,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,055,000

**NEW SECTION. Sec. 3033. FOR THE
DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites
Initiative (30000351)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 3008,
chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Environmental Legacy Stewardship
Account-State \$477,000

Prior Biennia (Expenditures)
\$7,123,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,600,000

NEW SECTION. Sec. 3034. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000372)

Reappropriation:

Columbia River Basin Tax Bond Water Supply

Development Account-State \$2,194,000

Columbia River Basin Water Supply Development

Account-State \$5,463,000

Subtotal Reappropriation \$7,657,000

Prior Biennia (Expenditures)
\$66,843,000

Future Biennia (Projected Costs) \$0

TOTAL \$74,500,000

NEW SECTION. Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY

Yakima River Basin Water Supply (30000373)

Reappropriation:

State Building Construction Account-State \$1,812,000

Prior Biennia (Expenditures)
\$30,288,000

Future Biennia (Projected Costs) \$0

TOTAL \$32,100,000

NEW SECTION. Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000374)

Reappropriation:

Local Toxics Control Account-State \$25,385,000

Prior Biennia (Expenditures)
\$37,152,000

Future Biennia (Projected Costs) \$0

TOTAL \$62,537,000

NEW SECTION. Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies Program (30000389)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3080, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account-State \$1,590,000

Prior Biennia (Expenditures)
\$2,410,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (30000427)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3009, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Local Toxics Control Account-State \$9,858,000

State Building Construction Account-State \$6,852,000

Subtotal Reappropriation \$16,710,000

Prior Biennia (Expenditures)
\$5,790,000

Future Biennia (Projected Costs) \$0

TOTAL \$22,500,000

NEW SECTION. Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY

Reducing Toxic Diesel Emissions (30000428)

Reappropriation:

State Toxics Control Account-State \$475,000

Prior Biennia (Expenditures)
\$525,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY

Reducing Toxic Woodstove Emissions (30000429)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3010, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,152,000

State Toxics Control Account—
State \$347,000

Subtotal Reappropriation \$1,499,000

Prior Biennia (Expenditures)
\$2,001,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,500,000

NEW SECTION. Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY

Waste Tire Pile Cleanup and Prevention
(30000431)

Reappropriation:

Waste Tire Removal Account—State
\$496,000

Prior Biennia (Expenditures)
\$504,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites
Initiative (30000432)

Reappropriation:

State Toxics Control Account—
State \$9,413,000

Prior Biennia (Expenditures)
\$487,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,900,000

NEW SECTION. Sec. 3043. FOR THE DEPARTMENT OF ECOLOGY

Leaking Tank Model Remedies (30000490)

Reappropriation:

State Toxics Control Account—
State \$1,679,000

Prior Biennia (Expenditures)
\$321,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 3044. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving
Program (30000534)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3061, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Water Pollution Control Revolving
Account—

Federal \$50,000,000

Water Pollution Control Revolving
Account—

State \$139,671,000

Subtotal Reappropriation \$189,671,000

Prior Biennia (Expenditures)
\$13,329,000

Future Biennia (Projected Costs) \$0

TOTAL \$203,000,000

NEW SECTION. Sec. 3045. FOR THE DEPARTMENT OF ECOLOGY

Coastal Wetlands Federal Funds
(30000536)

Reappropriation:

General Fund—Federal \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3046. FOR THE DEPARTMENT OF ECOLOGY

Floodplains by Design (30000537)

Reappropriation:

State Building Construction Account—
State \$34,826,000

Prior Biennia (Expenditures)
\$734,000

Future Biennia (Projected Costs) \$0

TOTAL \$35,560,000

NEW SECTION. Sec. 3047. FOR THE DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000538)

Reappropriation:

Cleanup Settlement Account—State
\$7,697,000

Prior Biennia (Expenditures)
\$4,449,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,146,000

NEW SECTION. Sec. 3048. FOR THE DEPARTMENT OF ECOLOGY

Cleanup Toxics Sites - Puget Sound (30000542)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3013, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Toxics Control Account-
State \$12,763,000

Prior Biennia (Expenditures)
\$1,618,000

Future Biennia (Projected Costs) \$0

TOTAL \$14,381,000

NEW SECTION. Sec. 3049. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies Program (30000587)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3067, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account-
State \$3,746,000

Prior Biennia (Expenditures)
\$254,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3050. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000588)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3068, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Columbia River Basin Water Supply
Development

Account-State \$4,957,000

Columbia River Basin Water Supply
Revenue

Recovery Account-State \$2,189,000

Subtotal Reappropriation \$7,146,000

Prior Biennia (Expenditures)
\$11,854,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,000,000

NEW SECTION. Sec. 3051. FOR THE DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District
Water Conservation (30000589)

Reappropriation:

State Building Construction Account-
State \$2,861,000

Prior Biennia (Expenditures)
\$194,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,055,000

NEW SECTION. Sec. 3052. FOR THE DEPARTMENT OF ECOLOGY

Yakima River Basin Water Supply (30000590)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3070, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account-
State \$8,053,000

State Taxable Building Construction
Account-State \$9,660,000

Subtotal Reappropriation \$17,713,000

Prior Biennia (Expenditures)
\$12,287,000

Future Biennia (Projected Costs) \$0

TOTAL \$30,000,000

NEW SECTION. Sec. 3053. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (30000591)

Reappropriation:

State Building Construction Account-
State \$3,829,000

Prior Biennia (Expenditures)
\$1,171,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3054. FOR THE DEPARTMENT OF ECOLOGY

Habitat Mitigation (91000007)

Reappropriation:

State Building Construction Account—
State \$1,600,000

Prior Biennia (Expenditures)
\$2,342,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,942,000

NEW SECTION. Sec. 3055. FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound
(91000032)

Reappropriation:

State Toxics Control Account—
State \$870,000

Prior Biennia (Expenditures)
\$8,400,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,270,000

NEW SECTION. Sec. 3056. FOR THE DEPARTMENT OF ECOLOGY

Skagit Mitigation (91000181)

Reappropriation:

State Building Construction Account—
State \$1,024,000

Prior Biennia (Expenditures)
\$1,201,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,225,000

NEW SECTION. Sec. 3057. FOR THE DEPARTMENT OF ECOLOGY

Floodplain Management and Control
Grants (92000078)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3069, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$18,090,000

Prior Biennia (Expenditures)
\$31,910,000

Future Biennia (Projected Costs) \$0

TOTAL \$50,000,000

NEW SECTION. Sec. 3058. FOR THE DEPARTMENT OF ECOLOGY

Lower Yakima GWMA Program Development
(92000085)

Reappropriation:

State Building Construction Account—
State \$1,200,000

Prior Biennia (Expenditures)
\$414,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,614,000

NEW SECTION. Sec. 3059. FOR THE DEPARTMENT OF ECOLOGY

Drought Response (92000142)

Reappropriation:

State Drought Preparedness Account—
State \$1,757,000

Prior Biennia (Expenditures)
\$4,966,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,723,000

NEW SECTION. Sec. 3060. FOR THE DEPARTMENT OF ECOLOGY

Water Treatment Plant (Lakewood)
(92000156)

Reappropriation:

State Building Construction Account—
State \$1,319,000

Prior Biennia (Expenditures)
\$181,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 3061. FOR THE DEPARTMENT OF ECOLOGY

Port of Tacoma Arkema/Dunlap Mound
(92000158)

Reappropriation:

State Building Construction Account—
State \$803,000

Prior Biennia (Expenditures)
\$2,097,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,900,000

NEW SECTION. Sec. 3062. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital
Program Demonstration and Design
(30000001)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3085, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Pollution Liability Insurance Program Trust

Account-State	\$538,000
Prior Biennia (Expenditures)	\$1,262,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,800,000

NEW SECTION. Sec. 3063. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital
Financial Assistance Program (30000002)

Reappropriation:

PLIA Underground Storage Tank Revolving Account-State	\$9,050,000
Prior Biennia (Expenditures)	\$950,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 3064. FOR THE STATE PARKS AND RECREATION COMMISSION

Sun Lakes State Park: Dry Falls
Campground Renovation (30000305)

Reappropriation:

State Building Construction Account- State	\$402,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$402,000

NEW SECTION. Sec. 3065. FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Chelan State Park Moorage Dock
Pile Replacement (30000416)

Reappropriation:

State Building Construction Account- State	\$242,000
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Appropriation:

State Building Construction Account- State	\$1,516,000
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Prior Biennia (Expenditures)	\$6,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$1,764,000
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NEW SECTION. Sec. 3066. FOR THE STATE PARKS AND RECREATION COMMISSION

Cape Disappointment North Head Parking
(30000522)

Reappropriation:

State Building Construction Account- State	\$420,000
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Prior Biennia (Expenditures)	\$1,870,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$2,290,000
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NEW SECTION. Sec. 3067. FOR THE STATE PARKS AND RECREATION COMMISSION

Mount Spokane Road Improvements, Stage
2D (30000693)

Reappropriation:

State Building Construction Account- State	\$106,000
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Prior Biennia (Expenditures)	\$1,823,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$1,929,000
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NEW SECTION. Sec. 3068. FOR THE STATE PARKS AND RECREATION COMMISSION

Goldendale Observatory - Expansion
(30000709)

Reappropriation:

State Building Construction Account- State	\$1,511,000
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Appropriation:

State Building Construction Account- State	\$2,250,000
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Prior Biennia (Expenditures)	\$1,138,000
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Future Biennia (Projected Costs)	\$2,250,000
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TOTAL	\$7,149,000
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NEW SECTION. Sec. 3069. FOR THE STATE PARKS AND RECREATION COMMISSION

Steamboat Rock Build Dunes Campground
(30000729)

Reappropriation:

State Building Construction Account—
State \$2,707,000

Prior Biennia (Expenditures)
\$792,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,499,000

**NEW SECTION. Sec. 3070. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Flaming Geyser State Park
Infrastructure (30000810)

Reappropriation:

State Building Construction Account—
State \$735,000

Prior Biennia (Expenditures)
\$590,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,325,000

**NEW SECTION. Sec. 3071. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Belfair Replace Failing Electrical
Supply to Main Camp Loop (30000813)

Reappropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures)
\$980,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,180,000

**NEW SECTION. Sec. 3072. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Health and Safety
(30000839)

Reappropriation:

State Building Construction Account—
State \$827,000

Prior Biennia (Expenditures)
\$7,098,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,925,000

**NEW SECTION. Sec. 3073. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Facility and
Infrastructure Preservation (30000845)

Reappropriation:

State Building Construction Account—
State \$292,000

Prior Biennia (Expenditures)
\$9,708,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

**NEW SECTION. Sec. 3074. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Sequim Bay Address Failing Retaining
Wall (30000861)

Reappropriation:

State Building Construction Account—
State \$940,000

Prior Biennia (Expenditures)
\$182,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,122,000

**NEW SECTION. Sec. 3075. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Lake Sammamish Dock Grant Match
(30000872)

Reappropriation:

State Building Construction Account—
State \$1,050,000

Prior Biennia (Expenditures)
\$50,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,100,000

**NEW SECTION. Sec. 3076. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Mount Spokane - Nordic Area
Improvements & Horse Camp Development
(30000877)

Reappropriation:

State Building Construction Account—
State \$105,000

Prior Biennia (Expenditures)
\$77,000

Future Biennia (Projected Costs) \$0

TOTAL \$182,000

**NEW SECTION. Sec. 3077. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide - Cabins, Yurts, and
Associated Park Improvement (30000883)

Reappropriation:

State Building Construction Account—
State \$630,000

Prior Biennia (Expenditures)
\$523,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,153,000

**NEW SECTION. Sec. 3078. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Facilities and
Infrastructures (30000947)

Reappropriation:

State Building Construction Account-
State \$1,008,000

Prior Biennia (Expenditures)
\$10,109,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,117,000

**NEW SECTION. Sec. 3079. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Field Spring Replace Failed Sewage Syst
and Non-ADA Comfort Station (30000951)

The appropriation in this section is
subject to the following conditions and
limitations: The appropriation is provided
solely for a pilot program for new
Firelight toilets. The commission may sole
source for the equipment. The commission
must operate and maintain the equipment
for a minimum of two years and report
annually to legislative fiscal committees
on: (1) The ease of use by parks patrons
and (2) the cost and time to maintain the
equipment.

Reappropriation:

State Building Construction Account-
State \$60,000

Appropriation:

State Building Construction Account-
State \$1,109,000

Prior Biennia (Expenditures)
\$41,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,210,000

**NEW SECTION. Sec. 3080. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Mount Spokane - Maintenance Facility
Relocation From Harms Way (30000959)

Reappropriation:

State Building Construction Account-
State \$273,000

Appropriation:

State Building Construction Account-
State \$2,018,000

Prior Biennia (Expenditures)
\$111,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,402,000

**NEW SECTION. Sec. 3081. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Fort Worden - Maintenance Shop Relocat
From Center of Hist District (30000960)

Reappropriation:

State Building Construction Account-
State \$1,260,000

Prior Biennia (Expenditures)
\$811,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,071,000

**NEW SECTION. Sec. 3082. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Sun Lakes - Dry Falls - Upgrade Failing
Water Supply Systems (30000962)

Reappropriation:

State Building Construction Account-
State \$750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$750,000

**NEW SECTION. Sec. 3083. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Riverside Fisk Property Lk Spokane
(Long Lake) Initial Pk Access (30000971)

Reappropriation:

State Building Construction Account-
State \$932,000

Prior Biennia (Expenditures)
\$140,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,072,000

**NEW SECTION. Sec. 3084. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Program (30000975)

Reappropriation:

State Building Construction Account-
State \$445,000

Prior Biennia (Expenditures)
\$46,000

Future Biennia (Projected Costs) \$0
 TOTAL \$491,000

NEW SECTION. Sec. 3085. FOR THE STATE PARKS AND RECREATION COMMISSION

Mount Spokane Guest Services (91000429)
 Reappropriation:
 State Building Construction Account—
 State \$815,000

Prior	Biennia	(Expenditures)
		\$185,000

Future Biennia (Projected Costs) \$0
 TOTAL \$1,000,000

NEW SECTION. Sec. 3086. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (20084011)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3146, chapter 520, Laws of 2007.

Reappropriation:

Habitat	Conservation	Account—
State \$1,587,000		

Prior	Biennia	(Expenditures)
		\$96,905,000

Future Biennia (Projected Costs) \$0
 TOTAL \$98,492,000

NEW SECTION. Sec. 3087. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (30000002)

Reappropriation:

Riparian	Protection	Account—
State \$423,000		

Habitat	Conservation	Account—
State \$1,949,000		

Subtotal Reappropriation \$2,372,000

Prior	Biennia	(Expenditures)
		\$67,073,000

Future Biennia (Projected Costs) \$0
 TOTAL \$69,445,000

NEW SECTION. Sec. 3088. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (30000138)
 Reappropriation:

Recreation	Resources	Account—
State \$767,000		

Prior	Biennia	(Expenditures)
		\$7,233,000

Future Biennia (Projected Costs) \$0
 TOTAL \$8,000,000

NEW SECTION. Sec. 3089. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (30000139)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are provided solely for the list of projects in LEAP capital document No. 2011-3A, developed May 24, 2011.

Reappropriation:

Outdoor	Recreation	Account—
State \$2,216,000		

Habitat	Conservation	Account—
State \$1,867,000		

Subtotal Reappropriation \$4,083,000

Prior	Biennia	(Expenditures)
		\$37,917,000

Future Biennia (Projected Costs) \$0
 TOTAL \$42,000,000

NEW SECTION. Sec. 3090. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (30000140)

Reappropriation:

General Fund—Federal	\$3,804,000
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State Building Construction Account—
 State \$1,269,000

Subtotal Reappropriation \$5,073,000

Prior	Biennia	(Expenditures)
		\$64,989,000

Future Biennia (Projected Costs) \$0
 TOTAL \$70,062,000

NEW SECTION. Sec. 3091. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000143)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the list of projects

in LEAP capital document No. 2011-3B, revised April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account—State
\$255,000

Prior Biennia (Expenditures)
\$6,206,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,461,000

NEW SECTION. Sec. 3092. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Restoration (30000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3149, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$425,000

Prior Biennia (Expenditures)
\$14,575,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,000,000

NEW SECTION. Sec. 3093. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Estuary and Salmon Restoration Program (30000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3150, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$163,000

Prior Biennia (Expenditures)
\$4,837,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3094. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (30000205)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3161, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Outdoor Recreation Account—State
\$7,344,000

Farm and Forest Account—State
\$2,080,000

Riparian Protection Account—State \$759,000

Habitat Conservation Account—State \$10,072,000

Subtotal Reappropriation \$20,255,000

Prior Biennia (Expenditures)
\$44,745,000

Future Biennia (Projected Costs) \$0

TOTAL \$65,000,000

NEW SECTION. Sec. 3095. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (30000206)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3162, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

General Fund—Federal \$16,250,000

State Building Construction Account—State \$2,553,000

Subtotal Reappropriation \$18,803,000

Prior Biennia (Expenditures)
\$56,197,000

Future Biennia (Projected Costs) \$0

TOTAL \$75,000,000

NEW SECTION. Sec. 3096. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (30000207)

Reappropriation:

Recreation Resources Account—State \$1,197,000

Prior Biennia (Expenditures)
\$5,166,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,363,000

NEW SECTION. Sec. 3097. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000210)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2013-2B, developed April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account—State
\$1,162,000

Prior	Biennia	(Expenditures)
\$4,838,000		

Future Biennia (Projected Costs) \$0

TOTAL \$6,000,000

NEW SECTION. Sec. 3098. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Acquisition and Restoration (30000211)

Reappropriation:

State Building Construction Account—State \$10,806,000

Prior	Biennia	(Expenditures)
\$59,194,000		

Future Biennia (Projected Costs) \$0

TOTAL \$70,000,000

NEW SECTION. Sec. 3099. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Estuary and Salmon Restoration Program (30000212)

Reappropriation:

State Building Construction Account—State \$2,404,000

Prior	Biennia	(Expenditures)
\$7,596,000		

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3100. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Firearms and Archery Range Recreation (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3168, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Firearms	Range	Account—State
\$158,000		

Prior	Biennia	(Expenditures)
\$642,000		

Future Biennia (Projected Costs) \$0

TOTAL \$800,000

NEW SECTION. Sec. 3101. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Land and Water Conservation (30000216)

Reappropriation:

General Fund—Federal	\$1,497,000
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Prior	Biennia	(Expenditures)
\$2,503,000		

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3102. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Family Forest Fish Passage Program (30000218)

Reappropriation:

State Building Construction Account—State \$119,000

Prior	Biennia	(Expenditures)
\$1,881,000		

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 3103. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (30000220)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-1, developed June 30, 2015.

Reappropriation:

Outdoor Recreation	Account—State
\$13,633,000	

Farm and Forest	Account—State
\$2,572,000	

Riparian Protection	Account—State
\$3,163,000	

Habitat Conservation	Account—State
\$15,423,000	

Subtotal Reappropriation \$34,791,000

Prior	Biennia	(Expenditures)
\$20,532,000		

Future Biennia (Projected Costs) \$0

TOTAL \$55,323,000

NEW SECTION. Sec. 3104. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (30000221)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3164, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

General Fund—Federal \$36,117,000

State Building Construction Account—State \$12,493,000

Subtotal Reappropriation \$48,610,000

Prior Biennia (Expenditures) \$17,890,000

Future Biennia (Projected Costs) \$0

TOTAL \$66,500,000

NEW SECTION. Sec. 3105. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (30000222)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Recreation Resources Account—State \$9,989,000

Prior Biennia (Expenditures) \$4,221,000

Future Biennia (Projected Costs) \$0

TOTAL \$14,210,000

NEW SECTION. Sec. 3106. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Nonhighway Off-Road Vehicle Activities (30000223)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3025, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

NOVA Program Account—State \$9,603,000

Prior Biennia (Expenditures) \$1,567,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,170,000

NEW SECTION. Sec. 3107. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Youth Athletic Facilities (30000224)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3167, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$5,698,000

Prior Biennia (Expenditures) \$4,302,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3108. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000225)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2015-2, developed June 30, 2015.

Reappropriation:

Aquatic Lands Enhancement Account—State \$2,372,000

Prior Biennia (Expenditures) \$2,897,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,269,000

NEW SECTION. Sec. 3109. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Acquisition and Restoration (30000226)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3169, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$27,521,000

Prior Biennia (Expenditures) \$9,479,000

Future Biennia (Projected Costs) \$0

TOTAL \$37,000,000

NEW SECTION. **Sec. 3110. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000227)

Reappropriation:

State Building Construction Account—State \$5,451,000

Prior Biennia (Expenditures) \$2,549,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,000,000

NEW SECTION. **Sec. 3111. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Firearms and Archery Range Recreation (30000228)

Reappropriation:

Firearms Range Account—State \$333,000

Prior Biennia (Expenditures) \$247,000

Future Biennia (Projected Costs) \$0

TOTAL \$580,000

NEW SECTION. **Sec. 3112. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000229)

Reappropriation:

General Fund—Federal \$3,005,000

Prior Biennia (Expenditures) \$1,995,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. **Sec. 3113. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000230)

Reappropriation:

General Fund—Federal \$1,700,000

Prior Biennia (Expenditures) \$500,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,200,000

NEW SECTION. **Sec. 3114. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000231)

Reappropriation:

General Fund—Federal \$3,845,000

Prior Biennia (Expenditures) \$155,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. **Sec. 3115. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000233)

Reappropriation:

State Building Construction Account—State \$2,592,000

Prior Biennia (Expenditures) \$2,408,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. **Sec. 3116. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Coastal Restoration Grants (91000448)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3177, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$5,700,000

Prior Biennia (Expenditures) \$5,485,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,185,000

NEW SECTION. **Sec. 3117. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreation and Conservation Office Recreation Grants (92000131)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6021 of this act.

Reappropriation:

State Building Construction Account—State \$26,148,000

Outdoor Recreation Account—State \$4,108,000

Subtotal Reappropriation \$30,256,000

Prior Biennia (Expenditures) \$4,525,000

Future Biennia (Projected Costs) \$0

TOTAL \$34,781,000

NEW SECTION. Sec. 3118. FOR THE STATE CONSERVATION COMMISSION

CREP Riparian Cost Share - State Match (30000009)

Reappropriation:

State Building Construction Account—State \$500,000

Prior Biennia (Expenditures) \$4,690,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,190,000

NEW SECTION. Sec. 3119. FOR THE STATE CONSERVATION COMMISSION

Natural Resources Investment for the Economy and Environment (30000010)

Reappropriation:

State Building Construction Account—State \$800,000

Prior Biennia (Expenditures) \$12,200,000

Future Biennia (Projected Costs) \$0

TOTAL \$13,000,000

NEW SECTION. Sec. 3120. FOR THE STATE CONSERVATION COMMISSION

CREP PIP Loan Program (30000011)

Reappropriation:

Conservation Assistance Revolving Account—State \$49,000

Prior Biennia (Expenditures) \$131,000

Future Biennia (Projected Costs) \$0

TOTAL \$180,000

NEW SECTION. Sec. 3121. FOR THE STATE CONSERVATION COMMISSION

CREP Riparian Contract Funding (30000012)

Reappropriation:

State Building Construction Account—State \$400,000

Prior Biennia (Expenditures) \$4,062,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,462,000

NEW SECTION. Sec. 3122. FOR THE STATE CONSERVATION COMMISSION

Match for Federal RCPP Program (30000017)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3033, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

General Fund—Federal \$19,600,000

State Building Construction Account—State \$3,962,000

Subtotal Reappropriation \$23,562,000

Prior Biennia (Expenditures) \$4,438,000

Future Biennia (Projected Costs) \$0

TOTAL \$28,000,000

NEW SECTION. Sec. 3123. FOR THE STATE CONSERVATION COMMISSION

Improve Shellfish Growing Areas (30000018)

Reappropriation:

State Building Construction Account—State \$800,000

Prior Biennia (Expenditures) \$3,200,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3124. FOR THE STATE CONSERVATION COMMISSION

Conservation Commission Ranch & Farmland Preservation Projects (92000004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6019 of this act.

Reappropriation:

State Building Construction Account—State \$7,110,000

Prior Biennia (Expenditures) \$412,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,522,000

NEW SECTION. Sec. 3125. FOR THE STATE CONSERVATION COMMISSION

R&D Grant - Deep Furrow Conservation Drill to Conserve Soil/Water (92000008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3186, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State \$140,000

Prior Biennia (Expenditures) \$210,000

Future Biennia (Projected Costs) \$0

TOTAL \$350,000

NEW SECTION. Sec. 3126. FOR THE STATE CONSERVATION COMMISSION

Dairy Distillation Grants (92000010)

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

(1) The appropriation is provided solely for the commission to make competitive grants available for dairy nutrient projects assisting dairy owners to address impacts to soil, water, or air. The purpose of the funding is to test the technologies that can solve the potential environmental problems associated with the disposal of manure that is in excess of what can be effectively used in the growing of crops. The technology must:

(a) Pose no risk of pollution to soil, water, or air;

(b) Be cost effective; and

(c) Produce clean water that can be effectively used on dairy farms and/or solids which can either be marketed or disposed of without risk of the environment.

(2) The grants must fund at least one dairy nutrient management innovation project east of the crest of the Cascade mountains and one west of the crest of the Cascade mountains. The commission shall report about the challenges and opportunities of the granted projects to the appropriate committees of the legislature at the conclusion of the last project or at least by December 1, 2020. The report should cover the acquisition, maintenance, and operating costs for the technology; how costs can be mitigated by any marketable byproducts, such as nitrogen, phosphorous, electricity, etc.; the cost of processing remaining materials

to avoid contamination of soil, water, or air; and the ability to adapt the equipment for various size of dairies.

(3) When providing funding for specific technologies, the commission shall enter into appropriate agreements to support the state's interest in advancing innovation solutions to environmental issues while ensuring compliance with Article VIII, section 5 and Article XII, section 9 of the state Constitution.

Appropriation:

State Building Construction Account—State \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3127. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Deschutes Watershed Center (20062008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3205, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State \$10,500,000

Prior Biennia (Expenditures) \$4,995,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,495,000

NEW SECTION. Sec. 3128. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding (20082048)

Reappropriation:

General Fund—Federal \$15,000,000

General Fund—Private/Local \$1,350,000

Special Wildlife Account—Federal \$1,000,000

Special Wildlife Account—Private/Local \$1,900,000

State Wildlife Account—State \$500,000

Subtotal Reappropriation \$19,750,000

Prior Biennia (Expenditures) \$84,612,000

Future Biennia (Projected Costs) \$0
 TOTAL \$104,362,000
NEW SECTION. Sec. 3129. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Samish Hatchery Intakes (30000276)
 Reappropriation:
 State Building Construction Account—State \$350,000
 Appropriation:
 State Building Construction Account—State \$350,000
 Prior Biennia (Expenditures) \$350,000
 Future Biennia (Projected Costs) \$4,547,000
 TOTAL \$5,597,000
NEW SECTION. Sec. 3130. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Kalama Falls Hatchery Renovate Adult Handling Facilities (30000480)
 Reappropriation:
 State Building Construction Account—State \$3,550,000
 Prior Biennia (Expenditures) \$1,000,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,550,000
NEW SECTION. Sec. 3131. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Wooten Wildlife Area Improve Flood Plain (30000481)
 Reappropriation:
 State Building Construction Account—State \$1,600,000
 General Fund—Federal \$1,600,000
 Subtotal Reappropriation \$3,200,000
 Appropriation:
 General Fund—Federal \$500,000
 State Building Construction Account—State \$1,000,000
 Subtotal Appropriation \$1,500,000
 Prior Biennia (Expenditures) \$4,500,000
 Future Biennia (Projected Costs) \$14,584,000

TOTAL \$23,784,000
NEW SECTION. Sec. 3132. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Soos Creek Hatchery Renovation (30000661)
 Reappropriation:
 State Building Construction Account—State \$9,933,000
 Appropriation:
 State Building Construction Account—State \$2,000,000
 Prior Biennia (Expenditures) \$1,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$11,934,000
NEW SECTION. Sec. 3133. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Edmonds Pier Renovation (30000664)
 Reappropriation:
 State Building Construction Account—State \$265,000
 Prior Biennia (Expenditures) \$535,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$800,000
NEW SECTION. Sec. 3134. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Marblemount Hatchery - Renovating Jordan Creek Intake (30000666)
 Reappropriation:
 State Building Construction Account—State \$2,068,000
 Prior Biennia (Expenditures) \$225,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,293,000
NEW SECTION. Sec. 3135. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Lake Whatcom Hatchery - Replace Intake and Pipeline (30000667)
 Reappropriation:
 State Building Construction Account—State \$1,200,000
 Prior Biennia (Expenditures) \$154,000
 Future Biennia (Projected Costs) \$0

TOTAL \$1,354,000

NEW SECTION. Sec. 3136. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Fir Island Farm Estuary Restoration Project (30000673)

Reappropriation:

General Fund—Federal \$1,000,000

State Building Construction Account—State \$180,000

Subtotal Reappropriation \$1,180,000

Prior Biennia (Expenditures) \$14,820,000

Future Biennia (Projected Costs) \$0

TOTAL \$16,000,000

NEW SECTION. Sec. 3137. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hoodspout Hatchery Adult Pond Renovation (30000686)

Reappropriation:

State Building Construction Account—State \$400,000

Appropriation:

State Building Construction Account—State \$4,756,000

Prior Biennia (Expenditures) \$300,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,456,000

NEW SECTION. Sec. 3138. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation (30000727)

Reappropriation:

State Building Construction Account—State \$2,250,000

Prior Biennia (Expenditures) \$6,980,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,230,000

NEW SECTION. Sec. 3139. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Puget Sound and Adjacent Waters Nearshore Restoration - Match (30000753)

Reappropriation:

General Fund—Federal \$500,000

State Building Construction Account—State \$450,000

Subtotal Reappropriation \$950,000

Prior Biennia (Expenditures) \$50,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 3140. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act Federal Grant (91000021)

Reappropriation:

General Fund—Federal \$2,372,000

Prior Biennia (Expenditures) \$4,628,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,000,000

NEW SECTION. Sec. 3141. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hatchery Improvements (91000036)

Reappropriation:

State Building Construction Account—State \$10,300,000

Prior Biennia (Expenditures) \$24,475,000

Future Biennia (Projected Costs) \$0

TOTAL \$34,775,000

NEW SECTION. Sec. 3142. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Access Sites (91000044)

Reappropriation:

State Building Construction Account—State \$549,000

Prior Biennia (Expenditures) \$6,857,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,406,000

NEW SECTION. Sec. 3143. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Lake Rufus Woods Fishing Access (91000151)

Reappropriation:

State Building Construction Account—State \$1,864,000

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$136,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

**NEW SECTION. Sec. 3144. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

Leque Island Highway 532 Road
Protection (92000019)

Reappropriation:

State Building Construction Account—
State \$304,000

Prior Biennia (Expenditures)
\$376,000

Future Biennia (Projected Costs) \$0

TOTAL \$680,000

**NEW SECTION. Sec. 3145. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

Clarks Creek Hatchery Rebuild
(92000038)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely to rebuild the Clarks creek (Puyallup) hatchery and fulfill Washington department of transportation mitigation requirements as agreed to with the Puyallup Indian nation for the widening of Interstate 5. The new hatchery must be devoted to salmon production. The department must relocate trout production to other hatcheries.

Reappropriation:

State Building Construction Account—
State \$9,267,000

Appropriation:

State Building Construction Account—
State \$6,350,000

Prior Biennia (Expenditures)
\$800,000

Future Biennia (Projected Costs) \$0

TOTAL \$16,417,000

**NEW SECTION. Sec. 3146. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Land Acquisition Grants (20052021)

Reappropriation:

General Fund—Federal \$2,000,000

Prior Biennia (Expenditures)
\$87,518,000

Future Biennia (Projected Costs) \$0

TOTAL \$89,518,000

**NEW SECTION. Sec. 3147. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Forest Legacy (30000060)

Reappropriation:

General Fund—Federal \$4,200,000

Prior Biennia (Expenditures)
\$30,800,000

Future Biennia (Projected Costs) \$0

TOTAL \$35,000,000

**NEW SECTION. Sec. 3148. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Sustainable Recreation (30000207)

Reappropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures)
\$6,600,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,100,000

**NEW SECTION. Sec. 3149. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Forest Hazard Reduction (30000224)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3230, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,100,000

Prior Biennia (Expenditures)
\$12,900,000

Future Biennia (Projected Costs) \$0

TOTAL \$14,000,000

**NEW SECTION. Sec. 3150. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Blanchard Working Forest (30000231)

Reappropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 3151. FOR THE DEPARTMENT OF NATURAL RESOURCES

2015-2017 Minor Works Preservation (30000238)

Reappropriation:

State Building Construction Account—State \$885,000

Prior Biennia (Expenditures) \$2,951,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,836,000

NEW SECTION. Sec. 3152. FOR THE DEPARTMENT OF NATURAL RESOURCES

Contaminated Sites Cleanup and Settlement (30000240)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3030, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Environmental Legacy Stewardship Account—State \$95,000

Prior Biennia (Expenditures) \$836,000

Future Biennia (Projected Costs) \$0

TOTAL \$931,000

NEW SECTION. Sec. 3153. FOR THE DEPARTMENT OF NATURAL RESOURCES

Natural Areas Facilities Preservation and Access (30000241)

Reappropriation:

State Building Construction Account—State \$1,285,000

Prior Biennia (Expenditures) \$1,815,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,100,000

NEW SECTION. Sec. 3154. FOR THE DEPARTMENT OF NATURAL RESOURCES

Road Maintenance and Abandonment Plan (91000040)

Reappropriation:

State Building Construction Account—State \$1,161,000

Prior Biennia (Expenditures) \$10,673,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,834,000

NEW SECTION. Sec. 3155. FOR THE DEPARTMENT OF NATURAL RESOURCES

Puget SoundCorps (91000046)

Reappropriation:

State Building Construction Account—State \$1,500,000

Prior Biennia (Expenditures) \$18,954,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,454,000

NEW SECTION. Sec. 3156. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000458)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are subject to the provisions of section 3011, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Local Toxics Control Account—State \$25,476,000

Appropriation:

State Building Construction Account—State \$20,000,000

Prior Biennia (Expenditures) \$7,271,000

Future Biennia (Projected Costs) \$0

TOTAL \$52,747,000

NEW SECTION. Sec. 3157. FOR THE DEPARTMENT OF ECOLOGY

Storm Water Financial Assistance Program (30000535)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are subject to the provisions of section 3012, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Local Toxics Control Account—State \$25,200,000

Appropriation:

State Building Construction Account—State \$6,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$31,200,000

NEW SECTION. Sec. 3158. FOR THE DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000670)

Appropriation:

Cleanup Settlement Account-State
 \$28,760,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$22,599,000

TOTAL \$51,359,000

NEW SECTION. Sec. 3159. FOR THE DEPARTMENT OF ECOLOGY

Reducing Toxic Diesel Emissions
 (30000671)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for projects that are not eligible for the Volkswagen "clean diesel" marketing, sales practice, and products liability litigation settlement.

Appropriation:

State Building Construction Account-State
 \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$4,000,000

TOTAL \$4,500,000

NEW SECTION. Sec. 3160. FOR THE DEPARTMENT OF ECOLOGY

Waste Tire Pile Cleanup and Prevention
 (30000672)

Appropriation:

Waste Tire Removal Account-State
 \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$4,000,000

TOTAL \$5,000,000

NEW SECTION. Sec. 3161. FOR THE DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District
 Water Conservation (30000673)

Appropriation:

State Building Construction Account-State
 \$4,684,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$20,000,000

TOTAL \$24,684,000

NEW SECTION. Sec. 3162. FOR THE DEPARTMENT OF ECOLOGY

Reducing Toxic Woodstove Emissions
 (30000674)

Appropriation:

State Building Construction Account-State
 \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$4,000,000

TOTAL \$6,000,000

NEW SECTION. Sec. 3163. FOR THE DEPARTMENT OF ECOLOGY

2015-2017 Restored Eastern Washington
 Clean Sites Initiative (30000704)

Appropriation:

State Building Construction Account-State
 \$2,436,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,436,000

NEW SECTION. Sec. 3164. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Centennial Clean Water Program
 (30000705)

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

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its centennial program grant.

(2) The agency must encourage local government use of federally funded drinking water infrastructure programs

operated by the United States department of agriculture - rural development.

Appropriation:

State Building Construction Account—
State \$35,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$120,000,000

TOTAL \$155,000,000

NEW SECTION. Sec. 3165. FOR THE DEPARTMENT OF ECOLOGY

Floodplains by Design (30000706)

Appropriation:

State Building Construction Account—
State \$35,389,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$35,389,000

NEW SECTION. Sec. 3166. FOR THE DEPARTMENT OF ECOLOGY

Swift Creek Natural Asbestos Flood Control and Cleanup (30000708)

The appropriation in this section is subject to the following conditions and limitations: The terms of any land acquisition contract executed pursuant to this section must include requirements, such as covenants or easements, that the land be managed in a manner that provides for long-term sustainable timber growth and harvest on the property in perpetuity. Use of the property must prioritize forest practices that provide for sufficient feedstock timber to any sawmills adjacent to the property.

Appropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$11,800,000

TOTAL \$15,800,000

NEW SECTION. Sec. 3167. FOR THE DEPARTMENT OF ECOLOGY

Coordinated Prevention Grants (30000709)

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$50,000,000

NEW SECTION. Sec. 3168. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000710)

The appropriations in this section are subject to the following conditions and limitations:

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control state revolving fund program loan.

(2) The agency must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Water Pollution Control Revolving Account—

Federal \$50,000,000

Water Pollution Control Revolving Account—

State \$160,000,000

Subtotal Appropriation \$210,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$840,000,000

TOTAL \$1,050,000,000

NEW SECTION. Sec. 3169. FOR THE DEPARTMENT OF ECOLOGY

Yakima River Basin Water Supply (30000711)

Appropriation:

State Building Construction Account—
State \$31,100,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$76,000,000
 TOTAL \$107,100,000

NEW SECTION. Sec. 3170. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000712)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,000,000 of the appropriations are provided solely for the east Columbia irrigation district.

(2) \$5,000,000 of the appropriations are provided solely for a forty-seven and one-half mile pipeline for full capacity. Funds must be prioritized to constructing the pipeline project to a capacity serving no less than eleven thousand acres. Any remaining funds must be directed to the Odessa groundwater replacement program.

(3) \$2,000,000 of the appropriations are provided solely for Icicle Creek integrated planning.

(4) 15,800,000 of the appropriations are provided solely for the department to fund existing projects and staffing.

Appropriation:

State Building Construction Account—State \$18,550,000

Columbia River Basin Water Supply Development

Account—State \$12,250,000

Columbia River Basin Water Supply Revenue Recovery

Account—State \$2,000,000

Subtotal Appropriation \$32,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$72,000,000

TOTAL \$100,940,000

NEW SECTION. Sec. 3171. FOR THE DEPARTMENT OF ECOLOGY

Lacey Headquarters Facility Preservation Projects (30000713)

Appropriation:

State Building Construction Account—State \$635,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$635,000

NEW SECTION. Sec. 3172. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (30000714)

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

The appropriation is provided solely for activities that improve rural water supplies and help achieve instream flows by implementing locally developed projects and watershed plans, as follows:

(1) Surface or ground water storage projects. The department shall consult with the departments of agriculture and fish and wildlife before issuing water storage grants.

(2) Infrastructure or water management projects that resolve conflicts among water needs for municipal, agricultural, rural, and fish restoration purposes.

(3) Agricultural water supply projects that improve water conservation and water use efficiency.

(4) Purchase and installation of water measuring devices in water-short basins, salmon critical basins, other basins participating in the department of fish and wildlife fish screening and cooperative compliance program, and basins where watershed plans call for additional water use measurement.

(5) Acquisition of water to achieve instream flows or to establish water banks. The department must give priority to acquisitions in water short basins. The department must place acquired water into the state's trust water rights program pursuant to chapters 90.38 and 90.42 RCW.

Appropriation:

State Building Construction Account—State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$30,000,000

TOTAL \$35,000,000

NEW SECTION. Sec. 3173. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies Program (30000740)

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

(1) The appropriation is provided solely for technical assistance and grants to conservation districts for the purpose of implementing water conservation measures and irrigation efficiencies. The department and the state conservation commission shall give preference to projects located in the 16 fish critical basins, other water-short or drought impacted basins, and basins with significant water resource and instream flow issues. Projects that are not within the basins described in this subsection are also eligible to receive funding.

(2) Conservation districts statewide are eligible for grants listed in subsection (1) of this section. A conservation district receiving funds shall manage each grant to ensure that a portion of the water saved by the water conservation measure or irrigation efficiency will be placed as a purchase or a lease in the trust water rights program to enhance instream flows. The proportion of saved water placed in the trust water rights program must be equal to the percentage of the public investment in the conservation measure or irrigation efficiency. The percentage of the public investment may not exceed eighty-five percent of the total cost of the conservation measure or irrigation efficiency.

(3) Up to \$300,000 of the appropriation in this section may be allocated for the purchase and installation of flow meters that are implemented in cooperation with the Washington state department of fish and wildlife fish screening program authorized under RCW 77.57.070.

Appropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3174. FOR THE DEPARTMENT OF ECOLOGY

Eastern Regional Office Improvements and Storm Water Treatment (30000741)

Appropriation:

State Building Construction Account—
State \$1,920,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,682,000

TOTAL \$3,602,000

NEW SECTION. Sec. 3175. FOR THE DEPARTMENT OF ECOLOGY

2015-2017 Restored Clean Up Toxic Sites - Puget Sound (30000763)

Appropriation:

State Building Construction Account—
State \$5,240,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,240,000

NEW SECTION. Sec. 3176. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Stormwater Financial Assistance Program (30000796)

Appropriation:

State Building Construction Account—
State \$25,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$120,000,000

TOTAL \$145,000,000

NEW SECTION. Sec. 3177. FOR THE DEPARTMENT OF ECOLOGY

2015-2017 Restored Stormwater Financial Assistance (30000797)

Appropriation:

State Building Construction Account—
State \$30,100,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$30,100,000

NEW SECTION. Sec. 3178. FOR THE DEPARTMENT OF ECOLOGY

Catastrophic Flood Relief (40000006)

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$30,400,000 of the appropriation is for advancing the long-term strategy for the Chehalis basin projects to reduce flood damage and restore aquatic species including project level environmental review, data

collection, engineering design of future construction projects, feasibility analysis, and engagement of state agencies, tribes, and other parties.

(2) Up to \$19,600,000 of the state building construction account appropriation and \$10,000,000 from the federal account is for construction of local priority flood protection and habitat restoration projects.

(3) The office of Chehalis basin board has discretion to allocate the funding between subsections (1) and (2) of this section if needed to meet the objectives of this appropriation.

(4) Up to one and a half percent of the appropriation provided in this section may be used by the recreation and conservation office to administer contracts associated with the subprojects funded through this section. Contract administration includes, but is not limited to: Drafting and amending contracts, reviewing and approving invoices, tracking expenditures, and performing field inspections to assess project status when conducting similar assessments related to other agency contracts in the same geographic area.

Appropriation:

State Building Construction Account—
State \$50,000,000

General Fund—Federal \$10,000,000

Subtotal Appropriation \$60,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$200,000,000

TOTAL \$260,000,000

NEW SECTION. Sec. 3179. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control State Match
(40000013)

The appropriation in this section is subject to the following conditions and limitations: \$10,000,000 of the appropriation is provided solely as state match for federal clean water funds.

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$50,000,000

NEW SECTION. Sec. 3180. FOR THE DEPARTMENT OF ECOLOGY

VW Settlement Funded Projects
(40000018)

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

(1) The legislature finds that it is appropriate to provide a framework for the administration of mitigation funds provided to the state as a beneficiary under the terms of the consent decrees entered into by the United States, Volkswagen AG, and other participating parties that settle emissions-related claims for 2.0 and 3.0 liter diesel vehicles of certain models and years. The legislature deems the department of ecology the responsible agency for the administration and expenditure of funds provided by the trustee under the terms of the consent decrees, including the development of a mitigation plan to guide the use of the funds, whether or not the department receives funds directly for projects included in the plan.

(2)(a) The department of ecology shall develop the mitigation plan through an open, transparent public process consistent with direction in the consent decrees. The department shall provide ample opportunity using a variety of engagement options, as appropriate, for stakeholders and the public to shape, review, and comment throughout the development of the mitigation plan, including at least two meetings of the legislative advisory group as described in (c) of this subsection.

(b) The department of ecology shall work collaboratively with other agencies to develop and implement the elements of the mitigation plan that address categories of projects for which other agencies have already developed programs or expertise. In doing so, the department of ecology must consider and utilize, where appropriate and to the extent possible, the following existing programs for alternative fuels and zero emission vehicles:

(i) The department of transportation's electric vehicle infrastructure bank program;

(ii) The state alternative fuel commercial vehicle tax credit;

(iii) The state sales and use tax exemption for clean vehicles; and

(iv) Public transportation grant programs administered by the department of transportation.

(c)(i) For the purposes of providing legislative input and gathering public feedback on the development of the mitigation plan, a legislative advisory group is established. The advisory group is comprised of eight legislators, including the chairs and ranking members, or designees of the chairs and ranking members, of the transportation and capital budget committees in the House and in the Senate; the director of the department of ecology; and the secretary of the department of transportation.

(ii) The advisory group must select a chair from among its membership. Meetings of the advisory group must be open to the public and allow for public comment.

(iii) The advisory group must meet at least twice, once immediately prior to the date that the draft mitigation plan is released publicly, and again after public comment has been incorporated but before the department submits the plan to the trustee.

(iv) The office of program research and the senate committee services must provide staff support to the advisory group. The department of ecology staff must provide technical support, as needed. Legislative members of the advisory group are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, government entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW. Advisory group expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(3) The mitigation plan and the stewardship of project implementation must adhere to the following principles:

(a) Maximize air quality and public health benefits relating to the reduction of nitrogen oxides emissions;

(b) Give priority to projects that improve air quality relating to the reduction of nitrogen oxides emissions in

areas that bear a disproportionate share of the burden from nitrogen oxides emissions;

(c) Achieve substantial additional air quality benefits relating to the reduction of nitrogen oxides emissions beyond that which would already occur, absent trust funding;

(d) Investments in clean vehicles or investments in clean engine replacements must be shown to be cost-effective. For the purposes of leveraging funding, investments in clean vehicles may not exceed the incremental cost of the clean vehicle, relative to the cost of a similar conventionally fueled vehicle. To incentivize the replacement of standard engines, investments may be made up to the full cost of the clean engine replacement;

(e) Consideration must be given to investments across a range of fueling technologies and emissions reduction technologies; and

(f) Priority must be given to projects that have the highest benefit-cost ratios, in terms of the amount of nitrogen oxides emissions reduced per dollar invested.

(4) Funding must be allocated to eligible projects under the terms of the consent decrees in the following manner:

(a)(i) No more than thirty percent of funding provided during the 2017-2019 biennium for commercial vehicle class four through eight transit buses, shuttle buses, and school buses;

(ii) No more than thirty percent of funding provided during the 2017-2019 biennium for commercial vehicle class eight local freight trucks and port drayage trucks;

(iii) No more than twenty percent of funding provided during the 2017-2019 biennium for commercial vehicle class four through seven local freight trucks;

(iv) No more than twenty percent of funding provided during the 2017-2019 biennium for airport ground support equipment;

(v) No more than twenty percent of funding provided during the 2017-2019 biennium for ocean-going vessels' shore power;

(vi) No more than fifteen percent of funding provided during the 2017-2019 biennium for light duty, zero emission vehicle supply equipment;

(vii) No more than twenty percent of funding provided during the 2017-2019 biennium for nonfederal matching funds for projects eligible under the diesel emission reduction act option; and

(viii) For each of the other categories of mitigation actions that are eligible under the consent decrees but not otherwise specified under this subsection (4)(a), no more than ten percent of funding provided during the 2017-2019 biennium.

(b) Projects that receive funding under subsection (4)(a)(ii) and (iii) of this section and ocean-going vessels shorepower projects that receive funding under subsection (4)(a)(viii) of this section must include electric technologies, if practicable.

(5) To the extent this section conflicts with the consent decrees, the consent decrees supersede it.

(6) The department of ecology may modify the mitigation plan as needed to comply with trustee requirements, including to the extent these modifications conflict with this section. In making any adjustments, the department of ecology shall consult with the department of transportation and the office of the superintendent of public instruction and provide notice to the steering committee of any significant changes to the plan submitted.

(7) The department of ecology shall provide a report to the governor and the appropriate committees of the legislature by January 1, 2018, and each year thereafter, on any plans or efforts to change the mitigation plan, its progress in implementing the mitigation plan, and the specific projects funded through these mitigation funds for the previous fiscal year.

(8) For the purposes of this section:

(a) "Project" means an eligible mitigation action under the terms of the consent decrees entered into by the United States, Volkswagen AG, and other participating parties that settle emissions-related claims for 2.0 and 3.0 liter diesel vehicles of certain models and years.

(b) "Trustee" means the entity selected under the terms of the consent decrees to administer the disbursement of funds to eligible projects for the purposes of

mitigating nitrogen oxides emission pollution.

Appropriation:

General Fund-Private/Local	\$20,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,000,000

NEW SECTION. Sec. 3181. FOR THE DEPARTMENT OF ECOLOGY

Integrated Planning Grant: Port Townsend (91000338)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for an integrated planning grant to the port of Port Townsend to perform an environmental site assessment and development plan to guide redevelopment of the marina and shipyard.

Appropriation:

State Building Construction Account-State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 3182. FOR THE DEPARTMENT OF ECOLOGY

Water Availability (91000343)

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

(1)(a) \$450,000 of the appropriation is provided solely to retain a qualified consultant or consultants to develop technical water resources studies needed to support negotiation of a basin-wide water management solution in Whatcom county that includes the following elements:

- (i) Instream flow;
- (ii) Water quality;
- (iii) Habitat restoration;
- (iv) Water supply;
- (v) Accountability.

(b) The amounts provided in this subsection must be used to accomplish three primary tasks related to the instream flow and water supply elements. Of the amounts provided in this subsection:

(i) \$50,000 is provided solely for an analysis of existing water rights, including but not limited to water rights relinquishment and mitigated water rights;

(ii) \$100,000 is provided solely for an analysis of water conservation and efficiency measures to be utilized by out-of-stream water users; and

(iii) \$300,000 is provided solely for an analysis of potential new or modified water infrastructure to supply water for out-of-stream and instream uses, including but not limited to storage, pipelines, aquifer recharge, reclaimed water, and other projects.

(c) The resulting planning-level analysis are subject to review through a series of public workshops, where workshop participants must develop project screening criteria and select alternatives for further evaluation.

(d) Overall, this work must be designed to meet water resource needs for both instream and out-of-stream needs, must be capable of supporting future water resource agreements protective of senior water rights holders, and must be methodical and transparent.

(e) The department must establish a steering committee to develop the scope of work for the various analyses, which must include major water resource stakeholders and federally recognized tribes.

(2) \$2,500,000 of the appropriation is provided solely for Dungeness off-channel reservoir.

Appropriation:

State Building Construction Account—
State \$15,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$15,000,000

NEW SECTION. Sec. 3183. FOR THE DEPARTMENT OF ECOLOGY

Storm Water Improvements (92000076)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3016, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Building Construction Account—
State \$18,525,000

Environmental Legacy Stewardship
Account—State \$11,528,000

Subtotal Reappropriation \$30,053,000

Appropriation:

State Building Construction Account—
State \$40,000,000

Prior Biennia (Expenditures)
\$26,947,000

Future Biennia (Projected Costs) \$0

TOTAL \$97,000,000

NEW SECTION. Sec. 3184. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital
Financing Assistance Pgm 2017-19
(92000001)

Appropriation:

PLIA Underground Storage Tank Revolving
Account—State \$20,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$80,000,000

TOTAL \$100,000,000

NEW SECTION. Sec. 3185. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Leaking Tank Model Remedies (30000669)

Appropriation:

State Building Construction Account—
State \$1,106,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,106,000

NEW SECTION. Sec. 3186. FOR THE STATE PARKS AND RECREATION COMMISSION

Twin Harbors State Park: Renovation
(30000086)

Appropriation:

State Building Construction Account—
State \$471,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$25,986,000

TOTAL \$26,457,000

NEW SECTION. Sec. 3187. FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler - WWI Historic Facilities
Preservation (30000100)

Appropriation:

State Building Construction Account-
State \$3,217,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,823,000

TOTAL \$7,040,000

**NEW SECTION. Sec. 3188. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Fort Casey - Lighthouse Historic
Preservation (30000109)

Appropriation:

State Building Construction Account-
State \$206,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,399,000

TOTAL \$1,605,000

**NEW SECTION. Sec. 3189. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Fort Simcoe - Historic Officers
Quarters Renovation (30000155)

Appropriation:

State Building Construction Account-
State \$277,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,478,000

TOTAL \$1,755,000

**NEW SECTION. Sec. 3190. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Marine Facilities - Various Locations
Moorage Float Replacement (30000496)

Appropriation:

State Building Construction Account-
State \$541,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$10,639,000

TOTAL \$11,180,000

**NEW SECTION. Sec. 3191. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Willapa Hills Trail Develop Safe Multi-
Use Trail Crossing at SR 6 (30000519)

Appropriation:

State Building Construction Account-
State \$401,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,817,000

TOTAL \$4,218,000

**NEW SECTION. Sec. 3192. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Beacon Rock Entrance Road Realignment
(30000647)

Appropriation:

State Building Construction Account-
State \$348,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$17,346,000

TOTAL \$17,694,000

**NEW SECTION. Sec. 3193. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Kopachuck Day Use Development
(30000820)

Appropriation:

State Building Construction Account-
State \$5,538,000

Prior Biennia (Expenditures)
\$296,000

Future Biennia (Projected Costs)
\$2,812,000

TOTAL \$8,646,000

**NEW SECTION. Sec. 3194. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Clean Vessel Boating Pump-Out Grants
(30000856)

Appropriation:

General Fund-Federal \$2,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$10,400,000

TOTAL \$13,000,000

**NEW SECTION. Sec. 3195. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Local Grant Authority (30000857)

Appropriation:

Parks Renewal and Stewardship Account-
Private/Local \$2,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$8,000,000
 TOTAL \$10,000,000

**NEW SECTION. Sec. 3196. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Federal Grant Authority (30000858)

Appropriation:

General Fund-Federal \$750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$3,000,000

TOTAL \$3,750,000

**NEW SECTION. Sec. 3197. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Fort Worden - Replace Failing Sewer Lines (30000860)

Appropriation:

State Building Construction Account-State \$2,204,000

Prior Biennia (Expenditures) \$234,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,438,000

**NEW SECTION. Sec. 3198. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Birch Bay - Replace Failing Bridge (30000876)

Appropriation:

State Building Construction Account-State \$320,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$1,032,000

TOTAL \$1,352,000

**NEW SECTION. Sec. 3199. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Fort Worden - Pier & Marine Learning Center Improve or Replace (30000950)

Appropriation:

State Building Construction Account-State \$697,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$9,072,000

TOTAL \$9,769,000

**NEW SECTION. Sec. 3200. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Statewide - Depression Era Structures Restoration Assessment (30000966)

Appropriation:

State Building Construction Account-State \$1,093,000

Prior Biennia (Expenditures) \$121,000

Future Biennia (Projected Costs) \$3,859,000

TOTAL \$5,073,000

**NEW SECTION. Sec. 3201. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Ocean City - Replace Non-Compliant Comfort Stations (30000970)

Appropriation:

State Building Construction Account-State \$1,526,000

Prior Biennia (Expenditures) \$152,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,678,000

**NEW SECTION. Sec. 3202. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Dash Point - Replace Bridge (Pedestrian) (30000972)

Appropriation:

State Building Construction Account-State \$553,000

Prior Biennia (Expenditures) \$165,000

Future Biennia (Projected Costs) \$0

TOTAL \$718,000

**NEW SECTION. Sec. 3203. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Parkland Acquisition (30000976)

The appropriation in this section is subject to the following conditions and limitations: The commission must grant access to the Iron Horse/John Wayne trail for any person who owns land adjacent to the trail and applies for access or easement for agricultural purposes. The commission may request twenty-four hour notice prior to any agricultural use for transporting goods or machinery along the length of the trail. No prior notice may

be required of adjacent landowners to cross the trail. Access may not be unreasonably denied and must be granted within one month of application or within thirty days of the effective date of this section for applications previously submitted from landowners.

Appropriation:

Parkland Acquisition Account-
State \$2,000,000

Prior Biennia (Expenditures)
\$2,000,000

Future Biennia (Projected Costs)
\$8,000,000

TOTAL \$12,000,000

**NEW SECTION. Sec. 3204. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Health and Safety
(30000977)

Appropriation:

State Building Construction Account-
State \$1,049,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,049,000

**NEW SECTION. Sec. 3205. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Facilities and
Infrastructure (30000978)

Appropriation:

State Building Construction Account-
State \$4,591,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,591,000

**NEW SECTION. Sec. 3206. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Program (30000979)

Appropriation:

State Building Construction Account-
State \$1,845,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,845,000

**NEW SECTION. Sec. 3207. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Moran Summit Learning Center -
Interpretive Facility (30000980)

Appropriation:

State Building Construction Account-
State \$964,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$964,000

**NEW SECTION. Sec. 3208. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Penrose Point Sewer Improvements
(30000981)

Appropriation:

State Building Construction Account-
State \$428,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$428,000

**NEW SECTION. Sec. 3209. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Palouse Falls Day Use Area Renovation
(30000983)

Appropriation:

State Building Construction Account-
State \$209,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,359,000

TOTAL \$4,568,000

**NEW SECTION. Sec. 3210. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Lake Sammamish Sunset Beach Picnic Area
(30000984)

Appropriation:

State Building Construction Account-
State \$2,622,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,622,000

**NEW SECTION. Sec. 3211. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Water System Renovation
(30001016)

Appropriation:

State Building Construction Account—
State \$475,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,996,000

TOTAL \$5,471,000

**NEW SECTION. Sec. 3212. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Septic System Renovation
(30001017)

Appropriation:

State Building Construction Account—
State \$238,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$5,016,000

TOTAL \$5,254,000

**NEW SECTION. Sec. 3213. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Electrical System Renovation
(30001018)

Appropriation:

State Building Construction Account—
State \$713,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$5,058,000

TOTAL \$5,771,000

**NEW SECTION. Sec. 3214. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide New Park (30001019)

Appropriation:

State Building Construction Account—
State \$297,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$11,114,000

TOTAL \$11,411,000

**NEW SECTION. Sec. 3215. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Trail Renovations
(Footbridges) (30001021)

Appropriation:

State Building Construction Account—
State \$266,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$798,000

TOTAL \$1,064,000

**NEW SECTION. Sec. 3216. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Fort Worden Replace Failing Water Lines
(30001022)

Appropriation:

State Building Construction Account—
State \$358,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,817,000

TOTAL \$4,175,000

**NEW SECTION. Sec. 3217. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Facility and Infrastructure
Backlog Reduction (30001031)

Appropriation:

State Building Construction Account—
State \$4,250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,250,000

**NEW SECTION. Sec. 3218. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Steptoe Butte Road Improvements
(30001076)

Appropriation:

State Building Construction Account—
State \$443,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,789,000

TOTAL \$4,232,000

**NEW SECTION. Sec. 3219. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Cape Disappointment North Head
Buildings and Ground Improvements
(40000005)

Appropriation:

State Building Construction Account—
State \$2,560,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,560,000

NEW SECTION. Sec. 3220. FOR THE STATE PARKS AND RECREATION COMMISSION

St Edward State Park Environmental Learning Center (92000013)

The appropriation in this section is subject to the following conditions and limitations: \$75,000 of the appropriation in this section is provided solely for a strategic plan to develop an environmental learning center at Saint Edward state park.

Appropriation:

State Building Construction Account—State \$75,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$75,000

NEW SECTION. Sec. 3221. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (30000408)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$170,000 of the state building construction account—state is provided solely to execute a Lean study to bring efficiencies to the project development and prioritization process, and this is the maximum amount the department may expend for this purpose.

(2) \$2,400,000 of the state building construction account—state appropriation is provided solely for predesign planning grants for lead entities, and this is the maximum amount the department may expend for this purpose.

(3) \$641,000 of the state building construction account—state appropriation is provided solely for predesign planning grants for regional fisheries enhancement groups, and this is the maximum amount the department may expend for this purpose.

Appropriation:

General Fund—Federal	\$50,000,000
State Building Construction Account—State	\$19,711,000
Subtotal Appropriation	\$69,711,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$320,000,000

TOTAL \$389,711,000

NEW SECTION. Sec. 3222. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

2017-19 Washington Wildlife Recreation Grants (30000409)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for the list of projects identified in LEAP capital document number 2017-6H, developed June 30, 2017.

(2) One percent of the farm and forest account—state is provided solely for the prioritized list of projects to be provided by the recreation and conservation funding board by November 1, 2017, pursuant to section 11, chapter 149, Laws of 2016, and the appropriated funds may be spent after the board provides the list.

Appropriation:

Outdoor Recreation	Account—State	\$36,000,000
Farm and Forest	Account—State	\$8,000,000
Habitat Conservation	Account—State	\$36,000,000
Subtotal Appropriation	\$80,000,000	
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$340,000,000
TOTAL	\$420,000,000	

NEW SECTION. Sec. 3223. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (30000410)

The appropriations in this section are subject to the following conditions and limitations: \$220,000 of the recreation resources account—state appropriation is provided solely for the Port of Garfield for the central ferry boat launch.

Appropriation:

Boating Activities	Account—State	\$10,000
Recreation Resources	Account—State	\$17,165,000
Subtotal Appropriation	\$17,175,000	
Prior Biennia (Expenditures)		\$0

Future Biennia (Projected Costs)
\$68,800,000

TOTAL \$85,975,000

NEW SECTION. Sec. 3224. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Nonhighway Off-Road Vehicle Activities (30000411)

Appropriation:

NOVA Program Account—State \$13,195,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$52,800,000

TOTAL \$65,995,000

NEW SECTION. Sec. 3225. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Youth Athletic Facilities (30000412)

Appropriation:

State Building Construction Account—State \$4,077,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$16,000,000

TOTAL \$20,077,000

NEW SECTION. Sec. 3226. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000413)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the Barnum Point waterfront.

Appropriation:

Aquatic Lands Enhancement Account—State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 3227. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Acquisition and Restoration (30000414)

Appropriation:

State Building Construction Account—State \$40,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$180,000,000

TOTAL \$220,000,000

NEW SECTION. Sec. 3228. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Estuary and Salmon Restoration Program (30000415)

Appropriation:

State Building Construction Account—State \$8,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$48,000,000

NEW SECTION. Sec. 3229. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Firearms and Archery Range Recreation (30000416)

Appropriation:

Firearms Range Account—State \$813,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,100,000

TOTAL \$3,913,000

NEW SECTION. Sec. 3230. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Recreational Trails Program (30000417)

Appropriation:

General Fund—Federal \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,000,000

TOTAL \$25,000,000

NEW SECTION. Sec. 3231. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Infrastructure Grants (30000418)

Appropriation:

General Fund—Federal \$2,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$8,800,000

TOTAL \$11,000,000

NEW SECTION. Sec. 3232. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Land and Water Conservation (30000419)

Appropriation:

General Fund—Federal	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,000,000
TOTAL	\$20,000,000

NEW SECTION. Sec. 3233. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Coastal Restoration Initiative (30000420)

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

(1) The appropriation in this section is provided solely for the list of projects identified in LEAP capital document number 2017-4H, developed June 30, 2017.

(2) The board may retain a portion of the funds appropriated for this section for its office for the administration of the grants. The portion of the funds retained for administration may not exceed four and twelve one-hundredths percent of the appropriation.

Appropriation:

State Building Construction Account—State	\$12,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$45,000,000
TOTAL	\$57,500,000

NEW SECTION. Sec. 3234. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Public Lands Inventory Update (30000422)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to update the public lands inventory with current information on state agency habitat and recreation land acquisitions and easements and to further develop the inventory to respond to the recommendations of the joint legislative audit and review committee for a single source of information about land acquisitions.

Appropriation:

State Building Construction Account—State	\$230,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$230,000

NEW SECTION. Sec. 3235. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Family Forest Fish Passage Program (40000001)

Appropriation:

State Building Construction Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 3236. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Brian Abbott Fish Passage Barrier Removal Board (91000566)

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

(1) The appropriation in this section is provided solely for the list of projects identified in LEAP capital document number 2017-5H, developed June 30, 2017.

(2) The board may retain a portion of the funds appropriated for this section for its office for the administration of the grants. The portion of the funds retained for administration may not exceed four and twelve one-hundredths percent of the appropriation.

Appropriation:

State Building Construction Account—State	\$19,747,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$59,747,000

NEW SECTION. Sec. 3237. FOR THE STATE CONSERVATION COMMISSION

CREP Riparian Cost Share - State Match 2017-19 (91000009)

Appropriation:

State Building Construction Account—
State \$2,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$14,000,000

TOTAL \$16,600,000

**NEW SECTION. Sec. 3238. FOR THE STATE
CONSERVATION COMMISSION**

CREP Riparian Contract Funding 2017-19
(91000010)

Appropriation:

State Building Construction Account—
State \$2,300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$16,028,000

TOTAL \$18,328,000

**NEW SECTION. Sec. 3239. FOR THE STATE
CONSERVATION COMMISSION**

Natural Resource Investment for the
Economy & Environment 2017-19 (92000011)

The appropriation in this section is
subject to the following conditions and
limitations: Up to five percent of the
appropriation provided in this section may
be used by the conservation commission to
acquire services of licensed engineers for
project development, predesign and design
services, and construction oversight for
natural resource enhancement and
conservation projects.

Appropriation:

General Fund—Federal \$1,000,000

State Building Construction Account—
State \$4,000,000

Subtotal Appropriation \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$18,000,000

TOTAL \$23,000,000

**NEW SECTION. Sec. 3240. FOR THE STATE
CONSERVATION COMMISSION**

Improve Shellfish Growing Areas 2017-19
(92000012)

The appropriation in this section is
subject to the following conditions and
limitations: Up to five percent of the
appropriation provided in this section may
be used by the conservation commission to
acquire services of licensed engineers for

project development, predesign and design
services, and construction oversight for
natural resource enhancement and
conservation projects.

Appropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,000,000

TOTAL \$24,000,000

**NEW SECTION. Sec. 3241. FOR THE STATE
CONSERVATION COMMISSION**

Match for Federal RCPP Program 2017-19
(92000013)

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

(1) The state building construction
account—state appropriation is provided
solely for a state match to the United
States department of agriculture regional
conservation partnership.

(2) The commission will, to the
greatest extent possible, leverage other
state and local projects in funding the
match and development of the regional
conservation partnership program grant
applications.

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,752,000

TOTAL \$3,752,000

**NEW SECTION. Sec. 3242. FOR THE STATE
CONSERVATION COMMISSION**

CREP PIP Loan Program 2017-19
(92000014)

Appropriation:

Conservation Assistance Revolving
Account—State \$50,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$200,000

TOTAL \$250,000

**NEW SECTION. Sec. 3243. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

Migratory Waterfowl Habitat (20082045)

Appropriation:

State Wildlife Account-State
\$600,000

Prior Biennia (Expenditures)
\$1,680,000

Future Biennia (Projected Costs)
\$2,400,000

TOTAL \$4,680,000

NEW SECTION. Sec. 3244. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Spring Hatchery Renovation
(30000214)

Appropriation:

State Building Construction Account-State
\$1,400,000

Prior Biennia (Expenditures)
\$93,000

Future Biennia (Projected Costs)
\$7,410,000

TOTAL \$8,903,000

NEW SECTION. Sec. 3245. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minter Hatchery Intakes (30000277)

Appropriation:

State Building Construction Account-State
\$6,500,000

Prior Biennia (Expenditures)
\$105,000

Future Biennia (Projected Costs)
\$2,167,000

TOTAL \$8,772,000

NEW SECTION. Sec. 3246. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Wallace River Hatchery - Replace
Intakes and Ponds (30000660)

Appropriation:

State Building Construction Account-State
\$2,001,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$13,000,000

TOTAL \$15,001,000

NEW SECTION. Sec. 3247. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Cooperative Elk Damage Fencing
(30000662)

Appropriation:

State Building Construction Account-State
\$1,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,200,000

NEW SECTION. Sec. 3248. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hazard Fuel Reductions, Forest Health
and Ecosystem Improvement (30000665)

Appropriation:

State Building Construction Account-State
\$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,000,000

TOTAL \$25,000,000

NEW SECTION. Sec. 3249. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Naselle Hatchery Renovation (30000671)

Appropriation:

State Building Construction Account-State
\$8,000,000

Prior Biennia (Expenditures)
\$132,000

Future Biennia (Projected Costs)
\$15,673,000

TOTAL \$23,805,000

NEW SECTION. Sec. 3250. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation (30000756)

Appropriation:

State Building Construction Account-State
\$9,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$9,500,000

NEW SECTION. Sec. 3251. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Programmatic (30000782)

Appropriation:

State Building Construction Account-State
\$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000
NEW SECTION. Sec. 3252. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Snow Creek Reconstruct Facility (30000826)

The appropriation in this section is subject to the following conditions and limitations: The department must submit the completed feasibility study report to the office of financial management and the legislature by October 1, 2018.

Appropriation:

State Building Construction Account—State \$100,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$3,660,000
 TOTAL \$3,760,000

NEW SECTION. Sec. 3253. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Forks Creek Hatchery - Renovate Intake and Diversion (30000827)

Appropriation:

State Building Construction Account—State \$2,425,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,425,000

NEW SECTION. Sec. 3254. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Dungeness Hatchery - Replace Main Intake (30000844)

Appropriation:

State Building Construction Account—State \$615,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$2,921,000
 TOTAL \$3,536,000

NEW SECTION. Sec. 3255. FOR THE DEPARTMENT OF FISH AND WILDLIFE

PSNERP Match (30000846)

Appropriation:

General Fund—Federal \$4,950,000
 State Building Construction Account—State \$3,590,000
 Subtotal Appropriation \$8,540,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$428,676,000

TOTAL \$437,216,000

NEW SECTION. Sec. 3256. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Kalama Falls Hatchery Replace Raceways and P A System (30000848)

Appropriation:

State Building Construction Account—State \$816,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$6,463,000
 TOTAL \$7,279,000

NEW SECTION. Sec. 3257. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding 2017-19 (92000048)

Appropriation:

General Fund—Federal \$10,000,000
 General Fund—Private/Local \$1,000,000
 Special Wildlife Account—Federal \$1,000,000
 Special Wildlife Account—Private/Local \$1,000,000
 State Wildlife Account—State \$500,000

Subtotal Appropriation \$13,500,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$54,000,000

TOTAL \$67,500,000

NEW SECTION. Sec. 3258. FOR THE DEPARTMENT OF NATURAL RESOURCES

Road Maintenance and Abandonment Plan (RMAP) (30000261)

Appropriation:

State Building Construction Account—State \$2,302,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$13,000,000
 TOTAL \$15,302,000

NEW SECTION. Sec. 3259. FOR THE DEPARTMENT OF NATURAL RESOURCES

Fire Communications Base Stations &
Mountain Top Repeaters (30000262)

Appropriation:

State Building Construction Account—
State \$1,320,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$2,640,000

TOTAL \$3,960,000

**NEW SECTION. Sec. 3260. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Sustainable Recreation (30000263)

Appropriation:

State Building Construction Account—
State \$2,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$25,200,000

TOTAL \$27,700,000

**NEW SECTION. Sec. 3261. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Trust Land Replacement (30000264)

Appropriation:

Resources Management Cost Account—State
\$30,000,000

Natural Resources Real Property
Replacement—State \$30,000,000

Community and Technical College Forest
Reserve

Account—State \$1,000,000

Subtotal Appropriation \$61,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$61,000,000

**NEW SECTION. Sec. 3262. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Natural Areas Facilities Preservation
and Access (30000266)

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$8,000,000

TOTAL \$10,000,000

**NEW SECTION. Sec. 3263. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Puget SoundCorps (30000267)

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,000,000

TOTAL \$25,000,000

**NEW SECTION. Sec. 3264. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Trust Land Transfer Program (30000269)

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

(1) The appropriation is provided
solely to the department of natural
resources to transfer from trust status
certain trust lands of statewide
significance deemed appropriate for state
parks, fish and wildlife habitats, natural
area preserves, natural resources
conservation areas, department of natural
resources community forest open spaces, or
recreation purposes. The approved property
for transfer is identified in the LEAP
capital document no. 2017-2H, developed
June 30, 2017.

(2) Property transferred under this
section must be appraised and transferred
at fair market value. By September 30,
2018, the department must deposit in the
common school construction account the
portion of the appropriation in this
section that represents the estimated
value of the timber on the transferred
properties. This transfer must be made in
the same manner as timber revenues from
other common school trust lands. No
deduction may be made for the resource
management cost account under RCW
79.64.040. The portion of the
appropriation in this section that
represents the value of the land
transferred must be deposited in the
natural resources real property
replacement account.

(3) All reasonable costs incurred by
the department to implement this section
are authorized to be paid out of the
appropriations. Authorized costs include
the actual cost of appraisals, staff time,
environmental reviews, surveys, and other
similar costs, and may not exceed one and
nine-tenths percent of the appropriation.

(4) By June 30, 2018, land within the common school trust shall be exchanged for land of equal value held for other trust beneficiaries of the property identified in subsection (1) of this section.

(5) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Fee transfer agreements for properties identified in subsection (1) of this section must include terms that perpetually restrict the use of the property to the intended purpose. Transfer agreements may include provisions for receiving agencies to request alternative uses of the property, provided the alternative uses are compatible with the originally intended public purpose and the department and legislature approves such uses.

(6) The department shall work in good faith to carry out the intent of this section.

(7) By June 30, 2019, the state treasurer shall transfer to the common school construction account any unexpended balance of the appropriation in this section.

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

**NEW SECTION. Sec. 3265. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

State Forest Land Replacement
(30000277)

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

(1) \$60,000 of the appropriation is provided solely for the department to assess options to replace timber trust revenues for counties with populations of twenty-five thousand or fewer that are subject to timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act. The department must consult with the qualifying counties and other stakeholders in conducting the

assessment. The department shall report the findings of its assessment, including recommendations for addressing decreased revenues from state forestlands and improving the forest products economy in the qualifying counties, by December 15, 2017.

(2)(a) The remaining portion of the appropriation is provided solely to the department to transfer from state forestland status to natural resources conservation area status certain state forestlands in counties:

(i) With a population of twenty-five thousand or fewer; and

(ii) With risks of timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act.

(b) This appropriation must be used equally for the transfer of qualifying state forestlands in the qualifying counties.

(3) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110. The value of the land transferred must be deposited in the park land trust revolving account and be used solely to buy replacement state forestland, consistent with RCW 79.22.060.

(4) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (2) of this section. Transfer agreements for properties identified in subsection (2) of this section must include terms that restrict the use of the property to the intended purpose.

(5) The department and applicable counties shall work in good faith to carry out the intent of this section. The department will identify eligible properties for transfer, consistent with subsections (2) and (3) of this section, in consultation with the applicable counties, and will not execute any property transfers that are not in the statewide interest of either the state

forest trust or the natural resources conservation area program.

Appropriation:

State Building Construction Account—
State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

NEW SECTION. Sec. 3266. FOR THE DEPARTMENT OF NATURAL RESOURCES

2017-2019 Minor Works Preservation
(30000278)

Appropriation:

State Building Construction Account—
State \$3,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,800,000

NEW SECTION. Sec. 3267. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forestry Riparian Easement Program
(FREP) (30000279)

Appropriation:

State Building Construction Account—
State \$3,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$27,000,000

TOTAL \$30,500,000

NEW SECTION. Sec. 3268. FOR THE DEPARTMENT OF NATURAL RESOURCES

Rivers and Habitat Open Space Program
(RHOSP) (30000284)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$14,400,000

TOTAL \$15,400,000

NEW SECTION. Sec. 3269. FOR THE DEPARTMENT OF NATURAL RESOURCES

2017-2019 Minor Works Programmatic
(30000287)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$2,990,000

TOTAL \$3,990,000

NEW SECTION. Sec. 3270. FOR THE DEPARTMENT OF NATURAL RESOURCES

Teaway Working Forest (30000289)

Appropriation:

State Building Construction Account—
State \$1,481,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,481,000

NEW SECTION. Sec. 3271. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forest Hazard Reduction (30000290)

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

(1) Pursuant to chapter 248, Laws of 2017 (E2SHB 1711) (forest health treatments) and chapter 95, Laws of 2017 (2SSB 5546) (forest health assessment and treatment framework), \$450,000 of the appropriation is provided solely for planning and analysis to support a prioritized list of forest health treatments, and that is the maximum amount the department may expend for this purpose.

(2) \$6,400,000 is provided solely to reduce hazards to public safety, establish new firewise communities, and implement thinning and fuels reduction activities on state trust lands and high-risk private lands. The department shall work in conjunction with communities, counties, fire districts, and conservation districts in implementing firewise activities, including through grants to these entities for project implementation. The following areas are eligible:

- (a) Republic to Wauconda;
- (b) North Spokane;
- (c) Kittitas to Manastash; and
- (d) Klickitat to Goldendale.

(3) \$453,000 is provided solely to implement controlled burning treatments on one thousand acres of state trust land in

southeast Stevens and northwest Spokane county.

(4) \$500,000 is provided solely for the forest collaborative infrastructure pilot, which will provide contract services, such as technical analysis, facilitation, and logistical support.

(5) \$2,500,000 is provided solely for the "good neighbor" cross-boundary competitive grants for projects on federal land that support existing and planned state and local hazard reduction investments, of which \$1,600,000 is provided solely for the north central Washington forest health collaborative, and \$650,000 is provided solely for the Tapash sustainable forests collaborative.

(6) \$1,700,000 is provided solely for state trust land reforestation in wildfire-damaged areas.

(7) \$997,000 is provided solely to perform tree thinning, pruning, and brush disposal. The department must contract with the Washington conservation corps and national student conservation association programs, including the veterans fire corps program, to perform the work.

Appropriation:

State Building Construction Account—
State \$13,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$78,000,000

TOTAL \$91,000,000

NEW SECTION. Sec. 3272. FOR THE DEPARTMENT OF NATURAL RESOURCES

Federal ESA Mitigation Grants
(91000087)

Appropriation:

General Fund—Federal \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3273. FOR THE DEPARTMENT OF NATURAL RESOURCES

Statewide Stormwater & Impervious
Surface Study (91000088)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department, in consultation with the

Washington State University-Puyallup research and extension center, to conduct a statewide stormwater and impervious surface study of its facilities. The department shall report its findings and recommendations, including a statewide strategy to mitigate impacts of stormwater and impervious surfaces of its facilities in the most cost-effective manner, by October 1, 2018.

Appropriation:

State Building Construction Account—
State \$250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$250,000

NEW SECTION. Sec. 3274. FOR THE DEPARTMENT OF NATURAL RESOURCES

Public School Seismic Safety Assessment
(91000091)

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

(1) The department, in consultation with the office of emergency management, the office of the superintendent of public instruction, and the state board of education, shall develop a prioritized seismic risk assessment that includes seismic safety surveys of public facilities that are subject to high seismic risk as a consequence of high earthquake hazard and soils that amplify that hazard. The seismic safety surveys must be conducted for the following types of public facilities in the following order:

(a) Facilities that have a capacity of two hundred fifty or more persons and are routinely used for student activities by kindergarten through twelfth grade public schools; and

(b) Fire stations located within a one-mile radius of a facility described in subsection (1)(a) of this section.

(2) The initial phase of the prioritized seismic needs assessment of the facilities specified in subsections (1)(a) and (b) shall include, but is not limited to, the following:

(a) An on-site assessment, under the supervision of licensed geologists, of the seismic site class of the soils at the facilities;

(b) An on-site inspection of the facility buildings, including structural systems using structural plans where available, condition, maintenance, and nonstructural seismic hazards following standardized methods by licensed structural engineers;

(c) An estimate of costs to retrofit facilities specified in subsection (1) (a) of this section to life safety standards as defined by the American society of civil engineers; and

(d) An estimate of costs to retrofit facilities specified in subsection (1) (b) of this section to immediate occupancy standards as defined by the American society of civil engineers.

(3) The department shall develop geographic information system databases of survey data and must share that data with the governor, the superintendent of public instruction, and the appropriate legislative committees.

(4) The statewide seismic needs assessment specified in this section shall be submitted to the office of financial management and the appropriate committees of the legislature by October 1, 2018.

Appropriation:

State Building Construction Account—
State \$1,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,200,000

NEW SECTION. Sec. 3275. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forest Legacy 2017-19 (92000032)

Appropriation:

General Fund—Federal \$15,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$60,000,000

TOTAL \$75,000,000

NEW SECTION. Sec. 3276. FOR THE DEPARTMENT OF AGRICULTURE

Craft Brewing and Distilling Center (91000006)

Appropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$500,000

NEW SECTION. Sec. 3277. FOR THE DEPARTMENT OF AGRICULTURE

Grants to Improve Safety and Access at Fairs (92000003)

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL APPROPRIATION \$2,000,000

PART 4

TRANSPORTATION

NEW SECTION. Sec. 4001. FOR THE WASHINGTON STATE PATROL

FTA Access Road Reconstruction (30000059)

Reappropriation:

Fire Service Training Account—
State \$760,000

Prior Biennia (Expenditures) \$140,000

Future Biennia (Projected Costs) \$0

TOTAL \$900,000

NEW SECTION. Sec. 4002. FOR THE WASHINGTON STATE PATROL

FTA Campus Communication Infrastructure Improvement (30000101)

Reappropriation:

Fire Service Training Account—
State \$212,000

Prior Biennia (Expenditures) \$188,000

Future Biennia (Projected Costs) \$0

TOTAL \$400,000

NEW SECTION. Sec. 4003. FOR THE WASHINGTON STATE PATROL

Fire Training Academy Stormwater Remediation (30000030)

Appropriation:

Fire Service Training Account—
State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

NEW SECTION. Sec. 4004. FOR THE DEPARTMENT OF TRANSPORTATION

Aviation Revitalization Loans
(92000003)

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

(1) This appropriation is provided solely for deposit into the public use general aviation airport loan revolving account created in section 7029 of this act for direct loans to political subdivisions of the state and privately owned airports for the purpose of improvements at public use airports that primarily support general aviation activities.

(2) The department must convene a community aviation revitalization board to develop criteria for selecting loan recipients, to develop a process for evaluating applications, and to make decisions. The board must consist of the capital budget chair and ranking minority member of the capital budget committee of the house of representatives and the senate ways and means committee, and a representative from both the department of transportation's aviation division and the department of commerce. The board must also consist of the following members appointed by the secretary of transportation: One port district official, one county official, one city official, one representative of airport managers, and one representative of pilots. The chair of the board must be selected by the secretary of transportation. The members of the board must elect one of their members to serve as vice chair. The director of commerce and the secretary of transportation must serve as nonvoting advisory members of the board.

(3) The board may provide loans to privately owned airports for the purpose of airport improvements only if the state is receiving commensurate public benefit, such as guaranteed long-term public access to the airport as a condition of the loan. For purposes of this subsection, "public use airports that primarily support general aviation activities" means all public use airports not listed as having more than fifty thousand annual commercial air service passenger enplanements as published by the federal aviation administration.

(4) An application for loan funds under this section must be made in the form and manner as the board may prescribe. When evaluating loan applications, the board must prioritize applications that provide conclusive justification that completion of the loan application project will create revenue-generating opportunities. The board is not limited to, but must also use, the following expected outcome conditions when evaluating loan applications:

(a) A specific private development or expansion is ready to occur and will occur only if the aviation facility improvement is made;

(b) The loan application project results in the creation of jobs or private sector capital investment as determined by the board;

(c) The loan application project improves opportunities for the successful maintenance, operation, or expansion of an airport or adjacent airport business park;

(d) The loan application project results in the creation or retention of long-term economic opportunities; and

(e) The loan application project results in leveraging additional federal funding for an airport.

(5) The repayment of any loan made from the public use general aviation airport loan revolving account under the contracts for aviation loans must be paid into the public use general aviation airport loan revolving account.

Appropriation:

State Taxable Building Construction Account—State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

PART 5

EDUCATION

NEW SECTION. Sec. 5001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2007-09 School Construction Assistance Grant Program (20084200)

Reappropriation:

Common School Construction Account—State \$98,000

Prior Biennia (Expenditures)
\$747,225,000

Future Biennia (Projected Costs) \$0

TOTAL \$747,323,000

NEW SECTION. Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Northeast King County Skills Center (20084855)

Reappropriation:

School Construction and Skill Centers Building

Account-State \$41,000

Prior Biennia (Expenditures)
\$8,163,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,204,000

NEW SECTION. Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Pierce County Skills Center (20084856)

Reappropriation:

State Building Construction Account-State \$549,000

Prior Biennia (Expenditures)
\$34,995,000

Future Biennia (Projected Costs) \$0

TOTAL \$35,544,000

NEW SECTION. Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2009-11 School Construction Assistance Grant Program (30000031)

Reappropriation:

Common School Construction Account-State \$130,000

Prior Biennia (Expenditures)
\$389,439,000

Future Biennia (Projected Costs) \$0

TOTAL \$389,569,000

NEW SECTION. Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2011-13 School Construction Assistance Program (30000071)

Reappropriation:

Common School Construction Account-State \$1,202,000

Prior Biennia (Expenditures)
\$528,850,000

Future Biennia (Projected Costs) \$0

TOTAL \$530,052,000

NEW SECTION. Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

SEA-Tech Branch Campus of Tri-Tech Skills Center (30000078)

Reappropriation:

State Building Construction Account-State \$47,000

Prior Biennia (Expenditures)
\$11,470,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,517,000

NEW SECTION. Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Grant County Branch Campus of Wenatchee Valley Skills Center (30000091)

Reappropriation:

State Building Construction Account-State \$64,000

Prior Biennia (Expenditures)
\$19,144,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,208,000

NEW SECTION. Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Clark County Skills Center (30000093)

Reappropriation:

State Building Construction Account-State \$87,000

Prior Biennia (Expenditures)
\$7,814,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,901,000

NEW SECTION. Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2013-15 School Construction Assistance Program - Maintenance (30000145)

Reappropriation:

State Building Construction Account-State \$37,201,000

Prior Biennia (Expenditures)
\$350,181,000

Future Biennia (Projected Costs) \$0

TOTAL \$387,382,000

NEW SECTION. **Sec. 5010. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

Tri-Tech Skills Center East Growth
(30000159)

Reappropriation:

State Building Construction Account—
State \$1,702,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,702,000

NEW SECTION. **Sec. 5011. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

2015-17 School Construction Assistance
Program (30000169)

The reappropriations in this section
are subject to the following conditions
and limitations: The reappropriation is
subject to the provisions of section 5013,
chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$97,188,000

Common School Construction Account—
State \$204,679,000

Subtotal Reappropriation \$301,867,000

Prior Biennia (Expenditures)
\$252,269,000

Future Biennia (Projected Costs) \$0

TOTAL \$554,136,000

NEW SECTION. **Sec. 5012. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

STEM Pilot Program (91000402)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 5026,
chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$10,238,000

Prior Biennia (Expenditures)
\$2,262,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,500,000

NEW SECTION. **Sec. 5013. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000404)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 5027,
chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$9,128,000

Prior Biennia (Expenditures)
\$5,872,000

Future Biennia (Projected Costs) \$0

TOTAL \$15,000,000

NEW SECTION. **Sec. 5014. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

Healthy Kids - Healthy Schools Grants
(91000406)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 5014,
chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,664,000

Prior Biennia (Expenditures)
\$3,336,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. **Sec. 5015. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

Wenatchee Valley Skills Center
(92000004)

Reappropriation:

State Building Construction Account—
State \$269,000

Prior Biennia (Expenditures)
\$9,231,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,500,000

NEW SECTION. **Sec. 5016. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

NEWTECH (Spokane Area Professional-
Technical Skills Center) (92000005)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 5020,
chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$387,000

Prior Biennia (Expenditures)
\$21,450,000

Future Biennia (Projected Costs) \$0

TOTAL \$21,837,000

NEW SECTION. Sec. 5017. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Puget Sound Skills Center (92000007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5021, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$5,295,000

Prior Biennia (Expenditures)
\$15,638,000

Future Biennia (Projected Costs) \$0

TOTAL \$20,933,000

NEW SECTION. Sec. 5018. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center
Sunnyside Satellite (92000013)

Reappropriation:

State Building Construction Account—
State \$238,000

Prior Biennia (Expenditures)
\$5,987,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,225,000

NEW SECTION. Sec. 5019. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

K-3 Class-size Reduction Grants
(92000039)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5028, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$209,571,000

Prior Biennia (Expenditures)
\$24,929,000

Future Biennia (Projected Costs) \$0

TOTAL \$234,500,000

NEW SECTION. Sec. 5020. FOR THE STATE SCHOOL FOR THE BLIND

General Campus Preservation (30000088)

Reappropriation:

State Building Construction Account—
State \$156,000

Prior Biennia (Expenditures)
\$484,000

Future Biennia (Projected Costs) \$0

TOTAL \$640,000

NEW SECTION. Sec. 5021. FOR THE UNIVERSITY OF WASHINGTON

UW Bothell (30000378)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits.

(2) Criteria for selecting the design-build contractor must include life cycle costs, energy costs, or energy use index. Contractors and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business.

(3) The building must be built using sustainable building standards as defined in section 7009 of this act.

Reappropriation:

State Building Construction Account—
State \$130,000

Appropriation:

State Building Construction Account—
State \$3,000,000

Prior Biennia (Expenditures)
\$370,000

Future Biennia (Projected Costs)
\$51,000,000

TOTAL \$54,500,000

NEW SECTION. Sec. 5022. FOR THE UNIVERSITY OF WASHINGTON

Health Sciences Education - T-Wing
Renovation/Addition (30000486)

Reappropriation:

State Building Construction Account—
State \$205,000

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures)
\$418,000

Future Biennia (Projected Costs)
\$50,000,000

TOTAL \$60,623,000

**NEW SECTION. Sec. 5023. FOR THE
UNIVERSITY OF WASHINGTON**

School of Nursing Simulation Learning
Lab (30000600)

Reappropriation:

State Building Construction Account—
State \$1,200,000

Prior Biennia (Expenditures)
\$2,800,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

**NEW SECTION. Sec. 5024. FOR THE
UNIVERSITY OF WASHINGTON**

Health Sciences Interprofessional
Education Classroom (30000602)

Reappropriation:

State Building Construction Account—
State \$350,000

Prior Biennia (Expenditures)
\$2,360,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,710,000

**NEW SECTION. Sec. 5025. FOR THE
UNIVERSITY OF WASHINGTON**

Computer Science and Engineering
Expansion (30000603)

Reappropriation:

State Building Construction Account—
State \$2,000,000

University of Washington Building
Account—State \$15,000,000

Subtotal Reappropriation \$17,000,000

Prior Biennia (Expenditures)
\$15,500,000

Future Biennia (Projected Costs) \$0

TOTAL \$32,500,000

**NEW SECTION. Sec. 5026. FOR THE
UNIVERSITY OF WASHINGTON**

UW Minor Capital Repairs - Preservation
(30000604)

Reappropriation:

University of Washington Building
Account—State \$5,000,000

Prior Biennia (Expenditures)
\$23,175,000

Future Biennia (Projected Costs) \$0

TOTAL \$28,175,000

**NEW SECTION. Sec. 5027. FOR THE
UNIVERSITY OF WASHINGTON**

Ctr for Advanced Materials and Clean
Energy Research Test Beds (91000016)

Reappropriation:

State Building Construction Account—
State \$700,000

Appropriation:

State Building Construction Account—
State \$20,000,000

Prior Biennia (Expenditures)
\$8,300,000

Future Biennia (Projected Costs) \$0

TOTAL \$29,000,000

**NEW SECTION. Sec. 5028. FOR THE
UNIVERSITY OF WASHINGTON**

UW Tacoma Campus Soil Remediation
(92000002)

Reappropriation:

State Toxics Control Account—
State \$150,000

Appropriation:

State Toxics Control Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$5,850,000

Future Biennia (Projected Costs)
\$8,500,000

TOTAL \$15,500,000

**NEW SECTION. Sec. 5029. FOR THE
WASHINGTON STATE UNIVERSITY**

WSU Pullman - Troy Hall Renovation
(20061030)

Reappropriation:

State Building Construction Account—
State \$4,500,000

Washington State University Building
Account-State \$500,000

Subtotal Reappropriation \$5,000,000

Prior Biennia (Expenditures)
\$27,303,000

Future Biennia (Projected Costs) \$0

TOTAL \$32,303,000

**NEW SECTION. Sec. 5030. FOR THE
WASHINGTON STATE UNIVERSITY**

Washington State University Pullman -
Plant Sciences Building (REC#5) (30000519)

Reappropriation:

Washington State University Building
Account-State \$3,600,000

Appropriation:

State Building Construction Account-
State \$52,000,000

Prior Biennia (Expenditures)
\$3,500,000

Future Biennia (Projected Costs) \$0

TOTAL \$59,100,000

**NEW SECTION. Sec. 5031. FOR THE
WASHINGTON STATE UNIVERSITY**

2015-17 Minor Works - Preservation
(30001188)

Reappropriation:

Washington State University Building
Account-State \$1,000,000

Prior Biennia (Expenditures)
\$26,000,000

Future Biennia (Projected Costs) \$0

TOTAL \$27,000,000

**NEW SECTION. Sec. 5032. FOR THE
WASHINGTON STATE UNIVERSITY**

Everett University Center (91000026)

Reappropriation:

State Building Construction Account-
State \$5,000,000

Prior Biennia (Expenditures)
\$59,563,000

Future Biennia (Projected Costs) \$0

TOTAL \$64,563,000

**NEW SECTION. Sec. 5033. FOR THE
WASHINGTON STATE UNIVERSITY**

Inventory and Condition of Schools Data
Collection (91000033)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 5008,
chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Common School Construction Account-
State \$200,000

Prior Biennia (Expenditures)
\$2,136,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,336,000

**NEW SECTION. Sec. 5034. FOR THE
EASTERN WASHINGTON UNIVERSITY**

Interdisciplinary Science Center
(30000001)

Reappropriation:

State Building Construction Account-
State \$800,000

Appropriation:

State Building Construction Account-
State \$60,000,000

Prior Biennia (Expenditures)
\$4,391,000

Future Biennia (Projected Costs) \$0

TOTAL \$65,191,000

**NEW SECTION. Sec. 5035. FOR THE
EASTERN WASHINGTON UNIVERSITY**

Infrastructure Renewal I (30000506)

Reappropriation:

State Building Construction Account-
State \$5,825,000

Prior Biennia (Expenditures)
\$4,124,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,949,000

**NEW SECTION. Sec. 5036. FOR THE
EASTERN WASHINGTON UNIVERSITY**

Minor Works - Facility Preservation
(30000513)

Reappropriation:

Eastern Washington University Capital
Projects

Account-State \$2,000,000

Prior Biennia (Expenditures)
\$4,017,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,017,000
NEW SECTION. Sec. 5037. FOR THE EASTERN WASHINGTON UNIVERSITY

Minor Works - Program (30000516)

Reappropriation:

Eastern Washington University Capital Projects

Account-State \$500,000

Prior Biennia (Expenditures)
 \$1,000,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 5038. FOR THE CENTRAL WASHINGTON UNIVERSITY

Samuelson Communication and Technology Center (SCTC) (30000451)

Reappropriation:

State Building Construction Account-State \$29,084,000

Prior Biennia (Expenditures)
 \$31,957,000

Future Biennia (Projected Costs) \$0

TOTAL \$61,041,000

NEW SECTION. Sec. 5039. FOR THE CENTRAL WASHINGTON UNIVERSITY

Nutrition Science (30000456)

Reappropriation:

State Building Construction Account-State \$1,522,000

Appropriation:

State Building Construction Account-State \$16,000,000

Central Washington University Capital Projects

Account-State \$7,000,000

Subtotal Appropriation \$23,000,000

Prior Biennia (Expenditures)
 \$3,078,000

Future Biennia (Projected Costs)
 \$26,400,000

TOTAL \$54,000,000

NEW SECTION. Sec. 5040. FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works Preservation (30000684)

Reappropriation:

State Building Construction Account-State \$100,000

Prior Biennia (Expenditures)
 \$5,835,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,935,000

NEW SECTION. Sec. 5041. FOR THE CENTRAL WASHINGTON UNIVERSITY

Bouillon Hall Renovation (30000711)

Reappropriation:

State Building Construction Account-State \$500,000

Prior Biennia (Expenditures)
 \$4,477,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,977,000

NEW SECTION. Sec. 5042. FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works Program (30000723)

Reappropriation:

Central Washington University Capital Projects

Account-State \$300,000

Prior Biennia (Expenditures)
 \$3,477,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,777,000

NEW SECTION. Sec. 5043. FOR THE CENTRAL WASHINGTON UNIVERSITY

Lind Hall Renovation (30000738)

Reappropriation:

State Building Construction Account-State \$200,000

Prior Biennia (Expenditures)
 \$4,700,000

Future Biennia (Projected Costs) \$0

TOTAL \$4,900,000

NEW SECTION. Sec. 5044. FOR THE CENTRAL WASHINGTON UNIVERSITY

Old Heat - Plant Annex (30000767)

Reappropriation:

State Building Construction Account-State \$200,000

Prior Biennia (Expenditures)
 \$4,700,000

Future Biennia (Projected Costs) \$0
 TOTAL \$4,900,000

NEW SECTION. Sec. 5045. FOR THE EVERGREEN STATE COLLEGE

Science Center - Lab I Basement Renovation (30000118)

Reappropriation:
 State Building Construction Account—State \$719,000

Prior Biennia (Expenditures) \$4,326,000

Future Biennia (Projected Costs) \$0
 TOTAL \$5,045,000

NEW SECTION. Sec. 5046. FOR THE EVERGREEN STATE COLLEGE

Seminar I Renovation (30000125)

Reappropriation:
 State Building Construction Account—State \$175,000

Prior Biennia (Expenditures) \$225,000

Future Biennia (Projected Costs) \$26,900,000
 TOTAL \$27,300,000

NEW SECTION. Sec. 5047. FOR THE EVERGREEN STATE COLLEGE

Facilities Preservation (30000457)

Reappropriation:
 State Building Construction Account—State \$1,195,000

The Evergreen State College Capital Projects

Account—State \$2,217,000
 Subtotal Reappropriation \$3,412,000

Prior Biennia (Expenditures) \$6,936,000

Future Biennia (Projected Costs) \$0
 TOTAL \$10,348,000

NEW SECTION. Sec. 5048. FOR THE EVERGREEN STATE COLLEGE

Minor Works Program (30000487)

Reappropriation:
 The Evergreen State College Capital Projects

Account—State \$439,000

Prior Biennia (Expenditures) \$725,000

Future Biennia (Projected Costs) \$0
 TOTAL \$1,164,000

NEW SECTION. Sec. 5049. FOR THE EVERGREEN STATE COLLEGE

Lecture Hall Remodel (30000493)

Reappropriation:
 State Building Construction Account—State \$719,000

Prior Biennia (Expenditures) \$17,142,000

Future Biennia (Projected Costs) \$0
 TOTAL \$17,861,000

NEW SECTION. Sec. 5050. FOR THE WESTERN WASHINGTON UNIVERSITY

Carver Academic Renovation (20081060)

Reappropriation:
 State Building Construction Account—State \$5,000,000

Western Washington University Capital Projects

Account—State \$3,500,000
 Subtotal Reappropriation \$8,500,000

Prior Biennia (Expenditures) \$62,874,000

Future Biennia (Projected Costs) \$0
 TOTAL \$71,374,000

NEW SECTION. Sec. 5051. FOR THE WESTERN WASHINGTON UNIVERSITY

Minor Works - Preservation (30000615)

Reappropriation:
 State Building Construction Account—State \$1,200,000

Western Washington University Capital Projects

Account—State \$1,825,000
 Subtotal Reappropriation \$3,025,000

Prior Biennia (Expenditures) \$5,856,000

Future Biennia (Projected Costs) \$0
 TOTAL \$8,881,000

NEW SECTION. Sec. 5052. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Heritage Capital Grants Projects
(30000170)

Reappropriation:

State Building Construction Account—
State \$483,000

Prior Biennia (Expenditures)
\$9,348,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,831,000

**NEW SECTION. Sec. 5053. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Facilities Preservation - Minor Works
Projects (30000222)

Reappropriation:

State Building Construction Account—
State \$150,000

Prior Biennia (Expenditures)
\$2,534,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,684,000

**NEW SECTION. Sec. 5054. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Washington Heritage Grants (30000237)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section 5099,
chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$3,653,000

Prior Biennia (Expenditures)
\$6,347,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

**NEW SECTION. Sec. 5055. FOR THE
EASTERN WASHINGTON STATE HISTORICAL
SOCIETY**

Minor Works - Preservation (30000038)

Reappropriation:

State Building Construction Account—
State \$292,000

Prior Biennia (Expenditures)
\$410,000

Future Biennia (Projected Costs) \$0

TOTAL \$702,000

**NEW SECTION. Sec. 5056. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Grays Harbor College: Science and Math
Building (20081226)

Reappropriation:

State Building Construction Account—
State \$257,000

Prior Biennia (Expenditures)
\$43,887,000

Future Biennia (Projected Costs) \$0

TOTAL \$44,144,000

**NEW SECTION. Sec. 5057. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Tacoma Community College: Health
Careers Center (20082701)

Reappropriation:

State Building Construction Account—
State \$6,915,000

Prior Biennia (Expenditures)
\$34,258,000

Future Biennia (Projected Costs) \$0

TOTAL \$41,173,000

**NEW SECTION. Sec. 5058. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bellevue Community College: Health
Science Building (20082702)

Reappropriation:

State Building Construction Account—
State \$351,000

Prior Biennia (Expenditures)
\$31,375,000

Future Biennia (Projected Costs) \$0

TOTAL \$31,726,000

**NEW SECTION. Sec. 5059. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bates Technical College: Mohler
Communications Technology Center
(20082703)

Reappropriation:

State Building Construction Account—
State \$108,000

Prior Biennia (Expenditures)
\$26,339,000

Future Biennia (Projected Costs) \$0

TOTAL \$26,447,000

**NEW SECTION. Sec. 5060. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Columbia Basin College: Social Science Center (20082704)

Reappropriation:

State Building Construction Account—State \$50,000

Prior	Biennia	(Expenditures)
\$15,531,000		

Future Biennia (Projected Costs) \$0

TOTAL \$15,581,000

NEW SECTION. Sec. 5061. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: Health and Advanced Technologies Building (20082705)

Reappropriation:

State Building Construction Account—State \$78,000

Prior	Biennia	(Expenditures)
\$36,974,000		

Future Biennia (Projected Costs) \$0

TOTAL \$37,052,000

NEW SECTION. Sec. 5062. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Seattle Central Community College: Seattle Maritime Academy (30000120)

Reappropriation:

State Building Construction Account—State \$363,000

Prior	Biennia	(Expenditures)
\$16,465,000		

Future Biennia (Projected Costs) \$0

TOTAL \$16,828,000

NEW SECTION. Sec. 5063. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Yakima Valley Community College: Palmer Martin Building (30000121)

Reappropriation:

State Building Construction Account—State \$1,779,000

Prior	Biennia	(Expenditures)
\$18,461,000		

Future Biennia (Projected Costs) \$0

TOTAL \$20,240,000

NEW SECTION. Sec. 5064. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Olympic College: College Instruction Center (30000122)

Reappropriation:

State Building Construction Account—State \$23,174,000

Prior	Biennia	(Expenditures)
\$26,966,000		

Future Biennia (Projected Costs) \$0

TOTAL \$50,140,000

NEW SECTION. Sec. 5065. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Centralia Community College: Student Services (30000123)

Reappropriation:

State Building Construction Account—State \$2,142,000

Prior	Biennia	(Expenditures)
\$32,464,000		

Future Biennia (Projected Costs) \$0

TOTAL \$34,606,000

NEW SECTION. Sec. 5066. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Peninsula College: Allied Health and Early Childhood Dev Center (30000126)

Reappropriation:

State Building Construction Account—State \$4,012,000

Prior	Biennia	(Expenditures)
\$21,588,000		

Future Biennia (Projected Costs) \$0

TOTAL \$25,600,000

NEW SECTION. Sec. 5067. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

South Seattle Community College: Cascade Court (30000128)

Reappropriation:

State Building Construction Account—State \$17,892,000

Prior	Biennia	(Expenditures)
\$12,426,000		

Future Biennia (Projected Costs) \$0

TOTAL \$30,318,000

NEW SECTION. Sec. 5068. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

North Seattle Community College: Technology Building Renewal (30000129)

Reappropriation:

State Building Construction Account—
State \$675,000

Prior Biennia (Expenditures)
\$24,744,000

Future Biennia (Projected Costs) \$0

TOTAL \$25,419,000

**NEW SECTION. Sec. 5069. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Renton Technical College: Automotive
Complex Renovation (30000134)

Reappropriation:

State Building Construction Account—
State \$61,000

Prior Biennia (Expenditures)
\$16,772,000

Future Biennia (Projected Costs) \$0

TOTAL \$16,833,000

**NEW SECTION. Sec. 5070. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Edmonds Community College: Science,
Engineering, Technology Bldg (30000137)

Reappropriation:

State Building Construction Account—
State \$3,613,000

Appropriation:

State Building Construction Account—
State \$37,757,000

Prior Biennia (Expenditures)
\$4,207,000

Future Biennia (Projected Costs) \$0

TOTAL \$45,577,000

**NEW SECTION. Sec. 5071. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Whatcom Community College: Learning
Commons (30000138)

Reappropriation:

State Building Construction Account—
State \$63,000

Appropriation:

State Building Construction Account—
State \$33,960,000

Prior Biennia (Expenditures)
\$1,759,000

Future Biennia (Projected Costs) \$0

TOTAL \$35,782,000

**NEW SECTION. Sec. 5072. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Big Bend: Professional - Technical
Education Center (30000981)

Reappropriation:

State Building Construction Account—
State \$993,000

Appropriation:

State Building Construction Account—
State \$35,063,000

Prior Biennia (Expenditures)
\$1,047,000

Future Biennia (Projected Costs) \$0

TOTAL \$37,103,000

**NEW SECTION. Sec. 5073. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane: Main Building South Wing
Renovation (30000982)

The appropriations in this section are
subject to the following conditions and
limitations:

(1) The appropriations in this section
are provided solely for predesign and
design, which may also serve as bridging
documents, design, competition honoraria,
project management, and other planning
activities including permits.

(2) Criteria for selecting the design-
build contractor must include life cycle
costs, energy costs, or energy use index.
Contractors and architectural and
engineering firms may be eligible for
additional points during the scoring
process if they have experience with the
state agency, or if they are considered a
small business.

(3) The building must be built using
sustainable building standards as defined
in section 7009 of this act.

Reappropriation:

State Building Construction Account—
State \$2,823,000

Appropriation:

State Building Construction Account—
State \$24,919,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$27,742,000

**NEW SECTION. Sec. 5074. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Highline: Health and Life Sciences
(30000983)

Reappropriation:

State Building Construction Account-
State \$1,564,000

Appropriation:

State Building Construction Account-
State \$23,372,000

Prior Biennia (Expenditures)
\$1,368,000

Future Biennia (Projected Costs) \$0

TOTAL \$26,304,000

**NEW SECTION. Sec. 5075. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Clover Park: Center for Advanced
Manufacturing Technologies (30000984)

The appropriations in this section are
subject to the following conditions and
limitations:

(1) The appropriations in this section
are provided solely for predesign and
design, which may also serve as bridging
documents, design, competition honoraria,
project management, and other planning
activities including permits.

(2) Funding authorized pursuant to
section 7002(6)(g) of this act for
construction may be delivered using
design-build, as defined by chapter 39.10
RCW, with a guarantee for energy,
operations, and maintenance performance.
The term for performance guarantee must
not be less than one year. The state may
use state employees for services not
related to building performance.

(3) Criteria for selecting the design-
build contractor must include life cycle
costs, energy costs, or energy use index.
Contractors and architectural and
engineering firms may be eligible for
additional points during the scoring
process if they have experience with the
state agency, or if they are considered a
small business.

(4) The building must be built using
sustainable building standards as defined
in section 7009 of this act.

Reappropriation:

State Building Construction Account-
State \$2,791,000

Prior Biennia (Expenditures)
\$353,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,144,000

**NEW SECTION. Sec. 5076. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

Emergency Repairs and Equal Access
Grants for K-12 Public Schools (30000182)

The appropriations in this section are
subject to the following conditions and
limitations:

(1) \$2,000,000 of the common school
construction account-state appropriation
is provided solely for emergency repair
grants to address unexpected and imminent
health and safety hazards at K-12 public
schools, including skill centers, that
will impact the day-to-day operations of
the school facility, and this is the
maximum amount that may be spent for this
purpose. For emergency repair grants only,
an emergency declaration must be signed by
the school district board of directors and
submitted to the superintendent of public
instruction for consideration. The
emergency declaration must include a
description of the imminent health and
safety hazard, the possible cause, the
proposed scope of emergency repair work
and related cost estimate, and
identification of local funding to be
applied to the project. Grants of
emergency repair moneys must be
conditioned upon the written commitment
and plan of the school district board of
directors to repay the grant with any
insurance payments or other judgments that
may be awarded, if applicable.

(2) \$3,000,000 of the state building
construction account-state appropriation
is provided solely for urgent repair
grants to address non-reoccurring urgent
small repair projects at K-12 public
schools, excluding skill centers, that
could impact the health and safety of
students and staff if not completed, and
this is the maximum amount that may be
spent for this purpose. The office of the
superintendent of public instruction,
after consulting with maintenance and
operations administrators of school
districts, shall develop criteria and
assurances for providing funding for
specific projects through a competitive
grant program. The criteria and assurances
must include, but are not limited to, the
following: (a) Limiting school districts
to one grant, not to exceed \$200,000, per
three-year period; (b) prioritizing
applications based on limited school
district financial resources for the
project; and (c) requiring any district

receiving funding provided in this section to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a comprehensive description of the health and safety issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Grants may be used for, but are not limited to: Repair or replacement of failing building systems; abatement of potentially hazardous materials; and safety-related structural improvements.

(3) \$1,000,000 of the state building construction account—state appropriation is provided solely for equal access grants for facility repairs and alterations at K-12 public schools, including skills centers, to improve compliance with the Americans with disabilities act and individuals with disabilities education act, and this is the maximum amount that may be spent for this purpose. The superintendent of public instruction shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) Limiting districts to one grant, not to exceed \$100,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring recipient districts to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a description of the Americans with disabilities act or individuals with disabilities education act compliance deficiency, a comprehensive description of the facility accessibility issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Priority for grant funding must be given to school districts that demonstrate a lack of capital resources to address the compliance deficiencies outlined in the grant application.

(4) The superintendent of public instruction must notify the office of financial management, the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means

committee as projects described in subsection (1) of this section are approved for funding.

Appropriation:

State Building Construction Account—
State \$4,000,000

Common School Construction Account—
State \$2,000,000

Subtotal Appropriation \$6,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,000,000

TOTAL \$36,000,000

NEW SECTION. Sec. 5077. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Healthy Kids/Healthy Schools (30000184)

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

(1) The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts and the department of health, shall develop criteria for providing funding for specific projects that are consistent with the healthiest next generation priorities. The criteria must include, but are not limited to, the following:

(a) Districts or schools may apply for grants but no single district may receive more than \$200,000 of the appropriation;

(b) Any district receiving funding provided in this section must demonstrate a consistent commitment to addressing school facilities' needs; and

(c) Applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program must be prioritized.

(2) A maximum of \$1,000,000 of the appropriation may be used for the replacement of lead-contaminated drinking water fixtures.

(3) A maximum of \$1,000,000 of the appropriation may be used to purchase equipment or make repairs related to improving children's physical health and may include, but is not limited to: Fitness playground equipment, covered play areas, and physical education equipment or related structures or renovation.

(4) A maximum of \$250,000 of the appropriation may be used to purchase equipment or make repairs related to improving children's awareness and participation in sustaining efficient schools and may include, but is not limited to: Dashboards that display energy savings, composting systems, and recycling stations.

(5) The remaining portion of the appropriation is provided solely to purchase equipment or make repairs related to improving children's nutrition and may include, but is not limited to: Garden related structures and greenhouses to provide students access to fresh produce, and kitchen equipment or upgrades.

Appropriation:

Common School Construction Account-
State \$3,250,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	\$27,250,000

NEW SECTION. Sec. 5078. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Skill Centers - Minor Works (30000187)

Appropriation:

School Construction and Skill Centers
Building

Account-State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 5079. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Tri-Tech Skill Center - Core Growth
(30000197)

The appropriation in this section is subject to the following conditions and limitations: This project must undergo a budget evaluation study, using a budget evaluation study team approach incorporating value engineering techniques. Funds from the project appropriation must be used by the office of financial management through an interagency agreement with the office of the superintendent of public instruction to cover the cost of the study.

Appropriation:

State Building Construction Account-
State \$10,807,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,807,000

NEW SECTION. Sec. 5080. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

STEM Classrooms and Labs (30000203)

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

(1) \$2,800,000 of the appropriation is provided solely for the Federal Way school district to merge STEM facilities.

(2) \$200,000 of the appropriation is provided solely for the contract with the statewide STEM organization described in subsection (5) of this section.

(3) The remaining portion of the appropriation in this section is provided solely for the superintendent of public instruction to provide STEM classrooms and labs grants to school districts for public school facilities serving students in grades nine through twelve, or any combination thereof, to construct classrooms, or labs, as additions to existing school buildings or to modernize specialized STEM facilities.

(4) The superintendent shall award grants to school districts under the following conditions:

(a) Districts eligible to receive STEM classrooms and labs grants include:

(i) Districts that demonstrate a lack of sufficient space of STEM classrooms or labs to provide opportunities for students to meet statutory graduation requirements;

(ii) Districts that demonstrate that their current STEM classrooms or labs are insufficient to provide opportunities for students to meet statutory graduation requirements;

(iii) Districts that have not received state capital funding assistance in the previous ten years for the STEM classrooms or labs project proposals; and

(iv) Districts that have secured private donations of cash, like-kind, or equipment in a value of no less than \$100,000. Prior to receiving grant funding, the district must provide verification of the donation to the

superintendent within ninety days of notification of grant award.

(b) Allowable project costs under the grant program include design, renovation, or modernization of existing science labs or classrooms; project management costs; furnishings, fixtures, and equipment; and necessary utility and information technology systems upgrades to support specialized STEM facilities.

(c) At least one grant award is made to school districts located in southwest Washington;

(d) At least one grant award is made to school districts located in the Puget Sound region; and

(e) At least two grant awards are made to school districts located east of the crest of the Cascade mountain range.

(5) The STEM classrooms and labs grants program must be administered by the superintendent of public instruction in consultation with the STEM education innovation alliance specified in RCW 28A.188.030 and the statewide STEM organization specified in RCW 28A.188.050. The superintendent of public instruction must develop grant application materials and criteria in consultation with the statewide STEM organization, must review applications for accuracy and financial reasonableness, and must administer awarded grants. With funding specifically appropriated for this purpose, the superintendent of public instruction must contract with the statewide STEM organization specified in RCW 28A.188.050 to evaluate applications against the criteria developed for the program and develop a single prioritized list. The superintendent of public instruction must award grants within the appropriated funding and may depart from the recommended prioritized list only after consulting with the office of financial management and the appropriate committees of the legislature. The criteria must include, but are not limited to, the following:

(a) Priority for school districts that have experienced decreased enrollments of more than ten percent over the previous five year period due to interdistrict transfers to schools with STEM facilities constructed or modernized in that same period of time;

(b) Priority for applicants with a high percentage of students who are eligible

and enrolled in the free and reduced-price meals program;

(c) Economic conditions within the school district that limits their ability to finance the modernization of STEM classrooms and labs from local funding sources;

(d) Educational benefits of proposed projects;

(e) Age and condition of existing STEM classroom and lab space, if applicable;

(f) The extent that existing STEM facilities are inadequate including the lack of adequate STEM facilities to meet graduation requirements in RCW 28A.150.220;

(g) Financial reasonableness based on total project cost per square foot; and

(h) Demonstration of readiness to proceed that may include, but is not limited to:

(i) A demonstration that existing STEM faculty are in place and are qualified to deliver an interactive, project-based STEM curriculum in the proposed specialized STEM facilities; or

(ii) A plan and budget in place to recruit or train such STEM faculty.

(6) For purposes of grant applications made in the 2017-2019 biennium, additional square footage funded through this grant program is excluded from the school district's inventory of available educational space for determining eligibility for state assistance for new construction until the earlier of:

(a) Five years following acceptance of the project by the school district board of directors; or

(b) The date of the final review of the latest study and survey of the affected school district following acceptance of the project by the school district board of directors.

(7) Each school district is limited to one grant award, which may be used for more than one school facility within the district, of no more than \$2,000,000.

(8) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(9) The superintendent of public instruction must report to the appropriate

committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

Appropriation:

State Building Construction Account—
State \$13,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$80,000,000

TOTAL \$93,000,000

NEW SECTION. Sec. 5081. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2017-19 School Construction Assistance Program (40000003)

The appropriations in this section are subject to the following conditions and limitations: \$1,005,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years.

Appropriation:

State Building Construction Account—
State \$663,821,000

Common School Construction Account—
State \$269,030,000

Common School Construction Account—
Federal \$3,000,000

School Construction and Skill Centers Building

Account—State \$1,559,000

Subtotal Appropriation \$937,410,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$5,136,856,000

TOTAL \$6,074,266,000

NEW SECTION. Sec. 5082. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Capital Program Administration
(40000007)

Appropriation:

Common School Construction Account—
State \$3,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$13,097,000

TOTAL \$16,697,000

NEW SECTION. Sec. 5083. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Career and Technical Education Equipment Grants (91000408)

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

(1) \$72,000 of the appropriation is provided solely for the Bellevue school district for career and technical education equipment.

(2) \$50,000 of the appropriation is provided solely for the Issaquah school district for career and technical education equipment.

(3) \$30,000 of the appropriation is provided solely for the Elma school district for career and technical education equipment.

(4) The remaining portion of the appropriation in this section is provided solely for the superintendent of public instruction to provide career and technical education equipment grants to school districts. The office of the superintendent of public instruction, after consulting with school districts and the workforce training and education coordinating board, shall develop criteria for providing funding and outcomes for specific projects to stay within the appropriation level provided in this section consistent with the following priorities. The criteria must include, but are not limited to, the following:

(a) Districts or schools must demonstrate that the request provides necessary equipment to deliver career and technical education;

(b) Districts or schools must demonstrate a consistent commitment to maintaining school facilities and equipment by participating in the asset preservation program administered by the office of the superintendent of public instruction; and

(c) Prioritizing applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(5) The superintendent must award grants to applicants on a first-come, first-serve basis if the district or

school demonstrates that the request meets the criteria set by the office of superintendent of public instruction as described in subsection (4) of this section and the site is prepared to receive the equipment.

(6) No single district may receive more than \$100,000 of the appropriation.

Appropriation:

Common School Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 5084. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Small Rural District Modernization Grants (92000040)

(1) The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following projects:

Mount Adams School District
\$14,277,000

South Bend School District \$7,712,000

Lopez Island School District
\$1,813,000

(2)(a) The remaining portion of the appropriation is provided solely for implementation of Substitute Senate Bill No. 5453 (school construction assistance grants for small, rural school districts).

(b) If the bill referenced in (a) of this subsection is not enacted by June 30, 2017, the amount in this subsection (2) is provided solely for the office of the superintendent of public instruction to develop a ranked prioritized list of small, rural school districts and submit such list to the appropriate committees of the legislature by January 1, 2018. The list must prioritize projects to:

(i) Achieve the greatest improvement of school facilities;

(ii) Districts with the most limited financial capacity; and

(iii) Projects that are likely to improve student health, safety, and academic performance for the largest number of students for the amount of state grant support.

Appropriation:

State Building Construction Account—
State \$24,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$24,000,000

NEW SECTION. Sec. 5085. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Distressed Schools (92000041)

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

(1) \$20,086,000 of the appropriation in this section is provided solely for Seattle public schools to address challenges related to extraordinary growth and to maintain and repair existing buildings.

(2) \$1,100,000 of the appropriation in this section is provided solely for the Black Diamond elementary school.

Appropriation:

State Building Construction Account—
State \$21,186,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$21,186,000

NEW SECTION. Sec. 5086. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Agricultural Science in Schools Grant to FFA Foundation (92000122)

Appropriation:

State Building Construction Account—
State \$1,750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,750,000

NEW SECTION. Sec. 5087. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Everett Pathways to Medical Education (92000123)

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. **Sec. 5088. FOR THE STATE SCHOOL FOR THE BLIND**

2017-19 Campus Preservation (30000100)

Appropriation:

State Building Construction Account—
State \$570,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$2,755,000

TOTAL \$3,325,000

NEW SECTION. **Sec. 5089. FOR THE STATE SCHOOL FOR THE BLIND**Independent Living Skills Center
(30000107)

Appropriation:

State Building Construction Account—
State \$50,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$50,000

NEW SECTION. **Sec. 5090. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

2017-19 Minor Public Works (30000029)

Appropriation:

State Building Construction Account—
State \$307,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,000,000

TOTAL \$4,307,000

NEW SECTION. **Sec. 5091. FOR THE UNIVERSITY OF WASHINGTON**

Burke Museum (20082850)

Appropriation:

State Building Construction Account—
State \$24,200,000Prior Biennia (Expenditures)
\$29,800,000

Future Biennia (Projected Costs) \$0

TOTAL \$54,000,000

NEW SECTION. **Sec. 5092. FOR THE UNIVERSITY OF WASHINGTON**

UW Tacoma (20102002)

Appropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$29,500,000

TOTAL \$30,000,000

NEW SECTION. **Sec. 5093. FOR THE UNIVERSITY OF WASHINGTON**2017-19 Minor Works - Preservation
(30000736)

Appropriation:

University of Washington Building
Account—State \$30,475,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$304,108,000

TOTAL \$334,583,000

NEW SECTION. **Sec. 5094. FOR THE UNIVERSITY OF WASHINGTON**

UW Major Infrastructure (30000808)

Appropriation:

University of Washington Building
Account—State \$14,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,000,000

TOTAL \$44,500,000

NEW SECTION. **Sec. 5095. FOR THE UNIVERSITY OF WASHINGTON**Evans School - Parrington Hall
Renovation (30000810)

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$10,000,000

NEW SECTION. **Sec. 5096. FOR THE UNIVERSITY OF WASHINGTON**Population Health Sciences Building
(30000811)

Appropriation:

State Building Construction Account—
State \$15,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0
 TOTAL \$15,000,000
NEW SECTION. Sec. 5097. FOR THE UNIVERSITY OF WASHINGTON
 Preventive Facility Maintenance and Building System Repairs (91000019)
 Appropriation:
 University of Washington Building Account-State \$25,825,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$103,300,000
 TOTAL \$129,125,000

NEW SECTION. Sec. 5098. FOR THE WASHINGTON STATE UNIVERSITY
 Washington State University Vancouver - Life Sciences Building (30000840)
 Appropriation:
 Washington State University Building Account-State \$500,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$58,500,000
 TOTAL \$59,000,000

NEW SECTION. Sec. 5099. FOR THE WASHINGTON STATE UNIVERSITY
 Washington State University Tri-Cities - Academic Building (30001190)
 Appropriation:
 State Building Construction Account-State \$3,000,000
 Prior Biennia (Expenditures) \$400,000
 Future Biennia (Projected Costs) \$27,000,000
 TOTAL \$30,400,000

NEW SECTION. Sec. 5100. FOR THE WASHINGTON STATE UNIVERSITY
 Global Animal Health Building (30001322)
 Appropriation:
 State Building Construction Account-State \$23,000,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$36,400,000

TOTAL \$59,400,000
NEW SECTION. Sec. 5101. FOR THE WASHINGTON STATE UNIVERSITY
 Washington State University Pullman - STEM Teaching Labs (30001326)
 Appropriation:
 Washington State University Building Account-State \$1,000,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$19,600,000
 TOTAL \$20,600,000

NEW SECTION. Sec. 5102. FOR THE WASHINGTON STATE UNIVERSITY
 2017-19 Minor Works - Preservation (MCR) (30001342)
 Appropriation:
 Washington State University Building Account-State \$22,295,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$22,295,000

NEW SECTION. Sec. 5103. FOR THE WASHINGTON STATE UNIVERSITY
 Preventive Facility Maintenance and Building System Repairs (91000037)
 Appropriation:
 Washington State University Building Account-State \$10,115,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$10,115,000

NEW SECTION. Sec. 5104. FOR THE WASHINGTON STATE UNIVERSITY
 Joint Center for Deployment and Research in Earth Abundant Materials (91000039)

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

(1) Funding is provided solely for capital improvements, infrastructure, and equipment, to support: (a) A transformative program in earth-abundant materials to accelerate the development of next generation clean energy and transportation technologies in

Washington; (b) a coordinated framework and resources that can facilitate and promote multi-institution collaborations to drive research, development, and deployment efforts in the use of earth-abundant materials for manufactured clean technologies or recycling of advanced materials used in clean technologies; and (c) environmentally responsible processes in the areas of manufacturing and recycling of advanced materials used in clean technologies.

(2) Administration of the appropriation is under the authority of Washington State University in collaboration with the University of Washington. Washington State University and the University of Washington, in consultation with the regional universities, the Pacific Northwest national laboratory, and industry experts, shall develop criteria for providing grant funding for specific projects at public four-year institutions of higher education to stay within the appropriation level provided in this section. Funding for administrative offices may be provided for administrative offices west of the crest of the Cascade mountains only.

(3) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible cost of funds in recognition of the short useful life of the equipment purchased with the bond proceeds.

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

NEW SECTION. Sec. 5105. FOR THE EASTERN WASHINGTON UNIVERSITY

Engineering Building (30000556)

Appropriation:

Eastern Washington University Capital
Projects

Account—State \$345,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$56,695,000

TOTAL \$57,040,000

NEW SECTION. Sec. 5106. FOR THE EASTERN WASHINGTON UNIVERSITY

Preventative Maintenance/Backlog
Reduction (30000615)

Appropriation:

Eastern Washington University Capital
Projects

Account—State \$2,217,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,217,000

NEW SECTION. Sec. 5107. FOR THE EASTERN WASHINGTON UNIVERSITY

Minor Works - Facility Preservation
(91000019)

Appropriation:

Eastern Washington University Capital
Projects

Account—State \$7,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$21,000,000

TOTAL \$28,500,000

NEW SECTION. Sec. 5108. FOR THE EASTERN WASHINGTON UNIVERSITY

Minor Works - Program (91000021)

Appropriation:

Eastern Washington University Capital
Projects

Account—State \$2,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$21,000,000

TOTAL \$23,500,000

NEW SECTION. Sec. 5109. FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works Preservation (30000783)

Appropriation:

Central Washington University Capital
Projects

Account—State \$7,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$33,915,000

TOTAL \$41,415,000

NEW SECTION. **Sec. 5110.** **FOR THE**
CENTRAL WASHINGTON UNIVERSITY

Preventive Facility Maintenance and
Building System Repairs (91000017)

Appropriation:

Central Washington University Capital
Projects

Account—State \$2,422,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$0
TOTAL \$2,422,000

NEW SECTION. **Sec. 5111.** **FOR THE**
EVERGREEN STATE COLLEGE

Preventive Facility Maintenance and
Building System Repairs (30000612)

Appropriation:

The Evergreen State College Capital
Projects

Account—State \$830,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$3,803,000
TOTAL \$4,633,000

NEW SECTION. **Sec. 5112.** **FOR THE**
EVERGREEN STATE COLLEGE

Critical Power, Safety, and Security
Systems (30000613)

Appropriation:

State Building Construction Account—
State \$7,400,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$0
TOTAL \$7,400,000

NEW SECTION. **Sec. 5113.** **FOR THE**
EVERGREEN STATE COLLEGE

Health and Counseling Center (30000614)

Appropriation:

State Building Construction Account—
State \$3,600,000

The Evergreen State College Capital
Projects

Account—State \$2,000,000
Subtotal Appropriation \$5,600,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$0

TOTAL \$5,600,000

NEW SECTION. **Sec. 5114.** **FOR THE**
EVERGREEN STATE COLLEGE

Facilities Preservation (91000010)

Appropriation:

The Evergreen State College Capital
Projects

Account—State \$7,500,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$30,000,000

TOTAL \$37,500,000

NEW SECTION. **Sec. 5115.** **FOR THE**
WESTERN WASHINGTON UNIVERSITY

Access Control Security Upgrades
(30000604)

Appropriation:

Western Washington University Capital
Projects

Account—State \$1,500,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. **Sec. 5116.** **FOR THE**
WESTERN WASHINGTON UNIVERSITY

Sciences Building Addition & Renovation
(30000768)

Appropriation:

State Building Construction Account—
State \$6,000,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$85,568,000

TOTAL \$91,568,000

NEW SECTION. **Sec. 5117.** **FOR THE**
WESTERN WASHINGTON UNIVERSITY

2017-19 Classroom & Lab Upgrades
(30000769)

Appropriation:

State Building Construction Account—
State \$6,180,000

Western Washington University Capital
Projects

Account—State \$470,000
Subtotal Appropriation \$6,650,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$6,650,000

NEW SECTION. Sec. 5118. FOR THE WESTERN WASHINGTON UNIVERSITY

Elevator Preservation Safety and ADA Upgrades (30000772)

Appropriation:

State Building Construction Account—State \$2,188,000

Western Washington University Capital Projects

Account—State \$1,000,000
 Subtotal Appropriation \$3,188,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,188,000

NEW SECTION. Sec. 5119. FOR THE WESTERN WASHINGTON UNIVERSITY

Minor Works - Preservation (30000781)

Appropriation:

Western Washington University Capital Projects

Account—State \$6,179,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$30,000,000
 TOTAL \$36,179,000

NEW SECTION. Sec. 5120. FOR THE WESTERN WASHINGTON UNIVERSITY

Preventive Facility Maintenance and Building System Repairs (91000010)

Appropriation:

Western Washington University Capital Projects

Account—State \$3,614,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$14,456,000
 TOTAL \$18,070,000

NEW SECTION. Sec. 5121. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Minor Works - Preservation (30000288)

Appropriation:

State Building Construction Account—State \$2,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,000,000

NEW SECTION. Sec. 5122. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Heritage Capital Grants Projects (30000297)

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

(1) The appropriation is subject to the provisions of RCW 27.34.330.

(2) The appropriation is provided solely for the following list of projects:

Adventuress Centennial Restoration Project \$394,000

The Paramount Theatre Upgrades \$573,000

Stimson-Green Mansion Rehabilitation \$193,000

German American Bank Building Restoration \$45,000

Capitol Theater Roof Replacement and Awning Restoration \$118,000

Fort Ward Community Hall (Heritage Bakery Building) \$92,000

Lighthouse No. 83 (Swiftsure) Rehabilitation \$299,000

Gladish Community and Cultural Center Restoration \$131,000

University Heights Center Historic Preservation \$750,000

Railroads, Waterfowl, Field Trips and Family Outings \$497,000

Fort Worden's Historic Warehouses Rehabilitation \$750,000

Yamasaki Courtyard Renewal Project \$30,000

Longview Shay Pavilion Completion \$60,000

5th Avenue Theatre Upgrade \$750,000

Museum of Flight Roof Repair Project \$376,000

Tumwater Old Brewhouse Tower Rehabilitation \$507,000

Historic Purse Seiner Shenandoah
Restoration. \$58,000

The Quincy Valley Community Heritage
Barn \$205,000

Georgetown Steam Plant Historic
Concrete Restoration \$750,000

Pacific Northwest Railroad Archives
Bldg Energy

Efficiencies & Security \$52,000

Tollgate Farmhouse
Rehabilitation \$279,000

Illuminating the Balfour Dock
Building \$560,000

Port Hadlock Heritage Campus - Growing
Public Access

to Traditional Boatbuilding Skills &
Education \$360,000

The Old Hotel Art Gallery Renovation &
Upgrades \$56,000

Kirkman House Museum \$90,000

Northwest Railway Museum - Restoring
the Golden Age of

Rail Travel. \$201,000

Cornish Playhouse Theater
Renovation \$354,000

Mount Baker Community Club Energy and
Life

Safety Improvements \$141,000

Hubble House Restoration \$41,000

Nikkei Heritage Association of
Washington - Facilities

Preservation and Long Term Operations
Plan \$21,000

Princess Theater and the Green Room at
the Princess

Rehabilitation \$114,000

M.V. Lotus Deck Replacement
\$29,000

Woodland Theatre Repair and Restoration
\$44,000

Pacific County Historical Society -
Annex Storage Building \$32,000

Historic Schooner Suva
Preservation \$34,000

Appropriation:

State Building Construction Account-
State \$8,986,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$8,986,000

**NEW SECTION. Sec. 5123. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Strategic Facility Master Plan
(40000004)

Appropriation:

State Building Construction Account-
State \$75,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$75,000

**NEW SECTION. Sec. 5124. FOR THE
EASTERN WASHINGTON STATE HISTORICAL
SOCIETY**

Minor Works - Preservation (40000001)

Appropriation:

State Building Construction Account-
State \$770,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$770,000

**NEW SECTION. Sec. 5125. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Clark College: North County Satellite
(30000135)

Appropriation:

State Building Construction Account-
State \$5,212,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$48,603,000

TOTAL \$53,815,000

**NEW SECTION. Sec. 5126. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Wenatchee Valley: Wells Hall
Replacement (30000985)

Appropriation:

State Building Construction Account-
State \$2,772,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$29,048,000

TOTAL \$31,820,000

NEW SECTION. Sec. 5127. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Olympic: Shop Building Renovation (30000986)

Appropriation:

State Building Construction Account—
State \$929,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$7,368,000

TOTAL \$8,297,000

NEW SECTION. Sec. 5128. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Pierce Fort Steilacoom: Cascade Building Renovation - Phase 3 (30000987)

Appropriation:

State Building Construction Account—
State \$3,438,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$29,982,000

TOTAL \$33,420,000

NEW SECTION. Sec. 5129. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

South Seattle: Automotive Technology Renovation and Expansion (30000988)

Appropriation:

State Building Construction Account—
State \$2,241,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$21,873,000

TOTAL \$24,114,000

NEW SECTION. Sec. 5130. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates: Medical Mile Health Science Center (30000989)

Appropriation:

State Building Construction Account—
State \$3,150,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$39,208,000

TOTAL \$42,358,000

NEW SECTION. Sec. 5131. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Shoreline: Allied Health, Science & Manufacturing Replacement (30000990)

Appropriation:

State Building Construction Account—
State \$3,546,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$35,972,000

TOTAL \$39,518,000

NEW SECTION. Sec. 5132. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Preventive Facility Maintenance and Building System Repairs (30001291)

Appropriation:

Community/Technical College Capital Projects

Account—State \$22,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$91,200,000

TOTAL \$114,000,000

NEW SECTION. Sec. 5133. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Roof Repairs (30001293)

Appropriation:

Community/Technical Colleges Capital Projects

Account—State \$8,433,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$8,433,000

NEW SECTION. Sec. 5134. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Facility Repairs (30001294)

Appropriation:

State Building Construction Account—
State \$1,218,000

Community/Technical Colleges Capital Projects

Account—State \$25,458,000

Subtotal Appropriation \$26,676,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$26,676,000

**NEW SECTION. Sec. 5135. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Site Repairs (30001295)

Appropriation:

State Building Construction Account—
State \$4,166,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,166,000

**NEW SECTION. Sec. 5136. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Program (30001368)

Appropriation:

State Building Construction Account—
State \$26,630,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$26,630,000

**NEW SECTION. Sec. 5137. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Preservation (30001369)

Appropriation:

Community/Technical College Capital
Projects

Account—State \$21,309,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$21,309,000

**NEW SECTION. Sec. 5138. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls: Fine and Applied Arts
Replacement (30001458)

Appropriation:

State Building Construction Account—
State \$2,766,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$34,728,000

TOTAL \$37,494,000

**NEW SECTION. Sec. 5139. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

North Seattle College Student Housing
(92000028)

The appropriation in this section is
subject to the following conditions and

limitations: The appropriation in this
section is provided solely for the college
to implement the initial steps for student
housing.

Appropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$200,000

PART 6

SUPPLEMENTAL CAPITAL BUDGET

Sec. 6001. 2015 3rd sp.s. c 3 s 1002
(uncodified) is amended to read as
follows:

FOR THE SECRETARY OF STATE

Library - Archives Building (30000033)

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

(1) The appropriation is provided
solely for a predesign to determine: (a)
Necessary program space for the state
library currently located in Tumwater, and
additional archive space; (b) capital
budget requirements, including the use of
fees collected by the secretary of state
that will support a certificate of
participation for the financing of the
construction of the facility, and future
operating costs; and (c) projected
efficiencies of electronic document
storage in determining necessary space.

(2) The study must consider the use of
the general administration building site
as a possible location; and any benefits
or consequences may be identified at this
site or other sites considered; and lease
options.

(3) The office of financial management
shall determine the maximum use of the
site and consider the consolidation of
other state agencies, including separately
elected officials.

(4) The building must be a high
performance building as described in
section 7008 of this act and the
construction must be procured using a
performance based method including design-
build or design-build-operate-maintain.

Appropriation:

State Building Construction Account—
State (~~\$400,000~~)

\$300,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$55,428,000
TOTAL	\$55,828,000
	<u>\$55,728,000</u>

Sec. 6002. 2015 3rd sp.s. c 3 s 1026 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Renton Aerospace Training Center Construction (30000724)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3, chapter 1, Laws of 2013 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State (~~\$10,000,000~~)

\$1,089,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000
	<u>\$1,089,000</u>

Sec. 6003. 2015 3rd sp.s. c 3 s 1028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (30000726)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state.

(2) In soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive bidding processes, rather than sole source contracting processes, are used to select all projects;

(b) Require that all expenditures be used for projects that develop and acquire asset that have a useful life of at least thirteen years; and

(c) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project monitoring and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(3)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require an applicant to identify in application materials any state of Washington employees or former state employees employed or on the firm's governing board during the past twenty-four months. Application materials must identify the individual by name, the agency previously or currently employed by, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of a contract.

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a contractor either in procuring or performing under the contract, the department in its sole discretion may terminate the contract by written notice. If the contract is terminated, the department must be entitled to pursue the same remedies against the contractor as it could pursue in the event of a breach of the contract by the contractor.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) The department may not obligate or expend any of the amounts provided in this section on new projects that involve the Snohomish county public utilities district or its subcontractors until the executive ethics board responds to the department's June 17, 2015, request for an advisory opinion on poststate employment.

(6)(a) (~~\$10,000,000~~) \$13,650,000 of the state taxable building construction account is provided solely to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy, and transportation

electrification technologies now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(d) Loan applications must disclose all sources of public funds invested in the project. The nonprofit lender must make loans available to the following types of projects that include, but are not limited to: Residential, commercial, industrial, and agricultural energy retrofits((~~7~~)); residential and community-scale solar installations((~~7~~)); anaerobic digesters to treat dairy and organic waste((~~7~~ and)); combined heat and power projects using woody biomass as a fuel source; electric vehicle charging infrastructure and equipment for cars, trucks, and buses; upgrades to facilitate such equipment and infrastructure; and acquisition of zero-emission buses and class 4-8 vehicles, including but not limited to trucks and passenger shuttles.

(e) State funds may not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(7) (~~(\$6,600,000)~~) \$100,000 of the state taxable building construction account is provided solely for credit enhancements of advanced solar and renewable energy manufacturing within Washington state. The department shall develop an application process to competitively select projects.

(8)(a) \$13,000,000 of the state building construction account is provided solely for grants to advance clean and renewable energy technologies and advance transmission and distribution control system improvements for increased reliability, resiliency, and enabling integration of distributed and renewable resources and technology by public and private electrical utilities that serve

retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) The department shall convene an advisory panel of electric utility representatives to identify program objectives, near term priorities and long term goals.

(d) Applications for grants must disclose all sources of public funds invested in a project.

(e) Grant funds must be used for research, development, or demonstration projects that integrate intermittent renewables through energy storage, information technology or other smart grid technologies, dispatch energy storage resources from utility control rooms, use demand response, transactive control, or the thermal properties and electric load of commercial buildings and district energy systems to store energy, reduce transmission congestion or otherwise improve system reliability and resiliency and enable integration of distributed and renewable energy sources.

(9)(a) \$10,000,000 of the state building construction account is provided solely for grants to match federal funds or other nonstate funding sources used to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the program. The program shall offer matching funds for competitively selected clean energy projects including, but not limited to: Advancing energy storage and solar technologies, advancing bioenergy, developing new lightweight materials, and advancing renewable energy and energy efficiency technologies.

(10) \$400,000 of the state building construction account-state is provided

solely for capital funding of competitively selected wood energy conversion projects at public facilities.

(11) The department must report on number and results of projects that receive grants or loans through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2016.

(12) The department shall develop metrics that indicate the performance of energy efficiency efforts and provide a report of the metrics, including at a minimum the current energy used by the building, the energy use after efficiencies are completed, and cost of energy saved, to the house of representatives technology & economic development committee and the senate energy, environment & telecommunications committee. The report must include these metrics from other states.

(13) \$3,250,000 of the state building construction account—state appropriation is provided solely for the Pacific Northwest national laboratory to use demand side management and analyze electricity use by the department of corrections. After the analysis is performed any remaining funds may be used for reducing energy use of the department of corrections. The department must make energy records available.

Appropriation:

State Taxable Building Construction Account—State (~~(\$17,000,000)~~)

\$13,750,000

State Building Construction Account—State (~~(\$23,400,000)~~)

\$26,650,000

Subtotal Appropriation \$40,400,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$240,000,000

TOTAL \$280,400,000

Sec. 6004. 2016 sp.s. c 35 s 1008 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2017 Local and Community Projects (30000846)

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

(1) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) As the most trade dependent state in the nation, the legislature recognizes the significant statewide benefits to be gained from the proposed Asia Pacific cultural center. The multipurpose facility will serve as a needed cultural resource for Washington's Asian and Pacific Islander community; provide affordable housing and educational opportunities; strengthen relations with our Asia-Pacific trading partners; and deliver economic growth as a commercial and tourist destination. The legislature intends to support the development of the project

through a grant to be used for project coordination and development of a sustainable financial plan, which the legislature intends as a prerequisite to consideration of any further state capital commitment.

(8) \$500,000 of the appropriation in this section is provided solely to the 242 home development corporation to develop mental health housing, first and broad, Seattle.

(9) The appropriation is provided solely for the following list of projects:

Projects	Amounts
Airway Heights Recreational Complex (Airway Heights)	\$200,000
Algona Community Center (Algona)	\$500,000
Asia Pacific Cultural Center (Ruston)	\$200,000
Bellevue Boys & Girls Club (Bellevue)	\$200,000
Bridgeview Education and Employment Resource Center (Vancouver)	\$750,000
Central Alarm System (Cook)	\$1,000
Chehalis Boys & Girls Club New Facility (Chehalis)	\$200,000
Chelatchie Prairie RR Museum & Building Entrance (Yacolt)	\$200,000
Chelatchie Prairie RR Museum & Building Maintenance (Yacolt)	\$300,000
Coastal Resiliency Project (Ocean Shores)	\$200,000
DuPont Historical Museum Renovation (DuPont)	\$21,000

Edmonds Veterans Plaza (Edmonds)	\$77,000
Ellensburg Train Station (Ellensburg)	\$400,000
Evergreen Pool Improvements (White Center)	\$90,000
Fort Steilacoom Park (pave and stripe parking lot) (Lakewood)	\$257,000
Goldendale Senior Center (Goldendale)	\$155,000
Grays Harbor Gateway Center (Aberdeen)	\$550,000
Historic Fox Theatre Restoration (Centralia)	\$250,000
Historic Ship Preservation Project (Bremerton)	\$300,000
Holocaust Center for Humanity (Seattle)	\$200,000
Kingston Green Community Village (Kingston)	\$85,000
Kitsap Peninsula Water Trails (Multiple, along peninsula)	\$52,000
Lake Stevens Civic Center (Lake Stevens)	\$309,000
Lyle Activity Center Restoration (Lyle)	\$270,000
Mason County Veterans Shelter / Housing (Shelton)	\$206,000
Meals on Wheels Kitchen and Café Equipment (Richland)	\$206,000
Mental Health Housing, First and	\$500,000

((Denny)) (Seattle)	<u>Broad</u>	
Mill Creek Parks and Public Works Shop (Mill Creek)		\$257,000
Mother Joseph Academy Replacement (Vancouver)	Joseph Roof	\$1,000,000
Parkland Nature (Parkland)	Prairie Preserve	\$30,000
Pasco Learning (Pasco)	Early Center	\$300,000
Pepin Realignment (Lynden)	Creek	\$400,000
Performing Arts & Event Center (Federal Way)		\$52,000
Port of Sunnyside Demolish Carnation Building (Sunnyside)		\$100,000
RAC-Covered Bleachers Project (Lacey)		\$26,000
Riverwalk Trail Phase VI (Puyallup)		\$500,000
Scott Hill Park of Woodland (Woodland)		\$500,000
Shelter and Navigation Center (Seattle)		\$600,000
Skagit County Children's Advocacy Center (Mount Vernon)		\$318,000
Skyline Community Meeting Space (White Salmon)		\$172,000
South Kitsap High School NJROTC (Port Orchard)		\$30,000

SR 542 Kendall, Columbia Valley Trail (Kendall)		\$77,000
Tenino Depot Museum Roof (Tenino)		\$22,000
Wesley Homes (Des Moines)		\$100,000
Westport Marina Dredging (Westport)		\$200,000
Total		\$11,363,000
Appropriation:		
State Building Construction Account— State \$11,363,000		
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$0
TOTAL		\$11,363,000

Sec. 6005. 2015 3rd sp.s. c 3 s 6005 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs and Economic Development (92000151)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriations are released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriations are provided solely for the following list of projects:

Projects for Jobs & Economic Development	Authorized Amount
City of Bremerton Puget Sound Naval Safety Project	\$1,300,000
Fairchild Airforce Base	\$2,700,000
City of Lynnwood Main Street Improvements	\$250,000
Port of Everett: Roll-On/Roll-Off Cargo Berth	\$1,500,000
Kittitas County Infrastructure and Facilities	\$5,000,000
City of Kennewick Industrial Land	\$1,000,000
Perry Tech Institute Building	\$1,000,000
City of Buckley Drinking Water Improvements	\$350,000
Carbonado Reservoir Replacement	\$525,000
Hopelink Cleveland Street Project	\$1,000,000
Redmond Connector	\$1,300,000

Washougal Wastewater Treatment Plant	\$1,000,000
Roslyn Renaissance Northwest Improvement Company Building	\$500,000
Everett/Tulalip Water Pipeline Construction	\$1,000,000
Renton Riverview Bridge Replacement	\$1,100,000
Omak City Sewer, Collection System, and Treatment Plant	\$2,000,000
Harper Pier Replacement	\$800,000
University Place Main Street Redevelopment	\$975,000
Sultan Alder Avenue Water/Sewer Line Replacement	\$185,000
Quincy Industrial Water Reclamation & Reuse	\$700,000
NW Medical School	\$136,000
Ione - 8th St Lift Station Replacement	\$165,000
Stevens PUD Projects	\$532,000
Port Orchard Bay St. Pedestrian Path - Phase 2	\$336,000
Dekalb Pier - Phase 2	\$255,000
Kenmore Village	\$300,000
South Kirkland TOD/Cross Kirkland Corridor	\$1,300,000
Washington Agriculture Discovery Center	\$100,000
Mountlake Terrace Mainstreet Grant	\$2,000,000

Issaquah - North Roadway Network Improvement	\$5,000,000
TRIDEC Development of Small Modular Reactor Proposal	\$500,000
((City of Shelton Wastewater)) <u>Basin 3 Sewer Rehabilitation</u>	\$1,500,000
Port of Moses Lake Firefighting System	\$300,000
Seattle Chinatown/ID Development	\$500,000
TOTAL	\$37,109,000

Appropriation:

State Building Construction Account—
State \$30,009,000

Public Facility Construction Loan
Revolving

Account—State \$7,100,000

Subtotal Appropriation \$37,109,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$37,109,000

Sec. 6006. 2016 sp.s. c 35 s 1015
(uncodified) is amended to read as
follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Contingency Pool
(90000300)

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

(1) The appropriation in this section
is provided solely for construction
projects that confront emergent and
unavoidable costs in excess of the
construction contingency included in the
project appropriation. For requests
occurring during a legislative session, an
agency must notify the legislative fiscal
committees before requesting contingency
funds from the office of financial
management. Eligible agencies that may
apply to the pool include higher education
institutions, the department of
corrections, the department of social and
health services, the department of

enterprise services, the department of
veterans affairs, the parks and recreation
commission, and the department of fish and
wildlife. Eligible construction projects
are only projects that had cost reductions
as kept on file with the office of
financial management, and the carver
academic renovation project funded in
section 5084, chapter 3, Laws of 2015 3rd
sp.s. The office of financial management
must notify the legislative evaluation and
accountability program committee, the
house capital budget committee, and senate
ways and means committee as projects are
approved for funding.

(2)(a) The legislature intends to use
the 1063 Block building development
project as a model of efficient space and
energy use for both owned and leased state
office buildings.

(b) To achieve this intent, the office
of financial management must reconsider
tenants for the building, including
consideration of the utilities and
transportation commission, all current
tenants of the general administration
building with operations compatible with
a high density office building, and other
possible tenants. The measure of achieving
a higher space efficiency is measured by
the average square feet per housed
employee.

(c) The office of financial management
must provide a report to the appropriate
committees of the legislature on the
redesign and the increase space efficiency
by October 15, 2015.

Appropriation:

State Building Construction Account—
State \$8,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$8,000,000

Sec. 6007. 2016 sp.s. c 35 s 1016
(uncodified) is amended to read as
follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Emergency Repairs (90000301)

The appropriation in this section is
subject to the following conditions and
limitations: Emergency repair funding is
provided solely to address unexpected
building or grounds failures that will
impact public health and safety and the
day-to-day operations of the facility. To
be eligible for funds from the emergency

repair pool, an emergency declaration signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The emergency declaration must include a description of the health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project. For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as emergency projects are approved for funding.

Appropriation:

State Building Construction Account—
State (~~\$7,000,000~~)

\$6,662,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL ~~\$7,000,000~~

\$6,662,000

Sec. 6008. 2016 sp.s c 35 s 2011 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: New Civil Ward (9200022)

Appropriation:

State Building Construction Account—
State (~~\$450,000~~)

\$0

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL ~~\$450,000~~

\$0

NEW SECTION. Sec. 6009. A new section is added to 2015 3rd sp.s. c 3 (uncodified) to read as follows:**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Behavioral Health: Compliance with Systems Improvement Agreement (30003849)

Appropriation:

State Building Construction Account—
State \$6,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$6,000,000

NEW SECTION. Sec. 6010. A new section is added to 2015 3rd sp.s. c 3 (uncodified) to read as follows:**FOR THE DEPARTMENT OF CORRECTIONS**

MCCCW: Critical DNR Replacement (30001170)

Appropriation:

State Building Construction Account—
State \$375,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$375,000

Sec. 6011. 2016 sp.s c 35 s 3018 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Low Interest Loans for Drought Wells (92000148)

The appropriation in this section is subject to the following conditions and limitations: The department shall establish a low-interest loan program to allow agricultural or public entities to drill or retrofit wells to mitigate the effects of drought. For loans that are repaid within five years, the interest rate must be thirty percent of the average rate for twenty year municipal bonds as published in the bond buyer index, and for loans that are repaid between five and twenty years, the rate must be sixty percent of the average rate for twenty year municipal bonds as published in the bond buyer index. A well that is funded by this program may be operated only during a drought declaration.

Appropriation:

State Building Construction Account—
State (~~\$4,000,000~~)

\$0

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL ~~\$4,000,000~~

\$0

Sec. 6012. 2015 3rd sp.s. c 3 s 3118 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Facilities and Infrastructures (30000947)

Appropriation:

State Building Construction Account—State (~~(\$11,117,000)~~)

\$10,484,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) (~~(\$250,000)~~)

\$0

TOTAL \$11,367,000

\$10,484,000

Sec. 6013. 2015 3rd sp.s c 3 s 3101 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Health and Safety (30000839)

Appropriation:

State Building Construction Account—State (~~(\$5,160,000)~~)

\$4,590,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,160,000

\$4,590,000

Sec. 6014. 2015 3rd sp.s. c 3 s 3198 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Spring Hatchery Renovation (30000214)

Appropriation:

State Building Construction Account—State (~~(\$500,000)~~)

\$93,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) (~~(\$11,722,000)~~)

\$13,222,000

TOTAL ~~\$12,222,000~~

\$13,315,000

Sec. 6015. 2015 3rd sp.s. c 3 s 3200 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minter Hatchery Intakes (30000277)

Appropriation:

State Building Construction Account—State (~~(\$250,000)~~)

\$105,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) (~~(\$7,948,000)~~)

\$8,948,000

TOTAL ~~\$8,198,000~~

\$9,053,000

Sec. 6016. 2015 3rd sp.s. c 3 s 3202 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

(~~(Nasselle)~~) Naselle Hatchery Renovation (30000671)

Appropriation:

State Building Construction Account—State (~~(\$275,000)~~)

\$132,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) (~~(\$13,556,000)~~)

\$17,056,000

TOTAL ~~\$13,831,000~~

\$17,188,000

Sec. 6017. 2015 3rd sp.s. c 3 s 3204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Soos Creek Hatchery Renovation (30000661)

Appropriation:

State Building Construction Account—State (~~(\$15,000,000)~~)

\$9,933,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 (~~(\$9,103,000)~~)

\$14,103,000

TOTAL ~~\$24,103,000~~

\$24,036,000

Sec. 6018. 2015 3rd sp.s. c 3 s 3197 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Clarks Creek Hatchery Rebuild
 (92000038)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to substantially rebuild the Clarks creek (Puyallup) hatchery and fulfill Washington department of transportation mitigation requirements as agreed to with the Puyallup Indian nation for the widening of Interstate 5. The new hatchery must be devoted to salmon production. The department must relocate trout production to other hatcheries.

Appropriation:

State Building Construction Account-
 State (~~(\$5,000,000)~~)

\$10,067,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL ~~\$5,000,000~~

\$10,067,000

Sec. 6019. 2015 3rd sp.s. c 3 s 3188 (uncodified) is amended to read as follows:

FOR THE STATE CONSERVATION COMMISSION

Conservation Commission Ranch and
 Farmland Preservation Projects (92000004)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of ranch land preservation projects:

Lust family farm and ranch preservation
 (~~(\$1,619,000)~~)

\$2,210,000

Imrie ranches Rock creek agricultural
 easement \$4,913,000

Kelley ranches agricultural
 easement (~~(\$2,316,000)~~)

\$55,000

Dungeness watershed farmland protection
 phase 3 \$344,000

Appropriation:

State Building Construction Account-
 State (~~(\$9,192,000)~~)

\$7,522,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL ~~\$9,192,000~~

\$7,522,000

Sec. 6020. 2015 3rd sp.s. c 3 s 3187 (uncodified) is amended to read as follows:

FOR THE STATE CONSERVATION COMMISSION

Dairy Nutrient Demonstration Low
 Interest Loans (92000009)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for low interest loans for two or more dairy nutrient management demonstration projects, with at least one located west of the cascades and one east of the cascades.

Appropriation:

State Taxable Building Construction
 Account-State (~~(\$5,000,000)~~)

\$0

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL ~~\$5,000,000~~

\$0

Sec. 6021. 2016 sp.s. c 35 s 3026 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Recreation and Conservation Office
 Recreation Grants (92000131)

The appropriations in this section are subject to the following conditions and limitations:

(1) The recreation and conservation office may retain up to four percent of these appropriations to administer the grants.

(2) A maximum of \$1,000,000 of unused funds in this appropriation may be used

for further planning, acquisition, and development of the Olympic discovery trail project between Discovery Bay and the trail's intersection with the Larry Scott trail in Jefferson county, without requiring matching resources.

(3) Matching resources are not required for the Concrete water spray park project.

(4) A maximum of \$1,100,000 of unused funds in this appropriation may be used for the willows road regional trail connection, without requiring matching resources.

(5) A maximum of \$500,000 of unused funds in this appropriation may be used for the wilburton trestle section of the eastside rail corridor, without requiring matching resources.

Appropriation:

State Building Construction Account—
State \$29,170,000

Outdoor Recreation Account—State
\$5,611,000

Subtotal Appropriation \$34,781,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$34,781,000

Sec. 6022. 2016 sp.s. c 35 s 5004 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2015-17 School Construction Assistance Program (30000169)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$990,000 of the common school construction account—state is provided solely for the Spokane Valley technical skills center to construct five science classrooms.

(2) \$675,000 of the common school construction account—state is provided solely for study and survey grants. In calculating study and survey grants, for the 2015-2017 fiscal biennium, the office of the superintendent of public instruction shall award no more than fifty percent of the dollar amount for the minimum grants and square footage allocations. School districts receiving these grants in the 2015-2017 fiscal biennium must use data collected or

validated by the Washington State University extension energy office for the inventory and condition of existing school facilities.

(3) School districts receiving funding through the 2015-17 school construction assistance program must map the design of new facilities and remap the design of facilities to be remodeled.

(4) The office of the superintendent of public instruction must weight and prioritize grant requests on the following criteria and in the following order: (a) Will provide facility capacity needs to reduce kindergarten through third grade class sizes at high poverty schools; (b) will provide facility capacity needs to reduce kindergarten through third grade class sizes in remaining schools.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program for the appropriations provided to the superintendent of public instruction in this act for distressed schools, STEM pilot projects, or skill centers. For purposes of determining state funding assistance, eligible area must be calculated as follows: (a) Eligible area for STEM pilot projects is 1,440 square feet per science lab or classroom combination, or both; and 1,040 square feet per science classroom. Total eligible area per STEM pilot project must not exceed 15,840 square feet, and total eligible area of all STEM pilot projects from this section must not exceed 36,880 square feet; (b) eligible area for skill centers is gross square feet of the proposed project as submitted to the office of financial management as requested by the superintendent for consideration in the 2015-2017 capital budget. Eligible area for the Spokane Valley technical skills center must not exceed 5,400 square feet, and; (c) eligible area for replacement of the cafeteria at Marysville-Pilchuck high school is 13,500 square feet.

Appropriation:

State Building Construction Account—
State (~~\$305,721,000~~)

\$317,713,000

Common School Construction Account—
State (~~\$337,135,000~~)

\$232,673,000

Common School Construction Account-	
Federal	((\$3,000,000))
	<u>\$3,750,000</u>
Subtotal	Appropriation
	((\$645,856,000))
	<u>\$554,136,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	
	\$3,638,150,000
TOTAL	\$4,284,006,000
	<u>\$4,192,286,000</u>

Sec. 6023. RCW 70.340.130 and 2016 c 161 s 21 are each amended to read as follows:

(1) On July 1, 2016, if the cash balance amount in the pollution liability insurance program trust account exceeds seven million five hundred thousand dollars after excluding the reserves under RCW 70.148.020(2), the state treasurer shall transfer the amount exceeding seven million five hundred thousand dollars, up to a transfer of ten million dollars, from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account. If ten million dollars is not available to be transferred on July 1, 2016, then by the end of fiscal year 2017, if the cash balance amount in the pollution liability insurance program trust account exceeds seven million five hundred thousand dollars after excluding the reserves under RCW 70.148.020(2), the state treasurer shall transfer the amount exceeding seven million five hundred thousand dollars from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account. The total amount transferred in fiscal year 2017 from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account may not exceed ten million dollars.

(2) On July 1, 2017, and every two years thereafter at the start of each successive biennium, if the cash balance amount in the pollution liability insurance program trust account exceeds seven million five hundred thousand dollars, the state treasurer shall transfer the amount exceeding seven million five hundred thousand dollars after excluding the reserves under RCW 70.148.020(2), up to a

transfer of twenty million dollars, from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account. If twenty million dollars is not available to be transferred at the beginning of the first fiscal year of the biennium, ~~((on July 1st))~~ by the end of the subsequent fiscal year, if the cash balance amount in the pollution liability insurance program trust account exceeds seven million five hundred thousand dollars after excluding the reserves under RCW 70.148.020(2), the state treasurer shall transfer the amount exceeding seven million five hundred thousand dollars from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account. The total amount transferred in a biennium from the pollution liability insurance program trust account into the pollution liability insurance agency underground storage tank revolving account may not exceed twenty million dollars.

Sec. 6024. 2016 sp.s. c 35 s 6015 (uncodified) is amended to read as follows:

STATE TREASURER TRANSFER AUTHORITY

State toxics control account: For transfer to the

environmental legacy stewardship account \$24,000,000

Local toxics control account: For transfer to the

environmental legacy stewardship account \$30,000,000

(1) As directed by the department of ecology in consultation with the office of financial management, the state treasurer shall transfer amounts among the state toxics control account, the local toxics control account, and the environmental legacy stewardship account as needed during the 2015-2017 fiscal biennium to maintain positive account balances in all three accounts.

(2) As directed by the department of ecology in consultation with the office of financial management, the state treasurer shall transfer amounts from the cleanup settlement account established in RCW 70.105D.130 to the state toxics control account, the local toxics control account or the environmental legacy stewardship account to maintain positive account balances up to an amount not to exceed

((~~\$23,000,000~~)) \$13,000,000 that must be considered an ((~~inter-fund~~)) interfund loan that must be repaid with interest to the cleanup settlement account in three equal repayments in fiscal years 2019, 2020, and 2021.

(3) If, after using the ((~~inter-fund~~)) interfund transfer authority granted in this section, the department of ecology determines that further reductions are needed to maintain positive account balances in the state toxics control account, the local toxics control account, and the environmental legacy stewardship account, the department is authorized to delay the start of clean-up projects based on acuity of need, readiness to proceed, cost-efficiency, or need to ensure geographic distribution.

(4) By June 30, 2017, the department must submit a list of projects that were delayed to the office of financial management and the appropriate fiscal committees of the legislature.

PART 7

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 7001. RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are forty two million four hundred eighty-six thousand dollars for the 2017-2019 biennium, two hundred sixty-eight million six thousand dollars for the 2019-2021 biennium, and three hundred seventy-four million seven hundred eight thousand dollars for the 2021-2023 biennium.

NEW SECTION. Sec. 7002. ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS. (1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of

participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Department of enterprise services:

(a) Enter into a financing contract for up to \$5,323,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to repair the east plaza garage in Olympia.

(b) Enter into a financing contract for up to \$2,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for Tacoma Rhodes elevators.

(4) Washington state patrol:

(a) Enter into a financing contract for up to \$7,450,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a burn building for live fire training.

(b) Enter into a financing contract for up to \$2,700,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for furnishings and equipment at the 1063 building.

(5) Department of labor and industries: Enter into a financing contract for up to \$12,700,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to modernize a lab and training facility.

(6) Community and technical colleges:

(a) Enter into a financing contract on behalf of Cascadia College for up to \$29,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a parking structure.

(b) Enter into a financing contract on behalf of Renton Community College for up to \$2,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to acquire property in Renton.

(c) Enter into a financing contract on behalf of South Seattle College for up to

\$10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student wellness and fitness center.

(d) Enter into a financing contract on behalf of Shoreline Community College for up to \$31,100,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build student housing.

(e) Enter into a financing contract on behalf of Clark College for up to \$35,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student recreation center.

(f) Enter into a financing contract on behalf of Lower Columbia College for up to \$3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the main building.

(g) Enter into a financing contract on behalf of Clover Park Technical College for up to \$33,288,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a center for advanced manufacturing technologies.

NEW SECTION. Sec. 7003. To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act in excess of \$5,000,000, or \$10,000,000 for higher education institutions, may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign. The predesign document must include, but not be limited to, program, site, and cost analysis, and an analysis of the life-cycle costs of the alternatives explored, in accordance with the predesign manual adopted by the office of financial management. The results of life-cycle cost analysis must be a primary consideration in the selection of a building design. Construction may proceed only upon providing to the office of financial management the life-cycle costs. To improve monitoring of major construction projects, progress reports must be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports must be submitted on July 1st and December 31st each year in a format to be developed by the office of financial management.

NEW SECTION. Sec. 7004. (1) The legislature finds that use of life-cycle cost analysis will aid public entities,

architects, engineers, and contractors in making design and construction decisions that positively impact both the initial construction cost and the ongoing operating and maintenance cost of a project. To ensure that the total cost of a project is accounted for and the most reasonable and cost efficient design is used, agencies shall develop life-cycle costs for any construction project over \$10,000,000. The life-cycle costs must represent the present value sum of capital costs, installation costs, operating costs, and maintenance costs over the life expectancy of the project. The legislature further finds the most effective approach to the life-cycle cost analysis is to integrate it into the early part of the design process.

(2) Agencies shall develop a minimum of three project alternatives for use in the life-cycle cost analysis. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative must be the most reasonable and cost-effective solution. A brief description of each project alternative and why it was chosen must be included in the life-cycle cost analysis section of the predesign.

(3) The office of financial management shall: (a) Make available a life-cycle cost model to be used for analysis; (b) in consultation with the department of enterprise services, provide assistance in using the life-cycle cost model; and (c) update the life-cycle cost model annually including assumptions for inflation rates, discount rates, and energy rates.

(4) Agencies shall consider architectural and engineering firms' and general contractors' experience using life-cycle costs, operating costs, and energy efficiency measures when selecting an architectural and engineering firm, or when selecting contractors using alternative contracting methods.

NEW SECTION. Sec. 7005. To improve monitoring of major construction projects, progress reports must be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports must be submitted on July 1st and December 31st each year in a format to be determined by the office of financial management.

NEW SECTION. Sec. 7006. (1) Allotments for appropriations in this act shall be

provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. Sec. 7007. (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under \$250,000,

shall be filed with the legislative fiscal committees of the senate and house of representatives by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.

(5) The transfer authority granted in this section does not apply to appropriations for projects for the state parks and recreation commission. Appropriations for commission projects may be spent only for the specified projects, and funding may not be transferred from one commission project to another or from other sources to a commission project.

NEW SECTION. Sec. 7008. (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from predesign to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to: (a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. Sec. 7009. (1) Any building project that receives over \$10,000,000 in funding from the capital budget must be built to sustainable standards. "Sustainable building" means a building that integrates and optimizes all major high-performance building

attributes, including energy efficiency, durability, life-cycle performance, and occupant productivity. The following design and construction attributes must be integrated into the building project:

(a) **Employ integrated design principles:** Use a collaborative, integrated planning and design process that initiates and maintains an integrated project team in all stages of a project's planning and delivery. Establish performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorporation of these goals throughout the design and life-cycle of the building. Considers all stages of the building's life-cycle, including deconstruction.

(b) **Commissioning:** Employ commissioning practices tailored to the size and complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include an experienced commissioning provider, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.

(c) **Optimize energy performance:** Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the ENERGY STAR targets for new construction and major renovation where applicable. For new construction target low energy use index. For major renovations, reduce the energy use by fifty percent below prerenovations baseline.

(d) **On-site renewable energy:** Meet at least thirty percent of the hot water demand through the installation of solar hot water heaters, when life-cycle cost effective. Implement renewable energy generation projects on agency property for agency use, when life-cycle cost effective.

(e) **Measurement and verification:** Install building level electricity meters in new major construction and renovation projects to track and continuously optimize performance. Include equivalent meters for natural gas and steam, where natural gas and steam are used. Install

dashboards inside buildings to display and incentivize occupants on energy use.

(f) **Benchmarking:** Compare actual performance data from the first year of operation with the energy design target. Verify that the building performance meets or exceeds the design target. For other building and space types, use an equivalent benchmarking tool for laboratory buildings. Web-based data collection and dashboards must also be provided.

NEW SECTION. Sec. 7010. State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. Sec. 7011. Executive Order No. 05-05, archaeological and cultural resources, was issued effective November 10, 2005. Agencies shall comply with the requirements set forth in this executive order.

NEW SECTION. Sec. 7012. FOR THE ARTS COMMISSION-ART WORK ALLOWANCE. (1) One-half of one percent of moneys appropriated in this act for original construction of school plant facilities is provided solely for the purposes of RCW 28A.335.210.

(2) One-half of one percent of moneys appropriated in this act for original construction or any major renovation or remodel work exceeding \$200,000 by colleges or universities is provided solely for the purposes of RCW 28B.10.027.

(3) One-half of one percent of moneys appropriated in this act for original construction of any public building by a state agency identified in RCW 43.17.020 is provided solely for the purposes of RCW 43.17.200.

(4) At least eighty-five percent of the moneys spent by the Washington state arts commission during the 2017-2019 biennium for the purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended solely for direct acquisition of works of art. Art allocations not expended within the ensuing two biennia will lapse. The commission may use up to \$150,000 of this amount to conserve or maintain existing pieces in the state art collection pursuant to RCW 28A.335.210.

(5) The executive director of the arts commission shall appoint a study group to review the operations of the one-half of one percent for works of art purchased or

commissioned as required by RCW 28A.335.210, 28B.10.027, and 43.17.200. The findings of the review must be reported annually to the office of financial management and the fiscal committees of the legislature by September 15th. The review must include, but is not limited to, the following: (a) Projects purchased or commissioned per biennium; (b) partner agencies; (c) funding sources by fiscal year; (d) artwork costs; (e) administrative costs; (f) collection care costs; and (g) project status.

Sec. 7013. RCW 28B.10.027 and 2016 sp.s. c 35 s 6008 are each amended to read as follows:

(1) All universities and colleges shall allocate as a nondeductible item, out of any moneys appropriated for the original construction or any major renovation or remodel work exceeding two hundred thousand dollars of any building, an amount of one-half of one percent of the appropriation to be expended by the Washington state arts commission with the approval of the board of regents or trustees for the acquisition of works of art.

(2) For projects funded in the 2015-2017 capital budget and the 2017-2019 capital budget, an institution of higher education, working with the Washington arts commission, may expend up to ten percent of the projected art allocation for a project during the design phase in order to select an artist and design art to be integrated in the building design. The one-half of one percent to be expended by the Washington arts commission must be adjusted downward by the amount expended by a university or college during the design phase of the capital project.

(3) The works of art may be placed on public lands of institutions of higher education, integral to or attached to a public building or structure of institutions of higher education, detached within or outside a public building or structure of institutions of higher education, part of a portable exhibition or collection, part of a temporary exhibition, or loaned or exhibited in other public facilities.

(4) In addition to the cost of the works of art, the one-half of one percent of the appropriation shall be used to provide for the administration of the visual arts program, including conservation of the state art collection, by the Washington state arts commission and all costs for

installation of the work of art. For the purpose of this section building shall not include sheds, warehouses, and other buildings of a temporary nature.

NEW SECTION. Sec. 7014. To carry out the provisions of this act, the governor may assign responsibility for predesign, design, construction, and other related activities to any appropriate agency.

NEW SECTION. Sec. 7015. If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with funds available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the senate ways and means committee and the house of representatives capital budget committee.

NEW SECTION. Sec. 7016. (1) Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditures of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs.

(2) Provision of the full amount of required matching funds is not required to permit the expenditure of capital budget appropriations for phased projects if a proportional amount of the required matching funds is provided for each distinct, identifiable phase of the project.

NEW SECTION. Sec. 7017. NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. Portions of the general obligation bond proceeds authorized by chapter . . . , Laws of 2017 (Substitute House Bill No. 1080, the general obligation bond bill) for deposit into the state taxable building construction account that are in excess of amounts required to comply with the federal internal revenue service rules and

regulations shall be deposited into the state building construction account. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the state building construction account, or any other account receiving bond proceeds, and the state taxable building construction account is necessary, or that a shift of appropriation authority from the state taxable building construction account to the state building construction account may be made.

NEW SECTION. Sec. 7018. COLUMBIA RIVER BASIN NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the Columbia river basin water supply development account may be transferred to the Columbia river basin taxable bond water supply development account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the Columbia river basin water supply development account and the Columbia river basin taxable bond water supply development account is necessary, or that a shift of appropriation authority from the Columbia river basin taxable bond water supply development account to the Columbia river basin water supply development account may be made.

Sec. 7019. RCW 28B.20.725 and 2015 3rd sp.s. c 3 s 7025 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. (~~However, during the 2013-2015 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.~~) However, during the 2015-2017 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2017-2019 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2017-2019 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7020. RCW 28B.30.750 and 2015 3rd sp.s. c 3 s 7028 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the Washington State University building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the Washington State University building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. (~~However, during the 2013-2015 fiscal biennium, the legislature may~~

~~transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.)~~ However, during the 2015-2017 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2017-2019 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2017-2019 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

NEW SECTION. Sec. 7021. (1) Funds appropriated in this act for minor works may not be allotted until final project lists are submitted to the office of financial management. Revisions to the project lists are allowed for projects not anticipated at the time of budget development but must be submitted to the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee for review and comment and must include an explanation of variances from the prior lists before funds may be expended on the revisions. Any project list revisions must be approved by the office of financial management before funds may be expended from the minor works appropriation.

(2)(a) Minor works project lists are single line appropriations that include multiple projects of a similar nature and that are valued between \$25,000 and \$1,000,000 each, with the exception of higher education minor works projects that may be valued up to \$2,000,000. All projects must meet the criteria included in this subsection (2)(a). These projects should be completed within two years of the appropriation with the funding provided. Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed \$1,000,000, or \$2,000,000 for higher education minor works projects. Improvements for accessibility in compliance with the Americans with disabilities act may be

included in any of the minor works categories.

(b) Minor works appropriations may not be used for the following: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; movable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; rolling stock; computers; or to supplement funding for projects with funding shortfalls unless expressly authorized. The office of financial management may make an exception to the limitations described in this subsection (2)(b) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(c) Minor works preservation projects may include program improvements of no more than twenty-five percent of the individual minor works preservation project cost.

NEW SECTION. Sec. 7022. STATE TREASURER TRANSFER AUTHORITY

State Toxics Control Account: For transfer to the

environmental legacy stewardship account, \$17,625,000 for

fiscal year 2018 and \$17,625,000 for fiscal year 2019 \$35,250,000

Local Toxics Control Account: For transfer to the

environmental legacy stewardship account, \$10,500,000 in

fiscal year 2018 and \$10,500,000 in fiscal year 2019 \$21,000,000

(1)(a) As directed by the department of ecology in consultation with the office of financial management, the state treasurer shall transfer amounts among the state toxics control account, the local toxics control account, and the environmental legacy stewardship account as needed during the 2017-2019 fiscal biennium to maintain positive account balances in all three accounts.

(b) If, after using the interfund transfer authority granted in this

section, the department of ecology determines that further reductions are needed to maintain positive account balances in the state toxics control account, the local toxics control account, and the environmental legacy stewardship account, the department is authorized to delay the start of stormwater and clean-up projects based on acuity of need, readiness to proceed, cost-efficiency, purposes of increasing affordable housing, or need to ensure geographic distribution. If the department uses this authority, the department must submit a prioritized list of projects that may be delayed to the office of financial management and the appropriate fiscal committees of the legislature.

(2) As directed by the pollution liability insurance agency in consultation with the office of financial management, the state treasurer shall transfer from the pollution liability insurance program trust account to the underground storage tank revolving account the lesser of \$20,000,000 or the balance of the fund exceeding \$7,500,000 after excluding the reserves during the 2017-2019 fiscal biennium.

NEW SECTION. **Sec. 7023.** To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 7024.** The energy efficiency account is hereby created in the state treasury. The sums deposited in the energy recovery act account shall be appropriated and expended for loans, loan guarantees, and grants for projects that encourage the establishment and use of innovative and sustainable industries for renewable energy and energy efficiency technology. The balance of state funds, federal funds, and loan repayments, from the energy recovery act account, are deposited in this account.

NEW SECTION. **Sec. 7025.** The department of enterprise services must sell the property known as Tacoma Rhodes complex for at least fair market value. The

property consists of the Broadway building, the market building, and the parking garage. The department must use the surplus property operations requirements for the sale process in RCW 43.17.400. The department must retain federal obligations and may retain appraisal costs, debt service, and closing costs. The remaining net proceeds from the sale must be deposited into the Thurston county capital facilities account.

NEW SECTION. **Sec. 7026.** JOINT LEGISLATIVE TASK FORCE ON IMPROVING STATE FUNDING FOR SCHOOL CONSTRUCTION. (1) (a) A joint legislative task force on improving state funding for school construction is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate from the senate committees on ways and means and early learning and K-12 education.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives from the house of representatives committees on capital budget and education.

(iii) The president of the senate and the speaker of the house of representatives jointly shall ensure that at least three of the eight members appointed pursuant to (a) (i) and (ii) of this subsection serve legislative districts located east of the crest of the Cascade mountains.

(iv) The chair of the task force selected pursuant to (b) of this subsection may appoint one additional member representing large school districts and one additional member representing small, rural school districts as voting members of the task force.

(b) The task force shall choose its chair from among its membership. The chair of the house of representatives committee on capital budget shall convene the initial meeting of the task force. All meetings of the task force must be scheduled and conducted in accordance with the requirements of both the senate and the house of representatives.

(2) The task force shall review the following issues:

(a) Improvements to state financial assistance for K-12 school construction to

be implemented over several fiscal biennia;

(b) Utilization of school spaces for multiple purposes;

(c) School design and construction approaches that support effective teaching and learning by delivering education through innovative, sustainable, cost-effective, and enduring design and construction methods; and

(d) Recent reports on school construction, including but not limited to the school construction cost study from the educational service district 112 and the efforts of collecting inventory and condition of schools data by the Washington state university extension energy office.

(3) In consideration of the findings pursuant to subsection (2) of this section, the task force must recommend a state school construction financial assistance program that:

(a) Supports the construction and preservation of schools; and

(b) Balances the state and local share of school construction and preservation costs considering local school districts' financial capacity, based on measures of relative wealth recommended pursuant to subsection (4)(b) of this section, and the state's limited bond capacity and common school trust land revenue.

(4) In making recommendations pursuant to subsection (3) of this section, the task force must, at a minimum, also recommend:

(a) A methodology to project needs for state financial assistance for school construction and preservation over a ten-year period;

(b) Measures of relative wealth of a school district, including but not limited to assessed land value per student, eligible free and reduced price meal enrollments, income per capita per school district, and costs of construction;

(c) Education specifications recognized by the state for the purpose of providing guidance to school districts when designing school construction projects;

(d) A capital asset model for K-12 school construction that considers space and usage needs to calculate construction assistance for:

(i) New schools to accommodate enrollment growth;

(ii) Major modernization projects to address aging facilities;

(iii) Replacement and renewal of major building systems based on achieving lowest life-cycle building costs, provided that standards of routine maintenance are achieved by local districts; and

(iv) Specialized facility improvements including but not limited to STEM facilities, career and technical education facilities, skills centers, and computer labs; and

(e) Alternative means to fund and accommodate increased classroom capacity to meet K-3 class-size reduction objectives.

(5)(a) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(b) The office of the superintendent of public instruction and the office of financial management shall cooperate with the task force and maintain liaison representatives, who are nonvoting members.

(c) The task force, where appropriate, may consult with individuals from public schools or related organizations or ask the individuals to establish a committee for technical advice and assistance. Members of such an advisory committee are not entitled to expense reimbursement.

(6) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(8) The task force must report its preliminary findings and recommendations to the appropriate committees of the legislature by December 1, 2017. The task

force must report its final findings and recommendations to the governor, the superintendent of public instruction, and the appropriate committees of the legislature by October 1, 2018.

(9) This section expires June 30, 2019.

Sec. 7027. RCW 43.19.501 and 2016 c 202 s 58 are each reenacted and amended to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department in Thurston county. ~~((For the 2007-2009 biennium, moneys in the account may be used for pre-design identified in section 1037, chapter 328, Laws of 2008.))~~ For the 2015-2017 biennium, moneys in the account may be used for studies related to real estate.

~~((During the 2009-2011 and 2011-2013 fiscal biennia, the legislature may transfer from the Thurston county capital facilities account to the state general fund such amounts as reflect the excess fund balance of the account.))~~ During the 2017-2019 fiscal biennium, the Thurston county capital facilities account may be appropriated for costs associated with staffing to support capital budget and project activities and lease and facility oversight activities.

NEW SECTION. Sec. 7028. The public use general aviation airport loan revolving account is created in the custody of the state treasurer. All receipts from moneys collected under this chapter must be deposited into the account. Expenditures from the account may be used only for the purposes described in section 4004 of this act. Only the community aviation revitalization board or the board's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. Sec. 7029. The Washington state parks and recreation commission, with guidance and instruction from the office of financial management, must create a reporting structure to track the success and progress of addressing the maintenance backlog of state parks facilities. The reporting structure must provide a forecast of new project proposals, the status of current funded

projects and a list of completed projects. The report must also include a facilities condition index that illustrates changes to the overall quality of facilities of state parks. The legislature intends to receive future biennial capital budget requests that address facility maintenance backlog from the commission in the form of this new report structure as additional information to the current format for agency budget submittal requests.

NEW SECTION. Sec. 7030. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 7031. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Tharinger and DeBolt spoke in favor of the adoption of the striking amendment (650).

Amendment (650) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Tharinger spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1075.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1075, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith,

Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Hayes, Holy, Manweller, Morris and Shea.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1075, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1075 was immediately transmitted to the Senate.

June 30, 2017

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1406,
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1661,
ENGROSSED HOUSE BILL NO. 2163,
ENGROSSED HOUSE BILL NO. 2190,
HOUSE BILL NO. 2243,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House adjourned until 9:55 a.m., July 3, 2017, the 13th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

THIRTEENTH DAY

House Chamber, Olympia, Monday, July 3, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2244 by Representatives Shea and Haler

AN ACT Relating to fundamental parental rights; and adding a new chapter to Title 26 RCW.

Referred to Committee on Judiciary.

HB 2245 by Representatives Shea and Haler

AN ACT Relating to overtrial in family law cases; and adding a new section to chapter 26.12 RCW.

Referred to Committee on Judiciary.

HB 2246 by Representatives Shea and Haler

AN ACT Relating to parenting plans; and amending RCW 26.09.015, 26.09.187, 26.09.197, 26.09.260, and 2.56.180.

Referred to Committee on Judiciary.

HB 2247 by Representatives Dent, Blake, Manweller, Lovick, Klippert, Dye and Haler

AN ACT Relating to dangerous dogs; amending RCW 16.08.070 and 16.08.080; and adding a new section to chapter 77.15 RCW.

Referred to Committee on Judiciary.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., July 5, 2017, the 15th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

FIFTEENTH DAY

House Chamber, Olympia, Wednesday, July 5, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., July 7, 2017, the 17th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

SEVENTEENTH DAY

House Chamber, Olympia, Friday, July 7, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Tharinger presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., July 10, 2017, the 20th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

TWENTIETH DAY

House Chamber, Olympia, Monday, July 10, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Springer presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., July 12, 2017, the 22nd Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

TWENTY SECOND DAY

House Chamber, Olympia, Wednesday, July 12, 2017

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE GOVERNOR

PARTIAL VETO

July 6, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 3, Engrossed Substitute House Bill No. 1677 entitled:

"AN ACT Relating to local government infrastructure funding."

This bill provides targeted reforms to the Public Works Assistance Account and directs the Public Works Board (Board) to study new and innovative financing tools. This bill will help local governments in need of financial support and provide additional tools to pay for basic infrastructure needs.

I am, however, vetoing Section 3, which modifies the composition of the Board. Section 3 adds four legislators. Changes to the Board's composition should be based on a member's skill set, rather than organizational representation. I would support the addition of legislators to the Board as ex-officio and non-voting members.

For these reasons I have vetoed Section 3 of Engrossed Substitute House Bill No. 1677.

With the exception of Section 3, Engrossed Substitute House Bill No. 1677 is approved.

Respectfully submitted,
Jay Inslee, Governor

PARTIAL VETO

July 6, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 106, 607, 819, and 1003, Engrossed House Bill No. 2242 entitled:

"AN ACT Relating to funding fully the state's program of basic education by providing equitable education opportunities through reform of state and local education contributions.'

Section 106 limits school districts' use of late start and early release days to seven occurrences each school year. Educators use this time to develop new competencies, collaborate with other educators, receive mentoring from senior teachers, and analyze student data to inform instructional practices. Research shows that this time for job-embedded professional learning and collaboration is linked to student success. Limiting practices that improve student achievement goes against the intent of this bill and our goals.

Section 607 requires the Caseload Forecast Council (Council) to convene a technical working group to determine the feasibility of developing a model to aid in school district four-year budget plans. Timely data does not exist to predict school district-level enrollments that factor in business growth and other local factors. The work required in this section is outside the scope of expertise for the Council. No funding is provided in the 2017-19 omnibus appropriations act; therefore, the Council is unable to contract for this work.

Section 819 ends reporting requirements for school employee health insurance benefits, effective December 1, 2018. House Bill 1042, which I am signing today, removes these reporting requirements. Moreover, funding to support these requirements was not included in the budget, so the Office of the Insurance Commissioner will be unable to produce the report.

Section 1003 repeals, among other things, the statutes that govern approved training and continuing education clock hours for the purpose of credit on the salary schedule, effective for the 2017-18 school year. These statutes are essential to compensation in the upcoming school year.

For these reasons I have vetoed Sections 106, 607, 819, and 1003 of Engrossed House Bill No. 2242.

With the exception of Sections 106, 607, 819, and 1003, Engrossed House Bill No. 2242 is approved.

Respectfully submitted,
Jay Inslee, Governor

PARTIAL VETO

July 7, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of
Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 5, Engrossed Second Substitute House Bill No. 1341 entitled:

"AN ACT Relating to professional certification for teachers and school administrators. "

Section 5 requires the formation of a collaborative of at least 12 members, monthly meetings, and an extensive contracted study. But the 2017-19 omnibus appropriations act does not provide funding for the Professional Educator Standards Board to contract for this work.

For these reasons I have vetoed Section 5 of Engrossed Second Substitute House Bill No. 1341.

With the exception of Section 5, Engrossed Second Substitute House Bill No. 1341 is approved.

Respectfully submitted,
Jay Inslee, Governor

There being no objection, the House adjourned until 9:55 a.m., July 14, 2017, the 24th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

TWENTY FOURTH DAY

House Chamber, Olympia, Friday, July 14, 2017

The House was called to order at 9:55 a.m. by the Speaker (Chief Clerk, Bernard Dean presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., July 17, 2017, the 27th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

TWENTY SEVENTH DAY

House Chamber, Olympia, Monday, July 17, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., July 18, 2017, the 28th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

TWENTY EIGHTH DAY

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

House Chamber, Olympia, Tuesday, July 18, 2017
There being no objection, the House adjourned until 9:55 a.m., July 19, 2017, the 29th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

TWENTY NINTH DAY

House Chamber, Olympia, Wednesday, July 19, 2017

The House was called to order at 9:55 a.m. by the Speaker.

The Speaker called upon Representative Springer to preside.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House adjourned until 9:55 a.m., July 20, 2017, the 30th Day of the 3rd Special Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

SIXTY FIFTH LEGISLATURE - THIRD SPECIAL SESSION

THIRTIETH DAY

House Chamber, Olympia, Thursday, July 20, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Springer to preside.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2248 by Representatives Springer, Stanford and Tharinger

AN ACT Relating to addressing water availability issues by addressing the Washington supreme court decision in Whatcom County v. Western Washington Growth Management Hearings Board, also known as the Hirst decision, solely by providing immediate and temporary relief to landowners affected by the Hirst decision by ensuring that a water well report for a groundwater withdrawal exempt from permitting and not prohibited by an applicable water resources management rule adopted by the department of ecology may serve until July 1, 2019, as evidence of an adequate water supply for a building necessitating potable water, and allowing cities and counties to rely until July 1, 2019, on water resource management rules adopted by the department of ecology in providing for the protection of surface water and groundwater resources except in certain water resource inventory areas, and by creating a task force that may consider, in addition to water availability issues relating to the Hirst decision, water availability issues relating to the Washington supreme court decision in Foster v. Washington State Department of Ecology; amending RCW 19.27.097, 36.70A.070, and 36.70A.070; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

HB 2249 by Representatives Smith and Morris

AN ACT Relating to protecting privacy and identity by setting data collection, storage, use, and disposal standards; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.195 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.85 RCW; adding a new chapter to Title 19 RCW; and creating new sections.

Referred to Committee on Technology & Economic Development.

HB 2250 by Representatives Pellicciotti and Frame

AN ACT Relating to property tax relief; adding a new section to chapter 84.36 RCW; adding a new section to chapter 84.08 RCW; and creating new sections.

Referred to Committee on Finance.

HCR 4409 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4410 by Representatives Sullivan and Kretz

Adjourning SINE DIE.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL No. 2248 which was referred to the Committee on Rules; and HOUSE CONCURRENT RESOLUTION No. 4409 and HOUSE CONCURRENT RESOLUTION No. 4410 which were read the first time, and under suspension of the rules, were placed on the third reading calendar.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

**HOUSE CONCURRENT RESOLUTION NO. 4409,
by Representatives Sullivan and Kretz**

Returning bills to their house of origin.

The bill was read the third time.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4409 was adopted.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4409 was immediately transmitted to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 4410,
by Representatives Sullivan and Kretz**

Adjourning SINE DIE.

The bill was read the third time.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4410 was adopted.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4410 was immediately transmitted to the Senate.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the following bills were returned to the Committee on Rules:

HOUSE BILL NO. 1116
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1388
 HOUSE BILL NO. 1429
 HOUSE BILL NO. 1452
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570
 HOUSE BILL NO. 1797
 ENGROSSED HOUSE BILL NO. 1958
 SECOND ENGROSSED HOUSE BILL NO. 2107
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 2143
 ENGROSSED HOUSE BILL NO. 2201
 HOUSE BILL NO. 2239

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

July 20, 2017

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4409,
 HOUSE CONCURRENT RESOLUTION NO. 4410,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4409
 HOUSE CONCURRENT RESOLUTION NO. 4410

The Speaker called upon Representative Springer to preside.

MESSAGES FROM THE SENATE

July 20, 2017

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4409,
 HOUSE CONCURRENT RESOLUTION NO. 4410,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

July 20, 2017

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4409, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1075,
 HOUSE CONCURRENT RESOLUTION NO. 4400,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MOTIONS

On motion of Representative Springer, the reading of the Journal of the 30th Day of the 2017 3rd Special Session of the 65th Legislature was dispensed with and ordered to stand approved.

On motion of Representative Springer, the 2017 3rd Special Session of the 65th Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

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1009	Introduction & 1st Reading	25
1010	Introduction & 1st Reading	25
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Third Reading Final Passage	1893
Speaker Signed	2555
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Committee Report	710
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Speaker Signed	1962
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5034	
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5035-S	
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Committee Report	881
Second Reading	1893
Third Reading Final Passage	1900
Other Action	1085
Speaker Signed	2768
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5036	
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Third Reading Final Passage	1915
Speaker Signed	1962
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5037	
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Third Reading Final Passage	2780
Other Action	1962
Speaker Signed	2827
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5038-S	
Introduction & 1st Reading	541
Committee Report	944
Other Action	1925
Messages	539
5039	
Introduction & 1st Reading	541
Committee Report	888
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Amendment Offered	1930
Third Reading Final Passage	1930
Other Action	1925
Speaker Signed	2318
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Introduction & 1st Reading	592
Committee Report	888
Second Reading	1867
Third Reading Final Passage	1867
Speaker Signed	1929
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Committee Report	831
Second Reading	1867
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Speaker Signed	2768
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5051-S	
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Second Reading	1920
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Speaker Signed	1962
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5064-S	
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5066	
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Speaker Signed	1929
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5077-S	
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Committee Report	834
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Third Reading Final Passage	1931
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Speaker Signed	2768
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Speaker Signed	1962
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Second Reading	1869
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Third Reading Final Passage	1936
Other Action	1925
Speaker Signed	2768
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Second Reading	1904
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Speaker Signed	1962
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Speaker Signed	1929
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Committee Report	889
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5162	
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Amendment Offered	1871
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Speaker Signed	2555
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Speaker Signed	1962
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5258-S2	
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Other Action	1925
Speaker Signed	2555
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5261	
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Speaker Signed	1962
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5262-S	
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Committee Report	909
Second Reading	1874
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Speaker Signed	1929
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Second Reading	1979
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Speaker Signed	2555
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Second Reading	1906
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Speaker Signed	1962
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Speaker Signed	2768
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Speaker Signed	1962
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5436	
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Speaker Signed	2768
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5437	
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Second Reading	1956
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Speaker Signed	2768
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5474-S2

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5475-S2

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5481-S

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5536	Introduction & 1st Reading	807
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HOUSE LEGISLATIVE LEADERS

Sixty Fifth Legislature
2017 Regular Session

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Tina Orwall	Speaker Pro Tempore
John Lovick	Deputy Speaker Pro Tempore
Pat Sullivan	Majority Leader
Eric Pettigrew	Majority Caucus Chair
Marcus Riccelli	Majority Whip
Gael Tarleton	Majority Floor Leader
Larry Springer	Deputy Majority Leader
Lillian Ortiz-Self	Majority Caucus Vice Chair
Steve Bergquist	Deputy Majority Floor Leader
Joan McBride	Assistant Majority Whip
Mike Chapman	Assistant Majority Whip

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Joel Kretz	Deputy Minority Leader
Matt Shea	Minority Caucus Chair
Dave Hayes	Minority Whip
J.T. Wilcox	Minority Floor Leader
Joe Schmick	Minority Caucus Vice Chair
Matt Manweller	Assistant Minority Floor Leader
Drew Stokesbary	Assistant Minority Floor Leader
Dan Griffey	Assistant Minority Whip
Vicki Kraft	Assistant Minority Whip

2017 HOUSE MEMBERSHIP ROSTER

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
 Appleton, Sherry District 23 (D) Kitsap (P)	2005-2016	PO Box 2112 Poulsbo, WA 98370	1942 - RI	Legislator
 Barkis, Andrew District 2 (R) Pierce (P), Thurston (P)	Appt. 2/16/2016	PO Box 40600 Olympia, WA 98504	1968 - WA	Business Owner
 Bergquist, Steve District 11 (D) King (P)	2013-2016	PO Box 40600 Olympia, WA 98504	1979-WA	Teacher
 Blake, Brian District 19 (D) Cowlitz (P), Grays Harbor (P), Lewis (P), Pacific, Wahkiakum	Appt. 12/17/2002, 2003-2016	PO Box 40600 Olympia, WA 98504	1960 - WA	Environmental Specialist, Logger
 Buys, Vincent District 42 (R) Whatcom (P)	2011-2016	PO Box 40600 Olympia, WA 98504	1979 - WA	General Contractor
 Caldier, Michelle District 26 (R) Kitsap (P), Pierce (P)	2015-2016	PO Box 40600 Olympia, WA 98504	1976 - WA	Dentist
 Chandler, Bruce District 15 (R) Yakima (P)	1999-2016	PO Box 40600 Olympia, WA 98504	1952 - WA	Orchardist
 Chapman, Mike District 24 (D) Clallam, Grays Harbor (P), Jefferson		PO Box 40600 Olympia, WA 98504	1963-WA	Legislator
 Chopp, Frank District 43 (D) King (P)	1995-2016	5031 University Way NE Suite 107 Seattle, WA 98105	1953 - WA	Community Service
 Clibborn, Judy District 41 (D) King (P)	2003-2016	PO Box 40600 Olympia, WA 98504	1943 - OK	Legislator
 Cody, Eileen District 34 (D) King (P)	Appt. 6/2/1994, 1995-2016	1200 12 th Ave S Ste 8400 Seattle, WA 98105	1954 - IA	Registered Nurse
 Condotta, Cary District 12 (R) Chelan, Douglas, Grant (P), Okanogan (P)	2003-2016	3024 GS Center Rd Suite C Wenatchee, WA 98801	1957 - WA	Business Consultant
 DeBolt, Richard District 20 (R) Clark (P), Cowlitz (P), Lewis (P), Thurston (P)	1997-2016	PO Box 40600 Olympia WA 98504	1965 - WA	External Relations
 Dent, Tom District 13 (R) Grant (P), Kittitas, Lincoln, Yakima (P)	2015-2016	PO Box 40600 Olympia, WA 98504	1950 - ID	Pilot / Rancher

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION	
	Doglio, Beth District 22 (D) Thurston (P)	PO Box 40600 Olympia, WA 98504	1965-IL	Campaign Director	
	Dolan, Laurie District 22 (D) Thurston (P)	PO Box 40600 Olympia, WA 98504	1952-WA	Retired Educator	
	Dye, Mary District 9 (R) Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	Appt. 5/8/2015, 2016	PO Box 40600 Olympia, WA 98504	1961 - ID	Farmer
	Farrell, Jessyn District 46 (D) King (P)	2013-2016	10215 Lake City Way Ste K Seattle, WA 98125	1973 - WA	Attorney
	Fey, Jake District 27 (D) Pierce (P)	2013-2016	1406 Browns Pt Blvd NE Tacoma, WA 98422	1949 - WA	Director, WSU Energy Program
	Fitzgibbon, Joe District 34 (D) King (P)	2011-2016	PO Box 40600 Olympia, WA 98504	1986 - WA	Legislator
	Frame, Noel District 36 (D) King (P)	Appt. 1/7/2016	PO Box 40600 Olympia, WA 98504	WA	Communications Consultant
	Goodman, Roger District 45 (D) King (P)	2007-2016	PO Box 40600 Olympia, WA 98504	1961 – RI	Attorney
	Graves, Paul District 5 (R) King (P)		PO Box 40600 Olympia, WA 98504	1982 - WA	Attorney
	Gregerson, Mia District 33 (D) King (P)	Appt. 12/16/2013, 2014-2016	PO Box 40600 Olympia, WA 98504	1972 - Taiwan	Legislator
	Griffey, Dan District 35 (D) Kitsap (P), Mason, Thurston (P)	2015-2016	PO Box 40600 Olympia, WA 98504	1970 - WA	Fire Fighter
	Haler, Larry District 8 (R) Benton (P)	2005-2016	719 Jadwin Ave Richland, WA 99352	1951 – IA	Retired Engineer
	Hansen, Drew District 23 (D) Kitsap (P)	Appt. 9/19/2011, 2012-2016	PO Box 40600 Olympia, WA 98504		
	Hargrove, Mark District 47 (R) King (P)	2011-2016	PO Box 40600 Olympia, WA 98504	1956 –TX	Instructor Pilot
	Harmsworth, Mark District 44 (R) Snohomish (P)	2015-2016	PO Box 40600 Olympia, WA 98513		Director

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
 Harris, Paul District 17 (R) Clark (P)	2011-2016	237 NE Chkalov Dr Suite 106 Vancouver, WA 98684	1953 - OR	Sales/Marketing
 Hayes, Dave District 10 (R) Island, Skagit (P), Snohomish (P)	2013-2016	PO Box 40600 Olympia, WA 98504	1966 - WA	Law Enforcement
 Holy, Jeff District 6 (R) Spokane (P)	2013-2016	PO Box 40285 Spokane, WA 98220		Attorney
 Hudgins, Zack District 11 (D) King (P)	Appt. 12/09/2002; 2003-2016	4511 S 136 th St Tukwila, WA 98168	1968 - TX	High Technology Manager
 Morgan Irwin District 31 (D) King (P), Pierce (P)	Appt. 1/?/2017 2017-	PO Box 40600 Olympia, WA 98504	1983 - WA	Police Officer
 Jenkin, William "Bill" District 16 (R) Benton (P), Columbia, Franklin (P), Walla Walla		PO Box 40600 Olympia, WA 98504	1956- CA	Winemaker
 Jinkins, Laurie District 27 (D) Pierce (P)	2011-2016	PO Box 40600 Olympia, WA 98504	1964 - IA	Public Health Official
 Johnson, Norm District 14 (R) Clark (P), Klickitat, Skamania, Yakima (P)	2009-2016	421 N 20 th Ave Suite A Yakima, WA 98902	1938 - WA	Retired Teacher, Administrator
 Kagi, Ruth District 32 (D) King (P), Snohomish (P)	1999-2016	13504 8 th Ave NW Seattle, WA 98177	1945 - WA	Legislator
 Kilduff, Christine District 28 (D) Pierce (P)	2015-2016	PO Box 40600 Olympia, WA 98504	NY	Attorney
 Kirby, Steve District 29 (D) Pierce (P)	2001-2016	PO Box 40600 Olympia WA 98504	WA	Legislator
 Klippert, Brad District 8 (R) Benton (P)	2009-2016	PO Box 6478 Kennewick, WA 99336	WA	Legislator, Deputy, COL
 Shelley Kloba District 1 (D) King (P), Snohomish (P)	2016-2016	PO Box 40600 Olympia, WA 98504		Massage Therapist
 Koster, John District 39 (R) King (P), Skagit (P), Snohomish (P)	1997-2000	PO Box 40600 Olympia, WA 98504		
 Kraft, Vicki District 17 (R) Clark (P)		PO Box 40600 Olympia, WA 98504	1969 -	

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
	Kretz, Joel District 7 (R) Ferry, Okanogan (P), Pend Oreille, Spokane (P), Stevens	2005-2016 1014 Toroda Creek Rd Wauconda, WA 98859	1957 - WA	Rancher/ Logger
	Kristiansen, Dan District 39 (R) King (P), Skagit (P), Snohomish (P)	2003-2016 PO Box 40600 Olympia, WA 98504	1962 - WA	Legislator
	Lovick John District 44 (D) Snohomish (P)	1999-2008 PO Box 40600 Olympia, WA 98504	1951 - LA	Retired Trooper
	Lytton, Kristine District 40 (D) San Juan, Skagit (P), Whatcom (P)	2011-2014 PO Box 40600 Olympia, WA 98504	1960 - IL	Legislator
	MacEwen, Drew District 35 (R) Kitsap (P), Mason, Thurston (P)	2013-2016 PO Box 651 Union, WA 98592	1973 - MN	Investment Advisor
	Macri, Nicole District 43 (D) King (P)	PO Box 40600 Olympia, WA 98504	1973 - NY	Housing & Services Director
	Manweller, Matt District 13 (R) Grant (P), Kittitas, Lincoln, Yakima (P)	2013-2016 PO Box 40600 Olympia, WA 98504	1969 - CA	Professor
	Jacquelin Maycumber District 7 (R) Ferry, Lincoln, Okanogan (P), Pend Oreille, Spokane (P), Stevens	PO Box 40600 Olympia, WA 98504		
	McBride, Joan District 48 (D) King (P)	2015-2016 PO Box 40600 Olympia, WA 98504		
	McCabe, Gina District 14 (R) Clark (P), Klickitat, Skamania, Yakima (P)	2015-2016 PO Box 40600 Olympia, WA 98504	WA	Legislator/Entrepreneur
	McCaslin, Bob District 4 (R) Spokane (P)	2015-2016 PO Box 1462 Verndale, WA 99037	1957 - WA	Public School Teacher
	McDonald, Joyce District 25 (R) Pierce (P)	1997-2001, 2003- 2008 PO Box 40600 Olympia, WA 98504	1952 - Scotland	Legislator
	Morris, Jeff District 40 (D) San Juan, Skagit (P), Whatcom (P)	1997-2016 1004 Commercial Ave #303 Anacortes, WA 98221	1964 - WA	Owner - Energy Horizon Corp.
	Muri, Dick District 28 (R) Pierce (P)	Appt. 7/2/2013, 2014-2016 PO Box 40600 Olympia, WA 98504	1953 - AK	Retired USAF
	Nealey, Terry Benton (P), Columbia, Franklin (P), Walla Walla	Appt. 12/1/2009, 2010 -2016 26 E Main St Suite 205 Walla Walla, WA 99362	1947 - WA	Retired Attorney

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
 Orcutt, Ed District 20 (R) Clark (P), Cowlitz (P), Lewis (P), Thurston (P)	Appt. 1/4/2002, 2003-2016	PO Box 40600 Olympia, WA 98504	1963 - ME	Consulting Forester
 Ormsby, Timm District 3 (D) Spokane (P)	Appt. 9/30/2003, 2004-2016	PO Box 40600 Olympia, WA 98504	1959 - WA	Cement Mason
 Ortiz-Self, Lillian District 21 (21) Snohomish (P)	Appt. 1/21/2014, 2015-2016	PO Box 40600 Olympia, WA 98504	1960 - NY	School/Mental Health Counselor
 Orwall, Tina District 33 (D) King (P)	2009-2016	PO Box 40600 Olympia, WA 98504	1965 - FL	Strategic Planner
 Mike Pellicciotti District 30 (R) King (P), Pierce (P)		PO Box 40600 Olympia, WA 98504		Prosecuting Attorney
 Peterson, Strom District 21 (D) Snohomish (P)	2015-2016	PO Box 40600 Olympia, WA 98504	NM	Small Business Owner
 Pettigrew, Eric District 37 (D) King (P)	2003-2016	PO Box 40600 Olympia, WA 98504	1960 - CA	Director of Business Dev. Regence/BluShield
 Pike, Liz District 18 (R) Clark (P)	Appt. 8/23/2012, 2013-2016	PO Box 40600 Olympia, WA 98504	1960	Advertising Company Owner
 Pollet, Gerry District 46 (D) King (P)	Appt. 12/5/2011, 2012-2016	PO Box 40600 Olympia, WA 98504	1958 - NY	Attorney, UW Faculty, Non- profit Director
 Reeves, Kristine District 30 (R) King (P), Pierce (P)		PO Box 40600 Olympia, WA 98504	WA	Legislator
 Riccelli, Marcus District 3 (D) Spokane (P)	2013-2016	PO Box 40600 Olympia, WA 98504	1978- WA	Legislator
 Robinson, June District 38 (D) Snohomish (P)	Appt. 12/16/2013, 2015-2016	PO Box 40600 Olympia, WA 98504	1959 - PA	Public Health Manager
 Rodne, Jay District 5 (R) King (P)	Appt. 1/20/2004, 2005-2016	PO Box 40600 Olympia, WA 98504	1966 - MN	Attorney
 Ryu, Cindy District 32 (D) King (P), Snohomish (P)	2011-2016	PO Box 33548 Seattle, WA 98133	1957 - Korea	Commercial/ Retail Space Management
 Santos, Sharon Tomiko District 37 (D) King (P)	1999-2016	PO Box 40600 Olympia, WA 98504	1961 - CA	Legislator

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
	Sawyer, David District 29 (D) Pierce (P)	2013-2016	PO Box 40600 Olympia, WA 98504	1983 - WA	Law Clerk
	Schmick, Joe District 9 (R) Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	Appt. 11/26/2007, 2008-2016	PO Box 40600 Olympia, WA 98504	WA	Former Farmer/ Small Business Owner
	Sells, Mike District 38 (D) Snohomish (P)	2005-2016	2812 Lombard Ave. Suite 210 Everett, WA 98201	1945 - WA	Retired Educator
	Senn, Tana District 41 (D) King (P)	Appt. 9/9/2013, 2014-2016	1611 116 th Ave NE Suite 206 Bellevue, WA 98004	1971 - IL	Legislator
	Shea, Matthew District 4 (R) Spokane (P)	2009-2016	18507 E Appleway Ste 201 Spokane Valley, WA 99016	1974 - WA	Attorney
	Short, Shelly District 7 (R) Ferry, Lincoln, Okanogan (P), Pend Oreille, Spokane (P), Stevens	2009-2015	PO Box 40600 Olympia, WA 98504	1962 - WA	Legislator
	Slatter, Vandana District 48 (D) King (P)	Appt. 1/5/17	PO Box 40600 Olympia, WA 98504		
	Smith, Norma District 10 (R) Island, Skagit (P), Snohomish (P)	Appt. 1/8/2008; 2009-2016	PO Box 40600 Olympia, WA 98504	FL	Communications
	Springer, Larry District 45 (D) King (P)	2005-2016	700 20th Ave West Kirkland, WA 98033	1947 - WA	Retail Store Owner
	Stambaugh, Melanie District 25 (R) Pierce (P)	2015-2016	PO Box 40600 Olympia, WA 98504	1990 - WA	Small Business Owner
	Stanford, Derek District 1 (D) King (P), Snohomish (P)	2011-2016	18560 1 st Ave NE Ste E800 Shoreline, WA 98155		Data Science
	Steele, Mike District 12 (R) Chelan, Douglas, Grant (P), Okanogan (P)		PO Box 40600 Olympia, WA 98504	1982-WA	Executive Director
	Stokesbary, Drew District 31 (R) King (P), Pierce (P)	2015-2016	PO Box 40600 Olympia, WA 98504	1985 - WA	Attorney
	Stonier, Monica District 49 (D) Clark (P)	2013-2014	PO Box 40600 Olympia, WA 98504	1976	Teacher
	Sullivan, Pat District 47 (D) King (P)	2005-2016	PO Box 40600 Olympia, WA 98504	1962 - MN	Legislator

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
	Tarleton, Gael District 36 (D) King (P)	2013-2016 PO Box 40600 Olympia, WA 98504	1959 - MA	Legislator
	Taylor, David District 15 (R) Yakima (P)	Appt. 3/30/2009, 2010-2016 PO Box 40600 Olympia, WA 98504	1972 - WA	Consultant
	Tharinger, Steve District 24 (D) Clallam, Grays Harbor (P), Jefferson	2011-2016 PO Box 40600 Olympia, WA 98504	1949 - WI	Representative
	Javier Valdez District 46 (D) King (P)	PO Box 40600 Olympia, WA 98504	WA	Strategic Advisor
	Van Werven, Luanne District 42 (R) Whatcom (P)	2015-2016 PO Box 40600 Olympia, WA 98504	1957 - WA	Homemaker/Legislator
	Vick, Brandon District 18 (R) Clark (P)	2013-2016 PO Box 40600 Olympia, WA 98504	1984 - CA	Landscape Contractor
	Volz, Mike District 6 (R) Spokane (P)	PO Box 40600 Olympia, WA 98504		
	Walsh, Jim District 19 (D) Cowlitz (P), Grays Harbor (P), Lewis (P), Pacific, Wahkiakum	PO Box 40600 Olympia, WA 98504	1964	Publisher
	Wilcox, JT District 2 (R) Pierce (P), Thurston (P)	2011-2016 PO Box 40600 Olympia, WA 98504	1962 - WA	Farming
	Wylie, Sharon District 49 (D) Clark (P)	Appt. 4/13/2011, 2012-2016 PO Box 40600 Olympia, WA 98504	1949 - LA	Consultant
	Young, Jesse District 26 (R) Kitsap (P), Pierce (P)	Appt. 1/17/2014, 2015-2016 PO Box 40600 Olympia, WA 98504	1976 - ID	Software Engineer

BILLS, MEMORIALS and RESOLUTIONS PASSED

2017 Regular Session

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
HB 1001	C 19 L 17	Utility esmts./aquatic lands	7/23/2017	
SHB 1010	C 47 L 17	Dept. of ecology agreements	7/23/2017	
ESHB 1017	C 129 L 17	School siting	7/23/2017	Governor partially vetoed in 2017
HB 1018	C 48 L 17	Airport grants/max. amount	7/23/2017	
SHB 1027	C 49 L 17	Surplus line broker licenses	1/1/2018	
SHB 1036	C 50 L 17	Tow truck electronic records	7/23/2017	
SHB 1038	C 238 L 17	Winery tasting rooms	7/23/2017	
SHB 1043	C 193 L 17	Personal health information	7/23/2017	
SHB 1055	C 163 L 17	Military members/pro bono	7/23/2017	
HB 1064	C 20 L 17	Utility damage prevention	7/23/2017	
HB 1071	C 51 L 17	Pawnbroker fees and interest	7/23/2017	
SHB 1079	C 230 L 17	No-contact order/trafficking	7/23/2017	
SHB 1086	C 289 L 17	Impact statements/two years	7/23/2017	
HB 1091	C 130 L 17	Solemnizing marriages	7/23/2017	
SHB 1100	C 74 L 17	Concealed pistol license	7/23/2017	
ESHB 1105	C 333 L 17	Railroad crew transportation	7/23/2017	
HB 1107	C 52 L 17	Renaming branch campuses	7/23/2017	
ESHB 1109	C 290 L 17	Victims of sexual assault	7/23/2017	
ESHB 1115	C 237 L 17	Paraeducators	7/23/2017	Governor partially vetoed in 2017
2SHB 1120	C 53 L 17	Regulatory fairness act	7/23/2017	
SHB 1121	C 54 L 17	Puget Sound action agenda	7/23/2017	
SHB 1130	C 21 L 17	Customized training program	6/30/2017	
ESHB 1136	C 239 L 17	Oil spill planning/nonfuel	7/23/2017	
HB 1148	C 55 L 17	Timber purchase reporting	7/23/2017	
SHB 1149	C 76 L 17	Maximum vehicle length limit	7/23/2017	
HB 1150	C L 17	Chehalis board appointments	Gov Vetoed	Governor vetoed in 2017
ESHB 1153	C 266 L 17	Vulnerable persons/crimes	7/23/2017	
E2SHB 1163	C 272 L 17	Domestic violence	7/23/2017	
HB 1166	C 107 L 17	Fire district tax levies	7/23/2017	
2SHB 1170	C 291 L 17	Truancy reduction efforts	7/23/2017	
SHB 1176	C 8 L 17	Mead, alcoholic beverage	7/23/2017	
SHB 1183	C 240 L 17	Creative districts	7/23/2017	
SHB 1184	C 232 L 17	Patronizing a prostitute	7/23/2017	
SHB 1189	C 77 L 17	Massage therapy exemptions	7/23/2017	
HB 1195	C 78 L 17	Surrender/surety's bond	7/23/2017	
HB 1198	C 22 L 17	Podiatric/substance abuse	7/23/2017	
SHB 1199	C 9 L 17	Transit infract./youth court	7/23/2017	
SHB 1200	C 292 L 17	Voyeurism/second degree	7/23/2017	
EHB 1201	C 164 L 17	Pub. facilities district tax	7/23/2017	
HB 1204	C 79 L 17	POW/MIA flag display	7/23/2017	
SHB 1218	C 94 L 17	Towing fees termination	7/23/2017	
SHB 1234	C 293 L 17	Contraceptive coverage	7/23/2017	
SHB 1235	C 80 L 17	Physical edu. assessments	7/23/2017	
EHB 1248	C 81 L 17	Class I correct. industries	7/23/2017	
HB 1250	C 131 L 17	Marijuana/lockable drug box	7/23/2017	

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SHB 1257	C 82 L 17	Wild beavers, release of	7/23/2017	
SHB 1258	C 295 L 17	First responders/disability	7/23/2017	
HB 1262	C 132 L 17	Accessible parking spaces	1/1/2018	
SHB 1266	C 23 L 17	Petroleum storage tanks	7/23/2017	
SHB 1273	C 194 L 17	Nondomiciled licenses	10/1/2017 *	
HB 1274	C 133 L 17	Gambling/org. membership	7/23/2017	
SHB 1275	C 241 L 17	Fish passage barrier removal	7/23/2017	
HB 1278	C 108 L 17	Physical therapy compact	7/23/2017	
SHB 1279	C 165 L 17	School safety drills	7/23/2017	
HB 1281	C 134 L 17	Rural library trustee appt.	7/23/2017	
HB 1283	C 109 L 17	Anticipated tax, assessments	7/23/2017	
HB 1285	C 83 L 17	Legal interpreters/oaths	7/23/2017	
ESHB 1296	C 135 L 17	Tax incentives report&survey	1/1/2018 **	
SHB 1314	C 242 L 17	Health care auth. auditing	7/23/2017	
SHB 1320	C 24 L 17	Gold star license plates	7/23/2017	
EHB 1322	C 267 L 17	Dev disability respite provs	7/23/2017	
HB 1329	C 10 L 17	Mobile home infractions	7/23/2017	
HB 1337	C 195 L 17	Medical licensure compact	7/23/2017	
2SHB 1338	C 110 L 17	State health insurance pool	7/23/2017	
SHB 1344	C 296 L 17	Bond levy increase period	7/23/2017	
SHB 1346	C 84 L 17	Nurse in school setting	7/23/2017	
E2SHB 1351	C 96 L 17	Sale of spirits, beer & wine	7/23/2017	
HB 1352	C 243 L 17	Small business owners	7/23/2017	
SHB 1353	C 244 L 17	Elk management pilot project	7/23/2017	
E2SHB 1358	C 273 L 17	Comm. assist. referral progs	7/23/2017	
SHB 1369	C 97 L 17	Veteran definition	7/23/2017	
E2SHB 1375	C 98 L 17	CTC course material costs	7/23/2017	
HB 1395	C 136 L 17	PTBAs/job order contracts	7/23/2017	
HB 1400	C 11 L 17	Aviation license plate	7/23/2017	
HB 1401	C 99 L 17	CASA & GAL removal	7/23/2017	
2SHB 1402	C 268 L 17	Incapacitated persons/rights	7/23/2017	
SHB 1411	C 100 L 17	Dental licensure/residency	7/23/2017	
SHB 1417	C 137 L 17	OPMA/IT security matters	7/23/2017	
SHB 1420	C 46 L 17	Theatrical wrestling	7/23/2017	
ESHB 1427	C 297 L 17	Opioid treatment programs	7/23/2017 **	
ESHB 1431	C 101 L 17	Osteopath med & surgery brd	7/23/2017	
SHB 1444	C 166 L 17	Progression and graduation	7/23/2017	
SHB 1445	C 236 L 17	Dual language/early & K-12	7/23/2017	
HB 1449	C 102 L 17	Water recreation facilities	7/23/2017	
EHB 1450	C 103 L 17	Title insurance rating orgs.	7/23/2017	
SHB 1462	C 138 L 17	Marijuana edibles/sanitary	7/23/2017 *	
SHB 1464	C 245 L 17	Rec. access/private lands	7/23/2017	
ESHB 1465	C 246 L 17	Wolf depredation/public recs	7/23/2017	
SHB 1467	C 196 L 17	Fire protection service auth	5/5/2017 *	
HB 1475	C 111 L 17	Gambling commission officers	7/23/2017	
SHB 1477	C 298 L 17	Health info. disclosure	7/23/2017 *	
ESHB 1481	C 197 L 17	Driver education uniformity	8/1/2018 *	
ESHB 1489	C 104 L 17	Wildland fire contractors	6/30/2017	

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SHB 1490	C 139 L 17	Preservation rating info.	7/23/2017	
ESHB 1493	C 299 L 17	Biometric identifiers	7/23/2017	
SHB 1501	C 261 L 17	Attempts to obtain firearms	7/23/2017	
ESHB 1503	C 105 L 17	On-site sewage sys. mandates	7/23/2017	
ESHB 1504	C L 17	GMA/rail dependent uses	Gov Vetoed	Governor vetoed in 2017
EHB 1507	C 300 L 17	Election reconcil. reports	7/23/2017	
SHB 1515	C 112 L 17	Special parking privileges	7/23/2017	
SHB 1520	C 198 L 17	Hospital payment methodology	7/23/2017	
SHB 1521	C 167 L 17	Vacation leave/state empl.	7/1/2017	
SHB 1526	C 301 L 17	Senior center property taxes	7/23/2017	
HB 1530	C 168 L 17	Vacation/ferry employees	7/1/2017	
ESHB 1531	C 140 L 17	Forest riparian easement prg	7/23/2017	
ESHB 1538	C 302 L 17	Subcontractor bonding	7/23/2017	
SHB 1543	C 234 L 17	Sex. assault/parental rights	7/23/2017	
ESHB 1547	C 199 L 17	Cert. of need/psychiat. beds	5/5/2017	
ESHB 1548	C 200 L 17	Long-term care curricula	7/23/2017	
SHB 1568	C 25 L 17	Fred Hutch license plates	10/1/2017	
HB 1578	C L 17	Irrigation district auth.	Gov Vetoed	
HB 1593	C 113 L 17	Small securities offerings	7/23/2017	
ESHB 1594	C 303 L 17	Public records admin.	7/23/2017	
EHB 1595	C 304 L 17	Public records request costs	7/23/2017	
SHB 1605	C 247 L 17	Vessel impoundment	7/23/2017	
E2SHB 1612	C 262 L 17	Lethal means, reduce access	7/23/2017 *	Governor partially vetoed in 2017
E2SHB 1614	C 336 L 17	Impaired driving	7/23/2017 *	
HB 1615	C 12 L 17	Relocation assistance	7/23/2017	
HB 1616	C 274 L 17	Affordable housing loan prgs	7/23/2017	
EHB 1620	C 332 L 17	Background checks/local gov.	7/23/2017	
HB 1623	C 169 L 17	Automated secondhand kiosks	7/23/2017	
SHB 1626	C 141 L 17	Community impact statements	7/23/2017	
HB 1629	C 13 L 17	L&I appeals timeline	1/1/2018	
SHB 1641	C 275 L 17	Homeless youth/health care	7/23/2017	
EHB 1648	C 142 L 17	County treasurers	7/23/2017	
EHB 1654	C 14 L 17	Teacher certification	7/23/2017	
SHB 1671	C 201 L 17	Daily living assistance	7/23/2017	
HB 1676	C 170 L 17	Service animals in training	7/23/2017	
SHB 1683	C 305 L 17	Sewer service/growth areas	7/23/2017	
HB 1709	C 143 L 17	PERS to PSERS transfers	7/23/2017	
E2SHB 1711	C 248 L 17	Forest health treatments	7/23/2017	
E2SHB 1713	C 202 L 17	Children's mental health	7/23/2017 **	
ESHB 1714	C 249 L 17	Nursing staffing/hospitals	7/23/2017	
SHB 1717	C 306 L 17	Biometric identifiers	7/23/2017	
HB 1718	C 250 L 17	Wine auctions/special permit	7/23/2017	
ESHB 1719	C 171 L 17	DEL advising & contracting	7/23/2017	
HB 1721	C 203 L 17	LPN clinical experience	7/23/2017	
HB 1722	C 15 L 17	Wholesale vehicle dealers	6/30/2017 *	
EHB 1728	C 114 L 17	Child sex exploit./subpoenas	7/23/2017	
HB 1732	C 16 L 17	Educator professional growth	7/23/2017	
HB 1734	C 17 L 17	Substitute teachers/PESB	7/23/2017	

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SHB 1738	C 204 L 17	Brake friction material	7/23/2017	
ESHB 1739	C 235 L 17	Crime victims' compensation	7/23/2017	
SHB 1741	C 172 L 17	Educator prep. data/PESB	7/23/2017	
SHB 1747	C 251 L 17	Withdrawal of land	7/23/2017	
HB 1754	C 144 L 17	Sex offender trtmnt priority	7/23/2017	
SHB 1755	C 145 L 17	Workers' comp./settlements	7/23/2017	
HB 1757	C 115 L 17	Meth/transient accommodation	7/23/2017	
SHB 1765	C 205 L 17	Rx drug donation program	5/5/2017	
HB 1794	C 146 L 17	Death investigations account	7/23/2017	
E2SHB 1802	C 173 L 17	Veterans/shared leave access	7/23/2017	
ESHB 1808	C 206 L 17	Foster youth/driving	7/23/2017	
ESHB 1809	C 116 L 17	Alt. fuel comm. vehicles tax	1/1/2018	
SHB 1813	C 147 L 17	Addresses of record, updates	7/23/2017	
ESHB 1814	C 269 L 17	DSHS notification reqs.	7/23/2017	
SHB 1815	C 276 L 17	Dependency/alleged parent	7/23/2017	
SHB 1816	C 277 L 17	Homeless youth info. sharing	7/23/2017	
E2SHB 1819	C 207 L 17	Children's mental health	7/23/2017 **	
SHB 1820	C 148 L 17	Parks and recreational land	7/23/2017	
HB 1829	C 149 L 17	Disclosure/computer networks	7/23/2017	
HB 1832	C 18 L 17	Comm sex exploited children	4/17/2017	
SHB 1838	C 26 L 17	All-terrain vehicle crossing	7/23/2017	
SHB 1845	C 307 L 17	Insurance notices/electronic	7/23/2017	
HB 1853	C 117 L 17	Nonoperational facilities	7/23/2017	
SHB 1863	C 308 L 17	Fire incident reporting sys.	7/23/2017	
SHB 1867	C 265 L 17	Ext. foster care transitions	7/23/2017	
SHB 1877	C L 17	Tow truck op. driving record	Gov Vetoed	Governor vetoed in 2017
SHB 1902	C 252 L 17	Tavern licenses	7/23/2017	
SHB 1905	C L 17	Vessel pilotage act exempt.	Gov Vetoed	Governor vetoed in 2017
HB 1906	C 150 L 17	Farm internship program	7/23/2017	
HB 1907	C 208 L 17	Abandoned cemeteries	7/23/2017	
EHB 1924	C 253 L 17	Small forest landowners	7/23/2017	
HB 1931	C 118 L 17	Mandated reporter posting	7/23/2017	
SHB 1944	C 255 L 17	Hunter education training	7/23/2017	
HB 1959	C 119 L 17	Covenants/local gov. removal	7/23/2017	
HB 1965	C 174 L 17	Criminal records	7/23/2017	
HB 1983	C 278 L 17	Juv. corrections/counties	7/23/2017	
SHB 1988	C 279 L 17	Vulnerable youth guardians	7/23/2017	
EHB 2003	C 151 L 17	Parking/accessibile taxis	7/23/2017	
EHB 2005	C 209 L 17	Municipal gen. business lic.	7/23/2017	
ESHB 2010	C 280 L 17	Homelessness/wildfire areas	5/10/2017	
SHB 2037	C 175 L 17	Higher ed. disability wk grp	7/23/2017	
HB 2038	C 210 L 17	Vapor products/displays	7/23/2017	
HB 2052	C 211 L 17	Alt contracting methods cert	7/23/2017	
SHB 2058	C 152 L 17	Towed vehicle redemption	7/23/2017	
HB 2064	C 153 L 17	Industrial hemp/UCSA	7/23/2017	
EHB 2073	C 256 L 17	Beef commission	7/23/2017	
SHB 2106	C 7 L 17	Legislators/election year	3/31/2017	
ESHB 2126	C 257 L 17	Wolves/livestock depredation	7/23/2017	

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SHB 2138	C 176 L 17	Adapted housing/veterans	7/23/2017	
SHB 2202	C 309 L 17	EMTs/LEOFF 2 membership	7/23/2017	
ESB 5008	C 310 L 17	REAL ID compliance	7/23/2017	
SB 5011	C 28 L 17	Business corporation act	7/23/2017	
SSB 5012	C 29 L 17	Trust assets distribution	7/23/2017	
SSB 5018	C 311 L 17	Accessible taxi HOV lane use	7/23/2017	
SSB 5022	C 154 L 17	Education loan information	7/23/2017	
ESB 5023	C 6 L 17	Schools/excess levies	7/23/2017 *	
SB 5030	C 231 L 17	Trafficking, etc/time limits	7/23/2017	
SSB 5031	C 30 L 17	Uniform money services act	7/23/2017	
SSB 5035	C 212 L 17	Investigational med. product	7/23/2017	
SB 5036	C 85 L 17	PUD unit priced contracting	7/23/2017	
SB 5037	C 335 L 17	DUI 4th offense/felony	7/23/2017	Governor partially vetoed in 2017
SB 5039	C 106 L 17	Electronic legal material	1/1/2018	
SB 5040	C 31 L 17	Uniform business orgs. code	7/23/2017	
ESB 5042	C 32 L 17	Insurance/funeral benefits	7/23/2017	
SSB 5046	C 312 L 17	Language of public notices	7/23/2017	
SB 5049	C 213 L 17	Relocation assistance	7/23/2017	
SSB 5051	C 56 L 17	State land lease provisions	7/23/2017	
SSB 5069	C 120 L 17	Associate degree education	7/23/2017	
SB 5075	C 33 L 17	Seed buyer & dealer disputes	7/23/2017	
SSB 5077	C 214 L 17	Housing assistance/women	7/23/2017	
SSB 5079	C 5 L 17	Dental services for tribes	7/23/2017	
SSB 5081	C 281 L 17	Uniform law on notarial acts	7/1/2018	
SSB 5083	C 86 L 17	Sex offenders/victim notice	7/23/2017	
SB 5085	C 57 L 17	Voidable transactions act	7/23/2017	
ESB 5096	C 313 L 17	Transport. budget 2017-2019	5/16/2017 *	Governor partially vetoed in 2017
ESB 5097	C 27 L 17	Chehalis board appointments	4/17/2017	
SSB 5100	C 177 L 17	Financial literacy seminars	7/23/2017	
2SSB 5107	C 178 L 17	Early childhood ed & assist	7/23/2017	
SB 5118	C 270 L 17	Personal needs allowance	7/1/2017 *	
SB 5119	C 314 L 17	Water-sewer districts	7/23/2017	
SB 5122	C 58 L 17	Fire commissioner comp.	7/23/2017	
SB 5125	C 59 L 17	Real estate/contractors	7/23/2017	
ESB 5128	C 315 L 17	Incremental electricity	7/23/2017	
SB 5129	C 60 L 17	Charter schools/athletics	7/23/2017	
SB 5130	C 316 L 17	Marijuana license fees	7/23/2017 *	
ESSB 5131	C 317 L 17	Marijuana	7/23/2017	
SSB 5133	C 155 L 17	Boards of equalization	7/23/2017	
SSB 5138	C 215 L 17	Metropolitan park districts	7/23/2017	
SSB 5142	C 34 L 17	Educational interpreters	4/17/2017	
SB 5144	C 61 L 17	WA state credit union act	7/23/2017	
SSB 5152	C 263 L 17	Pediatric transitional care	7/23/2017	
SB 5162	C 35 L 17	Wastewater operator account	7/23/2017	
ESSB 5173	C 318 L 17	Loss prevention reviews	7/23/2017	
SB 5177	C 216 L 17	Hearing loss training	7/23/2017	
SSB 5185	C 36 L 17	Emerg. response volunteers	7/23/2017	
SB 5187	C 37 L 17	County auditors	7/23/2017	

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SSB 5196	C 217 L 17	Cattle feedlots/odor & dust	7/23/2017	
ESSB 5198	C 319 L 17	Fire suppression methodology	7/23/2017	
SB 5200	C 121 L 17	Discover pass, complimentary	7/23/2017	
SSB 5207	C 38 L 17	GPS data disclosure	7/23/2017	
SB 5227	C 87 L 17	On-track equipment	7/23/2017	
ESB 5234	C 179 L 17	AP exam credit	7/23/2017	
SSB 5235	C 62 L 17	Cemetery district territory	7/23/2017	
SB 5237	C 39 L 17	Workforce invest. act refs.	7/23/2017	
SSB 5241	C 40 L 17	Foster care & homeless ed.	7/23/2017	
SB 5244	C 41 L 17	Auto dealer "bushing" period	7/23/2017	
ESSB 5256	C 233 L 17	Sexual assault protect order	7/23/2017	
2SSB 5258	C 180 L 17	Washington AIM program	7/23/2017	
SB 5261	C 63 L 17	Irrigation district auth.	7/23/2017	
SSB 5262	C 88 L 17	Vessel pilotage act exempt.	7/23/2017	
ESB 5266	C L 17	Theft of rental property	Gov Vetoed	Governor vetoed in 2017
SB 5268	C 282 L 17	Conc. pistol license notices	7/23/2017	
SB 5270	C 64 L 17	Contract harvesting program	7/23/2017	
SSB 5272	C 128 L 17	Trafficking victims/vacating	7/23/2017	
SB 5274	C 181 L 17	WSPRS salary definition	7/23/2017	
SSB 5277	C 42 L 17	Disqualification of judges	7/23/2017	
2SSB 5285	C 182 L 17	Workforce study/ag., etc.	7/23/2017	
SSB 5289	C 334 L 17	Distracted driving	7/23/2017	Governor partially vetoed in 2017
ESSB 5293	C L 17	Truancy reduction	Gov Vetoed	Governor vetoed in 2017
SSB 5301	C 258 L 17	Responsible bidder criteria	7/23/2017	
SB 5306	C 89 L 17	Commercial fish receivers	7/23/2017	
SSB 5322	C 320 L 17	Dentists and third parties	7/23/2017	
SSB 5327	C 183 L 17	Court clerk duties	7/23/2017	
SB 5331	C 321 L 17	Irrigation district admin.	7/23/2017	
SB 5336	C 283 L 17	Ballot return boxes/crimes	7/23/2017	
ESSB 5338	C 218 L 17	Registration enforcement	8/1/2017	
SSB 5343	C 43 L 17	Tow truck notices & info.	7/23/2017	
SSB 5346	C 322 L 17	Legislative page scholarship	7/23/2017	
2SSB 5347	C 156 L 17	WorkFirst, "work activity"	7/23/2017	
SSB 5356	C 65 L 17	Humane treatment of dogs	7/23/2017	
SSB 5357	C 162 L 17	Outdoor early learning progs	7/23/2017	
SSB 5358	C 323 L 17	Tax and licensing laws	7/23/2017 *	
SB 5359	C 184 L 17	Military licensing/report	7/23/2017	
SSB 5366	C 157 L 17	DOT advertising activities	7/1/2017	
SSB 5372	C 66 L 17	Audits finding noncompliance	7/23/2017	
SSB 5374	C 44 L 17	St. employee whistleblowers	7/23/2017	
SB 5382	C 122 L 17	Reduced cost identicards	7/23/2017 *	
ESSB 5388	C 284 L 17	Unauthorized persons removal	7/23/2017	
SB 5391	C 185 L 17	Dept. of veterans affairs	7/23/2017	
SSB 5402	C 324 L 17	Bicyclist safety council	7/23/2017	
SSB 5404	C 186 L 17	Sunscreen/schools	5/4/2017	
SB 5413	C 45 L 17	Physician limited licenses	7/23/2017	
SSB 5435	C 325 L 17	Mental health record discl.	7/23/2017 *	
SB 5436	C 219 L 17	Telemedicine locations	1/1/2018	

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SB 5437	C 158 L 17	Weighmaster program	7/23/2017	
ESSB 5449	C 90 L 17	Digital citizenship	7/23/2017	
SB 5454	C 326 L 17	Fire district annexations	7/23/2017	
ESSB 5470	C 259 L 17	Geothermal exploration	7/23/2017	
SSB 5472	C 327 L 17	Ballot drop boxes	7/23/2017	
2SSB 5474	C 159 L 17	Elk hoof disease	7/23/2017	
SSB 5481	C 91 L 17	Breast cancer coverage info.	7/23/2017	
SB 5488	C 123 L 17	Bilingual instruction report	7/23/2017	
SSB 5514	C 220 L 17	Health network data reports	7/23/2017	
SSB 5537	C 160 L 17	Spirits & wine sale to empl.	7/23/2017	
SB 5543	C 67 L 17	Land/flood control districts	7/23/2017	
2SSB 5546	C 95 L 17	Forest health treat. assess.	7/23/2017	
ESSB 5552	C 264 L 17	Firearms sales and transfers	7/23/2017	
SSB 5573	C 92 L 17	Interoperability	7/23/2017	
SB 5581	C 221 L 17	Self-insurance risk pools	7/23/2017	
SSB 5589	C 260 L 17	Distillery promotional items	7/23/2017	
SB 5595	C 222 L 17	State hospital reimbursement	7/23/2017	
SSB 5618	C 223 L 17	Domestic violence assault	7/23/2017	
ESSB 5628	C 328 L 17	Fire district formation	7/23/2017	
SB 5631	C 124 L 17	UW altern. contract-awarding	6/30/2017	
SB 5632	C 329 L 17	Organized retail theft	7/23/2017	
SB 5635	C 224 L 17	Retail theft	7/23/2017	
SB 5640	C 93 L 17	Tech. college diploma prgs	7/23/2017	
SSB 5644	C 187 L 17	Skill center facility maint.	7/23/2017	
ESB 5647	C 285 L 17	Home rehabilitation loan prg	7/23/2017	
SB 5649	C 68 L 17	Regional trans planning orgs	7/23/2017	
SB 5661	C 188 L 17	LEOFF interr. service credit	7/23/2017	
SB 5662	C 189 L 17	Prof. educator standards brd	7/23/2017	
ESB 5665	C 190 L 17	Alcohol purchase/credit card	7/23/2017	
SB 5674	C 161 L 17	Subdivision final approval	7/23/2017	
SSB 5675	C 69 L 17	Retirement marketplace reqs.	7/23/2017	
SB 5691	C 271 L 17	Guardianship alternatives	7/23/2017	
SSB 5705	C 330 L 17	Behavioral health agencies	7/23/2017	
SSB 5713	C 225 L 17	Skilled worker program	7/23/2017	
SB 5715	C 286 L 17	Nursing home payments	7/23/2017	
SB 5734	C 75 L 17	State contracting & bonding	7/23/2017	
SB 5736	C 287 L 17	Nutrition programs	7/23/2017	
ESSB 5751	C 70 L 17	Muni. ambulance personnel	7/23/2017	
ESB 5761	C 71 L 17	Fish & shellfish info. disc.	7/23/2017	
SB 5762	C 254 L 17	Mercury light stewardship	7/23/2017	
SSB 5764	C 72 L 17	Higher education records	7/23/2017	
SB 5778	C 191 L 17	Resident student definition	7/23/2017	
SSB 5779	C 226 L 17	Behavioral health/prmry care	7/23/2017 **	Governor partially vetoed in 2017
SSB 5790	C 331 L 17	GMA economic dev. element	7/23/2017	Governor partially vetoed in 2017
SSB 5806	C 288 L 17	I-5 Columbia river bridge	7/23/2017	
ESSB 5808	C 227 L 17	Agritourism	7/23/2017	
ESSB 5810	C 125 L 17	Attempted murder	4/25/2017	
SB 5813	C 126 L 17	Crimes against minors	7/23/2017	

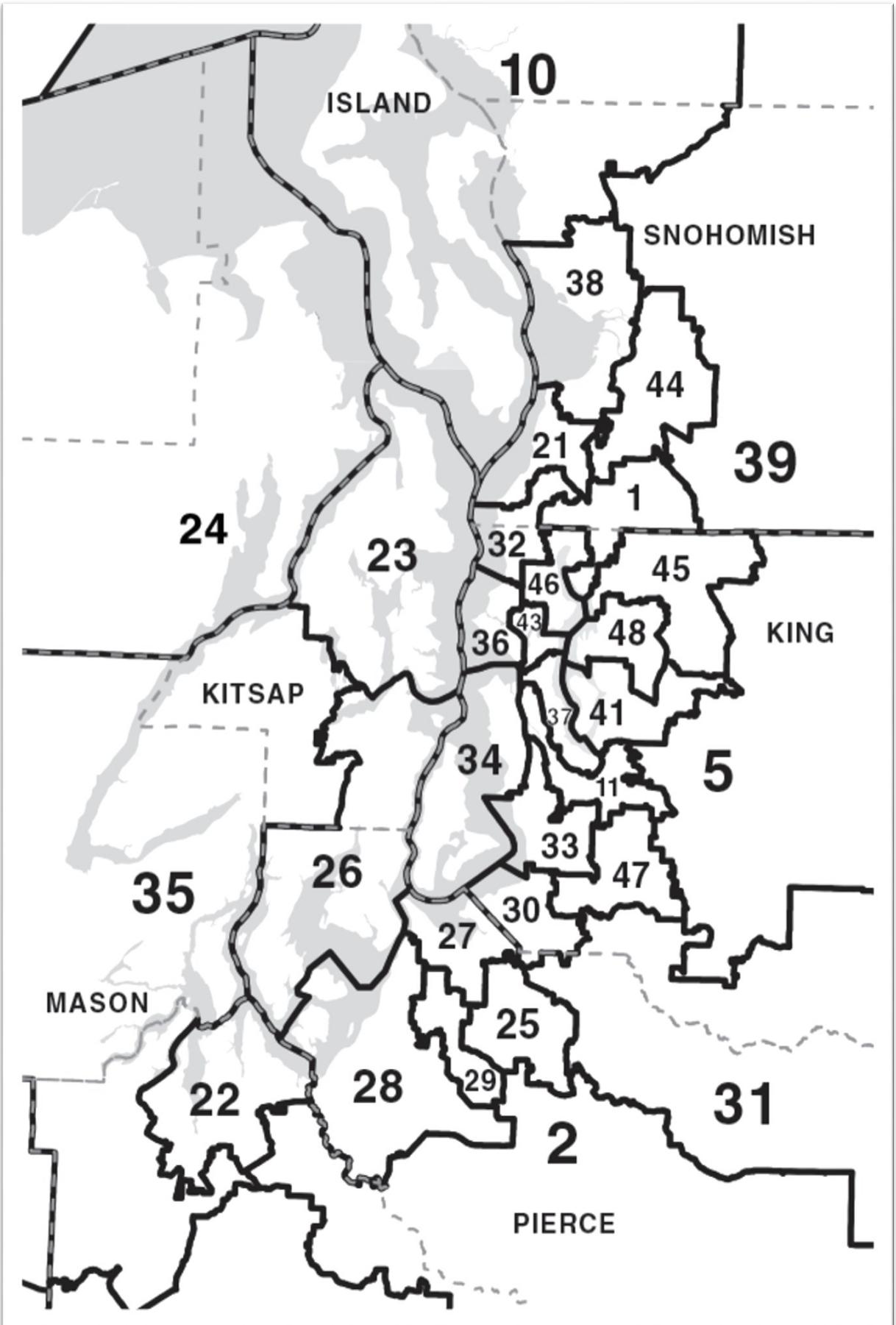
BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SSB 5815	C 228 L 17	Hospital safety net assess.	7/1/2017	
SB 5826	C 127 L 17	Veteran tuition waivers	7/23/2017	
ESB 5834	C 229 L 17	Bonded spirits warehouses	7/23/2017	
SSB 5835	C 294 L 17	Health outcomes/pregnancy	7/23/2017	
SSB 5837	C 73 L 17	HOV access/blood vehicles	7/23/2017	
SB 5849	C 192 L 17	Veterans' services	7/23/2017	

2017 Second Special Session

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
HB 2213	C 1 L 17 E2	Biometric identifiers	7/23/2017 **	Governor signed in 2017

2017 Third Special Session

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
HB 1042	C 7 L 17 E3	School district/ESD reports	10/19/2017	
HB 1140	C 2 L 17 E3	Court filing fees surcharge	7/1/2017	
E2SHB 1341	C 26 L 17 E3	Prof. certification/teachers	7/7/2017	Governor partially vetoed in 2017
HB 1406	C 27 L 17 E3	Surface mining funding	10/19/2017	
ESHB 1597	C 8 L 17 E3	Commercial fishing	1/1/2018	
SHB 1624	C 9 L 17 E3	Working connect. child care	12/1/2018	
2E2SHB 1661	C 6 L 17 E3	Child, youth, families/dept	10/19/2017 *	
ESHB 1677	C 10 L 17 E3	Local infrastructure funding	10/19/2017	Governor partially vetoed in 2017
HB 1716	C 11 L 17 E3	Construction inspect. acct	7/1/2017	
E2SHB 1777	C 12 L 17 E3	Early learning financing	7/6/2017	
EHB 2163	C 28 L 17 E3	Revenue	7/7/2017 *	
EHB 2190	C 29 L 17 E3	Budget stabilization	7/7/2017	
ESHB 2222	C 30 L 17 E3	Health insurance market info	7/7/2017	
ESHB 2224	C 31 L 17 E3	High school graduation reqs	7/7/2017	
EHB 2242	C 13 L 17 E3	Basic education funding	10/19/2017 *	Governor partially vetoed in 2017
HB 2243	C 32 L 17 E3	Siting of schools	10/19/2017	
2ESSB 5106	C 14 L 17 E3	Involuntary treatment act	10/19/2017 *	
SB 5252	C 15 L 17 E3	Doc. recording fees/homeless	10/19/2017	
E2SSB 5254	C 16 L 17 E3	Buildable lands & zoning	10/19/2017	
ESSB 5303	C 17 L 17 E3	Aquatic invasive species	10/19/2017 *	
ESB 5316	C 25 L 17 E3	RCW provisions not needed	10/19/2017 *	
3ESB 5517	C 18 L 17 E3	GMA/rail dependent uses	10/19/2017	
SSB 5605	C 33 L 17 E3	OSPI background checks	10/19/2017	
ESB 5646	C 19 L 17 E3	Resident'l habilitation ctrs	10/19/2017	
2ESB 5867	C 34 L 17 E3	Personal care by family	10/19/2017	
SSB 5883	C 1 L 17 E3	Operating budget	6/30/2017 *	Governor partially vetoed in 2017
2ESSB 5890	C 20 L 17 E3	Foster care and adoption	10/19/2017 ***	Governor partially vetoed in 2017
ESSB 5898	C 21 L 17 E3	Public assist. eligibility	10/19/2017	
SSB 5901	C 22 L 17 E3	Early child ed. eligibility	10/19/2017	
SB 5924	C 35 L 17 E3	Trust lands exchange	10/19/2017	Governor partially vetoed in 2017
ESSB 5939	C 36 L 17 E3	Renewable energy promotion	7/7/2017	
ESSB 5947	C 3 L 17 E3	Columbia river endorsements	6/30/2017	
ESSB 5965	C 4 L 17 E3	Capital budget reapprops	7/1/2017	
SB 5969	C 23 L 17 E3	Public employee bargaining	10/19/2017	
SSB 5975	C 5 L 17 E3	Paid family & medical leave	10/19/2017 *	
SB 5976	C 24 L 17 E3	Indiv provider wages & hours	7/6/2017	
SSB 5977	C 37 L 17 E3	Revenue	10/19/2017 ***	Governor partially vetoed in 2017



JAY INSLEE
Governor



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April 26, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 1, Engrossed Substitute House Bill No. 1017 entitled:

“AN ACT Relating to the siting of schools and school facilities.”

Engrossed Substitute House Bill 1017 seeks to address the important and complicated subject of siting schools outside of Urban Growth Areas. While this bill adequately addresses many aspects of the issue, I remained concerned about three items that I would like to resolve with the legislature during the special session.

First, any extension of urban services to serve a rural school must be limited to the size and scale needed to support the long-term needs of the school. Second, the land surrounding a new rural school must maintain its rural character and housing density as specified in RCW 36.70A.070(5). Finally, in order for schools to be sited outside the Urban Growth Boundary Line, school districts must demonstrate that there is no suitable land available within the Urban Growth Area.

For these reasons I have vetoed Section 1 of Engrossed Substitute House Bill No. 1017.

With the exception of Section 1, Engrossed Substitute House Bill No. 1017 is approved.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Inslee".

Jay Inslee
Governor

JAY INSLEE
Governor



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May 8, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 18, Engrossed Substitute House Bill No. 1115 entitled:

“AN ACT Relating to paraeducators.”

This measure is an outgrowth of nearly five years of discussion and consideration of the Paraeducator Work Group.

It is also one of the late Senator Andy Hill’s many legacies.

The bill creates the nine-member Paraeducator Board to provide professional development for this group of education employees who assist teachers in the classroom. It requires paraeducators to meet certain minimum employment standards, among other things. This will provide an opportunity for the state’s 36,000 paraeducators to develop in their profession and become a teacher through alternative routes, if they so choose.

However, I am vetoing Section 18, which modifies a section of statute that was repealed by another bill this session.

Thanks to the sponsor, Representative Bergquist, and the members of the work group whose great work led to this legislation.

For these reasons I have vetoed Section 18 of Engrossed Substitute House Bill No. 1115.

With the exception of Section 18, Engrossed Substitute House Bill No. 1115 is approved.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Jay Inslee'.

Jay Inslee
Governor

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May 5, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, House Bill No. 1150 entitled:

“AN ACT Relating to clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016.”

House Bill No. 1150 removes the requirement that tribal appointments to the Chehalis Board be confirmed by the Senate and clarifies the terms of initial appointments to that Board. This new Board and the Office of Chehalis Basin represent another example of citizens, governments and tribal nations coming together to solve problems that benefit both people and fish.

However, House Bill No. 1150 is identical to Engrossed Senate Bill No. 5097 that was presented to me as a five-day bill, and I signed into law on April 17, 2017. It is not necessary to enact duplicate legislation.

For these reasons I have vetoed House Bill No. 1150 in its entirety.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Jay Inslee', written over a light blue circular stamp.

Jay Inslee
Governor

JAY INSLEE
Governor



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May 16, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute House Bill No. 1504 entitled:

“AN ACT Relating to rail dependent uses for purposes of the growth management act and related development regulations.”

I am committed to supporting economic development across Washington State so all areas and communities thrive. This commitment includes working with legislators and stakeholders on how we better develop rural and other underserved areas.

At the same time, I remain committed to fully supporting the Growth Management Act, which has created the framework for thoughtful growth and comprehensive development plans while protecting vital resource lands.

While this bill might help rural counties to develop adjacent to short line railroads in designated counties, it would undermine our longstanding commitment to preserve working farms and promote our agricultural economy.

The Growth Management Act provides for a process to redesignate resource lands and convert the use of those lands. As part of a broader review of the Growth Management Act, it would be appropriate to reexamine how we provide additional flexibility for encouraging economic development in rural areas. It is my understanding that such a review is proposed in the Senate and House budgets, and I would support that review.

For these reasons I have vetoed Engrossed Substitute House Bill No. 1504 in its entirety.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Inslee", written over a light blue circular stamp.

Jay Inslee
Governor

JAY INSLEE
Governor



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May 16, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, House Bill No. 1578 entitled:

“AN ACT Relating to irrigation district authority.”

This bill provides new opportunities to develop infrastructure projects that support the economy in Eastern Washington and encourages investments in hydroelectric facilities. However, this bill is identical to Senate Bill 5261, which I signed into law on April 19, 2017. This duplicate bill is therefore unnecessary.

For these reasons I have vetoed House Bill No. 1578 in its entirety.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Jay Inslee', written in a cursive style.

Jay Inslee
Governor

JAY INSLEE
Governor



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May 10, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section Sec. 6, Engrossed Second Substitute House Bill No. 1612 entitled:

“AN ACT Relating to a public health educational platform for suicide prevention and strategies to reduce access to lethal means.”

This section is the same as the language in Section 2 of Engrossed Substitute Senate Bill 5552. Because SB 5552 also includes a couple of additional changes unrelated to the language in this bill, the Code Reviser advises this action so the RCW is clear. I support the policy and am glad that is fully contained in the other bill.

For these reasons I have vetoed Section Sec. 6 of Engrossed Second Substitute House Bill No. 1612.

With the exception of Section Sec. 6, Engrossed Second Substitute House Bill No. 1612 is approved.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Inslee", written over a light blue circular stamp.

Jay Inslee
Governor

JAY INSLEE
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April 25, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill No. 1877 entitled:

“AN ACT Relating to the release of driving record abstract information affecting registered tow truck operators.”

This bill prohibits actions committed by registered tow truck operators while fulfilling their occupational duties from being included in the driver record abstract requested by and submitted to insurance carriers, provided the operator has not been issued a citation. The intent and policy of this bill is identical to Section 2 of Substitute Senate Bill 5343, which I previously signed into law on April 17, 2017. This bill creates a duplication in the law and is therefore unnecessary.

For these reasons I have vetoed Substitute House Bill No. 1877 in its entirety.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Inslee", written over a light blue circular stamp.

Jay Inslee
Governor

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May 16, 2017

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill No. 1905 entitled:

“AN ACT Relating to the volume limitation for certain vessels exempt from the pilotage act.”

Substitute House Bill 1905 increases the maximum vessel volume that can be exempt from the mandatory use of licensed pilotage within most of the Puget Sound and Grays Harbor. This measure would allow more modern and fuel-efficient passenger vessels to enjoy Washington's waterways. However, Substitute House Bill 1905 is identical to Substitute Senate Bill 5262, which I signed into law on April 20, 2017. It is not necessary to enact duplicate legislation.

For these reasons I have vetoed Substitute House Bill No. 1905 in its entirety.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Inslee", written over a light blue circular stamp.

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211 INFORMATION SYSTEM (See also WASHINGTON INFORMATION NETWORK 211)

Washington information and referral access account, creating, DSHS role: HB 2039
 WIN 211, DSHS to contract with for operational support, WTAP funds for: HB 2039

911

Enhanced 911 system and personnel, alerting first responders that person with disability at scene: HB 1258

ABORTION

Elective, and certain organizations, public funds use prohibitions: HB 1002
 Fetal body parts, aborted, prohibiting sale, donation, or use: HB 1243
 Pain capable unborn child protection act, abortion restrictions and procedures: HB 1775
 Parent or guardian notification and informed consent, requirements: HB 1003
 Performing, nonphysicians prohibited from: HB 1971
 Potassium chloride or digoxin, inducing abortion with, facility reporting of: HB 1776

ACTIONS AND PROCEEDINGS

Arbitration of civil actions, procedures, fees, and arbitrator requirements: HB 1128
 Dispute resolution centers, court filing fee surcharges for funding: HB 1070
 Habeas corpus, writ for return of child, fees waiver by sheriff, when: HB 1163
 Mediators, independent, adverse DEL licensing decision review by: HB 2013
 Nuisance lawsuits, modifying definitions to protect marijuana production from : HB 1692
 Nuisance lawsuits, protecting composting from, when: HB 1590, ESSB 5431

ADMINISTRATIVE OFFICE OF THE COURTS (See also PUBLIC GUARDIANSHIP, OFFICE)

Court language interpreters, registered by office, provisions: HB 1186
 Domestic violence perpetrator treatment, work group on, office to convene: HB 1163
 Legal financial obligations, reform measures, office to study effectiveness: HB 1783
 Marital partners rights/responsibilities handbook, in dissolution/separation cases: HB 2246
 Sentencing elements worksheet, developing, office role: HB 1680, HB 2184
 Traffic infractions, dismissed, identifying case information online, office to remove: HB 2035

ADMINISTRATIVE PROCEDURE (See also BUILDING CODE COUNCIL; EMERGENCY, STATE OF; LEGISLATURE; WASHINGTON ADMINISTRATIVE CODE)

Building codes, legislative action to allow implementation, requiring: SSB 5500
 Building codes, update decisions, agency-request legislation requirement: SSB 5500
 Businesses, small, impact of agency rules on, regulatory fairness measures: HB 1120
 Early learning, adverse DEL licensing decisions, independent mediators to review: HB 2013
 Early learning, department of, restricting rule making in current biennium: HB 2069
 Ecology, department of, alternatives to rule making, encouraging use of: HB 1328
 Ecology, department of, peer review of economic analyses of rules: HB 1014
 Ecology, department of, policies, adoption and enforcement, requirements: HB 1455
 Electrical rules, nonadministrative, modifying adoption process: HB 1430
 Improper governmental action, ex parte communication as, whistleblower actions: *SSB 5374, CH 44 (2017)
 Judicial review of administrative actions, court not deferring to agency interpretation: HB 1659
 Register, Washington State, as legal material, preservation and authentication: *SB 5039, CH 106 (2017)
 Rule making by agencies, annual expiration without legislative action: SB 5798
 Rule making by agencies, legislative approval or disapproval of rules: HB 1241
 Rule making by agencies, limited delegation of legislative authority to agencies: HB 1241
 Rule making by agencies, restrictions and legislative role: HB 1005
 Rule making by agencies, rules adoption, reducing time from proposal to: HB 1241
 Rule making by agencies, specific grant of legislative authority: HB 1241
 Rule making by agencies, statewide rule-making information web site, establishing: HB 1587
 Rule making by agencies, suspending and requiring rules review, exceptions: HB 1241
 Rule making, requiring APA adoption, WAC codification, and legislative ratification: HB 1658
 Rule making, via APA adoption, WAC codification, and legislative ratification, when: HB 1455
 Rules and rule making, review of, adding rules adoption to process, when: HB 1240
 Rules and rule making, review of, petitions for: HB 1657, ESB 5214

Rules, significant legislative, insurance commissioner reviews of OIC rules: HB 1576
 Small businesses, enforcement action rights and protections in APA: ***HB 1352, CH 243 (2017)**, SB 5230

ADOPTION

Adoption support and related services, forecasting and budgeting, when: EHB 2008
 Assistance payments, limits in relation to foster care maintenance payments: ***2ESSB 5890, CH 20 (2017) PV**
 Children 14 to 18 years, college bound scholarship as incentive for adoption of: ***2ESSB 5890, CH 20 (2017) PV**

ADVANCED COLLEGE TUITION PAYMENT (GET) PROGRAM

College savings program, Washington, transfer of tuition units to, when: HB 2205
 Payout value for tuition units, in guaranteed education tuition dependability act: HB 1955
 Payout value for tuition units, setting: HB 2205
 Tuition units, miscellaneous provisions: HB 2205
 Tuition units, redemption and transfer to Washington college savings plan: HB 2205

ADVERTISING

Marijuana businesses, signage and advertising: ***ESSB 5131, CH 317 (2017)**
 Transportation, department of, commercial advertising sales by: HB 1502, ***SSB 5366, CH 157 (2017)**

AERONAUTICS

Aerial imagery needs assessment study for state and local agencies, conducting: HB 2108
 Aerospace tax incentive accountability act, preferences and local aerospace jobs: HB 2145, HB 2146
 Airlines, overbooking by, airport police removal of passengers due to, prohibiting: HB 2211
 Airplanes, operation or control of, allowed alcohol concentration, lowering: HB 1874
 Airport aid program, maximum amount for grants: ***HB 1018, CH 48 (2017)**
 Airport police, airplane passenger removal role of, restricting, when: HB 2211
 Airport, international, air traffic and air quality at, studying: HB 1171
 Airport, major international, leasehold excise tax credit, when: HB 1864, SSB 5768
 Airports, community aviation revitalization loan oversight task force, creating: EHB 1656
 Airports, community aviation revitalization loan program, establishing: EHB 1656
 Aviation community, Washington state aviation special license plates, creating: ***HB 1400, CH 11 (2017)**
 Grant county international airport, TRACON facilities at, requesting they be made permanent: HJM 4013
 Product development for others, aerospace, businesses engaging in, B&O tax rate: HB 2186
 Seaplanes, aquatic invasive species prevention permits for, when: HB 1429, ***ESSB 5303, CH 17 (2017)**
 Sensing devices, extraordinary, government agency use with aircraft: HB 1102
 Spacecraft, R&D by manufacturers, tax credit and deferral, when: HB 1894
 Tax preferences, aerospace, requiring job retention for, requirements: HB 2145, HB 2146
 Unmanned aerial systems, approaching orca whales: HB 1031
 Unmanned aircraft, prohibitions and civil actions: HB 1049
 Wildfires, aircraft use, premobilization assistance program for local entities to fund: HB 1736
 Worker readjustment program and account, creating for aerospace workers: HB 2146

AFRICAN-AMERICAN AFFAIRS, COMMISSION (See also AFRICAN-AMERICANS)

Abolishing commission and transferring functions to new commission: HB 2183

AFRICAN-AMERICANS (See also AFRICAN-AMERICAN AFFAIRS, COMMISSION)

Buffalo Soldiers, 9th and 10th horse cavalry regiments, honoring: ***HR 4615 (2017)**
 Juneteenth, commemorating the ending of slavery by celebrating: ***HR 4647 (2017)**
 King, Dr. Martin Luther, Jr., honoring: ***HR 4604 (2017)**
 Minority affairs, commission on, creating: HB 2183

AGRICULTURE (See also ADMINISTRATIVE PROCEDURE; AGRICULTURE, DEPARTMENT; FARMS AND FARMING; LIVESTOCK; PEST CONTROL AND PESTICIDES; STATE AGENCIES AND DEPARTMENTS; TAXES - PROPERTY TAX; WATER RIGHTS)

Agritourism, liability of agritourism professionals, limitations on: HB 2020, ***ESSB 5808, CH 227 (2017)**
 Bio- or genetically (or non-) engineered food products, voluntary labeling, tax credit: HB 1245
 Chavez, Cesar, recognizing March thirty-first as Cesar Chavez day: HB 1939
 Composting, protecting from nuisance lawsuits, when: HB 1590, ESSB 5431

Crop protection products, wholesale sales, B&O tax exemption, when: HB 1916, *SSB 5977, CH 37 (2017) PV
 Daffodils, recognizing the daffodil festival: *HR 4640 (2017)
 Education, agriculture science grant program and lighthouse account, creating: HB 1453
 Fairs, central Washington state fair association, on 125th anniversary of fair, honoring: *HR 4650 (2017)
 Fertilizer, commercial, wholesale sales of, B&O tax exemption, when: HB 1916, *SSB 5977, CH 37 (2017) PV
 Food policy forum, Washington, establishing: HB 1562
 Food products businesses, omnibus permit process pilot program, establishing: HB 2133
 Food products manufacturing wastes, beneficial uses of, analyzing: HB 2133
 Food system, state, studying: HB 1552
 Future farmers of America, Washington's, recognizing: *HR 4614 (2017)
 Hemp, industrial, funding of research on: HB 1979
 Hemp, industrial, indicating exclusion from "controlled substance" definition: *HB 2064, CH 153 (2017)
 Hemp, industrial, regulatory framework feasibility, studying: *ESSB 5131, CH 317 (2017)
 Labor, agricultural, break times and rest periods, remedial compensation for, when: ESB 5720
 Labor, agricultural, production-based safe harbor compensation for: HB 2049
 Land, small farms, encouraging through growth management act planning: HB 1609
 Land, small farms, within current use property tax program: HB 1544
 Lands, agricultural, river sediment management demonstration project to aid: HB 1660
 Lands, designated agricultural areas, no minimum acreage for: HB 1609
 Lands, state, leased for agriculture or grazing, nondefault or early termination: *SSB 5051, CH 56 (2017)
 Marijuana production, modifying definitions to protect from nuisance lawsuits: HB 1692
 Markets, public, impounding of livestock: HB 1315
 Nutrition assistance programs, USDA, data on food insecurity and: HB 2014
 Pollutant discharge elimination permits, treating nonagency individuals equitably: HB 2140, HB 2141
 Seed, failure to produce, buyer-dealer mediation before legal action: HB 1132, *SB 5075, CH 33 (2017)
 Seed, procurement by state agencies, identity and purity of: ESSB 5263
 Seed, wholesale sales of, B&O tax exemption, when: HB 1916, *SSB 5977, CH 37 (2017) PV
 Sewage sludge/biosolids, food grown in, labeling requirements: HB 1653
 Weighmasters, weighmaster program provisions, revising: *SB 5437, CH 158 (2017)
 Weights and measures program, authority, standards, fees, and penalties: HB 1773
 Workforce for agriculture, assessing to aid educational program planning for: HB 1404, *2SSB 5285, CH 182 (2017)

AGRICULTURE, DEPARTMENT (See also AGRICULTURE)

Beef commission, assessment by, modifying provisions: SB 5793
 Beef commission, financial transparency, and beef industry and cattle well-being: *EHB 2073, CH 256 (2017)
 Food products businesses, omnibus permit process pilot program, establishing: HB 2133
 Fuel, motor, posting retail tax rates on pumps, sticker for, department role: HB 2180
 Hemp, industrial, regulatory framework feasibility, studying, department role: *ESSB 5131, CH 317 (2017)
 Hemp, industrial, research program, department rule-making authority: *ESSB 5131, CH 317 (2017)
 Livestock inspection, fees for, department role: HB 2018
 Marijuana-infused edible food products, sanitary processing, department role: HB 1462
 School meals, farm-to-school and small and direct marketing farm programs: HB 1508
 Sediment management demonstration project in Pierce county, department role: HB 1660
 Weights and measures program, authority, standards, fees, and penalties: HB 1773
 Wine commission, assessment levy, exempting mead production: HB 1176
 Wine commission, tax revenue disbursement from winery sales to, when: HB 1040
 Wolf predation, NE Washington wolf-cattle management grant, creating: HB 2126
 Wolf predation, northeast Washington wolf-cattle management grant, creating: HB 2125

AIR QUALITY AND POLLUTION (See also CLEAN AIR AGENCIES; HAZARDOUS WASTE)

Airport, international, air traffic and air quality at, studying: HB 1171
 Asphalt production and transportation, pollution reduction measures: HB 1028
 Burning, burn ban violations and penalties: HB 1928
 Burning, outdoor, prohibiting in certain urban growth areas: HB 2047
 Carbon pollution mitigation tax grant, low-income, establishing: HB 2230
 Carbon pollution mitigation tax, imposing, including revenues disposition: HB 1646, HB 2230

Carbon pollution tax on fossil fuels, imposing: HB 1555
 Carbon reduction investment fund, creating: HB 1646, HB 2230
 Carbon reduction investment fund, project awards from, when: HB 2230
 Carbon reduction strategy, state's, including forest riparian easement program: HB 1531, SSB 5394
 Clean energy account, creating: HB 1646, HB 2230
 Clean energy districts, creating, authority for: HB 1964
 Dust, fugitive, from agricultural activity, cattle feedlot exemption, when: HB 1299, ***SSB 5196, CH 217 (2017)**
 Greenhouse gas emissions, creating clean air districts for reducing: HB 1964
 Greenhouse gas emissions, limits, aligning with 2015 Paris climate agreement: HB 2225
 Greenhouse gas emissions, limits, consistency with climate change science: HB 1144
 Greenhouse gas emissions, schedule for reducing, modifying: HB 1372, HB 1646
 Odors from marijuana producer and processor premises, masking: HB 1911

ALCOHOL AND DRUG ABUSE (See also ALCOHOLIC BEVERAGES; TRAFFIC OFFENSES)

Behavioral health authority, designation of state, transferring to health care authority: HB 1388
 Behavioral health licensees, fraudulent license transfers by, prohibiting: ***SSB 5705, CH 330 (2017)**
 Behavioral health licensees, violations reduction by DSHS, prohibiting, when: ***SSB 5705, CH 330 (2017)**
 Behavioral health services, physical health integration, work group on: ESSB 5894
 Behavioral health services, primary care settings, bidirectional integration model: ***SSB 5779, CH 226 (2017) PV**
 Behavioral health services, whole-person care that includes: ***SSB 5779, CH 226 (2017) PV**
 Behavioral health, certain DSHS functions, transferring to department of health: HB 1388
 Chemical dependency professionals, authority to sign commitment petition: ***2ESSB 5106, CH 14 (2017)**
 Chemical dependency professionals, participation in civil commitment evaluations: ***2ESSB 5106, CH 14 (2017)**
 Chemical dependency specialists, authority to sign commitment petition: HB 1753
 Chemical dependency specialists, designated, authority of: HB 1753, ***2ESSB 5106, CH 14 (2017)**
 Chemical dependency specialists, participation in civil commitment evaluations: HB 1753
 Chemical dependency treatment, admitting minor to and keeping them in: HB 1424
 Chemical dependency treatment, involuntary, detention standards: HB 1259
 Chemical dependency treatment, using certain funds to supplant existing funds: HB 2006
 Code 4 Northwest crisis service, Steve Redmond, honoring: ***HR 4628 (2017)**
 Crisis intervention response team pilot project, creating: HB 2234
 Designated crisis responders, role of: ***2ESSB 5106, CH 14 (2017)**
 Electronic alcohol monitoring devices for offenders, tax exemptions for: HB 1423
 Higher education, behavioral health and suicide prevention, approaches: HB 1379
 Infants exposed to alcohol or drugs, transitional care centers for, licensing: HB 1491
 Infants exposed to drugs, transitional care services for, licensing: ***SSB 5152, CH 263 (2017)**
 Intoxication, voluntary, as criminal charge defense, prohibiting: HB 1973
 Monitoring, for substance abuse, impaired podiatric practitioner program: ***HB 1198, CH 22 (2017)**
 Naloxone, establishing access grant program and creating account: HB 1505
 Opioid use disorder, treatment programs using certain medications, requirements: HB 1427
 Opioids, distributor morphine dose sales fee, revenues to fund naloxone access: HB 1505
 Substance use disorder, civil commitment evaluations, participation in: HB 1753, ***2ESSB 5106, CH 14 (2017)**
 Substance use disorder, drug court recovery support for, using certain funds for: HB 1524
 Substance use disorder, involuntary commitment, petition for, who can sign: HB 1753, ***2ESSB 5106, CH 14 (2017)**
 Substance use disorder, miscellaneous provisions: ESSB 5894
 Substance use disorder, replacing certain professional practice terms with: HB 1340
 Substance use disorder, safe injection sites, ending via state regulatory preemption: HB 1761, SSB 5223
 Workers' compensation benefits, for liquor- or drug-caused injuries or diseases: HB 1228

ALCOHOLIC BEVERAGES (See also ALCOHOL AND DRUG ABUSE; LIQUOR AND CANNABIS BOARD; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - EXCISE)

Beer, distributor sales to certain retailers, fee when purchaser uses credit card: ***ESB 5665, CH 190 (2017)**
 Beer, private labels, production, labeling, distribution, and sales of: ESSB 5145
 Licensees, retail, spirits and/or beer and/or wine private label sales by: HB 1119, HB 1297, HB 2000, ESSB 5145
 Licenses, beer and wine theater license, removing screens limit for: SSB 5161
 Licenses, beer and/or wine specialty shop, combination spirits, beer, wine license: HB 1351

Licenses, beer and/or wine specialty shop, spirits industry personal services for: HB 1762
 Licenses, beer and/or wine specialty shop, spirits sales endorsement, when: HB 1020
 Licenses, bonded and nonbonded spirits warehouse: ***ESB 5834, CH 229 (2017)**
 Licenses, combination spirits, beer, and wine license, off-premises consumption: HB 1351
 Licenses, distillery retail for off-premises consumption, retail fee exemption: HB 2099
 Licenses, grocery store retail, endorsement for beer and wine tastings, when: SB 5164
 Licenses, grocery store retail, spirits industry personal services for, when: HB 1762
 Licenses, grocery store retail, tastings endorsement for spirits, beer, wine license: HB 1351
 Licenses, grocery store retail, transition to combination spirits, beer, wine license: HB 1351
 Licenses, snack bar license, issuance to art instruction businesses: SSB 5165
 Licenses, snack bar license, to include wine sales, requirements: SSB 5165
 Licenses, spirits, beer, and wine theater license, removing certain limits: HB 1165, HB 2210, SSB 5161
 Licenses, tavern beer and wine retail, caterer's endorsement for events: HB 1902
 Licenses, theater, provisions: HB 1165, HB 2210, SSB 5161
 Liquor excise taxes, Alaskan Way viaduct project cost overruns payment via: HB 2193
 Liquor excise taxes, local revenue reduction if marijuana retailers prohibited: HB 1099
 Liquor excise taxes, revenues, distribution to local governments: HB 1113
 Mead, production of, exempting from wine commission assessment levy: HB 1176
 Permits, special, for nonprofit or charity for beer, wine, or spirits at banquet: ESSB 5781
 Permits, special, private wine auction by nonprofit with tastings: ***HB 1718, CH 250 (2017)**, SSB 5560
 Spirits, craft distilleries, private label production, labeling, and sales by: HB 1119, HB 1297, HB 2000, ESSB 5145
 Spirits, distilleries, bonded and nonbonded spirits warehouses for, licensing of: ***ESB 5834, CH 229 (2017)**
 Spirits, distilleries, fees for, reduction or exemption, when: HB 2099
 Spirits, distilleries, private label production, labeling, and sales by: HB 1297, HB 2000, ESSB 5145
 Spirits, distillery licensing, uniform definitions and fees, when: HB 2099
 Spirits, distillery sampling and mixer provisions: HB 1297, ***SSB 5589, CH 260 (2017)**
 Spirits, distributor sales to certain retailers, fee when purchaser uses credit card: HB 1893, ***ESB 5665, CH 190 (2017)**
 Spirits, distributors of, private label distribution: ESSB 5145
 Spirits, licensed distributor sales to own employees, when: HB 1599, ***SSB 5537, CH 160 (2017)**
 Spirits, manufacturers, private label production, labeling, and sales by: ESSB 5145
 Spirits, personal services by industry members for retailers, various: HB 1297, HB 1762, ***SSB 5589, CH 260 (2017)**
 Spirits, private labels, production, labeling, and sales of: HB 1119, HB 1297, HB 2000, ESSB 5145
 Spirits, restaurant or private club with exclusive private label, provisions: HB 1119, HB 1297, HB 2000, ESSB 5145
 Spirits, retail licensees, sales of private label spirits by: HB 1119, HB 1297, HB 2000, ESSB 5145
 Wine, distributor sales to certain retailers, fee when purchaser uses credit card: HB 1893, ***ESB 5665, CH 190 (2017)**
 Wine, licensed distributor sales to own employees, when: HB 1599, ***SSB 5537, CH 160 (2017)**
 Wine, on-tap sales (in growlers), when: HB 1039
 Wine, private labels, production, labeling, distribution, and sales of: ESSB 5145
 Wineries, domestic licensees, tasting rooms: HB 1038, SSB 5426
 Wineries, domestic, new wineries in state, reports concerning: HB 1038
 Wineries, domestic, tax relief: HB 1040

ANIMALS (See also HORSES; WILDLIFE)

Dog guides, trained or in training, crimes involving interfering with: ***HB 1676, CH 170 (2017)**
 Dog guides, training in public, authority when person with disability: HB 1699
 Dogs, breed-based regulations, prohibiting, when: HB 1090
 Dogs, dangerous, to include wolf-dog hybrids, identification and removal: HB 2247
 Dogs, unlawful tethering and inhumane treatment: ***SSB 5356, CH 65 (2017)**
 Elephants, in traveling animal act performances, prohibiting participation: HB 2088
 Horse teeth floating, by horse floaters, registration with effective licensing port: HB 1361
 Massage, registration with effective licensing port: HB 1361
 Motor vehicle, entering to assist animal, liability immunity, when: HB 1118
 Pet adoption fees, taxation of, removing "animal rescue organization" from "sale": ***SSB 5358, CH 323 (2017)**
 Pets, predation by wolves, certain prevention information, disclosure exemption: HB 1465
 Service animal issues, work group on, convening: HB 2032
 Service animals, trained or in training, crimes involving interfering with: ***HB 1676, CH 170 (2017)**

Service animals, training in public, authority when person with disability: HB 1699
 Spaying, of cats and dogs, recognizing World spay day: ***HR 4620 (2017)**

APPLIANCES (See also HEATING AND HEATERS)

Electric plant and gas plant, excluding certain appliances from definitions of: HB 1882

APPRENTICES AND APPRENTICESHIP PROGRAMS

Public works, certain contracts, apprentice utilization requirements for: HB 1849

APPRENTICESHIP AND TRAINING COUNCIL

Masonry trades, cross-training among, council role: HB 2130

ARCHAEOLOGY AND HISTORIC PRESERVATION, DEPARTMENT

Cemeteries, abandoned, definition and authority for burials in, department role: ***HB 1907, CH 208 (2017)**

Main street program, tax credit applications, allocations, and deadlines: HB 1343, HB 2094, 2SSB 5135, ***SSB 5977, CH 37 (2017) PV**

ARCHIVES (See also ARCHIVIST, STATE; RECORDS; SECRETARY OF STATE)

Legal material in official electronic records, preservation and authentication: ***SB 5039, CH 106 (2017)**

Local government archives account, use of funds deposited in: HB 1594

Public records, information technology systems local agency grant program: HB 1594

Public records, statewide open records portal, feasibility of, studying: HB 1594

ARCHIVIST, STATE (See also ARCHIVES; RECORDS)

Public records requests, local agency consultation program, archivist role: HB 1594

ART AND ARTWORKS

Art instruction businesses, snack bar license issuance for wine and beer sales: SSB 5165

Creative districts, state-certified, designation and certification of: HB 1183, 2SSB 5300

ARTS COMMISSION

Buildings, state capital budget-funded, plaque requirement, commission role: HB 1289

Creative districts, state-certified, designation and certification, commission role: HB 1183, 2SSB 5300

ASIAN PACIFIC AMERICAN AFFAIRS, STATE COMMISSION (See also ASIAN PACIFIC AMERICANS)

Abolishing commission and transferring functions to new commission: HB 2183

ASIAN PACIFIC AMERICANS (See also ASIAN PACIFIC AMERICAN AFFAIRS, STATE COMMISSION)

Minority affairs, commission on, creating: HB 2183

ATTORNEY GENERAL (See also CIVIL PROCEDURE)

Criminal record, employer prematurely asking applicant about, AG enforcement: HB 1298, ESSB 5312

Deadly force, law enforcement agency officers use of, AG reporting role: HB 1769

Deadly force, law enforcement and corrections officer use of, AG reporting role: HB 1529

Immigration enforcement, model policies for limiting, AG role: HB 1985

Military and veteran legal assistance, office of, creating in attorney general's office: HB 1055, 2SSB 5021

Minority and women-owned businesses, contracts with, AG enforcement, repealing: HB 1897

Public records requests, local agency consultation program, AG role: HB 1594

Sexual assault kit initiative pilot project, creating in AG office: HB 1109

Small businesses, enforcement action rights and protections, AG role: ***HB 1352, CH 243 (2017)**, SB 5230

ATTORNEYS (See also ATTORNEY GENERAL; CIVIL PROCEDURE; COURTS; CRIMINAL PROCEDURE; PUBLIC DEFENSE, OFFICE)

Bar association, establishment and member-regulating statutes, repealing: HB 2091

Bar associations, mandatory, prohibiting: HJR 4206

Dependency proceedings, attorney for child, appointment of: HB 1251

Dependency proceedings, attorney for child, appointment of, evaluating: ***2ESSB 5890, CH 20 (2017) PV**

Dependency proceedings, shelter care hearing, appointing attorney for parent, etc.: HB 1251

Dissolution proceedings and dependency, legal representation for parents, when: ***2ESSB 5890, CH 20 (2017) PV**

Fees, attorneys', when family law case overtrial: HB 2245
 Indigent criminal defense services, providing funding for: HB 2012
 Practice of law, shifting oversight functions to supreme court, constitutional amendment: HJR 4206
 Prosecuting attorneys, financial affairs statement, requirements: HB 1833

AUDITOR, STATE

College and career readiness, new account funding for, auditor audits of use of: HB 2075
 Legal action against state, by auditor, requirements: HB 1034
 Noncompliance with state law, audit findings indicating, required procedures, when: ***SSB 5372, CH 66 (2017)**

AUDITORS AND AUDITING (See also AUDITOR, STATE)

County auditors, certain statutes, modernizing: ***SB 5187, CH 37 (2017)**
 County auditors, document-recording surcharges, deposit and use of revenues: HB 1570, HB 1594, HB 2010, ***SB 5252, CH 15 (2017), *E2SSB 5254, CH 16 (2017)**
 County auditors, modernizing statutes and deleting certain references and duties: HB 1161
 County auditors, role in establishing election precincts and their boundaries: HB 1567
 Election reconciliation reports, county auditor and secretary of state duties: ***EHB 1507, CH 300 (2017)**, HB 1785

BAIL AND BAIL BONDS

Surety's bond, surrender of person: ***HB 1195, CH 78 (2017)**

BICYCLES

Bike rack, transit vehicle with, maximum front extension limit exemption, when: HB 1149
 Safety, Cooper Jones bicyclist safety advisory council, convening: EHB 1795, ***SSB 5402, CH 324 (2017)**

BLIND (See also DISABILITIES, INDIVIDUALS WITH)

Dog guides or service animals, trained or in training, interfering with, crimes: ***HB 1676, CH 170 (2017)**
 Dog guides or service animals, training in public, authority, when: HB 1699
 Service animal issues, work group on, convening: HB 2032

BOATS AND BOATING (See also COMMERCIAL VESSELS AND SHIPPING; FERRIES)

Addresses of record, uniform process for updating, when: HB 1813
 Alcohol concentration, allowed when operating vessel, lowering: HB 1874
 Aquatic invasive species prevention permits for vessels, when: HB 1429, ***ESSB 5303, CH 17 (2017)**
 Ballast water, aquatic invasive species management measures involving: HB 1429, ***ESSB 5303, CH 17 (2017)**
 Boater education card, expanding requirement for and use of funds from: HB 1604, SB 5442
 Boating safety education program, funding: HB 1604, SB 5442
 Casualty and accident reporting program, funding: HB 1604, SB 5442
 Coast guard cutter, requesting naming after petty officer Matthew E. Schlimme: HJM 4011
 Fee, for vessels from outside Washington, when: HB 1429, ***ESSB 5303, CH 17 (2017)**
 Marinas, publicly owned, city reduced fee lease for state-owned aquatic lands: HB 1801
 Pilotage act, certain vessels exempt from, revising volume limitation for: HB 1905
 Recreational vessels, large, sales and use tax exemptions: HB 1496
 Registration, address of record, uniform process for updating, when: HB 1813
 Vessels exempted from pilotage act, weight and other limitations, when: HB 1409, ***SSB 5262, CH 88 (2017)**
 Vessels, operation in reckless manner, impoundment when operator arrested: HB 1605
 Vessels, operation or control of, allowed alcohol concentration, lowering: HB 1874
 Vessels, operation under the influence, impoundment when operator arrested: HB 1605
 Yachts, exempt from pilotage act, revising volume limitation for: HB 1905

BONDS (See also BAIL AND BAIL BONDS)

Budgets, restricting bond proceeds use to capital purposes, when: HJR 4209
 Chehalis basin flood damage, projects, general obligation bonds: HB 1050
 Clean energy districts, authority for revenue bond issuance: HB 1964
 General obligation bonds, for capital and operating budget and other projects: HB 1080
 General obligation bonds, for designated disaster area public works financing: HB 2048
 Infrastructure, local, debt guarantee by state for, constitutional amendment to allow: HJR 4200
 Infrastructure, local, state-issued public works bonds for: HB 1051, ESSB 5033

Lottery revenue bonds, authorizing for school construction: HB 1517, HB 1694
 Parks, state, capital projects at, general obligation bonds to fund: ESSB 5838
 Redemption payments, levies for, period for increased levy: HB 1344
 Regional transit authorities, certain voter-approved taxes, for bond retirement only: HB 2197
 School district bonds and payment levies, allowing simple majority to authorize: HJR 4204
 School district bonds and payment levies, requiring simple majority to authorize: HB 1778, HJR 4203
 School district bonds and payment levies, simple majority in general election for: HB 1779
 Tacoma Narrows bridge, construction bond obligations, civil penalty revenue for: HB 1585

BUDGETS (See also BONDS; ECONOMIC AND REVENUE FORECAST COUNCIL; PUBLIC FUNDS AND ACCOUNTS)

Balanced budget requirements, four-year, suspending to fund basic education: HB 1438
 Balanced budget, operating, covering deficiencies, prohibitions, constitutional amendment for: HJR 4209
 Budgets, biennial appropriations bills, enactment deadline for: HB 1025
 Capital, 2017-2019 and supplemental 2015-2017: HB 1075
 Capital, 2017-2019 reappropriations and supplemental 2015-2017: HB 2240, HB 2241, *ESSB 5965, CH 4 (2017)
 Capital, appropriations, buildings funded by, plaque requirement: HB 1289
 Capital, certain tax revenues for, restoring: HB 1608
 Capital, general obligation bonds for projects: HB 1080
 Capital, higher education project requests, prioritized ranking by colleges: HB 1325, SB 5087
 Children, core state services, forecasting/budgeting as maintenance-level costs: EHB 2008
 Development process, using agency programs zero-based budget reviews in: HB 1817, SB 5066
 Education, K-12, separate legislation by deadlines using current revenue sources: HB 1021, HB 1025
 Operating, 2017-2019: HB 1067, ESSB 5048
 Operating, 2017-2019 and supplemental 2015-2017: ESSB 5048, *SSB 5883, CH 1 (2017) PV
 Operating, covering deficiencies with taxes, bonds, or appropriations, prohibitions: HJR 4209
 Operating, general obligation bonds for projects: HB 1080
 Operating, governor's documents, revenue estimate and tax preferences impact: HB 1665
 Operating, marijuana revenues for, federal activities impeding, prohibitions: HB 2124
 Operating, multiple appropriations bills, enactment priorities and deadlines for: HB 1025
 Operating, omnibus appropriations act, legislator salary passage contingency: HJR 4205
 Operating, omnibus appropriations act, to include tax expenditure budget: HB 1500
 Operating, requests, collective bargaining agreement funds, financial feasibility: HB 1287
 Operating, supplemental, 2017: HB 1068
 Preferences, generally, repealing all existing and expiring all new, conditions for: HB 1666
 Revenue, comprehensive changes to ensure sufficient: *SSB 5977, CH 37 (2017) PV
 Revenue, extensive changes to ensure sufficient: *EHB 2163, CH 28 (2017)
 Transportation, 2017-2019: HB 1147
 Transportation, 2017-2019 and supplemental 2015-2017: *ESB 5096, CH 313 (2017) PV
 Transportation, supplemental 2015-2017: HB 1146

BUILDING CODE COUNCIL (See also BUILDING CODES AND PERMITS)

Building entrances, disability-accessible, exterior doors, council rule making: HB 1263
 Codes, council update decisions, agency-request legislation requirement: SSB 5500
 Council members, provisions concerning: HB 1436, HB 1622, SSB 5500
 Council, administration and operations of, legislative task force on, establishing: HB 1436, HB 1622
 Energy codes, adoption, amendment, implementation, procedures for: HB 1436, SSB 5500
 Enterprise services, department of, expanding role in council operations: HB 1436, HB 1622, SSB 5500
 Greywater, reuse in buildings, council adoption of requirements: HB 1213
 Parking spaces, for persons with disabilities, van accessible, council rule making: *HB 1262, CH 132 (2017)
 Plumbing code, international, adoption by council as alternative code: HB 1435
 Rule adoption and procedures, provisions: HB 1436, HB 1622, SSB 5500
 School buildings, seismic safety of, engineering survey for, council role: HB 1703

BUILDING CODES AND PERMITS (See also BUILDING CODE COUNCIL; CONTRACTORS; ELECTRICIANS; ENVIRONMENT; HOMES AND HOUSING; PLUMBERS AND PLUMBING)

Building entrances, disability-accessible public, automatic exterior doors: HB 1263
 Building permits, applications for, to include land use control ordinances: ESB 5212
 Building permits, applications for, vested rights and controlling law for: HB 2100
 Building permits, applications, adequate potable water supply evidence: HB 1918, HB 2226, HB 2239, HB 2248
 Building permits, applications, permit-exempt withdrawals water supply evidence: HB 1885, HB 1918, HB 2239, HB 2248, 2E2SSB 5239
 Building permits, approval when insufficient evidence of flows impairment: HB 1382
 Building permits, local governments issuing, subcontractor information reporting: HB 2186
 Building permits, residential and commercial, fees deposit in certain account: HB 1622
 Codes, adoption and procedures, provisions: HB 1436, HB 1622, SSB 5500
 Codes, building council update decisions, agency-request legislation requirement: SSB 5500
 Codes, legislative action to allow implementation, requiring: SSB 5500
 Energy codes, adoption, amendment, implementation, procedures for: HB 1436, SSB 5500
 Fire code officials, inspecting marijuana processor's premises, alternatives to: HB 1920
 Greywater, reuse in buildings, when: HB 1213
 Parking spaces, for persons with disabilities, access aisle requirements: ***HB 1262, CH 132 (2017)**
 Plumbing code, international, adoption as alternative code: HB 1435
 Residential buildings, single-family, minimum dimensions of habitable spaces: HB 1085
 Water supply, permit-exempt groundwater withdrawals, county mitigation programs: HB 1918
 Water supply, permit-exempt groundwater withdrawals, imposing certain fee: HB 1885
 Water supply, potable, alternative water sources for meeting requirements: HB 1918
 Water supply, potable, evidence with building permit application: HB 1918, HB 2226, HB 2239, HB 2248
 Water supply, potable, Hirst decision on private wells for residential developments: HB 2239, HB 2248, 2E2SSB 5239

BUILDINGS, STATE (See also BUDGETS; CAPITOL CAMPUS, STATE; PUBLIC WORKS)

Facilities and real estate, colocating and consolidating in same geographic area: HB 1828
 Facility projects, water efficient landscaping, credits for, when: HB 1172

BUSINESS ORGANIZATIONS (See also COOPERATIVE ASSOCIATIONS; CORPORATIONS; LIMITED LIABILITY COMPANIES; PARTNERSHIPS)

Limited liability entities, recoverable taxes, collection, when: HB 1549
 Transfers and obligations, incurred by debtor, uniform voidable transactions act: ***SB 5085, CH 57 (2017)**
 Uniform business organizations code, domestic and foreign entities, revisions: ***SB 5040, CH 31 (2017)**

BUSINESSES (See also ALCOHOLIC BEVERAGES; COMPUTERS; CONSUMER PROTECTION; CONTRACTORS; CORPORATIONS; CREDIT AND DEBIT CARDS; CRIMES; FIREARMS; INSURANCE; MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE; MOTOR VEHICLES; PROFESSIONS; REAL ESTATE AND REAL PROPERTY; SALES; TAXES - BUSINESS AND OCCUPATION; TAXES - LODGING TAX; TOWING AND TOW TRUCKS)

Accounts receivable, forbearances concerning, interest accrual, when: HB 1145, ESSB 5456
 Adult entertainment establishments, sexually oriented live, admission fee: HB 1109
 Art instruction businesses, snack bar license issuance for wine and beer sales: SSB 5165
 Asphalt production facilities, regulating: HB 1028
 Biometric identifiers, attaining, using, disclosing, requirements and prohibitions: HB 1493
 Building entrances, accessible public, for persons with disabilities: HB 1263
 Car wash facilities, sales and use tax exemptions for: HB 1856
 Cars, rental agencies, sales tax revenue for tourism marketing: HB 1123
 Cigar lounge or tobacconist shop, retail license endorsement for: HB 1919
 Clubs, private, private label spirits sales by: HB 1119, HB 1297, HB 2000, ESSB 5145
 Collection agencies, credit card payment transaction fees: HB 1061
 Colville business council, Mel Tonasket of, recognizing: ***HR 4644 (2017)**
 Commerce & gaming legislative committee, reducing membership of: ***HR 4648 (2017)**
 Contracting agents, workers providing services via, qualified benefit providers for: HB 2109
 Crimes, businesses to be considered victims for crime victims' rights purposes: HB 1974

Crowdfunding donations, via fundraising portal, tax exemptions, when: HB 1695
 Currency exchanges, regulation of: HB 1045, ***SSB 5031, CH 30 (2017)**
 Electrolytic processing, electricity sales to, public utility tax exemption, extending: HB 1466
 Food establishments, college on-campus, student SNAP-benefits EBT card use at: HB 1569
 Food products businesses, omnibus permit process pilot program, establishing: HB 2133
 Forest products businesses, omnibus permit process pilot program, establishing: HB 2133
 Franchisors, not employers of franchisees or franchisee employees: HB 1881
 Goods and services provided, forbearances concerning, interest accrual, when: HB 1145, ESSB 5456
 Grocery stores, retail liquor license endorsement for beer and wine tastings, when: SB 5164
 Grocery stores, retail liquor license, transition to combination spirits, beer, wine: HB 1351
 Investment management services, international, preferential B&O rate, eliminating: HB 2186
 Licenses, application handling fee, increasing: HB 1549
 Licenses, municipal general business licenses, requirements: ***EHB 2005, CH 209 (2017)**, ESSB 5777
 Licensing service, city-DOR partnering for general business licenses: ***EHB 2005, CH 209 (2017)**, ESSB 5777
 Licensing service, information commercial purposes disclosure, prohibiting: ***SSB 5358, CH 323 (2017)**
 Marijuana, all statutes legalizing, repealing: HB 2096
 Marijuana, businesses and entities, siting near tribal reservation, provisions: HB 1937
 Marijuana, businesses, additional licensing fee: EHB 1858, ***SB 5130, CH 316 (2017)**
 Marijuana, businesses, business and nonprofit entity interest holders' residency: HB 1127, HB 1151
 Marijuana, businesses, by playground, child care center, or preschool, prohibitions: HB 2238
 Marijuana, businesses, display of marijuana in public view, civil infraction: HB 1416
 Marijuana, businesses, financial institution services for, authorizing: HB 2098
 Marijuana, businesses, general licensing process: EHB 1857, ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, license issuance, tribal consent for, when: ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, licensing agreements and consulting contracts with entities: HB 1152, ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, liquor enforcement officer powers pertaining to: SSB 5132
 Marijuana, businesses, producer and processor premises, masking odors from: HB 1911
 Marijuana, businesses, production and processing standards for licensees: HB 1461, ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, revenues from, federal activities impeding, prohibitions: HB 2124
 Marijuana, businesses, signage and advertising: ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, siting of, prohibitions: HB 2238
 Marijuana, businesses, siting or operation of retail, processes for prohibiting: HB 2215
 Marijuana, businesses, targeting youth, prohibiting: ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, various licensing provisions: EHB 1857, ***ESSB 5131, CH 317 (2017)**
 Marijuana, excise tax provisions: HB 1667, HB 2021, HB 2060, HB 2076, HB 2124
 Marijuana, excise tax, Alaskan Way viaduct project cost overruns payment via: HB 2193
 Marijuana, hydrocarbon gas-based marijuana-processing solvent, taxing, when: HB 1667
 Marijuana, processor's facilities, inspection by fire code official, alternatives, when: HB 1920
 Marijuana, producers and processors, testing of products of: HB 2227
 Marijuana, producers, sales for cannabis health and beauty aid production: HB 2033
 Marijuana, producers, sales to qualifying patients and providers: HB 2021
 Marijuana, production and products, protecting from nuisance lawsuits: HB 1692
 Marijuana, retail licenses, delivery endorsement: HB 1712
 Marijuana, retail licenses, forfeiture for failing to use by deadline: HB 1126, ***ESSB 5131, CH 317 (2017)**
 Marijuana, retail outlets in state and licenses held by licensees, number allowed: HB 1096
 Marijuana, retail outlets, local governments prohibiting, liquor revenue reduction: HB 1099
 Marijuana, retail outlets, lockable drug box, donating: ***HB 1250, CH 131 (2017)**
 Marijuana, retail outlets, selling marijuana merchandise: HB 1487
 Marijuana, retail outlets, siting or operation of, processes for prohibiting: HB 2215
 Marijuana, retailers and co-owners, limiting aggregate licenses per business: HB 1096, HB 1125, ***ESSB 5131, CH 317 (2017)**
 Marijuana, retailers, medical licensing, sale, and use provisions: HB 1098
 Marijuana, transfer of immature plants between producers and researchers: ***ESSB 5131, CH 317 (2017)**
 Marketplace facilitators, sales and use tax collection duties of: ***EHB 2163, CH 28 (2017)**, HB 2186

Mercantile establishments, retail theft provisions: ***SB 5632, CH 329 (2017)**, SSB 5634, ***SB 5635, CH 224 (2017)**
 Money transmitters, regulation of: HB 1045, ***SSB 5031, CH 30 (2017)**
 Noncompetition agreements, enforceable or unenforceable, when: EHB 1967
 Office space, commercial, incentivizing development with tax exemptions: HB 1495
 Pawnbrokers, fees and interest rates, repealing expiration date: ***HB 1071, CH 51 (2017)**
 Private investigator agencies, temporary registration card issuance by, when: HB 2233
 Protection product guarantees, providers of, requirements for: HB 2104
 Radio and television broadcasting, B&O tax provisions, modifying: HB 2001
 Restaurants, flavor-imparting cooking products, extending sales/use tax exemption: HB 2089
 Restaurants, private label spirits sales by: HB 1119, HB 1297, HB 2000, ESSB 5145
 Restaurants, sales tax revenue for tourism marketing: HB 1123
 Secondhand dealers, electronic products, purchasing via automated kiosk: ***HB 1623, CH 169 (2017)**
 Signature gatherers, entities that compensate, disclosure requirements: HB 1537
 Small business tax credit account, depositing certain aerospace tax revenue into: HB 2145, HB 2146
 Small businesses, assistance grants in connection with family and medical leave: ***SSB 5975, CH 5 (2017)**
 Small businesses, excise tax filing threshold, modifying: HB 1550
 Small businesses, impact of agency rules on, regulatory fairness measures: HB 1120
 Small businesses, main street program tax credits and program participation of: HB 1343, HB 2094
 Small businesses, retirement marketplace investment options, review of: HB 1850, HB 1966, ***SSB 5675, CH 69 (2017)**
 Small businesses, small business tax credit, increasing: HB 1550, HB 1555, HB 2145, HB 2146
 Small businesses, small business tax credit, repealing: HB 2186
 Small, rights and protections when agency enforcement action: ***HB 1352, CH 243 (2017)**, SB 5230
 Snack bars, retail liquor license, to include wine sales, requirements: SSB 5165
 Taverns, beer and wine retail license, caterer's endorsement for events: HB 1902
 Taxes, remitting by business of, officer/individual recoverable tax liability for: HB 2186
 Television and radio broadcasting, B&O tax provisions, modifying: HB 2001
 Theaters, beer and wine theater license, removing screens limit for: SSB 5161
 Theaters, long-running productions in, B&O tax credit for, when: HB 2026
 Theaters, spirits, beer, and wine theater license, removing certain limits: HB 1165, HB 2210, SSB 5161
 Theaters, with IMAX screen projection system, spirits, beer, and wine license for: HB 2210
 Ticket sellers, web sites of, selling software to interfere with, prohibition: HB 1584
 Tobacconist shop or cigar lounge, retail license endorsement for: HB 1919
 Transfers and obligations, incurred by debtor, uniform voidable transactions act: ***SB 5085, CH 57 (2017)**
 Transportation network companies, assessing McKinney-Vento surcharge: HB 2206
 Transportation network companies, regulating of: ESSB 5620
 Transportation network companies, taxation of: HB 2206
 Transportation network companies, wheelchair-accessibility surcharge: HB 2206
 Transportation services provider, commercial, as network company: ESSB 5620
 Transportation services, commercial, freight delivery, vehicle insurance: HB 1073
 Transportation services, commercial, unemployment compensation exemption: HB 1575, SSB 5362
 Usury laws, application to certain delinquent property taxes: HB 1990
 Water recreation facilities, regulation of: ***HB 1449, CH 102 (2017)**

CAPITOL CAMPUS, STATE (See also ENTERPRISE SERVICES, DEPARTMENT)

1063 Capitol Way, naming new building the Helen Sommers Building: HCR 4400
 Parking, rules, infractions, and adjudication: HB 1852
 State capital historical museum, former, name to revert to historic Lord mansion: ***HB 1853, CH 117 (2017)**, SB 5660

CASELOAD FORECAST COUNCIL

Adoption support services, forecasting and budgeting, council role, when: EHB 2008
 Child abuse or neglect, screened-in reports of, council forecasting of: EHB 2008
 Child protective services, forecasting and budgeting, council role, when: EHB 2008
 Children, core state services for, forecasting and budgeting, council role, when: EHB 2008
 Foster care services, forecasting and budgeting, council role, when: EHB 2008
 Foster care, licensed, forecasts of, reviewing, council role: ***2ESSB 5890, CH 20 (2017) PV**
 Promise program, Washington, forecasting students eligible for: HB 1840

CHIEF INFORMATION OFFICER, OFFICE OF THE STATE

Cybersecurity, blue ribbon panel on, office to convene: HB 1418
 Cybersecurity, coordinating with emergency management, task force on, CIO role: HB 2086
 Data networks of state agencies, classification schedule and encryption standards: HB 1479
 Data networks of state agencies, payment credentials on, requirements, office role: HB 1421
 Data storage system, internet-based, for local agency electronic records, CIO role: HB 1516
 Information technology procurement and contracting, state, office oversight of: HB 1787
 Information technology systems and infrastructure, testing security of, office role: HB 1929, HB 2172
 Interoperability executive committee, membership provisions: HB 1786, ***SSB 5573, CH 92 (2017)**
 Interoperability executive committee, radio/land-mobile radio system standards: HB 1786, ***SSB 5573, CH 92 (2017)**

CHILD CARE (See also EARLY LEARNING, DEPARTMENT)

Background checks, on child care workers, access to various records for: HB 1735
 Behavior support, multitiered, children from birth to 5, pilot program: HB 1639
 Behavioral concerns, child care consultation program, DEL role: HB 1713
 Child care workforce and business development work group, creating: HB 1758
 Early achievers program, trauma-informed care, advisory group and training: HB 1638
 Early childhood education and assistance program, community funding for: ***2SSB 5107, CH 178 (2017)**
 Early childhood education and assistance program, entitlement beginning date: HB 2189, ***SSB 5901, CH 22 (2017)**
 Early childhood education and assistance program, implementation and funding: HB 2189, ***SSB 5901, CH 22 (2017)**
 Licensing, DEL decisions, independent mediator to review when adverse: HB 2013
 Marijuana, businesses, by child care center or preschool, prohibitions: HB 2238
 Outdoor nature-based child care programs pilot project: HB 1875, ***SSB 5357, CH 162 (2017)**
 Providers, early childhood education and assistance program, pilot training module: HB 1758
 Providers, family child care, collective bargaining agreements, financial feasibility: HB 1287
 Providers, family child care, collective bargaining unit representative elections: HB 1607
 Providers, managing a child care business, pilot program training module: HB 1758
 Trauma-informed care, advisory group and provider and administrator training: HB 1638
 Working connections child care, for child protective or welfare services recipients: HB 1624

CHILDREN (See also ABORTION; ADOPTION; CHILD CARE; DOMESTIC RELATIONS; EARLY LEARNING, DEPARTMENT; FAMILY AND CHILDREN'S OMBUDS, OFFICE; HEALTH AND SAFETY, PUBLIC; JUVENILE COURT AND JUVENILE OFFENDERS; MENTAL HEALTH; SCHOOLS AND SCHOOL DISTRICTS; SEX OFFENSES AND OFFENDERS; TOBACCO AND TOBACCO PRODUCTS; VICTIMS OF CRIMES)

Abuse or neglect, Christian Science treatment exemption references, removing: HB 1290
 Abuse or neglect, family assessment response, provisions: HB 1825, ***2ESSB 5890, CH 20 (2017) PV**
 Abuse or neglect, hotline for reporting, posting in schools: HB 1563
 Abuse or neglect, mandated reporter requirements, DSHS poster displaying: ***HB 1931, CH 118 (2017), *2ESSB 5890, CH 20 (2017) PV**
 Abuse or neglect, records of, access for child care worker background checks: HB 1735
 Abuse or neglect, screened-in reports of, caseload forecasting of: EHB 2008
 Academic, innovation, and mentoring (AIM) program, Washington: ***2SSB 5258, CH 180 (2017)**
 Access to children, unsupervised, persons with, background checks: ***EHB 1620, CH 332 (2017), SB 5399**
 Autism, individuals with, honoring and supporting: ***HR 4635 (2017)**
 Car seat, harness, and safety belt restraint systems, age-based requirements for: EHB 1188
 Child protective services, forecasting and budgeting, when: EHB 2008
 Child protective services, hotline for reporting child and abuse neglect to: HB 1563
 Child welfare services, child welfare system improvement account, creating: ***2ESSB 5890, CH 20 (2017) PV**
 Child welfare services, foster care youth getting driver's license and insurance: HB 1808
 Child welfare services, hotel room or department office child placement, prohibiting: HB 1883
 Child welfare services, meeting facilitators for shared planning meetings: HB 1365
 Child welfare services, parent-child visitation work group, DSHS to convene: HB 1366
 Child welfare services, records, when youth in crisis residential or HOPE centers: HB 1816
 Child welfare services, remedial services to include visitation services: HB 1366
 Child welfare, court proceedings, various provisions: HB 1943

Children's day, celebrating: ***HR 4617 (2017)**
 Children, youth, and families, department of, creating: HB 1661
 Conception, and right to life, Washington state life at conception act: HB 1649
 Custody, proceedings brought by nonparent, third party custody orders, revising: HB 1930
 Depictions of minors, sexually explicit, possessing or bringing into state: ***SB 5813, CH 126 (2017)**
 Depression screening, for children of certain ages, through medicaid: HB 1713
 Homeless students, school district transportation of, certain surcharge to fund: HB 2206
 Homeless youth prevention and protection act, modifying information-sharing in: HB 1816
 Homeless youth, health care informed consent from school personnel: HB 1641
 Homeless, 13 or older, personally identifying information, consent for collecting of: HB 1630
 Homeschooling, home-based instruction of foster youth, permitting: HB 2053, HB 2054
 Hunger, childhood, efforts of advocacy groups and local coalitions to end: ***HR 4605 (2017)**
 Immunization, of school children, exemption form requirements and prohibitions: HB 2092
 Infants, healthy pregnancy advisory committee, establishing: HB 1474, ***SSB 5835, CH 294 (2017)**
 Marijuana, inhaling in presence of person under 18, civil infraction: HB 1625
 Mental health work group, children's, recommendations of, implementing: HB 1713, HB 1819, 2SSB 5749
 Missing children's day, national, supporting: ***HR 4612 (2017)**
 Mopeds, helmets, limiting mandatory use to persons under 18: HB 1485
 Motor vehicle, entering to assist minor child, liability immunity, when: HB 1118
 Motor-driven cycles, helmets, limiting mandatory use to persons under 18: HB 1485
 Motorcycles, helmets, limiting mandatory use to persons under 18: HB 1485
 Newborns, safe surrender at health care facilities, information concerning: HB 1312, SSB 5522
 Opportunities, educational/employment, association of Washington generals role: HB 1984
 Paternity, genetic testing for, termination of legal responsibilities due to, when: HB 1306
 Pediatric transitional care centers, for alcohol-/drug-exposed infants, licensing: HB 1491
 Pediatric transitional care services, for drug-exposed infants, licensing: ***SSB 5152, CH 263 (2017)**
 Playgrounds, licensing of marijuana businesses near, prohibiting: HB 2238
 Products, children's electronic, high priority chemicals in: HB 1596
 Recreational organizations, youth, certified child safety policy as standard for: HB 1784
 Restraint systems for children in vehicles, information concerning: EHB 1188
 Safety belts or child restraint systems, age-based requirements for: EHB 1188
 Sexual exploitation of children, special inquiry judge subpoena authority: ***EHB 1728, CH 114 (2017)**
 Vaccination, of school children, exemption form requirements and prohibitions: HB 2092
 Visitation, by relatives, petitioning the court: HB 2117
 Vulnerable youth guardianships, for immigrants, establishment by court, when: HB 1988
 Youth shelters, requiring parental notification, holidays and weekends exception: HB 2061

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Elephants, in traveling animal act performances, prohibiting participation: HB 2088

CITIES AND TOWNS (See also BUILDING CODES AND PERMITS; ELECTIONS; GROWTH MANAGEMENT; HOMES AND HOUSING; LOCAL GOVERNMENT; PUBLIC WORKS; ROADS AND HIGHWAYS; TAXES - LODGING TAX; UTILITIES)

Annexation, of unincorporated urban growth areas, measures to encourage: HB 1681
 Background checks of city employees and certain others, by ordinance, when: ***EHB 1620, CH 332 (2017)**, SB 5399
 Ballard, Hiram M. Chittenden locks, centennial of, celebrating: ***HR 4638 (2017)**
 Business improvement districts, purposes, procedures, and authority of: HB 1823
 Business improvement districts, renaming PBIAs as: HB 1823
 Business licenses, municipal general, business licensing service use for: ***EHB 2005, CH 209 (2017)**, ESSB 5777
 Business licenses, municipal general, model ordinance development committee: ***EHB 2005, CH 209 (2017)**, ESSB 5777
 Commercial office space, development tax exemption incentives, role of cities: HB 1495
 Criminal justice, municipal criminal justice assistance account, funds use: HB 2006
 Electrician licensing/certification rules, state, city and town enforcement, when: HB 1952
 Facilities, public, impact on ethnically diverse/high poverty area, mitigation of: HB 2093, SSB 5725
 Ferndale, Michael Knapp, police chief, honoring: ***HR 4634 (2017)**

Fire protection districts, formation by city or town, process, authority, governance: ***ESSB 5628, CH 328 (2017)**
 Fire protection districts, formation, including ambulance service, when: ***ESSB 5628, CH 328 (2017)**
 Housing, affordable, city that acquires or builds, one-time tax remittance for: HB 1536, HB 1797
 Housing, affordable, local infrastructure for, one-time tax remittance for city: HB 1536, HB 1797
 Laws, rules, and policies, state, municipality self-designated sanctuary from: HB 2178
 Lynden, Gary Baar, fire chief, honoring: ***HR 4632 (2017)**
 Mercer Island, westbound on-ramp from Island Crest Way to I-90, preserving: HB 2129
 Public defense services, cities providing, reimbursement of: HB 2031
 Rent, commercial properties, state preemption of rent controls: HB 1082, SSB 5286
 Seattle, national guard armory pier 91 property, creating interbay committee for: HB 2134
 Seattle, taxation authority for Alaskan Way viaduct project cost overruns payment: HB 2193
 Spokane, police department officer Steve Redmond, honoring: ***HR 4628 (2017)**
 Tacoma, Melanie Dressel, honoring the life and accomplishments of: ***HR 4624 (2017)**
 Telecommunications, small cell facilities and networks, installation, rights-of-way: HB 1921
 Urban development areas, city-owned property within, inventory of: HB 1752
 Wages, payment of, city/town requirements, enforcement, or regulation, prohibiting: HB 2065

CITIES, WASHINGTON ASSOCIATION OF

General business licenses, model ordinance development committee, AWC role: ***EHB 2005, CH 209 (2017)**, ESSB 5777

CITIZEN COMMISSION FOR PERFORMANCE MEASUREMENT OF TAX PREFERENCES

Commission, renaming by replacing "preferences" with "expenditures": HB 1500
 Preferences, various, commission 2016 recommendations and review process: SSB 5844
 Preferences, without metrics or accountability standards, commission role: SSB 5844

CIVIL LEGAL AID, OFFICE

Children's attorneys in dependency cases, evaluating, office role: ***2ESSB 5890, CH 20 (2017) PV**

CIVIL PROCEDURE (See also ACTIONS AND PROCEEDINGS; ATTORNEY GENERAL; CRIMINAL PROCEDURE; JUDGES; JUDGMENTS)

Accounts receivable, civil actions upon, commencement of, when: HB 1145, ESSB 5456
 Arbitration of civil actions, procedures, fees, and arbitrator requirements: HB 1128
 Construction contracts, clauses waiving claim rights to damages, voiding: HB 1574
 Easements, private right-of-way maintenance agreements and civil actions: HB 1494
 Entry, unlawful, cause for civil action for wrongfully removed persons, when: HB 1216, HB 1305, ***ESSB 5388, CH 284 (2017)**
 Forfeiture of conveyance, exception for misdemeanor marijuana possession: HB 1087
 Forfeiture of private property, guilty finding for felony offense: HB 1016
 Forfeiture of property, depositing proceeds into education legacy trust account: HB 2136
 Liability, agritourism professionals, limitations on: HB 2020, ***ESSB 5808, CH 227 (2017)**
 Liability, immunity from, for certain emergency response volunteers: HB 1277, ***SSB 5185, CH 36 (2017)**
 Liability, immunity from, if exercise of religion and conscience burdened, when: HB 1217
 Liability, of person entering vehicle to render assistance, immunity, when: HB 1118
 Overtrial, in family law cases, attorneys' and guardians' fees for: HB 2245
 Real property, damage due to work on adjacent property, civil actions for: HB 1131, SB 5080
 State, legal action against by certain state officials, requirements: HB 1034
 Tolls, bridges and highways, civil actions for recovery, statute of limitation: HB 1405
 Unmanned aircraft, prohibitions and civil actions: HB 1049

CLIMATE (See also AIR QUALITY AND POLLUTION; ENVIRONMENT)

Climate change science, consistency of greenhouse gas emissions limits with: HB 1144, HB 1372
 Paris climate agreement, 2015, aligning greenhouse gas emissions limits with: HB 2225

CODE REVISER (See also ADMINISTRATIVE PROCEDURE; REVISED CODE OF WASHINGTON; WASHINGTON ADMINISTRATIVE CODE)

Agency rule-making, statewide rule-making information web site, code reviser role: HB 1587

Legal material in official electronic records, preservation and authentication: ***SB 5039, CH 106 (2017)**

COLLECTIVE BARGAINING (See also LABOR; OPEN PUBLIC MEETINGS; PUBLIC EMPLOYMENT AND EMPLOYEES; PUBLIC EMPLOYMENT RELATIONS COMMISSION)

Agreements, "feasible financially for the state" for purposes of: HB 1287
 Agreements, establishing prevailing rate of wage through: HB 1674
 Agreements, state, posting for public inspection on OFM web site: ***SB 5969, CH 23 (2017)**
 Bargaining unit representatives, for certain public assistance providers, elections: HB 1607
 Bargaining unit representatives, higher education and common schools, elections: HB 1607
 Bargaining unit representatives, public employees, elections: HB 1607
 Community and technical college employees, compensation: EHB 1237
 Ferry employees, bargaining agreements, unused vacation leave accrual: ***HB 1530, CH 168 (2017)**
 Home care services, individual providers, overtime compensation: HB 1836
 Labor organizations, bargaining with governor, campaign contributions: HB 1891, SSB 5533
 Language access providers of spoken language interpreter services, provisions: HB 1869
 Local employment laws and contracts, waiving of, prohibiting: HB 1143
 Open public meetings, requiring that bargaining sessions be: HB 1287, HB 1951
 Police officers at colleges, binding interest arbitration rights for: HB 1559
 School districts, bargaining and salaries, modifications: ***EHB 2242, CH 13 (2017) PV**
 Schools, career and technical education teachers, participation in bargaining: HB 1756
 Union security provisions, prohibiting, exceptions: HB 1006

COLLEGES AND UNIVERSITIES (See also ADVANCED COLLEGE TUITION PAYMENT (GET) PROGRAM; COLLECTIVE BARGAINING; COMMUNITY AND TECHNICAL COLLEGES)

Academic freedom and whistleblower protection act: HB 1362
 Advanced placement (AP) tests, credit policy for: HB 1333, ***ESB 5234, CH 179 (2017)**
 Assessments, college readiness, as high school assessments for graduation: HB 1572
 Bill of rights, academic, concerning free speech and expression: HB 1362
 Branch campuses, "branch" as identifying term, eliminating: ***HB 1107, CH 52 (2017)**
 Campus antiharassment act, within new "academic bill of rights": HB 1362
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 Capital budget projects, requests and prioritized ranking by 4-year colleges: HB 1325, SB 5087
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 Early childhood education and assistance program, funding, role of colleges: ***2SSB 5107, CH 178 (2017)**
 Early learning programs, funding from community sources, local pathway for: ***2SSB 5107, CH 178 (2017)**
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Financial aid, education loan debt counseling services, providing: HB 1169
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 Property, of state university, leasehold excise tax credit, when: HB 1864, SSB 5768, ***SSB 5977, CH 37 (2017) PV**
 Seattle Pacific University, 125th anniversary of, celebrating: ***HR 4643 (2017)**
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 Sexual violence, campus, survivor-advocate records, confidentiality: ***SSB 5764, CH 72 (2017)**
 Sexual violence, campus, task force on preventing, recommendations of: ***SSB 5764, CH 72 (2017)**
 Social security numbers of students, handling by institutions, standards and prohibitions: HB 2249
 STEM fields, increasing higher education enrollments to meet workforce needs: SB 5902
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 Students, rights of, for-profit institution notice concerning, requirements: HB 1439
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 Tuition/fees, waiver, veteran/national guard child or spouse, stipend for, when: HB 2009
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 Washington State U., governmental studies, law enforcement diversity, studying: HB 1769
 Washington State U., residency positions for child and adolescent psychiatry: HB 1713
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 Branch campuses, "branch" as identifying term, eliminating: ***HB 1107, CH 52 (2017)**
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 Cybersecurity, conditional loan program for higher education: HB 1830
 Disabilities, higher education transfer students with, work group on, reauthorizing: HB 2037
 Early childhood education and assistance program, funding, role of colleges: ***2SSB 5107, CH 178 (2017)**
 Early learning programs, funding from community sources, local pathway for: ***2SSB 5107, CH 178 (2017)**
 Employees, academic, additional compensation for: EHB 1237
 Employees, collective bargaining unit representative elections: HB 1607
 Employees, student support staff, plan for increasing: HB 1888
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 Facilities, various, leasehold excise tax exemption: EHB 1913, ***SSB 5977, CH 37 (2017) PV**
 Faculty, additional compensation for: EHB 1237
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 Financial aid, college bound scholarship program, as child adoption incentive: ***2ESSB 5890, CH 20 (2017) PV**
 Financial aid, college bound scholarship program, pledge options: HB 1293, HB 1512

Financial aid, college bound scholarship, aligning eligibility with state need grant: HB 1512
 Financial aid, college bound scholarship, expanding "resident student" definition: HB 1488
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 Financial aid, college bound scholarship, using for community or technical college: HB 1214
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 Financial aid, loan default, occupational credential suspension for, repealing: HB 1052
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 Financial aid, loan forgiveness for teachers in high-need schools, when: HB 1643
 Financial aid, loan servicers and ombuds, student education loan bill of rights: HB 1440
 Financial aid, need-based recipients, student success programs for: HB 1651
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 Financial aid, state need grant, expanding eligibility: HB 1841
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 High school students, at technical colleges, taking alternative assessment, when: SB 5639
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 Incarcerated adults, associate degree education for, when: HB 1129, ***SSB 5069, CH 120 (2017)**
 Information technology, at state agencies, attracting students for, studying: HB 1697
 Mental health counseling and services, evaluating: HB 1651
 Mental health counselors, full-time, for veterans attending colleges: HB 1737, SB 5525
 Military members, spouse/child of, as "resident student," when: ***SB 5778, CH 191 (2017)**
 Paraeducators, associate of arts degree and apprenticeship standards: HB 1115, SB 5070
 Peer mentoring of students, competitive grant program for: HB 1651
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 Promise program, Washington, for resident students, establishing: HB 1840
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 Sexual violence, campus, survivor-advocate records, confidentiality: ***SSB 5764, CH 72 (2017)**
 Sexual violence, campus, task force on preventing, recommendations of: ***SSB 5764, CH 72 (2017)**
 Social security numbers of students, handling by institutions, standards and prohibitions: HB 2249
 STEM fields, increasing higher education enrollments to meet workforce needs: SB 5902
 Students, "resident student," spouse/child of uniformed services member as, when: ***SB 5778, CH 191 (2017)**
 Students, electronic benefit transfer cards for food assistance, on-campus use: HB 1569
 Suicide prevention and behavioral health, comprehensive approach: HB 1379
 Textbooks, cost of, in course descriptions for registration: HB 1375
 Textbooks, open source instructional materials, tax credit: HB 1253
 Trigger warnings, using at faculty or staff discretion: HB 1362
 Tuition and fees, transfer of certain units to college savings program: HB 2205
 Tuition/fees, waiver, veteran/national guard child or spouse, stipend for, when: HB 2009
 Tuition/fees, waiver, veteran/national guard, to include domestic support personnel: ***SB 5826, CH 127 (2017)**

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Marijuana business licenses, corporation interest holders' residency: HB 1127, HB 1151

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Offender programs, state-funded, comprehensive plan for, developing: HB 2025

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Identicaid, for offenders being released from state prisons, department role: 3SSB 5558, ESSB 5934

Incarcerated adults, associate degree education for, department role: HB 1129, ***SSB 5069, CH 120 (2017)**

Information technology and records departments, JLARC audit of: HB 2184, 2ESSB 5294

Juveniles, convicted as adults, placing in DSHS facility, department role: HB 1743

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Patient/client threats against persons, violent, counselor responsibility: HB 1810, ESB 5800

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 Advocates for children, special court-appointed, removal by court, when: ***HB 1401, CH 99 (2017)**
 Bar association, establishment and member-regulating statutes, repealing: HB 2091
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Therapeutic courts, drug courts, using criminal justice treatment account funds for: HB 1524

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Collection agencies, credit card payment transaction fees: HB 1061

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Toll facilities, Tacoma Narrows bridge, unstaffed toll booths accepting credit cards: HB 1443

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Assault, third degree, against emergency responders and firefighters: HB 1693

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Ballots and ballot return boxes, damaging or tampering with, criminalizing: HB 1472, ***SB 5336, CH 283 (2017)**

Controlled substances, possession without prescription, misdemeanor: HB 1087

Corporations, crimes committed by, fines for certain offenses, limits for: HB 1806

DNA sample, refusal to provide, expanding crime of: HB 1111

Dog guides, trained or in training, crimes involving interfering with: ***HB 1676, CH 170 (2017)**

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Firearms, community endangerment due to unsafe storage, crimes and penalties: HB 1122

Hate crimes, against emergency responders and firefighters due to occupation: HB 1693

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Hate crimes, due to honorably discharged veteran or military status: HB 1986

Homicide or death by other criminal means, family notification, work group: HB 1759

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Human trafficking, convictions for prostitution offenses by victims, vacating: HB 1112, ***SSB 5272, CH 128 (2017)**

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Human trafficking, perpetrator ignorance of victim's age, not a defense: ***SB 5813, CH 126 (2017)**

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Intoxication, voluntary, as criminal charge defense, prohibiting: HB 1973

Kidnapping, aggravated first degree, of a law enforcement officer: HB 1668

Malicious harassment, against emergency responders and firefighters: HB 1693

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Marijuana, all statutes legalizing, repealing: HB 2096
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 Murder, attempted, statute of limitations for: ***ESSB 5810, CH 125 (2017)**
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 Police vehicle, attempting to elude, "pursuing police vehicle" definition: HB 1844
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 Snowmobiles, not applying for certificate of title, evading tax or fees by: HB 1446
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 Theft of rental or leased property, adding provisions to: ***ESB 5266 (2017) V**
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 U.S. citizen or lawful resident alien, unlawful investigation or detainment of, felony: HB 2120
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 Vehicular assault, under the influence, prior convictions, increasing sentence for: HB 1591
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 Vessels, operation or control of, legal alcohol concentration, lowering: HB 1874
 Vulnerable adult, criminal mistreatment of, provisions: HB 1153, SSB 5099
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Basic law enforcement training, curriculum, sexual assault investigation training in: HB 1109
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 Convicted persons, various provisions: ESSB 5934
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 Fees, crime laboratory analysis fee, mandatory for guilty offenders: HB 1138
 Housing assistance, after release from women's corrections center: ***SSB 5077, CH 214 (2017)**
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 Background checks, criminal history, various provisions: ***EHB 1620, CH 332 (2017)**, SB 5399
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 DNA sample, collection, at jail intake or by order, from certain offenders: HB 1111
 DNA sample, collection, when judicial probable cause determination, procedures: HB 1138
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 DNA sample, law enforcement agency collection, "biometric identifier" exclusion: ***HB 2213, CH 1 (2017)**
 DNA sample, refusal to provide, expanding crime of: HB 1111
 Domestic violence assault, arresting 16- and 17-year-olds: ***SSB 5618, CH 223 (2017)**
 Evidence, provided by informant, mandatory disclosures by state to defendant: HB 1390, ESSB 5038
 Fees, crime laboratory analysis fee, mandatory for guilty offenders: HB 1138
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Fingerprints, law enforcement agency collection, "biometric identifier" exclusion: ***HB 2213, CH 1 (2017)**
 Forfeiture of conveyance, exception for misdemeanor marijuana possession: HB 1087
 Forfeiture of private property, guilty finding for felony offense: HB 1016
 Forfeiture of property, depositing proceeds into education legacy trust account: HB 2136
 Human trafficking, perpetrator ignorance of victim's age, not a defense: ***SB 5813, CH 126 (2017)**
 Indigency, court imposition of costs on indigent defendant, prohibiting: HB 1783
 Indigency, determinations, indigent or indigent and able to contribute: SB 5376
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 Informants, incentivized evidence and testimony of, state disclosures to defendant: HB 1390, ESSB 5038
 Murder, attempted, statute of limitations for: ***ESSB 5810, CH 125 (2017)**
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 Sex offenses, felony, eliminating statute of limitations for: HB 1155
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Court interpreters for persons with hearing impairment, oath requirements: ***HB 1285, CH 83 (2017)**
 Dog guides or service animals, trained or in training, interfering with, crimes: ***HB 1676, CH 170 (2017)**
 Dog guides or service animals, training in public, authority, when: HB 1699
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 Homicide or death by other criminal means, family notification, work group: HB 1759
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 Practices, permissible role of corporations or other entities or persons in: HB 1389, HB 2229, ***SSB 5322, CH 320 (2017)**
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DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH (See also DEVELOPMENTAL DISABILITIES OMBUDS, OFFICE OF)

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Adult family home, persons with developmental disabilities, property tax exemption: HB 1763

Autism, individuals with, honoring and supporting: ***HR 4635 (2017)**

Community access and employment services, access to, requirements: HB 1304, 2SSB 5201

Community residential services, direct care staff hours, Snohomish county rate: HB 1062, SSB 5014

Educational entities, employees and volunteers, background checks, when: ***SSB 5605, CH 33 (2017)**

Emergencies, person with developmental disability at scene, 911 personnel and first responder awareness: HB 1258

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Personal care services, by family member, consumer-directed medicaid program: ***2ESB 5867, CH 34 (2017)**

Personal care services, in-home by family member, payment when tribal client: ***2ESB 5867, CH 34 (2017)**

Personal needs allowance, medicaid services, increasing: HB 1772, ***SB 5118, CH 270 (2017)**

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Residential services and supports, provider certification fees, use of: HB 1792

Respite care services, certain providers of, training requirements for: ***EHB 1322, CH 267 (2017)**

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Assistive devices, accessible taxicab HOV lane use, DOT to consider: ***SSB 5018, CH 311 (2017)**

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Court interpreters for persons with hearing or speech impairment, oath requirements: ***HB 1285, CH 83 (2017)**

Dog guides or service animals, trained or in training, interfering with, crimes: ***HB 1676, CH 170 (2017)**

Dog guides, training in public, authority when person with disability: HB 1699

Emergencies, person with disability at scene, 911 personnel and first responder awareness: HB 1258

Long-term care, providers, collective bargaining unit representative elections: HB 1607

Opportunities, educational/employment, association of Washington generals role: HB 1984

Parking privileges, special, health care practitioner authorization, requirements: HB 1515

Parking spaces, van accessible, requirements and prohibitions: ***HB 1262, CH 132 (2017)**

Pregnancy disability, state employee shared leave program to include: HB 1434

Service animal issues, work group on, convening: HB 2032

Service animals, training in public, authority when person with disability: HB 1699

Social security disability benefits denial appeals, free copy of medical records for: HB 1239

Students with disabilities, higher education transfer, work group on, reauthorizing: HB 2037

Transportation needs, special, transportation providers for persons with: HB 2113

Transportation, wheelchair-accessible, certain surcharge to fund options: HB 2206

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Veterans with total disability, child or spouse college tuition/fees waiver, stipend: HB 2009

Wheelchair accessible transportation, certain surcharge to fund options: HB 2206

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Wheelchairs, accessible taxicab HOV lane use, DOT to consider: ***SSB 5018, CH 311 (2017)**

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Complimentary, spouses performing sufficient volunteer hours: ***SB 5200, CH 121 (2017)**

Complimentary, state or national guard member, when: HB 2142

Complimentary, veterans with service-connected 100% disability: HB 1180

Penalty for failure to comply with pass requirements, lowering: HB 1271

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 Citizenship or immigration status, discrimination based on, freedom from: HB 2030
 Civil rights act, state, repealing I-200 (1999) and removing references to act: HB 1158
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 Employees, public, prayer by, protecting: HB 2217
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 Free exercise of religion and freedom of conscience, as rights, legal deference to: HB 1217
 Free speech and exercise of religion, coaches and others after sports activity: HB 1602
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 Freedom of expression/speech, in student media, including civil action for relief: SSB 5064
 Hate crimes, against emergency responders and firefighters due to occupation: HB 1693
 Hate crimes, against law enforcement officers due to occupation: HB 1398, ESB 5280
 Hate crimes, due to honorably discharged veteran or military status: HB 1986
 Immigration or citizenship status, discrimination based on, freedom from: HB 2030
 Japanese-American World War II internees, veterans, and activists, recognizing: ***HR 4613 (2017)**
 Malicious harassment, due to honorably discharged veteran or military status: HB 1986
 Malicious harassment, of emergency responders and firefighters due to occupation: HB 1693
 Malicious harassment, of law enforcement officer due to occupation: HB 1398, HB 1668, ESB 5280
 Marijuana, medical use, hiring and accommodation of patient by employer: HB 1094
 Marriage as union of one man and one woman, religious beliefs and conscience: HB 1178
 Motorcycle- or club-related paraphernalia, profiling based on, prohibiting: HB 1553
 National origin, public agency disclosure to federal authorities, prohibitions: HB 2097
 Pregnant women, pregnancy and childbirth workplace accommodations: HB 1448, ***SSB 5835, CH 294 (2017)**
 Pregnant women, pregnancy workplace accommodations: HB 1796
 Profiling, right to be free from discrimination based on, as civil right: HB 1553
 Protection of the rights of religious exercise and conscience from government discrimination act: HB 1178
 Registration or surveillance programs, aiding of, prohibiting, when: HB 1985
 Religious affiliation, state agency disclosure to federal authorities, prohibiting: HB 1956
 Religious beliefs, law enforcement actions based on, prohibitions: HB 2097
 Religious beliefs, public agency disclosure to federal authorities, prohibitions: HB 2097
 Religious practices, prayer by public employees, protecting: HB 2217
 Sex, biological, immutable at birth, protecting religious belief or moral conviction: HB 1178
 Underserved groups, fair treatment of, repealing state civil rights act (I-200): HB 1158
 Voting rights act of 2017, Washington, equal opportunity for protected classes: HB 1800, HB 1934
 Voting, equal opportunity, district-based elections, authority for: HB 1800, HB 1934
 Voting, equal opportunity, district-based elections, authority to conduct: SB 5068
 Wages, equal pay for men and women: HB 1447, EHB 1506

DOMESTIC RELATIONS (See also ABORTION; ADOPTION; CHILD CARE; CHILDREN; FAMILY AND CHILDREN'S OMBUDS, OFFICE; FOSTER CARE; JUVENILE COURT AND JUVENILE OFFENDERS; MARRIAGE AND MARRIED PERSONS)

Child support work group, recommendations of: HB 1603
 Child support, economic table for, updating: HB 1603
 Child support, income withholding orders, funds remittance by electronic means: HB 2188
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 Child support, order compliance, licensees not in, notice to parent: HB 1814, SB 5490
 Child support, order noncompliance, restricted driver's license after suspension: HB 1141
 Children, youth, and families, department of, creating: HB 1661
 Dissolution and separation, marital partners rights/responsibilities handbook: HB 2246
 Dissolution and separation, parenting plans and additional provisions: HB 1554, HB 2246, ***2ESSB 5890, CH 20 (2017)**

PV

Dissolution proceedings and dependency, legal representation for parents, when: ***2ESSB 5890, CH 20 (2017) PV**

Family and community engagement coordinators, duties and funding allocations: HB 1618
 Family and medical leave, ombuds office for, establishing: ***SSB 5975, CH 5 (2017)**
 Family and medical leave, paid, insurance program for, creating: ***SSB 5975, CH 5 (2017)**
 Family assessment response, abuse/neglect reports, provisions: ***2ESSB 5890, CH 20 (2017) PV**
 Family engagement, using meeting facilitators in child welfare process for: HB 1365
 Family law cases, overtrial in, attorneys' and guardians' fees for: HB 2245
 Family leave insurance, modifying and adding medical leave to: HB 1116
 Family leave/insurance, replacing with paid family and medical leave insurance: ***SSB 5975, CH 5 (2017)**
 Homeschooling, home-based instruction of foster youth, permitting: HB 2053, HB 2054
 Murder, of family member, person threatening, mental health evaluation/treatment: HB 1972
 Nonparent caregiver, TANF assistance benefits for child who lives with, when: HB 2121
 Parent, definition of, modifying for dependency purposes: HB 1815
 Parent- and sibling-child visitation, services, activities, and work group: HB 1366
 Parental leave, state employee shared leave program to include: HB 1434
 Parental rights amendment, U.S. constitution, urging Congress to support: HJM 4005
 Parental rights, fundamental, parents' and legal guardians', codifying: HB 2244
 Paternity, genetic testing for, termination of legal responsibilities due to, when: HB 1306
 Rape, pregnant survivor, court aid to avoid parenting interactions with rapist: HB 1543
 Relatives, visitation with child, petitioning the court: HB 2117
 Treatment, chemical dependency or mental health, minors in, authority to place: HB 1424
 Youth shelters, runaway youth in, parental notification requirement, exceptions: HB 2061
 Youth, immigrant, vulnerable youth guardianships, establishment by court, when: HB 1988

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Assault, domestic violence, arresting 16- and 17-year-olds: ***SSB 5618, CH 223 (2017)**
 Assault, fourth degree involving domestic violence, modifications: HB 1163
 Funding, criminal justice, county criminal justice assistance account, use: HB 2006
 Funding, criminal justice, municipal criminal justice assistance account, use: HB 2006
 Offender score, domestic violence involved, points for certain crimes: HB 1163
 Return of child, writ of habeas corpus for, fees waiver by sheriff, when: HB 1163
 Risk assessment, creating work group to study: HB 1163
 Treatment for perpetrators, work group on, convening: HB 1163
 Washington domestic violence risk assessment work group, establishing: HB 1163

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Addresses of record, uniform process for updating, when: HB 1813
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 Financial responsibility, for autonomous vehicle, provisions: HB 2131
 Financial responsibility, for motorcycle, moped, or motor-driven cycle, when: HB 1804
 Financial responsibility, proof before issuance of registration: HB 1940
 Financial responsibility, youth in foster care obtaining coverage, support for: HB 1808
 Ignition interlock driver's license, impaired driving provisions: HB 1614
 Learner's permit, commercial nondomiciled, issuance of, when: HB 1273
 License, commercial nondomiciled, issuance of, when: HB 1273
 Licenses and permits, address of record, uniform process for updating, when: HB 1813
 Licenses, age-based format, converting pre-21 license to format for 21 or older: SSB 5154
 Licenses, enhanced, fees: HB 1041, HB 2219, ***ESB 5008, CH 310 (2017)**
 Licenses, for federal purposes, employee background checks in connection with: HB 2176
 Licenses, for federal purposes/REAL ID act alignment, issuance: HB 2176
 Licenses, restricted, after suspension for child support order noncompliance: HB 1141
 Licenses, standard, marking as not for federal purposes: HB 2176
 Licenses, standard, marking as REAL ID noncompliant, when: HB 1041, ***ESB 5008, CH 310 (2017)**
 Licenses, standard, REAL ID noncompliant, prohibiting certain enforcement uses: ***ESB 5008, CH 310 (2017)**
 Licenses, suspension, due to outstanding moving violation infractions, when: EHB 1480

Licenses, youth in foster care obtaining, support for: HB 1808
 Permits, instruction, term of validity and relation to intermediate license: HB 1223
 REAL ID act of 2005, federal, repealing certain provisions complying/implementing: HB 1041, HB 2176, ***ESB 5008, CH 310 (2017)**
 Records, tow truck operator driving record abstract, information restrictions: HB 1037, HB 1877, ***SSB 5343, CH 43 (2017)**
 Transportation network companies, drivers for, role and requirements: ESSB 5620
 Wireless communications devices, hands-free, sales and use tax exemptions for: HB 2237

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Assistance with medications, as activity of daily living in assisted living facilities: HB 1671
 Birth control, contraceptive drugs, health plan coverage for twelve-month supply: HB 1234
 Cannabis, health and beauty aids, permit for, and regulatory requirements: HB 2033
 Cannabis, medical use, provisions: HB 1060, HB 1094, HB 1098, HB 1212, ***HB 1250, CH 131 (2017)**, HB 1416, HB 2021, HB 2098, ***ESSB 5131, CH 317 (2017)**
 Cannabis, medical use, repealing all statutes legalizing: HB 2096
 Contraceptive drugs, health plan reimbursement for twelve-month-supply refills: HB 1234
 Controlled substances, possession without prescription, misdemeanor: HB 1087
 Controlled substances, trafficking, orders for communication interception: HB 1108
 Controlled substances, uniform act, excluding industrial hemp from scope of: ***HB 2064, CH 153 (2017)**
 Felony drug offenses, forfeiture of private property, guilty finding for: HB 1016
 Investigational drugs and biological products, terminally ill patient access, when: ***SSB 5035, CH 212 (2017)**
 Investigational drugs, biological products, and devices, access by certain patients: HB 1242
 Marijuana, all statutes legalizing, repealing: HB 2096
 Marijuana, businesses and entities, siting near tribal reservation, provisions: HB 1937
 Marijuana, businesses, business and nonprofit entity interest holders' residency: HB 1127, HB 1151
 Marijuana, businesses, by playground, child care center, or preschool, prohibitions: HB 2238
 Marijuana, businesses, financial institution services for, authorizing: HB 2098
 Marijuana, businesses, general licensing process: EHB 1857, ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, license issuance, tribal consent for, when: ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, licensing agreements and consulting contracts with entities: HB 1152, ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, production and processing standards for licensees: HB 1461, ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, revenues from, federal activities impeding, prohibitions: HB 2124
 Marijuana, businesses, signage and advertising: ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, siting of, prohibitions: HB 2238
 Marijuana, businesses, siting or operation of retail, processes for prohibiting: HB 2215
 Marijuana, businesses, targeting youth, prohibiting: ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, various licensing provisions: EHB 1857, ***ESSB 5131, CH 317 (2017)**
 Marijuana, cannabis health and beauty aids permit and regulatory requirements: HB 2033
 Marijuana, enforcement, powers of liquor enforcement officers: SSB 5132
 Marijuana, excise tax provisions: HB 1667, HB 2021, HB 2060, HB 2076, HB 2124
 Marijuana, excise tax, Alaskan Way viaduct project cost overruns payment via: HB 2193
 Marijuana, federal efforts concerning, state resources use to assist, prohibiting: HB 1895
 Marijuana, hydrocarbon gas-based marijuana-processing solvent, taxing, when: HB 1667
 Marijuana, inhaling in presence of person under 18, civil infraction: HB 1625
 Marijuana, legalizing recreational user plant possession, regulation of, studying: ***ESSB 5131, CH 317 (2017)**
 Marijuana, licenses, additional application and renewal fee: EHB 1858, ***SB 5130, CH 316 (2017)**
 Marijuana, licenses, research license provisions: EHB 1857, ***ESSB 5131, CH 317 (2017)**
 Marijuana, medical use, administration to students: HB 1060
 Marijuana, medical use, financial services for businesses, patients, providers: HB 2098
 Marijuana, medical use, hiring and accommodation of patient by employer: HB 1094
 Marijuana, medical use, personal product testing for qualified patients: HB 1212
 Marijuana, medical use, provisions: HB 1094, HB 1098, ***HB 1250, CH 131 (2017)**, HB 1416, HB 2021, HB 2098, ***ESSB 5131, CH 317 (2017)**
 Marijuana, medical use, repealing all statutes legalizing: HB 2096

Marijuana, possession of plants and useable marijuana at home: HB 1092, HB 1212
 Marijuana, possession, delivery, and/or transfer offenses, penalty modifications: HB 1065, HB 1212
 Marijuana, possession, misdemeanor convictions, vacation of: HB 1260
 Marijuana, possession, misdemeanor, conveyance forfeiture exception for: HB 1087
 Marijuana, possession, standards for legal: ***ESSB 5131, CH 317 (2017)**
 Marijuana, possession, standards for legal, misdemeanor, and felony: HB 1065, HB 1212
 Marijuana, processor's facilities, inspection by fire code official, alternatives, when: HB 1920
 Marijuana, producer and processor premises, masking odors from: HB 1911
 Marijuana, producers and processors, testing of products of: HB 2227
 Marijuana, producers, sales for cannabis health and beauty aid production: HB 2033
 Marijuana, producers, sales to qualifying patients and providers: HB 2021
 Marijuana, production and processing standards for licensees: HB 1461, ***ESSB 5131, CH 317 (2017)**
 Marijuana, production and products, protecting from nuisance lawsuits: HB 1692
 Marijuana, regulatory revenues from, federal activities impeding, prohibitions: HB 2124
 Marijuana, retail licenses, delivery endorsement: HB 1712
 Marijuana, retail licenses, forfeiture for failing to use by deadline: HB 1126, ***ESSB 5131, CH 317 (2017)**
 Marijuana, retail outlets in state and licenses held by licensees, number allowed: HB 1096
 Marijuana, retail outlets, local governments prohibiting, liquor revenue reduction: HB 1099
 Marijuana, retail outlets, lockable drug box, donating: ***HB 1250, CH 131 (2017)**
 Marijuana, retail outlets, selling marijuana merchandise: HB 1487
 Marijuana, retail outlets, siting or operation of, processes for prohibiting: HB 2215
 Marijuana, retailers and co-owners, limiting aggregate licenses per business: HB 1096, HB 1125, ***ESSB 5131, CH 317 (2017)**
 Marijuana, transfer of immature plants between producers and researchers: ***ESSB 5131, CH 317 (2017)**
 Marijuana, use or display in public, civil infraction: HB 1416
 Marijuana-infused edible food products, packaging and labeling of: HB 1124
 Marijuana-infused edible food products, sanitary processing, regulation of: HB 1462
 Methamphetamine, properties and transient accommodations contaminated by: ***HB 1757, CH 115 (2017)**
 Naloxone, establishing access grant program and creating account: HB 1505
 Offenses, forfeiture of property, using proceeds for school funding: HB 2136
 Opioid drugs, prescribing, disciplinary boards and commissions to adopt rules: SSB 5248
 Opioid drugs, prescription restrictions and practitioner requirements: HB 1339
 Opioid use disorder treatment medications, treatment programs using: HB 1427
 Opioids, distributor morphine dose sales fee, revenues to fund naloxone access: HB 1505
 Over the counter, dispensed via prescription, retail sales tax exemption statement: HB 1164
 Prescription, cost and utilization data, reporting: HB 1541
 Prescription, donation program, donor form when drugs properly stored: HB 1765
 Prescription, insurance plans, continued coverage and cost, requirements: HB 1211
 Prescription, opioid drugs, disciplinary boards and commissions to adopt rules: SSB 5248
 Prescription, opioid drugs, restrictions and practitioner requirements: HB 1339
 Prescription, prescription monitoring program, providing data from, when: HB 1426, SSB 5248
 Prescription, psychotropic medication, school requiring student be on, prohibiting: HB 1788, SB 5448
 Prescription, take-back program for unwanted medications: HB 1047
 Prescription, warehousing and reselling, preferential B&O tax rate, repealing: HB 2186
 Suicide awareness, suicide-safer homes project, task force, and account, creating: HB 1612

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 Background checks, on child care workers, DEL access to various records for: HB 1735
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 Behavioral concerns, child care consultation program, DEL role: HB 1713
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 Child care providers, managing child care business, pilot training module, DEL role: HB 1758
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Early achievers program, trauma-informed care, advisory group and training: HB 1638
 Early childhood education and assistance program, community funding for: *2SSB 5107, CH 178 (2017)
 Early childhood education and assistance program, entitlement beginning date: HB 2189, *SSB 5901, CH 22 (2017)
 Early childhood education and assistance program, implementation and funding: HB 2189, *SSB 5901, CH 22 (2017)
 Early childhood education and assistance program, pilot training module, DEL role: HB 1758
 Early childhood education and assistance programs, summer, DEL contracting for: HB 1518
 Early learning and child care programs, outdoor nature-based pilot project: HB 1875, *SSB 5357, CH 162 (2017)
 Eliminating DEL and moving functions to department of children, youth, and families: HB 1661
 Employees, access to persons with developmental disabilities, background checks: *SSB 5605, CH 33 (2017)
 Facilities, committee of early learning facilities experts, DEL to convene: HB 1777
 Facilities, drinking water service lines, lead-containing, replacing: HB 1805
 Facilities, drinking water systems/outlets, lead in, action plans, testing, response: HB 1842
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 Funding, education legacy trust account, various deposits into: HB 1549
 Home visiting program, contracting with private-public partnership for: HB 1719
 Licensing, DEL decisions, community appeals boards to review, establishing: HB 1957
 Licensing, DEL decisions, independent mediator to review when adverse: HB 2013
 Preschools, licensing of marijuana business near, prohibiting: HB 2238
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 Rule making, by DEL, restricting in current biennium: HB 2069
 Trauma-informed care, advisory group and training, DEL role: HB 1638
 Volunteers, access to certain persons, background checks: *SSB 5605, CH 33 (2017)
 Working connections child care, for child protective or welfare services recipients: HB 1624

ECOLOGY, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; AIR QUALITY AND POLLUTION; ENVIRONMENT; STATE AGENCIES AND DEPARTMENTS; WATER; WATER POLLUTION; WATER RIGHTS)

Agreements, interagency, department reporting of: HB 1010
 Architectural paint recovery program, creation, department role: HB 1376
 Carbon pollution mitigation tax, imposing, department role: HB 1646, HB 2230
 Food and forest products manufacturing wastes, beneficial uses of, analyzing: HB 2133
 Greenhouse gas emissions, limits, department role in revising: HB 1646, HB 2230
 Groundwater withdrawals, permit-exempt, mitigation program, ecology role: HB 2226
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 Hazardous substances independent remedial actions under toxics control act: SSB 5170
 Marijuana, producer and processor premises, masking odors from, ecology role: HB 1911
 Mineral prospecting, motorized, pollutant discharge general permit, issuance: HB 1106
 Oil transport, plans, notice, financial responsibility, and response, ecology role: HB 1611
 Pollutant discharge elimination permits, treating nonagency individuals equitably: HB 2140, HB 2141
 Radioactive waste, low-level, management of, transferring authority from ecology: HB 1252, SB 5319
 Rule making, department policies, adoption and enforcement, requirements: HB 1455
 Rules, alternatives to rule making, encouraging department to use: HB 1328
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 Wastewater, treatment plant operator certification account, department role: HB 1267, *SB 5162, CH 35 (2017)
 Water in WRIAs, maps of legal availability of, department role: HB 1918
 Water right permits, applications, water recharging via land use changes as factor: HB 1459
 Water right permits, Columbia river, application processing for, legislative intent: HB 1394, SB 5269
 Water rulings, real property impacted by, revaluation for tax purposes of: HB 2195
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 Eminent domain, economic development use of, prohibiting, when: HB 1454, SB 5445
 Higher education institutions, contributions of, economic impact, studying: HB 1910
 Investment projects, business taxes deferral and investment, program expiration: *SSB 5977, CH 37 (2017) PV
 Projects of statewide significance, for economic development: SB 5621
 Rural communities, food and forest products infrastructure, supporting: HB 2133
 Seattle pier 91 national guard armory property, creating interbay committee for: HB 2134
 Tax incentives, annual report and survey used for, consolidating: HB 1296

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Administrators, certification programs, elections professionals qualifications for: HB 2077
 Ballots and ballot return boxes, damaging or tampering with, criminalizing: HB 1472, *SB 5336, CH 283 (2017)
 Ballots, drop boxes for, in all communities: HB 1785, HB 2080, HB 2081, *SSB 5472, CH 327 (2017)
 Ballots, drop boxes for, in all communities, role of counties and state: HB 2173
 Ballots, uniform format, development and implementation: HB 1785, HB 2079, SB 5126
 Campaigns, contributions, incidental committee requirements: HB 1807
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 Campaigns, contributions, regulating, U.S. constitutional amendment convention: HJM 4003
 Campaigns, contributions, reporting dates and/or monetary thresholds, various: HB 1834, HB 1835
 Campaigns, contributions, to candidates for governor by certain labor organizations: HB 1891, SSB 5533
 Campaigns, contributions, to candidates for governor by political committees, when: SSB 5533
 Campaigns, finance disclosure, DISCLOSE act of 2017: HB 1807
 Campaigns, legislators, mailings and public resources use, post-election: HB 2106
 Candidacy, declarations of, filing: HB 1470, HB 2082
 Candidacy, declarations of, filing when incumbent withdraws, deadline: ESSB 5645
 Costs, of state primary or general election, state's prorated share of, when: HB 1903
 County commissioners, election of: HB 1535
 District elections, noncharter county redistricting and county commissioners: HB 1535
 District-based elections, authority for political subdivisions to conduct: SB 5068
 District-based elections, political subdivision authority for: HB 1800, HB 1934
 Districts, precinct boundaries and redistricting plan submission: HB 1567
 Pre-primary to general election, legislative ethics board actions, restricting: HB 1994
 Presidential electors, provisions: HB 1327, HB 1696
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 Vote tallying equipment, replacement fund, county or city establishment of: HB 2079
 Voters' pamphlet, revenue equity statements with effective tax rate of measures: HB 1981
 Voting, ballots returned electronically, allowing: HB 1342
 Voting, preregistration for 16- and 17-year-olds: HB 1513
 Voting, preregistration for 17-year-olds: HB 1471

Voting, registration, deadline for: HB 1468, HB 2084, HB 2085
 Voting, registration, in-person, deadline for: HB 1727, HB 2084
 Voting, registration, work group on practices, standards, and strategies: HB 1785
 Voting, signing up to register, when: HB 1471, HB 1513
 Voting, systems in state, survey and replacement standards: HB 1785, HB 2078
 Voting, Washington voting rights act of 2017, protected class equal opportunity: HB 1800, HB 1934
 Women's suffrage, national, commemoration of centennial of, preparations for: HB 2007
 Women's suffrage, national, women's history consortium role in commemorating: HB 2007

ELECTRICIANS

Contractors, electrical, vehicle identification requirements, instituting: HB 1855
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 Inspectors, electrical, inspecting marijuana processor's premises, when: HB 1920
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 Specialty electricians, certification of various, work experience alternatives for: HB 2123
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 Specialty electricians, HVAC/refrigeration, hours of work experience for: HB 2123
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Children's or consumer products, high priority chemicals in, notice of: HB 1596
 Electronic alcohol monitoring devices for offenders, tax exemptions for: HB 1423
 Electronic waste recycling program, collection services via: HB 1226
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Ambulance service, as part of fire protection district formation, when: ***ESSB 5628, CH 328 (2017)**
 Ambulance services, medicaid payment for, relation to medicare rate: HB 2112
 Ambulance services, municipal/volunteer, driver without medical training, when: ***ESSB 5751, CH 70 (2017)**
 Behavioral health, crisis intervention response team pilot project, creating: HB 2234
 Communication plans, life safety information for limited-English proficient persons: ***SSB 5046, CH 312 (2017)**
 Cybersecurity, coordinating emergency management with, task force on: HB 2086
 Elk-vehicle collision on highway, reimbursement of emergency response agency: HB 1726
 Emergencies, person with disability at scene, 911 personnel and first responder awareness: HB 1258
 Emergency medical facilities, sexual assault examination reimbursement, when: HB 2102
 Emergency medical technicians, at theatrical wrestling events and school shows: HB 1420
 Emergency medical technicians, public hospital district, LEOFF credit, when: HB 2187, HB 2202, ESSB 5659
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 Emergency responders, their occupation as, malicious harassment because of: HB 1693
 Emergency rooms, patient care information, submission requirements: ***SSB 5514, CH 220 (2017)**
 First responders killed in line of duty, spouses of, property tax exemption: SSB 5104
 First responders, building mapping system for, to include school buildings: HB 1982
 First responders, notifying schools of evacuation or lockdown, requirements: HB 1982
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 Medical services, balance billing by out-of-network providers, protections against: HB 1117, HB 2114
 Medical services, in- and out-of-network providers at facilities, requirements: HB 1870
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 Oil transport, spill plans, notice, financial responsibility, and emergency response: HB 1611
 Oil transport, train accidents, emergency preparedness guidance for, creating: HB 1698
 School emergencies, statewide panic button program, establishing: HB 1284
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Cybersecurity incidents, state of emergency, governor authority to proclaim: HB 1419
 Firearms, lawful possession during emergency: HB 1004
 Waiver or suspension of statutory obligations or limitations, governor authority for: HB 2042
 Wildfires, 2015, emergency appropriations from budget stabilization account for: HB 1613
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Economic development, eminent domain use for, prohibiting, when: HB 1454, SB 5445
 Relocation assistance, fair and equitable treatment for impacted persons: *SB 5049, CH 213 (2017)
 Relocation assistance, for persons displaced by agency property acquisitions: *HB 1615, CH 12 (2017)

EMPLOYMENT AND EMPLOYEES (See also BUSINESSES; LABOR; LABOR AND INDUSTRIES, DEPARTMENT; PROFESSIONS; PUBLIC EMPLOYMENT AND EMPLOYEES; UNEMPLOYMENT COMPENSATION; VOCATIONAL EDUCATION; WAGES AND HOURS; WORKER TRAINING AND WORKFORCE NEEDS; WORKERS' COMPENSATION; WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD)

Agricultural/farm products labor, break time/rest period remedial compensation: ESB 5720
 Agricultural/farm products labor, production-based safe harbor compensation for: HB 2049
 Child support, income withholding orders, funds remittance by electronic means: HB 2188
 Communications, between workers concerning wages and employment, protecting: HB 1447, EHB 1506
 Contracting agents, workers providing services via, qualified benefit providers for: HB 2109
 Criminal record, employer prematurely asking applicant about, enforcement: HB 1298, ESSB 5312
 Criminal records, employment laws concerning, state preemption of field of: ESSB 5312
 Customized employment training program, Washington, repealing expiration of: HB 1130
 Family and medical leave, ombuds office for, establishing: *SSB 5975, CH 5 (2017)
 Family and medical leave, paid, insurance program for, creating: *SSB 5975, CH 5 (2017)
 Family leave insurance, modifying and adding medical leave to: HB 1116
 Family leave/insurance, replacing with paid family and medical leave insurance: *SSB 5975, CH 5 (2017)
 Franchisors, not employers of franchisees or franchisee employees: HB 1881
 Gifts from employers to employees, based on marital status, allowing, when: HB 1947
 Income source, as tenant, landlord expelling or refusing to rent due to, prohibiting: HB 1633
 Local laws and contracts, application to unionized and nonunionized employees: HB 1143
 Marijuana, medical use, hiring and accommodation of patient by employer: HB 1094
 Noncompetition agreements, enforceable or unenforceable, when: EHB 1967
 Pregnant women, pregnancy and childbirth workplace accommodations: HB 1448, *SSB 5835, CH 294 (2017)
 Pregnant women, pregnancy workplace accommodations: HB 1796
 Prospective employee, wage or salary history, restricting employer inquiries: HB 1533
 Retaliation and discrimination against employees, protections: HB 1301
 Unions, support or activities, employer action against employee for, consequences: HB 1941

EMPLOYMENT SECURITY DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; STATE AGENCIES AND DEPARTMENTS)

Family and medical leave, ombuds office for, establishing, ESD role: *SSB 5975, CH 5 (2017)
 Family and medical leave, paid, insurance program for, creating, ESD role: *SSB 5975, CH 5 (2017)
 Long-term services and supports trust program, department role: HB 1636
 Overpayment, when labor lockout back pay award, employer repayment, ESD role: HB 1942
 Worker readjustment program and account, creating, department role: HB 2146

ENERGY (See also AIR QUALITY AND POLLUTION; HEATING AND HEATERS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; UTILITIES)

Carbon reduction investment fund, project awards from, when: HB 2230
 Clean energy districts, creating, authority for: HB 1964
 Coal-fired plants, transition to natural gas or biomass, tax exemptions for: HB 1497, SB 5439
 Dams, on Columbia river, requesting that federal officials prevent breaching of: SJM 8004
 Distributed energy and electric distribution efficiency, companies to enable: HB 1233

Electricity generation, sources "renewable" and not "renewable," requirements: HB 1334
 Electricity, sales to silicon smelters, tax preferences for: HB 1403, *SSB 5977, CH 37 (2017) PV
 Geothermal resources, exploration for, permitting process, revising: *ESSB 5470, CH 259 (2017)
 Hydroelectric generation, as renewable energy resource: HB 1249, HB 1334, HB 1360, SB 5232
 Nuclear energy, small modular reactors, manufacturing and selling, tax exemptions: 2SSB 5475
 Renewable energy system cost recovery program, modifications: HB 1048, *ESSB 5939, CH 36 (2017)
 Renewable energy systems, distributed, consumer access to: HB 1233, *ESSB 5939, CH 36 (2017)
 Renewable resource, development of, projects of statewide significance for: SB 5621
 Renewable resource, eligible, defining: HB 1249, HB 1334, HB 1519, *ESB 5128, CH 315 (2017)
 Solar companies, community, registration and certification of: *ESSB 5939, CH 36 (2017)
 Solar energy modules, recycling: HB 1048, *ESSB 5939, CH 36 (2017)
 Solar energy silicon manufacturing and wholesaling, preferential B&O tax rate: *SSB 5977, CH 37 (2017) PV
 Solar energy systems, shared commercial solar projects, role of utilities: *ESSB 5939, CH 36 (2017)
 Solar energy systems, tax preferences: HB 1048, *ESSB 5939, CH 36 (2017)

ENTERPRISE SERVICES, DEPARTMENT (See also BUILDING CODE COUNCIL; BUILDINGS, STATE; STATE AGENCIES AND DEPARTMENTS)

Building code council, DES role, expanding: HB 1436, HB 1622, SSB 5500
 Capitol campus, parking on, rules, infractions, and adjudication, DES role: HB 1852
 Contracts, "contracting out" assessment and contractor ethical standards, DES role: HB 1851
 Functions of DES, transferring to OFM in certain cases: SSB 5915
 Growth management hearings board, materials transfer to DES due to eliminating: HB 1350
 Human resources, transferring certain DES functions to OFM: SSB 5915
 Information technology procurement, consulting with chief information officer: HB 1787
 Risk management, office of, public hospital benefit entities, self-insurance: *SB 5581, CH 221 (2017)
 Spoken language interpreter services, from language access providers, DES role: HB 1869
 State agency facilities and real estate, aligning certain DES and OFM functions: HB 1828
 State agency loss prevention reviews, modifying, DES role: HB 1323, *ESSB 5173, CH 318 (2017)
 Urban development areas, DES-owned property within, inventory of: HB 1752

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Projects of statewide significance, for environmental conservation: SB 5621
 SEPA, environmental impact mitigation, limits of authority to require: HB 1009
 SEPA, environmental impact mitigation, priority of local authority: HB 1013
 SEPA, environmental impact statements, DFW lands management exemption: HB 2175
 SEPA, environmental impact statements, time limit: HB 1086, SSB 5438
 SEPA, exemptions, development proposals consistent with plans or programs: HB 1745
 SEPA, exemptions, lead agency right-of-way allowable uses amendments, when: HB 1589
 SEPA, exemptions, pedestrian sidewalk and path construction, when: HB 1268
 SEPA, local project permits and review, vested rights and controlling in: HB 2100
 SEPA, low-income housing development, noncompliance challenge exception: HB 1740
 SEPA, planned action in area with major transit stop, environmental impact: *E2SSB 5254, CH 16 (2017)
 Urban growth areas, environmental protection land exchange act: HB 1774
 Workforce for environment sector, assessing to aid educational program planning: HB 1404, *2SSB 5285, CH 182 (2017)

ESTATES, TRUSTS, AND PROBATE (See also TAXES - ESTATE TAX)

Administration of estate, services to be provided by office of public guardianship: HB 1139
 Guardianship, incapacitated persons, communication and visitation rights: HB 1402, 2SSB 5577
 Guardianship, incapacitated persons, guardian notification of certain others: HB 1402, 2SSB 5577
 Guardianships, incapacitated persons, less restrictive alternative option, when: *SB 5691, CH 271 (2017)
 Transfers and obligations, incurred by debtor, uniform voidable transactions act: *SB 5085, CH 57 (2017)
 Trusts, first and second, decanting power of trustee, new chapter: *SSB 5012, CH 29 (2017)

ETHICS IN GOVERNMENT (See also EXECUTIVE ETHICS BOARD; JUDICIAL CONDUCT, COMMISSION ON; LEGISLATIVE ETHICS BOARD)

Boards, ethics, decision-making timeline for ethics violation complaints: HB 2119

Complaints, correspondence concerning, delivery with notice of receipt: HB 1950
 Legislators, mailings and public resources use, post-election: HB 2106
 State employees and officers, postemployment disclosure statement and waiver: HB 1159
 State officers and employees, postemployment disclosure statement, uniform: HB 1159

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Advisory opinions, written, issuance by board, when: HB 2105
 Complaints, board decision-making timeline for: HB 2119
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 Jurisdiction of board, statutes and rules at time of alleged violation: HB 2118
 Postemployment requirements, waiver of, board rule adoption: HB 1159

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Agritourism, liability of agritourism professionals, limitations on: HB 2020, ***ESSB 5808, CH 227 (2017)**
 Chavez, Cesar, recognizing March thirty-first as Cesar Chavez day: HB 1939
 Composting, protecting from nuisance lawsuits, when: HB 1590, ESSB 5431
 Crop protection products, wholesale sales, B&O tax exemption, when: HB 1916, ***SSB 5977, CH 37 (2017) PV**
 Crops damage due to wildlife, by elk or deer, compensation for: HB 1399
 Dropout prevention through farm engagement pilot project, establishing: HB 1542
 Employees, farm internship pilot project, adding counties and expiration date: ***HB 1906, CH 150 (2017)**
 Farm product, defining to include marijuana, for nuisance lawsuit protection: HB 1692
 Farmers, future farmers of America, Washington's, recognizing: ***HR 4614 (2017)**
 Fertilizer, commercial, wholesale sales of, B&O tax exemption, when: HB 1916, ***SSB 5977, CH 37 (2017) PV**
 Food system, state, studying: HB 1552
 Hemp, industrial, funding of research on: HB 1979
 Hemp, industrial, indicating exclusion from "controlled substance" definition: ***HB 2064, CH 153 (2017)**
 Hemp, industrial, regulatory framework feasibility, studying: ***ESSB 5131, CH 317 (2017)**
 Hunger, childhood, efforts of Washington farmers to help combat: ***HR 4605 (2017)**
 Labor contracting, farm, excluding activity solely for small forest landowners from: ***EHB 1924, CH 253 (2017)**
 Pollutant discharge elimination permits, treating nonagency individuals equitably: HB 2140, HB 2141
 School meals, farm-to-school and small and direct marketing farm programs: HB 1508
 Seed, wholesale sales of, B&O tax exemption, when: HB 1916, ***SSB 5977, CH 37 (2017) PV**
 Sewage sludge/biosolids, food grown in, labeling requirements: HB 1653
 Small farms, encouraging through growth management act planning: HB 1609
 Small farms, within current use property tax program: HB 1544
 Wages, agricultural labor, break time/rest period remedial compensation, when: ESB 5720
 Wages, production-based safe harbor compensation for agricultural labor: HB 2049

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Advisory committees, role of, provisions: HB 1528
 County ferry districts, passenger-only ferries, not limiting district authority to: HB 1331, SSB 5403
 Employees, ferry, collective bargaining unit representative elections: HB 1607
 Employees, ferry, unused vacation leave accrual by: ***HB 1530, CH 168 (2017)**

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Parks, state, capital projects at, general obligation bonds to fund, committee role: ESSB 5838

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Credit union act, modifying provisions: HB 1053, ***SB 5144, CH 61 (2017)**
 Credit unions, as public depositaries: HB 1209
 Credit unions, capital accounts, secondary, provisions concerning: HB 1318
 Dressel, Melanie, Columbia bank CEO, honoring the life and accomplishments of: ***HR 4624 (2017)**
 Investment management services, international, preferential B&O rate, eliminating: HB 2186
 Investment trust, Washington, creating: HB 2059
 Marijuana businesses, patients, and providers, providing financial services for: HB 2098
 Student loans, disbursement via financial institution, requirements for schools: HB 1499

FINANCIAL INSTITUTIONS, DEPARTMENT (See also FINANCIAL INSTITUTIONS)

Small business retirement marketplace, investment options in, department review: HB 1850, HB 1966, ***SSB 5675, CH 69 (2017)**

Student education loan servicers program, department role: HB 1440

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Capital budget, higher education project requests, prioritized ranking by colleges: HB 1325, SB 5087

Children, core state services, forecasting/budgeting as maintenance-level costs: EHB 2008

Collective bargaining agreements, "feasible financially for the state," OFM role: HB 1287

Collective bargaining agreements, state, OFM to post on web site: ***SB 5969, CH 23 (2017)**

Contracts, state agency contract oversight and management program, OFM role: SSB 5915

Education data center, educator preparation data, making available to PESB: HB 1741

Facilities and real estate, state agencies, aligning certain DES and OFM functions: HB 1828

Fiscal analysis, work group to explore establishing nonpartisan agency, OFM role: SSB 5443

Fiscal impact statements and estimates, dynamic, OFM role: HB 1960

Fiscal impact, dynamic fiscal impact statements, instituting, OFM role: SSB 5443

Fiscal notes, various provisions: SSB 5443

Foster parent shared leave pool, creating, OFM role: ***2ESSB 5890, CH 20 (2017) PV**

Growth management hearings board, assets transfer to OFM due to eliminating: HB 1350

Human resources, transferring certain DES functions to OFM: SSB 5915

Prescription drugs, cost and utilization data reporting, OFM role: HB 1541

Psychiatric hospitals, state, managed care risk model for, OFM role: ESSB 5894

Regulatory assistance, office of, regulatory fairness act assistance for agencies: HB 1120

Shared leave program, to include parental leave and pregnancy disability: HB 1434

Shared leave program, uniformed service pool, members, veterans, spouses: HB 1802

State agencies, audits of, indicating state law noncompliance, OFM role: ***SSB 5372, CH 66 (2017)**

State agencies, employees and contractors, background checks, when, OFM role: HB 2208, SSB 5915

Statutory provisions concerning OFM, obsolete or inactive, removing or revising: EHB 1927

Tax rate, effective, in statements for ballot measures and bills, OFM role: HB 1981

Vacation leave, accrual and use of, state employee and officer provisions: HB 1521

Vacation leave, removing continuous employment requirement for first using: HB 1521

Veterans, military recruitment program, OFM to develop: ***SB 5849, CH 192 (2017)**

FIRE PROTECTION (See also FIREFIGHTERS)

Contractors, fire protection contractor license fund, limiting uses of: HB 1133

Contractors, fire suppression, DNR outreach and recruitment: HB 1489

Director of fire protection, inspecting marijuana producer's premises, when: HB 1920

Fire code officials, inspecting marijuana producer's premises, alternatives to, when: HB 1920

Fire departments, city or town, effect of fire protection district formation on: ***ESSB 5628, CH 328 (2017)**

Fire departments, community assistance referral and education services program: HB 1358

Fire departments, Lynden, Gary Baar, fire chief, honoring: ***HR 4632 (2017)**

Fire protection districts, annexations and mergers, various provisions: HB 1751, ***SB 5454, CH 326 (2017)**

Fire protection districts, commissioner compensation, adjustment for inflation: HB 1167, ***SB 5122, CH 58 (2017)**

Fire protection districts, elections, district-based or alternative: HB 1800

Fire protection districts, formation by city or town, process, authority, governance: ***ESSB 5628, CH 328 (2017)**

Fire protection districts, formation, including ambulance service, when: ***ESSB 5628, CH 328 (2017)**

Fire protection districts, property tax levies, removing certain requirements: ***HB 1166, CH 107 (2017)**, SB 5121

Fire protection districts, rural counties, equipment purchases, tax exemption, when: HB 1839

Fires, national fire incident reporting system, administering of: HB 1863

Hospitals, fire protection inspections, funding from hospital licensing fees: HB 1915

Mobilization, state fire service, anticipating local needs: HB 1019

Regional fire protection service authorities, fire protection benefit charge provisions: HB 1467

Regional fire protection service authorities, tax levy provisions: HB 1467

Russell, Gary, Whatcom county fire district no. 7 fire chief, recognizing: ***HR 4649 (2017)**

Wildfires, 2015, appropriations from budget stabilization account for: HB 1613

Wildfires, 2016, appropriations from budget stabilization account for: ***EHB 2190, CH 29 (2017)**, HB 2191, SB 5895

Wildfires, aircraft use, premobilization assistance program for local entities to fund: HB 1736
 Wildfires, eastern Washington, community wildfire protection assessment: HB 1074
 Wildfires, forest losses from, forest health assessment and treatment: ***SSB 5546, CH 95 (2017)**
 Wildfires, forest losses from, forest health treatments prioritization policy: HB 1711
 Wildfires, open space program additional tax natural disaster exception for: EHB 1309, ***SSB 5977, CH 37 (2017) PV**
 Wildfires, risk, prevention, response, and education activities, certain funds for: HB 2010
 Wildfires, suppression contractors and equipment owners, DNR recruitment: HB 1489
 Wildfires, suppression methods, use of fire retardants, foams, etc., DNR reporting: ***ESSB 5198, CH 319 (2017)**
 Wildfires, vegetation removal to protect structures, in development regulations: HB 1588

FIREARMS (See also CORRECTIONAL FACILITIES AND JAILS; LAW ENFORCEMENT AND LAW ENFORCEMENT OFFICERS)

Alien firearm license, fingerprinting requirements for: ***HB 1965, CH 174 (2017)**
 Assault weapons and large capacity magazines, licensing and background checks: HB 1387
 Assault weapons and large capacity magazines, requirements and prohibitions: HB 1134, HB 1387
 Background checks, assault weapons and large capacity magazines: HB 1387
 Background checks, exclusions, certain employer-employee transfers: HB 1731
 Background checks, exclusions, certain entity-employee transfers: ***ESSB 5552, CH 264 (2017)**
 Background checks, exclusions, flare guns and construction tools: HB 1731, ***ESSB 5552, CH 264 (2017)**
 Background checks, exemptions, concealed pistol licensees, when: HB 1725
 Background checks, exemptions, family member exemption, expanding: HB 1731, ***ESSB 5552, CH 264 (2017)**
 Background checks, exemptions, suicide or bodily harm prevention transfers: HB 1731, ***ESSB 5552, CH 264 (2017)**
 Background checks, exemptions, temporary transfers in transferor's presence: HB 1731, ***ESSB 5552, CH 264 (2017)**
 Background checks, exemptions, transfers at nonprofit fund-raising activities: HB 1933
 Background checks, repealing: HB 1380
 Dealers, at point of sale, offering locked box, lock, or anti-discharge device: HB 1122
 Deliveries, by dealer to law enforcement officer, requirements: HB 1592
 Deliveries, by dealer to purchaser or transferee, requirements: HB 2174
 Emergency, lawful firearms possession during state of: HB 1004
 Forfeited firearms, state patrol option to destroy: HB 1483
 Forfeiture of firearms, depositing proceeds into education legacy trust account: HB 2136
 Hunter education training program, firearm safety and education within, funding: HB 1900, SB 5536
 Hunter education training program, firearm skills in, law enforcement exemption: HB 1944
 Law enforcement, less lethal weapons program, establishing: HB 1529, HB 1769
 Pistols, applications and transfer and/or sale records, prohibiting database of: HB 1181, HB 1190
 Pistols, concealed pistol license, original, fingerprinting requirements for: ***HB 1965, CH 174 (2017)**
 Pistols, concealed pistol license, reciprocity with other states, age requirement for: HB 1381
 Pistols, concealed pistol license, renewal notice requirements: HB 1100, ***SB 5268, CH 282 (2017)**
 Pistols, concealed pistol licensees, background check exemption, when: HB 1725
 Pistols, concealed, carrying in public facilities with license: HB 1015
 Purchase or transfer applications, denial when ineligible, investigations: HB 1501
 Purchase or transfer applications, denial when ineligible, protected person notice: HB 1501
 Purchase or transfer applications, denial when ineligible, reporting and database: HB 1501
 Rifles, semiautomatic, within "assault weapon" definition, prohibitions, exceptions: HB 1134, HB 1387
 Safety, high school firearm safety and hunter education elective course: HB 1174
 Safety, products for safe storage, sales and use tax exemptions: HB 1270
 Sexual assault, protection orders, involving firearms, modifying or terminating: ***ESSB 5256, CH 233 (2017)**
 Storage, unsafe, crime of community endangerment and warnings by dealers: HB 1122
 Suicide awareness, suicide-safer homes project, task force, and account, creating: HB 1612

FIREFIGHTERS (See also FIRE PROTECTION; RETIREMENT AND PENSIONS)

Assault, third degree, against firefighters due to occupation: HB 1693
 Hiring and continuing employment, lawful permanent residents, eligibility of: HB 1182
 Killed in line of duty, spouses of firefighters who were, property tax exemption for: SSB 5104
 Malicious harassment, against firefighters due to occupation: HB 1693
 Occupational disease presumptions, for workers' compensation: HB 1655

Posttraumatic stress disorder, occupational disease presumption: HB 1655

FISH (See also FISHING; RIVERS AND STREAMS)

Barriers to passage, removal, as fish habitat enhancement project, when: HB 1275, ESSB 5393
 Barriers to passage, removal, off-site mitigation projects in relation to: HB 1760
 Habitat enhancement projects, hydraulic permitting for: HB 1428
 Hatchery and genetic management plans, Puget Sound, NOAA fisheries review of: SJM 8009
 Invasive species, aquatic, comprehensive approach for managing: HB 1429, *ESSB 5303, CH 17 (2017)

FISH AND WILDLIFE COMMISSION (See also FISH AND WILDLIFE, DEPARTMENT; HUNTING)

Elk, hoof disease, strategies for controlling, commission role: HB 1848
 Recreational fishing opportunity, prioritizing, commission role: HB 1229
 Surcharges on license fees, authority to establish, when: HB 1647
 Tribal hunting, tribal consultation with commission, when: HB 1097
 Wolves, gray, partial removal from endangered, threatened, or sensitive lists, when: HB 1872

FISH AND WILDLIFE, DEPARTMENT (See also DISCOVER PASS; FISH AND WILDLIFE COMMISSION; FISHING; HAZARDOUS WASTE; HUNTING; WILDLIFE)

Damage due to wildlife, claim process, DFW review of: HB 1726
 Damage due to wildlife, compensation, DFW public access requirement, prohibiting: HB 1192
 Damage due to wildlife, compensation, for crops damage by elk or deer: HB 1399
 Dogs, feral wolf-dog hybrids, DFW officer lethal removal of, when: HB 2247
 Elk, Colockum herd, active management pilot project, DFW role: HB 1353
 Elk, hoof disease, strategies for controlling, DFW role: HB 1848, *2SSB 5474, CH 159 (2017)
 Elk-vehicle collision, DFW reimbursement of emergency response agency: HB 1726
 Enforcement, property seized by DFW, using proceeds for school funding: HB 2136
 Fish dealing-buying-selling, wholesale, streamlining requirements: HB 1597
 Fish passage barriers, removal, as fish habitat enhancement project, DFW role: HB 1275, ESSB 5393
 Fish passage barriers, removal, off-site mitigation projects in relation to: HB 1760
 Hunter education training program, firearm safety and education within, funding: HB 1900, SB 5536
 Hunter education training program, firearm skills in, law enforcement exemption: HB 1944
 Hydraulic permits and projects, legislative task force on approval jurisdiction: SSB 5228
 Hydraulic permits and projects, off-site mitigation for projects, DFW role: HB 1760
 Hydraulic permits and projects, requirements, DFW role: HB 1428, HB 1760
 Hydraulic permits and projects, stop work orders, DFW role: HB 1428
 Hydraulic permits and projects, violations and penalties, DFW role: HB 1428
 Information, commercial shellfish harvest, disclosure exemption, when: *ESB 5761, CH 71 (2017)
 Information, tribal fish and shellfish harvest, disclosure exemption, when: *ESB 5761, CH 71 (2017)
 Invasive species, aquatic, comprehensive approach for managing: HB 1429, *ESSB 5303, CH 17 (2017)
 Invasive species, aquatic, management measures to include permits and fees: HB 1429, *ESSB 5303, CH 17 (2017)
 Land acquisition, same-county DFW land sale requirement: HB 1008
 Lands, acquired, DFW authority to manage, using certain management techniques: HB 2175
 Legislative task force, joint, on hydraulic project approval program jurisdiction: SSB 5228
 Licenses, commercial fishing, various, increasing fees for: HB 1597
 Licenses, crewmember license for persons working on commercial fishery vessel: HB 1597
 Licenses, hunting or combination fishing, free for veterans with 100% disability: HB 1180
 Licenses, recreational fishing and hunting fees, adjusting various: HB 1647
 Licenses, surcharges on fees, when: HB 1647
 Mining and prospecting, nonmotorized small scale, exemptions, DFW role: HB 1077
 Private lands, public access agreements with DFW, payments to landowners under: HB 1464
 Recreational fishing opportunity, prioritizing, DFW role: HB 1229
 Sediment management demonstration project in Pierce county, department role: HB 1660
 Wolf-dog hybrids, feral, DFW officer lethal removal of, when: HB 2247

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Columbia river recreational salmon and steelhead endorsement program, adding expiration: HB 1865

Columbia river recreational salmon and steelhead endorsement program, extending expiration: ***ESSB 5947, CH 3 (2017)**
 Columbia river recreational salmon and steelhead endorsement program, funds use restrictions: **HB 1865, *ESSB 5947, CH 3 (2017)**
 Commercial fish receivers, secondary, failure to account for commercial harvest: ***SB 5306, CH 89 (2017)**
 Commercial fishing fleet, Washington state, recognizing and honoring: ***HR 4633 (2017)**
 Commercial shellfish harvest information, disclosure exemption, when: ***ESB 5761, CH 71 (2017)**
 Fleets, recapitalization program, B&O tax preference: **HB 1154**
 Guides, food and game fish, registration with effective licensing port: **HB 1361**
 Licenses, combination fishing, free for veterans with 100% disability: **HB 1180**
 Licenses, commercial fishing, various, increasing fees for: **HB 1597**
 Licenses, crewmember license for persons working on commercial fishery vessel: **HB 1597**
 Licenses, recreational fishing fees, adjusting various: **HB 1647**
 Licenses, surcharges on fees, when: **HB 1647**
 Recreational fishing opportunity, prioritizing to expand sports fishing tourism: **HB 1229**
 Tribal fish and shellfish harvest information, disclosure exemption, when: ***ESB 5761, CH 71 (2017)**
 Wholesale fish dealing, buying, and selling, streamlining requirements: **HB 1597**

FLAGS (See also HOLIDAYS AND OBSERVANCES)

Higher education institutions, flags that can be flown on campus, limiting: **HB 1220**

FLOOD CONTROL

Chehalis basin flooding, damage reduction and habitat restoration: **HB 1050**
 Chehalis basin, Chehalis board voting members, appointment procedures: ***HB 1150 (2017) V, *ESB 5097, CH 27 (2017)**
 Flood control districts, land classification and relative percentages, reexamining: ***SB 5543, CH 67 (2017)**
 Pierce county, river sediment management demonstration project, permitting for: **HB 1660**

FOOD AND FOOD PRODUCTS (See also BUSINESSES; HORSES)

Allergen information, posting at public schools: **HB 1878**
 Beef commission, assessment by, modifying provisions: **SB 5793**
 Beef, promoting industry, cattle well-being, and beef commission transparency: ***EHB 2073, CH 256 (2017)**
 Beverages, diet prepackaged, distributor first sale of, imposing tax: **HB 1975**
 Beverages, sugar-sweetened prepackaged, distributor first sale of, imposing tax: **HB 1975**
 Bio- or genetically (or non-) engineered foods, voluntary labeling tax credit: **HB 1245**
 Businesses, food products, omnibus permit process pilot program, establishing: **HB 2133**
 Flavor-imparting cooking products, sales/use tax exemption, when, extending: **HB 2089**
 Food policy forum, Washington, establishing: **HB 1562**
 Food products manufacturing wastes, beneficial uses of, analyzing: **HB 2133**
 Food system, state, studying: **HB 1552**
 Home-prepared foods, donation to charitable organizations for distribution: **HB 1076**
 Hunger, childhood, importance of nutritious locally grown food in combatting: ***HR 4605 (2017)**
 Hunger, food insecurity and USDA nutrition assistance programs, data on: **HB 2014**
 Insecurity, research on food insecurity, conducting: **HB 2014**
 Marijuana-infused edible food products, packaging and labeling of: **HB 1124**
 Marijuana-infused edible food products, sanitary processing, regulation of: **HB 1462**
 Meals on wheels program, grant program to expand, developing: ***SB 5736, CH 287 (2017)**
 Mushrooms, pine mushroom, designating as official state fungi: **HB 1812**
 Packaging, containing PFAS chemicals, prohibiting: **HB 1744**
 School meal programs, breakfast after the bell lighthouse pilot project: **HB 1508**
 School meal programs, reduced-price lunches, eliminating copays: **HB 1508**
 School meals, farm-to-school and small and direct marketing farm programs: **HB 1508**
 Seafood industry, fishing fleet recapitalization program, B&O tax preference: **HB 1154**
 Sewage sludge/biosolids, food grown in, labeling requirements: **HB 1653**
 Vegetable oil, food grade, exempting from oil transport contingency planning: **HB 1135**

FORENSIC INVESTIGATIONS COUNCIL

Death investigations account, using funds from: ***HB 1794, CH 146 (2017)**

FOREST LAND (See also FIRE PROTECTION; FOREST PRACTICES AND PRODUCTS; PUBLIC LANDS; TAXES - PROPERTY TAX)

Blanchard state forest, renaming as Harriet A. Spanel-Blanchard state forest: HJM 4010

Burning permits, small forest landowners, streamlining issuance, DNR to analyze: ***EHB 1924, CH 253 (2017)**

Federal forest lands, counties with, eliminating school allocation reduction in: HB 1393, SB 5664

Forest riparian easement program, as part of state's carbon reduction strategy: HB 1531, SSB 5394

Land, removed from designated forestland program, natural disaster exemption: EHB 1309, ***SSB 5977, CH 37 (2017)**

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Public forest land, timber availability for harvesting, estimate, deadline for: ***SSB 5358, CH 323 (2017)**

Public forest lands, forest health assessment and treatment: ***2SSB 5546, CH 95 (2017)**

Public forest lands, forest health treatments prioritization policy: HB 1711

Restoration, state-federal good neighbor agreement demonstration project: HB 1799

Sustainable forest health account, creating: HB 1646, HB 2230

FOREST PRACTICES AND PRODUCTS (See also FIRE PROTECTION; FISH; FOREST LAND; RIVERS AND STREAMS)

Composting, protecting from nuisance lawsuits, when: HB 1590, ESSB 5431

Easements, forest riparian easement program, as part of carbon reduction strategy: HB 1531, SSB 5394

Fish passage barriers, removal projects, forest practices rules compliance, when: HB 1275, ESSB 5393

Forest products businesses, omnibus permit process pilot program, establishing: HB 2133

Forest products manufacturing wastes, beneficial uses of, analyzing: HB 2133

Logs, dumped on county bridge or in ditch, removal of, when: HB 1332

Sustainable forest health account, creating: HB 1646, HB 2230

Timber on state lands, contract harvesting program, repealing expiration dates: HB 1407, ***SB 5270, CH 64 (2017)**

Timber on state lands, perishable fire-damaged, sale by DNR: HB 1710

Timber purchases, reporting requirements for property tax purposes: ***HB 1148, CH 55 (2017)**

FOSTER CARE

Child welfare system improvement account, creating: ***2ESSB 5890, CH 20 (2017) PV**

Extended foster care services, modifying provisions: HB 1867

Foster care cases, lack of permanency, case review panel when, establishing: ***2ESSB 5890, CH 20 (2017) PV**

Foster care services, forecasting and budgeting, when: EHB 2008

Foster care, licensed, forecasts of, reviewing: ***2ESSB 5890, CH 20 (2017) PV**

Foster children and homes, most recent caseload forecasts, DSHS to review: EHB 2008

Foster children, assessing need for behavioral rehabilitation services: EHB 2008

Foster children, care needs of, developing single validated tool to assess: EHB 2008

Foster parents, expedited licensing and provisional expedited license, provisions: ***2ESSB 5890, CH 20 (2017) PV**

Foster parents, shared leave pool and short-term support case aides for: ***2ESSB 5890, CH 20 (2017) PV**

Foster parents, system of support services for, identifying: ***2ESSB 5890, CH 20 (2017) PV**

Foster youth, homeschooling of, permitting: HB 2053, HB 2054

Foster youth, placement in hotel room or department office, prohibiting: HB 1883

Foster-family home, license for, homeschooling as basis for denying, prohibiting: HB 2054

Students in foster care, partial credit for courses not completed, when: HB 1628, ***SSB 5241, CH 40 (2017)**

Youth in foster care, driver's license and financial responsibility coverage, support: HB 1808

FUELS (See also OIL AND GAS; TAXES - FUEL; TAXES - MOTOR VEHICLE FUEL)

Alternative fuel, clean, commercial vehicles using, tax credits, when: HB 1809

Extracted, use tax exemption for, narrowing to biomass fuel: HB 1549, ***EHB 2163, CH 28 (2017)**, HB 2186

Fossil fuels, carbon pollution mitigation tax on, imposing, and revenues disposition: HB 1646, HB 2230

Fossil fuels, carbon pollution tax on, imposing: HB 1555

Gas, natural or manufactured, sales to silicon smelters, tax preferences for: HB 1403, ***SSB 5977, CH 37 (2017) PV**

Taxes, motor vehicle fuel tax, posting retail rates on motor fuel pumps: HB 2180

FUNERAL AND CEMETERY BOARD

Cemeteries, abandoned, definition and authority for burials in, board role: ***HB 1907, CH 208 (2017)**

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Amusement games, as fund-raising activities, provisions: ESSB 5671

Bingo, as fund-raising activity, provisions: ESSB 5671

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Commerce & gaming legislative committee, reducing membership of: ***HR 4648 (2017)**

Forfeiture of property, depositing proceeds into education legacy trust account: HB 2136

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Enforcement officers, authority of, civil liability immunity, when: ***HB 1475, CH 111 (2017)**

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Disability issues and employment, governor's committee on, duties: HB 2032

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Indian affairs, governor's office of, abolishing, and transferring functions of: HB 2183

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Community, fully contained, action establishing, effective date: HB 2023

Comprehensive planning, challenges to, review in superior court: HB 1224

Comprehensive planning, development proposals consistent with, SEPA exemption: HB 1745

Comprehensive planning, groundwater withdrawals, county mitigation programs: HB 1918

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Comprehensive planning, potable water supply, importance of certain rules, when: HB 2248

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Comprehensive planning, vested rights and controlling law in connection with: HB 2100

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 Housing, affordable, supporting via GMA planning for rural development: HB 1748
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 Schools, siting, public facility/utility extensions when rural/outside UGA: HB 1017, HB 2216, ***HB 2243, CH 32 (2017)**
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 Urban growth areas, action expanding, effective date: HB 2023
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 Guardians ad litem, volunteer, program guardian ad litem coordinators for: HB 1617
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 Incapacitated persons, right of communication and visitation, guardian role: HB 1402, 2SSB 5577
 Vulnerable youth guardianships, for immigrants, establishment by court, when: HB 1988

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 Lead, lead-based paint activities program, certification fee, increasing: HB 1873
 Methamphetamine, properties and transient accommodations contaminated by: ***HB 1757, CH 115 (2017)**
 Nuclear material, Hanford site, former employee occupational disease presumption: HB 1723
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 Mercury-containing lights stewardship program, provisions: ***SB 5762, CH 254 (2017)**
 Model toxics control act, actions under: SSB 5170
 Paint, architectural, paint stewardship via architectural paint recovery program: HB 1376
 Paint, lead-based paint activities program, certification fee, increasing: HB 1873
 Radioactive waste, low-level, management of, transferring authority for: HB 1252, SB 5319
 Site cleanup, independent remedial actions, procedural requirements exemptions: SSB 5170

HEALTH AND SAFETY, PUBLIC (See also ABORTION; AIR QUALITY AND POLLUTION; ALCOHOL AND DRUG ABUSE; DEATH; DISABILITIES, INDIVIDUALS WITH; DRUGS; FOOD AND FOOD PRODUCTS; HAZARDOUS MATERIALS; HAZARDOUS WASTE; HEALTH CARE; HEALTH CARE PROFESSIONS AND PROVIDERS; HUMAN REMAINS; MENTAL HEALTH; PUBLIC ASSISTANCE; SEWAGE AND SEWERS; WATER POLLUTION)

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 Autism, individuals with, honoring and supporting: ***HR 4635 (2017)**
 Birth control, contraceptive drugs, health plan coverage for twelve-month supply: HB 1234
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 Cancer, Andy Hill cancer research endowment program, fund, and account: ESB 5375
 Cancer, breast, reconstruction and prostheses insurance coverage availability: HB 2043, ***SSB 5481, CH 91 (2017)**
 Cancer, cancer research endowment authority, program, and accounts, renaming: ESB 5375
 Cancer, Fred Hutchinson center, Fred Hutch special license plates, creating: HB 1568
 Chemicals, high priority, in children's or consumer electronic products: HB 1596
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 Contraceptive drugs, health plan reimbursement for twelve-month-supply refills: HB 1234
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 Death, natural death act, advance directives, notaries and proof of identity for: HB 1640
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 Fluoridation of water, public water system concentration limit for: HB 1244
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 Lead, drinking water service lines containing, replacing: HB 1805
 Lead, in school drinking water systems/outlets, action plans, testing, and response: HB 1842, HB 1925
 Lead, lead-based paint activities program, certification fee, increasing: HB 1873
 Newborn children, safe surrender at health care facilities, information concerning: HB 1312, SSB 5522
 Notices, about emergencies and disasters, for limited-English-proficient persons: HB 1540, ***SSB 5046, CH 312 (2017)**
 Pregnancy and childbirth, doula services for incarcerated women: HB 1704, HB 2016
 Pregnancy disability, state shared leave program to include: HB 1434
 Pregnancy, healthy pregnancy advisory committee, establishing: HB 1474, ***SSB 5835, CH 294 (2017)**
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 Serious or life-threatening conditions, patient with, investigational treatment access: HB 1242
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 Terminally ill patients, access to investigational drugs and other products, when: ***SSB 5035, CH 212 (2017)**
 Threats, public health, data reporting system and confidentiality: ***SSB 5514, CH 220 (2017)**
 Transient accommodations, contamination by hazardous chemicals: ***HB 1757, CH 115 (2017)**
 Vaccination, of school children, exemption form requirements and prohibitions: HB 2092
 Vaccination, vaccine administration by health care provider, requirements: HB 2090
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 Wheelchairs, for disability, accessible taxicab HOV lane use, considering: ***SSB 5018, CH 311 (2017)**

HEALTH CARE (See also ABORTION; ALCOHOL AND DRUG ABUSE; DENTISTS AND DENTISTRY; DRUGS; HEALTH AND SAFETY, PUBLIC; HEALTH CARE AUTHORITY; HEALTH CARE OVERSIGHT, JOINT SELECT COMMITTEE ON; HEALTH CARE PROFESSIONS AND PROVIDERS; INSURANCE; MENTAL HEALTH; PHARMACIES AND PHARMACISTS; PUBLIC ASSISTANCE)

Advance directives, notaries and proof of identity for, in natural death act: HB 1640
 Autism, individuals with, honoring and supporting: ***HR 4635 (2017)**
 Breast reconstruction and prostheses, insurance coverage for cancer patients: HB 2043, ***SSB 5481, CH 91 (2017)**
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 Cannabis, medical use, repealing all statutes legalizing: HB 2096
 Children, homeless, health care informed consent from school personnel: HB 1641
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 Community assistance referral and education services program, fire department role: HB 1358
 Doula services, for incarcerated women, when: HB 1704, HB 2016
 Emergency department patient care information, submission requirements: ***SSB 5514, CH 220 (2017)**
 Eye care, prescriptions and technologies, consumer protection in eye care act: HB 1473
 Facilities, abortion requirements, pain capable unborn child protection act: HB 1775
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 Facilities, balance billing by out-of-network providers, protections against: HB 1117, HB 2114
 Facilities, community, shifting long-term mental health placements to, when: HB 1546, HB 2067, 2EHB 2107, ESSB 5894
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 Facilities, in- and out-of-network providers at, insurance and facility requirements: HB 1870
 Facilities, meal and rest breaks and mandatory overtime, which employees: HB 1715
 Facilities, newborn delivery services, mother-newborn contact, medicaid: ***SSB 5835, CH 294 (2017)**
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 Facilities, safe surrender of newborns at, information concerning, compiling: HB 1312, SSB 5522
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 Marijuana, medical use, financial services for businesses, patients, providers: HB 2098

Marijuana, medical use, hiring and accommodation of patient by employer: HB 1094
 Marijuana, medical use, personal product testing for qualified patients: HB 1212
 Marijuana, medical use, provisions: HB 1094, HB 1098, ***HB 1250, CH 131 (2017)**, HB 1667, HB 2021, HB 2098,
***ESSB 5131, CH 317 (2017)**
 Marijuana, medical use, repealing all statutes legalizing: HB 2096
 Medical treatment, persons undergoing, I-405 express toll lane exemption, when: HB 1269
 Pediatric transitional care centers, for alcohol-/drug-exposed infants, licensing: HB 1491
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 Preventive services, all health plans to cover: HB 1523
 Primary care, behavioral health integrated with, payment codes/reimbursement: ***SSB 5779, CH 226 (2017) PV**
 Serious or life-threatening conditions, patient with, investigational treatment access: HB 1242
 Telemedicine, as reimbursable service: ***SB 5436, CH 219 (2017)**
 Terminally ill patients, access to investigational drugs and other products, when: ***SSB 5035, CH 212 (2017)**
 Vision care, prescriptions and technologies, consumer protection in eye care act: HB 1473
 Whole-person care, behavioral health services as part of: ***SSB 5779, CH 226 (2017) PV**

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Behavioral health authority, designation of state, transferring to HCA from DSHS: HB 1388
 Behavioral health services, physical health integration, work group, HCA role: ESSB 5894
 Breast reconstruction and prostheses, insurance coverage information, HCA role: HB 2043, ***SSB 5481, CH 91 (2017)**
 Health benefit exchange, COFA citizens, premium assistance program, HCA role: HB 1291
 Health insurance coverage, apple health plus program, establishing, HCA role: HB 2232
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 Hepatitis C, health care coverage for, restricting HCA authority for: HB 2207
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 Medicaid, ambulance services payment rate, relation to medicare rate: HB 2112
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 Medicaid, community assistance referral and education services, reimbursement of: HB 1358
 Medicaid, consumer-directed program, family member providing certain care: ***2ESB 5867, CH 34 (2017)**
 Medicaid, dental health aide therapist services funding for Indian tribes: HB 1414, ***SSB 5079, CH 5 (2017)**
 Medicaid, dental managed care program, statewide prepaid, establishing: HB 1899
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 Medicaid, newborn delivery services, mother-newborn contact, HCA role: HB 1474, ***SSB 5835, CH 294 (2017)**
 Medicaid, oral health connections pilot program, HCA role: 2SSB 5540
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 Medicaid, primary care provider reimbursement, medicare payment rate floor for: HB 1637
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 Medical assistance, definition, excluding residential housing cost payments from: HB 1545
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 Public employee benefits, elective abortion coverage, prohibitions: HB 1002
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 School employees' benefits board, creating within HCA: ***EHB 2242, CH 13 (2017) PV**

Uniform medical plan, 3-part aim solution pilot project and study, authority role: HB 1276

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Health security trust, committee role in funding: HB 1026

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 Abortions, performing, physician required for and nonphysician prohibited from: HB 1971
 Blood samples, collection by forensic phlebotomists or certain professionals, when: SSB 5186
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 Cancer research and treatment, Fred Hutch special license plates, creating: HB 1568
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 Interstate medical licensure compact commission, creation and role of: ***HB 1337, CH 195 (2017)**
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 Massage therapy, animal massage, registration with effective licensing port: HB 1361
 Massage therapy, practitioner licensure, exemption for somatic education: HB 1189
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 Mental health services, violent threats by patient, provider responsibility: HB 1810, ESB 5800
 Nurses, ARNPs, psychiatric, role of: ESSB 5894
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 Opioid drugs, rules for prescribing, disciplinary boards and commissions to adopt: SSB 5248
 Osteopaths, board of osteopathic medicine and surgery, members of: HB 1431
 Out-of-network providers at facilities, unexpected costs, protections against: HB 1870
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 Parking privileges, for persons with disabilities, practitioner authorization: HB 1515
 Phlebotomists, forensic, collection of blood samples in certain cases: SSB 5186
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 Physician assistants, doctor of medical science licensing, via doctoral program: HB 1771
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 Physicians, teaching research license holders, full licensure eligibility: HB 1356, ***SB 5413, CH 45 (2017)**
 Podiatrists, substance abuse monitoring for, impaired practitioner program: ***HB 1198, CH 22 (2017)**
 Primary care, behavioral health integrated with, payment codes/reimbursement: ***SSB 5779, CH 226 (2017) PV**
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Naloxone access grant program, establishing, role of local departments: HB 1505

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Public health system, delivery of shared services, role of local departments: HB 1432

Sewage systems, on-site, department professional inspector requirement, removing: HB 1503

HEALTH, DEPARTMENT (See also HEALTH AND SAFETY, PUBLIC; HEALTH DEPARTMENTS, LOCAL; HEALTH, STATE BOARD OF)

Abortion, potassium chloride or digoxin use, facility reporting of, DOH role: HB 1776

Air pollutants, disproportionately impacted communities, department to identify: HB 1646, HB 2230

Behavioral health, certain DSHS functions, transferring to department: HB 1388

Breast reconstruction and prostheses, insurance coverage, department role: HB 2043, ***SSB 5481, CH 91 (2017)**

Dental health aide therapist work group, department to convene: HB 1364

Dental quality assurance commission, 3rd-party agreement complaints, DQAC role: HB 1598

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Dental therapists, creating as new health profession, department role: HB 1364

Disability, person with, at scene, 911 personnel and first responders training program, department role: HB 1258

Disciplinary boards and commissions, adopting rules for opioid prescribing: SSB 5248

Drugs, prescription, donation program, donor form for, department role: HB 1765

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Emergency department patient care information, submission to department: ***SSB 5514, CH 220 (2017)**

Essential public health services account, using moneys in, department role: HB 2144

Food insecurity, research on, department responsibility to conduct: HB 2014

Hospitals, fire protection inspections, hospital licensing fees to fund, DOH role: HB 1915

Hunger, food insecurity and USDA nutrition assistance programs, data on: HB 2014

Immunization, of school children, exemption form requirements, DOH role: HB 2092

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Medical quality assurance commission, doctor of medical science licensing: HB 1771

Naloxone access grant program, establishing, department role: HB 1505

Oil transport, train accidents, emergency preparedness guidance, department role: HB 1698

Opioid drugs, rules for prescribing, disciplinary boards and commissions to adopt: SSB 5248

Osteopathic medicine and surgery, board, members of: HB 1431

Pediatric transitional care centers, for alcohol-/drug-exposed infants, DOH role: HB 1491

Pediatric transitional care services, for drug-exposed infants, DOH role: ***SSB 5152, CH 263 (2017)**

Pesticide applications, notice, reporting, and fines for violations, department role: HB 1564

Pharmacy quality assurance commission, forfeited property proceeds, use of: HB 2136

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Pregnancy, healthy pregnancy advisory committee, establishing, department role: HB 1474, ***SSB 5835, CH 294 (2017)**

Prescription monitoring program, department to provide data from, when: HB 1426, SSB 5248

Public health services, improvement plan, department role: HB 1432

Radioactive waste, low-level, management of, transferring authority to department: HB 1252, SB 5319

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Suicide awareness, suicide-safer homes project, task force, and account, creating: HB 1612

Threats, public health, data reporting system and confidentiality, department role: ***SSB 5514, CH 220 (2017)**

Transient accommodations, when contaminated by hazardous chemicals, DOH role: ***HB 1757, CH 115 (2017)**

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Water recreation facilities, regulation of, board role: ***HB 1449, CH 102 (2017)**

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Columbia river history, center for, deleting obsolete statutory reference to: ***HB 1853, CH 117 (2017)**, SB 5660

State historical society, projects funded from capital budget, plaque requirement: HB 1289

State historical society, women's history consortium, national women's suffrage: HB 2007

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19th amendment to U.S. constitution, centennial of, preparing to commemorate: HB 2007

Central Washington state fair association, on 125th anniversary of fair, honoring: ***HR 4650 (2017)**

Chavez, Cesar, recognizing March thirty-first as Cesar Chavez day: HB 1939

Children's day, celebrating: ***HR 4617 (2017)**

Daffodil festival, eighty-fourth anniversary of, recognizing: ***HR 4640 (2017)**

Executive order 9066, seventy-fifth anniversary, acknowledging: ***HR 4613 (2017)**

FFA week, national, celebrating: ***HR 4614 (2017)**

Filipino American history month, celebrating: ***HR 4619 (2017)**

Filipino Americans in North America, 430th anniversary, celebrating: ***HR 4619 (2017)**

Former prisoners of war recognition day, display of POW/MIA flag: ***HB 1204, CH 79 (2017)**

Hiram M. Chittenden locks in Ballard, centennial of, celebrating: ***HR 4638 (2017)**

International women's day, honoring women on: ***HR 4623 (2017)**

Juneteenth, commemorating the ending of slavery by celebrating: ***HR 4647 (2017)**

Kindergarteners, month of, September to be: HB 1901

King, Dr. Martin Luther King, Jr. day, observing: ***HR 4604 (2017)**

Lewis-McChord, Joint Base, 100th anniversary, recognizing: ***HR 4622 (2017)**

Lincoln, Abraham, president, honoring on Presidents' day: ***HR 4618 (2017)**

Missing children's day, national, supporting: ***HR 4612 (2017)**

Pearl Harbor remembrance day, display of POW/MIA flag: ***HB 1204, CH 79 (2017)**

Poetry month, national, celebrating: ***HR 4642 (2017)**

Presidents' day, celebrating: ***HR 4618 (2017)**

Public lands day, final Saturday of September to be: HB 2056

Seattle Pacific University, 125th anniversary of, celebrating: ***HR 4643 (2017)**

Seattle University, celebrating 125th anniversary of founding of: ***HR 4631 (2017)**

Temperance and good citizenship day, student voter sign up and registration on: HB 1513

Washington, George, president, honoring on Presidents' day: ***HR 4618 (2017)**

Women's day, international, honoring women on: ***HR 4623 (2017)**

Women's suffrage, national, centennial of, preparations for commemorating: HB 2007

Women's suffrage, national, women's history consortium role in commemorating: HB 2007

World spay day, recognizing: ***HR 4620 (2017)**

World War I, one-hundredth anniversary of U.S.A.'s entry into, honoring veterans: ***HR 4641 (2017)**

Youth shelters, requiring parental notification, holidays and weekends exception: HB 2061

HOMELESS PERSONS (See also HOMES AND HOUSING; LOW-INCOME PERSONS)

Assistance programs, document-recording surcharge effectiveness, measuring: ***SB 5252, CH 15 (2017)**

Census of homeless persons, categories and data: HB 1570

Encampments, on religious organization property, allowing, requirements: HB 2044, SSB 5657
 Homeless client management information system, use of: HB 2044, SSB 5657
 Homelessness in Washington, statewide study of: HB 1570
 Housing programs, document-recording surcharge effectiveness, measuring: ***SB 5252, CH 15 (2017)**
 Housing programs, document-recording surcharges for, local government use: ***E2SSB 5254, CH 16 (2017)**
 Housing, homeless housing strategic plan and county homeless housing plans: HB 1570
 Housing, local housing and assistance, document-recording surcharge for: HB 1570
 Identical cards, for persons under 18 without a permanent residence address: ***SB 5382, CH 122 (2017)**
 Indigency, court determinations, indigent or indigent and able to contribute: SB 5376
 Indigency, court imposition of costs on indigent defendant, prohibiting: HB 1783
 Indigent criminal defense services, providing funding for: HB 2012
 Legal financial obligations, homeless offender's failure to pay: HB 1093, HB 1783
 Parking, safe, religious organizations, local actions and regulations, prohibitions: HB 2044, SSB 5657
 Shelters, religious organizations, local actions and regulations, prohibitions: HB 2044, SSB 5657
 Students, homeless, health care informed consent from school personnel: HB 1641
 Students, homeless, partial credit for courses not completed, when: ***SSB 5241, CH 40 (2017)**
 Students, homeless, school district transportation of, certain surcharge to fund: HB 2206
 Students, on-time grade level progression, procedures: HB 1444
 Transient accommodations, contamination by hazardous chemicals: ***HB 1757, CH 115 (2017)**
 Wildfires, homelessness due to, certain education activities in response to: HB 2010
 Youth shelters, homeless youth in, parental notification requirement, exceptions: HB 2061
 Youth, 13 or older, personally identifying information, consent for collecting of: HB 1630
 Youth, homeless, in crisis residential or HOPE centers, records disclosure: HB 1816

HOMES AND HOUSING (See also HOUSING FINANCE COMMISSION; MANUFACTURED HOUSING AND MOBILE HOMES; SENIOR CITIZENS)

Adult family home, persons with developmental disabilities, property tax exemption: HB 1763
 Affordable housing, certain real estate excise taxes and revenues to support: HB 1536, HB 1797
 Affordable housing, city that acquires or builds, one-time tax remittance for: HB 1536, HB 1797
 Affordable housing, city/county infrastructure for, one-time sales tax remittance: HB 2046
 Affordable housing, development on religious organization property: HB 1987
 Affordable housing, growth management provisions in aid of: HB 1748, ***E2SSB 5254, CH 16 (2017)**
 Affordable housing, imposing sales tax for, councilmanic authority for: HB 1797
 Affordable housing, in residential targeted areas, property tax exemption, when: HB 2051
 Affordable housing, land acquisition loan program, for vacant or improved land: ***HB 1616, CH 274 (2017)**
 Affordable housing, land bank, creating: HB 1752
 Affordable housing, local infrastructure for, one-time tax remittance for city: HB 1536, HB 1797
 Affordable housing, low-income by nonprofit, property tax exemption for: HB 1750
 Affordable housing, low-income, SEPA noncompliance challenge exception, when: HB 1740
 Affordable housing, manufactured housing communities beyond urban growth areas: HB 1846, SB 5615
 Affordable housing, supporting via GMA planning for rural development: HB 1748
 Affordable housing, very low-income, local property tax exemption program: HB 1536
 Condominium associations, watering and landscaping for droughts, requirements: HB 1172
 Disabled veterans, adapted housing, certain tax preferences for: HB 2138
 Factory built, deposit of fees into construction registration inspection account: ***HB 1716, CH 11 (2017)**
 Homeless housing strategic plan and county homeless housing plans, modifying: HB 1570
 Homeless housing, document-recording surcharge effectiveness, measuring: ***SB 5252, CH 15 (2017)**
 Homeless housing, document-recording surcharges for, local government use: ***E2SSB 5254, CH 16 (2017)**
 Homeless, local housing and assistance, document-recording surcharge for: HB 1570
 Homeowners' associations, common areas access fees, exemptions for members: HB 1892
 Homeowners' associations, violations by, aggrieved party exemplary damages: HB 2022
 Homeowners' associations, watering and landscaping for droughts, requirements: HB 1172
 Homeownership projects, funding from housing trust fund: HB 1044
 Housing assistance, temporary, for women after release from corrections center: ***SSB 5077, CH 214 (2017)**
 Low-income home rehabilitation revolving loan program, creating: HB 1980, ***ESB 5647, CH 285 (2017)**
 Low-income homeownership development, by nonprofit, property tax exemption: HB 1532

Overwater residences on pilings, historic, as conforming preferred use, when: HB 2019
 Rental housing providers for released inmates, community impact statements, when: HB 1626, SSB 5458
 Residential buildings, single-family, minimum dimensions of habitable spaces: HB 1085
 Residential dwellings, demolition fee, deposit in city's affordable housing fund: HB 1536
 Residential housing cost payments, excluding from "medical assistance": HB 1545
 Residential housing cost payments, excluding from supported housing services: HB 1545
 School employees, certificated and classified, housing allowance for, when: SSB 5607
 Trust lands, home site leases on, transferring sites to lessees: SB 5315
 Workforce housing, city/county infrastructure for, one-time sales tax remittance: HB 2046

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Slaughter for human consumption, prohibiting: HB 1110

HOSPITALS (See also MENTAL HEALTH; SOCIAL AND HEALTH SERVICES, DEPARTMENT)

Abortion, facility requirements, pain capable unborn child protection act: HB 1775
 Abortion, facility requirements, reporting use of potassium chloride or digoxin: HB 1776
 Billing and collection, statement concerning discounts via charity care on: HB 1359
 Community hospitals, shifting state mental health hospital placements to, when: HB 1546, HB 2067, 2EHB 2107, ESSB 5894
 Critical access hospitals, in rural access pilot, alternative payment methodologies: HB 1520
 Emergency rooms, patient care information, submission requirements: *SSB 5514, CH 220 (2017)
 Employees, meal and rest breaks and mandatory overtime, which employees: HB 1715
 Evaluation/treatment centers, shifting state mental health hospital placements to: 2EHB 2107
 Fire protection inspections, funding from hospital licensing fees: HB 1915
 Medicaid, transitioning enrollees from hospital care to nursing facility care: HB 1854
 Newborn children, safe surrender at health care facilities, information concerning: HB 1312, SSB 5522
 Newborn delivery services, mother-newborn contact, medicaid requirements: *SSB 5835, CH 294 (2017)
 Nurses, registered, hospital staffing limits, procedures, and plans: HB 1714
 Out-of- and in-network providers at facilities, insurance and facility requirements: HB 1870
 Out-of-network providers at facilities, balance billing by, protections against: HB 1117, HB 2114
 Psychiatric beds, certain hospitals adding, certificate of need exemption for: HB 1547
 Public benefit hospital entities, joint self-insurance risk programs: *SB 5581, CH 221 (2017)
 Public hospital districts, EMT transfer of service credit to LEOFF, when: HB 2187, HB 2202, ESSB 5659
 Public hospital districts, EMT's in PERS employed by, LEOFF membership: HB 1932, HB 2187, HB 2202, ESSB 5659
 Public hospital districts, joint self-insurance risk programs: *SB 5581, CH 221 (2017)
 Safety net assessment, expiration date of, revising: HB 1766, *SSB 5815, CH 228 (2017)
 Safety net assessment, various provisions: HB 1766, *SSB 5815, CH 228 (2017)
 Sexual assault examinations, hospital reimbursement for, conditions: HB 2102
 Terminally ill patients, investigational products, practitioner administration of: *SSB 5035, CH 212 (2017)

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Autism, individuals with: *HR 4635 (2017)
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 Bergh, Ed, Yelm High School history teacher: *HR 4625 (2017)
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 Bull, Gina Grant, house page program supervisor and former legislative assistant: *HR 4616 (2017)
 Camas High School Papermakers boys' swim team: *HR 4627 (2017)
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 Camas High School Papermakers girls' soccer team: *HR 4608 (2017)
 Central Washington state fair association, on 125th anniversary of fair: *HR 4650 (2017)
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 Daffodil festival: *HR 4640 (2017)
 Dressel, Melanie, CEO of Columbia bank, the life and accomplishments of: *HR 4624 (2017)
 Executive order 9066, seventy-fifth anniversary: *HR 4613 (2017)
 Filipino Americans and Filipino American history month: *HR 4619 (2017)

Fishing fleet, Washington state commercial: ***HR 4633 (2017)**
 Future farmers of America, Washington's: ***HR 4614 (2017)**
 Gonzaga men's basketball: ***HR 4645 (2017)**
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 House organized, notification of governor: ***HR 4600 (2017)**
 House rules, permanent: ***EHR 4610 (2017)**
 House rules, permanent rule 23, reducing commerce & gaming committee membership: ***HR 4648 (2017)**
 House rules, temporary: ***HR 4601 (2017), *HR 4602 (2017)**
 Hunger, childhood, efforts of advocacy groups and local coalitions to end: ***HR 4605 (2017)**
 International women's day and women and their contributions: ***HR 4623 (2017)**
 Japanese-American World War II internees, veterans, and activists: ***HR 4613 (2017)**
 Juneteenth: ***HR 4647 (2017)**
 Kamiakin High School Braves football team: ***HR 4606 (2017)**
 Kentridge High School Chargers girls' basketball team: ***HR 4629 (2017)**
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 King, Dr. Martin Luther, Jr.: ***HR 4604 (2017)**
 Knapp, Michael, Ferndale police chief: ***HR 4634 (2017)**
 Legislative session, interim periods, conducting house business during: ***HR 4646 (2017)**
 Lewis-McChord, Joint Base, 100th anniversary: ***HR 4622 (2017)**
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 Miss & Mr Mason Area Pageant: ***HR 4603 (2017)**
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 Navy and navy personnel, contributions of: ***HR 4637 (2017)**
 Navy personnel and their family members and friends: ***HR 4637 (2017)**
 Poetry month, national: ***HR 4642 (2017)**
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 Redmond, Steve, Spokane police department officer: ***HR 4628 (2017)**
 Russell, Gary, Whatcom county fire district no. 7 fire chief: ***HR 4649 (2017)**
 Seattle Pacific University, 125th anniversary of: ***HR 4643 (2017)**
 Seattle University, 125th anniversary of founding of: ***HR 4631 (2017)**
 Spay day, World: ***HR 4620 (2017)**
 Stack, Pat, sheriff's office, Snohomish county: ***HR 4636 (2017)**
 Tahoma High School We the People team: ***HR 4611 (2017)**
 Tonasket, Mel, Confederated Tribes of the Colville Indian Reservation: ***HR 4644 (2017)**
 USS Olympia submarine and its crew: ***HR 4609 (2017)**
 Washington, George, president: ***HR 4618 (2017)**
 Women's day, international, and women and their contributions: ***HR 4623 (2017)**
 World War I, Washington's veterans of: ***HR 4641 (2017)**

HOUSING FINANCE COMMISSION (See also HOMES AND HOUSING)

Facilities, commission financing for, expanding nonprofit corporation definition for: HB 1627
 Infrastructure, local, commission loan agreements for project financing: HB 1324, ESSB 5033
 Public development authorities, within "nonprofit corporation" for facilities funding: HB 1627
 Residential real property, abandoned, certificate of abandonment for, HFC role: HB 2057, ESSB 5797
 Veteran homeownership downpayment assistance program, defining "veteran": HB 1369

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Alkaline hydrolysis of remains, as alternative to cremation: HB 1700
 Cemeteries, abandoned, definition and authority for burials in: ***HB 1907, CH 208 (2017)**
 Cemetery districts, withdrawal of territory from: ***SSB 5235, CH 62 (2017)**
 Fetal body parts, aborted, prohibiting sale, donation, or use: HB 1243
 Funeral planning and services, as noninsurance benefits under certain policies: HB 1066, EHB 1081, ***ESB 5042, CH 32 (2017)**

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Immigration and citizenship hotline and web site, commission to establish: HB 2029
Service animal issues, work group on, convening, commission role: HB 2032

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Hunter education and firearm safety high school elective course, development: HB 1174
Hunter education training program, firearm safety and education within, funding: HB 1900, SB 5536
Hunter education training program, firearm skills in, law enforcement exemption: HB 1944
Licenses, any hunting, free for veterans with 100% disability: HB 1180
Licenses, hunting fees, adjusting various: HB 1647
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Biometric identifiers, attaining, using, disclosing, requirements and prohibitions: HB 1493, HB 1717, ***HB 2213, CH 1 (2017)**
Biometric identifiers, excluding DNA and fingerprints from requirements for, when: ***HB 2213, CH 1 (2017)**
Identicards, address of record, uniform process for updating, when: HB 1813
Identicards, enhanced, fees: HB 1041, HB 2219, ***ESB 5008, CH 310 (2017)**
Identicards, for federal purposes/REAL ID act alignment, issuance: HB 2176
Identicards, for homeless persons under 18: ***SB 5382, CH 122 (2017)**
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Identicards, standard, marking as not for federal purposes: HB 2176
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Identicards, standard, REAL ID noncompliant, prohibiting certain enforcement uses: ***ESB 5008, CH 310 (2017)**
Natural death act, advance directives, notaries and proof of identity for: HB 1640
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Crime victim certification steering committee, convening: HB 1022
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Keep Washington working act, supporting immigrants in workplace and generally: HB 1985
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National origin, public agency disclosure to federal authorities, prohibitions: HB 2097
Nonimmigrant visas, U and T, college bound scholarship resident status and: HB 1488
Nonimmigrant visas, U and T, for noncitizen human trafficking victims: HB 1022
Registration or surveillance programs, agency aiding of, prohibiting, when: HB 1985
Religious beliefs, law enforcement actions based on, prohibitions: HB 2097
Religious beliefs, public agency disclosure to federal authorities, prohibitions: HB 2097
Special immigrant juvenile status, vulnerable youth guardianships and: HB 1988
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Older offenders, petitioning board for early release, when: HB 1866

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Chehalis board, voting members from certain tribes, appointment procedures: ***HB 1150 (2017) V, *ESB 5097, CH 27 (2017)**

Children, dependency proceedings, transferring jurisdiction from tribe, when: HB 2045, SSB 5770

Creative districts, state-certified, designation and certification of: HB 1183, 2SSB 5300

Dental health aide therapist services for Indian tribes: HB 1364, HB 1414, ***SSB 5079, CH 5 (2017)**

Dental health aide therapists, tribal, transition to licensed dental therapists: HB 1364

Dual language learning and native language retention in tribal schools: HB 1445

Family and medical leave, paid, insurance program for, participation by tribes: ***SSB 5975, CH 5 (2017)**

Fish and shellfish harvest information, tribal, disclosure exemption, when: ***ESB 5761, CH 71 (2017)**

Fuel tax agreements, authorizing, when: HB 1063

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Health security trust, role of tribal governments in creating: HB 1026

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Marijuana, businesses and entities, siting near tribal reservation, provisions: HB 1937

Marijuana, businesses, general licensing process, notice to tribal government: EHB 1857, ***ESSB 5131, CH 317 (2017)**

Marijuana, businesses, license issuance, tribal consent for, when: ***ESSB 5131, CH 317 (2017)**

Mental health services, children's, through tribal organizations: ***SSB 5779, CH 226 (2017) PV**

Minority affairs, commission on, creating: HB 2183

Summit council on Indian affairs, joint, establishing: HB 1357

Tonasket, Mel, of Confederated Tribes of the Colville Indian Reservation, honoring: ***HR 4644 (2017)**

Tribal clients, in-home personal care by family member for, payment for, when: ***2ESB 5867, CH 34 (2017)**

Tribal clients, in-home respite care by family member for, payment for, when: ***2ESB 5867, CH 34 (2017)**

Tribal courts, solemnizing of marriages by judges: ***HB 1091, CH 130 (2017)**

Tribal history, Since Time Immemorial curriculum in teacher preparation programs: HB 2034

Tribal water protection fund, depositing certain oil spill response tax receipts into: HB 1868

Vapor products, tax on, tax contracts and agreements with tribes: HB 2165

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Initiative 200 (1999), state civil rights act, repealing and removing references to: HB 1158

Initiative 594, background checks for gun sales and transfers, repealing: HB 1380

Initiative 732, K-12 employee cost-of-living adjustments, repealing: SSB 5607

Initiatives, I-1433 minimum wage increase, reducing: HB 1724

Injection sites, safe, ending via state regulatory preemption, submission to people: HB 1761, SSB 5223

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Dental, dental only plans, extending patient protections to: HB 1316

Drivers, financial responsibility coverage, youth in foster care, support for: HB 1808

Drivers, financial responsibility, attestation before issuance of registration: HB 1977

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Family and medical leave, paid, insurance program for, creating: ***SSB 5975, CH 5 (2017)**

Family leave insurance, modifying and adding medical leave to: HB 1116

Family leave/insurance, replacing with paid family and medical leave insurance: ***SSB 5975, CH 5 (2017)**
 Funeral planning and services, as noninsurance benefits, when: HB 1066, EHB 1081, ***ESB 5042, CH 32 (2017)**
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Disqualification, from hearing civil action or proceeding, requirements: EHB 1378, *SSB 5277, CH 42 (2017)
 Financial affairs reporting, statement of financial affairs, requirements: HB 1833
 Justice and law practice, functions regarding, shifting to supreme court, constitutional amendment: HJR 4206
 Municipal court judges, issuance of search warrant by, jurisdictional requirements: HB 2139
 Special inquiry judges, subpoena authority in child sexual exploitation cases: *EHB 1728, CH 114 (2017)
 Supreme court, justices, reducing number and delaying next election of: HB 2181
 Tribal court judges, solemnizing of marriages by: *HB 1091, CH 130 (2017)

JUDGMENTS (See also CIVIL PROCEDURE; COURTS)

Execution, supplemental proceedings, various modifications: HB 2074
 Legal financial obligations, various provisions: HB 1093, HB 1783

JUDICIAL CONDUCT, COMMISSION ON (See also ETHICS IN GOVERNMENT)

Complaints, commission decision-making timeline for: HB 2119
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JUVENILE COURT AND JUVENILE OFFENDERS (See also SEX OFFENSES AND OFFENDERS)

Adult court jurisdiction, mandatory, provisions: HB 1876
 Advocates, special court-appointed, removal by court, when: ***HB 1401, CH 99 (2017)**
 Agreements, diversion and counsel and release, conditions for and destruction of: SB 5614
 Assault, domestic violence, arresting 16- and 17-year-olds: ***SSB 5618, CH 223 (2017)**
 Chemical dependency treatment, admitting minor to and keeping them in: HB 1424
 Community juvenile accountability programs, targeting referred youth: HB 1280
 Dependency and dissolution proceedings, legal representation for parents, when: ***2ESSB 5890, CH 20 (2017) PV**
 Dependency proceedings, counsel for child, appointment by court: HB 1251
 Dependency proceedings, counsel for child, appointment by court, evaluating: ***2ESSB 5890, CH 20 (2017) PV**
 Dependency proceedings, incarcerated parent's preexisting relationship with child: HB 1943
 Dependency proceedings, Indian child, transferring jurisdiction from tribe: HB 2045, SSB 5770
 Dependency proceedings, modifying "parent" for purposes of: HB 1815
 Dependency proceedings, petitions, exception when DSHS is petitioner: HB 1790
 Dependency proceedings, shelter care hearing, counsel for parent, etc.: HB 1251
 Dependency proceedings, shelter care hearing, parent to engage in services after: HB 1943
 Dependency, special advocate or volunteer guardian ad litem removal, when: ***HB 1401, CH 99 (2017)**
 Detention facilities, booking of juveniles arrested for domestic assault, modifying: ***SSB 5618, CH 223 (2017)**
 Discretionary decline hearings, provisions: HB 1876
 Facility, correctional, E. Washington county consortium operation of, when: ***HB 1983, CH 278 (2017)**
 Funding, criminal justice, county criminal justice assistance account, use: HB 2006
 Funding, criminal justice, municipal criminal justice assistance account, use: HB 2006
 Guardians ad litem, volunteer, program guardian ad litem coordinators for: HB 1617
 Guardians ad litem, volunteer, removal by court, when: ***HB 1401, CH 99 (2017)**
 Guardians, vulnerable youth guardianships for immigrants, establishment by court: HB 1988
 Offenders, convicted as adult, placing in DSHS facility, requirements: HB 1743
 Restitution, community, offender workers' compensation premiums: HB 1227
 Truancy, addressing with multiple approaches, role of juvenile courts: HB 1170
 Truancy, community truancy boards: HB 1170
 Truancy, court-ordered completion of school assignments, when: HB 1236
 Vulnerable youth guardianships, for immigrants, establishment by court, when: HB 1988
 Youth courts, jurisdiction over public transit infractions by certain juveniles: HB 1199
 Youth shelters, runaway youth in, parental notification requirement, exceptions: HB 2061

LABOR (See also APPRENTICES AND APPRENTICESHIP PROGRAMS; APPRENTICESHIP AND TRAINING COUNCIL; COLLECTIVE BARGAINING; DISCRIMINATION; EMPLOYMENT AND EMPLOYEES; PUBLIC EMPLOYMENT AND EMPLOYEES; PUBLIC WORKS; SEX OFFENSES AND OFFENDERS; WAGES AND HOURS; WORKER TRAINING AND WORKFORCE NEEDS)

Agricultural/farm products labor, break time/rest period remedial compensation: ESB 5720
 Agricultural/farm products labor, production-based safe harbor compensation for: HB 2049
 Chavez, Cesar, recognizing March thirty-first as Cesar Chavez day: HB 1939
 Communications, between workers concerning wages and employment, protecting: HB 1447, EHB 1506
 Criminal record, employer prematurely asking applicant about, enforcement: HB 1298, ESSB 5312
 Criminal records, employment laws concerning, state preemption of field of: ESSB 5312
 Discrimination, based on citizenship or immigration status, as unfair practice: HB 2030
 Family and medical leave, ombuds office for, establishing: ***SSB 5975, CH 5 (2017)**
 Family and medical leave, paid, insurance program for, creating: ***SSB 5975, CH 5 (2017)**
 Family leave insurance, modifying and adding medical leave to: HB 1116
 Family leave/insurance, replacing with paid family and medical leave insurance: ***SSB 5975, CH 5 (2017)**
 Farm internship pilot project, adding counties and expiration date: ***HB 1906, CH 150 (2017)**
 Franchisors, not employers of franchisees or franchisee employees: HB 1881
 Gifts from employers to employees, based on marital status, allowing, when: HB 1947
 Human trafficking, convictions for prostitution offenses by victims, vacating: HB 1112, ***SSB 5272, CH 128 (2017)**
 Human trafficking, definitions and statute of limitations: EHB 1078, ***SB 5030, CH 231 (2017)**
 Human trafficking, no-contact orders: HB 1079
 Human trafficking, noncitizen victim U and T certifications: HB 1022

Human trafficking, perpetrator ignorance of victim's age, not a defense: ***SB 5813, CH 126 (2017)**
 Human trafficking, services for child victims of: HB 1791
 Local laws and contracts, application to unionized and nonunionized employees: HB 1143
 Lockout, back pay for, unemployment compensation repayment by employer: HB 1942
 Noncompetition agreements, enforceable or unenforceable, when: EHB 1967
 Pregnant women, pregnancy and childbirth workplace accommodations: HB 1448, ***SSB 5835, CH 294 (2017)**
 Pregnant women, pregnancy workplace accommodations: HB 1796
 Retaliation and discrimination against employees, protections: HB 1301, EHB 1506
 Unfair practices, against pro-union employee, tax credit/incentive ineligibility: HB 1941
 Unfair practices, requiring disclosure of employee religious affiliation: HB 2097
 Unions, campaign contributions by, when collectively bargaining with governor: HB 1891, SSB 5533
 Unions, religious objector rights, nonassociation provisions: HB 1007, SSB 5339
 Unions, security provisions, prohibiting, exceptions: HB 1006
 Unions, support or activities, employer action against employee for, consequences: HB 1941
 WISHA violations, appeals reassumed by L&I, time extension for resolving: ***HB 1629, CH 13 (2017)**
 WISHA violations, maximum civil penalty, relation to OSHA maximum, when: HB 1953
 Workforce investment act, updating obsolete references to: HB 1363, ***SB 5237, CH 39 (2017)**

LABOR AND INDUSTRIES, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; CONTRACTORS; LABOR; MANUFACTURED HOUSING AND MOBILE HOMES; PUBLIC WORKS; STATE AGENCIES AND DEPARTMENTS; WORKERS' COMPENSATION)

Commercial structures, fees, depositing in new account: ***HB 1716, CH 11 (2017)**
 Contracting agents and qualified benefit providers, L&I regulatory role: HB 2109
 Crime victims compensation program, benefits and services, provisions: HB 1739
 Discrimination, gender-based, investigations of complaints of, L&I role: EHB 1506
 Electrical rules, nonadministrative, adoption voting requirement, L&I process: HB 1430
 Elevators, class B work, including residential chair lifts, permits for, L&I role: HB 1408, SSB 5340
 Factory built housing, fees, depositing in new account: ***HB 1716, CH 11 (2017)**
 Interpreters, spoken language services, purchasing from certain providers: HB 1869
 Pesticide applications, notice, reporting, and fines for violations, L&I role: HB 1564
 Regulatory fees, various, deposit into construction registration inspection account: ***HB 1716, CH 11 (2017)**
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LAKES AND RESERVOIRS (See also SHORELINES AND SHORELINE MANAGEMENT)

Hydraulic permits and projects, requirements: HB 1428
 Hydraulic permits and projects, stop work orders: HB 1428
 Hydraulic permits and projects, violations and penalties: HB 1428
 Invasive species, aquatic, comprehensive approach for managing: HB 1429, ***ESSB 5303, CH 17 (2017)**

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Coal mine lands, certain nonprofit-owned former, property tax exemption, when: HB 1391
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 Projects, local, permits and review, vested rights and controlling law in: HB 2100
 Proposals for development, SEPA categorical exemptions, when: HB 1745
 Railroads, freight rail dependent uses on land near, authorizing: HB 2231
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 Rural development, affordable housing, GMA planning to support: HB 1748
 Telecommunications, small cell facilities and networks, land use review exemption: HB 1921
 Urban development areas, governmentally owned property within, inventory of: HB 1752

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Landlord liaison programs and landlord education, funding for: HB 1570
 Tenant's property, placed upon nearest public property, disposition: HB 1635, SB 5013
 Tenant, income source of, landlord expelling or refusing to rent due to, prohibiting: HB 1633
 Termination, of month-to-month tenancies, written notice time period requirement: HB 2040

LAW ENFORCEMENT AND LAW ENFORCEMENT OFFICERS (See also CORRECTIONAL FACILITIES AND JAILS; CRIMINAL JUSTICE TRAINING COMMISSION; CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; FIRE PROTECTION; FIREARMS; MINORITIES; ORDERS OF COURT; RETIREMENT AND PENSIONS; SEX OFFENSES AND OFFENDERS; SHERIFFS AND POLICE CHIEFS, WASHINGTON ASSOCIATION OF (WASPC); STUDIES; VICTIMS OF CRIMES)

Accountability and community input, model policies for: HB 1529
 Agencies, law enforcement accreditation project, establishing: HB 1769
 Airport police, airplane passenger removal role of, restricting, when: HB 2211
 Biometric identifiers, attaining and using by agency, requirements and prohibitions: ***HB 2213, CH 1 (2017)**
 Biometric identifiers, excluding DNA and fingerprints from requirements for, when: ***HB 2213, CH 1 (2017)**
 Blood samples, collection by forensic phlebotomists or certain professionals, when: SSB 5186
 Community engagement programs, grant program for establishing: HB 1769
 Community policing, at western and eastern state hospitals: HB 1370
 Crime victim services, providing victim or survivor with information at scene: HB 1759
 Crisis intervention response team pilot project, behavioral health, creating: HB 2234
 Deadly force, agency policies, investigations, and reporting requirements: HB 1529
 Deadly force, in community policing, joint legislative task force, recommendations: HB 1529, HB 1769
 Deadly force, law enforcement and/or corrections officer standards for use of: HB 1000, HB 1529
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 Disability, person with, at emergency scene, first responder awareness: HB 1258
 Diversity in law enforcement, how to increase, studying: HB 1769
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 Firearms, dealer deliveries to officers, requirements: HB 1592
 First responders killed in line of duty, spouses of, property tax exemption: SSB 5104
 First responders, building mapping system for, to include school buildings: HB 1982
 First responders, notifying schools of evacuation or lockdown, requirements: HB 1982
 Fish and wildlife officers, authority to remove feral wolf-dog hybrids: HB 2247
 Funding for programs and agencies, from public safety enhancement account: HB 1769
 Gambling commission enforcement officers, authority of, civil liability immunity: ***HB 1475, CH 111 (2017)**
 Hate crimes, against emergency responders and firefighters due to occupation: HB 1693
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 Hiring and continuing employment, lawful permanent residents, eligibility of: HB 1182
 Homicide, justifiable, law enforcement and/or corrections officer standards for: HB 1000, HB 1529
 Homicide, justifiable, peace officer and public officer standards for: HB 1000, HB 1529
 Hunter education training program, firearm skills in, officer exemption, when: HB 1944
 Juvenile, 16 or 17, assaulting family or household member, arresting: ***SSB 5618, CH 223 (2017)**
 License plate recognition systems, automated, law enforcement use: HB 1909
 Liquor enforcement officers, powers of, expanding: SSB 5132
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 Officers, occupational disease presumptions for workers' compensation: HB 1655
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 Officers, Steve Redmond, of Spokane police department, honoring: ***HR 4628 (2017)**
 Police chief Michael Knapp, Ferndale police department, honoring: ***HR 4634 (2017)**
 Police officers at colleges, collective bargaining, binding interest arbitration: HB 1559
 Police vehicle, attempting to elude, "pursuing police vehicle" definition: HB 1844
 Police vehicle, attempting to elude, seriousness level: HB 1642, HB 1821

Public safety enhancement account, creating: HB 1769
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 Sheriffs, financial affairs statement, requirements: HB 1833
 State patrol, firearm purchase/transfer application denials, database, investigations: HB 1501
 State patrol, forfeited firearms, option to destroy: HB 1483
 Training, enhanced leadership, commissioned officers, and crisis intervention: HB 1769
 Trespassers, removal from premises by officer, when: HB 1305, ***ESSB 5388, CH 284 (2017)**

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 Carbon pollution mitigation tax, tax preferences, JLARC review of: HB 2230
 College and career readiness, new account funding for, JLARC review of use of: HB 2075
 Corrections, department of, JLARC audit of information technology and records: HB 2184, 2ESSB 5294
 Homelessness, document-recording surcharge use, JLARC to review: ***SB 5252, CH 15 (2017)**
 Main street program, tax credit, JLARC to determine business participation: 2SSB 5135, ***SSB 5977, CH 37 (2017) PV**
 Main street program, tax credit, JLARC to determine small business participation: HB 1343, HB 2094
 Pilotage commissioners, board of, performance audit by JLARC of: ESSB 5819
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 Spending programs, new statutory, requiring periodic JLARC review: HB 1818
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 Tax preferences, without metrics or accountability standards, JLARC role: SSB 5844
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 Washington tourism marketing authority, JLARC performance evaluation of: HB 1123
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 Aging, legislative advisory committee on, establishing: HB 2116, ESSB 5180
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 Bills, memorials, and resolutions, reintroduction for 2017 second special session: ***SCR 8405 (2017)**
 Bills, memorials, and resolutions, reintroduction for 2017 third special session: ***SCR 8406 (2017)**
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 Bridges, I-5 over Columbia river, bistate bridge project legislative work group: HB 1222

Building codes, legislative action to allow implementation, requiring: SSB 5500
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 Bull, Gina Grant, house page supervisor and former legislative assistant, honoring: ***HR 4616 (2017)**
 Columbia river I-5 bridge, joint Oregon-Washington legislative action committee: EHB 2095, ***SSB 5806, CH 288 (2017)**
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 Committees, renaming legislative systems committees to emphasize technology: HB 2028, ESSB 5729
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 Hill, Andy, former senator, renaming cancer research endowment authority after: ESB 5375
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 Indian affairs, joint summit council on, establishing: HB 1357
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 Joint session, elective state officers, canvassing vote of: ***HCR 4401 (2017)**
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 Legislation, 2015, technical corrections for tax and licensing law improvements: ***SSB 5358, CH 323 (2017)**
 Legislative systems administrative committee, joint, renaming: HB 2028, ESSB 5729
 Legislative systems committee, joint, renaming, and requiring director: HB 2028, ESSB 5729
 Legislative technology solutions agency, establishing in place of LSC: HB 2028
 Legislative technology solutions, office of, establishing in place of LSC: ESSB 5729
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 Legislators, mailings and public resources use, post-election: HB 2106
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 Operating budget, legislator salary passage contingency, constitutional amendment: HJR 4205
 Pages, Gina Bull memorial legislative page scholarship program, establishing: HB 1194
 Pages, Gina Grant Bull memorial legislative page scholarship program, establishing: ***SSB 5346, CH 322 (2017)**
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 Rule making, legislative approval or disapproval of rules: HB 1241
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 Sommers, Helen, former representative, naming "1063 Building" after: HCR 4400

Spanel, Harriet A., former legislator, renaming Blanchard state forest after: HJM 4010
 Spending programs, new statutory in bills, requirements for: HB 1818
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 Task force, joint select, on sexual assault forensic examination best practices: HB 1109
 Task force, joint, on hydraulic project approval program jurisdiction, establishing: SSB 5228
 Task force, joint, on improving state funding for school construction, establishing: ESSB 5702
 Task force, joint, on use of deadly force in community policing, recommendations: HB 1529, HB 1769
 Task force, joint, on water supply, both ground and surface water, establishing: HB 2248
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 Technology, legislative, renaming oversight committees to emphasize: HB 2028, ESSB 5729
 Veterans' and military affairs, joint committee, regulating authorities reports to: HB 1978, ***SB 5359, CH 184 (2017)**
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Rural county library districts, trustee appointment, in certain counties: ***HB 1281, CH 134 (2017)**

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 Child support, order compliance, licensees not in, DSHS notice to parent: HB 1814, SB 5490
 Driver training education, curriculum standards and instructor licensing, DOL role: HB 1481
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 Firearms, concealed pistol license, renewal notice requirements: HB 1100, ***SB 5268, CH 282 (2017)**
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 Motor vehicles, autonomous, certification and other requirements, DOL role: HB 2131
 Motor vehicles, wholesale dealers, licensing of, eliminating: ***HB 1722, CH 15 (2017)**
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 Pistols, applications and transfer and/or sale records, prohibiting DOL database: HB 1181, HB 1190
 Private investigators, temporary registration card issuance for, DOL role: HB 2233
 Security guards, private, licensing of, fingerprint background checks, DOL role: HB 1336
 Snowmobiles, determining whether properly registered, DOL role: HB 1446, ***ESSB 5338, CH 218 (2017)**
 Transportation network companies, regulation of, department role: ESSB 5620
 Vessels, impoundment when operator arrested, procedures, commission role: HB 1605

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Legal action against state, by lieutenant governor, requirements: HB 1034
 Washington generals, association of, expanding purpose of: HB 1984

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Mercury-containing lights, stewardship organization annual fee: ***SB 5762, CH 254 (2017)**
 Mercury-containing lights, stewardship organization plan, report, and audit: ***SB 5762, CH 254 (2017)**

LIMITED LIABILITY COMPANIES (See also BUSINESS ORGANIZATIONS)

Marijuana business licenses, LLC interest holders' residency: HB 1127

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Cannabis, health and beauty aids, permit for, board role in establishing: HB 2033
 Cannabis, medical use, repealing all statutes legalizing, impact on board duties: HB 2096
 Enforcement officers, liquor, powers of, expanding: SSB 5132
 Essential public health services account, board to use certain moneys in: HB 2144
 Hemp, industrial, regulatory framework feasibility, studying, board role: ***ESSB 5131, CH 317 (2017)**
 Licenses, tobacco products retailer, cigar lounge or tobacconist shop endorsement: HB 1919
 Marijuana, businesses and entities, siting near tribal reservation, board role: HB 1937
 Marijuana, businesses, by playground, child care center, or preschool, prohibitions: HB 2238

Marijuana, businesses, facilities inspection to enforce standards, board role: HB 1461, ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, financial institution services for, authorizing: HB 2098
 Marijuana, businesses, general licensing process, board role: EHB 1857, ***ESSB 5131, CH 317 (2017)**
 Marijuana, businesses, signage and advertising, board regulatory role: ***ESSB 5131, CH 317 (2017)**
 Marijuana, legalizing recreational user plant possession, regulation of, studying: ***ESSB 5131, CH 317 (2017)**
 Marijuana, licensees, business and nonprofit entity interest holders, board authority: HB 1127, HB 1151
 Marijuana, licenses held by licensees and retail outlets in state, board limiting of: HB 1096
 Marijuana, licenses, additional fee, for replacing board's traceability system: EHB 1858, ***SB 5130, CH 316 (2017)**
 Marijuana, licenses, board limiting of retailer and co-owner aggregate per business: HB 1096
 Marijuana, licenses, producers, sales to qualifying patients and providers: HB 2021
 Marijuana, licenses, research license provisions: EHB 1857, ***ESSB 5131, CH 317 (2017)**
 Marijuana, licenses, retail, delivery endorsement: HB 1712
 Marijuana, licenses, retail, forfeiture for failing to use by deadline, board role: HB 1126, ***ESSB 5131, CH 317 (2017)**
 Marijuana, permits, cannabis health and beauty aids permit: HB 2033
 Marijuana, producers and processors, testing of products of, board role: HB 2227
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Assessment by beef commission, modifying provisions: SB 5793
 Cattle, feedlots, fugitive dust exemption, when: HB 1299, ***SSB 5196, CH 217 (2017)**
 Cattle, promoting well-being, beef industry, and beef commission transparency: ***EHB 2073, CH 256 (2017)**
 Dogs and wolf-dog hybrids, dangerous to livestock, identification and removal: HB 2247
 Impounding, alternative process for placement, public notice, and sale, when: HB 1315
 Inspection, fees for: HB 2018
 Predation by wolves, certain prevention information, disclosure exemption: HB 1465
 Predation by wolves, NE Washington wolf-cattle management grant, creating: HB 2126
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 Airports, government-owned, community aviation revitalization loan program: EHB 1656
 Boards, advisory, subject to open public meetings act, when: HB 1989
 Boundary review boards, annexation boundaries, actions involving: HB 1682, ESB 5652
 Committees, advisory, subject to open public meetings act, when: HB 1989
 Communication plans, life safety information for limited-English proficient persons: ***SSB 5046, CH 312 (2017)**
 Covenants on land used by local agencies, restrictive, process for removal of: ***HB 1959, CH 119 (2017)**
 Creative districts, state-certified, designation and certification of: HB 1183, 2SSB 5300
 Criminal justice funding, using certain funds to supplant existing funding, when: HB 2006
 Disaster areas, designated, creating and financing with bonds and tax revenues: HB 2048
 Early childhood education and assistance program, funding, local government role: ***2SSB 5107, CH 178 (2017)**
 Early learning programs, funding from community sources, local pathway for: ***2SSB 5107, CH 178 (2017)**
 Electronic data, federal agencies collecting, agency cooperation with, prohibiting: HB 1193
 Employment laws and contracts, unionized and nonunionized employees: HB 1143
 Ethnicity, public agency disclosure to federal authorities, prohibitions: HB 2097
 Health sciences and services authorities, designation as, application deadline: HB 1922
 Homeless encampments on religious organization property, allowing, requirements: HB 2044, SSB 5657
 Homeless housing, document-recording surcharges for, local government use: ***E2SSB 5254, CH 16 (2017)**
 Homeless parking, safe, religious organizations, local actions and regulations: HB 2044, SSB 5657
 Homeless shelters, religious organizations, local actions and regulations: HB 2044, SSB 5657
 Housing, affordable, certain real estate excise taxes and revenues to support: HB 1536, HB 1797
 Housing, affordable, imposing sales tax for, councilmanic authority for: HB 1797
 Housing, affordable, on religious organization property, non-restriction of: HB 1987
 Housing, affordable, very low-income, local property tax exemption program: HB 1536

Housing, local investment programs, establishment of, city/county notice to DOR: HB 2046
 Infrastructure, debt guarantee by state for, constitutional amendment to allow: HJR 4200
 Infrastructure, for workforce or affordable housing, local investment programs for: HB 2046
 Infrastructure, infrastructure policy advisory team, establishing: HB 1677
 Infrastructure, loans and grants for, value planning and system improvement team: HB 1677
 Infrastructure, local, for drinking water, stormwater, and wastewater: HB 1677
 Infrastructure, project financing, loan agreements with housing finance commission: HB 1324, ESSB 5033
 Infrastructure, public works financing assistance program, establishing: HB 1051, ESSB 5033
 Infrastructure, Washington investment trust, creating for funding of: HB 2059
 Land use, local project permits and review, vested rights and controlling law in: HB 2100
 Laws, rules, and policies, state, municipality self-designated sanctuary from: HB 2178
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 Marijuana excise tax distributions, increasing limits on: HB 2076
 Marijuana excise tax distributions, requiring marijuana retailer in municipality for: HB 2060
 Marijuana, retail businesses, siting or operation of, local processes for prohibiting: HB 2215
 Mental health/chemical dependency funding, using funds to supplant existing funds: HB 2006
 National origin, public agency disclosure to federal authorities, prohibitions: HB 2097
 Notices, about emergencies and disasters, for limited-English-proficient persons: HB 1540, *SSB 5046, CH 312 (2017)
 Private property rights, international law or accords infringing, prohibitions: HB 1202
 Private roadways, city or county repair of: HB 1367
 Records, electronic, of local agencies, internet-based data storage system for: HB 1516
 Religious beliefs, agency disclosure to federal authorities, prohibiting: HB 2097
 Residential dwellings, demolition fee, deposit in city's affordable housing fund: HB 1536
 Resource data, private land unlawful entry by agency to collect: HB 1104
 Revenue authority and constitutional/statutory obligations of governments, studying: HB 2011
 Revitalization, local infrastructure investment programs, sales tax remittance for: HB 2046
 Safe streets pilot project, creating to foster community engagement: HB 1557
 Sensing devices, extraordinary, government agency use: HB 1102
 Transfers and obligations, incurred by debtor, uniform voidable transactions act: *SB 5085, CH 57 (2017)

LONG-TERM CARE (See also COLLECTIVE BARGAINING; DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; DISABILITIES, INDIVIDUALS WITH; GUARDIANSHIP; LONG-TERM CARE OMBUDS, OFFICE OF STATE; SOCIAL AND HEALTH SERVICES, DEPARTMENT; VULNERABLE ADULTS)

Adult family home, persons with developmental disabilities, property tax exemption: HB 1763
 Adult family homes, abuse and neglect reports, investigating: HB 1354
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 Assisted living facilities, abuse and neglect reports, investigating: HB 1354
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 Assisted living facilities, licensing violation civil monetary penalties, adjusting: HB 1492
 Continuing care retirement communities, agreements and disclosure statements: HB 1232
 Home care services, individual providers, overtime compensation: HB 1836
 Long-term services and supports trust program, commission, and account, creating: HB 1636
 Nursing facility medicaid payment, direct care payment rate, modifying: *SB 5715, CH 286 (2017)
 Nursing facility medicaid payment, persons with cognitive/behavioral impairments: HB 1968, *SB 5715, CH 286 (2017)
 Nursing homes, geriatric and behavioral health needs caregivers, curricula for: HB 1548
 Personal care services, by family member, consumer-directed medicaid program: *2ESB 5867, CH 34 (2017)
 Personal care services, in-home by family member, payment when tribal client: *2ESB 5867, CH 34 (2017)
 Personal needs allowance, medicaid services, increasing: HB 1772, *SB 5118, CH 270 (2017)
 Providers, adult family home, collective bargaining agreements, financial feasibility: HB 1287
 Providers, adult family home, collective bargaining unit representative elections: HB 1607
 Providers, collective bargaining agreements, financial feasibility: HB 1287
 Providers, in-home care, collective bargaining agreements, financial feasibility: HB 1287
 Providers, individual, hours paid by DSHS for, extending current limit: *SB 5976, CH 24 (2017)
 Providers, persons with developmental disabilities, collective bargaining: HB 1607
 Providers, persons with disabilities, collective bargaining unit rep elections: HB 1607

Respite care services, in-home by family member, payment when tribal client: ***2ESB 5867, CH 34 (2017)**
 Workers, minimum training requirements, deadline after hiring for meeting: ***SB 5177, CH 216 (2017)**
 Workers, training to recognize client hearing loss: ***SB 5177, CH 216 (2017)**

LONG-TERM CARE OMBUDS, OFFICE OF STATE (See also LONG-TERM CARE)

Incapacitated persons, kinds of decision-making authority for, training concerning: HB 1402, 2SSB 5577

LOTTERY, STATE

Commission, transfers of revenues to various accounts: HB 1517, HB 1694
 Revenues, deposited in certain accounts, distribution: HB 1517, HB 1694
 Unclaimed lottery prize moneys, deposit in child rescue fund: HB 2072

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Carbon pollution mitigation tax grant, low-income, establishing: HB 2230
 Facilities, public, impact on high poverty/ethnically diverse area, mitigation of: HB 2093, SSB 5725
 Food insecurity, research on, conducting: HB 2014
 Home rehabilitation revolving loan program, low-income, creating: HB 1980, ***ESB 5647, CH 285 (2017)**
 Homeownership development, low-income by nonprofit, property tax exemption: HB 1532
 Homeownership projects, funding from housing trust fund: HB 1044
 Housing, affordable, certain real estate excise taxes and revenues to support: HB 1536, HB 1797
 Housing, affordable, city that acquires or builds, one-time tax remittance for: HB 1536, HB 1797
 Housing, affordable, city/county infrastructure for, one-time sales tax remittance: HB 2046
 Housing, affordable, development on religious organization property: HB 1987
 Housing, affordable, imposing sales tax for, councilmanic authority for: HB 1797
 Housing, affordable, in residential targeted areas, property tax exemption, when: HB 2051
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 Housing, affordable, land bank, creating: HB 1752
 Housing, affordable, local infrastructure for, one-time tax remittance for city: HB 1536, HB 1797
 Housing, affordable, low-income by nonprofit, property tax exemption for: HB 1750
 Housing, affordable, manufactured housing communities beyond urban growth areas: HB 1846, SB 5615
 Housing, affordable, supporting via GMA planning for rural development: HB 1748
 Housing, affordable, very low-income, local property tax exemption program: HB 1536
 Housing, low-income, SEPA noncompliance challenge exception, when: HB 1740
 Hunger, food insecurity and USDA nutrition assistance programs, data on: HB 2014
 Intergenerational poverty advisory committee, creating: HB 1482
 Regional transit authorities, certain taxes imposed by, low-income rebate, when: HB 2148
 Transportation needs, special, transportation providers for persons with: HB 2113
 WorkFirst, legislative-executive WorkFirst poverty reduction oversight task force: HB 1482
 Youth, dropout prevention through farm engagement pilot project, establishing: HB 1542

MANUFACTURED HOUSING AND MOBILE HOMES

Communities, closure or conversion, minimum period for notifying tenants: HB 1514
 Communities, landlord duties and obligations: HB 1798
 Communities, manufactured housing, outside urban growth areas: HB 1846, SB 5615
 Communities, mobile home parks, closure or conversion, relocation assistance: HB 1884
 Communities, preserving in event of voluntary sale of, requirements: HB 1798
 Communities, sale of, exemption for, when, extending: HB 1798
 Fees, deposit into construction registration inspection account: ***HB 1716, CH 11 (2017)**
 Installation, infractions, monetary penalties for: ***HB 1329, CH 10 (2017)**
 Manufactured/mobile homes and park model trailers, property tax exemption, when: HB 1998
 Mobile home lots, additional charges, landlord verification for tenant: HB 1822
 Rental agreements, renewal and nonrenewal of, requirements: HB 1720
 Trailers, park model, pre-1976, property tax exemption: HB 1998

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Autonomous vehicles, operation on public roads for testing purposes: HB 2131

Electronic products manufacturers, children's or consumer, high priority chemicals: HB 1596
 Food packaging, with PFAS chemicals, prohibiting, manufacturer compliance: HB 1744
 Health sciences and services authorities, designation as, application deadline: HB 1922
 High-technology businesses, R&D by certain manufacturers, tax credit and deferral: HB 1894
 High-technology businesses, research and development by, tax preferences: HB 1894
 Motorcycle helmets, rider liability for manufacturer compliance failure, removing: HB 1650
 Nuclear energy, small modular reactors, B&O tax exemption for manufacturers: 2SSB 5475
 Paint, architectural, producer role in architectural paint recovery program: HB 1376
 Prescription drugs, unwanted, manufacturer-operated take-back program: HB 1047
 Semiconductor materials, gas and chemicals for producing, sales/use exemptions: ***SSB 5977, CH 37 (2017) PV**
 Semiconductor materials, manufacturing of, various tax preferences, contingency: ***SSB 5977, CH 37 (2017) PV**
 Semiconductor materials, manufacturing/processing of, B&O tax preferential rate: ***SSB 5977, CH 37 (2017) PV**
 Semiconductor microchips, manufacturing of, B&O tax exemption, contingency: ***SSB 5977, CH 37 (2017) PV**
 Solar energy photovoltaic cells, silicon smelters' role, tax preferences related to: HB 1403, ***SSB 5977, CH 37 (2017)**

PV

Solar energy silicon manufacturing and wholesaling, preferential B&O tax rate: ***SSB 5977, CH 37 (2017) PV**
 Spacecraft, R&D by manufacturers, tax credit and deferral, when: HB 1894

MARINE WATERS, STATE (See also BOATS AND BOATING; COMMERCIAL VESSELS AND SHIPPING; OCEAN WATERS AND RESOURCES; PUBLIC LANDS; PUGET SOUND PARTNERSHIP; SHORELINES AND SHORELINE MANAGEMENT)

Harbors, harbor maintenance tax, federal, requesting that Congress reform: HJM 4012
 Hiram M. Chittenden locks in Ballard, centennial of, celebrating: ***HR 4638 (2017)**
 Hood Canal, aquatic rehabilitation program, bond proceeds for: HB 1080
 Invasive species, aquatic, comprehensive approach for managing: HB 1429, ***ESSB 5303, CH 17 (2017)**
 Puget Sound, hatchery and genetic management plans, NOAA fisheries review of: SJM 8009
 Puget Sound, rehabilitation of, bond proceeds for: HB 1080
 Puget Sound, water quality protection, action agenda updates, frequency of: HB 1121

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Dissolution and separation, marital partners rights/responsibilities handbook: HB 2246
 Dissolution and separation, parenting plans and additional provisions: HB 1554, HB 2246, ***2ESSB 5890, CH 20 (2017)**

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Dissolution proceedings and dependency, legal representation for parents, when: ***2ESSB 5890, CH 20 (2017) PV**
 Employer gifts to employees based on marital status, allowing, when: HB 1947
 Solemnizing of marriages by commissioners of courts of limited jurisdiction: HB 1221
 Solemnizing of marriages by tribal court judges, authority: ***HB 1091, CH 130 (2017)**
 Union of one man and one woman, religious beliefs and conscience concerning: HB 1178

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Electronic products, electronic waste recycling program, authority role: HB 1226, HB 1824

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ARNPs and physician assistants, psychiatric, role of: ESSB 5894
 Behavioral health authority, designation of state, transferring to health care authority: HB 1388
 Behavioral health licensees, fraudulent license transfers by, prohibiting: ***SSB 5705, CH 330 (2017)**
 Behavioral health licensees, violations reduction by DSHS, prohibiting, when: ***SSB 5705, CH 330 (2017)**
 Behavioral health services, payment codes and reimbursement: ***SSB 5779, CH 226 (2017) PV**
 Behavioral health services, physical health integration, work group on: ESSB 5894
 Behavioral health services, primary care settings, bidirectional integration model: ***SSB 5779, CH 226 (2017) PV**
 Behavioral health services, provision of, reducing inefficiencies and duplications: HB 1819
 Behavioral health services, provision of, reducing inefficiencies/duplications: 2SSB 5749
 Behavioral health services, whole-person care that includes: ***SSB 5779, CH 226 (2017) PV**
 Behavioral health system, managed care, community facilities, outpatient treatment: ESSB 5894
 Behavioral health system, reforming provision of long-term psychiatric care: ESSB 5894
 Behavioral health, certain DSHS functions, transferring to department of health: HB 1388

Caregivers, for nursing home patients with behavioral health needs, curricula for: HB 1548
 Caregivers, for persons with severe mental illness, respite services pilot projects: HB 1197
 Child care, behavioral concerns consultation program: HB 1713
 Children's mental and behavioral health disorders, access line via DSHS: HB 1713
 Children's mental health services, managed care and tribal organizations, medicaid: ***SSB 5779, CH 226 (2017) PV**
 Children's mental health services, managed care systems, through medicaid: HB 1713
 Children's mental health work group, recommendations of, implementing: HB 1713, HB 1819, 2SSB 5749
 Clubhouses, expanding availability of: ESSB 5894
 Code 4 Northwest crisis service, Steve Redmond, honoring: ***HR 4628 (2017)**
 College students, mental health counseling and services for, evaluating: HB 1651
 Commitment, involuntary, additional treatment, petition for: ***2ESSB 5106, CH 14 (2017)**
 Commitment, involuntary, decision not to detain, petition for review of: HB 1162, ***2ESSB 5106, CH 14 (2017)**, ESSB 5894
 Commitment, involuntary, detention evaluation in emergency room: ***2ESSB 5106, CH 14 (2017)**
 Commitment, involuntary, detention standards: HB 1259
 Commitment, involuntary, for long-term treatment, community hospital/facility role: ESSB 5894
 Commitment, involuntary, for long-term treatment, discharge planning: ESSB 5894
 Commitment, involuntary, less-restrictive alternative or conditional release orders: HB 1069, ***2ESSB 5106, CH 14 (2017)**
 Criminally insane, public safety review panel authority: HB 1355
 Crisis intervention response team pilot project, creating: HB 2234
 Crisis walk-in centers, implementing: ESSB 5894
 Depression screening, for children of certain ages, through medicaid: HB 1713
 Designated crisis responders, role of: ***2ESSB 5106, CH 14 (2017)**, ESSB 5894
 Funding for mental health, using certain funds to supplant existing funding, when: HB 2006
 Higher education, suicide prevention and behavioral health, approaches: HB 1379
 Hospitals, adding psychiatric beds, certificate of need exemption for, when: HB 1547
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 Hospitals, state, psychiatric ARNP and physician assistant use at: ESSB 5894
 Hospitals, state, psychiatric ARNP training program plan for: ESSB 5894
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 Hospitals, state, public safety and community policing services: HB 1370
 Hospitals, state, reimbursement using quarterly average census data: HB 1996, ***SB 5595, CH 222 (2017)**
 Hospitals, state, shifting long-term placements to community hospitals, when: HB 1546, HB 2067, 2EHB 2107, ESSB 5894
 Hospitals, state, shifting long-term placements to evaluation/treatment centers: 2EHB 2107
 Legal financial obligations, mentally ill offender's failure to pay: HB 1093, HB 1783
 Murder, of family member, person threatening, mental health evaluation/treatment: HB 1972
 Personal needs allowance, medicaid services, increasing: HB 1772, ***SB 5118, CH 270 (2017)**
 Posttraumatic stress disorder, occupational disease presumption, when: HB 1655
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 Records, mental health services, use and disclosure, when: HB 1413, ***SSB 5435, CH 325 (2017)**
 School counselors, psychologists, and social workers, task force on, convening: HB 1377
 Store and forward technology, services for children, through medicaid: HB 1713
 Students, distress response plan, to include abuse hotline policy in: HB 1563
 Students, mental health needs, roles of OSPI and ESD's: HB 1713
 Students, mental health needs, school mental health professional collaboration time: HB 1377
 Students, psychotropic medications or screening, school requiring, prohibiting: HB 1788, SB 5448
 Students, social-emotional learning, staff to support, funds allocation for: HB 1621
 Suicide awareness, suicide-safer homes project, task force, and account, creating: HB 1612
 Suicide awareness, suicide-safer homes task force and subcommittees, provisions: HB 1612
 Suicide prevention in higher education, statewide resource and grant program: HB 1379
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 Telemedicine, behavioral health services for children, through medicaid: HB 1713
 Treatment programs, admitting minor to and keeping them in, authority for: HB 1424

Treatment, assisted outpatient, initial evaluation and petitioning for: ESSB 5894
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 Treatment, excluding residential housing cost payments from supported housing: HB 1545
 Veterans attending colleges, mental health counselors for: HB 1737, SB 5525
 Violent threats against person by patient, mental health provider responsibility: HB 1810, ESB 5800

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Semiconductor materials, gas and chemicals for producing, sales/use exemptions: *SSB 5977, CH 37 (2017) PV
 Semiconductor materials, manufacturing of, various tax preferences, contingency: *SSB 5977, CH 37 (2017) PV
 Semiconductor materials, manufacturing/processing of, B&O tax preferential rate: *SSB 5977, CH 37 (2017) PV
 Semiconductor microchips, manufacturing of, B&O tax exemption, contingency: *SSB 5977, CH 37 (2017) PV
 Silicon, electricity or gas sold to smelters, tax preferences for: HB 1403, *SSB 5977, CH 37 (2017) PV
 Silicon, solar energy manufacturing and wholesaling, preferential B&O tax rate: *SSB 5977, CH 37 (2017) PV

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Alcohol concentration, allowed when driving, flying, or operating vessel, lowering: HB 1874
 Bases, Joint Base Lewis-McChord, 100th anniversary, recognizing: *HR 4622 (2017)
 Buffalo Soldiers, 9th and 10th horse cavalry regiments, honoring: *HR 4615 (2017)
 Coast guard, petty officer Matthew E. Schlimme, requesting naming of cutter after: HJM 4011
 College "resident student," uniformed services member spouse/child as, when: *SB 5778, CH 191 (2017)
 College tuition/fees waiver, national guard, to include domestic support personnel: *SB 5826, CH 127 (2017)
 Died in service, gold star plate-recipient spouses, certain fee exemptions for: HB 1320
 Electronics ratings, military, qualifications for EL06 and EL07 certification: HB 2123
 Emergency management, coordinating with cybersecurity, task force on: HB 2086
 Hate crimes, due to military status: HB 1986
 Information technology systems and infrastructure, testing security of, MD role: HB 1929, HB 2172
 Installations, U.S. armed services, protecting from incompatible growth: HB 2111
 Iran and Afghanistan conflicts, veterans, naming I-5 bridges over Nisqually river for: HJM 4007
 Japanese-American World War II internees, veterans, and activists, recognizing: *HR 4613 (2017)
 Killed in line of duty, spouses of members who were, property tax exemption for: SSB 5104
 Legal services, pro bono, office of military and veteran legal assistance, creating: HB 1055, 2SSB 5021
 Member of military, malicious harassment of: HB 1986
 Member or employee of military, assault in third degree involving: HB 1986
 Military department, protecting occupants of national guard facilities: SSB 5405
 National guard, college tuition/fees waiver, to include domestic support personnel: *SB 5826, CH 127 (2017)
 National guard, complimentary discover pass for member, when: HB 2142
 National guard, occupants of facilities of, military department protection of: SSB 5405
 National guard, Seattle pier 91 armory property, creating interbay committee for: HB 2134
 National guard, Washington, recognizing and thanking: *HR 4639 (2017)
 Navy and navy personnel, contributions of, recognizing: *HR 4637 (2017)
 Navy, personnel and their family members and friends, recognizing: *HR 4637 (2017)
 Nuclear attack planning, removing emergency management plan prohibition on: HB 2214
 POW/MIA flag, national league of families', display requirements: *HB 1204, CH 79 (2017)
 POW/MIA flag, national league of families', flying on higher education campuses: HB 1220
 POWs, child or spouse of, higher education waiver to include stipend, when: HB 2009
 Professional licensing, certification, etc., for members and spouses: HB 1978, *SB 5359, CH 184 (2017)
 Retirement, LEOFF plan 2, interruptive service credit requirement, studying: *SB 5661, CH 188 (2017)
 Retirement, WSPRS, military service credit for: HB 1173
 Schlimme, Matthew E., petty officer, requesting naming of coast guard cutter after: HJM 4011
 Services through companies, active duty member termination of contracts for: HB 1056, SB 5041
 Shared leave program, state, uniformed service pool, members and spouses: HB 1802
 State guard, complimentary discover pass for member, when: HB 2142
 State guard, retirement age, extensions of, when: HB 2004
 Students, extracurricular activities, including varsity, eligibility for: HB 1023
 Uniformed service shared leave pool, state employee, members and spouses: HB 1802
 USS Olympia submarine and its crew, honoring: *HR 4609 (2017)

World War I, one-hundredth anniversary of U.S.A.'s entry into: ***HR 4641 (2017)**

World War I, Washington's veterans of, honoring: ***HR 4641 (2017)**

MILITARY DEPARTMENT

Communication plans, life safety information for limited-English proficient persons: ***SSB 5046, CH 312 (2017)**

Emergency management-cybersecurity coordination, task force on, department role: HB 2086

MINES AND MINING

Coal mine lands, certain nonprofit-owned former, property tax exemption, when: HB 1391

Geothermal resources, exploration for, permitting process, revising: ***ESSB 5470, CH 259 (2017)**

Mineral resources and resource lands, growth management planning involving: HB 1225

Motorized prospecting, pollutant discharge elimination, general permit for: HB 1106

Nonmotorized small scale prospecting and mining, permit and fee exemption: HB 1077

Surface mining, permits, fees for: ***HB 1406, CH 27 (2017)**

MINORITIES (See also AFRICAN-AMERICAN AFFAIRS, COMMISSION; AFRICAN-AMERICANS; ASIAN PACIFIC AMERICAN AFFAIRS, STATE COMMISSION; ASIAN PACIFIC AMERICANS; DISCRIMINATION; HUMAN RIGHTS COMMISSION; IMMIGRATION, IMMIGRANTS, AND IMMIGRATION STATUS; INDIANS)

Businesses, minority-owned, U of W medical facility alternative contracting: HB 1861, ***SB 5631, CH 124 (2017)**

Chavez, Cesar, recognizing March thirty-first as Cesar Chavez day: HB 1939

Communication plans, life safety information for limited-English proficient persons: ***SSB 5046, CH 312 (2017)**

Court interpreters for non-English-speaking persons, oath requirements: ***HB 1285, CH 83 (2017)**

Court interpreters for non-English-speaking persons, providing and reimbursing: HB 1186

Ethnic studies, model school curriculum, development and advisory committee: HB 1294

Ethnicity, public agency disclosure to federal authorities, prohibitions: HB 2097

Executive order 9066, seventy-fifth anniversary, acknowledging: ***HR 4613 (2017)**

Facilities, public, impact on ethnically diverse/high poverty area, mitigation of: HB 2093, SSB 5725

Filipino Americans and Filipino American history month, celebrating: ***HR 4619 (2017)**

Interpreters, educational, for persons with limited English proficiency: HB 1295, HB 1451

Japanese-American World War II internees, veterans, and activists, recognizing: ***HR 4613 (2017)**

Language access providers, spoken language services from, agency purchasing: HB 1869

Language access, for students and parents with limited English proficiency: HB 1295, HB 1451

Law enforcement and minority communities, data collection methodology: HB 1529

Law enforcement officer diversity and community engagement, studying: HB 1529

Law enforcement officer diversity, how to increase, studying: HB 1769

Minority affairs, commission on, abolishing certain commissions and creating: HB 2183

National origin, public agency disclosure to federal authorities, prohibitions: HB 2097

Notices, about emergencies and disasters, for limited-English-proficient persons: HB 1540, ***SSB 5046, CH 312 (2017)**

Pacific islanders, COFA citizens, health care premium assistance program for: HB 1291

Registration or surveillance programs, aiding of, prohibiting, when: HB 1985

Transitional bilingual instruction program, "eligible pupil" and "native language": HB 1686

Transitional bilingual instruction program, annual reporting date: HB 1690, ***SB 5488, CH 123 (2017)**

Transitional bilingual instruction program, bilingual educator initiative to support: SSB 5712

U of W, medical facility alternative contracting, minority-owned businesses: HB 1652

Women's day, international, and women and their contributions: ***HR 4623 (2017)**

MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE

Contracts, certain colleges, office to identify low minority and women participation: HB 1897

Contracts, minority- and women-owned businesses, AG enforcement, repealing: HB 1897

Contracts, state agencies, office to identify low minority and women participation: HB 1897

Investigation unit within office, establishing: HB 1897

U of W, medical facility alternative contracting, role of office: HB 1861, ***SB 5631, CH 124 (2017)**

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Motion picture competitiveness program, contributions, B&O tax credit, when: HB 1527, HB 2062, ***SSB 5977, CH 37 (2017) PV**

Motion picture competitiveness program, extension and expansion of: HB 1527, HB 2062, ***SSB 5977, CH 37 (2017)**
PV

MOTOR VEHICLES (See also BICYCLES; DRIVERS AND DRIVERS' LICENSES; FUELS; INSURANCE; ROADS AND HIGHWAYS; TAXES - FUEL; TAXES - MOTOR VEHICLE EXCISE; TOWING AND TOW TRUCKS; TRAFFIC; TRANSPORTATION)

Addresses of record, uniform process for updating, when: HB 1813
 All-terrain vehicles, wheeled, crossing public roadways in certain counties, when: HB 1838
 All-terrain vehicles, wheeled, operation on county roadways, provisions: HB 1156, HB 1837
 All-terrain vehicles, wheeled, temporary ORV use permits for: HB 2220
 Alternative fuel, clean, commercial vehicles using, tax credits, when: HB 1809
 Antifreeze products, denatonium benzoate provisions, application of: HB 1095
 Assault, vehicular, fee increase to fund DUI reduction: HB 1970
 Assault, vehicular, under the influence, prior convictions, increasing sentence for: HB 1591
 Automobile museums, historic, sales and use tax deferral: HB 1577, ***SSB 5977, CH 37 (2017) PV**
 Autonomous vehicles, operation on public roads, requirements: HB 2131
 Brake friction materials, aligning requirements with nationwide agreement: HB 1738
 Buses, school, safety belts in: HB 1246
 Car seat, harness, and safety belt restraint systems, age-based requirements for: EHB 1188
 Car wash facilities, sales and use tax exemptions for: HB 1856
 Commercial vehicles, electrical contractor vehicle identification requirements: HB 1855
 Commercial vehicles, fees, depositing in new account: ***HB 1716, CH 11 (2017)**
 Commercial vehicles, using clean alternative fuel, tax credits, when: HB 1809
 Dealers, notifying buyer or lessee during bushing period, methods for: HB 1373, ***SB 5244, CH 41 (2017)**
 Dealers, wholesale, licensing of, eliminating: ***HB 1722, CH 15 (2017)**
 Electric vehicles, build out of infrastructure, utilities authority for: HB 1335
 Electric vehicles, ride-sharing vehicle tax exemptions to include: HB 1662
 Electric vehicles, tax credits for, when: HB 1809
 Electrical contractors, vehicle identification requirements, instituting: HB 1855
 Entering vehicle to render assistance, liability of person, immunity when: HB 1118
 Felonies, motor vehicle-related, community custody pilot program for: HB 1914, HB 1976
 For hire vehicle companies, wheelchair accessible, special parking privileges: ***EHB 2003, CH 151 (2017)**
 For hire vehicles, operating within port district, limiting entry and charging fee: HB 1917
 For hire vehicles, providers for special needs persons, B&O tax credit: HB 2113
 Homicide, vehicular, fee increase to fund DUI reduction: HB 1970
 Length, maximum front extension, transit vehicle with bike rack, exemption, when: HB 1149
 License plates, automated recognition systems, authorizing use, when: HB 1909
 License plates, disabled veteran fee exemption, qualifications: HB 1230
 License plates, special, defining "veteran" for: HB 1369
 License plates, special, Fred Hutch plates, creating: HB 1568
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 Licensing and certification, autonomous vehicles, requirements: HB 2131
 Licensing, fees for, gold star license plate widow or widower recipient exemption: HB 1320
 Limousines, operating within port district, limiting entry and charging fee: HB 1917
 Mopeds, helmet, financial responsibility when adult not wearing: HB 1804
 Mopeds, helmets, limiting mandatory use to persons under 18: HB 1485
 Mopeds, towed from accident scene when owner hospitalized, redemption: HB 2058
 Motor homes, warranty act/lemon law application to: HB 2017
 Motor-driven cycles, helmet, financial responsibility when adult not wearing: HB 1804
 Motor-driven cycles, helmets, limiting mandatory use to persons under 18: HB 1485
 Motorcycle- or club-related paraphernalia, profiling based on, prohibiting: HB 1553
 Motorcycles, exempting from motor vehicle weight fee: HB 2063
 Motorcycles, helmet, financial responsibility when adult not wearing: HB 1804

Motorcycles, helmets, limiting mandatory use to persons under 18: HB 1485, HB 1803
 Motorcycles, helmets, rider liability for manufacturer compliance failure, removing: HB 1650
 Motorcycles, limited access facility shoulder use by, when: SSB 5378
 Motorcycles, operating between lanes or passing in same lane: HB 1157
 Motorcycles, passing in lane occupied by vehicle, when: SSB 5378
 Motorcycles, towed from accident scene when owner hospitalized, redemption: HB 2058
 Motorsports vehicles, resident owners but sold by out-of-state dealers, reporting: HB 1446, ***ESSB 5338, CH 218 (2017)**
 Off-road vehicles, provisions: HB 1446, ***ESSB 5338, CH 218 (2017)**
 Off-road vehicles, temporary use permits, issuing for wheeled all-terrain vehicles: HB 2220
 Property offenses, motor vehicle, offender score provisions: SB 5059, ESSB 5934
 Recreational vehicles, camping or travel, depositing fees in new account: ***HB 1716, CH 11 (2017)**
 Recreational vehicles, generally, warranty act/lemon law application to: HB 2017
 Recreational vehicles, motor homes, warranty act/lemon law application to: HB 2017
 Registration, address of record, uniform process for updating, when: HB 1813
 Registration, attestation of financial responsibility before issuance of: HB 1977
 Registration, fees for certain transactions involving, increasing: HB 1286, HB 1345
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 Registration, snowmobiles, requirements, violations, penalties: HB 1446, ***ESSB 5338, CH 218 (2017)**
 Registration, two-year periods for, provisions: SSB 5508
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 Repair facilities, motor vehicle transporter license, modifying: EHB 1742
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 Safety belts or child restraint systems, age-based requirements for: EHB 1188
 Snowmobiles, provisions: HB 1446, ***ESSB 5338, CH 218 (2017)**
 Taxicab companies, when wheelchair accessible, special parking privileges: ***EHB 2003, CH 151 (2017)**
 Taxicabs, operating within port district, limiting entry and charging fee: HB 1917
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 State capital historical museum, former, name to revert to historic Lord mansion: ***HB 1853, CH 117 (2017)**, SB 5660

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Balance billing protection act, health care billing by out-of-network providers: HB 1117, HB 2114
 Balance of powers restoration act, legislative act constitutionality determinations: HB 1072
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 Campus antiharassment act, within new "academic bill of rights": HB 1362
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 DISCLOSE act of 2017, campaign finance disclosure: HB 1807
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 Eastside corridor congestion relief act, I-405 express toll lanes replacement: HB 1030
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Electronic legal material act, uniform, concerning official electronic records: ***SB 5039, CH 106 (2017)**
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 English language empowerment act, Washington state, official state language: HB 2209
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 Homeless youth prevention and protection act, modifying information-sharing in: HB 1816
 Housing opportunities act, Washington, housing for the homeless: HB 1570
 Improving constituent access and representative engagement act, legislator offices: HB 1583
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 Land covenant preservation and transparency act, local government land use: ***HB 1959, CH 119 (2017)**
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 Notarial acts, revised uniform law on, concerning notaries and notarial acts: ***SSB 5081, CH 281 (2017)**
 Pain capable unborn child protection act, concerning abortion restrictions: HB 1775
 Patient choice restoration act, Washington, individual health insurance market participation: HB 2228
 Patient safety act, Washington state, hospital RN staffing practices: HB 1714
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 Preservation of liberty act, state, unlawful detention of citizens and resident aliens: HB 2120

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 Responsible representation act, noncharter county district elections: HB 1535
 Rural jobs act, Washington, rural growth fund capital contributions tax credit: HB 1422
 Safety and access for immigrant victims act: HB 1022
 Securing the future of Washington's state parks bonding act, capital project funds: ESSB 5838
 Shoreline management act, independent remedial actions, exemptions for: SSB 5170
 Shoreline management act, vegetation removal for wildfire protection: HB 1588
 State need grant eligibility expansion act: HB 1841
 Statewide tourism marketing act, creating program and marketing authority: HB 1123
 Student education loan bill of rights, Washington, third-party loan modification: HB 1440
 Student loan transparency act, Washington state, debt information for students: HB 1057, ***SSB 5022, CH 154 (2017)**
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 Student sun safety education act, tropical sunscreen at schools/events, permitting: HB 1573, ***SSB 5404, CH 186 (2017)**
 Summer step-up act, social emotional learning throughout calendar year: HB 1518
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 Taxpayer protection act, concerning public contract and contractor performance: HB 1851
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 Uniform money services act, currency exchanges and money transmitters under: HB 1045, ***SSB 5031, CH 30 (2017)**
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 Voting rights act of 2017, Washington, equal opportunity for protected classes: HB 1800, HB 1934
 Wage recovery act, Washington, establishing wage liens: HB 1486
 Workforce investment act, updating obsolete references to: HB 1363, ***SB 5237, CH 39 (2017)**

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 Land leases, agriculture or grazing, nondefault or early termination provisions: ***SSB 5051, CH 56 (2017)**
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 Sediment management demonstration project in Pierce county, department role: HB 1660
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 Timber sales, perishable fire-damaged timber on state lands, DNR role: HB 1710
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Wildfires, losses from, forest health assessment and treatment, DNR role: ***2SSB 5546, CH 95 (2017)**

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Wildfires, suppression contractors and equipment owners, DNR recruitment: HB 1489

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Freedom of expression/speech, in student media, including civil action for relief: SSB 5064

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Fund-raising via gambling activities, modifying process and requirements for: ESSB 5671

Homeownership development, low-income by nonprofit, property tax exemption: HB 1532

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Rural electric cooperatives, cooperative finance organizations B&O tax deduction: HB 1231

Student education loan debt counseling organizations and counselors: HB 1169

Wine auction, private with tastings, by nonprofit, special permit for: ***HB 1718, CH 250 (2017)**, SSB 5560

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Natural death act, advance directives, notaries and proof of identity for: HB 1640

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Heating oil tanks, assistance program, expanding focus to petroleum storage tanks: HB 1266

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Oil transport, spill plans, notice, financial responsibility, and emergency response: HB 1611

Oil transport, spill prevention and response, oil spill prevention account: HB 1210

Oil transport, train accidents, emergency preparedness guidance for, creating: HB 1698

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Behavioral health services, provision of, reducing inefficiencies and duplications: HB 1819

Behavioral health services, provision of, reducing inefficiencies/duplications: 2SSB 5749

Patient/client threats against persons, violent, psychologist responsibility: HB 1810, ESB 5800

School counselors, psychologists, and social workers, task force on, convening: HB 1377

School psychologists, meeting student mental health needs: HB 1377

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Child welfare services, for child victims of human trafficking, when: HB 1791

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Child welfare services, hotel room or department office child placement, prohibiting: HB 1883

Child welfare services, meeting facilitators for shared planning meetings: HB 1365

Child welfare services, parent-child visitation work group, DSHS to convene: HB 1366

Child welfare services, records, when youth in crisis residential or HOPE centers: HB 1816

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Food assistance, basic food/SNAP, college student on-campus EBT card use for: HB 1569

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Human trafficking, in persons, services for child victims of: HB 1791

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Medicaid, ambulance services payment rate, relation to medicare rate: HB 2112

Medicaid, audits of health care providers by health care authority, restricting: HB 1314

Medicaid, children's mental health services, managed care: HB 1713

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Medicaid, community assistance referral and education services, reimbursement of: HB 1358

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Medicaid, critical access hospitals in rural access pilot, alternatives for payment: HB 1520

Medicaid, dental health aide therapist services funding for Indian tribes: HB 1414, ***SSB 5079, CH 5 (2017)**

Medicaid, dental managed care program, statewide prepaid, establishing: HB 1899

Medicaid, depression screening for children of certain ages: HB 1713

Medicaid, diabetes, adults with, oral health connections pilot program: 2SSB 5540

Medicaid, hearing devices for adults: HB 1264

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Medicaid, hospital safety net assessment for, expiration date of, revising: HB 1766

Medicaid, hospital safety net assessment for, expiration date, revising: ***SSB 5815, CH 228 (2017)**

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Medicaid, newborn delivery services, mother-newborn contact, requirements: HB 1474, ***SSB 5835, CH 294 (2017)**

Medicaid, oral health connections pilot program: 2SSB 5540

Medicaid, personal needs allowance, increasing for certain services: HB 1772, ***SB 5118, CH 270 (2017)**

Medicaid, pregnant women, oral health connections pilot program: 2SSB 5540

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Kamiakin High School Braves football team, honoring: ***HR 4606 (2017)**

Kentridge High School Chargers girls' basketball team, honoring: ***HR 4629 (2017)**

Kentwood High School boys' basketball team, honoring: ***HR 4630 (2017)**

Kindergarteners, month of, September to be: HB 1901

Language access, advisory committee and lighthouse collaboratives: HB 1295, HB 1451

Language access, for persons with limited English proficiency, improving: HB 1295, HB 1451

Learning assistance, allocations for: HB 2185

Learning assistance, building concentration allocation: HB 1511

Learning assistance, foster-homeless allocation: HB 1511

Learning assistance, new allocation for high-poverty schools: ***EHB 2242, CH 13 (2017) PV**

Learning labs, in public middle and junior high schools, pilot project: HB 1412

Levies for schools, bond redemption payments, period for increased levy: HB 1344

Levies for schools, certain revisions to SSB 5607: ESSB 5875

Levies for schools, enrichment limitations and state local effort assistance role: ***EHB 2242, CH 13 (2017) PV**

Levies for schools, excess, maximum levy amount and percentage: HB 1843, HB 2185, SSB 5607

Levies for schools, lid revisions: HB 1059, HB 1843, HB 2185, ***EHB 2242, CH 13 (2017) PV, *ESB 5023, CH 6 (2017), SSB 5607**
 Levies for schools, lid revisions, delaying: HB 1059, HB 1843, HB 2185, ***ESB 5023, CH 6 (2017), SSB 5607**
 Levies for schools, local effort assistance, revisions: HB 1843, HB 2185, ***EHB 2242, CH 13 (2017) PV**
 Levies for schools, local effort levy by state at uniform rate: SSB 5607
 Levies for schools, local effort levy by state, revisions to SSB 5607: ESSB 5875
 Levies for schools, local enrichment policies, extending current: HB 1059, ***ESB 5023, CH 6 (2017)**
 Levies for schools, maintenance and operation, not using for basic education: ***EHB 2242, CH 13 (2017) PV, *ESB 5023, CH 6 (2017)**
 Levies for schools, school district bond payment, general election simple majority: HB 1779
 Levies for schools, school district bond payment, simple majority to authorize: HB 1778, HJR 4203, HJR 4204
 Levies for schools, state property tax levies for common schools, revisions: ***EHB 2242, CH 13 (2017) PV**
 Marijuana, medical use, administration to students: HB 1060
 Meal programs, breakfast after the bell lighthouse pilot project and requirements: HB 1508
 Meal programs, reduced-price lunches, eliminating copays: HB 1508
 Meals, farm-to-school and small and direct marketing farm programs: HB 1508
 Mental health, psychotropic medications or screening, school requiring, prohibiting: HB 1788, SB 5448
 Mental health, services coordinator in OSPI and lighthouse ESD: HB 1713
 Mental health, student distress response plan, to include abuse hotline policy in: HB 1563
 Middle schools, career and technical education in, grants for: HB 1898
 Military children, extracurricular activities, including varsity, eligibility for: HB 1023
 Nurses, licensed, practice authority in schools without nonnurse supervisor: HB 1346, SB 5325
 Nurses, supporting student health, funds allocation for: HB 1621
 Nutrition, of students, equipment assistance grant program for improving: EHB 1551
 Open educational resources project, removing expiration: HB 1688
 Out-of-school time programs, enabling neighborhood groups to provide: ***2SSB 5258, CH 180 (2017)**
 Paraeducators, effect on student outcomes, studying: HB 1115, SB 5070
 Paraeducators, employment and training standards and programs: HB 1115, SB 5070
 Paraeducators, paraeducator board, creating: HB 1115, SB 5070
 Parent involvement coordinators, funding enhancements for: HB 2185
 Parent involvement coordinators, supporting student social-emotional learning: HB 1621
 Performance goals, accountability monitoring and reporting system, establishing: HB 2185
 Physical education, annual district examinations of programs of: HB 1235
 Principals, evaluation system, steering committee for, removing expiration: HB 1691
 Principals, evaluations of, schedule for: HB 1319
 Principals, mentoring of, beginning educator support program, provisions: HB 1601
 Principals, professional certification, prohibiting PESB from requiring: HB 1341
 Private schools, board of education role: HB 1886
 Public speaking, grades two through five, grant program for: HB 1254
 Recycling, in public schools, student opportunity for: HB 1781
 Safety drills, for earthquakes and tsunamis, when: HB 1279
 Safety planning, seismic safety of school buildings, engineering survey for: HB 1703
 Safety, evacuation or lockdown, first responder schools notification role: HB 1982
 Safety, first responder building mapping system to include school buildings: HB 1982
 Schools and school facilities, siting, as planning priority: HB 1017
 Schools, siting in rural areas, authority and requirements for, when: HB 1017, HB 2216, ***HB 2243, CH 32 (2017)**
 Schools, siting, public facility/utility extensions when rural/outside UGA: HB 1017, HB 2216, ***HB 2243, CH 32 (2017)**
 Sexual abuse of K-12 students, Erin's law legislative task force, establishing: HB 1539
 Sexual abuse of K-12 students, preventing, model curriculum for: HB 1539
 Skill center cooperatives, capital account for, host district to maintain: ***SSB 5644, CH 187 (2017)**
 Social emotional learning and health, staff to support, funds allocation for: HB 1621
 Social emotional learning, programs, summer step-up grant program for: HB 1518
 Social emotional learning, work group and technical advisor for: HB 1518
 Social security numbers of students, handling by districts, standards and prohibitions: HB 2249
 Social studies classes, student voter sign up and registration in, when: HB 1513

Special education, funded enrollment percent work group, convening: HB 2185
 Sports activities, on school grounds after, free speech and exercise of religion: HB 1602
 Students protecting students program, establishing: HB 1310
 Students, at-risk youth, on-time grade level progression, procedures: HB 1444
 Students, attending several high schools, receiving diploma, when: HB 1444
 Students, back-to-school clothing and supplies, sales and use tax exemptions: HB 1457
 Students, bilingual, mentoring via educator initiative to increase bilingual educators: SSB 5712
 Students, changing residence mid-term, online courses or programs for : HB 1444
 Students, foster or homeless youth, partial credit for courses not completed, when: ***SSB 5241, CH 40 (2017)**
 Students, foster youth, partial credit for courses not completed, when: HB 1628
 Students, homeless, district transportation of, certain surcharge to fund: HB 2206
 Students, homeless, health care informed consent from school personnel: HB 1641
 Students, homeless, on-time grade level progression, procedures: HB 1444
 Students, instruction at technical college, taking alternative assessment, when: SB 5639
 Sunscreen, tropical sunscreen products, at schools/events, permitting: HB 1573, ***SSB 5404, CH 186 (2017)**
 Supplies and back-to-school clothing, sales and use tax exemptions: HB 1457
 Tahoma High School We the People team, honoring: ***HR 4611 (2017)**
 Teachers, bilingual educator initiative, including pilot projects: SSB 5712
 Teachers, career and technical education, certifications and endorsements: HB 1756
 Teachers, certificated instructional staff, ending statewide salary schedule for: SSB 5607
 Teachers, certificated instructional staff, extended-year contracts, modifying: ESSB 5875
 Teachers, certificated instructional staff, housing allowance for, when: SSB 5607
 Teachers, certificated instructional staff, model salary grid work group: ***EHB 2242, CH 13 (2017) PV**
 Teachers, certificated instructional staff, professional learning days: HB 2185, ***EHB 2242, CH 13 (2017) PV**
 Teachers, certificated instructional staff, state salary allocation model, modifying: HB 2185, ***EHB 2242, CH 13 (2017)**
PV
 Teachers, certificated instructional staff, supplemental contract requirements: HB 1684, HB 1843, HB 2185, ***EHB 2242, CH 13 (2017) PV**
 Teachers, certificated instructional staff, TRII contracts: HB 1843, HB 2185
 Teachers, certification, alternative route programs, outcomes-based policies: ***EHB 1654, CH 14 (2017)**
 Teachers, certification, external assessments and other requirements, modifying: HB 1341
 Teachers, classroom, evaluations of, schedule for: HB 1319
 Teachers, DEL licensing decisions, community appeals boards, establishing: HB 1957
 Teachers, Ed Bergh, Yelm High School history teacher, honoring the career of: ***HR 4625 (2017)**
 Teachers, educator preparation data, availability for PESB use: HB 1741
 Teachers, evaluation system, steering committee for, removing expiration: HB 1691
 Teachers, expanded civics education training program for, establishing: HB 1896
 Teachers, grow your own bilingual educator grant program: HB 1445
 Teachers, in high-need schools, education loan forgiveness, when: HB 1643
 Teachers, K-3, teaching assistant to assist, when: HB 2050
 Teachers, mentoring of, beginning educator support program, provisions: HB 1601
 Teachers, minimum salary and supplemental contracts: ***EHB 2242, CH 13 (2017) PV**
 Teachers, on a PESB committee, reimbursing district for substitute for: ***HB 1734, CH 17 (2017)**
 Teachers, preparation programs, Since Time Immemorial Indian history curriculum in: HB 2034
 Teachers, preservice candidates, waiving evidence-based assessment, when: HB 1664
 Teachers, professional growth plans submitted via eCert, disclosure exemption: ***HB 1732, CH 16 (2017)**
 Teachers, recruitment and onboarding of, school staff training program for: HB 1644
 Teachers, retired, as mentors or advisers, postretirement employment under TRS: HB 1685
 Teachers, salaries, minimum statewide average salaries as basis: HB 1843
 Teachers, salaries, reviewing and rebasing of allocations: ***EHB 2242, CH 13 (2017) PV**
 Teachers, salary allocation schedule credit for industry years: HB 1756
 Teachers, salary increases through inflationary adjustment allocation: ***EHB 2242, CH 13 (2017) PV**
 Teachers, substitute, complaints about, district notification of teacher: HB 1767
 Teaching assistants, for K-3 teachers, when: HB 2050
 Transitional bilingual instruction program, "eligible pupil" and "native language": HB 1686

Transitional bilingual instruction program, allocations for: HB 2185
 Transitional bilingual instruction program, annual reporting date: HB 1690, ***SB 5488, CH 123 (2017)**
 Transitional bilingual instruction program, bilingual educator initiative to support: SSB 5712
 Transportation, allocation distribution formula, underfunded districts: HB 1689
 Transportation, of homeless students, McKinney-Vento surcharge to fund: HB 2206
 Truancy, addressing with multiple approaches: HB 1170, ***ESSB 5293 (2017) V**
 Truancy, community truancy boards: HB 1170, ***ESSB 5293 (2017) V**
 Truancy, court-ordered completion of school assignments, when: HB 1236
 Truancy, detention for failure to comply with court order, reporting requirements: ***ESSB 5293 (2017) V**
 Truancy, truant youth, crisis residential centers and HOPE centers for: HB 1170
 Truancy, unexcused absences, policies: HB 1170, ***ESSB 5293 (2017) V**
 Urban development areas, district-owned property within, inventory of: HB 1752
 Vaccination, of school children, exemption form requirements and prohibitions: HB 2092
 Volunteers, access to certain persons, background checks: ***SSB 5605, CH 33 (2017)**
 Water, lead in drinking water systems/outlets, action plans, testing, and replacing: HB 1842, HB 1925
 Water, lead-containing drinking water service lines, replacing: HB 1805
 Work-integrated learning advisory committee, convening: HB 1600
 Work-integrated learning experiences, demonstration pilot project, establishing: HB 1600

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Health sciences and services authorities, designation as, application deadline: HB 1922

SECRETARY OF STATE (See also ARCHIVES; BUSINESS ORGANIZATIONS; ELECTIONS; INITIATIVE AND REFERENDUM; RECORDS)

Archives and records management, division of, duties: HB 1594
 Archives, public records information technology grant program, office role: HB 1594
 Archives, statewide open records portal, feasibility of, office to study: HB 1594
 Ballots, uniform format, development and implementation, secretary role: HB 1785, HB 2079, SB 5126
 Election reconciliation reports, secretary and county auditors, duties of: ***EHB 1507, CH 300 (2017)**, HB 1785
 Elections administrators, programs for, secretary role: HB 2077
 Legal action against state, by secretary, requirements: HB 1034
 Records, legal material in, state constitution, preservation and authentication: ***SB 5039, CH 106 (2017)**
 Records, public records information technology grant program, office role: HB 1594
 Records, statewide open records portal, feasibility of, office to study: HB 1594
 Vote tallying equipment, master contract for purchasing, secretary role: HB 1785, HB 2079, SB 5126
 Vote tallying equipment, replacement and maintenance standards, secretary role: HB 1785, HB 2078
 Voting, registration, work group on practices, standards, and strategies, office role: HB 1785
 Voting, systems in state, survey and replacement standards, secretary role: HB 1785, HB 2078

SECURITIES

Small securities offerings, registration exemption for, modifying: ***HB 1593, CH 113 (2017)**

SENATE RESOLUTIONS

Athletics, collegiate, and student athletes: ***HR 4645 (2017)**
 Gonzaga University Bulldogs men's basketball team: ***HR 4645 (2017)**

SENIOR CITIZENS (See also LONG-TERM CARE; VULNERABLE ADULTS)

Aging, legislative advisory committee on, establishing: HB 2116, ESSB 5180
 Caregivers, for nursing home geriatric brain injury or dementia patients, curricula: HB 1548
 Centers, multipurpose senior citizen, property tax exemption: HB 1526, SSB 5783
 Continuing care retirement communities, agreements and disclosure statements: HB 1232
 Incarcerated older offenders, petitioning for early release, when: HB 1866
 Jury service, elderly person's choice to be excused, allowing: HB 1945
 Meals on wheels program, grant program to expand, developing: ***SB 5736, CH 287 (2017)**
 Transportation needs, special, transportation providers for persons with: HB 2113

SENTENCING (See also CRIMES; CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; SENTENCING GUIDELINES COMMISSION; SEX OFFENSES AND OFFENDERS; TRAFFIC OFFENSES; VICTIMS OF CRIMES)

- Assault of a child, with domestic violence prior conviction, offender scoring: HB 1163
- Assault weapons and large capacity magazines, prohibitions and penalties: HB 1134, HB 1387
- Assault, first, second, and third degrees, of a law enforcement officer: HB 1668
- Assault, fourth degree involving domestic violence, modifications: HB 1163
- Assault, of a utility employee, as aggravating circumstance, when: HB 1859
- Assault, third degree, against emergency responders and firefighters: HB 1693
- Assault, third degree, against law enforcement officer: HB 1398, ESB 5280
- Assault, third degree, involving military member or employee: HB 1986
- Ballots and ballot return boxes, damaging or tampering with, criminalizing: HB 1472, ***SB 5336, CH 283 (2017)**
- Community custody, multiple terms of, serving concurrently, when: HB 1678, ESSB 5934
- Controlled substances, possession without prescription, misdemeanor: HB 1087
- Conviction records, misdemeanors or gross misdemeanors, vacating, when: HB 1088
- Corporations, crimes committed by, fines for certain offenses, limits for: HB 1806
- Dog guides, trained or in training, crimes involving interfering with: ***HB 1676, CH 170 (2017)**
- Dogs, unlawful tethering and inhumane treatment: ***SSB 5356, CH 65 (2017)**
- Driving under the influence, provisions: HB 1614, HB 1701, HB 1874, HB 1970, ***SB 5037, CH 335 (2017) PV**
- Electronic monitoring, comprehensive provisions: HB 1423
- Elements, sentencing elements worksheet, developing: HB 1680, HB 2184
- Entry, unlawful, onto private land to collect resource data, penalties: HB 1104
- Firearms, community endangerment due to unsafe storage, crimes and penalties: HB 1122
- Horses, slaughtering for human consumption, prohibiting as felony: HB 1110
- Kidnapping, aggravated first degree, of a law enforcement officer: HB 1668
- Legal financial obligations, court imposing costs on indigent defendant, prohibiting: HB 1783
- Legal financial obligations, failure to pay not willful noncompliance, when: HB 1093, HB 1783
- Legal financial obligations, reform measures, studying effectiveness of: HB 1783
- Malicious harassment, against emergency responders and firefighters: HB 1693
- Malicious harassment, against law enforcement officers: HB 1398, HB 1668, ESB 5280
- Malicious harassment, due to honorably discharged veteran or military status: HB 1986
- Marijuana, inhaling in presence of person under 18, civil infraction: HB 1625
- Marijuana, possession, delivery, and/or transfer offenses, penalty modifications: HB 1065, HB 1212
- Marijuana, possession, misdemeanor convictions, vacation of: HB 1260
- Marijuana, possession, misdemeanor, conveyance forfeiture exception for: HB 1087
- Marijuana, use or display in public, civil infraction: HB 1416
- Mistreatment, criminal, domestic violence involved, offender scoring points: HB 1163
- Motor vehicle property offenses, offender score provisions: SB 5059, ESSB 5934
- Motor vehicle theft or taking, community custody pilot program for: ESSB 5934
- Motor vehicle-related felonies, community custody pilot program for: HB 1914, HB 1976
- Murder, aggravated first degree, eliminating death penalty for: HB 1935
- Murder, aggravated first degree, involving human decapitation: HB 1308
- Murder, aggravated first degree, life imprisonment without possibility of parole: HB 1935
- Murder, aggravated second degree, of a law enforcement officer: HB 1668
- Off-road vehicles, not applying for certificate of title, evading tax or fees by: HB 1446
- Off-road vehicles, not registering or applying for certificate of title, when: ***ESSB 5338, CH 218 (2017)**
- Physical control of vehicle under the influence, provisions: HB 1614, HB 1701, HB 1874, HB 1970, ***SB 5037, CH 335 (2017) PV**
- Police vehicle, attempting to elude, seriousness level: HB 1642, HB 1821
- Property, crimes against, habitual property offender special allegation: ESSB 5934
- Rape, aggravated first and second degree, of a law enforcement officer: HB 1668
- Rape, first degree, seriousness level, increasing: HB 2024
- Reckless endangerment of work zone workers, by driver, gross misdemeanor: HB 2087
- Resource data, private land unlawful entry to collect, crimes involving, penalties: HB 1104
- Sentencing laws and practices, external evaluation of: HB 1789, HB 2184

Seriousness levels, various crimes, modifying: ESSB 5934
 Service animals, trained or in training, crimes involving interfering with: ***HB 1676, CH 170 (2017)**
 Snowmobiles, not applying for certificate of title, evading tax or fees by: HB 1446
 Snowmobiles, not registering, when: ***ESSB 5338, CH 218 (2017)**
 Task force, joint legislative, to simplify criminal sentencing, establishing: HB 2184, 2ESSB 5294
 Theft of rental or leased property, adding provisions to: ***ESB 5266 (2017) V**
 Theft of rental, leased, lease-purchased, or loaned property, adding provisions to: HB 1292
 Theft or taking of motor vehicle, community custody pilot program for: ESSB 5934
 Theft, organized retail, revising provisions: ***SB 5632, CH 329 (2017)**
 Theft, retail with special circumstances, aggregating counts of, when: SSB 5634, ***SB 5635, CH 224 (2017)**
 Theft, retail with special circumstances, with intent to subvert security system: ***SB 5635, CH 224 (2017)**
 U.S. citizen or lawful resident alien, unlawful investigation or detainment of, felony: HB 2120
 Vehicle registration, false attestation of financial responsibility on application: HB 1977
 Vehicular assault, under the influence, prior convictions, increasing sentence for: HB 1591
 Vehicular homicide and assault, fee increase to fund DUI reduction: HB 1970
 Vulnerable adult, criminal mistreatment of, provisions: HB 1153, SSB 5099
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Sentencing laws and practices, commission to contract for external evaluation of: HB 1789, HB 2184

SEWAGE AND SEWERS (See also SOLID WASTE)

On-site sewage systems, local health jurisdictions and local program plans for: EHB 1476
 On-site sewage systems, rules adoption by state board of health, when: HB 1632, ESSB 5281
 Pollutant discharge elimination permits, treating nonagency individuals equitably: HB 2141
 Sewage sludge/biosolids, food grown in, labeling requirements: HB 1653
 Sewage systems, on-site, county reliance on self-inspection of: HB 1503
 Sewage systems, on-site, limiting sanitary sewer system requirement, when: HB 1683

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Abuse, commercial, of a minor, definitions and statute of limitations: EHB 1078, ***SB 5030, CH 231 (2017)**
 Abuse, commercial, of a minor, promoting travel for, definitions, statute of limitations: ***SB 5030, CH 231 (2017)**
 Abuse, commercial, of a minor, promoting travel for, statute of limitations: EHB 1078
 Abuse, commercial, of a minor, promoting, definitions and statute of limitations: EHB 1078, ***SB 5030, CH 231 (2017)**
 Abuse, sexual, of K-12 students, Erin's law legislative task force, establishing: HB 1539
 Assault, final protection orders, renewing or making permanent, when: HB 1384, ***ESSB 5256, CH 233 (2017)**
 Assault, protection orders, involving firearms, modifying or terminating, when: ***ESSB 5256, CH 233 (2017)**
 Assault, protection orders, modifying or terminating, when: ***ESSB 5256, CH 233 (2017)**
 Assault, sexual assault examinations, facility reimbursement for, conditions: HB 2102
 Assault, sexual assault kit initiative pilot project, creating: HB 1109
 Assault, sexual assault nurse examiner training and mobile team best practices: HB 2101
 Commercially sexually exploited children statewide coordinating committee, extending: ***HB 1832, CH 18 (2017)**
 Commercially sexually exploited children statewide coordinating committee, reporting by: ***HB 1832, CH 18 (2017)**
 Depictions of minors, explicit, possessing or bringing into state, 2nd degree: ***SB 5813, CH 126 (2017)**
 DNA sample, collection in sex offenses or felony violent cases, when: HB 1111
 DNA sample, collection, when judicial probable cause determination, procedures: HB 1138
 DNA samples, collection when offender convicted of indecent exposure: HB 1111
 Exploitation of children, special inquiry judge subpoena authority: ***EHB 1728, CH 114 (2017)**
 Exploitation of children, via child pornography, funding for combating: HB 2072
 Felony sex offenses, forfeiture of private property, guilty finding for: HB 1016
 Human trafficking, aiding victims with sexually oriented business fee: HB 1109
 Human trafficking, convictions for prostitution offenses by victims, vacating: HB 1112, ***SSB 5272, CH 128 (2017)**
 Human trafficking, definitions and statute of limitations: EHB 1078, ***SB 5030, CH 231 (2017)**
 Human trafficking, in persons, services for child victims of: HB 1791
 Human trafficking, no-contact orders: HB 1079
 Human trafficking, noncitizen victim U and T certifications: HB 1022

Human trafficking, perpetrator ignorance of victim's age, not a defense: ***SB 5813, CH 126 (2017)**
 Human trafficking, services for child victims of: HB 1791
 Indecent exposure, DNA sample collection when offender convicted of: HB 1111
 Offenses, forfeiture of property, using proceeds for school funding: HB 2136
 Prostitute, patronizing a, in multiple locations when communicating to arrange: HB 1184
 Prostitution offenses, convictions for, by victims of certain crimes, vacating, when: HB 1112, ***SSB 5272, CH 128 (2017)**
 Prostitution, promoting, definitions and statute of limitations: EHB 1078, ***SB 5030, CH 231 (2017)**
 Prostitution, promoting, no-contact orders: HB 1079
 Rape, aggravated first and second degree, of a law enforcement officer: HB 1668
 Rape, first degree, seriousness level, increasing: HB 2024
 Rape, pregnant survivor, court aid to avoid parenting interactions with rapist: HB 1543
 Registered offenders, out-of-state moving into state, notifying in-state victims of: SSB 5430
 Registration as sex or kidnapping offender, palmprint option with fingerprints: ***HB 1965, CH 174 (2017)**
 Registration as sex or kidnapping offender, petition for relief from, notice to victim: ***SSB 5083, CH 86 (2017)**
 Sexual violence, at colleges, survivor-advocate records, confidentiality: ***SSB 5764, CH 72 (2017)**
 Sexual violence, at colleges, task force on preventing, recommendations of: ***SSB 5764, CH 72 (2017)**
 Statute of limitations, for felony sex offenses, eliminating: HB 1155
 Treatment placement, for incarcerated offenders, based on risk of reoffending: ***HB 1754, CH 144 (2017)**
 Voyeurism, first and second degrees, private investigator defense to: HB 1200
 Voyeurism, first degree, felony: HB 1200
 Voyeurism, second degree, creating crime of, as gross misdemeanor: HB 1200
 Youth recreational organizations, sexual assault and misconduct, safety policy: HB 1784

SEXUAL ORIENTATION (See also GENDER IDENTITY)

Marriage as union of one man and one woman, religious beliefs regarding: HB 1178

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Accountability and community input, model policy work group, WASPC role: HB 1529
 Community engagement programs, grant program for establishing, WASPC role: HB 1769
 Data collection and analysis methodology, WASPC and a university to develop: HB 1529
 Firearm purchase/transfer applications, denial when ineligible, WASPC role: HB 1501
 Malicious harassment, due to veteran or military status, in violations repository: HB 1986
 Protected person notification system, statewide automated, WASPC role: HB 1501
 School buildings, mapping for first responder mapping system, WASPC role: HB 1982
 Weapons, less lethal, program administration by WASPC: HB 1529, HB 1769

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Bulkheads or rockwalls, permits for construction or repair: HB 1428
 Master programs, development proposals consistent with, SEPA exemption: HB 1745
 Overwater residences on pilings, historic, as conforming preferred use, when: HB 2019
 Vegetation removal, for wildfire protection, allowing in master programs, when: HB 1588

SOCIAL AND HEALTH SERVICES, DEPARTMENT (See also DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; DOMESTIC RELATIONS; FOSTER CARE; LONG-TERM CARE)

211 information system, DSHS to contract with WIN 211 for operational support: HB 2039
 Adoption support and related services, forecasting and budgeting, when: EHB 2008
 Adult family homes, abuse and neglect reports, DSHS response: HB 1354
 Assisted living facilities, abuse and neglect reports, DSHS response: HB 1354
 Behavioral health authority, designation of state, transferring from DSHS to HCA: HB 1388
 Behavioral health licensees, fraudulent license transfers by, prohibiting: ***SSB 5705, CH 330 (2017)**
 Behavioral health licensees, violations reduction by DSHS, prohibiting, when: ***SSB 5705, CH 330 (2017)**
 Behavioral health services, physical health integration, work group on: ESSB 5894
 Behavioral health services, primary care, bidirectional integration, DSHS role: ***SSB 5779, CH 226 (2017) PV**
 Behavioral health services, provision of, reducing inefficiencies and duplications: HB 1819

Behavioral health services, provision of, reducing inefficiencies/duplications: 2SSB 5749
 Behavioral health services, whole-person care that includes: *SSB 5779, CH 226 (2017) PV
 Behavioral health system, managed care, community facilities, outpatient treatment: ESSB 5894
 Behavioral health system, reforming provision of long-term psychiatric care: ESSB 5894
 Behavioral health, certain DSHS functions, transferring to department of health: HB 1388
 Child abuse or neglect, family assessment response, provisions: HB 1825
 Child abuse or neglect, mandated reporter requirements, DSHS poster displaying: *HB 1931, CH 118 (2017), *2ESSB 5890, CH 20 (2017) PV
 Child abuse or neglect, notices of founded and unfounded findings, DSHS role: HB 1814, SB 5490
 Child protective services, forecasting and budgeting, when: EHB 2008
 Child protective services, hotline for reporting child and abuse neglect to: HB 1563
 Child support, income withholding orders from DSHS, electronic funds remittance: HB 2188
 Child support, order compliance, licensees not in, DSHS notice to parent: HB 1814, SB 5490
 Child welfare services, child welfare system improvement account, creating: *2ESSB 5890, CH 20 (2017) PV
 Child welfare services, for child victims of human trafficking, when: HB 1791
 Child welfare services, foster care youth getting driver's license and insurance: HB 1808
 Child welfare services, hotel room or department office child placement, prohibiting: HB 1883
 Child welfare services, meeting facilitators for shared planning meetings: HB 1365
 Child welfare services, parent-child visitation work group, DSHS to convene: HB 1366
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 Child welfare, court proceedings, DSHS role, various provisions: HB 1943
 Child welfare, moving functions to new department of children, youth, and families: HB 1661
 Children's administration, child welfare functions of, moving to new agency: HB 1661
 Children's mental and behavioral health disorders, access line for, DSHS role: HB 1713
 Children, newborn, safe surrender at health care facilities, DSHS role: HB 1312, SSB 5522
 Continuing care retirement communities, agreements and disclosures, DSHS role: HB 1232
 Dependency proceedings, petitions, exception when DSHS is petitioner: HB 1790
 Electronic benefit transfer cards, basic food/SNAP, college student on-campus use, DSHS role: HB 1569
 Foster care cases, lack of permanency, case review panel when, DSHS role: *2ESSB 5890, CH 20 (2017) PV
 Foster care services, extended, DSHS role, modifying provisions: HB 1867
 Foster care, licensed, forecasts of, reviewing, DSHS role: *2ESSB 5890, CH 20 (2017) PV
 Foster children and homes, most recent caseload forecasts, DSHS to review: EHB 2008
 Foster children, care needs of, single validated tool to assess, DSHS role: EHB 2008
 Foster parents, system of support services for, identifying, DSHS role: *2ESSB 5890, CH 20 (2017) PV
 Foster youth, homeschooling of, reversing DSHS rules prohibiting: HB 2053, HB 2054
 Foster youth, hotel room or department office placement, prohibiting, DSHS report: HB 1883
 Foster-family home, license for, homeschooling as basis for denying, prohibiting: HB 2054
 Hospitals, state, psychiatric ARNP training program plan for: ESSB 5894
 Hospitals, state, psychiatric hospital managed care risk model for, creating: ESSB 5894
 Hospitals, state, public safety and community policing services: HB 1370
 Hospitals, state, reimbursement using quarterly average census data: HB 1996, *SB 5595, CH 222 (2017)
 Hospitals, state, shifting long-term placements to community hospitals, when: HB 1546, HB 2067, 2EHB 2107, ESSB 5894
 Hospitals, state, shifting long-term placements to evaluation/treatment centers: 2EHB 2107
 Human trafficking, in persons, services for child victims of, DSHS role: HB 1791
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 Juvenile rehabilitation administration, justice functions of, moving to new agency: HB 1661
 Juvenile rehabilitation facilities, placing children convicted as adults in: HB 1743
 Long-term care providers, hours paid by DSHS for, extending current limit: *SB 5976, CH 24 (2017)
 Low-income carbon pollution mitigation tax grant, establishing, DSHS role: HB 2230
 Meals on wheels program, grant program to expand, DSHS to develop: *SB 5736, CH 287 (2017)
 Nursing facility medicaid payment, modifying, DSHS role: HB 1968, *SB 5715, CH 286 (2017)
 Nursing homes, geriatric and behavioral health caregivers, curricula, DSHS role: HB 1548

Opioid treatment programs, DSHS role: HB 1427
 Overpayments, recovery of, withhold and deliver order, serving options for: HB 1814, SB 5490
 Pediatric transitional care centers, for alcohol-/drug-exposed infants, DSHS role: HB 1491
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 Public safety review panel, criminally insane persons, panel authority: HB 1355
 Residential habilitation centers, various provisions, DSHS role: ***ESB 5646, CH 19 (2017)**
 Residential habilitation centers, Yakima Valley School, requirements: ***ESB 5646, CH 19 (2017)**
 Residential services and supports, abuse or neglect, DSHS investigation of: HB 1792
 Respite services, for caregivers for persons with mental illness, pilot projects: HB 1197
 Sex trafficking, child victims of, services for, DSHS role: HB 1791
 Social workers, casework and paperwork, review of requirements by DSHS: HB 1819, 2SSB 5749
 Superintendent of public instruction, background checks by, DSHS role: ***SSB 5605, CH 33 (2017)**
 Trust lands, charitable, educational, penal, and reformatory institutions, transfers: ***SB 5924, CH 35 (2017) PV**
 Urban development areas, DSHS-owned property within, inventory of: HB 1752
 WIN 211, DSHS to contract with for 211 operational support, WTAP funds for: HB 2039
 Youth shelters, runaway youth in, parental notification requirement, exceptions: HB 2061

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Composite materials, fiber-reinforced, use and recycling, facility permit exemption: HB 1826
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 Electronic products, electronic waste recycling program, collection services via: HB 1226
 Electronic products, electronic waste recycling program, provisions: HB 1824
 Food and forest products manufacturing wastes, beneficial uses of, analyzing: HB 2133
 Recycling, fiber-reinforce composite materials, handling facility permit exemption: HB 1826
 Recycling, in public schools, student opportunity for: HB 1781
 Recycling, solar energy modules: HB 1048, ***ESSB 5939, CH 36 (2017)**
 Tires, waste, repeling tire sales fee and account: HB 1191

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Boundary review boards, annexation boundaries, actions involving: HB 1682, ESB 5652
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 Fire protection districts, state fire service mobilization: HB 1019
 Irrigation districts, as municipal water suppliers: HB 1084
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Basketball, Gonzaga University Bulldogs men's basketball team, honoring: ***HR 4645 (2017)**
 Basketball, Kentridge High School Chargers girls' basketball team, honoring: ***HR 4629 (2017)**
 Basketball, Kentwood High School boys' basketball team: ***HR 4630 (2017)**
 Boxing announcers, registration with effective licensing port: HB 1361
 Charter schools, interschool athletics and extracurricular activities participation: HB 1208, ***SB 5129, CH 60 (2017)**
 Collegiate athletics and student athletes, recognizing: ***HR 4645 (2017)**
 Football, Camas High School Papermakers football team, congratulating: ***HR 4607 (2017)**
 Football, Kamiakin High School Braves, honoring: ***HR 4606 (2017)**
 Martial arts, excise tax preferences for instruction, training, and events: EHB 1032, SB 5205, ***SSB 5977, CH 37 (2017)**

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Playgrounds, licensing of marijuana businesses near, prohibiting: HB 2238
 School grounds, after sports activity, free speech and exercise of religion: HB 1602
 Soccer, Camas High School Papermakers girls' soccer team, honoring: ***HR 4608 (2017)**
 Swimming, Camas High School Papermakers boys' swim team, honoring: ***HR 4627 (2017)**
 Wrestling, theatrical, annual license for theatrical wrestling schools: HB 1420
 Wrestling, theatrical, events and training school shows, requirements: HB 1420

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Pistols, concealed, carrying in public facilities with license: HB 1015

Ticket sellers, web sites of, selling software to interfere with, prohibition: HB 1584

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Aerial imagery needs assessment study for state and local agencies, conducting: HB 2108

Agreements, interagency, with department of ecology, reporting: HB 1010

Audits of agencies, indicating state law noncompliance, required procedures, when: ***SSB 5372, CH 66 (2017)**

Biometric identifiers, attaining and using by agency, requirements and prohibitions: HB 1717, ***HB 2213, CH 1 (2017)**

Boards, advisory, subject to open public meetings act, when: HB 1989

Boards, board of tax appeals, replacing with tax court for state: E2SSB 5866

Boards, carbon program oversight board, creating: HB 2230

Boards, community economic revitalization board, alternate members for: HB 2218

Boards, paraeducator board, creating: HB 1115, SB 5070

Boards, school employees' benefits board, creating in HCA: ***EHB 2242, CH 13 (2017) PV**

Boards, Washington investment trust advisory and transition boards, creating: HB 2059

Budget reviews, zero-based, agency reviews of programs, when: HB 1817, SB 5066

Children, youth, and families, department of, creating: HB 1661

Commissions, African-American affairs, abolishing, and transferring functions of: HB 2183

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Commissions, commission on minority affairs, creating: HB 2183

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Commissions, interstate medical licensure compact commission, creating: ***HB 1337, CH 195 (2017)**

Commissions, long-term services and supports trust commission, establishing: HB 1636

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Commissions, Washington investment trust commission, creating: HB 2059

Committees, advisory, subject to open public meetings act, when: HB 1989

Communication plans, life safety information for limited-English proficient persons: ***SSB 5046, CH 312 (2017)**

Cybersecurity and emergency management, agency coordination, task force on: HB 2086

Cybersecurity, at state agencies, attracting students for, studying methods: HB 1697

Data networks of state agencies, classification schedule and encryption standards: HB 1479

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Electricians, state agency employees doing work of, licensing/certification of: HB 1871

Electronic data, federal agencies collecting, agency cooperation with, prohibiting: HB 1193

Enforcement actions, small business rights and protections: ***HB 1352, CH 243 (2017)**, SB 5230

Ethnicity, public agency disclosure to federal authorities, prohibitions: HB 2097

Facilities and real estate, colocating and consolidating in same geographic area: HB 1828

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Federal government, marijuana efforts, state resources use to assist, prohibiting: HB 1895

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Information systems, certain appropriations if breached, constitutional amendment: HJR 4202

Information technology systems and infrastructure, agencies', testing security of: HB 1929, HB 2172

Information technology, at state agencies, attracting students for, studying: HB 1697

Information technology, state agency, information technology investment account: SSB 5915

Information technology, state procurement of, chief information officer oversight of: HB 1787

Interpreters, spoken language services, agency purchasing from certain providers: HB 1869

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Legal action against state, by certain state officials, governor's approval: HB 1034

Lobbying, by former state officers and employees, postemployment restrictions: HB 1159

Lobbyist employers and employees, state agencies, requirements: HB 1159

Loss prevention reviews by agencies, modifying requirements: HB 1323, ***ESSB 5173, CH 318 (2017)**
 Marijuana, federal efforts concerning, state resources use to assist, prohibiting: HB 1895
 National origin, public agency disclosure to federal authorities, prohibitions: HB 2097
 Notices, about emergencies and disasters, for limited-English-proficient persons: HB 1540, ***SSB 5046, CH 312 (2017)**
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 Plumbers, state agency employees doing work of, licensing/certification of: HB 1871
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 Whistleblowers, ex parte communications, as "improper governmental action": ***SSB 5374, CH 44 (2017)**
 Whistleblowers, investigations prompted by, provisions: HB 2184, 2ESSB 5294
 WorkFirst, legislative-executive WorkFirst poverty reduction oversight task force: HB 1482

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 Fungi, official state, designating pine mushroom as: HB 1812

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 Marijuana, federal efforts concerning, state resources use to assist, prohibiting: HB 1895
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 Cybersecurity, at state agencies, attracting students for, studying, council role: HB 1697
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 Airport, international, air traffic and air quality at, studying: HB 1171
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 Community colleges, overuse of part-time faculty by, studying: HB 1888
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 Marijuana, legalizing recreational user plant possession, regulation of, studying: ***ESSB 5131, CH 317 (2017)**
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 Offender early release and community custody, studying: HB 1789
 Paraeducators, effect on student outcomes, studying: HB 1115, SB 5070
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 Alternative public works contracting procedures, repeal of, updating: ***HB 1395, CH 136 (2017)**, ***HB 2052, CH 211 (2017)**, SB 5146
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 Crowdfunding donations, sales and use tax exemptions for rewards received for: HB 1695
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 Data centers, eligible server equipment, sales tax exemption, updating expiration: HB 1296
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Feminine hygiene products, purchases by assistance recipients, tax exemptions: HB 1880
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 Foreclosures, eliminating REET exemption for certain transfers or conveyances: HB 1549, HB 2186
 Fuel, extracted, use tax exemption for, narrowing to biomass fuel: HB 1549, ***EHB 2163, CH 28 (2017)**, HB 2186
 Health security trust, repealing certain preferences with creation of: HB 1026
 High-technology businesses, R&D by certain manufacturers, tax credit and deferral: HB 1894
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 Homeowners' associations, common areas access fees, exemptions for members: HB 1892
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 Housing, affordable, city that acquires or builds, one-time tax remittance for: HB 1536, HB 1797
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 Semiconductor materials, gas and chemicals for producing, sales/use exemptions: *SSB 5977, CH 37 (2017) PV
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 Solar energy silicon manufacturing and wholesaling, preferential B&O tax rate: *SSB 5977, CH 37 (2017) PV
 Solar energy systems, community, production incentive: HB 1048, *ESSB 5939, CH 36 (2017)
 Solar energy systems, machinery and equipment sales and use exemptions: HB 1048, *ESSB 5939, CH 36 (2017)
 Spacecraft, R&D by manufacturers, tax credit and deferral, when: HB 1894
 Student back-to-school clothing and school supplies, sales and use tax exemptions: HB 1457
 Theater productions, long-running, B&O tax credit for, when: HB 2026
 Trade-in property, exclusion for sales tax exemption purposes, limiting: HB 1549
 Trailers, park model, pre-1976, property tax exemption: HB 1998
 Transportation providers for persons with special needs, B&O tax credit, when: HB 2113
 Unemployment tax, excluding services by persons 14 to 22 from "employment": HB 1610
 University property, state, leasehold excise tax credit, when: HB 1864, SSB 5768, *SSB 5977, CH 37 (2017) PV
 Vapor products tax, tribal contracts and agreements, exemption for tribes: HB 2165
 Vessels, large recreational, sales and use tax exemptions: HB 1496
 Veterans with disabilities, adapted housing, certain tax preferences for: HB 2138
 Wineries, domestic, liquor excise tax exemption on certain sales: HB 1040
 Wireless communications devices, hands-free, sales and use tax exemptions for: HB 2237
 Zoos and aquariums, B&O deduction for: HB 1311

TAXES - BUSINESS AND OCCUPATION (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Additional tax, multiplying all payable B&O tax by certain percentage to determine: HB 2068, HB 2186
 Administration, additional B&O tax, single filing threshold, and general deduction: HB 2068, HB 2186
 Aerospace product development for others, businesses engaging in, B&O tax rate: HB 2186
 Apportionment, local B&O tax apportionment task force, establishing: *EHB 2005, CH 209 (2017), ESSB 5777
 Broadcasting, radio and television, B&O tax provisions, modifying: HB 2001
 Business and service activities, additional tax rate, when: HB 1550
 Filing threshold, raising and simplifying: HB 2068, HB 2186
 Health security trust, repealing certain provisions with creation of: HB 1026
 Manufacturing tax rate, vetoed lowering of, using preserved revenue for property tax relief: HB 2250
 Newspapers, B&O tax rate for, correcting effective date: HB 2002
 Nexus, for retailing B&O tax, modifying: HB 1549, *EHB 2163, CH 28 (2017)
 Personal information, sale of, imposing tax on: HB 1904

TAXES - ESTATE TAX

Filing of estate tax return, relief from, when: *SSB 5358, CH 323 (2017)
 State estate tax, repealing: HB 1206

TAXES - EXCISE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Adult entertainment establishments, sexually oriented live, admission fee: HB 1109
 Alaskan Way viaduct project, cost overruns, Seattle taxing authority to pay for: HB 2193
 Assessments and refunds, interest rate on under- and over-payments, modifying: HB 1549
 Beverages, sugar-sweetened and diet, imposing tax on distributor sales, when: HB 1975
 Capital budget, certain excise tax revenues for, restoring: HB 1608
 Capital gains tax, imposing, including related tax preferences: HB 1730, HB 1926, HB 2186

Carbon pollution mitigation tax, imposing, including revenues disposition: HB 1646, HB 2230
 Carbon pollution tax on fossil fuels, imposing: HB 1555
 Fairness of excise taxation, improving: HB 2186
 Forfeiture of certain tax-related property, using proceeds for school funding: HB 2136
 High capacity transportation systems, certain taxes for, nullification of: HB 2166
 Limited liability entities, recoverable taxes, collection, when: HB 1549
 Liquor excise taxes, local revenue reduction if marijuana retailers prohibited: HB 1099
 Liquor excise taxes, revenues, distribution to local governments: HB 1113
 Liquor excise taxes, wine sales by winery, exemption: HB 1040
 Marijuana, excise tax provisions: HB 1667, HB 2021, HB 2060, HB 2076, HB 2124
 Marijuana, excise tax, Alaskan Way viaduct project cost overruns payment via: HB 2193
 Marijuana, hydrocarbon gas-based marijuana-processing solvent, taxing, when: HB 1667
 Nexus, for retailing B&O tax, modifying: HB 1549, ***EHB 2163, CH 28 (2017)**
 Recoverable tax liability of businesses, officer/individual liability for, when: HB 2186
 Refunds, interest on, reducing, when: HB 2186
 Regional transit authorities, certain voter-approved taxes within, nullification of: HB 2166, HB 2196
 Regional transit authorities, certain voter-approved taxes, for bond retirement only: HB 2197
 Sales and use taxes, products, services, and exemptions, reporting: HB 1879
 Small businesses, excise tax filing threshold, modifying: HB 1550
 Tax and licensing laws administered by department of revenue, improvements to: ***SSB 5358, CH 323 (2017)**
 Transportation network companies, application of "retail sale" to: HB 2206
 Vapor products, tax on, levying and collecting: HB 2165

TAXES - FUEL (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Indian tribes, fuel tax agreements, authorizing, when: HB 1063
 Rates, motor fuel retail sales, posting on fuel pumps: HB 2180

TAXES - HAZARDOUS SUBSTANCES

Possession of hazardous substances, tax on, adding surtax: HB 1663

TAXES - LODGING TAX

Lodging premises, with fewer units, applying King Co. convention center tax to: HB 2015

TAXES - MOTOR VEHICLE EXCISE

Regional transit authorities, tax imposed by, administrative provisions: HB 2168, HB 2198, 2ESB 5893
 Regional transit authorities, tax imposed by, limiting use to bond retirement, when: HB 2197
 Regional transit authorities, tax imposed by, low-income rebate, when: HB 2148
 Regional transit authorities, tax imposed by, market value adjustment program: EHB 2201, 2ESB 5893
 Regional transit authorities, tax imposed by, nullification of, when: HB 2196
 Regional transit authorities, tax imposed by, program for credit, establishing: EHB 2201
 Regional transit authorities, tax imposed by, taxpayer accountability statement: HB 2149
 Regional transit authorities, tax imposed by, taxpayer relief: HB 2147
 Regional transit authorities, tax imposed by, vehicle valuation requirements: HB 2132, HB 2147, HB 2168, HB 2198, 2ESB 5893

TAXES - MOTOR VEHICLE FUEL

Alaskan Way viaduct project, cost overruns, Seattle taxing authority to pay for: HB 2193
 Indian businesses, taxes on fuel sales by, liability for and collection of, when: ESB 5741
 Rates, retail sales, posting on motor fuel pumps: HB 2180

TAXES - OIL SPILL ADMINISTRATION

Pipelines, certain tax provisions to include: HB 1611

TAXES - OIL SPILL RESPONSE

Crude oil or petroleum products, bulk oil terminal receiving from pipeline, taxing of: HB 1868
 Pipelines, certain tax provisions to include: HB 1611

TAXES - PROPERTY TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Alaskan Way viaduct project, cost overruns, Seattle taxing authority to pay for: HB 2193
 Anticipated taxes and assessments, eliminating: ***HB 1283, CH 109 (2017)**, SB 5189
 Basic education funding, state property tax revisions to ensure: ***EHB 2242, CH 13 (2017) PV**
 Collection, county treasurer retaining portion for administrative costs: HB 1992
 Collection, county treasurer role, administrative efficiencies: ***EHB 1648, CH 142 (2017)**
 Confidential information, assessments and notices, electronic communication of: ***SSB 5358, CH 323 (2017)**
 Conservation futures program, tax revenue provisions: HB 1820
 Current use program, farm and agricultural land, small farms: HB 1544
 Current use program, withdrawing land from, interest and notice when: HB 1746
 Current use program, withdrawing land from, notice requirements when: HB 1747
 Delinquent taxes, application of usury laws, when: HB 1990
 Delinquent taxes, direct and indirect costs, interest, and foreclosure avoidance: HB 1991
 Delinquent taxes, including interest and penalties, partial payment of: HB 1991
 Equalization, county boards of, certification of assessment rolls, deadlines: ***SSB 5133, CH 155 (2017)**
 High capacity transportation systems, certain taxes for, nullification of: HB 2166
 Land, current use classification, removal due to natural disasters, impact of: EHB 1309, ***SSB 5977, CH 37 (2017) PV**
 Levies, for bond redemption payments, period for increased levy: HB 1344
 Levies, for criminal justice purposes, authority of all counties for: HB 2041
 Levies, for fire protection districts, removing certain requirements: ***HB 1166, CH 107 (2017)**, SB 5121
 Levies, for school district bond payment, allowing simple majority to authorize: HJR 4204
 Levies, for school district bond payment, requiring simple majority to authorize: HB 1778, HJR 4203
 Levies, for school district bond payment, simple majority in general election for: HB 1779
 Levies, for schools, certain revisions to SSB 5607: ESSB 5875
 Levies, for schools, enrichment limitations and state local effort assistance role: ***EHB 2242, CH 13 (2017) PV**
 Levies, for schools, excess, maximum levy amount and percentage: HB 1843, HB 2185, SSB 5607
 Levies, for schools, lid revisions: HB 1059, HB 1843, HB 2185, ***EHB 2242, CH 13 (2017) PV, *ESB 5023, CH 6 (2017)**, SSB 5607
 Levies, for schools, lid revisions, delaying: HB 1059, HB 1843, HB 2185, ***ESB 5023, CH 6 (2017)**, SSB 5607
 Levies, for schools, local effort assistance, revisions: HB 1843, HB 2185, ***EHB 2242, CH 13 (2017) PV**
 Levies, for schools, local effort levy by state at uniform rate: SSB 5607
 Levies, for schools, local effort levy by state, revisions to SSB 5607: ESSB 5875
 Levies, for schools, local enrichment policies, extending current: HB 1059, ***ESB 5023, CH 6 (2017)**
 Levies, for schools, maintenance and operation, not using for basic education: ***EHB 2242, CH 13 (2017) PV, *ESB 5023, CH 6 (2017)**
 Levies, for schools, state property tax levies for common schools, revisions: ***EHB 2242, CH 13 (2017) PV**
 Levies, lid lift revenues, local government supplanting of existing funds with: HB 2041
 Limit factor for increases, adjusting for inflation and population growth: HB 1764
 Regional transit authorities, certain voter-approved taxes within, nullification of: HB 2166, HB 2167, HB 2196
 Regional transit authorities, certain voter-approved taxes, for bond retirement only: HB 2197
 Regional transit authorities, property tax imposed by, accountability statement: HB 2150
 Regional transit authorities, property tax imposed by, bond retirement only, when: HB 2197
 Regional transit authorities, property tax imposed by, delinquencies, waiver, when: EHB 1958
 Regional transit authorities, property tax imposed by, low-income rebate, when: HB 2148
 Regional transit authorities, property tax imposed by, nullification of: HB 2167, HB 2196
 Regional transit authorities, property tax imposed by, whole-parcel requirement: EHB 1958
 Relief, state property tax relief account, creating: HB 2250
 Relief, using B&O manufacturing revenue preserved due to veto for: HB 2250
 State property tax, additional tax to ensure basic education funding by state: ***EHB 2242, CH 13 (2017) PV**
 Tax and licensing laws administered by department of revenue, improvements to: ***SSB 5358, CH 323 (2017)**
 Timber purchases, reporting requirements, expiration date: ***HB 1148, CH 55 (2017)**
 Valuation, real property, revaluation when impacted by water ruling: HB 2195

TAXES - PUBLIC UTILITY TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Education legacy trust account, deposits of revenue into: HB 1549, HB 2192, ESSB 5033
 Filing threshold, raising and simplifying: HB 2068, HB 2186
 Renewable energy system cost recovery program, modifications: HB 1048, *ESSB 5939, CH 36 (2017)
 Sewerage collection businesses, shifting revenues to education funding: HB 2192
 Sewerage collection businesses, shifting revenues to public works: HB 1608
 Water distribution businesses, shifting revenues to education funding: HB 2192
 Water distribution businesses, shifting revenues to public works: HB 1608

TAXES - REAL ESTATE EXCISE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Housing, affordable, certain real estate excise taxes and revenues to support: HB 1536, HB 1797
 Manufactured/mobile home community, sale of, higher rate for certain sales: HB 1798
 Payment, county treasurer role, certain reporting and signing requirements: *EHB 1648, CH 142 (2017)
 Public works assistance account, deposits into, shifting from education funding: HB 1608
 Public works assistance account, deposits into, shifting to education funding: HB 1549, HB 2192, ESSB 5033
 Rates, graduated, based on value of property, imposing: HB 2186
 Revenues, for homeless housing: *E2SSB 5254, CH 16 (2017)

TAXES - SALES (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Collection of tax, duties of remote sellers, referrers, and marketplace facilitators: *EHB 2163, CH 28 (2017), HB 2186
 Local sales and use, affordable housing sales tax, councilmanic authority for: HB 1797
 Local sales and use, Alaskan Way viaduct project cost overruns payment via: HB 2193
 Local sales and use, for designated disaster areas financing: HB 2048
 Local sales and use, for mental health/chemical dependency, funds use flexibility: HB 2006
 Local sales and use, for public facilities district regional center: *EHB 1201, CH 164 (2017)
 Local sales and use, health sciences and services authorities, extending authority: HB 2128
 Local sales and use, imposition by certain cities commencing annexation, when: HB 1681
 Local sales and use, increase by public transportation benefit area, voter approval: HB 1410
 Local sales and use, transportation benefit district imposition of, rates: HB 1175
 Lodging, car rentals, and restaurants, sales by, revenue for tourism marketing: HB 1123
 Marketplace facilitators, sales and use tax collection duties of: *EHB 2163, CH 28 (2017), HB 2186
 Products, services, and exemptions, department of revenue to report: HB 1879
 Recreational vessels, large, limiting tax along with sales and use exemption: HB 1496
 Referrers, sales and use tax collection duties of: *EHB 2163, CH 28 (2017), HB 2186
 Regional transit authorities, sales and use taxes imposed by, limiting use of, when: HB 2197
 Regional transit authorities, sales and use taxes imposed by, nullification of: HB 2196
 Remote sellers, sales and use tax collection duties of: *EHB 2163, CH 28 (2017), HB 2186
 Streamlined sales and use tax mitigation account, repealing: HB 2012, *EHB 2163, CH 28 (2017)
 Transportation network companies, application of "retail sale" to: HB 2206

TAXES - SOLID WASTE COLLECTION

Education legacy trust account, deposits of revenue into: HB 1549, HB 2192, ESSB 5033
 Public works assistance account, deposits into, shifting from education funding: HB 1608
 Public works assistance account, deposits into, shifting to education funding: HB 2192

TAXES - SYRUP TAX

Repealing syrup tax, and imposing tax on sugar-sweetened and diet beverages: HB 1975

TAXES - TOBACCO PRODUCTS

Tobacco products, definition to include vapor products for taxation purposes: HB 2144

TAXES - USE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Collection of tax, duties of remote sellers, referrers, and marketplace facilitators: *EHB 2163, CH 28 (2017), HB 2186
 Local sales and use, affordable housing sales tax, councilmanic authority for: HB 1797

Local sales and use, Alaskan Way viaduct project cost overruns payment via: HB 2193
 Local sales and use, for designated disaster areas financing: HB 2048
 Local sales and use, for mental health/chemical dependency, funds use flexibility: HB 2006
 Local sales and use, for public facilities district regional center: ***EHB 1201, CH 164 (2017)**
 Local sales and use, health sciences and services authorities, extending authority: HB 2128
 Local sales and use, imposition by certain cities commencing annexation, when: HB 1681
 Local sales and use, increase by public transportation benefit area, voter approval: HB 1410
 Local sales and use, transportation benefit district imposition of, rates: HB 1175
 Marketplace facilitators, sales and use tax collection duties of: ***EHB 2163, CH 28 (2017)**, HB 2186
 Products, services, and exemptions, department of revenue to report: HB 1879
 Recreational vessels, large, limiting tax along with sales and use exemption: HB 1496
 Referrers, sales and use tax collection duties of: ***EHB 2163, CH 28 (2017)**, HB 2186
 Regional transit authorities, sales and use taxes imposed by, limiting use of, when: HB 2197
 Regional transit authorities, sales and use taxes imposed by, nullification of: HB 2196
 Remote sellers, sales and use tax collection duties of: ***EHB 2163, CH 28 (2017)**, HB 2186
 Streamlined sales and use tax mitigation account, repealing: HB 2012, ***EHB 2163, CH 28 (2017)**

TAXES, GENERALLY

Alaskan Way viaduct project, cost overruns, Seattle taxing authority to pay for: HB 2193
 Federal tax information access, state employee/contractor background checks: HB 2208, SSB 5915
 Harbor maintenance tax, federal, requesting that Congress reform: HJM 4012
 Health security trust, repealing certain tax provisions with creation of: HB 1026
 High capacity transportation systems, certain taxes for, nullification of: HB 2166
 Income tax, individual or household, local, prohibiting: HB 2212
 Income tax, individual, state or local, constitutional amendment to prohibit: HJR 4207
 Operating budget, covering income deficiencies with subsequent tax, prohibitions: HJR 4209
 Public utility district privilege taxes, local and state distributions date, revising: ***EHB 2163, CH 28 (2017)**
 Public utility district privilege taxes, tools for administering: ***SSB 5358, CH 323 (2017)**
 Rate of tax, effective, in statements for ballot measures and bills, when: HB 1981
 Regional transit authorities, certain voter-approved taxes within, nullification of: HB 2166, HB 2167, HB 2196
 Regional transit authorities, certain voter-approved taxes, for bond retirement only: HB 2197
 Tax and licensing laws administered by department of revenue, improvements to: ***SSB 5358, CH 323 (2017)**
 Tax court, state, creating: E2SSB 5866
 Transportation network companies, assessing McKinney-Vento surcharge: HB 2206
 Transportation network companies, taxation of: HB 2206
 Unemployment tax, excluding services by persons 14 to 22 from "employment": HB 1610

TELECOMMUNICATIONS (See also 211 INFORMATION SYSTEM; COMPUTERS; WASHINGTON INFORMATION NETWORK 211)

211 information system, DSHS to contract with WIN 211 for operational support: HB 2039
 Cell facilities and networks, small, installation and rights-of-way: HB 1921
 Distracted driving, during moving violation, penalty: HB 1631
 Electrician licensing/certification rules, state, city and town enforcement, when: HB 1952
 Hands-free wireless communications devices, sales and use tax exemptions for: HB 2237
 Information technology security, subject of governing body executive sessions: HB 1417
 Infrastructure, public and private telecommunications networks, disclosure exemption: ***HB 1829, CH 149 (2017)**
 Military service members, active duty, terminating services contracts: HB 1056, SB 5041
 Personal electronic wireless communication devices, when driving, infraction: HB 1371, HB 2235, HB 2236, ***SSB 5289, CH 334 (2017) PV**
 Port districts, rural, wholesale telecommunications services, provisions: HB 1702, ESSB 5679
 Port districts, telecommunications services, district authority to provide: HB 1702, ESSB 5679
 Port districts, telecommunications services, private company operation of, when: HB 1702, ESSB 5679
 Public utility districts, providing retail telecommunications services, authority for: HB 1938
 School emergency panic button program, person mobile phone application for: HB 1284
 Searches and seizures, security from unreasonable, constitutional amendment: HJR 4201
 Subpoenas, for telecommunications records, in child sexual exploitation cases: ***EHB 1728, CH 114 (2017)**

Universal communications services program, removing expiration and revising: HB 1921
 Utility facilities, attachments and rates for small cell facilities and networks: HB 1921
 WTAP program, funds from, DSHS to contract with WIN 211 through use of: HB 2039

TIME

Pacific standard time, year-round, to be time of state of Washington: HB 2169

TITLE ONLY BILLS

Addressing the educator shortage and diversifying the educator workforce by supporting future educators from local communities act: HB 1645
 Behavioral health services act: HB 2203
 Capital budget act of 2017: HB 2170
 Education act: HB 2161, HB 2162
 Expanding the current and future educator workforce supply . . . act: HB 1827
 Fiscal matters act: HB 2152, HB 2153
 Health care act: HB 2158, HB 2159
 Human services act: HB 2156, HB 2157
 Natural resources act: HB 2160
 Providing a tiered tax on the possession of hazardous substances . . . act of 2017: HB 2182
 Revenue act: HB 2164
 State general obligation bonds and related accounts act of 2017: HB 2171
 State government act: HB 2154, HB 2155

TOBACCO AND TOBACCO PRODUCTS (See also TAXES - CIGARETTES; TAXES - TOBACCO PRODUCTS)

Cigar lounge or tobacconist shop, retail license endorsement for: HB 1919
 Tobacco and vapor products, legal age for: HB 1054
 Tobacco products, modifying definition to include vapor products, when: HB 2144
 Tobacco products, sale in open unsecured displays, allowing: HB 1261, ***HB 2038, CH 210 (2017)**
 Tobacco, enforcement, powers of liquor enforcement officers: SSB 5132
 Tobacco, pipe, mail and internet purchases shipping prohibition exemption for: HB 1946
 Vapor product, definition: HB 1054
 Vapor products, enforcement, powers of liquor enforcement officers: SSB 5132
 Vapor products, modifying "tobacco products" to include, when: HB 2144
 Vapor products, tax on, levying and collecting: HB 2165

TOURISM

Agritourism, liability of agritourism professionals, limitations on: HB 2020, ***ESSB 5808, CH 227 (2017)**
 Sports fishing tourism industry, steps to expand: HB 1229
 Statewide tourism marketing program, marketing authority, and account, creating: HB 1123
 Washington tourism marketing authority, establishing: HB 1123

TOWING AND TOW TRUCKS

Impounds, private property auction of, deficiency claims after: HB 1219, SSB 5016
 Mopeds, towed from accident scene when owner hospitalized, redemption: HB 2058
 Motorcycles, towed from accident scene when owner hospitalized, redemption: HB 2058
 Operators, abstract of driving record of, information restrictions: HB 1037, HB 1877, ***SSB 5343, CH 43 (2017)**
 Vehicles towed by operator, electronic transaction files for: HB 1036
 Vehicles towed by operator, notice to owners: HB 1037, ***SSB 5343, CH 43 (2017)**
 Vehicles towed by operator, storage fee termination: HB 1218

TRAFFIC (See also BICYCLES; DRIVERS AND DRIVERS' LICENSES; MOTOR VEHICLES; PARKING; ROADS AND HIGHWAYS; TOWING AND TOW TRUCKS; TRAFFIC OFFENSES; TRAFFIC SAFETY COMMISSION; TRAFFIC SAFETY EDUCATION)

Accidents, owner hospitalized, redemption of towed moped or motorcycle, when: HB 2058
 Adult family homes, vehicular traffic due to, limiting: HB 1383, HB 1909
 Asphalt transportation, reduction of air pollution from: HB 1028
 Autonomous vehicles, operation on public roads, requirements: HB 2131

Cameras, traffic safety, on school buses, and detected-infraction revenue use: HB 1246
 Cameras, traffic safety, using automated license plate recognition systems, when: HB 1909
 Delays, significant, personal electronic device use-prohibition exception: HB 2236
 Express toll lanes, I-405, replacing: HB 1030
 Express toll lanes, I-405, toll exemption for persons undergoing medical treatment: HB 1269
 High occupancy vehicle lanes, replacing I-405 express toll lanes with: HB 1030
 High occupancy vehicle lanes, use by blood-collecting establishment vehicles: ***SSB 5837, CH 73 (2017)**
 High occupancy vehicle lanes, wheelchair accessible taxicab use, DOT to consider: ***SSB 5018, CH 311 (2017)**
 High occupancy vehicle toll lanes, SR 167 pilot project, extending: HB 2179
 Limited access facilities, use of shoulder by motorcycles, when: SSB 5378
 Merging, late merge zipper method for, including in driver training education: HB 2055
 Mopeds, helmet, financial responsibility when adult not wearing: HB 1804
 Mopeds, helmets, limiting mandatory use to persons under 18: HB 1485
 Motor-driven cycles, helmet, financial responsibility when adult not wearing: HB 1804
 Motor-driven cycles, helmets, limiting mandatory use to persons under 18: HB 1485
 Motorcycle- or club-related paraphernalia, profiling based on, prohibiting: HB 1553
 Motorcycles, helmet, financial responsibility when adult not wearing: HB 1804
 Motorcycles, helmets, limiting mandatory use to persons under 18: HB 1485, HB 1803
 Motorcycles, helmets, rider liability for manufacturer compliance failure, removing: HB 1650
 Motorcycles, limited access facility shoulder use by, when: SSB 5378
 Motorcycles, operating between lanes or passing in same lane: HB 1157
 Motorcycles, passing in lane occupied by vehicle, when: SSB 5378
 Railroad grade crossings, on-track equipment approaching, requiring drivers to stop: ***SB 5227, CH 87 (2017)**
 Real time traffic information, via automated license plate recognition systems: HB 1909
 Ride-sharing vehicles, tax exemptions for, to include electric vehicles: HB 1662
 Speed limits, dual, local establishment by ordinance: HB 1307
 Wireless communications devices, hands-free, sales and use tax exemptions for: HB 2237
 Work zone workers and vehicles, requirements for drivers: HB 2087

TRAFFIC OFFENSES (See also ROADS AND HIGHWAYS; TRAFFIC)

Alcohol concentration, allowed when driving, lowering: HB 1701, HB 1874
 Alcohol violators, fee increase to fund DUI reduction: HB 1970
 Blood samples, collection by forensic phlebotomists or certain professionals, when: SSB 5186
 Blood samples, collection for offenses, authorized health care professionals: HB 1614
 Distracted driving, during moving violation, penalty: HB 1631
 Distracted driving, provisions: HB 1371, HB 2235, HB 2236, ***SSB 5289, CH 334 (2017) PV**
 Driving dangerously distracted, as traffic infraction: ***SSB 5289, CH 334 (2017) PV**
 Driving under the influence, allowed alcohol concentration, lowering: HB 1701, HB 1874
 Driving under the influence, felony prior offense threshold, lowering: HB 1970, ***SB 5037, CH 335 (2017) PV**
 Driving under the influence, vacating offense record, when: HB 1614
 Driving under the influence, when awaiting arraignment for prior offense: HB 1614
 Enforcement, liquor enforcement officers, traffic laws enforcement by: SSB 5132
 Infractions, additional fee for, deposit into state DNA database account: HB 1138
 Infractions, dismissed, identifying case information online, removal of: HB 2035
 Infractions, outstanding moving violations, license suspension due to, when: EHB 1480
 Motorcycle- or club-related paraphernalia, profiling based on, prohibiting: HB 1553
 Motorcycles operating between lanes or passing in same lane, impeding: HB 1157
 Personal electronic devices, when driving, infraction: HB 1371, HB 2235, HB 2236, ***SSB 5289, CH 334 (2017) PV**
 Personal electronic devices, when driving, infraction, expanding exceptions: HB 2235, HB 2236
 Physical control of vehicle under the influence, provisions: HB 1614, HB 1701, HB 1874, HB 1970, ***SB 5037, CH 335 (2017) PV**
 Police vehicle, attempting to elude, "pursuing police vehicle" definition: HB 1844
 Police vehicle, attempting to elude, crime of, seriousness level: HB 1642, HB 1821
 Reckless endangerment of work zone workers, gross misdemeanor: HB 2087
 Traffic safety cameras, provisions: HB 1246, HB 1909

TRAFFIC SAFETY COMMISSION

Bicycles, Cooper Jones bicyclist safety advisory council, commission to convene: EHB 1795, *SSB 5402, CH 324 (2017)

Driving under the influence, reduction programs, commission role and funding: HB 1970

Restraint systems for children in vehicles, information about, commission role: EHB 1188

TRAFFIC SAFETY EDUCATION

Driver training education, curriculum standards and instructor licensing: HB 1481

Driver training education, to include late merge zipper method when lanes merge: HB 2055

Driver training instructor advisory committee, creation and role of: HB 1997

Traffic safety education courses, including late merge zipper method in, OSPI role: HB 2055

TRANSPORTATION (See also FERRIES; MOTOR VEHICLES; OIL AND GAS; PUBLIC TRANSIT; RAILROADS; ROADS AND HIGHWAYS; SCHOOLS AND SCHOOL DISTRICTS; TRAFFIC; TRANSPORTATION, DEPARTMENT; UTILITIES AND TRANSPORTATION COMMISSION)

Ambulance service, as part of fire protection district formation, when: *ESSB 5628, CH 328 (2017)

Ambulance services, medicaid payment for, relation to medicare rate: HB 2112

Ambulance services, municipal/volunteer, driver without medical training, when: *ESSB 5751, CH 70 (2017)

Auto transportation companies, special needs persons services, B&O tax credit: HB 2113

Budget, 2017-2019: HB 1147

Budget, 2017-2019 and supplemental 2015-2017: *ESB 5096, CH 313 (2017) PV

Budget, supplemental 2015-2017: HB 1146

Commercial transportation services provider, as transportation network company: ESSB 5620

Commercial transportation services, freight delivery, vehicle insurance: HB 1073

Commercial transportation services, unemployment compensation exemption: HB 1575, SSB 5362

Electrification of transportation, city plans and electric vehicle infrastructure: HB 1335

For hire vehicle companies, wheelchair accessible, special parking privileges: *EHB 2003, CH 151 (2017)

For hire vehicles, operating within port district, limiting entry and charging fee: HB 1917

For hire vehicles, providers for special needs persons, B&O tax credit: HB 2113

High capacity transportation systems, certain taxes for, nullification of: HB 2166

Limousines, operating within port district, limiting entry and charging fee: HB 1917

Motor carrier, truck owner-operator as, industrial insurance exemption, when: HB 1780

Motor carriers, industrial insurance, defining "truck" for purposes of: HB 1780

Motor vehicle transporters, license for, issuance to repair facilities: EHB 1742

Regional mobility grant program, "reasonable progress" for eligibility, when: HB 2151

Regional transportation planning organizations, forming, county eligibility, when: HB 2066, *SB 5649, CH 68 (2017)

Rental car agencies, sales tax revenue for tourism marketing: HB 1123

Ride-sharing vehicles, providers for special needs persons, B&O tax credit: HB 2113

Special transportation needs, persons with, providers for, B&O tax credit: HB 2113

Taxicab companies, when wheelchair accessible, special parking privileges: *EHB 2003, CH 151 (2017)

Taxicabs, operating within port district, limiting entry and charging fee: HB 1917

Taxicabs, wheelchair accessible, HOV lane use by, DOT to consider: *SSB 5018, CH 311 (2017)

Transportation benefit districts, boundaries, to include only whole parcels: HB 1770

Transportation benefit districts, imposing fees and charges, public hearing before: HB 1606

Transportation benefit districts, sales and use tax imposition by, rates: HB 1175

Transportation network companies, assessing McKinney-Vento surcharge: HB 2206

Transportation network companies, regulating of: ESSB 5620

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 Airports, community aviation revitalization loan oversight task force, DOT role: EHB 1656
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 Toll facilities, Tacoma Narrows bridge, unstaffed booths and credit cards, DOT role: HB 1443
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 Tax, unemployment, excluding services by persons 14 to 22 from "employment": HB 1610
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 Conservation or efficiency, projects of statewide significance for: SB 5621
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 Electric, electric distribution efficiency and distributed energy, enabling: HB 1233
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 Public utility districts, elections, district-based or alternative: HB 1800
 Public utility districts, privilege taxes, tools for administering: *SSB 5358, CH 323 (2017)
 Public utility districts, providing retail telecommunications services, authority for: HB 1938
 Public utility districts, public works procurement with unit priced contracts: *SB 5036, CH 85 (2017)
 Renewable energy system cost recovery program, modifications: HB 1048, *ESSB 5939, CH 36 (2017)
 Renewable energy systems, distributed, consumer access to: HB 1233
 Renewable energy targets and resources, provisions: HB 1334
 Renewable resource, development of, projects of statewide significance for: SB 5621

Renewable resource, eligible, definition and utility requirements: HB 1249, HB 1334, HB 1519, ***ESB 5128, CH 315 (2017)**

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Silicon smelters, sales of electricity to, tax preferences for: HB 1403, ***SSB 5977, CH 37 (2017) PV**

Solar companies, community, registration and certification of: ***ESSB 5939, CH 36 (2017)**

Solar energy systems, shared commercial solar projects, role of utilities: ***ESSB 5939, CH 36 (2017)**

Solar energy systems, tax preferences, role of utilities: HB 1048, ***ESSB 5939, CH 36 (2017)**

Telecommunications, small cell facilities and networks, attachments and rates for: HB 1921

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Electric utilities, distributed energy systems, UTC role in enabling shift to: HB 1233

Railroad crews, contract transportation providers and vehicles, UTC regulation of: HB 1105

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Colleges, veterans attending, mental health counselors for: HB 1737, SB 5525

Community care and supportive services pilot program, process for initiating: HB 1571

Definition of "veteran," modifying: HB 1534, ***SB 5391, CH 185 (2017)**

Department, veterans affairs, community care and supportive services pilot program: HB 1571

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Disabilities, veterans with, complimentary discover pass, when: HB 1180

Disabilities, veterans with, free hunting or combination fishing license: HB 1180

Disabilities, veterans with, lifetime veteran's disability pass, access to parks, etc.: HB 1177

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Employment, military recruitment program for veterans, developing: ***SB 5849, CH 192 (2017)**

Hate crimes, due to honorably discharged veteran status: HB 1986

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Honorably discharged veteran, malicious harassment due to status as: HB 1986

Housing, adapted for disabled veterans, certain tax preferences for: HB 2138

Iran and Afghanistan conflicts, veterans, naming I-5 bridges over Nisqually river for: HJM 4007

Japanese-American World War II veterans, recognizing: ***HR 4613 (2017)**

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License plates, disabled veteran fee exemption, qualifications: HB 1230

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Public employment, competitive examinations, veterans' scoring criteria: HB 2137

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Retirement, WSPRS, military service credit for: HB 1173

Services for veterans, peer-to-peer support volunteers, training for: ***SB 5849, CH 192 (2017)**

Shared leave program, state, uniformed service pool, veterans and spouses: HB 1802

World War I, Washington's veterans of, honoring: ***HR 4641 (2017)**

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 State veterinarian, elk hoof disease prevention strategies, DFW to request: HB 1848

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 Human trafficking, noncitizen victims, U and T nonimmigrant visas for: HB 1022
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 Human trafficking, sex, aiding victims with sexually oriented business fee: HB 1109
 Human trafficking, sex, services for child victims of: HB 1791
 Prostitution offenses, convictions for, by victims of certain crimes, vacating, when: HB 1112, ***SSB 5272, CH 128 (2017)**
 Prostitution, promoting, no-contact orders to aid victims: HB 1079
 Rape, pregnant survivor, court aid to avoid parenting interactions with rapist: HB 1543
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 Sex and kidnapping offenses, offender petition for relief from, notice to victim: ***SSB 5083, CH 86 (2017)**
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 Sexual assault and trafficking, aiding victims via program, training, and fee: HB 1109
 Sexual assault, examinations, facility reimbursement for, conditions: HB 2102
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 Workforce investment act, updating obsolete references to: HB 1363, ***SB 5237, CH 39 (2017)**
 Workforce training and education, 2016 state comprehensive plan, approving: HCR 4402, ***SCR 8401 (2017)**
 Yoga, practice or instruction programs, regulating as private vocation schools: HB 1385, SB 5141

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 Access to vulnerable adults, unsupervised, persons with, background checks: ***EHB 1620, CH 332 (2017)**, SB 5399
 Criminal cases involving vulnerable adults, protocol and advocacy teams: HB 1153, SSB 5099

Criminal mistreatment of a vulnerable adult, provisions: HB 1153, SSB 5099
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 Incapacitated adults, guardianships, less restrictive alternative option, when: ***SB 5691, CH 271 (2017)**
 Incapacitated adults, right of communication and visitation, guardian role: HB 1402, 2SSB 5577
 Motor vehicle, entering to assist vulnerable adult, liability immunity, when: HB 1118
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 Long-term care providers, hours paid by DSHS for, extending current limit: ***SB 5976, CH 24 (2017)**
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 Wage laws, compliance with, as public works responsible bidder criterion: HB 1936, ***SSB 5301, CH 258 (2017)**
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 Greywater, reuse in buildings, when: HB 1213
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 Irrigation districts, as municipal suppliers, identifying rights for municipal uses: HB 1084
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 Potable water, Hirst decision on private wells for residential developments: HB 2239, HB 2248, 2E2SSB 5239
 Public water systems, fluoridation, concentration limit for: HB 1244

Public water systems, lead-containing drinking water service lines, replacing: HB 1805
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 Drinking water, lead in school systems/outlets, action plans, testing, and response: HB 1842, HB 1925
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 Lead, drinking water service lines containing, replacing: HB 1805
 Mineral prospecting, motorized, pollutant discharge elimination general permit: HB 1106
 Pollutant discharge elimination permits, treating nonagency individuals equitably: HB 2140, HB 2141
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 Columbia river water right permits, application processing, legislative intent: HB 1394, SB 5269
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 Ground and surface water, joint legislative task force on water supply, establishing: HB 2248
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 Permits, mitigation of impacts to fish or aquatic resources, when: HB 1885
 Priorities, beneficial use for irrigation, etc., priority over base or minimum flows: HB 1348
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- Pollution control facilities, district acquisition, lease, or sale of: HB 1187, ***SB 5119, CH 314 (2017)**
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- Noxious, on state lands, lien for unpaid county board control action costs: SB 5754

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- Damage due to wildlife, claim process, review of: HB 1726
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- State wildlife account, moneys in, deposit and use: HB 1597, HB 1647
- Whales, orca, unmanned aerial systems approaching: HB 1031
- Wolf-dog hybrids, dangerous feral, removal: HB 2247
- Wolves, gray, partial removal from endangered, threatened, or sensitive lists, when: HB 1872
- Wolves, predation by, certain prevention information, disclosure exemption: HB 1465
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- 19th amendment to U.S. constitution, centennial of, preparing to commemorate: HB 2007
- Birth control, contraceptive drugs, health plan coverage for twelve-month supply: HB 1234
- Breast reconstruction and prostheses, insurance coverage for cancer patients: HB 2043, ***SSB 5481, CH 91 (2017)**
- Bull, Gina Grant, house page program supervisor and legislative assistant, honoring: ***HR 4616 (2017)**
- Businesses, women-owned, U of W medical facility alternative contracting: HB 1861, ***SB 5631, CH 124 (2017)**
- Camas High School girls' soccer team, honoring: ***HR 4608 (2017)**
- Contraceptive drugs, health plan reimbursement for twelve-month-supply refills: HB 1234
- Dressel, Melanie, Columbia bank CEO, honoring the life and accomplishments of: ***HR 4624 (2017)**
- Employment, equal opportunities for men and women: EHB 1506
- Feminine hygiene products, purchases by assistance recipients, tax exemptions: HB 1880
- Feminine hygiene products, sales and use tax exemptions for: HB 1265, HB 1880
- First ladies, honoring on Presidents' day: ***HR 4618 (2017)**
- History consortium, women's, role in commemorating national women's suffrage: HB 2007
- Housing assistance, after release from women's corrections center: ***SSB 5077, CH 214 (2017)**
- International women's day, honoring women on: ***HR 4623 (2017)**
- Kentridge High School Chargers girls' basketball team, honoring: ***HR 4629 (2017)**
- Mother-newborn contact, newborn delivery services, medicaid requirements: HB 1474, ***SSB 5835, CH 294 (2017)**
- Pregnancy and childbirth, doula services for incarcerated women: HB 1704, HB 2016
- Pregnancy disability and parental leave, state shared leave program to include: HB 1434
- Pregnancy, healthy pregnancy advisory committee, establishing: HB 1474, ***SSB 5835, CH 294 (2017)**
- Pregnancy, medicaid oral health connections pilot program: 2SSB 5540
- Pregnancy, workplace accommodations for childbirth and, when: HB 1448
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- Rape, pregnant survivor, court aid to avoid parenting interactions with rapist: HB 1543
- Sexual violence, at colleges, survivor-advocate records, confidentiality: ***SSB 5764, CH 72 (2017)**
- Sexual violence, at colleges, task force on preventing, recommendations of: ***SSB 5764, CH 72 (2017)**
- Sommers, Helen, former representative, naming "1063 Building" after: HCR 4400
- U of W, medical facility alternative contracting, women-owned businesses: HB 1652
- Voting, national women's suffrage, commemoration of centennial of, preparing for: HB 2007

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 Skilled worker outreach, recruitment, and key training program, creating, DOC role: HB 1949
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 Workforce education needs for agriculture, natural resources, and environment: HB 1404
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 Workforce investment act, updating obsolete references to: HB 1363, ***SB 5237, CH 39 (2017)**
 Workforce needs and skilled worker programs, assessing and coordinating: HB 1949
 Workforce training and education, 2016 state comprehensive plan, approving: HCR 4402, ***SCR 8401 (2017)**
 Workforce training and education, state plan for, early learning provider training in: HB 1758

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Workforce needs and skilled worker programs, board role: HB 1949

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Elephants, in petting zoos as traveling animal act, prohibiting participation: HB 2088